

outstanding soldiers starting with Field Marshal Sam Manekshaw. He is a Gujarati from Surat.

SHRI N.K.P. SALVE (Maharashtra) : He is not here to defend himself.

SHRI PRANAB MUKHERJEE (West Bengal) : He is appreciating him.

SHRI PRAFULL GORADIA; I am not criticising. I am only quoting him as an outstanding example of an outstanding soldier. The Second Commander-in-Chief—in those days there was no Chief of Staff but it was a Commander-in-Chief—of the Indian Army was Rajendra Sinhi from Jamnagar.

(The Vice-Chairman, Shri Adhik Shirodkar, in the Chair) The Air Force was also once headed by a Gujarati i.e., Air Chief Marshal Engineer. Yet, only less than 1% of the people from Gujarat are in the Indian Armed Forces. It is because there are no recruiting centres in the State which would attract the youth spontaneously, to join the forces. Let us assume that even if we did not have this martial aptitude, surely, as a border State, it would be necessary to inculcate in, the ethos of Gujarat the martial characteristic. Well, that is the surest way to protect a border State. The other strange thing is about the Navy. We have India's longest coast line and we have some outstanding sailors, particularly, from the community of Kharwas who unfortunately, confine their employment to the merchant navy because again, there are not sufficient recruitment facilities to induct them into the Indian Navy. Sir, Gujarat used to trade even during the days of Roman empire and earlier, right across the seas to import and export goods. So, we have not only a long coast line but also a long tradition of sailing and yet, the Navy does not have any base in Gujarat.

1.00 P.M.

Therefore, Sir, I would like to appeal, through you, to the Ministry of Defence to reconsider this issue and give a recruiting centre to Gujarat, be it

artillery, or cavalry, or any other wing of the Army or the Navy. Then, there is not even a single recruiting centre of the Air Force also. Sir, it is very important to open a recruiting centre here. It would provide employment to the youths of Gujarat. So, I would appeal to you, let this injustice not continue. Thank you. Sir.

SHRIMATI URMILABEN CHIMANBHAI PATEL (Gujarat) : Sir, I would like to join with Goradiaji. Gujarat is a border-State, adjoined with Pakistan, and, you know, our relations with Pakistan are tense. Terrorist activities, smuggling and anti-soical activities are there from the other side of the border. So, I think, it is the bare necessity at this critical juncture that people of Gujarat should be given due importance. We are militants, even ladies can also fight. There are so many militant communities in Gujarat. The Tribal population of Gujarat is also militant. So, there should be a Gujarat cavalry. I support Goradiaji. I would like to appeal through you that the Ministry of Defence should take a quick action in this regard.

THE VICE-CHAIRMAN (SHRI ADHIK SHRIODKAR) : Now, Kumari Nirmala Deshpande. Please complete within three minutes because we have more than fifteen Special Mentions, and unless the names have been given in advance, I would not permit anybody.

**Take-over of the Janmorcha, Hindi Daily, Along with 27,000 other cooperative Societies by U.P. Government**

KUMARI NIRMALA DESHPANDE (Nominated): Mr. Vice-Chairman, Sir, in Uttar Pradesh there is only one daily newspaper, that is, the *Janmorcha*, which is run by a cooperative society of workers and journalists. It is a hindi daily, published from Faizabad.

In 1956, the first Press Coiffmission, under the chairmanship of 'Justice Rajadhyaksha, a judge of the Supreme Court of India, was constituted with eminent members like Dr. Zakir Hussain,

Acharya Narendra Deo, Mr. Chalapati Rao and Prof. V.K.R.V. Rao. That committee recommended, "As there is a growing influence of capitalists over the newspapers, it is desirable that workers cooperatives be formed to run newspapers." On this advice, the Janmorcha came into existence in 1958, as the first newspaper of a workers' cooperative.

The *Janmorcha* has earned a name from national and international experts, as a crusader of secularism and for free and fair reporting. It is a popular daily of central Uttar Pradesh. Its editor, Shri Sheetala Singh, is a member of the Press Council of India. He is a reputed journalist, known for honesty, integrity and justice. The *Janmorcha* under his leadership has earned a name, during the Ayodhya crisis.

All of a sudden, the Government of Uttar Pradesh changed the rules of cooperative societies and took over all the 27,000 cooperative societies of UP, including the Janmorcha Society on 11th July, and appointed a receiver. The democratic set-up was not allowed to exist and the Government declared that elections to the societies will not be held before June, 1999. The Janmorcha Society was not given any opportunity to represent its case or hold elections according to new rules. The U.P. Cooperative Societies Act, 1965, Section 4, Subclause 'E' says that democratic set-up is a must, but going against these rules, the Government has appointed officers in all cooperative societies, including the Janmorcha Society, as receivers.

The financial management of the Janmorcha Society has always been good, and no grant or subsidy from the Government has been taken. The workers' society has been managing the newspaper very well for the last few decades. So, I would like to know under what rule it was taken over.

In 1992, when Shri Kalyan Singh was the Chief Minister of UP, there was an

attempt to take over the Janmorcha Society, but as there was a big uproar in the UP Assembly, a Committee was constituted to look into the matter, which went into the details and appreciated the functions of the Society and called it an 'A' class society.

An Enquiry Committee was constituted which went into details and appreciated the functioning of the Society and called it an 'A' class Society. The Supreme Court's decision, in SCC 1985, part (I), page 64, says 'It is the duty of the court to preserve the freedom of expression.' But going against this decision the Uttar Pradesh Government has appointed a receiver on Janmorcha Society by amending the rules of Societies. And the Society was into given an opportunity to hold fresh elections according to new rules. This is a threat to the freedom of Press. And I would like to draw the attention of this House through you.

श्री जितेन्द्र प्रसाद (उत्तर प्रदेश): सर, एक मिनट में एसोसिएट करना चाहता हूँ।....(व्यवधान)...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): I have ....(Interruption) I have the names before me which are already written. And I will call out only those names. These are the instructions. Beyond that I will not call. (Interruption) Only associate Yourself with one sentence.

श्री जितेन्द्र प्रसाद (उत्तर प्रदेश): सर, उत्तर प्रदेश का यह जो तानाशाही रवैया है, उसके खिलाफ हम उसकी भर्त्सना करते हैं। यह अनडेमोक्रेटिक कार्य है, प्रेस का गला घोटने की कार्यवाही है। हम अपना विरोध प्रकट करते हैं और माननीय सदस्या के विचारों से अपने आपको एसोसिएट करते हैं।....(व्यवधान)...

THE VICE-CHAIRMAN : Let me call out the names that are there, (Interruption.). The names are given.

मौलाना ओबैदुल्ला खान आजमी(बिहार) सर, एसोसिएट करने की परंपरा रही है। इसलिए एसोसिएट करने की हमें इजाजत दीजिए।....(व्यवधान)...

خان {مولانا عبید اللہ  
اعظمی: سر۔ ایسوسیٹ کرنے کی پرمپرا رہی  
ہے۔ اس لئے ایسوسیٹ کرنے کی ہمیں اجازت  
دیجئے۔۔۔ ”مداخلت“۔۔۔}

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR) : You can there is no doubt that you can associate yourself. Please ^...(Interruption) Certain Members' names are given. Let them complete; then kindly associate yourself in one sentence. Now, Mr. Gurudas Das Gupta.

SHRI JITENDRA PRASAD : This is a very important matter. This concerns the freedom of the Press.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR) : Yes, I agree.

श्री खान गुफरान जाहिदी (उत्तर प्रदेश) वाइस चेयरमैन साहब, इस पर डिस्कशन एलाऊ किया जाए।....(व्यवधान)...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR) : Kindly allow the Members whose name are already there with me to speak. They will be permitted to speak for on^ minute; thereafter all those who will be able to associate themselves with one sentence can do so and it will be taken on record.

श्री ईशा दत्त यादव (उत्तर प्रदेश): सर, इसमें हम इतना निवेदन करना चाहते हैं, कि यह प्रेस की आजादी का सवाल है। भारत सरकार को आप डायरेक्ट करिए कि तुरन्त इसमें इंटरफीयर करे। वह हम लोग चाहते हैं। हम लोग वहां के रहने वाले हैं, हम जानते हैं कि यह जनमोर्चा बहुत अच्छा पेपर है।....(व्यवधान)...

श्री खान गुफरान जाहिदी: नहीं इस पर डिस्कशन किया जाए। यह डिस्कशन करने की चीज है।....(व्यवधान)....

THE VICE-CHAIRMAN : Please let the Members {Interruption} I entirely a^ee with your sentiments, (interruption)

Please sit down. The names which are there on the list will be called out. Otherwise, if anybody interrupts, I will direct that nothing will go on record. So k>ng as I am there in the' Chair, the Members whose names are given will speak; the rest of the Members will only associate themselves with one sentence. The sentiments are there, I accept them. But, if the sentiments are so grave, then the Members should have given their names in advance. (Interruption) Please, only the names....(Interruption) If anybody interrupts, nothing will go on record except the Member called, and that will be till 2.30 Mr. Gurudas Das Gupta, kindly proceed. (Interruption)

श्री राज बब्बर (उत्तर प्रदेश): यह उत्तर प्रदेश सरकार की हिललरशाही है, जो प्रेस की आजादी को खत्म करने की बात है।....(व्यवधान)...

श्री संघ प्रिय गोतम (उत्तर प्रदेश): सर, उत्तर प्रदेश सरकार ने हर काम में सहकारिता के नियमों के अनुसार काम किया है।....(व्यवधान)...

श्री अखिलेश दास (उत्तर प्रदेश): डेमोक्रेसी की हत्या की गई है वहां उत्तर प्रदेश के अंदर।....(व्यवधान).... बिल पास कर दिया गया बगैर असेम्बली के।....(व्यवधान)...

श्री संघ प्रिय गोतम: आपने जो वहां ऐसा किया था, उसको हमने रोका है।....(व्यवधान)...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Will you cooperate with me? The Members whose names are given will speak, nobody else. Please allow Mr. Gurudas Das Gupta to speak. (Interruption) Please associate yourself when the names which are there on the list are over. Till 2.30 p.m. or .such timfc or as long as I am in Chair only the hon. Members whose names are given will be permitted to speak for one minute after that others will associate. Mr. Gurudas Das Gupta.

श्री मोहम्मद आजम खान (उत्तर प्रदेश): उत्तर प्रदेश का यह गंभीर मामला है, इसमें हम एसोसिएट करना चाहते हैं।....(व्यवधान)...

SHRI GURUDAS DAS GUPTA: The short point is that.... *(Interruptions)*

श्री संघ प्रिय गौतम: आपका नाम है क्या वहाँ लिस्ट में?.....(व्यवधान)...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Yes, it is there in my list. *(Interruptions)*

श्री राज बब्बर: सर, चेयर क्या संघप्रिय गौतम जी चला रहे हैं?.....(व्यवधान)...

मौलाना अबैदुल्ला खान आजम: चेयर इनके आदेश से चल रही है? सर, ये चेयर से पूछ रहे हैं।.....(व्यवधान)...

عبداللہ مولانا }  
خاناعظمی: چیئرآنکے آدیش سے چل رہی ہے۔ سر چیئر سے پوچھ رہے ہیں۔۔۔۔۔{

श्री राज बब्बर: चेयर क्या इनके आदेश से चल रही है?.....(व्यवधान)...

मौलाना अबैदुल्ला खान आजमी: वे चेयर से पूछ रहे हैं कि यह हो रहा है या नहीं हो रहा।.....(व्यवधान)...

مولانا عبیداللہ خان اعظمی: وہ }  
چیئر سے پوچھ رہے ہیں کہ یہ پوریا ہے یا نہیں پوریا ہے۔۔۔۔۔{

SHRI GURUDAS DAS GUPTA (W<sup>AST</sup> BENGAL): Sir, I am on a very short point. *(Interruptions)* Sir, cooperatives have been taken over. This is one aspect. It is not the whole aspect. They are trying to take over the cooperatives. But that is a matter to be decided by the Government and it can be challenged in a court of law. That is different.

My short point is that a newspaper has been taken over. If we allow — I appeal

†[ ]Transliteration in Arabic Script.

to everybody; whether on this side, or, on that side — the Government to take over a newspaper, that can become a precedent for taking similar action in other parts of the country and it may affect the political interest of those whose political interest may be satisfied by taking over the Jan Morcha. That is the point.

Will the rule of law be allowed to function in this country or not?

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Thank you, Mr. Gurudas Das Gupta.

SHRI GURUDAS DAS GUPTA: One more thing. Sir. This is a newspaper which has refused to fall in line with the political thinking of the dominant political party of Uttar Pradesh. Therefore, it has been done. It is an act of regimentation. It is a threat.....

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Please take your seat, Mr. Gurudas Das Gupta.

SHRI GURUDAS DAS GUPTA: It is a threat to democracy.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Thank you, Mr. Gurudas Das Gupta. Your one minute is over. The next name is Dr. Biplab Dasgupta's *(Interruptions)*

SHRI NARENDRA MOHAN (Uttar Pradesh): Sir, on a point of order. *(Interruptions)* Sir, we have decided in all the cases—that the conduct of a State Government cannot be discussed unless it is contrary to the Constitution. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): We have always followed.... *(Interruptions)* Kindly listen to me. *(Interruptions)* Let me deal with one point of order, first. *(Interruptions)* We have always followed the rich tradition that we shall not name any State here. If the State is mentioned there, that portion will be deleted from the submission. *(Interruptions)*...

SHRI GURUDAS DAS GUPTA: What is this. Sir? (*Interruptions*)

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Dr. Biplab Dasgupta, please. (*Interruptions*)

SHRI N.K.P. SALVE: On a point of order. Sir. (*Interruption*)

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Please, let me hear his point of order. (*Interruptions*) Kindly take your seats. I have made it very clear when I said .....(*Interruptions*)

SHRI GURUDAS DAS GUPTA: Sir, on a point of order. (*Interruptions*) Sir, the hon. Chairman had allowed the issue to be raised. (*Interruptions*)

THE VICE-CHAIRMAN SHRI ADHIK SHIRODKAR): I would not permit any other Member whose name is not there. The next name before me is Dr. Biplab Dasgupta's.

SHRI N.K.P. SALVE (Maharashtra): Sir, on a point of order (*Interruptions*)

प्रो. विजय कुमार मल्होत्रा(दिल्ली): वेस्ट बंगाल में क्या हो रहा है, जब हम उसको ले तो उसे निकाल दिया जाता है, तब कहते हैं, कि यह लॉ ऑर्डर का मामला है, यह वेस्ट बंगाल का स्टेट सब्जेक्ट है। वेस्ट बंगाल की बात करें तो स्टेट सब्जेक्ट है और जब यू.पी. की बात करें तो सेंट्रल गवर्नमेंट का सब्जेक्ट है।.....(व्यवधान)...

SHRI M. VENKAIAH NAIDU (Karnataka): Whenever the name of West Bengal is taken, our friends on that side protest over it. (*Interruptions*)

SHRI GURUDAS GUPTA: Sir. I said that the newspaper was taken over by the Government. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): If you had taken the name of the State, by adversely criticising it, it will be deleted. If you have not, it will remain. (*Interruptions*)

SHRI GURUDAS DAS GUPTA: The hon. Chairman had allowed the issue of teke-over of Jan Morcha to be raised.

When I talk about the take-over of the newspaper, I have to say as to who has taken it over. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Let me hear the point of order of Mr. Salve. (*Interruptions*) I am incapable of hearing more than one person. That is my difficulty. (*Interruptions*)

SHRI N.K.P. SALVE: My point of order is this. It is a question of violation of the Constitutional right. The question of the freedom of the press is involved. Sir, may I respectfully ask of you, very respectfully ask of you, as to under which rule you gave your ruling? When you give a ruling, it binds the whole House. But Sir, it restricts, it impinges on our rights and privileges. May I know, under which rule you had directed that he should not take the name of the State?

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): You tell me the rule under which you are permitted and I will give the ruling.

SHRI JANARDHANA POOJARY (Karnataka): Rule 258.

SHRI N.K.P. SALVE: Sir, I am told you are a lawyer. Can you prove the negative?.. (/memptions)...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Please.

SHRI JANARDHANA POOJARY: Is taking the name of a State unparliamentary? .... (*Interruptions*)....

SHRI N.K.P. SALVE: My constitutional right permits me. ... (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Mr. Salve, I think th<sup>^</sup>t it is an elementary principle that if you feel that some rule is being violated, you have to point it out. The Chair is not supposed to prove the negative. So, kindly point out under which rule it is permitted. Therefore, I have given my ruling subject to "if". So, let us see. According to Mr. Das Gupta, he has not made any adverse comments.

Now, let us hear Dr. Biplab Dasgupta.

SHRI N.K.P. SALVE: Sir, I am on a point of order. We are not permitted within the postulates of the rules to take the name of the State. Is that your ruling?

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): My ruling is that if there is an adverse comment about any State, that cannot go on record.

SHRI ISH DUTT YADAV: It is our constitutional right.

श्री. विजय कुमार मल्होत्रा: आपने यहां परमित किया, चेयरमैन साहब ने सिर्फ इसलिए परमित किया क्योंकि इसमें एक हिन्दी डेली का नाम है, अन्यथा यह स्टेट सब्जेक्ट है और स्टेट सब्जेक्ट के बारे में हम यहां बात नहीं करते। चेयरमैन साहब ने ठीक ही इसको ऐडिमेंट किया क्योंकि एक अखबार के टेकओवर की बात यहां थी।....(व्यवधान)...

It is a matter of freedom of expression. ...*(In terruptiotts)*

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Will you kindly take your seats?

श्री. विजय कुमार मल्होत्रा: फ्रीडम आफ एक्सप्रेशन की बात कही गई , इसलिए उसके टेकओवर का सवाल उठा। पर यह कहना कि उस अखबार वाले ने गवर्नमेंट की बात नहीं मानी, गवर्नमेंट ने इसलिए उसको टेकओवर कर लिया, वह गवर्नमेंट के दबाव में आ गया, ये सब बातें स्टेट सब्जेक्ट है और ये चीजें यहां डिस्कस नहीं होनी चाहिए।....(व्यवधान)...

We do not discuss the State subjects here...*(Interruptions)*

SHRI GURUDAS DAS GUPTA: May I submit. Sir? One minute friease. ...*(Interruptions)*...

श्री राजनाथ सिंह(उत्तर प्रदेश): जहां तक समाचारपत्र की आजादी की बात है, मैं आपके साथ हूँ .....(व्यवधान)... लेकिन अगर इस तरह से अंगुलियां उठाई जाएं।....(व्यवधान)...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Mr. Sibal, I will hear you wkh reverence. ...*(IntetTuptioas)*...

SHRI GURUDAS DAS GUPTA: The notice has been accepted by the hon. Chairman. It says, "Takeover, of JAN MORCHA."

The point is that the "JAN MORCHA" is a newspaper. It has beea taken over. Who has taken it over? The court has not taken it over. The Central Government has not taken it over. ... *(Interruptions)*...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): So, you believe in God. ...*(Interruptions)*...

SHRI GURUDAS DAS GUPTA: It is the U.P. Government which has taken it over. ...*(Interruptions)*...

This can always be talked of. This is the Council of States.

श्री राजनाथ सिंह: उपसभाध्यक्ष महोदय, हाऊस को मिलीड किया जा रहा है। ऐसा कुछ नहीं हुआ है। जनमोर्चा को राज्य सरकार ने नहीं लिया है। .....(व्यवधान)...राज्य सरकार के अधीन जनमोर्चा समाचारपत्र नहीं है।.....(व्यवधान)...

SHRI GURUDAS DAS GUPTA: Sir, what is this? ...*(Interruptions)*.. My short point is that we are discussing about the takeover of the newspaper in a particular State of the country. ... *(Interruptions)*...

Sir, what is this?

My point is that the takeover of the newspaper has been done by the State Government. How can we refer to it in a vacuum?

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Mr. Das Gupta, you made a statement ... *(Interruptkms)*...

SHRI GURUDAS DAS GUPTA: Is there anything wrong in H?

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): If k it not wrong, nothing is wrong. But, if it cacts aspersion on the State Govemteat going beyond the scope of the Mention

SHRI GURUDAS DAS GUPTA: Where have we gone wrong?

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): We will find it out.

SHRI KAPIL SIBAL (BIHAR): I want to clarify the legal position and our right to freedom of speech as Members of this august House.

I invite your attention to article 105 of the Constitution. It says:

"Subject to the provisions of this Constitution and to the rules and standing orders regulating the procedure of Parliament, there shall be freedom of speech in Parliament." Therefore, Sir, there are only two inhibitions to our right to freedom of speech. One, the Constitution itself. Where the Constitution does not permit us to speak in' this House about the conduct of a person, we cannot speak. Two, the rules of procedure. If there is a prohibition in the rules of procedure, that you cannot talk about a, b, c and d, then only is our freedom of speech curtailed. That, Sir, is the legal position. The question to be asked is not which rule permits you to speak about the State, but the question to be asked is which rule prohibits you to speak about the subject. Therefore, Sir, with great respect...

SHRI NARENDRA MOHAN: Sir, there is an established convention in the House...(nterrupt/ons)

SHRI KAPIL SIBAL: May I continue. Sir? The hon. Member has very rightly put the question. The core issue before the House today is the conduct -of a particular authority in taking over a particular newspaper. That is the core issue. Unless we are able to discuss the conduct of that authority, how will we inform the people outside this House as to what has happened? That is the essence of freedom of speech. If we are not permitted to discuss this issue in the

House, such a ruling. Sir, in fact, feurtails the freedom of speech of this entire House. And I want to put it on record.

SHRI M. VENKAIAH . NAIDU (Karnataka): Sir, I am on a point of order. The Special Mention, as the Chair has also ruled...(Interruptions)

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Pleasp, let him complete.

SHRI M. VENKAIAH NAIDU: Sir, we had the patience to hear other senior Members. They also should have the patience to hear us.

Sir, on the Special Mention, as ruled by the Chairman earlier and by you yourself also, the Member, who had given the notice, made a detailed submission.

Subsequently, the Chair, ruled all other Members can say that they are associating themselves with the issue raised by another hon. Member. This was the ruling. Shri Gurudas Das Gupta is associating himself with the Special Mention made by Madam. If that is the case, he can associate himself, as you have rightly said, but he is going to the extent of making serious allegations, including regimentation, against a popularly elected Government of Uttar Pradesh. Sir," time and again in this House, there are precedents where certain remarks were made against State Governments. There are instances where Mr. Gurudas Das Gupta and even other Members from the Left also protested and the Chairman and the person, whoever was in the Chair, always advised the Members not to tak? the names of those States and not to make defamatory charges.

SHRI KAPIL SIBAL: That cannot be the procedure.

प्रो. विजय कुमार मल्होत्रा: सर, आज सुबह लखावत साहब जी ने यह सवाल उठाया बंगला देशियों को एक्सटेड करने का । हि-सिम्ली मेंशंड और अखवार

में पढ़कर सुनाया कि वेस्ट बंगाल ने जब उनको निकाल रहे थे तो उन पर हमला किया वगैरह वगैरह। इमीडिएटली चेयरमें ने उसको रुल्ड आउट कर दिया।

He said that that was a State subject, don't bring in that State subject. *(Interruptions)* Please let me complete. I have not yet finished. You can speak after that.

THE VICE-CHAIRMAN (SHRI APHIK SHIRODKAR): Dr. Dasgupta, kindly take your seat.

**प्रो. विजय कुमार मल्होत्रा:** दोनों में से दोनों तो बड़े हो नहीं सकते। ...*(व्यवधान)*... सिब्ल साहब ने आकर के फ्रीडम और एक्सप्रेसंस की बात की है। इस हाउस ने यूनेनिमसली तय किया हुआ है कि जो स्टेट सब्जेक्ट होंगे और स्टेट सब्जेक्ट को और यह बार भी कंस्टीट्यूशन में भी, अगर स्टेट सब्जेक्ट को भी हम डिस्कस करना शुरू कर दें तो if we can go on discussing.

मुझे कोई ऐतराज नहीं, आप तय कर दें कि यहां पर स्टेट सब्जेक्ट डिस्कस किया जाएगा ...*(व्यवधान)*... Kindly listen to me. - आज सुबह जब चेयरमैन ने इसको डिलीट किया only on this point- and he ruled it out. It is on record यह स्टेट सब्जेक्ट है और वहां पर क्या किया, वेस्ट बंगाल में "आप यहां रेज मत करिए और उसको उसमें से हटा दिया" There cannot be double standards. वहां तो ठीक था वहां ठीक नहीं है।

SHRI KAPIL SIBAL: Sir, I am on a point of order.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): No. You have already spoken, Mr. Sibal.

SHRI KAPIL SIBAL: Sir, I am entitled to raise a point of order under Rule 239.

SHRI GURUDAS DAS GUPTA: Sir, can he read out the order of the Chairman? The Chairmaj has given permission on the note. The note says: Take-over of Jana Morcha Hindi daily by U.P. Government. Sir, I submit it to you. Kindly read it out.

THE-VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Unfortunately, I can't read this paper. Perhaps, only doctors can read this handwriting...*(Interruptions)*... As far as the State subjects are concerned, we will not discuss them here. We have been following a correct convention. Today, it was against that, the same ruling was given by the hon. Chairman and I am only following that fully. Now, that subject is over. Dr. Gupta, please continue.

DR. BIPLAB DASGUPTA (West Bengal): There is a confusion on this. Firstly, I want to speak on this point of order. This has created confusion on this issue. There are two distinct issues which have been confused. One is: what are the subjects related to the States which we can discuss here. That is one aspect. The other is whether the State can be named here. There are two different issues. As far as the subjects to be discussed here are concerned, there has been a convention in the House, the subjects which are under the jurisdiction of the State, generally speaking, we don't discuss unless they refer to certain critical national issues like women, like Scheduled Castes and Scheduled Tribes, like minorities, maybe freedom of expression. These are some of the issues which can be discussed here. Otherwise, normally we don't discuss issues relating to the State. That is one.

The other issue is whether we can name the States. How can we function in the Council of States without referring to the names of the States? Whatever incident we mention, whatever we speak, whatever we debate, will certainly have some connection with some State. How can we discuss an incident without mentioning a State? If you allow the ruling to continue, then, the whole Council of States must be spruced down. It cannot be discussed.  
...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: The State subject cannot be discussed. ...  
(Interruptions)...

Dr. BIPLAB DASGUPTA: ...Why is he interrupting me?  
..(Interruptions)...Why is he interrupting me?  
..(Interruptions)...Why is he interrupting me?  
..(Interruptions)...What is this?  
..(Interruptions)...What is this? Why is he interrupting me?  
..(Interruptions)...Why is he interrupting me?  
What is this?  
..(Interruptions)...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Dr. Gupta, I have heard you. I have heard the distinction. If your association is likely to be less than your explanation, it might land in difficulty. ...  
(Interruptions):..

DR. BIPLAB DASGUPTA: I have not yet finished. What I am saying is that when Prof. Malhotra was speaking, I was standing. Mr. Vice-Chairman, identified me and promised me that he would call my name. He asked me to sit down. I sat down. When I have listened to the speeches of many Members, without interruptions, why should there be any interruption when I am speaking?

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Please proceed with your Point...(Interruptions)...

DR. BIPLAB DASGUPTA: First, please allow me to finish. The second part of your ruling was that the name of the State cannot be mentioned adversely. I will give you an example. In this House, there was a discussion.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): If it is a State subject, the name of any State cannot be mentioned adversely. If it is a national subject, you can do it. ...  
(Interruptions)...

DR. BIPLAB DASGUPTA: This is freedom of speech.  
..(Interruptions)...How can you deny this?..  
(Interruptions)...

THE VICE-CHAIRMAN (Shri Adhik Shirodkar): Mr. Gupta, my ruling stands. Will you kindly stick to your association?  
..(Interruptions)..-I will not hear anything. No, no, no please speak about your associating with the Special Mention..  
..(Interruptions)..Please take your seats. We have already "spent 21 minutes on this subject. We have got many Special Mentions.

श्री अखिलेश दास: माननीय महोदय, यह नेशनल सब्जेक्ट है। बाईस हजार कोऑपरेटिव सोसाइटीज में भारत सरकार का बहुत बड़ा शेयर है, भारत सरकार इसमें शेयर होल्डर है। ...  
(व्यवधान)...

DR. BIPLAB DASGUPTA: I will be constrained to go and talk to the Chairman on this ruling. It is a very important ruling. We cannot function under this ruling. '

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): We are not discussing about W...  
(Interruptions)...

DR. BIPLAB DASGUPTA: I am very sorry to say that we have to challenge the ruling. I will go to the Chairman...  
(Interruptions)...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Please do it. Please do it. Please do it. Please do it. I will be happy, if I am held wrong...  
(Interruptions)...Don't worry.

श्री राम दास अग्रवाल (राजस्थान): यह क्या तमाशा हो रहा है, हमें समझ में नहीं आ रहा ...  
(व्यवधान)...

SHRI V. KISHORE CHANDRA S. DEO (Andhra Pradesh): Sir, I am on a point of order.

SHRI JANARDHANA POOJARY: Mr. Vice-Chairman, he is on a point of order. Please call him. *(Interruptions)*. What is happening here?

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Yes, Mr. Deo.

SHRI V. KISHORE CHANDRA S. DEO: Sir, are we going to be guided by some decorum or by lung power? I consider I do not have that kind of lung power.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): I share your anxiety. Please proceed.

SHRI V. KISHORE CHANDRA S. DEO: I am on a point of order on a very, very vital issue which concerns the functioning of this House. If I have heard you right in the midst of the din that occurred, you have said that one cannot make any adverse remark on a State Government. Sir, a State subject is something and a State Government is something else. Almost every day, every other day, we discuss several States with regard to many subjects. As you are aware, we have got something called the Concurrent List in our Constitution. In the Concurrent List, the Central Government is involved along with State Governments in several ministries and departments which carry on various functions. And if you are going to prevent us from naming a State, who will decide what is adverse and what is not adverse?

PROF. VIJAY KUMAR MAL-HOTRA: Only State subjects.

SHRI V. KISHORE CHANDRA S. DEO: That is not what he has said. He has not said 'State subject'. He has said 'State'. (*Interruptions*). Please listen to me. He has said 'adverse remarks on a State'. Who will decide which remark is adverse or not adverse? We raise some issue over here regarding a State only when something wrong happens over there. And this is the Council of States. This is the House which concerns the States. And if we cannot make references to anything wrong that a State Government does, if that is going to be considered adverse, what is the whole fun of calling this House the Council of States and having discussions?

(*Interruptions*). It will be like shutting out all kinds of discussions in this House.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Thank you. Now, let us put an end to this controversy. I have given a ruling. It is binding on you. If you feel that you are aggrieved, you cannot protest by telling me anything about it. You do it in any other manner that is permissible. This is not permissible. We have our own things. The Chairman's rulings are binding in nature. The Chairman's rulings cannot be questioned or criticised. To protest against the ruling of the Chairman is contempt of the House. I think we will put an end to that controversy. Dr. Biplab Dasgupta. Kindly proceed with your association. (*Interruptions*).

श्री नरेश यादव (बिहार): सर, इसमें आलोचना नहीं है, पुनर्विचार के लिए कहा जा रहा है ... (व्यवधान)...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): I will not hear anybody except Dr. Dasgupta on his association.

DR. BIPLAB DASGUPTA: The cooperative we are dealing with is a very unique cooperative. It is unique in the sense that (1) it is a self-sufficient cooperative which does not depend upon any Government grant; (2) it is a cooperative run by workers; (3) I am very surprised to see that it is running a newspaper which is very extraordinary, very unusual. I also find that it has a rich heritage. A number of people are involved. Dr. Zakir Hussain, who was once the President of India, Mr. V. K. R. V. Rao and Acharya Narendra Dev are all outstanding persons. They had been behind the formation of this cooperative. This cooperative has been taken over.

Now, what could be the reason for taking over the cooperative and the press? The only reason I can think of is that from the press views are emanating which are in contrast with the views of

the ruling party in that State. In order to stifle that Opposition, in order to stifle the voice of dissent, this particular measure has been taken to close down the cooperative. It is very unfortunate that this has happened. I also notice that 27,000 cooperatives have been closed down there. In the Directive Principles, we want to encourage the formation of cooperative, the formation of panchayats. But here is a State Government which is going against the Indian Constitution by not allowing decentralisation to take place, by not allowing democracy to .....

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Thank you. Dr. Dasgupta.

DR. BIPLAB DASGUPTA: It is unfortunate...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR) Please conclude, Mr. Dasgupta.

DR. BIPLAB DASGUPTA: It should be taken up...*(Interruptions)*. It should be communicated to the State Government.

श्री अखिलेश दास: उपसभाध्यक्ष महोदय, मैं अपने आपको निर्मला जी के साथ संबद्ध करता हूँ। उन्होंने बहुत ही महत्वपूर्ण मुद्दा उठाया है। यह जो 27 हजार कोऑपरेटिव सोसाइटीज है Jan Morcha is also a cooperative society स्थिति यह है कि 27 हजार कोऑपरेटिव सोसाइटीज में, चूंकि अधिकतर वहां पर समाजवादी पार्टी कांग्रेस पार्टी और अन्य के लोग बैठे थे इसलिए वहां पर यह राजनीतिक आधार पर स्टेप लिया गया है। इनका पांच साल की टर्म था। उस पांच साल के टर्म को अचानक घटाकर तीन साल का टर्म कर दिया गया है। इसके बारे में यह कहा गया है क्यों कि चुनाव नहीं कराये हैं इस आधार पर वहां पर प्रशासक की नियुक्ति की गई है। चुनाव कराने का अधिकार भी सरकार के पास है। अगर कोई कोऑपरेटिव सोसाइटी कहती है, अंडर सोसाइटी एक्ट कि हमारा चुनाव कराइए तो उसके लिए भी रजिस्ट्रार को ही इलेक्शन आफिसर अपाईंट करना पड़ता है। कोऑपरेटिव सोसाइटी इज नॉट फ्री कि अपने आप वह इलेक्शन करा ले। अब उन्होंने पांच साल की जगह पर तीन साल का टर्म कर दिया है। ...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Are you associating or are you making a speech? You have already exceeded two minutes.

श्री अखिलेश दास: एक साथ ही उन्होंने उस पर प्रशासक बैठा दिया है, कोई मौका नहीं दिया गया है, डेमोक्रेसी की वहां पर पूरी तरीके से हत्या की गई है और पूरा प्रयास है कि अपने तरीके से अपनी जेब के लोगों को...। बाकायदा वहां को लोगों ने इस पर स्टेटमेंट दिया है कि अपनी जेब को लोगों को इन कोऑपरेटिव सोसाइटीज में बैठाया जाएगा। ...*(व्यवधान)*...

श्री नरेन्द्र मोहन: सर, ...*(व्यवधान)*...

(श्री अधिक शिरोडकर उपसभाध्यक्ष): थैंक्यू मिस्टर दास ...*(व्यवधान)*... मिस्टर दास थैंक्यू ...*(व्यवधान)*...

श्री अखिलेश दास: 73वें और 74वें अमेंडमेंट के तहत ...*(व्यवधान)*... कांस्टीट्यूशन में प्रोवाइड कर रहे हैं डि-सेन्ट्रलाइजेशन। पंचायती राज, म्यूनिसिपलटीज ...*(व्यवधान)*... कांस्टीट्यूशन में डि-सेन्ट्रलाइजेशन की कोशिश हो रही है, इस बात की कोशिश हो रही है।

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Next is Shrimati Veena Verma. There is nobody to associate on this and I will not permit anybody else.

SHRI KHAN GHUFRAN ZAHIDI (Uttar Pradesh): Sir, I have not been given an opportunity to associate myself with the earlier Special Mention.' मैंने पहले विषय पर एसोसिएट करने के लिए निवेदन किया था और आपने कहा था कि जब वे बोल लेंगे तो आप एक-एक मिनट सबको दे देंगे।

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): That is over. We have taken up a new Special Mention. *(Interruptions)* I don't mind sitting up to eight o' clock. We are going to discuss the Special Mentions only up to 2.30 P.M. After 2.30 P.M. we are going to take up the Private Members' Business. We will have to sit after five o' clock. Take your own decision. I don't mind.

**श्री खान गुफरान जाहिदी:** सर, अंसल में बहुत महत्वपूर्ण मामला है और आपको अख्तियार है उस चेयर से कि आप एक मिनट अपनी बात कहने की इजाजत दे दें।

**श्री सुरेश पचौरी (मध्य प्रदेश):** सर, इनका नाम भी एसोसिएट करने वालों में चला जाए।

THE VICE-CHAIRMAN: That subject is over. Mr. Zahidi, you will be deemed to have associated. It will go on record.

#### Women's Unemployment and demand for opening of Women Employment Exchange in the Country

**श्रीमती वीणा वर्मा (मध्य प्रदेश):** धन्यवाद। उपसभाध्यक्ष महोदय। बड़े अफसोस की बात है कि जब हम विकास की बात करते हैं, सदन में करना चाहते हैं तो उसके लिए समय बहुत कम होता है सारा समय वाद-विवाद में ही चला जाता है। आज एक बहुत महत्वपूर्ण मुद्दे पर सदन के माध्यम से मैं सरकार का ध्यान दिलाना चाहती हूँ और अपनी मांग रखना चाहती हूँ कि देश में महिलाओं की बेरोजगारी को संख्या बहुत बढ़ी संख्या में बढ़ रही है। बीसवीं सदी खत्म होने को है और इक्कीसवीं सदी शुरू हो रही है। इन दो वर्षों में आरक्षण के नाम पर जाति वर्ग और मजहब के आधार पर क्या क्या नहीं किया जाएगा? इसका एक खास नमूना महिला आरक्षण विधेयक पर हम लोग देख चुके हैं और कुछ ऐसा लगने लग गया है कि सब कुछ डंडे के जोर से ही या धमकियों के जोर से मनवाने के प्रकार के संकेत मिल रहे हैं जो यह संकेत देते हैं कि देश में कानून का राज खत्म हो रहा है या अंतिम सांस ले रहा है। अतः मैं एक और गंभीर मुद्दे की ओर ध्यान दिलाना चाहती हूँ। अब महिलाओं का प्रतिनिधित्व सरकारी नौकरियों में और अन्य जगहों पर देश के विकास में योग्यता के आधार पर होना चाहिए जिससे कि वे अपना योगदान दे सकें। इसके लिए बहुत जरूरी है कि उसकी भी समीक्षा होनी चाहिए।

माननीय उपसभाध्यक्ष महोदय, मैं आपकी इस ओर भी ध्यान दिलाना चाहती हूँ कि महिला रोजगार की संख्या या महिला बेरोजगारी की संख्या के इस देश में कोई आंकड़े नहीं मिलते हैं। हम जब अगली गणना सन् दो हजार में करने जा रहे हैं तो उसमें इसको भी एक महत्वपूर्ण बिन्दु बनाया जाना चाहिए कि देश में महिला

बेरोजगारों की संख्या कितनी है? खासतौर से डिग्री प्राप्त पढ़ी-लिखी महिला बेरोजगारों की संख्या कितनी है?

यह देखने में आया है को बढ़ती शिक्षा, जागृति और प्रचार-प्रसार जो महिलाओं को जागृत करने के लिए ....(समय की घंटी).....

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): I can't help it. You have gone to the fourth minute. Please conclude. ...(*interruption*)... Please conclude.

**श्रीमती वीणा वर्मा:** सर, मैं बहुत लम्बा नहीं बोलूंगी।

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): The time-limit allotted by the Chairperson is three minutes.

**श्रीमती वीणा वर्मा:** सर, मैंने यही अफसोस प्रकट किया था कि जब हम विकास की बात करते हैं "तो उसके लिए सदन में बहुत कम समय होता है।"

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): I can't help it. It is the ruling of the Chairman. He has decided three minutes. I am helpless.

**श्रीमती वीणा वर्मा:** सर, मैं बोलने के लिए तीन दिन से इंतजार कर रही हूँ। सर, मैं आपका ध्यान श्रम मंत्रालय की वार्षिक रिपोर्ट 1996-97 की ओर दिलाना चाहती हूँ। इसमें थोड़े से आंकड़े मिलते हैं। 1995 के अंत तक रोजगार कार्यालयों में जितने महिलाओं के नाम रजिस्टर्ड थे, उनकी संख्या 80.20 लाख थी। 1996 में यह संख्या 83.89 लाख हो गई और रोजगार सिर्फ 33 हजार को मिला।

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Please conclude. I am helpless.

**श्रीमती वीणा वर्मा:** सर, मैं एक मिनट में समाप्त करती हूँ। ज्यादा लम्बा नहीं बोलूंगी।

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Don't exceed one minute.

**श्रीमती वीणा वर्मा:** मेरा यह कहना है कि जो लेबर क्लास है उसमें महिलाओं को थोड़ा रोजगार जरूर मिलने लगा है, इसमें जरूर बढ़तरी हुई है। लेकिन पढ़ी-लिखी महिलाओं, डिग्री प्राप्त महिलाओं को बहुत