

- (vii) Need to clear the Projects of State Government of Kerala for providing basic amenities to the devotees coming to Sabarimala Ayyappa Temple.

SHRI KODIKUNNIL SURESH (Adoor) . The Sabarimala Ayyappa Temple in Pathanamthitta district of Kerala is one of the most important Pilgrim Centres in the country. There are lakhs of devotees of Lord Ayyappa coming to this holy place every year from different parts of the country to have darshan. This Temple is situated in the midst of forest. The devotees reach this Temple through the forest on foot after taking holy bath at the river Pamba. From Pamba, one has to climb on foot about 12 kms. to reach the *Sannidhanam*.

Every year, the number of devotees are increasing and it is creating a lot of problems nowadays as the people are facing lack of basic amenities like shelter, sanitary, medical facilities etc. due to lack of space. The Devasom Board, which is managing this Temple, is not in a position to provide these basic amenities.

In order to find out some solution to these problems of the devotees, the Devasom Board and the State Government of Kerala have submitted some projects to the Central Government. The Central Government has not yet taken any concrete step by making necessary amendments to the existing Forest and Environment Protection Act.

Keeping in view the alarming increase of flow of devotees to this famous Temple, I urge upon the Central Government to take immediate steps and issue necessary orders to the Forest Department to allot sufficient land in and around the Temple so as to enable the Devasom Board to provide the basic amenities like sanitation, medical aid and shelter etc. to the devotees of this famous Temple.

[Translation]

SHRI P. NAMGYAL (LADAKH) : Mr. Chairman, Sir, my statement has been made out of context and it does not convey the meaning which I intended.

[English]

If you permit me, I would like to discuss the statement with the Secretary-General and read it again tomorrow.

MR. CHAIRMAN : Shri Namgyal, you may just read out the statement which you have given. That is all.

...(Interruptions)

SHRI P. NAMGYAL : My statement is something different. If you permit me, I will read this one.

MR. CHAIRMAN : You can read out the statement.

SHRI P. NAMGYAL : In this, the meaning carried out for Pre-'53 is a different one and I oppose it. We oppose the position of Pre-1953 position for Jammu and Kashmir. This meaning should not be assigned to me.

MR. CHAIRMAN : How did it happen?

...(Interruptions)

SHRI RAM NAIK (Mumbai North) : The hon. Member is saying that he had given a statement. Normally, certain things are edited so that the statement is under the rules. If the meaning is not being conveyed, the best course for him would be to submit the statement tomorrow. He should be allowed to do that.

MR. CHAIRMAN : Shri Namgyal, you can submit the statement tomorrow.

12.26 hrs.

MOTION RE : SERIOUS SITUATION ARISING  
OUT OF THE RECENT DEVELOPMENTS  
IN BIHAR—Contd.

MR. CHAIRMAN : The House shall now take up further discussion on the Motion moved by Shri Atal Bihari Vajpayee. Shri Lalmoni Chaubey is on his legs. He may continue please.

...(Interruptions)

[Translation]

SHRI RAM SAGAR (Barabanki) : Mr. Chairman, Sir, please listen me for a minute.

[English]

MR. CHAIRMAN : Take your seat. We are not taking up this today.

[Translation]

KUNWAR SARVARAJ SINGH (Aonla) : We have a long been submitting notices regarding Babrala.  
...(Interruptions)

[English]

MR. CHAIRMAN : We have decided not to take up any other item. This is the decision.

[Translation]

SHRI ILIYAS AZMI (Shahabad) : You intend to speak disregarding all norms? ...*(Interruptions)*

SHRI BRIJ BHUSHAN TIWARI (Dumariaganj) : We are not violating any laws. Since the commencement of this session, we have a long been raising the Babrala issue in the Zero hour alongwith the submission of notices. You please give us the opportunity.

[English]

MR. CHAIRMAN : Take your seat. That can be taken up tomorrow and not today.

Shri Lalmuni Chaubey to continue.

[Translation]

SHRI RAM KRIPAL YADAV (Patna) : Mr. Chairman, Sir, I have point of order. I am quoting the rule. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Shri Ram Kripal, please take your seat. I have moved on to the next item.

[Translation]

SHRI RAM KRIPAL YADAV : You please listen my point, then give your ruling ...*(Interruptions)*

[English]

MR. CHAIRMAN : Why do you disturb the proceedings like this? You are raising the same item in a different form.

[Translation]

SHRI RAM KRIPAL YADAV : We are not disturbing. I am not quoting the rule 190 please listen to me and then give your ruling.

[English]

MR. CHAIRMAN : This is the same item you had raised earlier also.

[Translation]

SHRI RAM KRIPAL YADAV : Wouldn't you listen on the point of order?

[English]

MR. CHAIRMAN : If it is not relevant, it is not correct from your side. I have been listening to you. You have been raising the same issue number of times.

[Translation]

SHRI RAM KRIPAL YADAV : Why?

[English]

MR. CHAIRMAN : It is only to get the attention of the House, you are raising the issue.

[Translation]

SHRI RAM KRIPAL YADAV : I am quoting a new thing and you have to decide about it under Rule 190. You please listen to me for a minute and then decide whichever way you want.

[English]

MR. CHAIRMAN : Lalmuni Chaubeyji, please take your seat. Ram Kripalji, I can tell you one thing that you are raising matters in the House in such a way that the proceedings are affected. You are repeatedly raising the same issue.

[Translation]

SHRI RAM KRIPAL YADAV : Mr. Chairman, Sir, the rule 190 is under the rule 184.

"The Speaker may, after considering the state of business in the house and in consultation with the leader of House [or on the recommendations of the Business Advisory Committee] note a day or days or part of day for the discussion of any such motion."

The discussion can take place on the scheduled time. You have not fixed any time. You are holding discussion constantly. You please fix the date in this regard.

The second thing in Rule 191 is this that:

"The Speaker shall at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every question necessary to determine the decision of the House on the original question."

[Shri Ram Kripal Yadav]

You please give you ruling on the Rule 190. I have pointed it out as to how long this debate will continue, two days, four days or five days. You please allot the time thereafter you hold the discussion. We have no objection to hold the discussion but you please allot the time as provided in the Rule 190. This is what I wanted to request.

[English]

MR. CHAIRMAN : Have you finished?

[Translation]

SHRI RAM KRIPAL YADAV : Yes, Sir.

[English]

MR. CHAIRMAN : Then take your seat.

[Translation]

SHRI RAM KRIPAL YADAV : How long, would you please tell?

[English]

MR. CHAIRMAN : I am sorry to say that there is no point of order. The Chair has already given the ruling. After the ruling, you are not supposed to raise this issue again. This is the very same issue. We have decided that the discussion will continue. Under Rule 190, you have mentioned about the Adjournment Motion that should be taken up the same day. This issue was raised in the House number of times and the Speaker has decided that this discussion will continue. It is not necessary on your part to say anything. It is done in consultation with the Leader of the House and also other leaders. The Speaker has taken a final decision and the decision was announced.

[Translation]

SHRI RAM KRIPAL YADAV : Would you fix any time limit or a continuous discussion would be held? Would you not take a different stand on it. ...*(Interruptions)* My submission is that would you fix a time limit in this regard or not?

[English]

MR. CHAIRMAN : Shri Ram Kripal Yadav, please take your seat. You are not following what is happening in this House. I cannot help it.

...*(Interruptions)*

MR. CHAIRMAN : Please take your seat.

[Translation]

SHRI RAM KRIPAL YADAV : When you are holding the business in the House disregarding the relevant Rule, I don't have to say anything. Nevertheless I have registered my protest.

MR. CHAIRMAN : I have given the ruling on it and thereafter it is not proper to raise this issue.

SHRI LALMUNI CHAUBEY (Buxar) : Mr. Chairman, Sir, I have risen to speak for the very first time and I hope that Ram Kripal Yadav ji would keep up his cool. I would also earnestly request my senior colleagues to forgive me for my poor expression.

I am deeply anguished to state that today Bihar is reeling under a sense of humiliation and discarded boss and we people of Bihar are constantly at the receiving end.

Whenever we people travel in the trains or stroll in the lobbies or in the Central Hall people after knowing that we belong to Bihar, react quite sarcastically and their curt smile penetrates deep into our heart and minds reducing us to a shameful lot.

Sir, I feel that the state of Bihar has such a glorious rich past that Indian culture devoid of the culture and heritage of Bihar will be reduced to a nonentity. I do not think that Bihar looks in anything still we are termed as poor and backward. We have very rich reserves of minerals such as mica, coal, iron, copper, uranium, chromium etc. Bihar has ample fertile agriculture land and we have vast network of rivers to provide irrigation. The land of Bihar is not only rich in gems but it has also produced many a great persons. Pointing towards your Chair I want to say that its pillar of Ashoka and Chakra are also from Bihar. So, Bihar's land not only contains valuable minerals but it has been the land of many bravesons. Several great men were born in Bihar. Who are recognised and revered world over. The land of Mithila belongs to Janak, Bhagalpur the land of great Karna, the holy land of Monghyer, Gaya where Buddha attained enlightenment and 'Karm Bhumi' of Biragh Munda all lies in Bihar. Shershah of Sasaram who defeated Kumanyu and sat on the throne of Delhi belonged to Sasaram. Bimbsar Ashok and Samundra Gupta, who ruled India in its golden period belonged to Bihar and Vaishali is the land to have developed democracy. We the people of Bihar, quite paradisiacally are looked down upon for belonging to Bihar. Great leaders like Shri Jai Prakash Narayan ji became famous by the Diara episode. Shri Rajendra Babu belonged to Chhapra and the biggest

cheat Natwar Lal and Shri Laloo Prasad also belonged to Bihar.

AN HON'BLE MEMBER : Where was Kesriji born?

SHRI LALMUNI CHAUBEY : I will tell that also. We felt that a youth from a poor family had taken over the reigns of Bihar. ...*(Interruptions)*

SHRI RAM KRIPAL YADAV : He has not remembered Rajendra Babu but he is mentioning our Lalooji repeatedly. ...*(Interruptions)*

SHRI LALMUNI CHAUBEY : I was also saying that we people hoped that our Lalooji would follow Rajendra Babu but he followed others. Scam after scam began to surface. You and the people of the country think that the funds involved in animal husbandry scam are related only to the fodder for animals but it is not so. The funds earmarked for scholarship to the Dalit students, pension for old age Dalits, Indira Awas Yojana, funds allocated for buying rickshaws to the unemployed Dalits, funds provided for construction of schools, hospitals and bridges are also included in the amount of rupees nine hundred and fifty crores. The funds provided for the development of rural villages, poor and Dalits have been plundered. ...*(Interruptions)*. If there is any objection, I withdraw my words but I would like to submit that it is a matter of great concern for Dalits. Only Dalits have been mentioned. Dalits have been killed in Mumbai, Maharashtra but that matter has not been discussed. They are making noise. Dalits have been killed there as result of firing of bullets, by the police. It hurts me and I would like to express my anguish over it. 35 incidents of killing have occurred in Bihar during seven years. 13 incidents of killing have taken place daily and in those incidents 24 thousand Dalits have been killed. This is your liberal feeling about these 24 thousand Dalits, this is the feeling of voting and purchasing of vote and you are saying that the toll in Maharashtra is 24. You are leader of Dalits. Funds allocated for Dalits have been swindled and 24 thousand Dalits have been killed in Bihar and, as such, should not Article 356 be invoked? Six undertrials have been killed in Bihar. Their deaths have occurred under suspicious circumstances. Should Article 356 not have been invoked in Bihar? A Judge of the Patna High Court has observed that jungle raj is prevailing in Bihar. Should Article 356 not be used then? ...*(Interruptions)*

Mr. Chairman, Sir, CAG has observed in their report that financial management in Bihar is unsatisfactory. Should Article 356 not have been used there? Let Shri

Pawar, Shri Somnath Chatterjee, other Members of the House and so called leaders of Dalits, Ram Vilas ji tell me when should Article 356 be invoked. Sir, they are also not committing less sin. Yesterday, Shri Gujral was enraged and his stature was worth watching. He in fact, lowered the dignity of the high office which was once adorned by great personalities like Lai Bahadur Shastri. Now-a-days in the House and outside it, he is saying that he would not spare wrong doers and that he would not compromise with corruption. Let me ask him as to how he is going to do it ...*(Interruptions)*\*

Both are involved in the violation of FERA. Both have violated FERA and the Calcutta High Court. ...*(Interruptions)*\*. It is said that they have purchased a company from foreign countries for rupees ten crores and made payment for it through a foreign account. ...*(Interruptions)*\*. But there is Directorate of Enforcement ...*(Interruptions)*\* enquiry should be conducted in this regard. ...*(Interruptions)*\*.

Sir, I have a proof with me and I am speaking with proof. ...*(Interruptions)*

*[English]*

DR. GIRIJA VYAS (Udaipur) : Sir, he is not in the House. It should not go on record. ...*(Interruptions)*

MR. CHAIRMAN : I can listen to only one person at a time.

...*(Interruptions)*

SHRI PINAKI MISHRA (Puri) : He is not here to defend himself. This must be expunged. ...*(Interruptions)*

MR. CHAIRMAN : Please do not make any such references.

...*(Interruptions)*

MR. CHAIRMAN : He is not in the House. Shri Lalmuni Chaubey, please do not refer to his name.

*[Translation]*

SHRI LALMUNI CHAUBEY : Mr. Chairman, Sir, I have a proof.

MR. CHAIRMAN : One minute please.

\*Expunged as ordered by the Chair.

\*Not Recorded.

SHRI LALMUNI CHAUBEY : ...*(Interruptions)*\*

[English]

MR. CHAIRMAN : The persons you have referred to are not present in the House. So, that will not form part of the record.

[Translation]

SHRI LALMUNI CHAUBEY : I shall not name him. I ...*(Interruptions)*

[English]

MR. CHAIRMAN : I have given the ruling that it will not form part of the record. Why should you shout like this?

[Translation]

SHRI ILIYAS AZMI : This is not fair. Names of those persons should not be mentioned who are not in the House. ...*(Interruptions)*

SHRI LALMUNI CHAUBEY : But in this very House such persons have been named. ...*(Interruptions)*

[English]

MR. CHAIRMAN : What is this? Please let him speak.

[Translation]

SHRI LALMUNI CHAUBEY : Mr. Chairman Sir, now-a-days Gujral Saheb is saying repeatedly that he will not compromise with corruption and that he will not spare any such person, not even his family member. ...*(Interruptions)*\*. The Directorate of Enforcement is working in Patna and Delhi but the officials of the IB are conducting raid on this Directorate. ...*(Interruptions)*

SHRI PARASRAM MEGHWAL (Jalore) : I am on a Point of Order. I want to know whether Bihar is the subject of discussion or Kesriji. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Shri Chaubey, you have to conclude now.

\*Expunged as ordered by the Chair.

[Translation]

SHRI LALMUNI CHAUBEY : Who ordered the raid to be conducted on the Directorate of Enforcement and why? Senior leaders of the Congress party and my friend Shri Tariq Anwar are sitting here. Shri Anwar made very good comment about Shri Advani when he said that their President had tendered his resignation. But their President did not resign even after he was chargesheeted.

SHRI TARIQ ANWAR (Katihar) : Was chargesheet not filed?

SHRI LALMUNI CHAUBEY : I am quoting 'Jansatta'.

[English]

MR. CHAIRMAN : Shri Chaubey, you have to conclude now.

[Translation]

SHRI LALMUNI CHAUBEY : Seven questions were put to Shasai Hur who lives in Toronto, on the 26th May by the Directorate of Enforcement. The question was whether you know. ...*(Interruptions)*\*

[English]

MR. CHAIRMAN : Please conclude within a minute.

[Translation]

AN HON'BLE MEMBER : It is written in newspaper, it is written in 'Jansatta'. ...*(Interruptions)*

[English]

MR. CHAIRMAN : The time of the House is very valuable. We have to go through the records. We have to remove many things. You are not expected to quote from materials which are not authenticated. You should not refer to the names of those persons who cannot give reply in the House. That will have to be removed.

So, on records, your speech would remain incomplete. Please keep this in mind. Please do not refer to such names and also please do not quote such things which cannot form part of the record.

*(Interruptions)*

\*Not Recorded.

[Translation]

SHRI LALMUNI CHAUBEY : O.K. I will not mention the name. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Why do you not understand this?

...*(Interruptions)*

MR. CHAIRMAN : I said that about the names only.

...*(Interruptions)*.

[Translation]

SHRI ILIYAS AZMI : Earlier also, the names of those, who are not members of this House, have been repeatedly mentioned here. ...*(Interruptions)* The name of Harshad Mehta was mentioned here. You can check it from the records. ...*(Interruptions)*

[English]

MR. CHAIRMAN : One Member can speak at one time, please.

...*(Interruptions)*

MR. CHAIRMAN : I have allowed Shri Ram Naik. Please sit down.

...*(Interruptions)*

[Translation]

SHRI ILIYAS AZMI : First you give ruling on my Point of Order. ...*(Interruptions)*

The names of those who are not the members of this House have been repeatedly mentioned here. You can check it from the records.

[English]

MR. CHAIRMAN : He is raising the same matter. I have allowed Shri Ram Naik to speak. You may please sit down.

...*(Interruptions)*

MR. CHAIRMAN : This is not going on record. Whatever Shri Iliyas Azmi says is not going on record. Shri Iliyas Azmi, please do not waste the time of the House.

...*(Interruptions)\**

\*Not Recorded.

SHRI RAM NAIK (Mumbai North) : Sir, in a discussion of this type, the names of those persons who are not the Members of this House or who are not present or those who cannot speak on their behalf would naturally come. The names of Shri Advani, Shri Munde and others have come. So, such names would naturally come.

What the hon. Member quotes is from the newspaper. Quoting from the newspaper and quoting something from a piece of paper which is not authenticated are different. The hon. Member is quoting from the newspaper which is always allowed here. At the most, one can say that it is not the subject matter of discussion; and it is all right. But he can quote from the newspapers. ...*(Interruptions)*

MR. CHAIRMAN : We have very limited time.

...*(Interruptions)*

SHRI PRAMOD MAHAJAN (Mumbai, North-East) : Sir, if we have to refer to only those who are present here, then the debate would not be fair. ...*(Interruptions)*

MR. CHAIRMAN : That is not the point. Please take your seat. I did not mean that also. Please understand that. I am not saying that names of those who are not present in the House should not be referred to. But making an allegation against a person who is not present in the House is not proper. I have noticed this in Shri Chaubey's speech. So, I said that that would not form part of the record. One can quote from the newspapers; I am not saying that one cannot do that. But one cannot make any allegation against any person who is not present in the House, without giving an advance notice to that effect in writing.

...*(Interruptions)*

MR. CHAIRMAN : Please understand that. That is not the point. Shri Chaubey, I want to remind you of this. Please keep in mind the Motion moved by Shri Vajpayee, which says, "... passive attitude of the Central Government ...". But you have not said a word about that. You cannot go on talking about what is happening in Bihar. That is not the subject matter of our discussion now. Please confine your speech to the Motion before the House and conclude your speech in two minutes' time.

...*(Interruptions)*

[Translation]

SHRI LALMUNI CHAUBEY : All that I have to say is that the Prime Minister is giving wrong statements in

[Shri Lalmuni Chaubey]

and outside the House and is encouraging corruption.  
...(Interruptions)\*

[English]

MR. CHAIRMAN : What Shri Ilyas Azmi says is not going on record. Nothing other than what Shri Chaubey says is going on record. Whatever Shri Chaubey says will only go on record.

...(Interruptions)

MR. CHAIRMAN : Shri Chaubey, please address the Chair.

[Translation]

SHRI LALMUNI CHAUBEY : Mr. Chairman, Sir, I want to know whether any document and affidavit in regard to a person can be placed before the House? Mr. Chairman, Sir, I am standing here with the affidavit of the Prime Minister.

[English]

MR. CHAIRMAN : You please come to the subject.

[Translation]

SHRI LALMUNI CHAUBEY : Mr. Chairman, Sir, I am putting a small question because you are our guardian.

[English]

MR. CHAIRMAN : I am calling the next speaker. Please conclude in two minutes.

...(Interruptions)

MR. CHAIRMAN : Please come back to the subject.

[Translation]

SHRI LALMUNI CHAUBEY : I was saying that if I had an affidavit of a person, can it be placed before the House?

[English]

MR. CHAIRMAN : Please conclude in two minutes.

\*Not Recorded.

[Translation]

SHRI LALMUNI CHAUBEY : This affidavit pertains to the time of last Lok Sabha elections and it shows that the Prime Minister had given his Patna address wrong to the Election Commission.

[English]

SHRI PRITHVIRAJ D. CHAVAN (Karad) : Sir, how can you permit him to speak like that. ...(Interruptions)

MR. CHAIRMAN : Please sit down. I tell you that this is wrong.

[Translation]

SHRI LALMUNI CHAUBEY : It can be verified. I am showing this affidavit.

[English]

MR. CHAIRMAN : We will pursue the record and what cannot form part of the record will be removed. So, please conclude in two minutes.

...(Interruptions)

[Translation]

SHRI LALMUNI CHAUBEY : Mr. Chairman, Sir, I am saying that whatever the Prime Minister has done during these four months till date has increased corruption to the dangerous proportions—the fact which was unheard of during the tenure of the previous Prime Ministers. May I say that the origin of corruption in Bihar is in Delhi and it continues to be so even today. Otherwise what sort of change is there in Bihar? Today for the first time in the last 50 years, if in a particular circumstance an adjournment motion is being converted into another form of discussion, it is not so historical. It is historical because of the fact that as this adjournment motion changed, so did the situation of Bihar. This adjournment motion has been taken for discussion under Rule 184. "Bhaiya ki bhabhi chali ayee" ...(Interruptions) I have great respect for women. I adore women "ramyante tatra devta. pujyante yatra nar" meaning thereby that where woman is adored, gods live there. Girja ji you were there in the Information and Broadcasting Ministry for some time. Your good looking face was seen there.

[English]

MR. CHAIRMAN : Will you please take your seat? Your time is over.

...(Interruptions)

[*Translation*]

SHRI LALMUNI CHAUBEY : Mr. Chairman, Sir, I want to say that murderer is not the one who is imprisoned nor is the one who is absconding.

[*English*]

SHRI PINAKI MISHRA : Now this is filibustering. This member has been put up by the BJP to avoid the discussion on ...(*Interruptions*)

[*Translation*]

SHRI LALMUNI CHAUBEY : Mr. Chairman, Sir, what I was saying was that the real murderer was not the one who was behind bars nor was the real murderer the one who was absconding, the real murderer was the one who was occupying the throne. The change in Bihar is such....

[*English*]

MR. CHAIRMAN : Now I think you can conclude.

[*Translation*]

SHRI LALMUNI CHAUBEY : Mr. Chairman, Sir, I would like to recite a couplet on the change in Bihar.

"Mali kahta hai chaman badla hai, panchhi kahte hein gagan badla hai,

magar samshan ki khamoshi kahti hai, lash wohi aif kafan badla hai."

You should not destroy the decorum while you are occupying that place. I was not there in the Lok Sabha but I was there in the Legislative Assembly for 27 years. ...(*Interruptions*). People like Tariq Anwar are supporting those who were selling 'Khuddi' for Rice and were paraded on the roads of Patna. This is a matter of shame. I never thought you could support them.

[*English*]

MR. CHAIRMAN : Now, Shri Pramotes Mukherjee will speak. I have a request to all the parties. This is not the responsibility of only the Chairman to control the time. We have come to an understanding. There are seven more speakers to speak. The Mover has also to reply. So, please be restrained. Do not go beyond five minutes.

SHRI PRAMOTES MUKHERJEE (*Berhampore*) (*WB*) : Sir, I am the only speaker from my party.

MR. CHAIRMAN : We have had more than eight hours on this Motion. So, kindly try to be brief.

SHRI PRAMOTES MUKHERJEE : Should I be a victim?

MR. CHAIRMAN : No, no; not you alone. All the speakers will have to be brief.

SHRI PRAMOTES MUKHERJEE : Sir, I thank you for the opportunity given to me to express our views on the Motion moved by Shri Atal Bihari Vajpayee, the hon. Leader of the Opposition.

The Motion contains two aspects, that is, the seriousness of the situation in Bihar and the passive attitude of the Government of India. There is no doubt about the serious situation. The serious situation demanded the resignation of the charge-sheeted Chief Minister and he had to resign. But even after his resignation, the situation does not stand altered. So, there is no doubt about the serious situation. But I do not mind that the Government of India have shown its passive attitude towards the recent developments in Bihar.

12.58 hrs.

(*SHRI CHITTA BASU in the Chair*)

The Mover of the Resolution, Shri Atal Bihari Vajpayee, the hon. Leader of the Opposition, has brilliantly moved the Motion. He did not advocate the imposition of Article 356 in the State of Bihar. But he had aptly quoted from the writings of Shri C. Subramaniam, the highly respected Member of the Constituent Assembly. He had pleaded that the pleasure of the Governor can be withdrawn in such a case as in Bihar. With your kind permission, I quote from the writing of Shri C. Subramaniam, that is, *Agenda of Action*, Part II:

"In my view, it is a case of failure by the Governor to exercise his constitutional powers to withdraw his pleasure and remove the Chief Minister."

Perhaps this was the content and this was the objective of the Mover of the Resolution to draw this conclusion that the pleasure of the Governor of Bihar could be withdrawn in the case of Bihar. But I beg to differ with him in this respect because we are having a federal Constitution. We are living in an age of cooperative federalism. The pleasure of the Governor cannot be withdrawn in such cases. And if the pleasure of the Governor can be withdrawn in such a case, that will be the unilateral imposition of the Centre to rule in the affairs

[Shri Pramothas Mukherjee]

of a State. That will not be healthy. So, I beg to place here that the pleasure of the Governor even in respect of the chargesheeted Chief Minister of Bihar cannot be withdrawn. This is my first submission. It is a fact that actually there are two highly important things in the political scenario of Bihar.

13.00 hrs.

The first thing is the decadence of culture; decadence of values, the decadence of moral and ethical standards in public life.

Sir, with your kind permission I would like to quote from the writings of Shri C. Subramaniam, who was a highly respected Member of the Constituent Assembly. What was the quotation? I quote:

"We find an alarming decline in social and ethical standards in public life. We have witnessed a steep fall in the value system. Corruption, bribery, violence and disrespect for moral values are all pervasive. We have to fix the responsibility for this debasement mainly on politicians".

Sir, this is the situation. This is the decadence of values; this is the decadence of moral and ethical standards in public life. This has led to the growing corruption and criminalisation of politics. This has also placed the *mafia raj* in politics and in every sphere of social life in Bihar. This is the fact and this is the first thing in the political scenario of Bihar.

The second most important thing on the political scenario of Bihar is the failure of the system to punish the guilty at an appropriate time.

Sir, I seek your protection, many Members were speaking in their own fashion.

MR. CHAIRMAN : What is to be protected?

SHRI PRAMOTHAS MUKHERJEE : Sir, I am speaking about the failure of the system. There is the highly active CBI. The Courts are active within their own jurisdiction. The Governor's House was constitutionally active and finally there is the Central Government which allowed the law to take its own course of action. Apart from all these, there is a public opinion against corruption. Yet, it is the failure of the system that the guilty was not found in time and the guilty had not been punished at an appropriate time. This is the failure of the system. Only the Central Government cannot be held responsible for the failure of the system. There are many other factors in the capitalistic rule which were responsible for this failure of the system.

Sir, my third submission is that Bihar is not the only gateway to corruption in India. Bihar is not the only key to unlock the heavens of corruption, criminalisation and *mafia raj* in India. The whole country is now being carried by a sinking boat of corruption. Bihar is simply a part; a simple compartment of this sinking boat of corruption. The whole affairs of Bihar should be judged in this fashion and not with any bias and political malice.

Sir, the mover of the motion, Shri Atal Bihari Vajpayee had rightly referred to the incident of resignation of Shri T.T. Krishnamachari, the then Finance Minister of India. At that time there was an uproar in the House about the Haridas Mundra scandal and the then Finance Minister resigned. His resignation had upheld the prestige, dignity and glory of this House. I can also refer to another incident which took place in the British House of Commons. In 1964 there was an uproar in the House of Commons about the Lord Profumo—Christeen Keeler scandal. After that scandal broke out, Lord Profumo, the then Defence Minister of the British Government had resigned. His resignation paved the way for the enlargement of the glory of the British Parliament.

These are a few ideal references which were expected to be followed in the case of the chargesheeted Bihar Chief Minister. But we are sorry to find that there was complete frustration in case of the Chief Minister of Bihar who was chargesheeted in the fodder scam. What he has done after his resignation—elevating his wife, a family person to that post—could not change the basic situation of the crisis. I do have the highest regard for that person. I know that the chargesheeted Chief Minister started his political life by joining the anti-corruption movement led by Shri Jai Prakash Narain. He was the leader of the backward community. He was the trusted leader of the poor and downtrodden people. There is no doubt about it. It is a historically admitted fact that he is a champion of secularism. He fought a brave and a brilliant battle against the non-secular forces which were a part of the *Rath Yatra* led by Shri L.K. Advani, who is not present here. It was he who arrested the leader of the *Rath Yatra*, Shri L.K. Advani at that time. This was the boldness he had shown in the interest of secularism and for upholding the Constitutional fabric of the country. All these things have been witnessed in history.

The saddest episode of a Chief Minister being chargesheeted in the Fodder Scam has polluted the culture of the whole nation. It is his behaviour that has polluted the culture, beauty and glory of the nation. It is he who has set a very bad example before the younger generation of our country. It is there that the situation stands critical.

But this does not indicate the failure or lapse on the part of the Central Government. This does not indicate the passive attitude of the Central Government. This does not indicate the lapse on the part of the administration or other such things. It indicates only a failure of the system because the guilty has not been punished; or the guilty has not been found out at an appropriate time.

With your kind permission I beg to submit that though there are many things enumerated in the Constitution, yet the whole country cannot be governed or the whole society cannot be governed only through the laws and rules as provided in the Constitution. The moral fabric of the country should be developed. Qualitative development is the need of the hour. I would like to mention only one thing. A nationwide campaign or a movement against corruption is a desirable thing.

With your kind permission, I would like to quote from the same writings of Shri Subramaniam. I would like to mention as to what task he envisaged for the country before it entered into its 50th year of Independence. The task was, to launch a nationwide movement to raise the consciousness, moral standards and values of the people. I quote:

"A national movement for the eradication of corruption is the need of the day. Let the Golden Jubilee of our independence be taken as an occasion to launch this movement."

I again appeal to you that many things cannot be controlled or guided alone by the rules and regulations of the Constitution. But the moral fabric should be developed and qualitatively changed in the State of Bihar. A nationwide movement against corruption is the demand of the day. Let us start that nationwide movement against corruption in this 50th year of independence. This is all that I wish to submit.

[Translation]

SHRI GEORGE FERNANDES (Nalanda) : Mr. Chairman, Sir, the subject, which we are discussing today, has many aspects and first of all I would like to draw the attention of the House towards the economic condition in Bihar and the way of running administration for the long time.

Mr. Chairman, Sir, last week on 23 the day on which the session of Lok Sabha begins, the questions which were supposed to be asked on that day, the subject of question No. 7 was that how much money was disbursed

for urban infrastructure in entire country and in each state through HUDCO.

How much money involved in the schemes prepared and the quantum of loan given to states separately by HUDCO. In toto the schemes of rupees 7154 crores were prepared and HUDCO has given rupees 3829 crores as loan. From this maximum amount has gone to Karnataka. Schemes worth rupees 1462 crores were prepared for Karnataka and rupees 649 crores given by HUDCO as loan and the Bihar got the lowest amount as compared to others. Schemes worth rupees 31 crores were prepared for Bihar and rupees 20 crores were received as loan. Now we cannot say that it is fault of HUDCO because HUDCO gives so much of money as the state government has the capacity to take it. After the loan given by the HUDCO the rest of the amount has to be managed by that government itself. I am placing their part before the House because Bihar has the 10 percent of total population of the country. If the backwardness and limitations of Bihar are kept in view, where water is to be purified, roads are to be mended, only for this purpose decision is to be taken through public interest litigation in High Court by the people, keeping in view that limitation some provisions must be made for Bihar, but the Bihar which has 10 per cent population of the country, no scheme has been prepared there as per the percentage of population money is not given according to the population and in the end the loan received by Bihar is 43 paise in every 100 rupee disbursement.

[English]

0.43 per cent was the share of Bihar whose population is 10 per cent of the country's population.

[Translation]

It is the matter of limitation.

Mr. Chairman, Sir, now I mention the other aspect. When I said that you can get money from other institutions on behalf of government so the taxes collected in Bihar, which is the government capital, is the capital of people and it is the data of last year in 1995-96. Bihar has collected rupees 219 per person as tax. In Punjab 1371, in Gujarat 1147 and in Bihar only rupees 219. Nobody should think that people in Bihar are not paying taxes or there is ban or discouragement on the collection of tax from the people in Bihar. We are discussing here the Siphoning of money by corruption. It is true that at each level this trend is in practice that the tax supposed to go in treasury is not going there. Some people have decided that the money should go to treasury from there it should go to people, then why not put it in our pockets directly and this arrangement started in Bihar.

[Shri George Fernandes]

Mr. Chairman, Sir, it means that there is no need to inquire into any allegation in this regard or to conduct C.B.I. investigation. It is a record that per capita minimum tax collected in Bihar in comparison to other states. Now the result of these two facts are evident on the per capita income in Bihar. According to the data given in economic survey of this year, the per capita average income in country was rupees 9321 during 1994-95. In Maharashtra it was rupees 13112, in Punjab it was rupees 14118 which is maximum except Delhi and in Bihar it was rupees 3816.

But it does not present the real picture. If we have to understand the real picture the Chief Minister who have resigned three days back, he was sworn in as Chief Minister in 1990. If you take into account the data of 1991-92 to 1994-95, then the per capita income in Maharashtra has increased by 4997, during the last three years. In Punjab it increased by rupees 4280 and in Bihar increased by rupees 913. Total per capita income of Bihar reach by Rs. 3816, in Maharashtra by Rs. 4997, in Punjab by rupees 4280. The matter did not end here. This document was placed in this House in the last session and perhaps the debate on this issue had taken only a few hours. It was decided to take it up for discussion during last week or this week and it even appeared in the agenda also. It is there today itself. But I don't think some people will be there in the House to discuss it because no one has interest in it and those who have they are very few. But its page No. 7, this is not the document of Samata Party, it is not the document of CBI, it is the document of Planning Commission and it is the Planning Commission whose Chairman is Prof. Madhu Dandavate and Shri Inder Kumar Gujral is the Chairman. Please refer to para 1.21 on page No. 7 of this document.

[English]

There is also evidence of a deterioration of inter-regional disparities in per-capita income.

[Translation]

Regional imbalance is increasing during the last two years. Thereafter, it is stated that:

[English]

In Bihar, the per capita income, as measured by the State Domestic Product, declined—Mr. Chairman, I emphasise—from Rs. 1204 in 1990-91 to Rs. 1067 in 1994-95 at 1980-81 prices.

[Translation]

Only three years data is here.

[English]

In three years, the total fall in the per capita income in Bihar was 11.4 percent.

[Translation]

The data of succeeding two years is absent. Later two years were the years when more money was withdrawn from the treasury. For next two years the development has totally stopped in Bihar and in such a situation whenever the Planning Commission will present the data for next two years in a month or two months, it seems to me that the income of Bihar during the last five years will come down to 15 per cent or may be 20 percent according to the 1980-81 prices. This is the Bihar. Mr. Chairman, Sir, I will speak for some time more please don't interrupt me.

[English]

MR. CHAIRMAN : As you have heard, there are still about five hon. Members to speak. Over and above, I hope that there will be some intervention from the Government. After that, there will be a reply from the Mover of the Motion, the Leader of the Opposition. It has been intimated to me by the Speaker's office that the debate should conclude by two O'clock. I know that it is not possible. Therefore, I simply communicate it to the House only to bear in mind that I will have to conduct the Business of this House under these constraints.

I leave it to the hon. Member of status of Shri George Fernandes to realise the situation and help me to conduct the Business of the House in a proper manner.

SHRI GEORGE FERNANDES : Mr. Chairman, Sir, I have told as to what extent the issue has reached.

[English]

MR. CHAIRMAN : I have just informed you.

[Translation]

SHRI GEORGE FERNANDES : But it is very tragic that the savings of the people of Bihar state, which is very poor and backward, are being sent to other states for their development or the amount of saving of the people of Bihar is reaching to the other states due to such policy of the Union Government. The credit deposit ratio of public sector banks as per the latest data of December, 1996 is 29.7 percent *i.e.* in Bihar

[English]

out of every Rs. 100 deposited in the banks, almost Rs. 71 go outside Bihar and only Rs. 29 are spent in Bihar.

[Translation]

There is also a Government in Bihar which has been watching all these things. Now it has started looking from a new angle from the day before yesterday. Now, we want to know, since the hon. Prime Minister has interrupted the debate and has taught us new articles of the Constitution. Our friend Somnath Babu has also done the same thing. He has told that whatever was possible has been done by the CBI. I would like to raise this issue before the House that whatever has happened there, the Union Government do not have any responsibility under the Constitution.

Article 356 would not be used be there such a provision in the Constitution but it would not be used since that is a secular Government. Every secular can commit a sin therefore that would not be used but I would like to submit that it is far from the truth that the Centre has no right to intervene and 356 is not to be used. Today I am in favour of using Article 356, but we are not discussing on 356, we would like to make a mention about rights. Article 160 of the Constitution says that:

[English]

"Discharge of the functions of the Governor in certain contingencies."

[Translation]

God knows whether the hon. Law Minister, Prime Minister and Home Minister has read it or not.

[English]

"The President may make such provisions as he thinks fit in the discharge of the functions of the Governor of a State in any contingency not provided for in this Chapter."

[Translation]

All the incidents of Bihar during the last few days and the condition of the treasury during the last four-five years alongwith the condition which has cropped up in Bihar during the last one year and specially of the last two years, did not a contingency under Article 160 gives the right to the hon. President i.e. the Central Government to look towards the state. Recently the former Chief Minister of Bihar had started saying as to where it has been mentioned in the Constitution of India that the Government cannot be run by sitting in the jail. It has

not been mentioned. He was right when he said so and he could run the Government by sitting in the jail since it has not been mentioned in the Constitution that the Government cannot be run by sitting in the jail. You are being prosecuted then also you cannot run and may be that some one can say that he can run the Government even after being held guilty. We had admitted and again I would like to submit that the frame makers of the Constitution, who sat in the Central Hall and the Members of the Constituent Assembly had never dreamt that such a day would come in India when the Chief Minister and the people holding official posts would have to go to jail and they would have to run the Government by sitting in the jail. Therefore, it is said that we do not have the right but I would like to submit that there is the right. Then there is the financial emergency under Article 360. If financial emergency is not imposed in Bihar then where it would be imposed? What is the meaning of this Article of the Constitution?

[English]

"If the President is satisfied that a situation has arisen whereby the financial stability or credit of India or of any part of the territory thereof is threatened, he may by a Proclamation make a declaration to that effect."

[Translation]

Has not that situation cropped up in Bihar? What sort of the situation should be and when would be that situation? Has not the opposition in Bihar has asked for the financial emergency in Bihar? It means that Bihar should be saved and that means that the money which has been spent should be utilised for developmental works but the same has not been done and all the other things except that went on. The employees there have not got the salaries for the last two-three years. Do not the hon. Members from Bihar know that 200-250 employees of roadways committed suicide there due to not receiving the salaries. I have their names

SHRI RAM KRIPAL YADAV : Please tell the names.

SHRI GEORGE FERNANDES : We have given the names to the Governor that these people have died. The employees of the University did not get the salaries. Most of the Government institutions and schools have closed down. The employees of the forest department were sacked in thousands of numbers. Which economic sector has been left aside in Bihar even then the Centre did not come to know about the situation. There is total breakdown there.

[Shri George Fernandes]

Therefore it is being said that there is no right. The right has been conferred upon you under Articles 360 and 160. But I go one step ahead of that. There is the consolidated fund in the Constitution. We discuss here on the budget for two-three months in a year. Discussions in standing committees on the budget of different departments is held. Everything is done on the basis of Constitution. We know that without permission of the Parliament even a single pie cannot be drawn from the consolidated fund of India. The consolidated fund is constituted under Article 266. The consolidated fund of the states is also enacted under that Article.

"...All the revenues received by the Government of India, all loans raised by that Government by the issue of Treasury bills, loans or ways and means advances and all moneys received by that Government in repayment of loans shall form one consolidated fund to be entitled "The Consolidated Fund of India", and all revenues received by the Government of Bihar..."

[Translation]

Bihar word is not there. I am adding, this is of the state.

[English].

"No moneys out of the Consolidated Fund of India or the Consolidated Fund of a State shall be appropriated except in accordance with law and for the purposes and in the manner provided in this Constitution".

[Translation]

That is appropriate. Here, we pass appropriation bill. But there, they have committed misappropriation. Nobody was aware of it. What does the Governor do, what is the duty of the Governor? Whether the Governor has not sent report to the Union Government? There has been violation of Articles 202, 203, 204, 205 and 206. There is no need of going into details of these Articles. But how money from the Consolidated Fund would be appropriated, how the over expenditure, if any, would be regularised? All these things are mentioned in these five Articles. How budget is prepared? The Governor would put his signature thereon, each document would be presented in the Assembly in the name of Governor with his signature thereon. Whether the Governor did not see all these things.

Documents have been lying there since 1990 and we have all the information about reports given by the Accountant General, Auditor General, and the CAG and

as also when the reports were presented. The Samata Party brought out a document in July, 1994 on the economic position of Bihar. We sent copies of that to the Union Government alongwith the Governor of Bihar. ...*(Interruptions)* We also prepared one more document in the third week of October, 1994 which we termed as a chargesheet wherein we have given full details of looting of State's exchequer in Bihar. It has been propagated that Dr. Biswas had prepared the CBI report in collusion with the BJP but if anybody reads the document brought out by Shri Nitish Kumar in October, 1994 before going into the details of the C.B.I. report, whatever talks are nowadays going on the accounts of upto 1994, the other reports and vigilance reports presented till then, information about all these things has been minutely described in the document brought out by him. Even the information about bulls who were transported from Haryana to Patna, Haryana to Ranchi on cycles, scooters, is given in that chargesheet which was presented to the Government and the Governor. Who refused to go through them, we want a reply to this point from the Government side. What deal was struck at the time of elections to Legislative Assembly in 1995, all these documents were concealed because of some M.Ps. who went to the residence of the then Prime Minister to call on him alongwith the Members of Parliament for concealing these documents, what transpired there that nothing would be taken away and nothing would be made public. ...*(Interruptions)*

SHRI RAM KRIPAL YADAV : Sir, what the hon. speaker is speaking? I was present there at that time. ...*(Interruptions)*

MR. CHAIRMAN : Debates can not go on like this. Please listen to me. You stand up and begin to speak whenever you like, this is not good. Please take your seat.

...*(Interruptions)*

SHRI RAM KRIPAL YADAV : ...*(Interruptions)\**

MR. CHAIRMAN : What we are doing, we know about that. You please sit down. You may speak when your turn comes.

...*(Interruptions)*

MR. CHAIRMAN : There is also a manner to speak.

...*(Interruptions)\**

[English]

MR. CHAIRMAN : Whatever he says shall not be recorded. Nothing will go on record. I have not permitted him.

[Translation]

SHRI GEORGE FERNANDES : I was saying that the Centre had this information with it. The report of the Governor is with the Centre and the report of the CAG is also with the Union Government. In this very House, during the tenure of the 10th Lok Sabha during the course of a Debate I had said that our politics was based on balance of blackmailing.

Our politics is based on the balance of blackmailing. Since I know that how much you have taken away and you also know that how much I have taken away. We say outside you are also a thief and I am also a thief and later on we make an understanding that I am keeping quiet, you should also keep quiet and that is the thing both of us need. It is with the help of this balance of blackmail that our work goes on. The same thing has happened in this case and as a result Bihar state has suffered. I don't want to elaborate on today's law and order situation since much has been said about it in the House. The Prime Minister has also been expressing his views in this regard. He has rejected our plea to meet him thrice but later, when we met him and talked to him about all these things, he gave us an assurance about which I would not like to tell you anything because it was a personal thing and it would not be fair to tell about it. But one thing was maintained at all stages and that is from Law Minister to every one said that there was a lack of evidence/proof etc. I quote from the affidavit submitted in the Supreme Court.

[English]

"C.A.G. report on Animal Husbandry Department for the financial year 1988-89 to 1994-95 reveals that petitioner having perused the report—the petitioner being Shri Laloo Prasad Yadav—had full knowledge of withdrawals much before the scam came to be unearthed".

The percentage of fraudulent withdrawals in 1988-89 was 17; Excess expenditure was Rs. 6,12,62,065. The perusal was done by Shri Laloo Prasad Yadav on 18.12.1993. In 1988-89, the excess expenditure was Rs. 8,65,36,915; total percentage of fraudulent withdrawal was 20. The perusal was done by Shri Laloo Prasad Yadav on 19.7.1994. In 1990-91, the Excess Expenditure was

Rs. 29,28,61,782; total percentage of fraudulent withdrawal was 53. The perusal was done by Shri Yadav on 5.4.95.

[Translation]

SHRI RAM KRIPAL YADAV : Sir, ask him as to why he is reading out fake documents/reports.

[English]

SHRI GEORGE FERNANDES : In 1991-92, the total fraudulent withdrawal was Rs. 70,72,04,846 amounting to 120 percent of the total amount and Shri Yadav saw it on 4.6.1995. In 1992-93, the total withdrawal was Rs. 87,72,27,635 amounting to 131 percent of the total amount and Shri Yadav saw it on 10.6.1995. In 1993-94, the total withdrawal was Rs. 125,02,73,065 amounting to 169 percent of the total amount and Shri Yadav saw it on 26.11.1995. In 1994-95, the total withdrawal was Rs. 170,60,68,251 amounting to 229 percent and Shri Yadav saw it on 21.06.1996. ...*(Interruptions)*

SHRI RAM NAIK : It is a very good progress.

[Translation]

SHRI RAM KRIPAL YADAV : He is misleading the House.

SHRI GEORGE FERNANDES : And he says that they started investigation when the work was over. He became the Chief Minister on 6th March, 1990 and the Accountant General of the State sent a letter to him on 5th April, 1990 along with an audit report dated 5th April, stating as to what was going on in Bihar and how looting was going on in Animal Husbandry Department. Several names have surfaced up in this regard. Shri Ram Jivar Singh was the then Minister of Animal Husbandry Department.

He recommended. ...*(Interruptions)*

MR. CHAIRMAN : You know that there is no need to mention the name of any individual.

SHRI GEORGE FERNANDES : Then the case was referred to CBI and the poor chap was removed from the said Department. Such is the situation and we should discuss on this issue. It doesn't mean that the Prime Minister should loose his temper and should express his helplessness. The Prime Minister's helplessness is altogether a different matter and yesterday Nitishji has given a reply in this regard in the House. The situation will not improve by mere speeches of the Prime Minister.

[Shri George Fernandes]

This issue/situation is not confined to Bihar only, it is spreading through out the country. It is spreading in other areas also. Such situation is still prevailing in Bihar. It is being said that we can't interfere but we don't admit this thing.

We talk about 50th anniversary of Independence. There was an Interim Parliament in 1951. Pt. Nehru was the Prime Minister and Shri H.S. Mudgal was a member of Parliament during this period. He was elected like other members of Parliament. He was a scholar and a renowned writer and was owner and Editor of a newspaper. He was having everything. I don't know whether Bullion Merchants Association of Mumbai contacted him or he contacted the Association. He told the members that there is no one to take up their problems in the Parliament but he is ready to do so and this favour would incur an annual expenditure of Rs. 20,000. Then the members forwarded his letter to the committee. The committee passed it but with an instruction that he should start it with Rs. one thousand. In the first round/instalment he held talks with some Ministers. He invited them on a tea party and distributed pamphlets etc. He made efforts to seek opinion of the Members on the ongoing dispute as to whether gold should be imported or not. Later, he received a cheque of Rs. One thousand. It was a fair deal. It was not a case of looting exchequer or collecting money in the name/guise of bulls. When this came into the notice of Nehruji, he summoned Shri Mudgal to come to his office in Room no. 9. Shri Mudgal asked him if he has any complaint against him since what he did was a fair deal. Then Panditji asked him if he was not ashamed of lowering the dignity of the House to which he belonged. Nehruji forcefully put forth his point and he even used the word 'brazenness' in this regard. He tried to make him understand the position. Thereafter, Pandit ji brought a motion in this House and set up a committee of members. Shri Mudgal had to appear in person before the committee. Then the committee recommended removal of Shri Mudgal from the Parliament and a debate followed. Shri Mudgal put forth his point and sought two minutes permission from the Speaker. Thereafter, he then and there submitted his resignation. Then Pandit ji thought that this man wants to save himself from disgrace, hence he is resigning. Later, Panditji instructed that it would be mentioned in the Motion that this person deserves removal from the House and hence, he should be removed. Since Motion was taken up, these words were added to the Motion.

Gujral Saheb is a Nehruvian. Whatever this particular 'term' mean, he call himself a 'Nehruviah'. I would like to know from him as to what type of 'Nehruvian' he is?

Since we talk about transparency. We want that law should treat everyone equally. They want 'witch hunting' but we don't want it. Law should treat everyone equally whether the person is poor or a big shot. This is not only our demand, it is our principle too. Similarly, 'transparency', term should not be confined to speech only. A legislation should be enacted for this. This legislation should aim at right to know or right to conduct enquiry into expenditure incurred or flow/diversion of public fund or amount of any individual from one place to another, in case of a doubt. If enacting a legislation in this House takes time, then an ordinance should be brought in. If this ordinance would not be brought in then I would say that what Nitishji has said yesterday, which was termed good but full of vendetta by the Prime Minister was not at all a vendetta because we know everything that has been happening since 1993-94. I would not name any individual as some of them fell ill and some other are outside and some other are holding various other positions. I would request all of them to mend themselves. Once Dr. Lohia had said that if it was not possible to mend then, it was better to part ways. Therefore, we people broke away for which we have heard all kind of things.

Mr. Chairman, Sir, a discussion took place on the issue of Shri Chhagan Bhujbal and a fullfledge discussion is to be held in the House today or a day after. My life is also threatened as I was attacked on the way to my constituency on 17th July 1994 and three-four people saved my life. Among them are Shri Nitishji, the Speaker of Bihar Assembly, Shri Shivanand Tiwari and Shri Ajay who was with me and received head injuries in an attempt to save my life and Shri Brishan Patel also saved my life. In this context a court case is going on. The culprits are the office bearers of the district Janata Dal unit and Youth wing of Janata Dal who have joined the Rashtriya Janata Dal. If the Prime Minister wants to implement his words in the true spirit then, he should invoke the provisions of the Constitution. Whatever is happening in Bihar in the name of Government, the people and the M.L.As. is not approved by the Constitution. As per the Article 160 of the Constitution, the national Government, or the Prime Minister can take a decision in his cabinet in the event of contingency. The Union Defence Minister that Mulayam Singh Yadav is present here in this House and his job is not to defend the peaks of the Himalayas he has also to buttress the internal security otherwise it would be difficult to keep the country united. I would urge upon the Government to take necessary steps in this direction so as to provide the people of Bihar the opportunity to make use of their democratic rights honestly.

With these words I support this motion.

PROF. RITA VERMA (Dhanbad) : Mr. Chairman, Sir, it is perhaps merely a coincidence that whenever the B.J.P brings any adjournment motion, it is followed by the winds of change. ...(*Interruptions*) when the Adjournment Motion was brought on Uttar Pradesh it brought about a complete change in the scenario there, and in case of Bihar, it caused the so called change of power there. But this transfer of power was quite strange in many ways. Shri Laloo Prasad Yadav had always openly declared that he would rule from Jail which he has proved in Bihar. He reluctantly relinquished the Chair under the pressure from public opinion and Parliament but not before installing his shadow in the chair of the Chief Minister which you may call his wife or Rabari Devi but for all purpose she is merely his shadow.

Some people may say that we are not happy at the elevation of a woman as the Chief Minister. But does she really represent women or his husband. She has got this chair only because of his husband, we had heard of dynastic rule but Shri Laloo Prasad Yadav has ushered in a new tradition.

Those who used to debunk Nehru Family for perpetuating the dynastic rule in India, have ensured that wife takes over after the husband and thereafter the children. I could recall when this Government was formed, we had asked Shri Laloo Prasad for not including Shrimati Bhagwati Devi in the Cabinet to which he had said that she was not educated otherwise he would have been very pleased to see her in the Cabinet. I would like to ask as to what are qualifications of Shrimati Rabari Devi. ...(*Interruptions*)

SHRI GIRDHARI YADAV (Banka) : Mr. Chairman, Sir, is it proper to name any individual? ...(*Interruptions*)

PROF RITA VERMA : I am not using any unparliamentary language. ...(*Interruptions*)

MR. CHAIRMAN : I would verify the record and instruct to expunge whatever is objectionable.

[*English*]

Please do not mention anybody's name.

...(*Interruptions*)

[*Translation*]

PROF. RITA VERMA : All people are mentioning the name of Rabari Devi but I am making mention of her

name with full respect. I have not debounced her. ...(*Interruptions*) We all had expected that Shrimati Kantiji can become the Chief Minister, Shri Ram Kripal Yadav always defends him, frantically, he can become the Chief Minister but Shri Laloo Prasad Yadav has proved that none has the ability in his party to become the Chief Minister only his family members have the requisite qualifications to adorn the Chair of the Chief Minister. What else should I say ...(*Interruptions*)\* It would not be proper to utter it out. He may perhaps understand it. The ultimate thing is that he did not deem anybody fit to become the Chief Minister. ...(*Interruptions*)

Mr. Chairman, Sir, Shri Radha Mohan Singh had objected yesterday on picking up of phone call meant for the Chief Minister by Shri Laloo Prasad. Why should he object to it? It is between husband and wife. If husband wants to become the P.A. then, what is the fault of the Chief Minister. When wife and husband agree, what can we do? We do not have any objection if the Chief Minister wants to make her husband her P.A. but the P.A. should behave as a P.A. only and he should not try to become the boss. We people remove a P.A. immediately who wants to become boss and I expect that Smt. Rabari Devi would also remove the P.A. quickly if he tries to become the boss without taking any time. It is her prerogative to appoint her P.A. any person she likes. ...(*Interruptions*)

SHRIMATI BHAGWATI DEVI (Gaya) : Would you people throw such people out who exploit women.

PROF. RITA VERMA : Shrimati Bhagwati Deviji, why is it objectionable to you, we do not have any objection if she appoint her husband her P.A. ...(*Interruptions*) I am most distressed at the P.M. terming it a family matter and whosoever becomes the Chief Minister of Bihar, he would not interfere in the family feud.

Is the Chiefministership of Bihar Laloo's ancestral property which can be occupied by either husband or wife. ...(*Interruptions*)

MR. CHAIRMAN : Alright, we will see to it.

...(*Interruptions*)

PROF. RITA VERMA : Mr. Chairman, Sir, it is not a family affair.

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\*Expunged as ordered by the Chair.

SHRI GIRDHARI YADAV : Mr. Chairman, Sir, the mention of father's and grand father's name is highly objectionable. It should be expunged from the record. She has been elected by the MLAs elected by the people.

[English]

MR. CHAIRMAN : We shall examine the proceedings. If anything is unparliamentary, we shall remove it.

[Translation]

PROF. RITA VERMA : Mr. Chairman, Sir, I would not take much time. I just want to raise two-four points.

MR. CHAIRMAN : You can say whatever you want.

PROF. RITA VERMA : It is very good that a woman Chief Minister has been sworn in there. But whether this House is aware that this lady has been receiving income tax notices for the last two years and income tax personnel state that her reply is not satisfactory. ... (Interruptions)

MR. CHAIRMAN : I shall go through it and then give my opinion.

... (Interruptions)

MR. CHAIRMAN : I cannot argue with you, I shall take help of rule.

PROF. RITA VERMA : Her Chief Ministership will help in Lalooji's prosperity. Notices of income tax are constantly coming.

SHRIMATI BHAGWATI DEVI : Whether her utterances are as per law?

PROF. RITA VERMA : He has given in black and white to the department of income tax that he has earned lakhs of rupees through milk business. Lalooji earned lakhs of rupees and he had mentioned this thing in his return. On the question as to how he constructed such a palatial building, he wrote that with the help of money lent by his wife. Mr. Chairman, Sir, a poet of Dhanbad has composed a small poem which I would like to recite—

"Lalooji ne Rabri Devi se  
udhar lekar banaya sapanon ka ek mahal,  
Isme aashcharya ki kya baat hai,  
Hamare bollywood mein to sada se  
hot aya hi, sajan garib, sajni amir  
Ya ek tu hi dhanwan hai gori,  
baki sab kangal."

He gave in writing to the Department of Income Tax that he earned lakhs of rupees through milk business.

MR. CHAIRMAN : No personal question should be asked. There would be no interruption if you speak on Motion but it is not proper for us to discuss the private lives of members in Parliament on such level.

PROF. RITA VERMA : Mr. Chairman, Sir, it is not a personal question; it is being stated by income tax officers. It is a matter of filing wrong income tax return intentionally.

MR. CHAIRMAN : The Government will look into it.

PROF. RITA VERMA : I am not condemning the milk business. Any business is good if it is done honestly.

SHRI RAMENDRA KUMAR (Begusarai) : It is a *subjudice* matter and you are speaking indiscriminately.

PROF. RITA VERMA : Ramendraji, where is the case of income tax *subjudice* ... (Interruptions)

14.00 hrs.

Now I would like to draw your attention towards the news item appearing in 'Hindustan Times' dated July 24. ... (Interruptions)

SHRI RAMENDRA KUMAR : Mr. Chairman, Sir, there is no other question. The only question is that please take stock of the situation. ... (Interruptions)

[English]

MR. CHAIRMAN : Ramendra Kumarji, I have already said that the whole speech will be examined.

SHRI RAMENDRA KUMAR : Sir, she is an hon. lady Member of this House. She should behave like a Member. She is also on the panel of Chairmen of this House. She should maintain the decorum of the House.

MR. CHAIRMAN : We shall examine whatever she has said. If it is not proper, then we shall expunge it.

[Translation]

PROF. RITA VERMA : I never use derogatory language against anyone ... (Interruptions) at that time the Chief Minister of Bihar was Laloo Prasad ... (Interruptions)

[English]

"The accused in the bank loot says that the....  
shared the booty."

\*Expunged as ordered by the Chair.

[Translation]

Now, I would like to draw your attention towards 'The Hindustan Times' dated July, 24. At that time, the Chief Minister of Bihar was Shri Laloo Prasad. This is complete news about him. ...*(Interruptions)*

[English]

"One of the bank loot accused, Shri Shailendra Kumar Arya alias Langda, in course of his confessional statement before the Police made some startling revelations here today. He said that the gang had to give at least 20 per cent of the booty to the...."

[Translation]

I lay on the table of the House the newsitem of the 'Hindustan Times' dated July 24 after authenticating it. The criminals arrested there give their statement about the brothers of the Chief Minister that the looted goods which they carry to their houses. ...*(Interruptions)*\* I am not mentioning anybody's name but he has saintly name but his acts are quite contrary. ...*(Interruptions)* He states that the power of the state has gone in the hands of the persons who thrive on the looted goods. Where is Bihar headed for. ...*(Interruptions)*

PROF. AJIT KUMAR MEHTA (Samastipur) : Mr. Chairman, Sir, has she got any proof regarding her statement made in the House? Why is she citing examples in the House; has she got any proof. ...*(Interruptions)*

MR. CHAIRMAN : No, it does not need any proof. ...*(Interruptions)*

PROF. RITA VERMA : Do not create so much noise. I also know about your friends. ...*(Interruptions)*

[English]

PROF. AJIT KUMAR MEHTA : Sir, she is quoting this news item as an evidence against somebody.

MR. CHAIRMAN : It is not a court. Please do not turn this Parliament into a court. This is not a court. Whatever she wants to say, let her say. I have already said that I shall examine the proceedings and whatever is improper and unparliamentary would be expunged.

[Translation]

PROF. RITA VERMA : I am speaking what I heard. ...*(Interruptions)* When Lalooji is asked to resign on moral

\*Expunged as ordered by the Chair.

grounds, he replied that he has heard of football ground, cricket ground but what is moral ground? It shows the respect he has for morality ...*(Interruptions)* instead of husband and wife, our Prime Minister is responsible for it because everything is happening before him and he is making appeal through Papers and television that we should resolve to fight against corruption. Recently, a cartoon had appeared in Hindustan Times wherein it was stated that whose hair are shining, who is hanging spectacles around his neck and who moves with stick, he should resign. ...*(Interruptions)* journalists say—

[English]

"This is the first time that he has been so specific about it."

[Translation]

Prime Minister never mentions about it that who has committed corruption and who should resign. We think that in India as an old wife never takes her husband's name, likewise Prime Minister does not take their names whereas he was asked about it many times. They say that it is very difficult to find such a good wife who never takes their names. He himself admits that Dropadi had five husbands but I have a number of husbands. Dropadi's husband used to protect her honour but we do not know what her husbands do.

Mr. Chairman, it is a matter of great concern that today we are celebrating the golden jubilee of independence and on this occasion such Prime Minister will hoist the flag from the rampart of Red Fort on 15th August who can not tell that who is corrupt and he always says that I am helpless, what can I do and it is a matter of great misfortune that such Prime Minister will hoist the flag of respectful nation on the occasion of its golden jubilee celebration.

Mr. Chairman, Sir, I was the teacher of history and I am still holding the same post. We generally ask this question that what was the contribution of "De Gaul" for France for which France is grateful to him and he became the national hero of France. Proper reply of this question is that he provided strong leadership to France. Leadership is the greatest achievement of France and because of this leadership France which was devastated after second world war, is in the line of developed nations and making progress with them. This is the duty of a national leader. This is the duty of a Prime Minister of any country. But Prime Minister of our country feels complacency by saying that I am so weak, so helpless that nobody listens to me and he is saying that he will

[Prof. Rita Verma]

launch campaign against corruption. It would be better to hold talks on radio and attend seminar.

Mr. Chairman, Sir, there was a minister in our cabinet from whose residence bags full of rupees were recovered. You include him in your campaign also, make a queue of such persons and launch a campaign against corrupt persons and ask the people to come forward. If people take this responsibility, then for what people have made you Prime Minister? What is the responsibility of the Prime Minister just to sit in his seat and interfere or it is the responsibility of a Prime Minister to provide able leadership. I am raising this question here. If he had courage, he would have imposed Article 356 but he is hesitating about it as if somebody is asking him to commit a sin. He is considering it as a sin as Article 356 has not been imposed in the country. Mr. Chairman, Sir, it was proper to impose Article 356 in Bihar. I do not want to go into this matter. Everybody knows about constitutional, administrative and financial breakdown in Bihar.

Mr. Chairman, George Saheb was telling the number of employees in State Transport Corporation who have committed suicide. I can tell the names of employees of the government undertakings, District Board in Bihar those who have committed suicide. Employees of District Board, Dhanbad have not got their salary for the last two years. Their children died of hunger. They committed suicide. Our constituency has an industry of superphosphate. That industry has been lying closed for many years. People are committing suicide. They are sick. They can not take medical treatment. I get letters daily that Madam, if you do not help us in providing our salary. We will commit suicide on a particular date. There is such bankruptcy that employees are not getting their salary. People are writing letters to me that they are committing suicide and if you want to see that scene, come on that date. In spite of such circumstances Prime Minister says that he can not impose Article 356 there. How can Gujral Saheb safeguard constitution? His minister is raising slogan outside Parliament. We never heard such a thing in the past. It has appeared in the paper. ...*(Interruptions)*

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRIMATI KANTI SINGH) : You are making wrong allegation. ...*(Interruptions)*

PROF. RITA VERMA : I am not making any allegation. I have read it in newspaper. I have not named any minister. ...*(Interruptions)*

At last many members of the House may have objection, yet I would like to compare hon'ble Shri V.P.

Singh with Shri Gujral. You may recall that Shri V.P. Singh also became Prime Minister by launching campaign against corruption. He also resolved to fight against corruption. Gujral Saheb also makes appeal repeatedly that what should people do to fight against corruption but he does not mention about it that what should Prime Minister do in this regard. What should people do because people are just meant for making scapegoat in the country. Hon'ble V.P. Singh used to say that he has been made Prime Minister unwillingly and he would not take even a single minute to resign. But when the time for tendering resignation came, instead of following it, he created havoc and did not resign. When our Gujral Saheb was elevated to this Post, he said that he was not at all interested to become Prime Minister, his wife and his family members advised him not to accept this post. I think that his wife is more intelligent than him. She knew that they would create such problems and so she was advising him not accept this post. But he became Prime Minister and now he is playing every tactics to save his seat. All of you are observing that how he has hurt the dignity of the Post of Prime Minister and how he has degraded this Post. What is he doing? He has scuttled the investigation being conducted against Bofors, he did not grant approval to file chargesheet against Quattrochi, he did not grant permission to Enforcement Directorate for conducting interrogation with President of Congress Party. The permission was not granted even with regard to the Indian Bank scam. Now such a person has been made the chief of the C.B.I. who says that he does not want to touch the politicians. As there is no community more pious than the politicians. In the Fodder scam too, they tried till last minute not to take the cognizance of it. Now they are saying that the C.B.I. works directly under the P.M.O. The CBI despite being under the control of P.M.O., is working because the court and the judiciary is giving directions to it. Whenever the judiciary pulls up the CBI, it becomes active. The P.M.O. has rather tried to drag on the matter. Should I say that the P.M.O. tried to interfere with the functioning of the CBI without any orders from the hon. Prime Minister. They have tried to paralyse the functioning of CBI in every way. They talk of their honesty, morality and eradication of corruption, but why do they shy away from introducing the Lok Pal Bill? The joint committee of the Parliament has recommended and passed that Bill, but even then no action has been taken. The reason is that they do not want to root-out corruption as they are in the chair just because of corruption. They know that the day, they try to touch Lalooji, they will loose their chair. We are going to celebrate the golden jubilee year of our Independence and it is very unfortunate for the country that such a weak, incapable and spineless person will unfurl the flag from the rampart of the Red Fort. The court had quoted the following line in many cases involving Shri Laloo.

[English]

"When Rome was burning, Nero was fiddling."

[Translation]

The History would say later

[English]

"When Bihar was burning, Gujral was fiddling."

[Translation]

SHRI VIRENDRA KUMAR SINGH (Aurangabad) : Mr. Chairman, Sir, I think that we are wasting the time of the House by discussing this topic ...*(Interruptions)*

[English]

MR. CHAIRMAN : Please address the Chair.

SHRI VIRENDRA KUMAR SINGH : Mr. Chairman, Sir, when someone interrupts, my attention will get diverted towards him. It is obvious ...*(Interruptions)*

The issue on which I am speaking has consumed 9-10 hours and we have broken all the conventions. This discussion had come up as an adjournment motion. However, the adjournment motion was not taken up and instead, the discussion under rule 184 was allowed. Breaking all the conventions, it went on the second and third day and it was held without any issue. The main issue was side-tracked. They now talk about corruption in Bihar. The people who raise the issue related to Bihar, do not want Bihar to progress. Those who have made pastures in Bihar are talking about Bihar. They continuously reap the benefit of these pastures. Someone from Mumbai or Delhi or Madhya Pradesh or elsewhere goes to Bihar to make political pasture there. Then they speak here on Bihar. ...*(Interruptions)*

SHRI S.P. JAISWAL (Varanasi) : Are you pointing at the hon. Prime Minister?

[English]

MR. CHAIRMAN : You continue your speech. You address the Chair.

[Translation]

SHRI VIRENDRA KUMAR SINGH : He is interrupting. I am not commenting against him...*(Interruptions)* These are the people who get a discussion held on Bihar. They indulge in such things to defame Bihar. It is a conspiracy to push the same Bihar towards backwardness, which was once in the fore front of this country when Patliputra used to be the capital of this country. All those who are sitting here in the front row are getting a discussion held

on Bihar. They do not speak about setting up of industries there, allocation of more funds, relief and incentives to Bihar. But they are discussing about the messiah of the poor, the dalit and the backward and the one who thinks about the welfare of the fields and agricultural labourers and who works for the welfare of the poor.

SHRI KARIA MUNDA (Khunti) : He is talking about Ranchi, it is a matter of great concern. ...*(Interruptions)*

SHRI RAM KRIPAL YADAV : Where were you earlier? You are the leader of Ranchi.

SHRI VIRENDRA KUMAR SINGH : We are discussing irrelevant issues. However I would like to make it clear that there is none in Bihar to sack Laloo Prasad Yadav. The more you make noise the more we will march forward strongly. Next time, we would come to power with two-third majority, because I know that the village to which I belong and which falls under Aurangabad district in Bihar. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Shri Anand Mohan, please do not interrupt. Please allow him to continue.

[Translation]

SHRI VIRENDRA KUMAR SINGH : The backward, the downtrodden, the dalit, the poor and the people belonging to minority community were not allowed to sit before the people of high class in that district. It is a fact. I remember that none of the Harijans or the person of minority community did sit in front of me. But, the things changed when Laloo Prasad came to power. It is also a fact. Today all can sit together. No atrocity is being committed and there is no 'Brahminism' even.

When any old person of the backward community did not wish us on the way, he was called in the house and beaten up with sticks and tortured for his mistake. Even today, in many parts of the country such incidents take place. Even the son of a Pandit used to bow before us and our elders. The Lalooji raised his voice against this and said if he does not greet you, you should also not greet him. This voice was raised in every nook and corner of Bihar and thus this practise has come to an end. This is annoying them. They feel as if their Brahminism/Brahmanvad of fifty years is coming to an end. Lalooji would not allow to continue Brahmanvad. ...*(Interruptions)*

SHRI ANAND MOHAN (Sheohar) : In our region also, people are backward.

[English]

MR. CHAIRMAN : Shri Anand Mohan, Please take your seat.

...(Interruptions)

MR. CHAIRMAN : Shri Anand Mohan, I want to give you a warning. If you continuously interrupt like this, you will be sent out of the House. You do not know how to behave.

...(Interruptions)

[Translation]

SHRI ANAND MOHAN : You people have conspired against Ram Vilas Paswan and instigated others to assault him. ...(Interruptions)

[English]

MR. CHAIRMAN : No explanation, please.

...(Interruptions)

MR. CHAIRMAN : I say, 'no explanation'. You take your seat. Take this as a warning. You will not be allowed to continue like this in this House. Do not utter a word in this House without permission from the Chair.

...(Interruptions)

MR. CHAIRMAN : I will take care of that. This will not go on like this.

...(Interruptions)

MR. CHAIRMAN : Will you please resume your seats?

...(Interruptions)

MR. CHAIRMAN : I do not want your advice.

...(Interruptions)

MR. CHAIRMAN : I will do that.

...(Interruptions)

MR. CHAIRMAN : I have been repeatedly by name, calling Shri Anand Mohan.

...(Interruptions)

MR. CHAIRMAN : What is your contribution?

...(Interruptions)

MR. CHAIRMAN : Since we started this discussion the interference from Shri Ram Kripai Yadav's side was too much. I have repeatedly told him about that. The matter is, if you are standing in your seat and trying to say something, we can understand and appreciate that. But Shri Anand Mohan has been sitting in his seat and at the height of his voice shouting continuously. He was not even trying to attract the attention of the Chair. I want to say with all the emphasis at my command that this is an insult to the House. Please do not do it. I can say this. If you stand up and if you want to say something, we will definitely allow you. If you want to speak, you ask for time to speak, we will allow you. But you should not continuously do this, sitting in your seat. How many times can the Chair give you a direction? Please bear with the Chair. Please do not continue with it. Please cooperate. If it continues from Shri Ram Kripal Yadav's side, this will apply to them also. Please do not interrupt. There are two more hon. Members to speak. Without any interference, we can complete this in ten minutes. Please cooperate.

[Translation]

SHRI VIRENDRA KUMAR SINGH : Mr. Chairman, Sir, we are not objecting to any of your words. ...(Interruptions)

[English]

MR. CHAIRMAN : Will you please address the Chair? Do not look at him. You have only two minutes to conclude. I will call the next hon. Member to speak after that. If you want to conclude within two minutes, you continue.

...(Interruptions)

[Translation]

SHRI VIRENDRA KUMAR SINGH : Mr. Chairman, Sir, we abide by what you say but I would say that no one has raised any objection when the three members of Samata Party had spoken. ...(Interruptions)

MR. CHAIRMAN : Your party has taken more time than what it was allotted.

...(Interruptions)

MR. CHAIRMAN : I do not want to hear anybody else on this.

...(Interruptions)

MR. CHAIRMAN : You have only two more minutes to conclude.

...(Interruptions)

MR. CHAIRMAN : Do not question the decision of the Chair. If anybody else was allowed, that was done by the Chair. You cannot question the Chair.

...(Interruptions)

MR. CHAIRMAN : I have allowed only two more minutes for you. You can conclude in two minutes.

...(Interruptions)

[Translation]

SHRI VIRENDRA KUMAR SINGH : You have allotted us one hour time and we don't have any objection in this regard. ...(Interruptions) You do not pay attention towards the people sitting on the back benches and when we want to speak, you impose ceiling on us that we should complete our speech within one two minutes. ...(Interruptions) we would abide by your orders but this would not continue for long.

Sir, the main point which I would like to put forth is that discussions are held when CBI chargesheets anybody, whether it is myself, Ataiji, Advaniji or any other person, and you people demand resignation. But in the prevailing situation, any person or any political party can file a petition in public interest and can demand a CBI enquiry into the concerned matter and chargesheet can be filed against any important person. This is a fact. It is not fair to ask someone to resign on the basis of chargesheet. Tomorrow you people can become Chief Minister, Prime Minister or your party member can become a Chief Minister of any State then the same thing can happen with him. A conspiracy would be hatched, chargesheet would be filed and on the basis of FIR of the Police, resignation would be demanded.

A serious threat is being posed to Democracy. People are being charge-sheeted on the basis of FIR hence I would raise one point here that there was a provision in Article 312 of the Constitution under which it was clearly mentioned that UPSC would be set up for Judiciary, Executive, Legislature and Indian Police Service. It has been set up for IAS and IPS but nothing has been done for judiciary. Earlier power of setting up of judiciary was vested with the President but later a full bench comprising of nine members was set up and the President was stripped of this power in 1993. ...(Interruptions)

[English]

MR. CHAIRMAN : Shri Virendra Singh, please conclude.

[Translation]

SHRI VIRENDRA KUMAR SINGH : Mr. Chairman, Sir, I was saying that we have to ponder over this. Such thing never happened before. The President was stripped of his powers in 1993.

PROF. RITA VERMA : He is passing remarks against the judiciary. He says that the judiciary has usurped the rights.

[English]

MR. CHAIRMAN : He did not make any reference like that.

[Translation]

SHRI VIRENDRA KUMAR SINGH : Mr. Chairman, Sir, we have to ponder over this in today's context because wherein such cases are there appointee is encroaching upon the powers of the appointing authority. It has happened but you are not holding debate on this issue. It is quoted that there is a commission for appointing Munsif Magistrate but for making appointments to the higher judiciary there is no such commission. The influential person reaches the top post and gives such judgment as given in the case of Kalpnath Rai wherein the Supreme Court has remarked that the judge who has given the verdict, doesn't know the a, b, c of the law. What I mean to say is that we should think over as to why he was not punished. Mr. Chairman, Sir, you are conducting discussions in regard to that person who got full majority in the Legislative Assembly elections who has secured 194 seats. What sort of discussion you are holding? The Governor has said that there is no law and order problem in Bihar and no economic offence has been committed there. Hence, Congress has rightly helped us ... (Interruptions) and you people are talking about Article 356. ...(Interruptions)

[English]

MR. CHAIRMAN : He has only made a reference to 'Nyay Palika'. He has not made any derogatory remarks. Please take your seat.

[Translation]

SHRI VIRENDRA KUMAR SINGH : You had opposed Article 356 in the Chief Minister's Conference now you are pleading in favour of Article 356. I want to know as

[Shri Virendra Kumar Singh]

to what sort of situation has arisen suddenly in Bihar? Laloo Prasad Yadav has done so much for the upliftment of poor, oppressed and minorities in Bihar and because of this jealousy you are doing so. Anand Mohan ji, why are you feeling embarrassed. ...*(Interruptions)*

[English]

MR. CHAIRMAN : I am calling the next speaker.

[Translation]

SHRI VIRENDRA KUMAR SINGH : You please contest from Aurangabad. ...*(Interruptions)*

MR. CHAIRMAN : You please conclude now.

...*(Interruptions)*

SHRI VIRENDRA KUMAR SINGH : In the end, I would like to submit that Rashtriya Janata Dal is functioning under the leadership of Laloo Yadav ji. Laloo Yadav ji is the party president and he would remain so. No one can remove him. He has full support of people. Today, there is peace in Bihar. In the days to come, he would win with two-third majority.

SHRI ANANDRAO VITHOBA ADSUL (Buldhana) : Mr. Chairman, Sir, the former Prime Minister and the leader of the opposition, Shri Atal Bihari Vajpayee moved the adjournment motion regarding the situation in Bihar. With the assent of the House it was changed to Rule 184. The debate on this issue has been going on for the last three days and several Members have put forth their views thereon.

All agree that the fodder scam involving 900 crores of rupees took place in Bihar. Being the administrative head of the state, should he had not resigned on the moral grounds but perhaps he does not know what morality means. In this case, the Prime Minister should have acted boldly and sought the resignation of the Chief Minister but he says that he is helpless.

Shrimati Rita ji, Shri Nitish Kumarji have put forth views here in this House. Would it be proper that a person who is helpless and does not have any regard for morality will hoist the national flag in the 50th year of independence. The corruption did took place in Bihar. This is blatant betrayal of the faith of those who elected them. Their hard-earned money was looted but Shri Lalooji kept sticking to his chair. He was forced to resign only after the CBI issued arrest warrants against him and then ended the first part of the drama but it did not follow with the usual intermission and the second part of

the drama started and he foisted her wife into the chair of the Chief Minister. It is good to make a woman the Chief Minister but was there no one in his party to be made the Chief Minister as his wife does not know even ABC of politics. After 1947, Bihar has produced great political leaders. It is true that Lalooji resigned on 28th July, Smt. Rabari Devi was appointed the Chief Minister and she won the vote of confidence but the most mention worthy point here is that the Congress party extended support to her. Earlier when Shri Laloo Prasad Yadav had sought the vote of confidence, the Congress people had remained neutral and this is not something new for the Congress people. In fact the Congress Party is the mother of all corruption in the country and also the killer of democracy and not much can be expected from them as they know it well how to get a vote of confidence passed.

Sir, you must be remembering as to how the former Prime Minister Shri Narasimha Rao had won the vote of confidence in the 10th Lok Sabha. It is now history and all know it well and in a few days, this matter will come before the court. These people have got such a culture. We must remember that 60 per cent of our masses are illiterate but they have unwavering faith in the democracy. If some people or party try to betray their faith, they teach them befitting lessons. Late Smt. Indira Gandhi hit at the very roots of the democracy by imposing emergency in 1975-76 but she and her party was drubbed in the hustings in 1977. We, therefore, must not underestimate the people's power and ignore the history of democracy in the country.

Mr. Chairman, Sir, I have been seeing for the last three days that Bihar is being compared to Maharashtra and my esteemed colleague stated that Maharashtra is an ideal state and the entire country should emulate it. In this context, I would like to say a couple of things. As far as the issue of corruption is concerned, on levelling charges of corruption against two ministers in Maharashtra government by a social reformer, the Chief Minister obtained their resignations and constituted a commission to investigate into the charges of corruption and after investigations, a Minister was prima facie found guilty and his resignation was accepted. Such is the ideal of Maharashtra. Shri Bal Thakarey is the founder of the Shiv Sena in Maharashtra. He continued his ceaseless democratic struggle and brought his party in power in Maharashtra. He himself could have become the Chief Minister and could have made his son or nephew the Chief Minister. Still he is branded as castiest despite the fact a Muslim Shri Shabir Selkh is the Labour Minister and Shri Mund is co-op Minister and from Dalits Shri Kamble and Gholap are Ministers in Maharashtra

Government. Such ideal could be found in Maharashtra only. Therefore, none can raise a finger towards us. Everybody knows how public money is being looted in Bihar and there is total collapse of law and order there. Even the central ministers can not go to Bihar. If they wish so, the Union Railway Minister goes there escorted by the railway police. Democratically elected president Shri Sharad Yadav can not go there freely and several members too cannot dare go there. I would like to raise these issues here. Where public money is being looted, there is total failure of law and order and democracy is being hit at, the Government has no moral right to rule. This is the responsibility of the House and the head of the administration to dismiss such a government so as to give the masses an opportunity to elect a new government. With these words I conclude.

[*English*]

MR. CHAIRMAN : Now, all the speakers are over. Before the Movers' reply, who is intervening on behalf of the Government?

...(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR) : I may...

[*Translation*]

SHRI RAM NAIK : Mr. Chairman, Sir, I would like to know one thing. It appears that the debate is likely to conclude. During the entire course of discussion many things have come up regarding the Leader of the House, Shri Ram Vilas Paswan and party president, Shri Sharad Yadav. We would like to listen his point also that he was not allowed to go to Bihar and there were attacks on them or not. Whether he doesn't desire to speak? Whether he has not even given any information to you that he wants to speak. This is what we want to know.

[*English*]

MR. CHAIRMAN : No, Shri Ram Naik. That is not very important. The important thing is you know that the Minister of Home Affairs is supposed to intervene.

...(Interruptions)

MR. CHAIRMAN : That is what I am asking the Government about. Who is intervening on behalf of the Government?

...(Interruptions)

SHRI P.R. DASMUNSI (Howrah) : Sir, we are not objecting as to who will reply. ... (Interruptions) I am not

objecting to it because the Government is entitled. But I tell you that the Mover of the Motion is no less than the Leader of the Opposition. He has his own respect in the House. In honour of the respect of the Leader of the Opposition for moving the Motion, it is more befitting in the parliamentary practice that the Minister of Home Affairs or the Prime Minister should reply. ... (Interruptions)

THE MINISTER OF AGRICULTURE (SHRI CHATURANAN MISHRA) : The Minister of Home Affairs is in the Rajya Sabha. ... (Interruptions) He is coming. In the meantime, he can carry on. ... (Interruptions)

MR. CHAIRMAN : Yes, yes.

...(Interruptions)

SHRI CHATURANAN MISHRA : He is coming from the Upper House.

SHRI JASWANT SINGH (Chittorgarh) : Mr. Chairman, Sir, with due regard to my senior, Shri Chaturanan Mishra, I think, it is an injustice to the whole debate if casually—this is with no disrespect to you—he says, the Home Minister is to reply. But 'in the meantime'...

SHRI CHATURANAN MISHRA : The House cannot be asked to be at a standstill.

SHRI JASWANT SINGH : So, the House can be asked to be adjourned! That is one aspect.

SHRI P.R. DASMUNSI : He can certainly intervene. ... (Interruptions)

MR. CHAIRMAN : Let Shri Jaswant Singh complete. Please listen to him.

SHRI JASWANT SINGH : He himself pointed out that there is a certain propriety. There is no law about this propriety. The propriety is unwritten. He has himself pointed out that if the Leader of the Opposition has moved the Motion, unwritten convention and propriety demand that the Leader of the House be present.

Secondly, when the Leader of the House had himself sought permission from the Chair, sought the convenience of the House and sought the consent of the Mover of the Motion that he wanted to intervene, then, because it was more convenient to him as the Leader of the House.

But the reply to the debate from the Government side would be given by the Home Minister.

Sir, firstly, for the Leader of the House to be absent and for the Home Minister also to be absent, I certainly cannot counter it. With no disrespect to the hon. Minister of State for Home, Shri Maqbool Dar, I would like to

[Shri Jaswant Singh]

submit that if he wishes to intervene, by all means, he can intervene. But ...*(Interruptions)*

SHRI P.R. DASMUNSI : He is intervening.

SHRI JASWANT SINGH : But it is not just an intervention. We are informed that it is an 'interim measure', 'in the mean time' because the Home Minister is not here, they have let him stand up and just fill the gap. He cannot fill gaps in this debate. I raise my strong objection to this. It is a casual manner. ...*(Interruptions)* This casual manner may be exemplified ...*(Interruptions)*

MR. CHAIRMAN : Now, some senior Member is speaking and let us listen to him.

...*(Interruptions)*

SHRI JASWANT SINGH : It is not simply the question of the Home Minister replying. Where is the Leader of the House? Where is the Prime Minister? It is not simply a question of him intervening. The debate has come to a conclusion. Protests were raised about the debate getting prolonged. I think, the whole manner in which the Government has approached this question is really condemnable. It is not simply casual.

THE MINISTER OF TOURISM AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SRIKANTA JENA) : Sir, the Home Minister is coming from the Rajya Sabha. When he was in the Lok Sabha, the Maharashtra issue was being discussed in the other House and he went there. He is just coming. He might be on his way to the Lok Sabha. The Minister of State for Home wants to intervene for five to ten minutes and in the meantime the Home Minister would come and reply to the debate.

SHRI JASWANT SINGH : Where is the Leader of the House? Where is the Prime Minister?

SHRI SRIKANTA JENA : The Prime Minister is also in the Rajya Sabha. Both of them are in the Rajya Sabha ...*(Interruptions)*

SHRI I.D. SWAMI (Karnal) : The Minister of State for Home should not be treated as a stop-gap arrangement. ...*(Interruptions)*

MR. CHAIRMAN : That point has already been made.

Now, Mr. Minister for Parliamentary Affairs, what is it that you want to say?

SHRI SRIKANTA JENA : Sir, the Minister of State for Home may be allowed to intervene for five minutes and in the meantime the Home Minister will be here and he would reply to the debate. ...*(Interruptions)*

MR. CHAIRMAN : Now, this is a very serious matter and let us come to a conclusion. The point is that it had been informed by the hon. Prime Minister in the House, when we started this debate, that it would be replied to by the Home Minister. The Prime Minister personally sought time and he intervened in the debate in the beginning because the reply was to be given by the Home Minister.

Now, another discussion is taking place in the Rajya Sabha which also concerns the law and order and that also, probably, would have to be replied to by the Home Minister. I understand that the Minister of State for Home had expressed his desire to intervene in the debate and this is not as a matter of any stop-gap arrangement. Even before Shri Chaturanan Mishraji intervened, the Minister of State for Home was prepared to intervene in the debate.

I think, the Chair would allow the Minister of State to intervene in the debate but it is not the reply to the debate. It is only proper that to reply to the motion that has moved by the Leader of the Opposition, the Leader of the House, the Prime Minister, or the Home Minister, whoever is supposed to reply to the debate, is present in the House or at least the Chair should be informed about it.

SHRI NITISH KUMAR (Barh) : Sir, the Leader of the House is present here.

MR. CHAIRMAN : Shri Nitish Kumar, let us not complicate matters further. Now I am allowing the Minister of State for Home to intervene in the debate. I would also like to request the Government, through the Minister of Parliamentary Affairs, that we wanted to conclude this debate by 2 o'clock and so sufficient precaution should have been taken in this regard. Such a serious debate should not end up like this. Now, I am allowing the Minister of State for Home to intervene.

...*(Interruptions)*

SHRI NITISH KUMAR : The Leader of the House is present here. He may intervene ...*(Interruptions)*

SHRI I.D. SWAMI : He knows many things; the Leader of the House has personal experience ...*(Interruptions)*

*[Translation]*

SHRI HINDURAO NAIK NIMBALKAR (Satara) : Mr. Chairman, Sir, we would like to hear him personally. He himself should give a statement in the House. He is associated with Janata Dal.

[English]

MR. CHAIRMAN : You cannot demand an intervention by the Minister like that.

[Translation]

SHRI NITISH KUMAR : Mr. Chairman, Sir, Shri Ram Vilasji is aware of the Bihar issue. It will be injustice. The Leader of the House is present here. ...*(Interruptions)* Prime Minister is not the Member of this House. Ram Vilasji is not less than the Prime Minister ...*(Interruptions)*

[English]

He is a non-resident Prime Minister. The Leader of the House may reply to the debate.

MR. CHAIRMAN : You have made a very good point. If the Leader of the House wants, he can intervene. Nobody can demand his intervention. Now, I am allowing the Minister of State to intervene.

SHRI RAM NAIK : We are not demanding but requesting that the Leader of the House should take the House into confidence as to what has happened in Bihar. It would be better if he does so.

MR. CHAIRMAN : If he so desires, as the Leader of the House and as a senior Minister, he can definitely intervene. Let us now listen to the Minister of State.

[Translation]

SHRI RAM NAIK : Ram Vilasji please say something. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Now, the Minister of State in the Ministry of Home Affairs would intervene.

...*(Interruptions)*

SHRI PRAKASH VISHWANATH PARANJPE (Thane): Is he under some pressure not to speak? Let him say that he is under pressure.

MR. CHAIRMAN : The Minister is on his legs. Please listen to him.

...*(Interruptions)*

MR. CHAIRMAN : Please take your seat. You have made your point. I have also made it very clear to the Leader of the House.

SHRI PRAKASH VISHWANATH PARANJPE : We have learnt that he is under some pressure and that is why he is not speaking. It is not fair. ...*(Interruptions)*

MR. CHAIRMAN : If the Leader of the House wants to intervene, he can do so.

SHRI PRAKASH VISHWANATH PARANJPE : Let him at least say that he is not under any pressure.

MR. CHAIRMAN : Please resume your seat. This is not correct.

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR) : Many hon'ble Members have expressed their views in regard to the Adjournment Motion moved by the Leader of the Opposition, Shri Atal Bihari Vajpayee. I have noted them and I will try that I should reply to every point ...*(Interruptions)*. If I am not replying then what I am doing? ...*(Interruptions)* I will not talk in regard to what ever you say. First of all, I will talk in regard to a special point. This has generally been expressed by the Members. ...*(Interruptions)*

MR. CHAIRMAN : Ram Kripal ji, you please sit down. Nitish Kumar ji, you also sit down.

...*(Interruptions)*

[English]

MR. CHAIRMAN : Shri Nitish Kumar, you are a senic Member. Please do not behave like that.

14.59 hrs.

(MR. SPEAKER in the Chair)

[Translation]

SHRI NITISH KUMAR : Now, the hon'ble Minister of Home Affairs has also come to the House and Mr. Speaker has also come. ...*(Interruptions)*

Mr. Speaker, Sir, where is the Prime Minister? The Prime Minister should be present in the House. ...*(Interruptions)* where he has gone?

[English]

SHRI RAM NAIK : Sir, we welcome that you have come just now but we would have also welcomed the Prime Minister. Such a serious debate has been taking place for the last three days. It would have been more appropriate had the Prime Minister also attended the House and listened to the reply being given by the Home Minister. ...*(Interruptions)*

MR. SPEAKER : How can two Ministers stand at the same time? Two Ministers cannot stand at the same time. The Minister of Parliamentary Affairs has precedence. You may sit down.

SHRI RAM NAIK : It would have been most appropriate had the Prime Minister also been present in the House.

15.00 hrs.

We would also like to know whether he has informed you that he would not be present in the House.

MR. SPEAKER : The Prime Minister has already made his intervention. It is not possible for the Prime Minister to be present in the House all the time. The Home Minister is the Minister in-charge of law and order in the State. I think the Home Minister should reply now.

...(Interruptions)

SHRI P.R. DASMUNSI : The Minister of State for Home has not completed his intervention. ...(Interruptions)

MR. SPEAKER : Since the Home Minister has come here, the Minister of State for Home has to go to Rajya Sabha.

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA) : Mr. Speaker, Sir, I am sorry that I was not in a position to listen to most of the speeches which have been made this day in this discussion on Shri Vajpayee's Motion because I was directed to be present in the Rajya Sabha to deal with a discussion which was going on there regarding the recent events in Maharashtra. Possibly, I will have to go back there again.

The hon. Prime Minister has already intervened in this discussion. The essence of what he said represents the standpoint that the Government has been talking from the very beginning on the issue of corruption. All I wish to say is that it is true that in a couple of weeks from now the whole country will be entering upon a historic celebration of 50 years of Independence. But we have to think now whether this is going to be an occasion only for joy and pride or also for some introspection and some self-criticism about the condition to which in these 50 years all of us, all of us put together, have brought the country.

A few days before we celebrate the 50th anniversary—please excuse me for saying this—it pains me to see the hon. Speaker of this House having to give vent to his frustration, his anger and his grief at the behaviour of the Members in this House, as you were

constrained to do only a few days ago. This is not the way that the entry of the 51st year of our independence should be celebrated.

What has happened in Bihar during the last few months, I should say, is an example, a very glaring example, of the general condition to which our society and our country has been brought, and the abyss into which it seems to be sinking very fast unless we, who are the only people capable of salvaging the situation as the representatives of the people, act and act before it is too late.

Sir, my Government adheres to the position which has been stated here very forcefully by the hon. Prime Minister. Anybody who is occupying an important position, whether it be a position in Government or some other public post, against whom serious charges of corruption are levelled should step down.

Charges may not be proved ultimately, but the charges are levelled. Later on, if that leads to investigation and trial in a court, one has to wait to see whether those charges are upheld or not. Pending that process, it is our strong conviction that the person—because he is occupying such a post if he is charged with such serious offences—it is bounded on him in the interest of propriety—I am making a distinction between propriety and legality, the two are not the same—in the interest of propriety he should step down. He should step down if only for this reason that the investigation and so on which will follow, has to be impartial. It cannot be impartial; at least it will be alleged that it is not impartial. It is likely to be prejudiced if that person remains in his position, in his seat of authority and he is likely to influence the course of the investigation and inquiry. Therefore, in the interest of propriety, it is essential that he should step down. We adhere to this position. I do not want to go into instances now. I can give some instances—since this Government was first formed—as to how we have tried to adhere to this principle.

As far as Bihar is concerned, many times in this House we have been discussing it. There are quite a lot of excitement, quite a lot of high feelings being expressed, quite a number of times it is being said that 'why do you not make him resign?'. When he is charged with, being deeply involved, directly involved in this scam, the animal husbandry scam, whose dimensions are not yet properly known—how many hundreds of crores of rupees are involved—he should step down. The Prime Minister in this House on more than one occasion publicly declared, 'yes we want him

to step down. Yes, he should step down'. But then everyone went on jeering and poking fun on us and asking what was the use of our advice, as he was not listening to us. He is not stepping down. So, what is the implication of that? That we should force him some how or other to step down. I think that a resignation from office is not a thing which can be imposed on anybody. Resignation is a voluntary act. Either the person concerned has the good sense to realise what is being advised to him and he should voluntarily step down. If he says, 'No, I am not going to step down', you cannot compel him or force him by any means.

Unfortunately, Shri Laloo Prasad Yadav in his own judgement thought that he should not resign. He remained where he was. The situation became more complicated and then we were thinking. We had a lot of consultations as to what other course should be followed. One other course obviously was to have his Government dismissed or removed by the application of Article 356. On this also we were very clear when we went into the matter very deeply. We took the highest legal advice that was available. We had long consultations with the Solicitor and Additional Solicitor General and they convinced us that up to that stage or up to that time, there is no possible ground in terms of the Constitution by which we can impose Article 356. The charges which are contained in the charge-sheet, according to them—the Solicitor General made it quite clear—that these were the charges contained in the chargesheet, they have not been proved so far. They can only be proved when they come to the court.

In the meantime, you cannot possibly apply Article 356 without opening yourself to the charge, the charge that has always been made that the Party which is ruling at the Centre wants to use Article 356 as a weapon, as an Instrument to get rid of a Government or a Chief Minister who is not to their liking. Sir, certainly, as Home Minister, as far as I am able to understand in terms of the Constitution, nothing had been done and nothing had been said which would justify the use of Article 356.

I happen to be the Chairman of the Standing Committee of the Inter-State Council which is seized of this very matter about Article 356. A number of Chief Ministers are attending the sessions of the Steering Committee of this Inter-State Council which

is, by the way, a constitutional authority set up under Article 263 of the Constitution. Those Chief Ministers are all of different political views. They have deliberately been nominated to the Standing Committee so that they can represent all the different political views in this country. We have had three or four meetings to discuss this question of Article 356. Whatever views any of them might have held earlier, none of the Chief Ministers, except one, holds the view that Article 356 should be scrapped, should be deleted from the Constitution.

People are entitled to change their minds, I presume, in the light of the experience and in the light of the developments. With a solitary exception of Punjab, there is not a single State or a Chief Minister who had pleaded for scrapping of Article 356, but everyone of them have reminded the Inter-State Council, more than once, how this article has been grossly misused more than a hundred times since it was put on the Statute Book by different parties which were ruling at the Centre for their own political interest, for their own political advantage in order to remove duly elected Governments from office.

Then, what is to be done? What they have suggested is what is under discussion at present. We have not been able to reach an agreement so far. What are the different safeguards and what are the conditions which should be introduced in Article 356 in order to minimise—we are not able to remove it altogether, at least minimise—the possibilities of misuse of this Article by the Central Government against the State Governments which have been elected but which are not to their liking? This also was a question which weighed with us because we certainly do not want under the present situation in this country to rush ahead under pressure from various people to apply Article 356 in a way which will certainly led us upon to that same charge that we are doing it in our own interest; in order to remove some Chief Minister who is not listening to us and whom we do not like, apart from the Constitutional position which was also explained to us by the highest legal authority. So, Sir, we were not at all in favour of imposing Article 356.

Shri George Fernandes, I believe—I was not present when he made some alternative suggestions—had made some alternative suggestions that the Centre could have intervened in the Bihar situation under Article 160 of the

[Shri Indrajit Gupta]

Constitution or could have obtained the Governor's report about financial irregularities under Article 202 onwards or even imposed a financial emergency under Article 360. He had also said—if I am wrong, I would like to be corrected, I am speaking from some notes which were taken by my colleague who was present in the House—that in any case the Governor could have himself kept the Centre informed so that necessary action could have been initiated.

Well, the Governor was, of course, reporting to us regularly. In such a situation he is bound to do so. But I may say without any fear of embarrassing or contradicting anybody that the Governor did not suggest to us any course of action to be initiated by us so as to get over this impasse which has been created.

As far as Article 160 and Article 202 and so on are concerned, which Shri Fernandes has referred to, these as far as I understand are articles of a regulatory nature. They are not articles under which action can be taken for things like a financial scam. They are of a regulatory nature and the CBI, as you know Sir, has already initiated action for arranged violation of certain procedures and that case is in the court. So, there is no question of dismissing a Government on these grounds.

I submit that whatever Shri Laloo Prasad Yadav has done, which I think nobody can support, is a cause for embarrassment just to the Government. It is something which has brought the whole country, its whole political status and the cause of our democracy into disrepute, there is no doubt about it. But as far as we can make out, nothing unconstitutional has been done. He is a clever man; he is a discreet man; he is a cautious man and I think, he knows how to tread in his own interest. That has been proved by subsequent events also. He did not do anything unconstitutional. It could not be said that he has trespassed, of course, there are bounds of the Constitution which would have permitted other steps to be taken against him. So, we had to be cautious and we were waiting and then finally you see, Sir, what has happened now. I do not have to recite all these developments.

Even the latest development, which I think, frankly speaking, took everybody by surprise. There is nothing

unconstitutional about it. There is nothing in the Constitution which prohibits you from putting some member of your family as your nominee or as your substitute into the Chair. In this country, we have been used to dynastic rule. This country suffered for many years from this evil of dynastic rule. It was digested, swallowed by the people at large thinking that yes, this is the correct thing to do.

[Translation]

The queen's son will become the king. The king's son will become the king. Then the king's daughter will become the queen.

[English]

This family rule, the dynastic rule we have thought and we have hoped had come to an end. But now if in the State of Bihar Laloo Babu wants to resurrect this thing again and is trying to experiment with it, I think, it is still in the realms of experimenting.

The Leader of the Opposition has said that I have been fighting against all these things, now I have to fight against his family rule. But there is nothing unconstitutional and she has to proceed according to the Constitution. Within six months she has to get herself elected and within the conditions in Bihar, I suppose, is not at all a difficult job to do, to get herself elected to one of the two Houses. Then what happens?

So, Sir, I am very sorry that what happened, the whole drama as it is being played out is something which does not fit in at all with the solemn occasion of the Fiftieth Anniversary of our Independence.

This is what is distressing me very much because the whole world is watching us. The whole world is watching this largest democracy in the world, how it is functioning and what methods are being employed in order to keep and tame power. These are things which are very utterly distressing. The Prime Minister has spoken on this earlier. I do not want to add anything to it. But the Motion has been moved by Shri Atal Bihari Vajpayee. That part of it which expresses great concern at the situation is, of course, something which we can all support. We all share that great concern. Then it goes on to say 'great concern at the passivity

of the Central Government', that means, the concern is not primarily for what is happening in Bihar but for the failure of the Government of India to intervene and to act. ...*(Interruptions)*

*[Translation]*

SHRI RADHA MOHAN SINGH (Motihari) : We would like a clarification with regard to the statement of the hon'ble Home Minister which he has given about Bihar on 3rd February while delivering a speech in Behut, Dist. Begusarai and has said that Bihar is engulfed in the quagmire of murders, decoity, goondaism and corruption and it has become difficult for the state to come out of it. I would like to know that if hon'ble Minister of Home Affairs has accepted this fact then what action he proposes to take in this regard. ...*(Interruptions)*

SHRI INDRAJIT GUPTA : I think that the point you have referred to was in the case of Uttar Pradesh. ...*(Interruptions)*

SHRI RADHA MOHAN SINGH : It is published in 'Rashtriya Sahara' dated 3rd February. ...*(Interruptions)* In a public meeting hon'ble Minister has said this in Bihar.

SHRI INDRAJIT GUPTA : There is no fundamental difference, whether it is Bihar or U.P. ...*(Interruptions)*

SHRI RADHA MOHAN SINGH : What action you are going to take in view of that. ...*(Interruptions)*

*[English]*

MR. SPEAKER : I do not think this is necessary. Shri Atal Bihari Vajpayee will reply to the debate. I do not think he needs your help in that.

...*(Interruptions)*

*[Translation]*

SHRI DILEEP SANGHANI (Amreli) : Chief Minister is a woman that is true but no other statement is true. ...*(Interruptions)*

*[English]*

MR. SPEAKER : I think the House should appreciate that the Home Minister could not have been more sincere than what he is saying.

...*(Interruptions)*

*[Translation]*

SHRI RAJIV PRATAP RUDY (Chhapra) : Do not send Ramvilas ji to Bihar, there is great danger to him there. ...*(Interruptions)*

*[English]*

MR. SPEAKER : I think you conclude now. Now you do not have to respond.

*[Translation]*

SHRI INDRAJIT GUPTA : What he has said about woman. I could not understand. ...*(Interruptions)*

SHRI DILEEP SANGHANI : You have said there is no difference whether it is Bihar or UP but in Bihar there is woman chief Minister. ...*(Interruptions)* The situation of Bihar is very bad.

SHRI INDRAJIT GUPTA : Had it been less objectionable to you if Laloo Yadav would have crowned one of his brothers or nephew instead of conferring the same to his wife. ...*(Interruptions)* After all a woman is sitting there. Now how she will manage and what will happen, it is to be seen. We can not solve it. I wanted to say that this part of the Motion of Shri Vajpayee ji charges the Central Government with having adopted a passive attitude. They remained inactive and did nothing in the matter. But he did not explain clearly about that. Central Government should have adopted an active attitude instead of passive attitude but he has thrown no light on what that attitude could really be. If he meant to say that Article 356 should be imposed, he should have clearly stated that.

People have different opinions and views. If there was any other measure for this he could have expressed the fact but he hide the matter without telling anything. He said pacific attitude. But I understand that we could not do more than this. Our Prime Minister has said that investigative agencies under the control of Central Government are discharging their functions properly in the case of allegations made against Shri Laloo Prasad. Thus we have reached here. Shri Laloo Prasad Yadav

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would not have resigned if CBI would not have discharged its functions properly. This is true that he had been surrounded from all the four sides. I would say in his praise that he is a courageous and obstinate man. He became adamant but people were telling that CBI has got some soft corner for him so they would release him without giving any punishment. When CBI started investigations in a definite direction than he understood that resignation was the only option left for him and he resigned. I do not want to take more time. If Prime Minister want to speak anything else in the matter he may do so, I think that we can not support the Motion moved by Shri Vajpayee ji because the motion is ultimately against the Central Government and not against Shri Laloo Yadav as such. How can I give my opinion in favour of that? We will oppose that Motion. If they have deep concern in this matter I can only say that my concern is more than that. Some friends have raised during discussion rightly that what will you do now? Whether the matter will continue in the same manner? We will have to do something to improve the situation. The people of the country can improve this situation if we take them to the right path and encourage them. Every person in this country is against corruption but an individual can not fight alone with monster in the form of corruption who is eating away this country. Those persons who are indulged in corrupt practices have become so much organised that it is not possible for an individual to raise voice against them. They have black money, arms, mafia and goondas so it is difficult for an individual to open his mouth against them. If all people become united and atleast expose them and all political parties make an announcement from an open platform to the public that no such person will be made candidate from their party in any election who is indulged in corruption. They should not only say this thing but stand true to their words. In my opinion such things will be curbed to a great extent. When statistics come in Newspapers that so many members of State Assemblies and Parliament are facing trials and their names appear in police record, it does not look nice. How did they reach there? Nobody can reach there automatically. Whatever may be the reasons but some persons in the country cast their vote to them out of confusion, fear or greediness only then they became MLA, MP or Minister. According to the present law they can not hold these position in this manner. We all know such persons. If we really pledge before the public that such persons will not be made candidates from our party and accordingly if we firmly stand by it then this problem can be solved to a great extent. I have to say only this much. Now I thank you. I shall be highly grateful if leaders from opposition parties could suggest some measures to save the country.

[Translation]

SHRI ATAL BIHARI VAJPAYEE (Lucknow) : Hon'ble Speaker, Sir, the discussion is going to conclude. Discussion was started in the form of Adjournment Motion. But now it has been taken under Rule 184 with a view that more and more members could participate in it. There was a long and meaningful discussion on this Motion. This type of discussion not only draws the attention of House to the issues but also instill confidence among the people out-side that everything has not come to an end but there is still some hope for future.

This Motion contains two parts one regarding concern over recent incidents in Bihar. I found that on these incidents not only the House expresses its concern but the entire country is with us in expressing its concern. This Motion has one more part about which the Home Minister has said that he cannot agree with that. I know his difficulty but its second part is also important. Only to express concern will not do. It is country's highest representative institution. India is the largest democracy in the world. The Central Government is accountable to this House as well as to the whole country. They should not think that by expressing mere concern their duty is over. People expect something else from the Government. Not only mere expressions, they expect that we should behave properly and in this case, it is laxity on the part of the Government. I am surprised that the Prime Minister, in order to cover the passivity of the Government, took the entire credit of the action taken by the CBI himself. I would like to quote his words:

[English]

"The other point to which I would like to draw your attention to is, after all, who has chargesheeted Shri Laloo Prasad Yadav? The C.B.I. Whose agency is the C.B.I.? Centre's. In which Department of the Government of India does C.B.I. function? The Prime Minister's Office. If this is passivity, I do not know what is activity. If there is passivity, that the Department functioning directly under my charge, not only does it chargesheet; but also does it oppose the anticipatory bail, then with what base, at what level and how am I accused of passivity?"

[Translation]

Whatever the C.B.I. has done, Government is claiming to have been done by them but the other day P.M. had also said and that is true that C.B.I. is working under Court's direction. The C.B.I. is an autonomous body. If the Prime Minister and Government takes the entire credit

for all the good work done by C.B.I. then who will take the responsibility for all its failure? At the same time, can the Government escape from the charges made? At that time, whether it will be said that C.B.I. is an autonomous body, we have nothing to do with them. If it will do some good work then it will be said that it is done by the Government. My submission is that there should be a clear demarcation in this regard and C.B.I being apex investigation agency of the Centre, its autonomy should be protected.

Hon'ble Speaker, Sir, the other day P.M. had said one sentence which is pinching me. When a news that anticipatory bail petition was rejected, was received, everybody wanted to know the next course of action that was likely to be taken. At that time, the P.M. had said:

[English]

"I can only assure that the Government will take due cognizance of it and will not be found wanting. But it will not act in a hurry because I must see to it that legality is preserved and the rule of law is upheld".

[Translation]

I agree with his last point. Rule of law should be upheld but Government would not take any action in a hurry on the one hand, it was being claimed that C.B.I. was taking action and whatever the C.B.I. had done, now the results are coming and on the other hand, it is being said that the Government would take no action in a hurry. Then, what the Government will do in this regard? On what grounds the Government goes slow, take quick action or take no action at all? How the position will be clarified? Now, because of public opinion a new situation has arisen. And it is a matter of great happiness that despite differences, all the major parties agreed upon this principle and convention that a leader should resign from his post once he is charge-sheeted and there is a primatacie case against him and the matter is to be taken to the court. This is the major achievement coming out of this discussion. There was unanimity. The prominent leaders of all the parties, even the parties which joined the United Front, are also of the same opinion. The earlier day, I said that this convention is prevalent in our country. It is good that the country is upholding this convention but I had asked what will happen if someone would not resign? Then, I was asked whether I advocate for Article 356, whether I am a supporter of that? Today, my friends Shri George Fernandes has told us some more alternatives. The other day, Shri C. Subramanian had given some suggestions in the Committee on Preparation

for Celebration of Independence. I am surprised that how Home Minister did not hear all these points? That day, I told all the 3 points. The Chief Minister of Bihar should be persuaded to resign, the second step is that the Governor can withdraw his pleasure. The Governor has the right, and the third, is that when there is no other way, then the last resort is Article 356. There will be discussion on that. Even today, the United Front has not decided to abolish Article 356. I mentioned it the other day. Now a new situation has arisen in Bihar. Resignation has been submitted. The former Chief Minister has resigned but he still holds power. It is not the question whether now the wife can take over charge from the husband or not. ...*(Interruptions)*. Wives have won the election and have been elected after fighting elections. They have not been imposed all of a sudden. Women should take part in active politics. If they have political background then it is a matter of pleasure. We made a woman Chief Minister of Uttar Pradesh. We have no objection if they want to follow us in Bihar. But this matter is not so simple, this is a complicated one. After all, why Shri Laloo Prasad Yadav was asked to resign from Chief Ministership? First, he was asked to resign because he had been charge-sheeted. Secondly, had he been allowed to remain in power, an impartial inquiry into the charges levelled against him would not be possible. The inquiry could be influenced and the witnesses be stopped from giving evidence. Efforts to take the suit in the wrong direction can be made. Has this probability ended? Will the Government not be run from behind the curtain? And I am surprised that voting was done and the Government had absolute majority and was there not a single person who could have been made the Chief Minister.

If there was nobody in the Legislative Assembly of Bihar then there are many able persons from Lok Sabha. ...*(Interruptions)* It has already happened in certain other States also when Chief Minister were appointed by tendering resignation from Lok Sabha. But it was also not allowed. Neither there was confidence in any member of Legislative Assembly of Bihar nor any members of Lok Sabha of R.J.D. was considered fit. If there was any confidence it was in his wife. What are the feelings behind it. What is the intention behind it. After all why Shri Laloo Prasad Yadav was taking so much time in resigning from his post. Whether the present Chief Minister is not apprehensive that with the removal of husband from the power not only fodder scam but many other scams will come to the light with their terrifying facts and then it would become difficult for him to remain in public life. After all what is the major cause for having no faith in his own party. Hon'ble Home Minister as well as the Prime Minister are also present and that is why I am

[Shri Atal Bihari Vajpayee]

again placing this question before them that whether such circumstances would develop in Bihar with the appointment of wife in place of her husband that the trial could go in a fair manner. I was mentioning about C.B.I. The judge of the C.B.I. court made up his mind to issue warrant. He issued the warrant. Why was it not implemented? The warrant could have been implemented before the case comes before the Supreme Court and the former Chief Minister could have been arrested. But it was delayed. Different opinions are being expressed in this regard. But now it is in full majority. Now the Congress Party has not remained neutral. It voted alongwith the Party in power. It was not at all required. They were in majority even without the support of the Congress. Whatever Congress may speak about the corruption but whenever it is put to an acid test it fails. What is that justification of it, what is this fuss all about. Is it so because the leaders of the Congress Party are also involved in animal fodder scam? Just now hon'ble Home Minister was saying that all the parties ...*(Interruptions)*

SHRI GIRDHARI YADAV : All the parties are involved therein. There is also one person from your party.

SHRI ATAL BIHARI VAJPAYEE : Yes, he is behind the bars and we have welcomed it. Mr. Speaker, Sir, just now hon'ble Minister of Home Affairs was saying that all the parties should decide collectively. He again pressed that point that all parties without any exception, ...*(Interruptions)* and this exception is there. Today the ministry has been expanded. The total strength of the ministers has gone up to 75. ...*(Interruptions)* There is no need to go into the details of agreement that was reached with the J.M.M. If the situation that has emerged in Bihar after the resignation of the former Chief Minister, prevails, there is least likelihood that this scam will be probed properly, and the accused will be punished. There is no animosity between us and Shri Laloo Prasad Yadav. He was with us against the emergency. ...*(Interruptions)*

But if he was minister of Finance and also Chief Minister and Shri George Fernandes has disclosed how the money was plundered and the volume of amount kept on rising. I thank the Comptroller and Auditor General. He is a ray of hope for democracy. He is the future of democracy. That is why I had stated that if the individual institutions remain active, then such scams would continue to come to light which will not be tolerated by the House or the country. But what the Central Government propose to do under the present circumstances. Prime Minister says that he will not take a hasty decision. You will move slowly, but how slow? What will

they do? This is a family matter. I do not think that Prime Minister has said so. ...*(Interruptions)* He must have said jokingly.

THE PRIME MINISTER (SHRI I.K. GUJRAL) : I have said neither in humour nor seriously. ...*(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, corruption never can be a family matter. ...*(Interruptions)*

SHRI I.K. GUJRAL : I am saying that I have not said so. ...*(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE : All right, this is what I had expected from you. I am not yielding.

SHRI RAM KRIPAL YADAV : What was the political background of the wife of Shri Brij Bhusan Sharan Singh to whom you gave ticket? Just now, you have enquired about the political background of the wife of Shri Laloo Yadavji. I would like to tell you that she has been leading the political life with Shri Laloo Prasad Yadav for the last 25 years. Today, she is the most competent Chief Minister of the State. She got 194 votes in her favour. You will come to know about it. You are anti-women. ...*(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE : I do not want to raise any dispute about the capability of Smt. Yadav. . ...*(Interruptions)*

SHRI RAM KRIPAL YADAV : No, just now you have said about her. ...*(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE : I am raising another point. I will have to mention the fact that she is neither the member of Legislative Assembly nor Legislative Council. All of a sudden, how she was appointed as Chief Minister. ...*(Interruptions)*

SHRI RAM KRIPAL YADAV : There are a large number of persons in this House who are appointed as ministers while they were not member of any of the House. ...*(Interruptions)*

SHRI RAM NAIK : What is happening? What is he speaking? It will not be tolerated. If they interrupt the House again and again how will its proceedings be conducted. ...*(Interruptions)*

PROF. RITA VERMA : Mr. Speaker, Sir, he has spoken for seven hours out of eight hours about the same thing. ...*(Interruptions)*

[English]

MR. SPEAKER : Please allow him to speak.

[Translation]

SHRI ATAL BIHARI VAJPAIYEE : Mr. Speaker, Sir, 110 votes were cast against the confidence motion moved in Legislative Assembly of the State and except the Bharatiya Janata Party and Samata Party, C.P.I., C.P.M., Janta Dal voted collectively. One may say that State Government has the majority. Whether the democracy is simply a game of minority or majority? Is morality not the foundation of democracy. Is there no parliamentary propriety. ...*(Interruptions)* I have already mentioned as to how this majority was managed. But even if there is majority and the ruling party with its majority is against the rule of law and are causing hindrances in the enquiry of allegations levelled against them. So, in that case, whether all this would be tolerated silently simply because they are in a majority in the Legislative Assembly? There is no doubt that public opinion will play its role but Central Government also will have to be more active, more alert in regard to this issue. The Central Government can certainly evolve several ways to interfere.

The Minister of Home Affairs has admitted just now that he had been receiving the report from Governor and it is the duty of the Governor to furnish the report. He had sought report from the Governor in respect of Uttar Pradesh also. Perhaps the report with regard to Maharashtra would have also been sought. But whether the report is a document which is mailed from Patna and received in Delhi and it is not discussed, decisions are not taken on the basis of the report. It cannot be a report. After all, the Governor who is the eyes of the Centre, keeps watch on all the things on behalf of Central Government. The Governor was kept informed of the deteriorating condition of Bihar by the leaders of the opposition party regularly. On that also oath was taken in such a haste which does not have any justifications. It is also a matter of controversy as to how many members of Rashtriya Janata Dal were present there. Before the oath taking ceremony, leader of the opposition Party wanted to meet Governor with the delegation. But the Governor did not meet him. Whether the Central Government had given any instructions in this regard? How this Government was formed and that too in such a short span? Democracy does not mean mockery of the mandate. Bihar state is not a property or estate of anybody. After all, Bihar is a part of our country and if in any state corruption wins and political morality is defeated, then it would send a wrong signal in the entire country.

Mr. Speaker, Sir, when country is celebrating the 50th anniversary of Independence, the political atmosphere of the country needs fresh air without which labourious people of the country cannot be encouraged to do maximum hard work and perform their duties sincerely. Therefore, the statements of the Prime Minister or the Minister of Home Affairs should not imply that what can we do. Much more can be done beside Constitution. The work of awakening the people can be done. The change in Bihar was brought by awakening the people. But that time we were not in power. The power was in the hands of corrupt people. Today again power has gone in the hands of corrupt people. But today all the people expect from Government and it should accept its inactiveness and assure the House of its hardwork and activeness in future.

I would like to thank all the Members who have participated in this discussion and I would request the House to adopt my Motion.

[English]

MR. SPEAKER : I shall now put the amendment to the Motion moved by Shri Atal Bihari Vajpayee to the vote of the House.

The question is:

"That in the Motion,—

for "Serious situation"

substitute "That this House expresses concern over the serious situation."

*The motion was adopted.*

16.00 hrs.

MR. SPEAKER : I shall now put the Motion, as amended, moved by Shri Atal Bihari Vajpayee to the vote of the House.

The question is:

"That this House expresses concern over the serious situation arising out of the passive attitude of the Central Government over recent developments in Bihar."

*The motion was negatived.*