

DR. LAXMINARAYAN PANDEYA: Sir, my submission is that 2-3 minutes should be given to each of us.. (Interruptions)

MR. SPEAKER: I will definitely give you time but first the Budget and the delegation of powers issue be passed in the House.

[English]

If the the House agrees, there should not be any difficulty.

[Translation]

Let there be second..... (Interruptions)

MR. SPEAKER: You will be definitely given time to speak on the other subject. This is the constitutional duty and the House is prepared for the same.

[English]

We are thankful to you for cooperating with us.

[Translation]

let the Budget of another state be passed.

(Interruptions)

DR. LAXMINARAYAN PANDEYA: I have made this submission because the hon. Members of my party, scheduled to speak, are not present in the House. Shri Lodha and Shri Jaswant Singh scheduled to speak, are not present in the House....

(Interruptions)

MR. SPEAKER: Madhya Pradesh is there. You please speak later on.

MR. SPEAKER: The House will now take up combined discussion on Items Nos. 23, 36, 37 and 38 in today's list of business.

(Interruptions)

[Translation]

MR. SPEAKER: Only after the Budget of Himachal Pradesh is passed.

[English]

Then we will take up the discussion on Madhya Pradesh.

18.29 hrs.

HIMACHAL PRADESH STATE LEGISLATURE (DELEGATION OF POWERS) BILL

As passed by Rajya Sabha - Contd.

HIMACHAL PRADESH BUDGET 1993-94
GENERAL DISCUSSION

DEMANDS FOR GRANTS ON ACCOUNTS HIMACHAL PRADESH
1993-94.

SUPPLEMENTARY DEMANDS FOR GRANTS (HIMACHAL PRADESH),
1992-93

[English]

MR. SPEAKER: Motion moved:

(i) " That the respective sums not exceeding the amounts shown on Revenue Account and Capital Account shown in the Third column of the order Paper, be granted to the President, out of the Consolidated Fund of the State of Himachal Pradesh, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1994, in respect of the heads of demands entered in the second column thereof against demand Nos. 1 to 31."

(ii) " That the Supplementary sums not exceeding the amounts on Revenue Ac-

count and Capital Account shown in the third column of the Order Paper, be granted to the President our of the Consolidated Fund of the State of Himachal Pradesh to defray the charges that will come in course

of payment during the financial year ending the 31st day of March, 1993, in respect of heads of demands entered in the second column there of against Demand Nos. 1,4,5,7 to 12, 14 to 25 and 28 to 31".

STATEMENT

Demands for Grants on Account (Himachal Pradesh) 1993-94 submitted to the vote of Voted by the Lok Sabha

Sl.No.	No. and Name of Demnd	Amount of Demand for grant on Account submitted to the vote of the House.	
		Revenue Rs.	Capital Rs.
1	2	3	4
1.	Vidhan Sabha and Election	1,30,57,000	-
2.	Governor and Council of Minister	64,92,000	-
3.	Administration of Justice	3,43,94,000	-
4.	General Administration	28,22,10,000	15,48,000
5.	Land Revenue	20,09,50,000	5,45,000
6.	Excise and taxation	3,50,54,000	-
7.	Police and Allied Organisations	30,18,90,000	-
8.	Education, Sports, Arts and Culture	142,26,52,000	3,48,25,000
9.	Health and Family Welfare	51,26,71,000	2,47,10,000
10.	Public Works	26,80,25,000	1,78,50,000
11.	Agriculture	23,37,72,000	7,77,13,000
12.	Irrigation and Flood Control	12,31,33,000	5,60,10,000

Sl.No.	No. and Name of Demnd	Amount of Demand for grant on Account submitted to the vote of the House.	
		Revenue Rs.	Capital Rs.
1	2	3	4
13.	Soil and Water Conservation	5,87,16,000	23,75,000
14.	Animal Husbandary and dairy Development	9,47,87,000	12,00,000
15.	Fisheries	1,02,41,000	24,25,000
16.	Forest and Wild Life	33,34,23,000	1,09,44,000
17.	Roads and Bridges	16,78,21,000	29,04,27,000
18.	Supplies, Industries and Minerals	5,99,69,000	2,61,20,000
19.	Social Security and Welfare (Incl. Nutrition)	11,91,99,000	46,51,000
20.	Rural Development	16,16,39,000	7,42,000
21.	Coopertion	4,10,16,000	5,56,49,000
22.	Food and Warehousing	7,71,85,000	11,94,29,000
23.	Water and Power Development	51,000	41,36,50,000
24.	Stationery and Printing	2,34,76,000	7,50,000

Amount of Demand for grant on Account submitted to the vote of the House.

Sl.No.	No. and Name of Demnd	Revenue Rs.	Capital Rs.
1	2	3	4
25.	Road, Water Transport and Civil Aviation	2,69,45,000	1,63,84,000
26.	Tourism and Hospitality Organisation	1,03,10,000	92,75,000
27.	Labour and Employment	3,81,41,000	45,74,000
28.	Water Supply, Sanitation, Housing & URb. Dev.	37,46,40,000	15,60,65,000
29.	Finance	44,56,32,000	
30.	Loand to Government Servants	-	2,23,00,000
31.	Tribal Development	34,93,42,000	10,85,33,000

STATEMENT

Supplementary Demands for Grants on Account (Himachal Pradesh) 1992-93 submitted to the vote of Voted by the Lok Sabha

Amount of Demand for grant on Account submitted to the vote of the House.

Sl.No.	No. and Name of Demnd	Revenue		Capital	
		Rs.	3	Rs.	4
1.	Vidhan Sabha and Election	33,60,000		-	
4.	General/Administration	3,50,000		-	
5.	Land Revenue	1,00,00,000		10,00,000	
7.	Police and Allied Organisations	5,01,39,000		-	
8.	Education, Sports, Arts and Culture	4,07,86,000		1,04,28,226	
9.	Health and Family Welfare	1,63,61,000		1,000	
10.	Public Works	-		5,39,15,000	
11.	Agriculture	1,73,61,000		1,20,37,570	
12.	Irrigation and Flood Control	1,81,29,000		-	
14.	Animal Husbandary and dairy Development	20,00,000		-	
15.	Fisheries	-		33,000	

Amount of Demand for grant on Account submitted to the vote of the House.

Sl.No	No. and Name of Demand	Revenue		Capital	
		Rs.	Rs.	Rs.	Rs.
1	2	3	4		
16.	Forest and Wild Life	1,74,32,000	1,56,47,000		
17.	Roads and Bridges	4,39,49,000	29,88,000		
18.	Supplies, Industries and Minerals	1,80,21,000	7,00,000		
19.	Social Security and Welfare (Incl. Nutrition)	1,75,79,000	25,00,000		
20.	Rural Development	12,41,21,000	-		
21.	Cooperation	51,85,000	14,54,000		
22.	Food and Warehousing	-	9,30,00,000		
23.	Water and Power Development	5,00,00,000	2,01,70,000		
24.	Stationery and Printing	40,000	-		
25.	Road, Water Transport and Civil Aviation	10,00,00,000	-		
28.	Water Supply, Sanitation, Housing & Urb. Dev.	16,21,92,000	41,79,49,000		
29.	Finance	4,000	-		
30.	Loans to Government Servants	-	22,87,000		
31.	Unpaid Development	1,10,40,000	92,84,000		

MR. SPEAKER: Mr. Prem Dhumal and Major Khanoria how tabled cut motions on Demands for grants on Account in respect of the Budget of Himachal Pradesh. Are you making your cut motions?

[English]

PROF. PREM DHUMAL : I beg to move:-

"That the demand for Grant on Account under the head Vidhan Sabha and Election be reduced by Rs. 100."

[Need to make provision of funds for immediate Assembly elections in Himachal Pradesh.](1)

"That the demand for Grant on Account under the head Governor and Council of Minister be reduced by Rs. 100"

[Need to devise the ways and means to reduce the wasteful expenditure] (2)

"That the demand for Grant on Account under the Head Administration of Justice be reduced by Rs. 100."

[Need to provide proper library facilities to the Judges](3)

"That the demand for Grant on Account under the Head Administration of Justice be reduced by Rs. 100".

[Need to provide free legal aid to the poor in Himachal Pradesh.] (4)

"That the demand for Grant on Account under the Head General Administration be reduced by Rs. 100."

[Need for reduction in non-planned expenditure in the State of Himachal Pradesh. Rs.](5)

"That the demand for Grant on Account under the Head Land Revenue be reduced by Rs. 100."

[Need to give relief to those farmers

whose crops have been damaged.](6)

"That the demand for Grant on Account under the Head Excise and Taxation be reduced by Rs. 100."

[Need to reduce the prices of liquor in Himachal Pradesh] (7)

"That the demand for Grant on Account under the Head Police and allied Organisations be reduced by Rs. 100."

[Need to raise more police battalions to meet law and order problems in the state of Himachal Pradesh.](9)

"That the demand for Grant on Account under the Head Education, Sports and Arts & Culture be reduced by Rs. 100."

[Need to provide more funds for the promotion of education, sports, arts and culture in the State](10)

"That the demand for Grant on Account under the Head Health and Family Welfare be reduced by Rs. 100"

[Need to provide adequate funds for medicines, life saving drugs and ambulances in the hospitals in Himachal Pradesh. (11)

"That the demand for Grants on Account under the Head Public works be reduced by Rs. 100."

[Need to provide more funds for construction of new roads and metalling of the old roads in Himachal Pradesh.] (12)

"That the demand for Grants on Account under the Head Agriculture be reduced by Rs. 100."

[Need to solve the problems of the small and marginal farmers](13)

"That the demand for Grant on Account under the Head Irrigation and Flood control be reduced by Rs. 100."

[Need to take effective steps to solve the problems of irrigation and control of floods in the State.](15)

"That the demand for Grant on Account under the Head soil and Water conservation be reduced by Rs. 100."

[Need to take steps for stopping of soil-erosion and conservation of water in Himachal Pradesh.](16)

"That the demand for Grant on Account under the Head Animal Husbandry and Dairy Development be reduced by Rs. 100."

[Need to establish more veterinary dispensaries/hospitals in the State.](17)

"That the demand for Grant on Account under the Head Fisheries be reduced by Rs. 100."

[Need for proper development of fisheries in the State of Himachal Pradesh.](18)

"That the demand for Grant on Account under the Head Forest and Wild Life be reduced by Rs. 100."

[Need to provide more funds for afforestation.](19)

"That the demands for Grant on Account under the Head roads and Bridges be reduced by Rs. 100."

[Need to provide adequate funds for building and maintenance of roads and bridges.](20)

"That the demand for Grant on Account under the Head Social Security and Welfare be reduced by Rs. 100."

[Need to provide adequate ways and means to improve social security and welfare including nutrition in the state.](21)

"That the demand for Grant on Account under the Head Rural Development be re-

duced by Rs. 100."

[Need to provide funds for the proper development of rural areas in Himachal Pradesh.](22)

"That the demand for Grant on Account under the Head Cooperation be reduced by Rs. 100."

[Need for strengthening the cooperative movement in the State of Himachal Pradesh.] (23)

"That the demand for Grant on Account under the Head Food and Warehousing be reduced by Rs. 100."

[Need to improve upon the warehousing facilities in the State.](24)

"That the demand for Grant on Account under the Head Water and Power Development be reduced by Rs. 100."

[Need to take steps to augment the Hydro-electric power generation in the State.](25)

"That the demand for Grant on Account under the Head Stationery and Printing be reduced by Rs. 100."

[Need for checking of unnecessary publications in the State Government Departments.](26)

"That the demand for Grant on Account under the Head road water Transport and Civil Aviation be reduced by Rs. 100."

[Need to take steps to improve upon the facilities of road, water transport and civil aviation in the State of Himachal Pradesh.] (27)

"That the demands for Grant on Account under the Head Tourism and Hospitality Organisation be reduced by Rs.100."

[Need to take steps for proper development of tourism in Himachal Pradesh.](29)

[Prof. Prem Dhupal]

"That the demand for Grant on Account under the Head Labour and Employment be reduced by Rs. 100."

[Need to provide more funds for labour welfare and generation of more employment opportunities in the State of Himachal Pradesh.](30)

"That the demand for Grant on Account under the Head Water Supply Sanitation, Housing & URB. DEV. be reduced by Rs. 100."

[Need to provide adequate funds for installing drinking water taps in every house and for providing other civic amenities.](31)

"That the demand for Grant on Account under the Head Tribal Development be reduced by Rs. 100."

[Need to provide funds for the development of tribal people in the State of Himachal Pradesh.](32)

[Translation]

PROF. PREM DHUMAL (Hamirpur):
Mr. Speaker, Sir, I raise to speak on Himachal Pradesh State Legislature (Delegation of Powers) Bill, 1993 and Himachal Pradesh Budget, 1993-94. First I would like to speak on the issue of delegation of powers.

Mr. Speaker, Sir, President's rule was imposed in Himachal Pradesh after dismissing the popular Government enjoying two-thirds majority, engaged there in public welfare for no valid reasons out of the feeling of vendetta. Not only the Government was dismissed but also the Legislative Assembly was dissolved.

Mr. Speaker, Sir, provisions of Article 356 of the constitution need to be resorted to only under emergency and in Himachal Pradesh there was no such situation. No untoward incidents took place in the State after the incidence of 6th December, no-

where section 144 was clamped, but even then the President's rule was imposed after dismissing the popular Government out of political vendetta by the Centre. In 1953, at the time of imposition of President's rule in PERSU Dr. B.R. Ambedkar, Chairman of the Constitution Drafting Committee, commented that such an impression should not be created that the Centre has dismissed the State Government of the opposition party for political gains. While participating in the debate in Rajya Sabha he also commented that the day this thing happens it will tantamount to the rape of the Constitution. Mr. Speaker, Sir, by dismissing the Government of Himachal Pradesh on 15th December, 1992 this Government has committed that very outrageous act.

This is totally an inefficient Government at the centre and it is unable to discharge its duties and has been unable to fix discussion on the Budget till date. It has taken over the extra responsibilities of the State Governments by dismissing them. I oppose the move on the part of the centre that all the powers vested in the President can be delegated by him to any one under article 357 of the Constitution. The Government is setting the wrong precedent. I oppose this motion because dismissal of the Government of Himachal Pradesh is gross misuse of article 357.

Mr. Chairman, Sir, I would like to submit that in Himachal Pradesh a procedure used to be followed before the formulation of the Budget. All the MPs and MLAs used to be invited for discussions so that priorities can be fixed to the various schemes. However, this year the Governor and his council, as the state is under President's rule and the Legislature has been dissolved, did not think it proper to at least invite the MPs of Himachal Pradesh. In contrast when there used to be State Legislature the Government of the State even used to invite MPs besides MLAs for discussion on the Budget.

The priorities of the plans were used to be decided. But the present administration in the state does not consider it necessary

to seek the advice of the public representatives. No programmes have been mentioned in the Budget. It is a matter of high surprise that this Budget is a deficit Budget and no steps have been proposed to make it up. There is no mention about it as to how the resources would be mobilised, whether some new taxes would be imposed or some special grants will be paid by the Central Government.

The Ninth Finance Commission did great injustice in 1989 with Himachal Pradesh. Prior to that Himachal Pradesh had been put in a special category. The Members of the Ninth Finance Commission had gone to Simla. It is not known as to what dispute took place between the members of the Ninth Finance Commission and the then Congress Government of Himachal Pradesh. As a result Himachal Pradesh lost its status of special category. Prior to that the deficit was used to be made up through the special grants. The Ninth Finance Commission made its recommendations. Since the Himachal Pradesh has lost its special Status, it has been facing an acute financial crisis.

There are frequent news papers reports that Banks do not honour the cheques issued by the Government of Himachal Pradesh as per orders of the Reserve Bank. I saw the Finance Minister a day before yesterday. I submitted that now there was President's rule in the state so the Central Government had direct administrative responsibility and even then the cheques are not being honoured. He was of the opinion that he had great appreciation for the efforts made by Shri Shanta Kumar to mobilise the resources and savings and that is why he was then ready to provide some assistance. But it is a matter of surprise that nothing of that sort is now being done during the President's Rule, therefore he refused to provide any financial assistance. If no overdraft is cleared from the Reserve Bank, how would the projects be completed in the state? Most of the financial resources in Himachal Pradesh are exhausted on the salaries of its employees. The Financial Crisis is so grave that the Government has

no funds even to pay the salaries to its employees. The State Government would be unable to pay salaries to its employees unless overdraft is cleared by the Central Government.

'Antoyodya' Programme had been introduced in Himachal Pradesh keeping in view the economic criterion and some most poor persons were selected for this programme without any consideration of caste etc. One lakh people had been selected for the purpose and they had been provided of wheat at the rate of Rs. 1.50 p. per kg, rice at Rs. 2.00 per kg and salt at 25p. per kg. Such a large number of people were getting relief in a population of fifty lakh. You would be surprised to know that the rate of the ration provided to the beneficiaries of the programme was increased along with the dissolution of the popular Government and the imposition of President's Rule. Second phase of the 'Antoyodya' programme had to be launched and one lakh more families were to be selected as the beneficiaries of this programme but the Government took such a decision as has hampered the said programme and now the programme has been completely in a state of paralysed. In the last Budget, a separate provision had been made for 'Antoyodya' programme. But no such provision has been made in this present budget. Will the Government state whether it would provide relief to the said families: if so, how many families would get the benefit of this relief; whether the ration would be available to them on cheaper rates. All these points have not been mentioned in this budget. It is a surprising new gift of the President's rule to the people of Himachal Pradesh.

Due to paucity of resources in Himachal Pradesh, the Government of Bhartiya Janta Party took new schemes in its hands so that the cooperation of the people may be sought and the progress may be made in the State. Even the World Bank Praised these schemes. The name of the one scheme was 'Gaon Bhi Apna, Kaam Bhi Apna'. People used to collect thirty percent of the funds required for the construction of build-

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ings of public welfare schemes such as schools, Hospitals or roads and deposited in the office of the District Administration. Rest seventy percent of the funds was used to be provided by the State Government in the form of grants. During the last two years thousands of rooms in schools and hospitals and a number of roads had been constructed. But during the President's Rule, first of all the name of the scheme was changed because the programme was associated with Bhartiya Janta Party. Now it was renamed as "Lok Karyon main Jan Sahyog." Now the ratio of the funds which was previously 30:70 is being changed and it is being raised to 40:60. It means that the people would have to pay 10% more. Even then the people have deposited their share but the Government has not paid its due share, I am surprised to note that no reference has been made in the Budget in this regard. It does not matter as to what is the name of the scheme but the fact is that the people has shown a great enthusiasm to yards these programmes and they were thinking that the buildings, schools and hospitals would be constructed with the cooperation of the Government. Some works took a material shape also but now these too have been stopped. There is no mention about it as to what provision has been made for this scheme.

It is very much essential to make available the pure drinking water in hilly areas. Last year, this job had been given priority. But this year no reference has been made regarding this in the Budget. there is no reference at all in the Budget whether the special funds being provided in the last years would be allocated to the state or not. There is no proposal as to how the deficit shown in the budget would be made up.

We had introduced another scheme "Van Lagao, Rozi Kamao". You are well aware of it so I do not want to repeat as to who is responsible for the deforestation in Himachal Pradesh. Again the Government introduced another scheme to protect and

conserve the trees properly and the work on this scheme was started by providing financial assistance under the scheme named "Van Lagao, Rozi Kamao, and the Central Government also gave its clearance to this scheme. Seventy five thousand people had to be given employment under this scheme. But the scheme was withdrawn. Poor people of villages were working under that scheme and the poor families and Antoyadaya families were being given priority, under that scheme. (*Interruptions*)*

[English]

MR. SPEAKER: That is not going on record.

[Translation]

PROF. PREM DHUMAL: All development activities are lying still Himachal Pradesh has a total capacity of generating twenty thousand Megawatt of Hydro electricity. In view of the paucity of funds with the State Government and the reluctance of the Central Government in providing funds, Shri Shanta Kumar decided to invite private sector for this purpose. Many offers were received. Some contracts were also signed. But now the decisions taken by the popular Government are being altered and the Budget is a mirror of the action of the Central Government. Moreover the statements of of the Government too are the evidence of it. There were plans of setting up four big cement industries to provide employment to people. But the Central Government made an announcement that no more cement industries would be set up there now.

Mr. Speaker, Sir, limestone is available there. According to the declared policy of the Central Government, in rural and hilly areas the excise duty was to be levied on producing 330 tonnes for Mini Cement Plants and now this limit has been reduced to 185 tonnes. Apparently, there is no logic in doing so. Government does not want to set up mini cement plants because it causes pollution of environment but all agreements clearly makes the provision that steps would

*Not recorded.

be taken to prevent pollution, whenever any such problem arises, the plants would be closed, but these have been closed even before the creation of any such condition.

Mr. Speaker, Sir, I was referring to the hydroelectric project. The whole project is lying dead. On the plea that there is no funds for the project. Since the condition of law and order has been deteriorated in Jammu and Kashmir, the scope of tourism in Himachal Pradesh has tremendously increased but I see that the Government does not have either any plan or worry in this regard, under the present Budget. Contrarily, the Government money is being spent extravagantly. All developmental activities are lying dead. After the imposition of President's Rule, the Government had promised to set up a popular Government in the State as early as possible but now a full stop has been put to it. Mr. Speaker, Sir, imposition of President's Rule is like a stop-gap arrangement. Today the hon. Minister of Finance and the hon. Minister of State in the Ministry of Finance are present here who have presented the Budget. I would like to submit that I have quite bitter experiences during the last few years on this particular issue i.e. imposition of President's rule in Punjab and Jammu and Kashmir while participating in the debates regarding Punjab and Jammu and Kashmir budgets presented by the Central Government, it always declares that it is just a matter of six months.

[English]

Within six months we are going to hold elections.

[Translation]

Then they submit that the law and order condition is not good.

SHRI BHOGENDRA JHA (Madhubani): This time it is not being said...

PROF. PREM DHUMAL: I would like that he should say this time. We have to pass vote on account within six months. Therefore, election should be held before

15th June. Weather will also be fine at that time. The hon. Home Minister is present here. He will get an opportunity to visit hilly areas when he will go there for electioneering. I would like that hon. Minister declare today itself about holding of elections before 15th of June. Though there is conflict in his party, some of them say that the election should be held now and some of them say that it should not be held now. Hold the election in May. It is a better opportunity. It is your constitutional responsibility of the Government. You have to make declaration about elections in Himachal Pradesh as you have dismissed the State Government by misusing your authority. The Government should. Hold the elections within a stipulated time frame so that a popular Government may come in power and it may change and frame its policies or at least may fix its priorities after holding discussion with people's representatives.

Mr. Speaker, Sir, matters as to what policy should be adopted about Hydro-electric projects how to develop tourism, whether cement industry should be set up or not, implementation of plant trees and earn livelihood scheme "(Van Lagao, Roji Kamao scheme)" is to be launched or not can be considered only by the people's representatives of the state. Policies should not be imposed by the centre and popular policies should not be changed. The administration should not engage only in as to which officer is to be transferred today or which officer is suitable to the interests of a certain party, so transfer him to a certain district. A clear policy was framed about the transfers that transfers would be made in some fixed months of the year and would be made after a fixed time. Neither it is being kept in mind by the officers nor it is useful now but its usefulness is being considered from the point of view of the party.

Mr. Speaker, Sir, if I will say something more, you may expunge them from the record. I would not like to say anything about any particular individual. I would not like to trouble you that you have to expunge it from record. But I would like to tell the hon. Home Minister that the people of the whole state

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want elections to be held early and now your own intelligence agency is also working there, I would like to know whether any adverse report regarding law and order situation in the state has been received by the Government? The law and order situation is normal there. People want elections. In this regard surveys have also appeared in the newspapers. Therefore, hold election there so that popular Government is formed and the budget is prepared by the said Government in accordance with people's aspirations and needs and various schemes are implemented to improve the condition of the people.

Because there is paucity of time while concluding once again demand immediate elections and oppose the budget proposals of the Government .

SHRI RAM NAIK: (Bombay North) : I am on a point of information, because all the hon. Members from our side will be criticising the Governor.

MR. SPEAKER: You say 'the Government' instead of 'Governor'.

SHRI RAM NAIK: Ultimately, the Budget would come through the governor. So, when we are criticising him, we will be criticising the authority. *(Interruptions)*

One minute, I will not take long.

We will be criticising him since the the Budget has come through him. This is another example where a clarification can be given.

Prof. Dhumal was the Member of the Himachal Pradesh University Executive Committee there as an M.P. from there. Now he has been removed from that post by the Governor and another M.P. has been nominated by the Governor who is not even a matriculate. We want to criticise it. Naturally the criticism will be directed against the Governor.

MR. SPEAKER: You can say, " the present Government's actions" Because, of you want to criticise the high dignitaries in the country you have to follow a particular procedure. You can do the same thing by using a different word.

SRI RAM NAIK: Ultimately the Governor is responsible.

MR . SPEAKER: It is not allowed. Why quarrel on this?

DR. LAXMINARYAN PANDEYA (Mandsaur): Mr. Speaker, Sir, discussion will certainly take place when all the powers are vested with the Governor during the Presidents rule and in such situation he discharges all those functions and appoints advisors unconstitutionally..*(Interruptions)*

MR. SPEAKER: Why quarrel on this? You criticise. Nobody says that you should not criticise. Shri K.D. Sultuanpuri.

[Translation]

SHRI KRISHAN DUTT SULTAN PURI (Shimla): Mr. Speaker, Sir, I rise to support the budget presented by the hon. Home Minister on behalf of the hon. Governor of Himachal Pradesh. I think that memory of the black day is still viewed in the minds of the people of Himachal Pradesh when the BJP Government was formed in the state by giving false assurances to the poor and the harijans and the manner in which rules were flouted. Today people know it well that the BJP Government in Himachal Pradesh come into power by humbug by exploiting sentiment of the people in the name of the Lord Rama. I would like to tell my colleagues of that side who call themselves intellectual. Is it in a proof of their intellect that the Chief Minister of the State had shown a deficit of Rs. 200 crores i the budget of the State. In this budget speech he made false statements in the House. You should know that now that Government committed atrocities on the farmers of Himachal Pradesh and apple growers of the state who were brutally murdered. Their Government resorted firing on the farmers, Government employees

and the students. There was bloodshed for almost about one month in Himachal Pradesh. The Government of their party was an inactive one but now they are criticizing the Governor of the state and leveling charges that he has appointed Sultanpuri as member of the Executive Council of the state and dropped intellectuals from the same. I would like to inform you that I have been a Member of Lok Sabha for the last 20 years. If we have to appoint professors in the councils of the assembly and Panchayat etc, then there are several professors in our colleges. We don't need you.

I would like to tell you about mismanagement in the administration including the university of the State created by the Government of their party I would also like to tell you as to now people were exploited by their party rule and the treatment is meted to the Government employees during their rule. The future will show as to how Government of their party worked in Himachal Pradesh. Elections are likely to be held but our party is not afraid of elections rather our party is also supporter of early elections. They are taking of two factions of our party in the State, but I would like to tell them that there is only one faction of our party in the state which has faith in Shri Narasimha Rao and, which is representative of the Congress there. I would like to tell them to mend their own house which is ridden with factionalism. Time will tell as to where Shri Shanta Kumar stands in the groupism of their party there.

Now I would like to speak on the budget. A mention has been made here about the Ninth Finance Commission. I would also like to say that the Ninth Finance Commission appointed by the Government of India has done injustice to Himachal Pradesh. I myself accept that injustice has been done because the fund received earlier in the form of subsidy and grants from the Union Government has been stopped. Therefore, I also demand but the charges leveled against the Congress by the Members of the BJP are false. They say that Dr. Manmohan Singh praised Shanta Kumarji but I am also

elected from the same state. I also represent lakhs of people of the state and I think that a lot of atrocities were committed by the BJP Government in the state. Thousands of Kilometres long roads have been constructed in the state during the Congress rule. The Congress Government did not suppress the agitation of the employees and even faced lathis of the public but their Government murdered democracy in the State. The democracy has been murdered in Himachal Pradesh during their party rule.

I would like to tell you that the BJP Government deserved the quota meant for Harijans and Adivasis in Shimla and Solan districts. The previous Government appointed their own men in lieu of. I would like to ask the hon. Minister of Home Affairs to make an inquiry into it because under rule it is necessary to fill up the backlog quota of SC/ST they have appointed activists of their own party from Punjab and other places and thus done injustice to the people belonging to Scheduled Castes and Scheduled Tribes. Himachal Pradesh will never tolerate treatment meted by your party. Our party organised a rally there, they have applied their full force to fail that rally. Now, they say as to why the Governor has dismissed their Government but what was done there in the name of Ayodhya and R.S.S. which is banned organisation. The Ministers of the BJP Government openly said that they are proud of being activists of R.S.S. and they openly threw challenge to the Government of India. But we have never done any wrong thing rather restored democracy there. And in this act we don't care lest the Government of our own party should be dismissed. Any Government which does not work for democracy must be dismissed. Our leaders and party learnt from Mahatma Gandhi but they have murdered democracy in the country.

Activists of their party demolished Babri Mosque structure. They did not abide by the affidavit given by them in the Supreme Court. But none they say that we have murdered democracy in Himachal Pradesh. I would like that before speaking anything consider all these things and never utter such worse because of anybody has murdered

[Sh. Krishan Dutt Sultanpuri]

democracy that is the BJP. Their party has destroyed law and order situation there. The Government of BJP has created such a situation in Himachal Pradesh which weakened the whole nation.

I would like to know the names of the persons, who set up cement rectories in Himachal Pradesh during their party's rule. Only such persons were allowed to set up cement factories who gave money to them. Now they are feeling pinch because now the Congress Government is in power there. We would also like that the elections should be held there. Elections should be held in a democratic manner.

19.00 hrs

By posing yourself as the democratic party you exploited the people in the name of Lord Ram. How long will the people be exploited in the name of Ram? You are not going to get votes that way. People have now come to know your real intentions. People of the country have come to know your design and they know how loyal you are to lord Ram. The actions that you performed by wearing Saffron coloured dress were never witnessed by us in the past.

Mr. Speaker, Sir, just now our colleague from, that side said that the Congress Party had indulged in descriminary actions. I say that the greatest descrimination was done by their party itself. I had requested to Shri Shanta Kumar for the transfer of the son in-law of my brother. I did also request for the same to Shri Dhupal as also to the State President of that Party. But they did not pay any heed to my requests and he was transfered to Bilaspur where he died. They are responsible for that. All their actions were done with the motive of retaliation and yet they accuse us of indulging into retaliative actions. It is entirely wrong.

Mr. Speaker, Sir, their Government undertook programmes like 'Daridranarayan Kosh', Antyodaya Karyakaram and 'Apna Gaon Apna Kam' in which they included

only such persons whose monthly income was upto rupees three thousand. That way, they selected one lakh families. They chose only such people to provide the items who were indulged in exploitation of Himachal Pradesh.

Mr. Speaker, Sir, they have alleged that the Governor is acting at the instructions of the Congressmen. I say that the Central Government has done the most commendable work by appointing the Governor there. The Governor is going only those things in a non-partisan manner that are required to run the nation and the State. The Governor is doing quite well and that is what irks people like them. They want that the Governor should also act with the same feeling retaliation and descrimination as they were doing themselves. When Governor refused to dance to their tune, he befaoe unacceptable to them.

Mr. Speaker, Sir, we are not afraid of facing elections. We are, rather, in favour of holding elections there. Then only they will come to know where they stand. You know the decision of the electorate of Shimla where 20 seats went to the Congress Party. The people here, the propagandists are not aware as to what is the main concern of the Congress Party. I say that they should learn something from the Congress Party, but I know they are least bothered about learning something from us. They are interested in making noises only. The Congress Party wants the progress of this country. So far Rao Sahaba has been listening to them all, but now he has also come to knows to how they go back on their words. Henceforth he will also not pay attention to what they say.

Mr. Speaker, Sir, when Punjab and Himachal Pradesh were made two separate states, at that time an agreement was reached with us, according to which Himachal Pradesh had to get the royalty of 7.19 percent on generated from Bhakhara dam, whatever may be over resources. The amount of rolyality was, however, only 2.19 percent instead of 7.19 percent, I would therefore, like to submit to the hon. Minister of Home Affairs that Himachal Pradesh

should get its due share of the hydroelectricity being provided by it. Similarly, Himachal Pradesh should get its share of 90 percent that was allocated by the Ninth Finance Commission so that the progress of the people of that state may be ensured. All their problems will be overcome and they will attain prosperity. The State has the installed capacity of 20 thousand megawatt of electricity. When we will get more money in the field of power generation our neighbouring states including Delhi would also get the benefit of electricity.

Farmers of our State grow potato, orange, malt and other fruits but they do not get a profit. I would like to submit that if the economic condition of Himachal Pradesh has to be improved, then the farmers there should be given the support price. In case the farmer get good price in the market, then the Government may not have to procure these fruits at the support price.

Moreover, the services of the Government employees that were terminated by the then State Government should be reinstated.

With these words I strongly support the budget.

PROF. SUSANTA CHAKRABORTY (Howrah): Mr. Speaker, sir, after so much of fire by hon. Shri Sultan Purji, I fear whether I shall be able to impress the House.

We have to consider two things - firstly the Bill to confer on the President the powers of the State Legislature of Himachal Pradesh and secondly the Budget of Himachal Pradesh.

The state of Himachal Pradesh's economy is very under-developed. We all know that the economy of this State depends upon travellers and upon apple-growing and potato-growing. Now the apple growers have not received any good treatment from the Government that there was to be. They used to receive support prices which stopped now, in order to strengthen the economy of Himachal Pradesh, what I

propose is that a support price to the apple growers should be given and the Budget of Himachal Pradesh should include that. It is not clear to me whether that has been taken into consideration by the hon. Finance Minister.

The second thing is that because the economy, to a large extent depends on the number of travellers, it is the imperative need for the Government to improve its roads, bridges, communication and transport systems. The provision that has been made in the Budget on these accounts is too meagre. Because the State has not much revenue and has not the ability to collect much revenue, everything depends upon the Centre. Now that at this juncture the rule of the Government rests with the President of India, I would request the hon. Finance Minister to consider these points.

Thirdly, what I say is that it is a fact that the Government of Himachal Pradesh, when it was under the rule of the B.J.P., did not receive the attention that was due to it. The education and culture of the people of this peace-loving State of Himachal Pradesh were not given any due consideration. The only thing that the BJP Government was interested in doing is that they tried to create a feeling of communalism in the State. That was the situation, I do not want to go into details, you all know it. That was the situation which compelled the Government of India to apply Article 356 there and the Government is now under the President's Rule. Sir, as a Party we are opposed to it. Even today we oppose it, but with a heavy heart we have to accept the position that no Government in this country can be allowed to communalise the people, to communalise the politics. It is from that point of view that we supported the action of the Central Government and so there is President's Rule there. But, Sir, as a Party we want that the elected Government should be there as soon as possible. Such a situation should be created as soon as possible. Now, two things should be done. The economy of Himachal Pradesh must be improved and people must be given the basic minimum. Now there is a Central rule there. We shall

[Prof. Susanta Chakraborty]

have to avail of this opportunity, we shall have to take all the courses that are needed to pacify the situation, to see that terrorist activities do not take place there, to see that peace prevails there, to see that the peace-loving people of the State are given their due.

The second thing is we all agree that this thing cannot continue for long and so it is for the Government of India, it is for the Ruling Party to see that a congenial atmosphere for holding elections is created as soon as possible.

So, Sir, again I support the State Legislature's Delegation of Power Bill and its Budget and request the Government to look into the interest of the economy in the general interest of the people.

SHRI BHOGENERAJHA (Madhubani)
Mr. Speaker, Sir, I support the proposal of giving the right to the hon. President. There is no other alternative, since Assembly is no more in existence there. The Assembly was dissolved following the deteriorating situation there. That action of the Central Government was supported by many political parties. There was, however, no justification for that, because apparently there was no allegation against them. But such has been our tradition.

Whatever happened in Ayodhya on 6th of December was totally unexpected. Fortunately Advaniji is present here, to whom also the incident of 6th December was totally unexpected as has been said by him. The incident is a slur to the dignity, history and culture of the country. Promises were not kept. I know the facts personally. Tulsidasji has said:-

"Raghukul Reet Sada Chahi Ay,
Pran Jaye per Vachan na Jaye."

That promise was broken. None of those who made promise came forward to say that they would prefer death rather than breaking their promises. They should have done

that. On such occasions such action is need of the hour even if it is against the wishes of the people. Had this been the case, the plight of the country would have been different. But this did not happen. The then Chief Minister of Himachal Pradesh and his other colleagues had supported the incident that occurred in the name of 'kar seva'. But besides these things, if the incident that I am going to describe takes place, then that is obviously painful. I can not repeat what was said by Sultanpurji that the dissolution of the Assembly was a right step and that it should remain dissolved. This is such a disease in which you have got to take medicine as you take quinine when you suffer from malaria. But quinine cannot be our food. In such a situation I would like to say that Himachal Pradesh is the crown of our country, and if Himachal Pradesh is developed in the field of hydroelectricity, then it would become Switzerland of India. I wish that the State should get that status. In this context, I would like to submit that the Cement and other industries that should not be stopped for any reason, otherwise it would have dangerous consequences. This should not happen. When the Central Government is taking the charge of the state, we would like that the development works that were already in progress should be expedited so that the people may feel that there is rapid progress in the development works under President's rule. Nevertheless, the Government of Himachal Pradesh was also following the policy of the Central Government by giving protection to the black marketeers and by helping price hike instead of containing it. Therefore the present policies and the policies of the dismissed State Government were one and the same. There can be no two opinions on this issue. It will be better if some progress is made in this regard if some thing new is done we will think that a better thing has been done. Mr. Speaker, Sir, on this issue an all party Consultative Committee comprising M.Ps should definitely be set up. The Committee should be set up because in a democracy there is a wide scope for consultations and discussions. Consultative Committees should be set up for all the States which are under President' Rule and in case of

Himachal Pradesh, the State under discussion, it should be set up immediately. The hon. Minister of Home Affairs should make an announcement right here today itself (*Interruptions*) This is essential to establish a proper coordination between the officials and the public and for the speedy redressal of the grievances of the latter by the former.

Sir, I would like to dwell on elections too. If it is difficult to hold elections simultaneously then elections in Himachal Pradesh at least be conducted because there is no problem as such in holding the elections in the State. Even if half of what Shri Sultanpuri said is correct then elections should be announced today itself. Democracy is both the objective and the means. It is very clear that as and when the elections are conducted in Himachal Pradesh my party can not form the Government. (*Interruptions*) Democracy is both the objective and the means. Therefore this opportunity must be given to the people. That is why elections must be held before the onset of monsoon. Election process can be set rolling from Himachal Pradesh, which is altogether a different State. In Uttar Pradesh the situation is different and Madhya Pradesh is a big State. Riots also took place in Jaipur in Rajasthan. A beginning could be made from Himachal Pradesh which is totally a different State. I would like to submit to the hon. Minister of Home Affairs that similarly in Kashmir also democratic process can be begun by holding of the elections to the Gram Panchayats. Whosoever wins elections by honest means should be allowed to do so. Elections to the Legislative Assemblies in the States under the President's Rule should be conducted immediately and in case of Himachal Pradesh the announcement should be made forthwith by the Government. It is highly improper to think about the election results in advance. Whatever may be the outcome, the people should be given an opportunity. People will take some lessons from the tragic incident of Ayodhya. The people who supported that Government will also take a lesson. It will increase our faith in democracy.

I hope the elections will be announced I today itself and an all party committee comprising M.Ps will be set up. This committee will accomplish all the tasks that will be assigned to it. This type of committees should be formed for all the States and in cases of Himachal Pradesh it should be set up today itself, since the State is under discussion in the House. With this I would like to support it, definitely but under compulsion, because there is no other option left. I support this.

[*English*]

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): Mr. Speaker, Sir, this Bill serves a very limited purpose. After applying President's Rule and after having been ratified in both the Houses of Parliament, I do not propose to dilate on this issue whether it was proper and in what circumstances it was done. I think that stage is over. We have discussed that at great length at that time when the Resolution was discussed on the floor of both the Rajya Sabha as well as Lok Sabha. This imposition of President's Rule has been ratified by both the Houses of Parliament. Therefore, under Article 357, the powers which used to be exercised by the State Legislature are going to be exercisable by the President.

Sir, I fully agree with the hon. Member Shri Bhogendra Jha when he says that there must be some element of population representation being given in the matter. We propose to appoint a Consultative Committee of 15 Members wherein Members of Lok Sabha can be nominated by the Speaker and five Members will have to be nominated from Rajya Sabha. So, 15 Members will be available and this will be the Consultative Committee. If the House could discuss all the issues, there was nothing like it. But, as things stand today, we find it extremely difficult even to transact the other regular business that we have to do not get the time. That is why it becomes rather difficult. Therefore, some Ordinances have been issued already by the President. Unless these powers are given, even for the future, it will be difficult. It will be in consultation with

[Sh. S.B. Chavan]

the Consultative Committee that the powers will be exercised by the President.

I think there is only one point left and that is about having elections in that area. So, in four States the President's Rule was imposed. While imposing the President's Rule, there was a particular condition prevailing in all the four States. I have not been quite able to understand as to why is it that there have been some basic changes made. That shows how the State Governments under the BJP were working. That is why, before we announce the elections, first of all, we will have to make sure that things are all right and as a sequel of 6th December, if anything has been done which needs to be corrected, that thing will have to be corrected. We cannot allow this to be communalised and the entire fraternity to suffer the damages of this communalisation. So, we will have to go deep into the matter and try to find out, to the extent it is possible; try to correct the same. But I can assure the House that it will be the effort of the Government to see that the elections are being held as early as possible. If all the four States cannot be taken together, we can even think in terms of having elections in particular areas where we find that the conditions are ripe and we can possibly hold the elections. That can also be considered by the Government. But at this stage, I cannot possibly give any particular date that by this date we will be able to hold the elections. As soon as the Government comes to this conclusion that things have normalised; we can possibly hold the elections, we will hold the elections.

MR. SPEAKER: I shall now put the consideration Motion to the vote of the House.

The question is:

"That the Bill to confer on the President the power of the Legislature of the State of Himachal Pradesh to make laws, as passed by Rajya Sabha, be taken into consideration."

*Not recorded.

The motion was adopted

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

The question is:

"That Clauses 2 and 3 stand part of the Bill"

The motion was adopted.

Clauses 2 and '3 were added to the Bill.

MR. SPEAKER: The question is:

"That clause 1, the Enacting formula and the Long title stand part of the Bill.

The motion was adopted

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

[English]

SHRI S.B. CHAVAN: I beg to move:

MR. SPEAKER; Motion moved:

"That the Bill be passed."

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Speaker, Sir, I would like to submit that under Article 356 of the Constitution any State Government can be dismissed and under article 357 of the Constitution the President is empowered to delegate powers. However, in practice it is observed that after assuming power all unconstitutional acts are done. I would like to submit that the Government should ensure that these powers are not misused.

Mr. Speaker, Sir, under the President's Rule the powers delegated to the Governors.....*..... and as per the provisions of the Ordinance a Committee of 20 or 30

Members was to be constituted but it is yet to be done. I would like to know the time by which this committee will be set up as per the provisions of the Ordinance.

MR. SPEAKER: No, this will not go on record.

DR. LAXMINARAYAN PANDEYA: Promise to hold elections within six months was made and I want early fulfillment of that promise. An elected Government after assuming power can discharge its duties effectively. I favour early holding of elections there and installation of democratically elected Government. Even the Government had praised the functioning of the State Government but even then it was dismissed. I would like to submit that the people should not be deprived of a democratically elected Government.

I would not like to dwell much on the Constitutional provisions but the Government should guarantee that these will not be misused. Elections must be conducted early.

[English]

SHRI S.B. CHAVAN: About this point, if anything is brought to the Government, notice that anything illegal or unconstitutional has been done by anyone, certainly the Government would like to go into the matter.

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI M.V. CHANDRASHEKHARA MURTHY): Sir, I am thankful to the hon. Members who have participated in the discussion. I will restrict my reply only to the Budget and the financial statements. The annual plan approved for 1993 is at Rs. 550 crores in comparison to the approved plan of Rs. 486 crores for the year 1992-93 with an increase of 13.17 per cent. Also the share, the central taxes have

gone up from Rs. 287.23 crores to Rs. 311.48 crores, that is, an increase of 8.4 per cent. The central grants have also increased of from Rs. 512.73 crores to Rs. 539.71 crores. Even the central assistance in 1993 is of the order of Rs. 405.83 as compared to the previous year figure of Rs. 350.93 crores with an increase of 15.64 per cent. And also, there has been an increase of Rs. 10 crores for the allocation of agriculture and allied activities; Rs. 3.4 crores for rural development and Rs. 35 crores for energy sector. Major thrust areas in the plan are power, agriculture, transport, population control, health care and literacy. With all this, the current year is expected to close with a deficit of Rs. 332.20 crores.

Sir, the hon. Member, Shri Dhupal has pointed out that Himachal Pradesh was one of the special category States and because of the recommendation of the Ninth Finance Commission, its economy is adversely affected. To mitigate the financial hardships of the special category States, the Government of India has constituted the Regarajan Committee, to find out a durable solution to their problems and the recommendation of the Committee, as far as its implementation is concerned, has been accepted in full. And it is now for the States like Himachal Pradesh to take certain measures like reduction in non-plan expenditure, close monitoring of salaries to staff and to bridge the non-plan gap. You can well imagine Sir that the state during the popular Government's rule in the year 1992-93 has taken the overdraft thirty times. This shows the financial indiscipline of the State. Sometimes, even the Reserve Bank of India had stopped the payments.

PROF. PREM DHUMAL: It has not stopped even now when the President's Rule is there.

SHRI M.V. CHANDRASHEKHARA MURTHY: I wish to add and tell now that the problem is not there. Now the State is not taking any overdrafts.

Sir, about the programmes initiated by the popular Government, some of the Members alleged that they have been stopped

[Sh M.V. Chandrashekhara Murthy]

now. It is not really so. Shri Dhupal has pointed out for example the *Antyodaya* programme, which he said has been totally stopped. It is not correct. This is one of the programmes under the IRDP, that is, Integrated Rural Development Programme. More than that, the present Government...

[Translation]

PROF. PREM DHUMAL: Mr. Speaker, Sir, I said that under the 'Antyodaya' programme reaction at cheap rates used to be made available to the poor but under the President's Rule the prices of these commodities have been increased and the second phase of identification which was to be started is yet to begin.

[English]

SHRI M.V. CHANDRASHEK. ARA MURTHY: Sir, I have some other information to be given to this House. As I said, the *Antyodaya* programme is covered under the IRDP programme. The other programmes which were enunciated and started by the earlier popular Government are, *van lagao rozi kamao* and the employment programme, that is, *Gopal Yojana*. They were started by the popular Government, they have pointed out. These programmes started earlier by the popular Government have not reached the deserving one's. That is why, these two programmes are being evaluated by the present Government under the President's Rule.

As pointed out by Shri Chakravarthy, a fifteen per cent increased allocations has been made for the transport sector and even for agriculture and power, we have allocated more funds.

With these words, I appeal to the hon. Members, who have moved their cut motions to withdraw and to pass this Vote on Account.

MR. SPEAKER: I shall now put all the cut motions moved to Demands for Grants

on Account (Himachal Pradesh) for 1993-94 to vote together unless the hon. Member desires that any of his cut motions may be put separately.

I shall now put all the cut motions to the vote of the House together.

All the cut motions were put and negatived.

MR. SPEAKER: I shall now put the Demands for Grants on Account (Himachal Pradesh) for 1993-94 to vote.

The question is:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, be granted to the President, out of the Consolidated Fund of the State of Himachal Pradesh, on account, for or towards defraying the charges during the year, ending on the 31st day of March, 1994, in respect of the heads of demand entered in the second column thereof against Demand Nos. 1 to 31".

The motion was adopted.

MR. SPEAKER: I shall now put the Supplementary Demands for Grants (Himachal Pradesh) for 1992-93 to vote.

The question is:

"That the Supplementary sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, be granted to the President out of the Consolidated Fund of the State of Himachal Pradesh to defray the charges that will come in course of payment during the financial year ending the 31st day of March, 1993, in respect of heads of demands entered in the second column thereof against Demand Nos. 1, 4,5,7 to 12, 14 to 25 and 28 to 31".

The motion was adopted.