

**REPORTS OF THE STANDING COMMITTEE ON ENERGY**

SHRI DIPANKAR MUKHERJEE (West Bengal): Madam, I lay on the Table a copy each (in English and Hindi) of the following Reports:—

(i) Seventeenth Report of the Standing Committee on Energy on Action Taken by the Government on the recommendations contained in their Seventh Report (Tenth Lok Sabha) ON Demands for Grants (1994-95) of Ministry of Coal.

(ii) Eighteenth Report of the Standing Committee on Energy on Action Taken by the Government on the recommendations contained in their Eighth Report (Tenth Lok Sabha) on Demands for Grants (1994-95) of Ministry of Non-conventional Energy Sources.

SHRI G. SWAMINATHAN (Tamil Nadu): Madam, I want to raise.

THE DEPUTY CHAIRMAN: Just wait- I have to make an announcement.

**LEAVE OF ABSENCE**

THE DEPUTY CHAIRMAN: I have to inform Members that a letter has been received from Shri Narendra Pradhan, stating that he has undergone surgery at the All-India Institute of Medical Sciences. He will not be in a position to attend the House during the remaining part of the current Session. He has, therefore, requested for Leave of Absence for the remaining part of the current Session.

Is it the pleasure of the House that permission *be* granted to Shri Narendra Pradhan for remaining absent from the remaining part of the current Session?

(No hon. Member dissented).

THE DEPUTY CHAIRMAN: Permission to remain absent is granted.

**RE: QUESTION OF PRIVILEGE**

SHRI G. SWAMINATHAN (Tamil Nadu): Madam, I have to raise an important matter.

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Madam, I have an issue to raise. The Chairman has permitted me to raise it. (*Interruptions*) I have to raise an issue of privilege. (*Interruptions*).

THE DEPUTY CHAIRMAN: Mr. Swaminathan, 'she has to raise a matter of privilege.

SHRI G. SWAMINATHAN: The matter is regarding the sanction for prosecution given by the Governor of Tamil Nadu in respect of our hon. Chief Minister,

SHRIMATI JAYANTHI NATARAJAN: The Chairman has permitted me to raise the issue of privilege. (*Interruptions*).

SHRI G. SWAMINATHAN: Madam, please permit also raise this important issue here. The Governor has acted with *mala fide* intentions. This is 'very serious matter. (*Interruptions*). We have asked for the immediate recall of the Governor of Tamil Nadu. This is a very serious matter. The Governor should immediately be recalled. (*Interruptions*).

SHRIMATI JAYANTHI NATARAJAN: Madam, the privilege issue should get precedence.

SHRI G. SWAMINATHAN. The Governor should not be allowed to (*Interruptions*).

SHRI S. AUSTIN (Tamil Nadu): Madam, we demand the recall of the Governor. (*Interruptions*).

SHRIMATI JAYANTHI NATARAJAN: Madam, Yesterday, I was driving down the Marina in my car when I was stopped by policemen... (*Interruptions*).

SHRI N. THANGARAJ PANDTAN: The Governor of Tamil Nadu should be recalled. (*Interruptions*).

THE DEPUTY CHAIRMAN: Mr. Swaminathan, please sit down. Let me tell you. There is a procedure here. There is a convention in the House. After the Papers are laid on the Table of the House, if there is any privilege issue, it is allowed to be raised first. Then, Members can raise their Zero Hour points, followed by Special Mentions and other things. (*Interruptions*). The privilege matter has to be allowed first. I will allow you later on. Let her finish first.

SHRI G. SWAMINATHAN: This is a very important matter.

SHRIMATI JAYANTHI NATARAJAN: Which matter is important? Is any other matter more important than the security of a Member of Parliament? Is any other matter more important than the privilege of a Member where the police misbehave with the Member and the Member is pushed and assaulted? Which matter is more important? (*Interruptions*),

THE DEPUTY CHAIRMAN: Just a minute Mils. Natarajan. I will tell him. Mr. Swaminathan, as a Member of this House, you should know that a matter of privilege has precedence over other matters; it is allowed to be raised first. Therefore, let her raise it first and then I will allow you.

SHRIMATI JAYANTHI NATARAJAN: Madam, I want to raise an issue of privilege and security of a Member of Parliament. I would like to point out about what happened to me yesterday.

Yesterday, I was on my way to the High Court. I was driving down the Marina in my car. Madam, this is very important. I was to file a writ. It was not as an advocate. I was to file a writ as a party in person. I wanted to move the High Court through a writ against the Tamil Nadu Government, directing them to announce the date for the Panchayat elections in the State. It was important because yesterday was the deadline. Otherwise, Central funds to the State, running into about Rs. 400 crores, would be withheld. The deadline was expiring yesterday.

I was on my way to the High Court to file a writ petition as a party in person. There were a number of policemen present on the Marina. As I was driving down the Marina, the policemen stopped my car and asked me to move into a side road. I moved into a side road. Quickly, there were also other cars which were directed by the policemen to move into the side road. After two-three minutes, I wanted to the policeman on duty. There was very little time left for me. I had to reach the High Court before 2.15 p.m. in order to file my writ before the judge. The judge would sit only up to 2.15 p.m. Otherwise, the deadline would expire. I would not be able to move my writ. Therefore, after two-three minutes, I got down from my car and went to the policeman on duty and asked him. How long would it take? Why did you stop me? But he did not answer me. Then I asked the Inspector or Sub-Inspector, whose name-tag I read as "Chinasami"—I don't know whether he was an Inspector or a Sub-Inspector—how long it would take. He refused to answer me and said, "Please get off the road." I said I was a Member of Parliament—I identified myself—and said that I was on my way to move an urgent writ petition against the State Government in the High Court and that I had to reach the High Court by 2.15 p.m. at which point he started abusing all Members of Parliament. He called us foul names and said, you can go and tell whoever you like. I have written down all that. I don't want to sully the records of the House by repeating it. In Tamil he abused Members of Parliament and Parliament itself in the vilest possible language.

AN HON. MEMBER: What is his name?

SHRIMATI JAYANTHI NATARAJAN: His name is Chinasami. That is what his name-tag read. I do not know whether he was an Inspector or a Sub-Inspector. All the time he refused to tell me why the cars were being blocked. *..(Interruptions)...*

SHRI S. MUTHU MANI (Tamil Nadu): It is a cock-and-bull story. With *mala fide* intentions you are saying it.

THE LEADER OF THE OPPOSITION (SHRI SIKANDER BAKHT): It is not a party question. Members of Parliament must be respected by policemen. Don't raise that question, please. . . (*Interruptions*).. . No politics, please.

SHRIMATI JAYANTHI NATARAJAN: Thereafter, when I insisted on his telling me or at least to give me an alternative route, he refused to give me an alternative route. He could not give me an alternative route. Because my car was surrounded by other cars, I could not move away. Then he pushed me with his lathi... (*Interruptions*).. . He caught hold of my shoulder and pushed me off the road.

SHRI TINDIVANAM VENKATRAMAN) (Tamil Nadu): against a lady! .. (*interruptions*)..

SHRIMATI JAYANTHI NATARAJAN: Let me finish. Every time I said I was a Member of Parliament, he said he did not care. And he did not tell me why I was being stopped. The moment he heard that I was moving a writ against the Government, he lost his balance completely, he attacked me physically, and not one of the policemen present there came to my assistance. They were all watching quietly. And he kept on pushing me with his lathi—I was all alone—and pushing by my shoulders and abusing Members of Parliament, saying you can go and tell whoever you like, wherever you like ... (*Interruptions*).... While I was being pushed off the road by Mr. Chinasaami—I don't know whether he is an Inspector or a Sub-Inspector—at that time, on the opposite of the road—it is the widest road in Madras, the Marina—the Chief Minister's convoy went by. I have no problem about that, Madam. For the Chief Minister's security, let the roads be cleared. I have no objection about

it and I want to place it on record. My objection is different. I have misgivings about the inconvenience caused to the public in Madras by the movements of the Chief Minister's convoy, but I am not raising that as an issue here. She is entitled to her security, let them stop the cars. But he could have told me that the Chief Minister's convoy was coming. He did not even tell me that.

Madam, I have apprehensions about my Security in Madras. Just the previous day, when Mr. Subramanian Swamy moved his writ in the High Court, stones were throw.

THE DEPUTY CHAIRMAN: No, that is not concerned here.

SHRIMATI JAYANTHI NATARAJAN: I won't refer to that; I am not referring to that.

SHRI G. SWAMINATHAN: She is unnecessarily digressing. ....(*Interruptions*) .. This is not a court for her to take a brief for Mr. Subramanian Swamy. She is not arguing here as a lawyer.

SHRIMATI JAYANTHI NATARAJAN; I am talking about myself.

SHRI G. SWAMINATHAN: Let her talk about her privilege. We will not allow this. Mr. Subramanian Swamy is not a Member here. Why should she take a brief on behalf of Mr. Subramanian Swamy? No. no, you cannot go on talking about Mr. Subramanian Swamy. .. (*Interruptions*)..

THE DEPUTY CHAIRMAN: One minute, please.

SHRI G. SWAMINATHAN: Mr. Subramanian Swamy has nothing to do with her privilege. Let her talk about her privilege.

SHRI S. S. AHLUWALIA (Bihar); You don't believe your own colleague. You believe your police only.

SHRI G. SWAMINATHAN: Let her talk about her privilege.

SHRIMATI JAYANTHI NATARAJAN: Madam, when I was in the court, processing my papers, a large number of their cadres were throwing stones in the court. One stone landed on the table of the Judge. The Judge abruptly terminated the proceedings and went away. Seeing the total breakdown of law and order in that State, I apprehend a serious threat to my own security from the police. The moment I said that I was moving a writ petition against the State Government, the police force went berserk and started attacking me physically.

Madam, even the Governor is not safe. They throw stones on his convoy. Therefore, I have given notice of a privilege motion.

SHRI G. SWAMINATHAN: Madam, I am very sorry, the Governor should not be taken as a subject. You have ruled that Governor should not be taken as a subject here. She is speaking about her privilege. This is not the Tamil Nadu Assembly. She cannot talk about Governor in this House. She should not talk about the Governor.

THE DEPUTY CHAIRMAN: Mr. Swaminathan, you please sit down. Mrs. Natarajan, you have given notice of a privilege motion.

SHRIMATI JAYANTHI NATARAJAN: Madam, I am speaking for myself only. I am saying that I apprehend threat to my security. I have given notice of a privilege motion today. I have given in writing what has happened. I have given the date and the time. It is 2-15 p.m. yesterday afternoon. I have requested the hon. Chairman to instruct the Government

to provide security to me because the policemen misbehaved badly and in such an uncivilised way with me. They have brought the entire functioning of Parliament to disrepute.

Madam, secondly, I want to say that they are preventing me from functioning as a Member of Parliament. It was in discharge of my duties as a Member of Parliament that I was moving the court as a party in person because I have been elected to this august House.

THE DEPUTY CHAIRMAN: You are a Member of this House.

SHRIMATI JAYANTHI NATARAJAN: They have prevented me from discharging my duties. I request you to refer it to the Privileges Committee. (Interruptions)..

SYED SIBTEY RAZI (Uttar Pradesh) This matter should be referred to the Privileges Committee and a time-bound action should be taken by the Committee because the misbehaviour with the lady Member is a very serious occurrence.

THE DEPUTY CHAIRMAN: All right.

SYED SIBTEY RAZI: It should be decided in this House.

श्री एस० एस० अहलुवालिया : इस बारे में सुनना चाहिये (व्यवधान) एक महिला सदस्या की सुरक्षा का सवाल है (व्यवधान) वह महिला... (व्यवधान)

THE DEPUTY CHAIRMAN: Not on a privilege motion. No, No. [ will not permit it. I won't permit it. No, no, no.

श्री एस० एस० अहलुवालिया : महिला सदस्या ने अपनी सुरक्षा का सवाल उठाया है, प्रिविलेज मोशन मूव किया है।

THE DEPUTY CHAIRMAN: I can't permit it. I can't permit it on a privilege issue. I won't permit it. I am sorry. I can't permit it on a privilege issue.

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN): I can assure the hon. Member and the entire House that I will get a report. If the police officer has behaved in this fashion knowing full well that she was a Member of this House it is a very serious matter. In spite of knowing it, if he has behaved in this manner, it is highly objectionable. That is why—I do not know the facts—I will get the facts from the State Government, and thereafter, we can decide on it,

THE DEPUTY CHAIRMAN: Just a minute. The matter is before the Chairman, and he will take action and inform the House. This is not the first time. Many times Member, of Parliament have been insulted. The House has taken cognizance of them. Whether one is a lady Member or a male Member, one is a Member of this House, and we have to keep the dignity of the House. The right of a Member to function as a Member of Parliament is there. It has to be protected.

SHRI VAYALAR RAVI: (Kerala): Madam, are you referring it to the Privilege Committee?

THE DEPUTY CHAIRMAN: The Chairman will decide that.

SHR G. SWAMINATHAN: Madam, regarding the permission for prosecution of the Tamil Nadu Chief Minister ...

THE DEPUTY CHAIRMAN: The Chairman has not permitted that. Mr. Swaminathan, you know that we do not discuss the acts and actions of a Governor in our House. So, that matter has to be taken at some other level. The Chairman has not permitted it. So, I will not permit you.

SHRI G. SWAMINATHAN: Madam, I requested for the Chairman's permission, but he has not permitted it.

THE DEPUTY CHAIRMAN: I know, there is no permission before me. No permission is there, permission has not been given.

SHRI SATYA PRAKASH MALAVIYA: He is seeking your permission.

SHRI G. SWAMINATHAN: I am seeking your permission. I was in a *dharna* for a long time.

THE DEPUTY CHAIRMAN: The problem is this. Generally, if Members are very agitated, I permit them to speak. The problem here is that we do not discuss the acts of Governors. We have never done it in the past, we do not want to do it now and we will never do so in future. There are certain posts and positions, about which we do not discuss on the floor of the House. You understand the difficulty we are having. You are free to do whatever you like outside.

SHRI G. SWAMINATHAN: It is not under the powers of the Governor to act like this... (*Interruptions*)

We have requested the Government call back Mr. Chenna Reddy. The hon. Home Minister is here. He can react. We were having a *dharna* before Parliament.

The Governor has been very vindictive and with a *mala fide* intention he has been asking the Chief Minister to be prosecuted. If it is allowed, then any Chief Minister will be prosecuted by the Governor. I request the hon. Home Minister who is here, to recall the Governor.

**उपसभापति : स्वामीनाथन जी बैठिए  
... (व्यवधान)**

SHRI G. SWAMINATHAN: The Governor has been cheating a lot of problems for the State. The Governor cannot involve himself in politics. This Governor is not only in Tamil Nadu, but even in Pondicherry .....

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN): So far as the conduct of the Governor is concerned, I request the hon. Member that we should restrain ourselves and not bring anything on record, which will not be desirable.

THE DEPUTY CHAIRMAN: You may discuss this matter with the Home (Minister in his Chamber, but not on the floor of the House,

#### RE: PANCHAYAT ELECTIONS IN U.P.

**डा० मुरली मनोहर जोशी (उत्तर प्रदेश) :** महोदय, मैं आपके आदेश से खड़ा हूँ और मैं आपका आभारी हूँ कि आपने मुझे समय दिया ।

मैं आपके सदन के समक्ष उत्तर प्रदेश में अभीहाल ही में जो कुछ पंचायत चुनावों से परिस्थिति पैदा हुई है उसके बारे में सदन का ध्यान और आपका ध्यान आकर्षित करना चाहता हूँ । इस सरकार का ध्यान भी आकर्षित करना चाहता हूँ ।

पंचायती राज कानून, केन्द्रीय कानून है जिसके आधार पर राज्यों ने अपने कानून बनाए । भारत के संविधान ने भी हमारे सारे राज्यों को इस बात के आदेश दिए, केन्द्र को निर्देश दिये कि देश में पंचायती राज की स्थापना की जाए । यह पंचायत राज का कानून बनने के बाद लोगों को विश्वास था कि लोकतंत्र की जड़ें मजबूत होंगी और लोकतंत्र तथा जनतांत्रिक पद्धति से निष्पक्ष चुनाव होंगे । बिना निष्पक्ष चुनावों के निर्भयतापूर्वक मतदान के जनतंत्र की कोई भी प्रणाली मजबूत नहीं हो सकती । मुझे बहुत ही अफसोस के साथ कहना पड़ता है कि हाल ही में जो उत्तर प्रदेश में पंचायत राज के चुनाव हुए, विभिन्न स्थलों पर उनमें लोकतंत्र का मजाक उड़ाया गया, वहाँ निष्पक्ष चुनाव की ध्वजियाँ उड़ायी गयीं और सरकार ने पूरे तौर पर इस बात की कोशिश की कि ये चुनाव निष्पक्ष न होने पाएँ । यह न समझा जाए कि कोई भारतीय जनता पार्टी की हार हो गयी है इसलिए मैं इस बारे में कुछ कहना चाहता हूँ । तमाम धांधलियों के बावजूद हमारी परफार्मेंस बहुत अच्छी रही है । लेकिन इन चुनावों में जो कुछ हुआ उसके दो उदाहरण मैं आपके सामने रखना चाहता हूँ । एक तो स्वयं वहाँ की सरकार के एक

सदस्य श्री भास्कर ने धरना दिया चुनावों की धांधलियों के खिलाफ और दूसरा उप-मुख्य मंत्री श्री रामलाल राही ने इस चुनाव की धांधलियों के बारे में अनशन किया । उनको यहाँ भी लाया गया और यह कहा गया कि केन्द्रीय सरकार ने रिपोर्ट मांगी है उत्तर प्रदेश के चुनाव की धांधलियों के बारे में ।

इन चुनावों के अंदर सबसे पहला मुद्दा यह देखकर आश्चर्य हुआ कि पहली बार मैंने कोई ऐसा चुनाव देखा जिसमें अगर उम्मीदवार 5 हाँ तो बैलट पेपर में 18-20 चिन्ह हों, निशान हों, नाम तो किसी का नहीं है, और विभिन्न रंगों के बैलट पेपर हैं क्योंकि विभिन्न स्तरों का चुनाव एक साथ ही हो रहा है । इनमें एक ही चुनाव चिन्ह है लेकिन नाम किसी का नहीं है । यह पता नहीं लगता कि आप नीचे के गाँव प्रधान के लिए वोट दे रहे हैं या जिला पंचायत के लिए वोट दे रहे हैं या कहीं वोट दे रहे हैं । बार बार कहने के बावजूद मतदान पत्र नहीं बदले गए ।

नामांकन के समय धांधलियाँ हुई नामांकन गलत ढंग से विद्वष्टा कराए गए । इसके साथ-साथ गोली चलाकर, दवा दबाकर लोगों से विद्वष्टा कराया गया । चुनावों के अंदर 40 से अधिक लोगों की हत्याएँ हुई हैं ।

चुनाव होने के पश्चात् काउंटिंग के अंदर धांधली की गयी । ब्लाक स्तर पर जो काउंटिंग की गयी उसका परिणाम जिला स्तर पर बदल दिया गया । नीचे बताया गया कि फलाना कैडीडेट जीत गया और ऊपर उसको बदल दिया गया । चुनाव आयोग से शिकायत की गयी, उन्होंने उस पर कोई ध्यान नहीं दिया । जिलाधिकारियों से शिकायतें की गयीं, उन्होंने उन पर कोई ध्यान नहीं दिया । मेरे पास पूरे जिलों की रिपोर्टें हैं, मैनपुरी की, फर्रुखाबाद की, गाजियाबाद की, आजमगढ़ की, कानपुर देहात की, आगरा की, फिरोजाबाद की, सीतापुर की, वाराणसी की, मधोही की, मेरठ की, सहारनपुर की, गोरखपुर की, सोनभद्र की,