

Ordinance, 1993 and consideration and passing of the Recovery of Debts due to Hanks and Financial Institutions Bill, 1993 as passed by Lok Sabha.

4. Consideration and passing of the Cable Television Networks (Regulation) Bill, 1993.

RE. QUESTION OF PRIVILEGE

SHRI SOMAPPA R. BOMMAI (Orissa): Madam, I have given a privilege notice. *(Interruptions)*.

THE DEPUTY CHAIRMAN: Yes. *(Interruptions)*.

SHRI JAGESH DESAI (Maharashtra): Madam, please allow Mr. Vizol to speak.

THE DEPUTY CHAIRMAN : Mr. Jagesh Desai, I will allow him. There is a privilege motion which has to be taken up soon after the Question Hour.

श्री दिग्विजय सिंह, मिर्ज़ापुर : प्रिविलेज पढ़ने से रक्षी है ?

उपसभापति : हाँ, प्रिविलेज पढ़ने से।

SHRI SOMAPPA R. BOMMAI: Madam, I would like to raise a matter of privilege so far as this House is concerned. The country is well aware that by the order dated 2nd August, 1993, the Election Commission has postponed the elections to the Rajya Sabha, the Lok Sabha, the State Legislative Councils and the State Assemblies. That matter was raised by the hon. Members in this House on 3rd of August. The Members pointed out how the order was arbitrary, how it was without any authority and how it had created a constitutional crisis. During the debate it was assured by the Government that the Government would reply at the end of the discussion. No reply was given on 3rd August so far as the discussion and the views expressed by the Members are concerned. Again on 4th August a statement was made by the hon. Parliamentary Affairs Minister, Mr. Shukla, in the Lok Sabha after the meeting of the leaders of the Opposition in the Chamber of the Speaker wherein he gave certain assurances on behalf of the Government agreeing to constitute a multi-member Election Commission. Some other matters were also stated there. That statement was not made in this House. I must also refer to the statement made by the Law Minister in the Lok Sabha, a copy of which was laid on the Table here. I am not referring to that. But the statement relating to the stand taken

by the Government on the question of Election Commission was not made in this House.

Then, Madam, the Attorney General was called on 4th August to the Lok Sabha. He explained the legal position. The Members did ask questions. Yesterday the matter was again raised in the Lok Sabha and an elaborate statement was made by the Parliamentary Affairs Minister at 5 o'clock yesterday. Yesterday the Law Minister also made a statement. *(Interruptions)* I have seen it in the newspapers. *(Interruptions)* The Law Minister made a statement there and the Parliamentary Affairs Minister intervened in it. *(Interruptions)* I am not referring to Mr. V. C. Shukla. Yesterday I pointed out, Madam, here in this House, that at 5 o'clock a statement was going to be made in the other House. The Ministers, who were present in this House, didn't know about the statement being made in the Lok Sabha. The hon. Minister, Shrimati Margaret Alva, also admitted that ■. . *(Interruptions)* she didn't know what was going on there. I am not concerned with that.

Madam, here is an Election Commission

THE DEPUTY CHAIRMAN : What do you want to say, Mr. Bommai?

SHRI SOMAPPA R. BOMMAI: ... which has passed an order whereby. I would say, the Election Commission, the Judiciary, the Executive and the Parliament are on a confrontation. Now different High Courts have passed different orders. The Supreme Court is passing some orders. The Government is not coming out with any clear statement. They have by-passed this House—I would say, by neglecting this House—by not making any statement. I would say, practically, they have forgotten the existence of this House and they have taken us for granted. They can make a statement there. They have thrown to the winds the established precedents and rules and regulations. On all important matters a statement is to be made simultaneously in both the Houses. If one Minister is engaged there, the other Minister must be here.

THE DEPUTY CHAIRMAN: I know that.

SHRI SOMAPPA R. BOMMAI: On such an important matter the entire democratic pro-

cess has been brought to a halt and the entire country is discussing it It is not .. (Interruptions)

THE DEPUTY CHAIRMAN: You are moving a motion of breach of privilege.'

SHRI SOMAPPA R. BOMMAI : This is the privilege of the House, not of an individual. (Interruptions) You have to protect us. The Government has treated this House with callousness. It is a dereliction of the Government in its duty and I must say it is a callous government. (Interruptions)

THE DEPUTY CHAIRMAN: Just a minute. ... (Interruptions) ... Just a second. As far as the motion for breach of privilege is concerned, I have received it. I will convey it to the Chairman and it is for the Chairman to accept it or reject it. and whatever decision he takes, the House will be informed. The Minister of Parliamentary Affairs wants to say.. . (Interruptions) ...

SHRI V. GOPALSAMY (Tamil Nadu): Let the Minister respond to it.

श्रीपक्ष के नेता (श्री सिकन्दर बख्श) : सदन सत्रिका, कल लोक सभा में स्टेटमेंट हो गया है इस मामले के मुताबिक और यहां कोई कुछ कहने वाला ही नहीं है ?
... (इसबयान) ...

شری سیکندر بخت: صدر صاحبہ
کل لوگ سبھ میں اسٹیٹ منٹ ہو گیا ہے
اس مسئلہ کے متعلق اور یہاں کوئی کچھ کہنے
والا نہیں ہے۔۔۔ "مداخلت"۔۔۔

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS WITH ADDITIONAL CHARGE OF THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI MARGARET ALVA): Will you please listen so that I can answer what he has said 7

(Interruptions)

उपस्थिति : वह बता रही हैं। मिसेज़ अलवा बता रही हैं।

Mrs. Alva is going to tell you.

(Interruptions) ...

† [] Transliteration in Arabic script.

SHRIMATI MARGARET ALVA: Please show me the courtesy so that I can atleast respond to what you have suggested. . . (Interruptions) ...

AN HON. MEMBER : She is a Member of our House.

THE DEPUTYCHAIRMAN : She is telling this. That is why she is explaining it.

SHRIMATI MARGARET ALVA: Madam. I would like to clarify because my name has been specifically mentioned by the hon. leader of the Janata Dal.

THE DEPUTY CHAIRMAN : Even otherwise, you are Parliamentary Affairs Minister.

SHRIMATI MARGARET ALVA: Madam, the point is. it was said in the House that Mr. Shukla. Minister for Parliamentary Affairs was making a statement at 5 O'clock in the other House. (Interruptions) Aid at that time I stood up and said. "I am not aware of any statement being made by the Minister for Parliamentary Affairs." I was told that it was already on the ticker. ... (Interruptions)... One minute. I was told that it was already on the ticker and he was making a statement. By the time we could check up, it was pointed out that he had only announced that the Minister of Law would make a statement in the evening. Even that was delayed and in fact, Mr. Bhardwaj was here at that time and he said that he was going to the other House to make a statement and was prepared to come back here but at that time we differed on whether we would like to sit late or not and the Members said ... (Interruption)

THE DEPUTY CHAIRMAN: Let her finish. Mr. Upendra, you had been Parliamentary Affairs Minister.

SHRI PROMOD MAHAJAN: Madam, why do you remind him .. (Interruptions) ...

SHRI V. GOPALSAMY: Mr. Shukla has never shown his face here. We have not at all seen him for days.

THE DEPUTY CHAIRMAN: Mr. Gopalsamy. please sit down.

SHRIMATI MARGARET ALVA: Madam ne offered that if the House was prepared to sit late ... (Interruption) We were prepared to make the statement if the House would sit late, that the Minister would comeback after making it in the Lok Sabha, but the Members said that

they were not prepared to sit late yesterday. And Bhardwaj has, therefore, come this morning with a statement to make it now. He is waiting. He has already given notice that he would like to make a statement which was made in the other House yesterday. ... (Interruptions) ... As regards the Attorney-General being called. Madam, it is for the Chairman to take a decision. ... (Interruptions) ...

THE DEPUTY CHAIRMAN: Order, please.

SHRIMATI MARGARET ALVA : As far as the calling of the Attorney-General is concerned, the Speaker gave the direction there. If (he) Chairman gives a direction that the Attorney-General should be summoned, he is bound to appear before the House.

SHRI V. GOPALSAMY: What happened to Mr. Shukla?

श्री विजयचंद्र अखत : सदर साहिबा, हमारा कहना है कि जरा पूरी तस्वीर पर नज़र डालिए। बोम्बई साइबल ने बड़ी तयारी के साथ तस्वीर रखी है। वृत्त: यह हो रहा है कि जो अब कुछ लोक सभा में हो रहा है, वह राज्य सभा में नहीं हो रहा है और वन रीज़न एंड अदर और श्रुति से लेकर, जब से यह सत्र शुरू हुआ है, यह क्रैफियत सुसलसल जारी है। कुछ तो अखितयारत है लोक सभा के, जो अखितयारत राज्य सभा के नहीं है। यह सबवेक्ट वहां कुछ ऐसे अखितयारत के जरिए से डिस्कस हो जाते हैं। उस किस्म के अखितयारत न होने की वजह से दूसरे रास्ते अखितयार करने की कोशिश की जाती है, तो उसको गवर्नमेंट लेने के लिए तैयार नहीं होती है। कुछ न कुछ ऐसा हो रहा है कि जो लोक सभा में हो रहा है, वह राज्य सभा में नहीं होना चाहिए। इसकी तरफ तवज़ो नहीं है सरकार की, हमारा यह कहना है।

مشری البکندر بخت: صدر صاحبہ
ہمارا کہنا ہے کہ ذرا پوری تصویر پر نظر
ڈالئے۔ بومی صاحب نے بڑی تفصیل کے
ساتھ تصویر رکھی ہے لطف یہ ہو رہا ہے کہ
جو سب کچھ لوک سبھ میں ہو رہا ہے وہ راجیہ
سبھ میں نہیں ہو رہا ہے۔ ”فار وں ریزن
اینڈ ادر“ اور شروع سے کر جب سے یہ ستر
شروع ہوا ہے یہ کیفیت مسلسل جاری ہے

کچھ تو اختیارات ہیں لوک سبھ کے جو اختیارات
راجیہ سبھ کے نہیں ہیں وہ سبکیٹ ویاں
کچھ ایسے اختیارات کے ذریعہ سے ڈسکس
ہو جاتے ہیں۔ اس قسم کے اختیارات نہ ہونے
کی وجہ سے دوسرے راستے اختیار کرنے
کی کوشش کی جاتی ہے تو اس کو گورنمنٹ
لینے کے لئے تیار نہیں ہوتی ہے۔ کچھ نہ کچھ
ایسا ہو رہا ہے کہ جو لوک سبھ میں ہو رہا ہے
وہ راجیہ سبھ میں نہیں ہونا چاہیے اس کی
طرف توجہ نہیں ہے سرکار کی۔ ہمارا یہ کہنا ہے

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, I thought the Minister should apologise. Instead of apologising, the hon. Madam Minister was defending his position. I thought it was a second chamber but I never thought it is going to be a second fiddle. Madam, we have been dishonoured repeatedly by the Government. I suggest we should never listen to the statement that was made yesterday. We will read the statement in the newspapers. At least there should be a note of protest. ... (Interruptions) ... At least there should be a note of protest from this august House to the anarchy in which they are running this House. We shall not listen to the statement. We shall lead the statement tomorrow in the newspapers. ... (Interruptions) ...

SHRI V. GOPALSAMY: We will not allow the Minister. ... (Interruptions) ... They are treating this House in a cavalier manner. They treat us as a second-rate chamber. ... (Interruptions) ...

THE DEPUTY CHAIRMAN: You have given a notice for breach of privilege for this. That is true. We should satisfy you.... (Interruptions) ...

SHRI M. A. BABY (Kerala): Madam, we expect you to protect the dignity of the House. ... (Interruptions) ...

SHRI S. MUTHU MANI (Tamil Nadu): The Central Government considers this House as inferior ... (Interruptions) ...

THE DEPUTY CHAIRMAN: Now, will you please respond to me ? ... (Interruptions) ...

SHRI V. GOPALSAMY: Madam, you are our custodian and you can give a direction to the Government ... (Interruptions) ...

SHRI G. G. SWELL (Meghalaya): Bring a Bill to do away with the Rajya Sabha. Please do it... (Interruptions) ...

THE DEPUTY CHAIRMAN: Please take your seat ... (Interruptions) ...

SHRI G. G. SWELL : Do it! Do away with the House ... (Interruptions) ...

SHRI VISHVJIT P. SINGH (Maharashtra): Medical assistance is needed for the hon. Member... (Interruptions) ...

MISS SAROJ KHAPARDE (Maharashtra): What is this ? ... (Interruptions) ...

SHRI G. G. SWELL: Do it! ... (Interruptions) ...

MISS SAROJ KHAPARDE: We are ashamed of him ... (Interruptions) ...

THE DEPUTY CHAIRMAN : Please take your seat ... (Interruptions) ... Now you have made your points. You have also given, some Members have given a notice of breach of privilege. As I announced before, this decision to accept it or reject it is in the hands of the Chairman. As far as the House is concerned we have seen that it was not sitting. Till 5 O'clock only we were sitting ... (Interruptions) ...

श्री मोहम्मद ख़ागीज़ुर रहमान : (अवधान)
यह कौन सी बात हुई । (अवधान) यह कहा नहीं
गया । (अवधान)

شری محمد خلیل الرحمن : ... مداخلت ...
یہ کون سی بات ہوئی ... مداخلت ...
یہ کہا نہیں گیا ... مداخلت ...

उपसभापति : यह कौन सी तमीज़ है, यह कौन से तमीज़ की बात आप कर रहे हैं। अगर मैं चेयर से बोल रही हूँ तो आप धीरे साध सवाल-जवाब करते हैं। यह कोई तमीज़ की बात है। (अवधान) आप बहुत अच्छी मिसाल राज्य

† [] Transliteration in Arabic script.

सभा में कायम कर रहे हैं क्या ? हम राज्य सभा के डिगनिटी की बात कर रहे हैं, हम राज्य सभा के इम्पोर्टेन्स की बात कर रहे हैं, मैं आपके साथ कोअपरेट कर रही हूँ। आप जरा धुप रह कर सुनिए न। हर चीज़ में झगड़ा करने से काम नहीं निकलता है। सवाल यह है कि मंत्री जी ने अपना दृष्टिकोण बताया कि यह प्रेक्चम हुई थी। (अवधान)

She said that her problem was that the House was not sitting. In our House I made the Minister lay two statements—the Minister for Law and Justice, Mr. Bhardwaj and Mr. Tytler. I made them lay the statements the same day they had laid it in the other House. Now in our House we always have clarifications. Now if the House wants to sit for the clarifications there is no problem. We can have it today because I have a letter from Mr. Bhardwaj for making a statement. I would only like to make a point to Mr. Bhardwaj. It is not necessary for you to first make a statement in the Lok Sabha and then come over here. You can come Over here first, make a statement like any of the legislations ... (Interruptions) ... Please one minute ... (Interruptions) ... like any other legislations which can originate in Rajya Sabha or Lok Sabha, similarly. But the problem was that we were sitting till 5 O'clock. In future please take care. You are a Member of this House. Mrs. Alva is a Member of this House. If you don't respect your own House who are we going to ask to respect it ? ... (Interruptions) ...

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : Madam, may I just make a submission ... (Interruptions) ... Madam, will you give me one minute to explain? I have the highest regard for this House and all hon. Members of this House. I had the privilege to remain a Member for a sufficiently long time now. I have tremendous respect and I want that the dignity and decorum of this House should be maintained. But on these two occasions I have nothing to explain because the decision to make a statement there itself was taken at 5.30. This House had never wanted me to make a statement. After the decision I made the statement and rushed. But by then the House had been adjourned. I did not know that the House was adjourned. Kindly, please do allow me to lay it on the Table of the House. I have been sitting here ... (Interruptions) ...

THE DEPUTY CHAIRMAN: I know. I have got your letter.

SHRI H. R. BHARDWAJ : I have noted. So far as I am concerned, I am a Member of this House and I will see that whenever a statement is made I would first like to come to you rather than go to the other House. My prestige is also involved. I have been a Member here. I am interested to make a statement here ... *(Interruptions)* ...

SHRI VIZOL (Nagaland): Madam ...

THE DEPUTY CHAIRMAN: Let me make one more announcement. Today we have a Calling Attention ... *(Interruptions)* ... Mr. Gopalsamy, is it possible for you to sometimes keep quiet ? The problem is that today we have a Calling Attention and we have less than 45 minutes left. How are we going to finish it ? This is my worry. If some Members withdraw their names and just a few people speak, we can finish it now ... *(Interruptions)* ...

SHRI N. E. BALARAM (Kerala): Madam, Mr. Vizol has got up several times ... *(Interruptions)* ...

SHRI G. G. SWELL: He is a very quiet man.

THE DEPUTY CHAIRMAN : I know: he is in the front. In the meanwhile, if the House agrees and those people who have given the notice of the Calling Attention want to defer it to another day. I have no objection. It is for the House to decide. The Minister of State for Law is here. His statement is with me. And I would rather fee! that we drop the Calling Attention. ... *(Interruptions)* ...

SHRI VIZOL: You have permitted me and the House has also permitted me ... *(Interruptions)* ...

THE DEPUTY CHAIRMAN : Let us hear him. He has got some major problem.

RE ALLEGED RANSACKING OF THE HOUSE OF A CABINET MINISTER OF MANIPUR STATE BY PERSONNEL OF ASSAM REGIMENT

SHRI VIZOL (Nagaland): Madam, here is a statement made by a Cabinet Minister of the Manipur State on 27th July, 1993. About ten days have elapsed. The statement reads : "My residential quarter located at Lamphelpat was raided by personnel of 15 Assam Regiment in the early hours of 27-7-1993 at about 2.30 a. m.

The raiding party was led by the Commandment Col. L. S. Rana, accompanied by the S. P., Imphal and Shri N. Shyamananda Singh, the ISP. The entire operation lasted about three hours, till 5.30 a. m. As soon as I opened the door, two personnel of Assam Regiment accosted me at gun point, while others numbering about 20 started ransacking the entire house. No female constable was in the team. And the security forces invaded the privacy of my bedroom where my wife and my youngest son were sleeping. Everything inside the house was turned upside down. In the meantime, the CO. started charging me in the most unpalatable language and threatened me that he could shoot me down in front of my wife and son. He also pointed out that he had information that I was the one who planned the ambush upon the Assam Regiment by the NSCN near Sita, which took place on 29-6-93 and that I should return the weapons seized by the NSCN there...

THE DEPUTY CHAIRMAN: Mr Vizol, what is it that you are reading ? *(Interruptions)*

SHRI V. GOPALSAMY (Tamil Nadu): It is very serious.

THE DEPUTY CHAIRMAN: You don't get up. I am asking him. Are you Mr. Vizol ? He is capable to answer me. You please take your seat. Let me ask him. I have a right to ask a Member and he has a right to answer me ... *(Interruptions)*

SHRI VIZOL: I will lay it on the Table of the House ... *(Interruptions)*

THE DEPUTY CHAIRMAN : Please, let him finish.

SHRI VIZOL : "The entire operation lasted about three hours and no incriminating evidence was found in the premises of my quarters. During the entire process no reasons or explanations were made available to me by anyone including the S.P., Imphal, as to why my residential quarter was raided. After some period of time, eight of them were released but the ninth person, namely, Mr. Miphul of Tuisimi village near Palel is yet to be released and so far I have no knowledge of his whereabouts. I was informed that the Assam Regiment have blindfolded him and taken him away. It may be mentioned here that Mr. M. S. Miphul is a former member of the Chandel District Council and presently the President of the Mating Tribe. He has been associating himself with the various peace committees and