

[Translation]

SHRI GEORGE FERNANDES (Muzaffarpur): I suggested adequate time should be given on this. I urge upon you to take it up after lunch.

MR. SPEAKER: We can sit late in the night also.

(Interruptions)

MR. SPEAKER: I will tell you, you are making a very good point. That is why yesterday I said, "we can start the debate." Yesterday some Members, who had studied it, could have started. I was ready to allow the debate yesterday if you wanted. But there was no agreement on that point. That is why we did not take it up. Today also the most important Business before the House is passing of the Budget. You pass it and take it immediately. No problem.

(Interruptions)

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): That is not necessary either. The Supplementary Budgets can be taken up in the next session. (Interruptions)

MR. SPEAKER: If you are not allowing and if you want that the House should conduct itself in that fashion that even the Budget should not be allowed to be passed then it is your judgement.

(Interruptions)

[Translation]

SHRI GEORGE FERNANDES: Please fix night hours for discussing as budget (Interruptions)

MR. SPEAKER: Within five minutes after the Supplementary Budget it can be taken up.

(Interruptions)

SHRI GUMAN MAL LODHA (Pali): Is the sugar scandal unimportant? (Interruptions)

MR. SPEAKER: Mr. Lodha, if I comment on that comment, it will be very bad.

(Interruptions)

MR. SPEAKER: Mr. Paswan, I really want that you should have enough time for that. I think immediately you can start this. Now it is a matter of Budget and if you think that the Budget is not to be passed by this House, it is your judgement. I leave it to you.

(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK): Yesterday, everybody had agreed that the Government Business should be taken up first. In the meeting called by you, we had all decided that yesterday we should pass the entire Business and today, this discussion could take place.

MR. SPEAKER: We have agreed but the Members have their views and the leaders have to carry their people with them, so you should understand their difficulty also.

RE: ISSUANCE OF PHOTO IDENTITY CARDS TO VOTERS

[Translation]

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, only three days are left of this session. The Session is going to end on the 23rd of this month. We had raised the biggest

issue yesterday relating to the amendment in the Representation of the People Act but unfortunately the Government is not coming out with an explanation. Secondly, the Election Commission has fixed January 15th as a deadline for the issuance of photo identity cards and thereafter, elections will not be held. We will again meet in February and if before that the Election Commission's veto worked, the elections can not be held. It is going to create a very big constitutional crisis. Shri Somnath Chatterjee, Shri Indrajeet Gupta and I had yesterday met the Prime Minister. We had urged upon him to get all those items passed on which all the parties were unanimous. I had mentioned it yesterday also that the Election Commission is supposed to hold elections and not to withhold them. There are not two opinions that the Election Commission is doing good work in some cases, e.g. monitoring on expenditure. It did commendable job in the elections held in Karnataka and Andhra Pradesh and we all appreciate it. But on some issues it is going beyond its jurisdiction. I want that the Government must say something on the question of the issuance of photo-identity cards. I want to level an allegation against the Central Government that it is their intention to stall it till the deadline lapsed for the issuance of photo-identity cards. Then they will impose President's rule in Bihar and Orissa and remove Janata Dal Governments in these States led by Shri Laloo Prasad Yadav and Shri Biju Patnaik respectively and hold elections there only after appointing their own candidates.

Sir, only three days are left of the current session. The Government must announce it right now in the House that the amendment Bill would be passed in this session after introducing the Bill. I seek this assurance from you. You are the custodian of this House. If a constitutional crisis arises then.

MR. SPEAKER: I gave you time and you are putting all responsibilities on me.

SHRI RAM VILAS PASWAN: Sir, I am saying it to the Government through you.

SHRI HARI KISHORE SINGH (Sheohar): I also have to say something on that.

MR. SPEAKER: Members from your party have also spoken.
[English]

SHRI SOMNATH CHATTERJEE (Bolpur): Sir, this is a very important issue... (Interruptions)

SHRI HARI KISHORE SINGH: Sir, I want to raise a very important issue... (Interruptions)

MR. SPEAKER: After Somnathji please.

SHRI SOMNATH CHATTERJEE: In a parliamentary democracy, it hardly needs to be said that election is the very crux of the matter. Now, Sir, one person, however well intentioned he may be, cannot hold the entire electoral

process to ransom, he cannot interrupt the process of election. Therefore, the question as to whether one person, however well intentioned he may be,—at the moment I am not going into the matters of doubt or controversies—can decide not to hold the elections in this country is very important.

Sir, I do not understand why the Government is dragging its feet. They had decided to bring in a Constitution Amendment Bill. However, it did not go through. Thereafter repeatedly the Government is saying that they are committed to this. They brought a Bill. Sir, now under the new rule, it went to the Standing Committee. The Standing Committee had accepted the basic formulations of the Bill. One or two suggestions may have been made. Now we find—only three days are left in this Session—that not even an attempt is being made to get it through. The Law Minister does not have any information. He says that he has not even studied the Bill. The Prime Minister was good enough to say yesterday that today it will come before the Cabinet. Why does the Government not give an assurance that tomorrow it will be on the list? It has to be passed. Sir, this Session will not be there next week. Are they going to do it by an Ordinance? Why can they not take the House into confidence and tell us? It will not take much time. We agree that those who are supporting the Bill do not have the need to discuss and to take part in the debate. There may be some objections. It cannot take much time.

Sir, I besiege you, for the sake of parliamentary democracy in this country, to kindly take up this matter with the Government. Let the Government respond to this. Otherwise, very serious situation will arise. The whole electoral process is being undermined by one individual because of his own predilections. I must strongly oppose it.

And I urge upon the Government to bring the Bill. Let that assurance be given on the floor of this House.

SHRI LAL K. ADVANI (Gandhi Nagar): I agree with all colleagues that the process of elections should not be stopped, and as far as I can understand, the Chief Election Commissioner or the Election Commissioner had stated that if there are no identity cards, there would be no election in the States. Despite that statement the fact that even the dates of the elections have been announced by him indicates that having ensured that that kind of statement has made even Orissa and Bihar which were earlier reluctant to fall in line, start the process of preparing identity cards, I do not feel apprehensive that in any way, the election process is going to be stalled. I have very strong reservations about the Bill as it is proposed to be passed because I believe that the Chief Election Commissioner's powers are derived from Article 324 of the Constitution and these powers cannot be in any way circumscribed by a simple law. As an attempt was made earlier, got stuck up in the Court of law, it would not be right for the Parliament to pass another such law which is challenged before the judiciary and gets stuck up. I certainly feel that the Government owes it to the House, because there has

been some communication earlier, there was total breach of communication between the Government and the Election Commission—the two Constitutional Authorities—which was a very unhappy state of affairs, in the last two or three months. Judging at least by the Press reports, there seems to have been some better communication in the last two months. What has been the outcome of those, and is the Government still keen on passing a law which may be struck down or some of its provisions may be struck down by the Court as is being demanded by my colleagues here or has it made sure that the elections will be held as scheduled after the completion of five years? if the Government has ensured that, then I think, there would be no such demand as is being made today. This is my point. Therefore, the Government should take the House into confidence.

I am sorry to say that yesterday's statement was unsatisfactory because the statement made by the Minister of Parliamentary Affairs, was that "I have enquired from the Law Ministry. The Law Ministry is yet to give me a reply as to what is its opinion" We are not concerned with the Law Ministry's opinion. Now this particular Bill on your reference was referred to the Standing Committee on Home and Legal Affairs and it has given its opinion on that particular Bill. Now the House, if at all, will consider that Bill as it is proposed by the Standing Committee on Home, but what is the Government's stand, it is still unclear.

SHRI RAM VILAS PASWAN: Where is the Government?

SHRI MUKUL WASNIK: Yesterday also, the Parliamentary Affairs Minister had stated very clearly that after receiving the report from the Standing Committee which had gone into the details... (Interruptions)

Yes. I am saying that after receiving the report—and the report has been received only three, four days back, Sir. It was stated very clearly that the Cabinet has to take a decision on certain changes which have been suggested by the Standing Committee and only after that we will be able to come before the House and inform as to what exactly and when it has to be done. (Interruptions)

SHRI SOMNATH CHATTERJEE: The Prime Minister yesterday told us that it would be placed before the Cabinet today. Then when are you going to bring it? You must give the date. (Interruptions)

SHRI INDRAJIT GUPTA (Midnapore): Yesterday when some of us met the Prime Minister, though it was a very brief meeting, because we had to leave and he had to leave also for other business, at that time, Sir, what he said, as I understood it was, that there is no difficulty but we have to go through the technical process of referring it to the Cabinet. And he said, "I will refer it to the Cabinet. The Cabinet will clear it and then we can go ahead with it" And the Law Minister, of course, has been saying that he has to have another look at it, he has not studied it etc. etc. But from the Prime Minister, what I understood, as it is reported so in the Press today also, is that the idea of the Government is that it

should be brought in this very Session. it is only a technical matter of referring it to the Cabinet. So we do not understand.

SHRI LAL K. ADVANI: It is not just that. Just like my colleague, I am also concerned that under no circumstances, the provision of the Constitution requiring every Assembly to be elected is five years, that should not.

I am not concerned with the Bill because, as I said, the particular provision in this Bill which says that if the Chief Election Commissioner has issued any direction in relation to identity cards without the permission of the Central Government, that particular direction would be null and void, it would be inoperative. I hold that that particular provision is itself null and void. It would be struck down. Therefore, we have totally dissented and if this particular Bill is brought, my Party will oppose this particular provision very strongly.

But the issue is not that. The issue is that: Has the Government ensured that elections will take place anyhow in all the five States?

SHRI INDRAJIT GUPTA: How?

SHRI LAL K. ADVANI: I believe that the process has been gone through— in some States 70 per cent, in some States 80 per cent and in some States may be 25 per cent. But the process of preparation of identity cards has started which is a good thing.

[Translation]

SHRI SHARAD YADAV: If cards are not made then that what will happen?

SHRI LAL K. ADVANI: It is not that if somebody is not distributed the identity card he will not have a right to vote.

SHRI RAM VILAS PASWAN: Not more than 10 cards a day are being made. The things will not do merely by fixing photos, the photos are also required to be certified.

[English]

SHRI LAL K. ADVANI: I think that this kind of a discussion going on between Shri Paswan and me is of no point. It is the Government which has a responsibility of ensuring that the elections take place on time in the whole country and for that purpose this particular law is, in itself, obnoxious. It is a provision which in itself is bad. Therefore, do not commit that mistake. But holding the elections is the responsibility of the Government, ensuring that the functioning of the Constitution is the responsibility of the Government.... (Interruptions) It can be done.

AN HON. MEMBER: When he announces the election.

SHRI LAL K. ADVANI: There is no difficulty. But let him tell. (Interruptions). My own feeling is that even after passing that particular provision, the Election Commissioner in so far as he is empowered by the law in the Constitution to issue notification, that law is there. That is not sought to be nullified by this. What is sought to be nullified by this is something else... (Interruptions)

SHRI GUMAN MAL LODHA: I am suggesting a way out in this. Please permit me for a minute.

SHRI INDRAJIT GUPTA: Notification in respect of

three or four States has been issued. The dates have been issued. Is it your suggestion that because of that it is no longer possible or feasible for him to go back on that?

SHRI LAL K. ADVANI: No, I am not saying that. It merely indicates his intention. He knew that in these States there have been no identity cards.

SHRI INDRAJIT GUPTA: No, not yet.

SHRI LAL K. ADVANI: Not yet and in some States it is merely 25 per cent or so and with the best of efforts and with the best of desires, it is not going to be completed. Even then he framed this schedule and announced it. It shows that despite that earlier statement which was perhaps intended to provoke.... I do not know. Let the Government say.

SHRI INDRAJIT GUPTA: From what Shri Advani is saying.... (Interruptions)

SHRI NIRMAL KANTI CHATTERJEE: You are entering into the Election Commission's mind.... (Interruptions)

SHRI LAL K. ADVANI: I am not entering into the mind of the Election Commission.

[Translation]

It has not been done for the last one and a half years and its responsibility lies with the State Government. Had the Election Commission not taken this stand, it would not even have been completed 25 per cent. What has happened is good and I feel that the elections should be held.

SHRI INDRAJIT GUPTA: You are saying that if anybody gets the identify card he will have a right to vote and if somebody does not get the identity card, he will also have a right to vote. Who has done this interpretation? [English]

That is not the interpretation of the Chief Election Commissioner... (Interruptions)

SHRI SOMNATH CHATTERJEE: Is the Parliament of India at the mercy of one individual?

SHRI LAL K. ADVANI: No.

SHRI SOMNATH CHATTERJEE: Then, what was he saying? Holding elections is a Constitutional function. We are just dumb spectators and we have to wait for one person's decision. How can it be?

SHRI LAL K. ADVANI: I am not asking you. I am asking the Government.

[Translation]

SHRI CHANDRA JEET YADAV (Azamgarh): Mr. Speaker, Sir, the Election Commission has made it specifically clear that the logic given by Shri Advani is not correct. It is not correct that since the Election Commission has already chalked out an election Schedule, it does not intend to hold elections. The Election Commissioner had said at that time that this election schedule is being chalked out and if identity cards are not made before January 15th, elections will not be held. It means the Election Commission can also withhold elections which is against the established principles of democracy. Another difficulty is that the Patna High Court has given a

judgement that the order of the Election Commission would be Supreme. It has been stated in the judgement that if identity cards are not made then Election Commission can withhold elections. I feel that it is a serious matter. The hon. Minister here is talking merely of the Bill. I want an assurance from the Government on this. The hon. Minister should announce it here that those assemblies whose tenure of five years has completed, will go to polls in time and the elections will not be withheld under any circumstances. The hon. Minister must say it before the adjournment of the House.

SHRI HARI KISHORE SINGH: Mr. Speaker, Sir, you had given me time.

MR. SPEAKER: I will give you time after the completion of this point.

SHRI RAM NAIK (Bombay North): Mr. Speaker, Sir, Election Commission is not an individual.

[English]

It is a constitutional authority.

[Translation]

That is why, I feel that it is against propriety to mention Election Commission in the House in this way.

So far as the identity cards are concerned, I come from Maharashtra and so do you.

SHRI SHARAD YADAV: The Election Commissioner says that he can not allow. You please understand it. I want to say that people in India are being deprived of their democratic rights. They should not be deprived of their democratic rights.

SHRI RAM NAIK: I agree with the opinion of Shri Sharad Yadav. I belong to Maharashtra and so do you. You are aware that 80 per cent people in Maharashtra have been issued identity cards. This work has been undertaken in Gujarat also. The issuance of identity cards is meant to check bogus voting in election in some States. But to say that we will not let this happen and hinder the process of identity cards is not right. How can such a situation arise in Bihar.... (Interruptions)

SHRI RAM VILAS PASWAN: The identity cards are being made in Bihar but we want that in case all the cards are not made by the stipulated time, the elections should not be withheld.

SHRI RAM NAIK: If the process of issuing cards can be completed in Maharashtra and Gujarat and in Bihar 30 per cent cards have been made, then it means that you do not want to take part in the process of electoral reforms. Sir, I would like to say that the Election Commission should be allowed to function as per the power enjoyed by it because the arrangement made for the issuance of identity cards is aimed at checking bogus voting and we should support it.

[English]

SHRI NIRMAL KANTI CHATTERJEE: Sir, there is a problem in what Advaniji said. The problem is very simple. His assumption is that the Election Commission is**

This is something which I am not prepared to assume because he is a Constitutional authority, as Ram Naikji has pointed out.... (Interruptions)

MR. SPEAKER: No, let us draw a line.... (Interruptions)

MR. SPEAKER: That is not going on record.

SHRI NIRMAL KANTI CHATTERJEE: Sir, just bear with me. There is no other meaning in his statement. Is there any other meaning... (Interruptions)

MR. SPEAKER: Objectionable portion will be taken off the record.

SHRI NIRMAL KANTI CHATTERJEE: Which one, Sir? What I am saying is that what he has suggested is simply this that despite the utterances that there will be no elections unless there are identity cards, the fact that some announcement of dates have taken place, indicates that without the identity cards, the elections can be held. If this is the understanding about the behaviour of a Constitutional authority, then there are problems that a Constitutional authority has to be taken on his words and on nothing else. Therefore, the stance that my valued colleague Advani Ji is taking, is defective and faulty and should not be stated in this House... (Interruptions). As he points out, it casts doubt on the integrity of that Constitutional authority. Therefore, if anything should be withdrawn, it is his statement and not mine.

The second point is that they are really prevaricative because in the course of the last few days what we discovered is that they are really afraid of the results of Andhra Pradesh, Karnataka and Sikkim and they will try their best not to have that kind of result either in Bihar or in Orissa or even in Maharashtra. Therefore, the attempt will be if at all they try to arrive at an understanding with the Election Commission as Shri Advaniji is suggesting that they are trying to have how to thwart holding the elections in these areas. Therefore, it is urgent that we desire a categorical assurance from the Treasury Benches and our wonderful Minister of Parliamentary Affairs, Shri Shukla, that this is going to be discussed in the course of this session itself... (Interruptions)

MR. SPEAKER: I shall have to study whether "wonderful Minister" is parliamentary or not.

SHRI NIRMAL KANTI CHATTERJEE: Sir, we, therefore, want a response from them. He has to respond... (Interruptions)

SHRI SRIKANTA JENA (Cutback): Sir, most probably the Election Commission's intention is to hold elections since the announcement is there. But the notification is not there. When it announced the dates of polls for these four States. The Election Commission said that it will be subject to availability of identity cards by 15th January, 1995. That also the Chief Election Commissioner announced simultaneously when he announced the dates for these States. Hon. Shri Ram Naik said that in Bihar and Orissa they do not have the identity cards. Recently, we had elections in Andhra Pradesh and in Karnataka without identity cards. Were they not fair elections? Will the fairness vanish only after two months?

* Expunged as ordered by the chair.

Therefore, we are apprehensive that whether you are going to hold the elections in those States or not. That is the main issue and if the Government is not prepared to categorically say: Yes, the elections will be held there and if the Chief Election Commissioner says: No, there will be no elections, what will be the Government's stand? That is why we are worried. What exactly is the Government's stand vis-a-vis the Election Commission's announcement while announcing the dates of the elections? That is the position to be clarified by the Government...(Interruptions)

[Translation]

SHRI UMRAO SINGH (Jalandhar): Mr. Speaker, Sir, I would like to urge that the point on which my hon. friend wants to introduce the Bill is related to one State only because it is the demand from only one State. I fully agree with Shri Advani and Shri Kapse that the whole country is in agreement with this particular direction and only one State is reluctant to accede to it. If with a view to help that single State Parliament is being moved, that does not carry any weightage. I categorically oppose it. Heaven will not fall if the Bill is not introduced.

Mr. Speaker, Sir, you may remember that a Bill was introduced by the Government seeking the appointment of three Election Commissioners in place of one Chief Election Commissioner giving each of them an equal status. Those who opposed this Bill and opted for only one Chief Election Commissioner should concede to this authority too that there will be no polling without photo identity card.

Mr. Speaker, Sir, to make a separate law for only one State which does not follow the laws followed by the other States is malafide in my opinion. Such a law cannot be made for a particular State. The issue of identity card is not being discussed here for the first time. It has been discussed here several times earlier also. This issue is being discussed for last several years. All other States have started preparing photo-identity cards and the Government of India also has conceded to make 50 per cent contribution in the expenditure involved in it. Since all other States have agreed, why a single State should deny? We do not agree to this proposal at all.

[English]

SHRI SAIFUDDIN CHOUDHURY (Katwa): Sir, it is not my intention to go into the content of the proposed bill to amend the Representation of People Act but to only say one factual position regarding it. It is that the power to issue identity cards is not a natural power of the Election Commission. Under the existing law, the power is given to the Central Government. The Central Government, by making rule, has given this power to the Election Commission. So, even without amending the law the Central Government can take it upon itself. It is good that they have brought it under the framework of a Bill to be passed in this House. So that no ambiguity remains in the scheme of things. It is not therefore correct to say that the power of the Election Commission is being curtailed. I do not at all agree with this view.

Sir, another thing is, Mr. Advani has said that even those persons who would not have Identity Cards will be

allowed to vote. Then, what is the meaning of this Identity Card? If you are serious about the Identity Card, you have to make it clear that if you do not have the Identity Card you cannot vote and to arrive at that kind of a situation we have to take this matter very seriously.

Then, the Identity Card has to be a multipurpose Identity Card. Now, notices are given asking the citizens to submit their Birth Certificate and they are asked to prove that they are citizens of this country. How do we prove that? I demand that all the citizens of our country must get a Citizenship Card. Who will give that? If we decide to give that, then why separate cards for separate things? Are we a wasteful country? Can we not all sit together and decide about giving the Identity Card in the form of a multipurpose card? That will be helpful for every other purpose. That is the real problem that is to be solved.

SHRI GUMAN HAL LODHA: Mr. Speaker, Sir, I would like to mention one aspect which is probably known to only a very few hon. Members and that can solve the entire problem.

So far as bringing of the Bill is concerned, it is a very serious and complicated matter, because the Committee, whose Report has been tabled before this House and the upper House, has said that we have to define the religion by an amendment and so many things are to be done. It will be possible to do them in two or three days. But so far as the Identity Card problem is concerned, firstly as our hon. leader Advaniji has said, it is for the States to take note of it and do the needful. The power of issuing the Identity Card has not been given to the Election Commission by any notification administratively or under article 324 of the Constitution. It was done by the Act of the Parliament in 1961 and in pursuance of that section of the Representation of People Act, rule 58 was framed which empowers the electorate to have the Identity Card. This is a very delicate legal issue.

SHRI SOMNATH CHATTERJEE: Nothing is delicate.

SHRI GUMAN MAL LODHA: Kindly have patience, You are a barrister and you can understand what I am saying.

Sir, in case of a delegated legislation or a subordinate legislation rules are there only as delegated legislation and the Government is always authorised and empowered, under the law, to repeat, withdraw, design or amend any rule which they want. If they find any problem, *any fine morning, by a notification, the Government can withdraw rule 58 and the problem will be solved. This is very important.* If the Law Minister wants to discuss this matter we can discuss and convince him on this point that there is no impediment or hurdle. Therefore, it is so simple that if, at the last moment, they feel that the Identity Cards are creating a problem, than the Government of India, by a Gazette Notification under the powers of delegated legislation, can withdraw rule 58 and then there will be no problem like the one which is being faced now. So, we must not think of having a controversial legislation like the Representation of People (Amendment) Bill, 1994 which, in the same form, Mr. Speaker, Sir, has got so many dimensions and horizons

which are controversial. Therefore, rule 58 can be withdrawn by them.

[Translation]

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur): Mr. Speaker, Sir, hon. Shri Ram Naik has stated that Bihar is totally in agreement with the electoral reforms. Through you I would like to draw the attention of the Government to its pragmatic aspects also. You have referred to 30 per cent. But the situation is that 15 lakh agriculture workers there have gone outside Bihar in search of jobs, and the rest of them are involved in paddy harvest. So, would the labourers of Bihar who have gone to Assam, Delhi, Punjab or Haryana in search of jobs will be deprived of their Franchise?

13.00 hrs.

The Election Commissioner has issued orders that if photo identity cards are not prepared by the 15th January, election will not be held.....(Interruptions)

I agree to the constitutional provisions mentioned by Shri Guman Mal Lodha that the Chief Election Commissioner holds a constitutional position. What right does he have to defer elections? A citizen should not be debarred at any cost from exercising his franchise. There can be reforms in electoral process. Therefore, Bihar and Orissa are also in agreement with the issuance of photo identity card. But there are certain practical problems to complete this process in the stipulated time limit. If the Government wants to stick to this time-limit, first of all 15 lakh agriculture labourers should be sent back to Bihar. The Government should bear the expenditure of Rs. 800 to be spent on each labourer and prepare photo-identity card on war footing. No Election Commissioner should be allowed to prevent any citizen from exercising his franchise. Therefore, a Bill should be introduced immediately and the Government should take initiative in this direction so that no constitutional crisis erupts. If such constitutional crisis is created all over the country, it will set a new precedence and its impact will prove dangerous in future. The country may lead to violence also.

SHRI HARI KISHORE SINGH: Mr. Speaker, Sir, I would like to draw the attention of the House towards a very important issue..... (Interruptions)

[Translation]

SHRI RAM VILAS PASWAN: At first the Government should speak on this issue.....(Interruptions) Shuklaji, you please, do tell something. Only three days are ahead. What do you mean.....(Interruptions) When we met the hon. Prime Minister yesterday you were with him.

[English]

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): Sir, today the Prime Minister has directed that a special Cabinet meeting may be called tomorrow morning and the papers are expected from the Law Minister by this evening. The Cabinet papers are being prepared and it will be taken into consideration tomorrow and whatever the decision Cabinet takes will be communicated to you, Sir.....(Interruption)

\ [Translation]

SHRI RAM VILAS PASWAN: Whether you will bring it during current session or not, say either yes or no...(Interruptions) Please atleast tell that it will be introduced during current session..... (Interruptions)

[English]

SHRI VIDYACHARAN SHUKLA: Sir, all this can be said only after the Cabinet takes a decision on this matter. How can I presume the decision of the Cabinet and announce it? It has to go before the Cabinet. The Prime Minister took the representations of hon. Leaders very seriously and he directed the Cabinet Secretariat to hold the meeting, prepare the papers quickly and this is being done. Tomorrow, at 10 O'clock the Cabinet meeting is there to consider this matter. I am not in a position to say as to what will be the decision of the Cabinet and how long it will take. The hon. Members should understand that the Prime Minister is very serious. He is not trying to delay the matter at all and we are following the procedure in a very elaborate manner...(Interruptions)

SHRI RAM VILAS PASWAN: Tomorrow you will say something.

SHRI VIDYACHARAN SHUKLA: I will inform the hon. Speaker and if necessary the House also.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, whatever decision is to be taken by the Government, it should be taken into account that if this bill is introduced, it will be not passed without discussion...(Interruptions)

SHRI VIDYACHARAN SHUKLA: Who is to speaking this?

SHRI ATAL BIHARI VAJPAYEE: It is being attempted to create an impression that the Government should introduce the Bill and it will be passed instantly. It is a controversial Bill. The Government should bring it after due consideration...(Interruptions)

SHRI VIDYACHARAN SHUKLA: We are taking time only in due consideration. What else are we doing?... (Interruptions)

SHRI HARI KISHORE SINGH: I would like to request the hon. Leader of the Opposition that he should not seek permission for time from Shri Vidya Charan. The hon. Speaker will decide whether the discussion will be held or not. It is upto the Speaker to decide whether any issue should be discussed in the House or not.

[Translation]

SHRI HARI KISHORE SINGH (Sheohar): Mr. Speaker, Sir, through you I would like to draw the attention of the House to a very important issue. A statement of the Chief Minister of Tamil Nadu appeared in the newspapers of the day before yesterday, in which it was stated: (Interruptions)**

[English]

MR. SPEAKER: No. This is not allowed.

[Translation]

SHRI HARI KISHORE SINGH: I am not mentioning the name...(Interruptions)

MR. SPEAKER: Not name but you want to discuss the affairs of Governor. There is a constitutional provision that...(Interruptions)

MR. SPEAKER: You must give prior notice thereof. Then you can discuss it.

SHRI HARI KISHORE SINGH: I withdraw it. I would not speak anything about the Governor. Regarding the Chief Minister...(Interruptions)

MR. SPEAKER: No, you cannot refer to anybody.

[English]

It cannot be allowed.

[Translation]

SHRI HARI KISHORE SINGH: I would like to draw your attention towards the statement. It is feared that a constitutional crisis may arise there. I, therefore, want that the Government should reply to it and the Chief Minister who...(interruptions)

[English]

SHRI P.G. NARAYANAN (Gobichettipalayam): Sir, I also want to say on this.

SHRI HARI KISHORE SINGH: I am not pleading anybody's case. The Chief Minister of Tamil Nadu has said...(Interruptions)

SHRI P.G. NARAYANAN: Sir, I want to reply.

MR. SPEAKER: There is nothing for you to reply. As you reply, you will be getting yourself into a difficult situation.

He has not said against your State Government.

...(Interruptions)

MR. SPEAKER: I have allowed one hour for this unlisted business. Now Papers to be laid on the Table of the House.

SHRI HARI KISHORE SINGH: With all humility, I should say that I have not referred to the Governor.

MR. SPEAKER: Now Papers to be laid.

13.07 hrs.

PAPERS LAID ON THE TABLE

Railway Accidents (Compensation) Amendment Rules, 1994 and Review on the working of and Annual Report of Container Corporation of India Ltd., New Delhi for 1993-94 etc.

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): I beg to lay on the Table—

- (1) A copy of the Railway Accidents (Compensation) Amendment Rules, 1994 (Hindi and English versions) published in Notification No. G.S.R.

592(E) in Gazette of India dated the 22nd July, 1994 under section 199 of the Railways Act, 1989.

[Placed in Library. See No. LT-6741/94]

- (2) A copy of the Notification No. S.O. 530(E) (Hindi and English versions) published in Gazette of India dated the 16th July, 1994 appointing the 1st August, 1994 as the date on which the Railways (Amendment) Act, 1994 shall come into force issued under Section 1 of the said Act.

[Placed in Library. See No. LT-6742/94]

- (3) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(a) (i) Review by the Government of the working of the Container Corporation of India Limited, New Delhi, for the year 1993-94.

(ii) Annual Report of the Container Corporation of India Limited, New Delhi, for the year 1993-94 alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT-6743/94]

(b) (i) Review by the Government of the working of the Indian Railway Construction Company Limited, New Delhi, for the year 1993-94.

(ii) Annual Report of the Indian Railway Construction Company Limited, New Delhi, for the year 1993-94 alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT-6744/94]

(c) (i) Review by the Government of the working of the Rail India Technical and Economic Services Limited, New Delhi, for the year 1993-94.

(ii) Annual Report of the Rail India Technical and Economic Services Limited, New Delhi, for the year 1993-94 alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT-6745/94]

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the Railway Sports Control Board, New Delhi, for the year 1993-94 alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Railway Sports Control Board, New Delhi, for the year 1993-94.

[Placed in Library, See No. LT-6746/94]