

## LOK SABHA DEBATES

Vol.XVI

First day of the Fifth Session of the Tenth Lok Sabha

No.1

### LOK SABHA

Tuesday, November 24 1992/Agrahayana  
3,1914 (Saka)

The Lok Sabha met at  
Eleven of the Clock

[MR. SPEAKER *in the Chair*]

### NATIONAL ANTHEM

The National Anthem was placed

### OBITUARY REFERENCES

[English]

MR. SPEAKER: Hon. Members., the long interval of more than 3 months, that had elapsed since we last met, had witnessed the passing away of Justice M. Hidayathullah, former Vice-President of India. This period had also witnessed the death of five of our former colleagues namely, Dr. C.B. Singh, Shri C.M. Negi, Shri Z.R. Ansari, Shri K.G. Deshmukh and Dr. Baldev Prakash.

We express our deep sense of sorrow at the passing away of Justice M. Hidayathullah, former Vice-President of India and Chairman of Rajya Sabha.

As all of us are aware, before adorning the office of the Vice-President of India and Chairman of Rajya Sabha, he held the office of the Chief Justice of India with great dignity

and distribution. He was indeed a legal luminary of international stature, a distinguished man of letters, a philosopher and a statesman.

Justice Hidayatullah had a long and illustrious legal career, first as a lecturer, later as a practising advocate and then as a Judge of the High Court and Supreme Court and finally as the Chief Justice of India during 1986-70. His outstanding contribution to the Indian legal system and to the jurisprudence would be long remembered.

He served the country as Vice-President of India during 1979-84. He twice discharged the duties of the President of India in 1969 and 1982.

As Chairman, Rajya Sabha, his exceptional qualities of head and heart, his versatile experience, his unruffled temperament and suave disposition and above all his high sense of wit and humour greatly helped him in guiding the deliberations of that House and maintaining the high standards of rectitude. His rulings were full of wisdom and his unique style of diffusing tense moments in the House put him as one of the most distinguished Presiding Officers of the parliament in the world.

Justice Hidayatullah was a man of cosmopolitan outlook and an ardent believer in secular values and in the Gandhian philosophy of life. During his life, he stood for these ideals and demonstrated his unshakeable faith in them in day-to-day life in precept and practice.

A widely traveled person and an erudite scholar, his achievements brought his accolades both in and outside the country. He was also recipient of the Order of the British Empire in 1946.

Justice Hidayatullah was associated with various social and legal organisations of national and international repute in different capacities. He represented the country at various international conferences. He had also delivered a series of lectures on the unchartered regions of law of the space as a member of the International Institute of the Space Law, Paris.

Justice Hidayatullah was a man of letters and had authored a number of books on legal and constitutional matters including ' Democracy in India and the Judicial Process ', ' The South-West Africa Case ' and ' The Fifth and Sixth Schedules to the Constitution of India '. He had also written his autobiography entitled ' My Own Boswell '.

Justice Hidayatullah passed away at Bombay on 18th September, 1992 at the age of 87 following a massive heart attack.

In his death, the nation has lost a towering intellectual, a staunch nationalist and a legal luminary who represented the finest and the noblest traditions and ideals Indian cultural. Services rendered by him to the nation will be remembered with gratitude and respect.

Dr. C. B. Singh was elected to Third Lok Sabha in December, 1963 in a by-election and remained its member till its dissolution on 3 March, 1967. He represented Billaspur constituency of Madhya Pradesh.

A well known social worker and distinguished Surgeon of Northern India, he took keen interest in the spread of medical education and establishment of Medical

Colleges in Uttar Pradesh and Madhya Pradesh.

A fellow of Royal College of Surgeons (London), Dr. Singh was associated with various Medical Associations and Boards of Universities in different capacities.

He was also a member of Health Panel of the Government of India under the Third Five Year Plan.

As a parliamentarian he evinced special interest in matters pertaining to the medical education.

A widely travelled person Dr. Singh had also written many articles on medical and surgical subject. His valuable services in the line of medical and public health will be remembered for a long time.

Dr. C. B. Singh expired at Agra on 28 September, 1992 after long illness at the age of 92 years.

Shri C.M. Negi was a member of the Eighth and the Ninth Lok Sabha during 1984-91, representing Garhwal constituency of Uttar Pradesh. Earlier he had served with distinction as a member of Legislative Assembly, Uttar Pradesh and as a member in the State Council of Ministries.

As an able parliamentarian, he actively participated in the proceedings of the House and focussed the attention of the House to the problems faced by the poor section of the society. He also served on the Business Advisory Committee of the House.

A dedicated social and political worker, Shri Negi took keen interest in the development of hilly areas.

Shri Negri passed away on 5 October, 1992 in Lucknow at that get of 53 years.

SHRI Z.R. Ansari was a member of Fifth, Seventh and Eighth Lok Sabha during 1971-77 and 1980-89 representing Unnao constituency of Uttar Pradesh. Earlier he was a member of Uttar Pradesh Vidhan Sabha during 1962-67 and 1967-69.

A dedicated social and political worker, Shri Ansari participated in the 1942 Quit India Movement.

During his long parliamentary career, Shri Ansari served the country in various capacities. An able administrator, he held with distinction several portfolios in the Union Council of Ministers.

A widely travelled person, Shri Ansari represented the country at various international conferences as the leader of Indian Delegations. He also led the Indian Goodwill 'Haj' delegation to Saudi Arabia in 1982.

Shri Ansari during his public life spread over more than four decades worked for the emancipation of the down-trodden and the backward classes.

Shri Ansari passed away at New Delhi on 6 October, 1992 at the age of 67 years.

In this death we have lost an able parliamentarian and administrator.

Shri K G Deshmukh was a Member of the First, Second, Fourth and Fifth Lok Sabha during 1952-62 and 1967-77 from Amaravati constituency of Maharashtra.

A lawyer by profession, Shri Deshmukh was an active social and political worker. He worked zealously for the development of education in his constituency and was associated with various social and educational organisations.

He evinced special interest in research

work in the field of agriculture and was closely associated with many agricultural institutions in different capacities. He was also a life member of Farmers Forum of India, New Delhi.

Shri Deshmukh worked for the upliftment of rural masses. He was a member of Scheduled Castes and Scheduled Tribes and Backward Classes I Scholarship Board, Government of India during 1956-60.

An able parliamentarian, Shri Deshmukh, during his long parliamentary career, lost no opportunity to raise matters in the House concerning the farmers and under-privileged sections of the society. He also served on the Public Accounts Committee during 1954-56.

Shri Deshmukh was interested in journalism and was editor of "Sangram" weekly during 1947-51. He had also to his credit, a publication titled 'Tukaramachi Rashtragatha'

A widely travelled person, he led farmers' delegation to Australia in 1958 under Colombo Plan.

Shri Deshmukh passed away on 24th October, 1992 at the age of 70 years.

Dr. Baldev Prakash was a Member of Sixth Lok Sabha during 1977-79 representing Amritsar constituency of Punjab. He was a sitting Member of Rajya Sabha from Uttar Pradesh since July, 1992. Earlier, he had been a Member of Punjab Vidhan Sabha during 1957-69 and 1974-77.

A medical practitioner by profession he was widely known in Punjab. Having been in public life for a long period, he was held in high esteem by the people of his State and outside too. Dr. Baldev Prakash worked for all round development of the State of Punjab and served it in many distinguished capacities

which included his stint as Finance Minister in the Government of Punjab in 1967.

Dr. Prakash was a staunch nationalist who dedicated himself for the social and cultural development of the country. He, during his long public life, fought against all the forces of separatism and cult of violence in public life even at the risk of his own life.

As a seasoned parliamentarian, he made significant contribution to the proceedings of the House.

Service rendered by him to the nation especially in the field of strengthening social amity and communal harmony would always be remembered for a long time to come with gratitude.

Dr. Baldev Prakash passed away at New Delhi on 17th November, 1992 at the age of 70 due to massive heart attack.

We deeply mourn the loss of these friends.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): Mr. Speaker, Sir, as the hon. Prime Minister is in the Rajya Sabha - a reference is being made there and similar proceedings are taking place in the Rajya Sabha — I would seek your permission to say a few words.

You have very eloquently expressed the deep anguish of this House on the passing away of Justice Hidayatullah, former Vice-President of India and the Chairman of the Rajya Sabha. I can hardly add anything to what you have already said, Mr. Speaker, I can only say that the one quality above everything which endeared Shri Hidayatullah to each one of us was his unassuming personality on whose shoulders his great qualities of head and heart sat lightly. He was never burdened with his own knowledge,

with his own sense of importance. That is why, anyone who came in touch with him could not, but come away with admiration and love for him.

He belonged to Madhya Pradesh and we had the opportunity to meet him on so many different occasions in the various capacities that he held in the service of this nation.

I think, a nationalist to the core, profound knowledge of life and law, total commitment to the national interest, are the qualities that distinguished Hidayatullahji in our country. In his passing away, we have all lost a friend, philosopher and guide.

Dr. C.B. Singh was a Member of the Third Lok Sabha from Madhya Pradesh. He was also a man totally dedicated to the cause of medical science. Few of us perhaps know that he was one of the first Fellows of the College of Surgeons in London. A surgeon of great repute, he never lost touch with the people of his district, whom he continued to serve very dedicatedly and intimately.

Dr. Singh was perhaps one of the most ennobling representatives of the medical profession. In his passing away, not only do we mourn him as a Member of this House but as a great stalwart of medical science in this country.

Shri Chandra Mohan Singh Negi came from the hills of Garhwal. He brought with him a rare humility and a rare sense of purpose and dedication to the task that he was called upon by the people to perform. Irrespective of whatever may have been the differences in perception about things and matters, Dr. Negi was a man who could easily be taken along for anything which was worthwhile and good in the cause of the people of this country.

Shri Ziaur Rahman Ansari - he passed

away only recently-came from Uttar Pradesh but gradually came to be identified in the country with the cause of the weaker sections of the society, with their trials and tribulations. The commitment that he brought to bear in his effort to ameliorate their condition, I think, set up his own standard for public service and public concern.

Shri Ansari had a wide number of admirers inside and outside the House. We deeply mourn his passing away.

Shri K.G. Deshmukh, as you have also rightly said, Mr. Speaker was a many faced individual personality who was close to the soil of Maharashtra and while maintaining that total identity with the sons of the soil, did his utmost to serve the country in so many different spheres with great distinction.

Dr. Baldev Prakash from Punjab was a man of very rare courage and conviction. I had a good fortune to work with Dr. Baldev Prakash in Punjab. I would like to say, Mr. Speaker, that much of what was achieved in Punjab during that time by the Government of India was, in great measure, due to the sincere advice and cooperation which Dr. Baldev Prakash gave in his capacity as a citizen of that State. His standard of maintaining communal harmony in very troubled times in the State of Punjab, I think, should be a matter to be emulated by all of us and I am sure that not only his passing be mourned by all of us but from his life, we shall be able to learn something which would inspire us to do what he did throughout his life.

**MR. SPEAKER:** Well, I think the honorable Prime Minister was in the other House because the Vice-President was taking over. We are paying tributes to the memory of Justice M. Hidayatullah. Would you like to say something?

**THE PRIME MINISTER (SHRI P.V. NARASIMHA RAO):** Sir, it is with a heavy

heart that I rise to pay homage to one of the most illustrious persons of our time, who was our Vice-President and also one of the most successful Chairmen of the Rajya Sabha. Personally speaking, Sir, I have been a student of his. I owe much to him in whatever legal knowledge I had. He was more than a teacher to me because I know that in those fateful days of 1942 and 1943, when I was in the Law College, he treated me like a son and was of great help to us who were involved in the movement. We just did not know what to do except to go ahead facing whatever came in our way. He was a tower of strength to all of us, at least those who were in the Law College and involved in the movement. We used to go to him; he consold us; he gave us encouragement; he was not in politics; he was only a teacher in the Law College who taught us. Later on, he went on to become the Advocate-General but he was giving us lot of encouragement, lot of advice and so, personally some of us were indebted to him as to no one else. In his passing away, we have lost a brilliant and versatile person. There is hardly any subject on which he did not have very definite views and did not express those views with absolute clarity. We mourn his death and I join the House in this condolence.

[*Translation*]

**SHRI ATAL BIHARI VAJPAYEE (Lucknow):** Mr. Speaker, Sir, whenever we assemble here for a new session we find that some of our colleagues who are more against us. Perhaps birth is associated with death and we have to face it.

You as well as the hon. Minister of Human Resource Development have paid rich homage to the persons who are no more among us. The Hon. Prime Minister has remembered the former Vice-President Justice Hidayatullah. I want to share my feelings with all those who expressed their sentiments here.



In the passing away of Justice Hidayatullah we have lost a great patriot, a legal luminary and a man who adorned public life with his towering personality and his activities.

I had an opportunity to know him intimately and work with him. He endeavored to preserve the dignity of the judiciary showed fair conduct and made continuous efforts to promote the creditability of the judiciary. He had a very good sense of staire and joke. He had equally cordial relations with all including the opposition. His lectures and writings have become an integral part of Indian literature. In his passing away, public life has suffered a great loss.

I have been very close to other dignitaries like Dr. Singh, Shri Negi, Shri Ansari, and Shri Deskmukh. Mr. Speaker, Sir, the wound caused by the sad demise of Shri Baldev Prakash is still fresh. It is not so because he was associated with the Bhartiya Janata Party, but because he worked for the cause of the unity and integrity of the country throughout his life. An attempt on his life was made but the assailants could not kill him. But one morning the cruel hands of death snatched him away from among us, all of a sudden. He struggled continuously for the national integrity. He had become a god symbol of Punjab. He was far away from any discriminatory feeling. In context of Punjab, nobody was against him. He was gifted with the quality of taking all with him. We all are aggrieved at his sad demise.

On my own and also on behalf of my party, I pay homage to the departed souls and request you to convey my condolences to the bereaved families.

[English]

SHRI VISHWANATH PRATAP SINGH(Fatehpur): Sir, my Party fully associates with the feelings expressed by

you and the Leader of the House. I had very little occasion to interact with Shri Hidayatullah. But even in the small glimpses that I could have of his personality, he carried a serenity that could have its genesis only in greatness. And the memory that I carry of him, is of a person of great depth and above triviality.

In Shri C.M.S. Negi and Shri Ziaur Rahman Ansari, I have lost personal friends. Shri Chandra Mohan Singh Negi was with me as a Minister-colleague of mine, when I was the Chief Minister of U.P. I know his dedication for the people of the Hills. Apart from his qualities as an administrator and a politician, as a human being, I know him as one, who would give everything, but not ask anything in lieu. It is something very very rare which I saw in Shri C.M.S. Negi.

Shri Ziaur Rahman Ansari was very close to me. He was a personal friend. He carried a cheer which could originate only from great courage and acceptance of life as it is. He was dedicated to the people who work and produce.

With these words, I associate myself and my Party with the feelings expressed for all those departed and we stand by the braved families, at this moment.

SHRI SOMNATH CHATTERJEE (Bolpur): Mr. Speaker, Sir, on behalf of my Party I fully associate with the feelings and sentiments that you and other hon. Members have expressed. I do not wish to add anything more except to say that in the demise of Justice Hidayatullah we have lost one of our outstanding sons. He was not only a great jurist but a great human being. I have the privilege of knowing him and I can say from my experience that his compassion for the poor and vulnerable sections of the community and his commitment to the goals and ideals of the Constitution made him one of the outstanding judges of our time. Not

only was he the youngest Advocate General but was also the youngest Judge of the Supreme Court and the youngest Chief Justice yet in all spheres he left his imprint. We cannot but mourn his passing away. Sir, it is always painful that we lose some of our colleagues who were here with us and we cannot but express our profound sense of sorrow. I hope you will convey our sincere condolences to the members of the bereaved families.

**SHRI INDRAJIT GUPTA** (Midnapore): Sir, on behalf of my Party I wish to associate myself with the sentiments which have been expressed here regarding the sad demise of these colleagues who have left us during the Inter-Session period. Of course, particularly we have to make reference to Mr. Justice Hidayatullah, who was a great some of this country, erudite scholar, great jurist and a humanitarian person who had a very modest personality although he was a person of so many qualities of head and heart an embodiment, I should say, of secularism, an embodiment of the rule of law and the principles of justice and jurisprudence.

The other friends also were all prominent persons in their respective capacities and walks of life. On behalf of my Party I would request you to convey our most sincere condolences to their bereaved families.

**SHRI EBRAHIM SULAIMAN SAIT** (Ponnani): Mr. Speaker, Sir, we all deeply mourn the very illustrious personality whom we respected for his best qualities and we also mourn the sad demise of many of our colleagues with whom we have worked for the last so many years

As far as Justice Hidayatullah is concerned, we all know that he was a distinguished personality and a great son of India. He served his country as the Vice President, as Chairman of Rajya Sabha and was also associated with many of the legal

and social organisations.

As far as our other colleagues are concerned, Dr. C.B. Singh, Shri Chandra Mohan Singh, K.G. Deshmukh and Dr. Baldev Prakash, we have worked with them in this House and we know that they were personalities of admirable qualities.

As far as the sad demise of Shri Z.R. Ansari is concerned, he was my personal friend and it is a personal loss for me. He was a great Administrator, a renowned Member of the Uttar Pradesh Assembly and was a Minister having held so many portfolios under different Prime Ministers. He had a charming personality and we did enjoy his couplets and jokes in the Central Hall. We mourn his sad demise. We pray to God for the blessings of the Almighty Allah. I convey through you our feelings of condolences to the bereaved families.

**SHRI P.G. NARAYANAN** (Gobichettipalayam): Mr. Speaker, on the sad demise of Justice Hidayatullah, the former Vice-President of India, we have lost one of the great legal luminaries of our country. Being an able Lawyer and justice, he has done many things for promoting law and justice. During his tenure as Vice-President and Chairman of the Rajya Sabha, he had done many admirable things for raising the image and reputation of our country and for the development of our country.

His death is a great loss to us. We have lost another able Parliamentarian. It is also a great loss to the nation.

On behalf of AIADMK, I pay my due condolences to the bereaved family.

**MR. SPEAKER:** I am sure that the House will join me in conveying our condolences to the bereaved families.

The House may now stand in silence for



a short while as a mark of respect to the deceased.

*The Members then stood in silence for a short while*

[*Translation*]

SHRI VISHWANATH PRATAP SINGH (Fatehpur): Mr. Speaker, Sir, we went to Punjab recently. The people of Punjab are deeply aggrieved at the 1984 riots. I beg to move that this against House should hold a sitting on the riots that took place in 1984 and the heart-rending killings that took place in Delhi in 1984.. (*Interruptions*)

SHRI MADAN LAL KHURANA (South Delhi): I had given in writing supported by 110 members that it should be done. (*Interruptions*)

SHRI ATAL BIHARI VAJPAYEE (Lucknow): This is Question Hour at the moment. We had meeting and I thought that all have agreed this time that the Question Hour should be allowed to continue and whatever is to be submitted, must be submitted after the Question Hour. I would like to make an appeal to my colleagues that half of the time has already passed and we want to discuss here very important issues. We want to discuss the gross irregularities in the import of wheat. This matter is linked with the farmers of Punjab also. So, please don't do like this. (*Interruptions*)

SHRI NITISH KUMAR (Barh): It was a two minutes condolence. We did not sit down at his instance. Since two minutes are over, we sat down.

SHRI RAM VILAS PASWAN (Rosera): It was a condolence for two minutes.

[*English*]

MR. SPEAKER: I would like to welcome

you first and thank you for very good cooperation.

11..38 hrs

#### ORAL ANSWERS TO QUESTIONS

[*English*]

#### Performance in Barcelona Olympics

SHRI V. KRISHNA RAO:  
SHRIMATI BASAVARAJE:  
SWARI:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether any report about the dismal performance of the Indian contingent in the Barcelona Olympics has been received from the Chef-de-Mission;

(b) if not, whether the Government propose to inquire into the reasons for not winning a single medal by the Indian contingent; and

(c) the measures proposed to be taken to improve the performance in future?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): (a) The Report of the Chef-de-Mission has been received

(b) and (c). A statement is laid on the Table of the Sabha.

#### STATEMENT

(b) and (c). The report of the Chef-de-Mission was received in the Department only on 18.11.92. An analysis of the report is currently being undertaken with a view to preparing our contingent for the Asian games in 1994.