

if it is so required. (*Interruptions*)

SHRIMATI VIJAYARAJESINDIA: Mr. Speaker, Sir, how will they receive complaints. The pole will not make any complaint when it is itself committing activities. How can one expect that the police would make a complaint to the Government in this regard? We are making complaint. It is pur complaint. (*Interruptions*). Hon.. Members, I request you with folded hands to allow me to speak.

I would like to humbly request you to conduct an inquiry and Fix responsibility. The Commissioner will also have to be taken to task. He should be removed from here. Simply putting the blame on the police coming from other States and making a statement to the press in this manner would not do. The matter should be inquired into properly. We have full faith in you. Either the Police or the Government is at fault. When the Government had not given orders, how did it happen. It should be investigated thoroughly. peaceful (*Interruptions*)

[*English*]

SHRI S.B. CHAVAN: There is no question of any inquiry. Actually, I have very clearly stated what I wanted to say on that matter. (*Interruptions*)

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi): We have three demands, first, unconditional apology, second, conducting an inquiry and removal. (*Interruptions*)

MR. SPEAKER, Sir, I would like to submit that .. (*Interruptions*)

14.12. hrs

RE. HOLDING ELECTIONS IN TRIURA  
*Contd.*

[*English*]

SHRI INDRAJIT GUPTA (Midnapore): Sir, I have written to you about

Tripura. (*Interruptions*)

SHRI A. CHARLES (Trivandrum): Just a minute, Sir. About this, I may be heard. (*Interruptions*) I mean, the earlier matter. (*Interruptions*) I have been pleading. (*Interruptions*)

MR. SPEAKER: On behalf of your party, the Home Minister has replied

SHRI A. CHARLES: But I should be given an opportunity.

MR. SPEAKER: It is not your right to say everything. The Government is speaking on your behalf.

(*Interruptions*)

SHRI A. CHARLES: I am pleading. (*Interruptions*) I request you, Sir.

MR. SPEAKER: Please do not complicate the matter. You understand that Home Minister has spoken on your behalf.

SHRI A. CHARLES: No, Sir, we are not satisfied. (*Interruptions*)

SHRI INDRAJIT GUPTA: Sir, I am only seeking some guidance from you.

MR. SPEAKER: From me? You should guide me.

SHRI INDRAJIT GUPTA: Guidance; I am not asking you to do something.

MR. SPEAKER: No, no, you should guide me.

SHRI INDRAJIT GUPTA: You see, here is an important matter unprecedented. Here is Chief Election Commissioner's written communiqué or order in which he has specifically cited instances, at least three instances place, time, etc. where, according to him, it has been established that officers of the State Government, who are on election duty plus some police offices, were present. They had been called to various

places. Among the people, who met them there, according to him, were the Chief Minister of Tripura plus one of the Members of the Council of Ministers of the Union. And he has said that these meetings were irregular. It amounts to a malpractice. They had no business to meet there and to discuss how to conduct the elections.

Now, he has given an order directing that these officers, who are to be identified, should be removed from further election duty. If they are not removed, he says: "I will not allow election to be held again." But he has not given any order or any directive regarding the political personalities who are involved. One of them is here who, the other day, contradicted all these delegations and said: "I deny them."

I am seeking your guidance. How do we proceed in the matter? Are you going to leave it like that?

Then, who?

MR. SPEAKER: I am giving my views in that subject, if you have completed.

SHRI INDRAJIT GUPTA: It is a very severe matter. Those officers will have to be dealt with by the State Government. As far as the political leaders who are involved are concerned, who will they be dealt by? They are members of the Government also.

MR. SPEAKER: Now, you have posed a question and I will reply to it. There are some constitutional authorities. Election Commission is one of the constitutional authorities, CAT is another constitutional authority, the Supreme Court and judges are constituent authorities, Matters of this nature are not generally discussed on the floor of the House. How, if you are saying that somebody from the Government side has done something that is a report from the Election Commissioner the other side will also be entitled to

express their point of view and in the process the Election Commission will be discussed on the floor of the House, I shall have to apply my mind, I shall have to take the advice of law and legal luminaries in the matter and take a decision. If you come to the House in a proper manner, under the rules, I will get carefully examined and then given a decision on that. But, abruptly I am not in a position to say that this should not be done, or this should not be done. (Interruptions)

SHRI CHANDRA JEET YADAV Azagarh: But let the Government come out with a statement., We agree with you and we are not insisting for a discussion. But the Government should come out with their point of view. (Interruptions)

SHRI SOMNATH CHATTERJEE: (Bolpur) Election Commission has got nothing to do with President's rule. The term of the Tripura Legislative Assembly has gone; five years have gone. Therefore, there is no way out. (Interruptions)

[Translation]

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, the Government should an unconditional apology in regard to the 25th incident. (Interruptions)

MR. SPEAKER: Will the you not allow others to speak. (Interruptions)

[English]

MR. SPEAKER: Is it your House only? You have to sit down. I am hearing them now. (Interruptions)

[Translation]

SOME HON. MEMBERS: Please apologise. (Interruptions)

MR. SPEAKER: It is not so. This House

belong to other also as much as it belongs to you (*Interruptions*)

PROF. RASA SINGH RAWAT (Ajmer): The Minister of Home Affairs should express an unconditional apology. (*Interruptions*)

SHRI BALPAJ PASSI (Nainital): A scheme was being prepared to put us behind the bars. The Minister of Home Affairs should apologise unconditionally. (*Interruptions*;

*English*)

MR. SPEAKER: Somnath, ji I am on your point. I am not saying that this matter has to be dealt with in a particular manner. In my mind, I am not very clear as to what will come out of a matter of this nature when brought on the floor of the House, if you give me a proper notice, I will let it be examined and we will come back.

SHRI SOMNATH CHATTERJEE: Sir, give me half a minute. There are two aspects of the matter. One is what will happen with regard to the person whose conduct has been commented upon by the Election Commissioner. The other aspect is about the void that has been created as the Legislative Assembly's term has expired. There cannot be any legislative Assembly now; there is none. Here, the only alternative is to impose President's rule. How can a Government, which has been indicted by the Election Commissioner, continue under the garb of the caretaker Government? That is an issue which is entirely with the Central Government.?

MR. SPEAKER: I appreciate what you have said. Please take your seat. As far as the second part of your question is concerned, I have no difficulty, if the Government wants to respond to that. But as far as the first part of your question is concerned I have replied.

SHRI SOMNATH CHATTERJEE: I have said that there are two aspects and both are important. (*Interruptions*)

SHRI INDRAJIT GUPTA: The Home Minister is here. He should inform the House about this. Since yesterday, the 28th February, life of that Legislative Assembly has expired. Today is the first of March. What is the arrangement that the Government has made to fill this void? (*Interruptions*)

AN HON. MEMBER: We are not going to give in just by saying that it shall be inquired into. (*Interruptions*)

SHRI SAIFUDDIN CHOUDHURY: This is a political, moral and constitutional question. (*Interruptions*)

*[Translation]*

SHRI MADAN LAL KHURANA: We do want that President's Rule should be imposed. But the Government should express apology. (*Interruptions*)

*[English]*

SHRI S. B. CHAVAN: During the course of the day, I will come back to the House with all the details.

*(Interruptions)*

MR. SPEAKER: Mr. Charles should be given an opportunity to speak.

*(Interruptions)*

#### 14. 20 hrs

#### RE. ALLEGED POLICE ATROCITIES ON BJP RALLYISTS ON 25TH FEBRUARY 1993- Contd

*(English)*

SHRI A. CHARLIES: Thank you, Sir. This morning, after the Question Hour, in your wisdom you have communicated the decision that the Business Advisory Committee has decided that the ulisted business will be taken up only for half-an-hour. And the whole House had accepted it. The whole Opposition did not raise any objection then.