

Report and Accounts (1990-91) of the Narmada Control Authority and related papers

THE DEPUTY MINISTER IN THE MINISTRY OF WELFARE (SHRIMATI K. KAMLA KUMARI): Madam, on behalf of SHRI VIDYACHARAN SHUKLA): I lay on the Table a copy each (in English and Hindi) of the following papers:—

(i) Annual Report and Accounts of the Narmada Control Authority, for the year 1990-91 together with the Audit Report on the Accounts.

(ii) Statement giving reasons for the delay in laying the papers mentioned at (i) above.

[Placed in Library. See No. LT-2499/92].

Notification of the Border Roads Development Board and related papers

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM NATURAL GAS WITH ADDITIONAL CHARGE OF MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI S. KRISHNA KUMAR): Madam, I lay on the Table a copy (in English and Hindi) of the Border Development Board, Notification G.S.R. No. 214, dated the 9th May, 1992, publishing this General Central Services, Group 'B' posts (Amendment. Rules, 1992, together with a statement giving reasons for the delay in laying the notification. [Placed in Library. See No. LT-2472/92].

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE

SHRI R. K. DHA WAN: (Andhra Pradesh): I lay on the Table a copy (in English and Hindi) of the Thirty-first Re-

port of the Public Accounts Committee on Slum clearance and improvement of slums and economically weaker sections housing programme.

RE. DEMAND FOR DISCUSSION ON TENTH SCHEDULE OF CONSTITUTIONS

THE DEPUTY CHAIRMAN: Special Mentions...

श्री मोहम्मद अफजल उर्फ मौम अफजल (उत्तर प्रदेश): मैडम, जिस तरह से पालियामेंट के मेम्बरों की खरीद फरोख्त हो रही है, जिस तरह से अखबारों में छप रहा है, उस के संबंध में यशवंत सिन्हा जी ने प्रिविलेज का नोटिस दिया था ... (व्यवधान)

श्री محمد افضل عرف م۔ افضل :
میدم جس طرح سے پارلیمنٹ کے ممبروں
کی خرید و فروخت ہو رہی ہے جس طرح
سے اخباروں میں چھپ رہا ہے اس کے
سمندر میں یسٹونٹ سنہا جی نے پریکس
کا نوٹس دیا تھا۔۔۔ "مداخلت"۔

SHRI B. K. HARIPRASAD (Karnataka): Madam, I have to raise an important matter. I would like to draw the attention of the Home Minister .. (Interruptions)

उपसभापति : यशवंत सिन्हा जी को पृष्ठने दीजिए ... (व्यवधान)

श्री मोहम्मद अफजल उर्फ मौम अफजल :
मैडम; एक तरफ प्राइम मिनिस्टर कहते हैं कि तीन साल तक कोई मुद्दा न उठाया जाए मैडम, रूलिंग पार्टी ... (व्यवधान)

†[] Transliteration in Arabic Script.

*Not recorded.

بین سال تک کوئی مداخلت نہیں مٹایا جائے
میڈم رولنگ پارٹ

... مداخلت ...

شری محمد افضل عرف م۔ افضل :
میڈم ایک طرف پر اسٹم منسٹر کہتے ہیں کہ

उपसभापति : यह दूसरे हाउस का
मामला है ...

I am not permitting.. (Interruptions) ..
I am not permitting.

श्री मोहम्मद अफजल उर्फ मौम अफजल :
अगर पार्लियामेन्टी डेमोक्रेसी को नुकसान
पहुंचेगा तो इस हाउस को भी पहुंचेगा ।
कुछ दिनों के बाद हमारे हाउस के मمبرान
को भी खरीदने की कोशिश की जाएगी ।

شری محمد افضل عرف م۔ افضل، اگر
پارلیمنٹری ڈیموکریسی کو نقصان پہنچے گا
تو اس ہاؤس کو بھی پہنچے گا۔ کچھ دنوں کے
بعد ہمارے ہاؤس کے ممبران کو بھی خریدنے
کی کوشش کی جائے گی۔ ... مداخلت ...

THE DEPUTY CHAIRMAN: I am
not permitting. Please take your seat...
(Interruptions)...! will allow Mr.
Yashwant Sinha to ask about this. . . (In-
terruptions) ... I am not permitting..
(interruptions)... I am not permitting.
I am not permitting. Please sit down.
Yashwant Sinha.

SHRI MENTAY PADMANABHAM
(Andhra Pradesh); Madam, this a very
serious matter.

*Not recorded.

†"] Transliteration in Arabic script.

SHRI YASHWANT SINHA (Biha
She has identified me. (interruptions)...

SHRI MENTAY FADMANABHA
This is a very serious matter. This
vernment is engineering defections in
the parties. We are not discussing
.. (interruptions) ... We are discuss
only the conduct of the Government.

THE DEPUTY CHAIRMAN:
down. Take your seat. ... (interruption
.. Please take your seat. Please take
your seat. ... (interruptions) ... I m
say that a matter of the other How
I will not permit to be raised in
House. . . . (interruptions)... I am]
permitting.

SHRI MENTAY PADMANABHAI
Madam, we are not arising the mat
of other House. We are raising
conduct of this Government. ... (int
ruptions)... This House has the rig
to discuss the conduct of the Gover
ment. ... (interruptions) ...

SHRIMATI RENUKA CHOWDH
RY: Madam, we are not discussing
matter of the other House. ... (intern
tions)...

SHRI MENTAY PADMANABHAI
We are not raising the matter of 13
other House. . . . (interruptions)...
are discussing the democratic proce
the parliamentary system of the Gover
ment which. . . (interruptions) ...

SHRI YASHWANT SINHA: Madam
it is a very serious matter. ... (interruptions)... A serious matter involving to
eithics of public life has been raised.
is a question of the ethics of public lif
That is the question which has be
raised. . . . (interruptions)... And, M
dam Deputy Chairman, I gave you
notice of privilege.... because I felt the
one of our hon. Members' privilege we
breached by the allegation. I would like
to know from you—many days have pa
sed—what is the fate of that notice
privilege that Mr. Dayanand Sahay an
I had given. ... (interruptions)...

SHRI V. NARAYANASAMY (Pondicherry): Madam... (interruptions)...

THE DEPUTY CHAIRMAN: Please... (interruptions)... Just a minute... (interruptions)...

SHRI V. NARAYANASAMY-.*
... (interruptions) ...

THE DEPUTY CHAIRMAN: Mr. Narayanasamy, no, I am not permitting... (interruptions)...

SHRI S. JAIPAL REDDY (Andhra Pradesh): Madam... (interruptions)...

THE DEPUTY CHAIRMAN: Let me answer Mr. Yashwant Sinha's query... (Interruptions)... I have to answer his query because he has given a notice of privilege. He has given a notice of privilege and we have given it to the Secretariat to make enquiries. Whatever the normal procedure is we will follow it. We write to the Member against whom the privilege is or the person against whom the privilege is and whatever is the answer that comes we will take note of it... (interruptions)...

SHRI S. JAIPAL REDDY: Madam, I wish to draw your attention to another aspect... (interruptions) ...

THE DEPUTY CHAIRMAN: What another aspect?... (interruptions) ...

श्री जलधाम सिंह (बिहार) :
महोदया, अगर टाइम लग जाए और बीच में खरोब-बिक्री हो जाए तो हम लोग क्या करेंगे ... (व्यवधान)

THE DEPUTY CHAIRMAN: If two people speak together I cannot hear... (Interruptions).

SHRI S. JAIPAL REDDY: Madam, in the past, in this House when a Member of our party, Mr. Chimanbhai Mehta Was expelled by our party you were good enough to declare him as "without party affiliations", when Mr. V. P. Singh was expelled from the Congress (I) he was declared an unattached Member... (interruptions)... Let me formu-

*Not recorded.

late my submission. Mr. Pranab Mukherjee was expelled from the Congress (I) and he was declared an unattached Member. Mr. Upendra has been declared an unattached Member following expulsion from the TDP. Now the ruling given by the Speaker of the Lok Sabha _____ (Interruptions)...

THE DEPUTY CHAIRMAN: You cannot discuss the Lok Sabha Speaker... (interruptions)...

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Madam, how can he discuss the other House... (interruptions) ...

SHRI V. NARAYANASAMY: Madam, he cannot discuss... (interruptions) ...

THE DEPUTY CHAIRMAN: I can handle it. I am still in the Chair... (interruptions) ... Please, I am still in the Chair. I know how to handle it... (interruptions) ... I will remind the Member... (interruptions) ..

SHRI S. JAIPAL REDDY: I will "withdraw my reference... (interruptions)

THE DEPUTY CHAIRMAN: Please, withdraw your reference to the hon. Speaker. We do not discuss anything of the other House. I gave my ruling... (interruptions)...

SHRI S. JAIPAL REDDY: Madam, in defence to your advice I withdraw my reference to a certain ruling. Now the question arises in the new context whether the powers of a political party have been, decreased or increased after the Tenth Schedule. The procedure for expatriation of (Members!... • (interruptions)...

SHRIMATI JAYANTHI NATARAJAN: How does it arise here? How can he raise it?

SHRI MOHAMMED AFZAL alias MEEM AFZAL: It will arise... (interruptions)...

THE DEPUTY CHAIRMAN: Ms. Natarajan, I am quite aware of the situation. . . (interruptions) . . . Let me handle it. Just a minute. First let me hear him and then I will give my ruling. Let me hear him. .. (interruptions) .. I will give my ruling. Please. . . (interruptions) ... I will give my ruling. .. (interruptions) ...

SHRIMATI JAYANTHI NATARAJAN: If he has a right to raise it, I too have a right to bring something... (interruptions) ...

THE DEPUTY CHAIRMAN: You can bring something if you like. You can take my permission and I will permit you. But let me handle it myself. Please. . . (interruptions) . . .

SHRIMATI JAYANTHI NATARAJAN: Madam, is anybody preventing you from handing it yourself?... (interruption) ...

THE DEPUTY CHAIRMAN: Yes, you are saying, 'how are you allowing it?' I am within my right to allow him and I am within my right to allow you also. So I will allow you. But let him finish. Then I will allow you. . . (interruptions) ...

SHRIMATI JAYANTHI NATARAJAN: That is why I am asking. If he finishes how can I arise my point of order? ... (interruptions) ..

SHRI MOHAMMED AFZAL alias MEEM AFZAL: The Prime Minister is (interruptions) ...

THE DEPUTY CHAIRMAN: No, please do not take any names. Mr. Afzal, I am warning you. Please do not bring the Prime Minister into it. I will not permit it. I am not allowing it. . . (interruptions) ...

SHRI MENTAY PADMANABHAM:*

THE DEPUTY CHAIRMAN: Nothing will go on record. . . (Interruptions). . . I am not allowing any reference to the Prime Minister. . . (Interruptions) I am

* Not recorded.

not permitting it. . . (Interruptions) Will you please sit down, Mr. Narayanasamy? (Interruptions) Will you please take your seat? (Interruptions) Please take your seat. .. (Interruptions)

SHRIMATI JAYANTHI NATARAJAN: I was on a point of order

THE DEPUTY CHAIRMAN: You didn't get up on a point of order. You just got up. you had said that you were getting up on a point of order, I would have listened to you. (Interruptions) You did not. I can hear everything. I have never disallowed your point of order. If you had got up on a point of order, I would have allowed you... (Interruptions) You didn't. No. You asked as to how I was allowing him. I can see the record and I know it very well. I know my job. You asked, "How are you allowing?" ... (Interruptions) Please, I would be thankful if everybody is quiet. Please, let me handle the situation. Mrs. Jayanthi Natarajan asked, how I was allowing. I am in my right to allow him. I am also in my right to give my railing. I am in my right to allow you also if you want to raise anything. When you ask for it, I will give you the permission. I am not denying you the right. But let your turn come. . . (Interruptions)

SHRI V. NARAYANASAMY: I have a bit of advice of Mr. Jaipal Reddy.

THE DEPUTY CHAIRMAN: Please, just a minute. .. (Interruptions)

SHRI V. NARAYANASAMY: *

THE DEPUTY CHAIRMAN: Mr. V. P. Singh is not a Member of this House, nor the Speaker. I am not permitting . . . (Interruptions) Please, let me be heard. I am not permitting anything about any Member of the other House, mention of any Member of the other House. Anything happening in the other House is not a question to be discussed here. So I am not permitting it.

SHRI P. SHIV SHANKER (Gujarat): I am on a point of order.

SHRI S. JAIPAL REDDY: I have not completed my submission.

THE DEPUTY CHAIRMAN: He is on a point of order.

SHRI P. SHIV SHANKER: Madam, you in your wisdom have been pleased to allow a matter of being raised.....

THE DEPUTY CHAIRMAN: I did not allow in *pay* wisdom. He just got up. My wisdom is not so poor... (*Interruptions*) Unless and until I hear, I cannot say that you cannot speak as if I am a dictator that I don't allow anybody. I should listen and then say 'no'. That is how I am allowing you.

SHRI P. SHIV SHANKER: I am only trying to suggest... (*Interruptions*)

THE DEPUTY CHAIRMAN: Let me hear Shiv Shankerji.

SHRI P. SHIV SHANKER: There is a very thin edge. The matter has necessarily a reference to the ruling that has been rendered in the other House.

THE DEPUTY CHAIRMAN: I have not permitted it.

SHRI P. SHIV SHANKER: That is why I say that it is a razor's edge on which we are walking. I would not like to go into the merits of it. But could one make wild allegations against the Prime Minister?

THE DEPUTY CHAIRMAN: I said, 'No allegation.'

SHRI P. SHIV SHANKER: His son who is not a Member...

THE DEPUTY CHAIRMAN: I said, 'No allegations.' That ruling also I have given.

SHRI P. SHIV SHANKER: That is what I am saying.

THE DEPUTY CHAIRMAN: No allegation and no mention.. (*Interruptions*)

SHRI MENTAY PADMANABHAM: X didn't make any allegation. I only referred to certain things.

THE DEPUTY CHAIRMAN: I am not permitting. . . (*Interruptions*) No, I am not permitting it, please.

SHRI S. JAIPAL REDDY: Let me complete my submission in one minute.

THE DEPUTY CHAIRMAN: Please let me refer to Shiv Shankerji and clarify myself. I have made it very clear before.

Anything concerning the other House, any Member concerning the other House, any ruling pertaining to the other House, we are not referring to it in this House and any mention, any allegation, made against either any Member who cannot defend himself or herself here or any allegation against the Prime Minister, I am not allowing it. . . (*Interruptions*)

SHRIMATI RENUKA CHOWDHURY: We are raising a matter which concerns the Tenth Schedule of the Constitution. Do we have a right to discuss it or not?

THE DEPUTY CHAIRMAN: I am not allowing it because he is not a Member of this House . . . (*Interruptions*)

SHRI V. NARAYANASAMY: Mr. V. P. Singh is the Leader of that Party . . . (*Interruptions*)

THE DEPUTY CHAIRMAN: I am not allowing the Prime Minister. . . (*Interruptions*)

SHRI V. NARAYANASAMY: For the split in the Janata Dal, your leader, Mr. V. P. Singh is responsible. Kindly discipline him... (*Interruptions*)

SHRI S. JAIPAL REDDY: Madam, I have so far referred to ... (*interruptions*) ...

THE DEPUTY CHAIRMAN: If any Member refers to the name of a Lok Sabha Member or any reference to the Tenth Schedule, I am not permitting. Up till now, the names of Rajya Sabha Members have been taken. One Member of Rajya Sabha from Shiv Sena, one

[The Deputy Chairman]
Member from Janata Dal and one Member from the Congress-I are being taken. Up to that point, I will allow. Beyond that, I am not allowing. .. (interruptions)...

SHRI YASHWANT SINHA: From the treasury benches, a point has been made that if somebody opts for sale, they are prepared to buy.. (interruptions')...

THE DEPUTY CHAIRMAN: We have got very heavy business.. (Interruptions)... What is the issue before us? I don't understand this. Please.. (Interruptions) ...

SHRI DIPEN GHOSH (West Bengal): [Madam, it is not a question of taking any action against any Member. The issue is about the application of anti-defection law.

SHRI S. JAIPAL REDDY: Madam, I have drawn your attention to the healthy and historic precedents set up by the two former celebrated Chairmen of this House and also by your hon. self. Today these precedents are being questioned by the rulings given elsewhere. .. (Interruptions) ... Therefore, a cloud is now hanging over the validity, over the utility of the Tenth Schedule. We would like to know if this anti-defection law has since been converted into a pro-defection law.

SHRI DIPEN GHOSH: I want to make a submission.. (Interruptions) ...

श्री सुरेश पचौरी : मध्य प्रदेश महोदय, एक बहुत ही मनिवीय पहल है. . . (व्यवधान) ।

THE DEPUTY CHAIRMAN: Just a minute, please. There was no discussion in this House. Mr. Jaipal Reddy, you have just raised the issue. There is no discussion about or change in the anti-defection law at least in my knowledge at the moment. I cannot give any ruling as to what is going to be in future. So, that matter is closed for me. Now we will take up Special Mentions.. (interruptions) ...

SHRI JOHN F. FERNANDES (Goa): Madam, I am on a point of order... (interruptions)...

THE DEPUTY CHAIRMAN: Jayanthi Natarajan wants to say something. . . (interruptions).. . On the same subject? .. (interruptions)... I am not allowing any mention of any ruling in the other House. I will look at the ruling and... (interruptions)...

SHRI DIPEN GHOSH: 'I am not referring to any record... (interruptions)

THE DEPUTY CHAIRMAN: Even any mention, very slightly, very far off, made to any ruling in the other House is not going to be recorded. That I can assure the House.

SHRI DIPEN GHOSH: The question is anti-defection law was passed by this House also to restore morality in politics and to prevent money-power playing any role (interruptions). . . That anti-defection law has now come under attack... (interruptions) . . . That anti-defection law has come under attack because of the contradictory ruling given by various presiding officers. Therefore, a situation has arisen which demands a look at the anti-defection law and there should be a full-fledged discussion on this aspect so that moneypower cannot play any role in corroding the morality of the parliamentary democratic system. That is the question.

THE DEPUTY CHAIRMAN: Mr. Dipen Ghosh, I hear you... (interruptions) ...

SHRI DIPEN GHOSH: I don't want action on this Member or on that Member. . . (interruptions) ...

THE DEPUTY CHAIRMAN: Mr. (Dipen Ghosh, I hear you and I tell you that there is no discussion on the anti-defection law under the Tenth Schedule before the House.

SHRI DIPEN GHOSH: Now a situation has arisen whereby the . anti-defection law itself has come under attack for the contradictory rulings given by various presiding officers. .. (interruptions) ..."

THE DEPUTY CHAIRMAN: If the Government bring up a discussion, we will find time and discuss it. Okay... *(Interruptions)* ... That is over. That matter is closed... *(interruptions)*... That matter is closed... *(interruptions)*..

SHRI GURUDAS DAS GUPTA (West Bengal): I want just a minute... *(interruptions)* ...

THE DEPUTY CHAIRMAN: On this matter, I am not allowing any discussion.

SHRI GURUDAS DAS GUPTA: Madam, my point is that the political environment in the country, on which the stability of the nation and political power depend very much, that political environment is sought to be corroded, is sought to be polluted, by the behaviour of the representative of the political party which is in power in the country today

Madam, my point is not whether the anti-defection law is properly working or not. I do not... *(Interruptions)* ... refer to it. I am not referring to it... *(Interruptions)* ... I do not refer to any ruling... *(Interruptions)*..

THE DEPUTY CHAIRMAN: Please refer to my ruling... *(Interruptions)*...

SHRI GURUDAS DAS GUPTA: I do not refer to it... *(Interruptions)*...

THE DEPUTY CHAIRMAN: You do. I want you to refer to it because I said that there was no discussion on that... *(Interruptions)*...

SHRI GURUDAS DAS GUPTA: Madam, I express my deep concern at the way in which India's ruling political party is behaving towards its opponents as a result of which the political environment is seriously polluted. With this, Madam... *(Interruptions)*... no fraud, no scandal, no blackmail, no use of black money, can be prevented. That is my concern, Madam... *(Interruptions)* ■..

SHRI S. JAIPAL REDDY: Madam, I suggest... *(Interruptions)* ... that the

anti-defection Act be taken up immediately for discussion because it is under a track by the power of money... *(Interruptions)* .. The purpose of the anti-defection law is being defeated. Therefore, I suggest, madam... *(Interruptions)*... and I plead that the discussion on the anti-defection law be taken up immediately... *(Interruptions)*...

THE DEPUTY CHAIRMAN; You know, Mr. Jaipal Reddy, that is not under discussion now... *(Interruptions)*...

SHRI S. JAIPAL REDDY; I want it to be taken up immediately... *(Interruptions)*... Madam, this misconduct of the Congress Party... *(Interruptions)*.. the attempt of the Congress Party to use money to induce people to defect should be discussed... *(Interruptions)*.. •

THE DEPUTY CHAIRMAN; Mr. Jaipal Reddy, I said, at the moment there is no discussion on it, that is not under discussion. Yes, Mr. Mathur... *(Interruptions)*...

SHRI S. JAIPAL REDDY; Madam, I request you... *(Interruptions)*... I request the House, to take it up immediately. . . *(Interruptions)* ... Madam, I appeal to the House to agree to the discussion... *(Interruptions)*... and I ask them to reply to the allegation that the Congress (I) Party is using big money to buy Members of Parliament... *(Interruptions)*...

THE DEPUTY CHAIRMAN; No, please... *(Interruptions)* Yes, Mr. Mathur... *(Interruptions)*...

SHRI S. JAIPAL REDDY; The Congress Party has been using its money power to induce* defections... *(Interruptions)*..

THE DEPUTY CHAIRMAN; No, please... *(Interruptions)*... I am not allowing this any more... *(Interruptions)* ...

SHRI S. JAIPAL REDDY; No, no... *(Interruptions)*...

THE DEPUTY CHAIRMAN; I am not- allowing anything... *(Interruptions)* .. I am not allowing any allegation without substantiation... *(Interruptions)*... I am not allowing any allegation without proof... *(Interruptions)* ..

THE LEADER OF THE HOUSE (SHRI S. B. CHAVAN); Madam, I am strongly refuting the allegation made by my honourable friend, Shri Jaipal Reddy .. • *(Interruptions)*...

SHRI MENTAY PADMANABHAM; Are you prepared for a discussion on the anti-defection Jaw?... *(Interruptions)*...

SHRI S. JAIPAL REDDY; You agree to a discussion... *(Interruptions)*...

SHRI MENTAY PADMANABHAM; Will the Government agree to a discussion on the anti-defection law?... *(Interruptions)* ...

SHRI S. JAIPAL REDDY; Madam, you agree to a discussion on how the "Tenth Schedule of the Constitution has been totally nullified.. *(Interruptions)*... It has been reduced to a piece of paper and it is being thrown into the dustbin.. *(Interruptions)*... Therefore, a party of the Constitution has been totally nullified... *(Interruptions)*...

SHRI MOHAMMED AFZAL alias MEEM AFZAL; Madam, will the Leader of the House agree to a discussion in the House... *(Interruptions)*...

THE DEPUTY CHAIRMAN; Mr. Jaipal Reddy, आपने कहा कि... *(Interruptions)*... एक सैंकड बैठिये, एक सिंगल बैठिये... *(व्यवधान)*

SHRI V. NARAYANASAMY; What were they doing, Madam, in Goa and Mizoram?..... *(Interruptions)*...

THE DEPUTY CHAIRMAN; Mr. Narayanasamy, please... *(Interruptions)*... You know, Mr. Jaipal Reddy, how we discuss. The Members may demand. But the discussion takes place when the Government brings forward a legislation... *(Interruptions)*... I am just trying to bring to the notice of the House how

things proceed. You know it very well. If the Government brings forward any Bill or any legislation for discussion then we discuss it, finding the time... *(Interruptions)*... We have only four days left and I do not think we have got time to discuss it... *(Interruptions)*...

SHRI YASHWANT SINHA; Madam, may I enlighten you and the House on this? The Leader of the House is also here. He is aware and you are also aware that there was, some months ago, an all-party meeting in which... *(Interruptions)*... the possible amendments to the anti-defection Act were discussed and the Government also promised that it would bring forward a legislation regarding the amendments to the anti-defection Act. So far, months and months have passed by, but the Government has kept quiet. No such legislation has been brought forward before Parliament. Now, should not the Home Minister and the Leader of the House react to this and tell us about this? There has been a demand from various sections of the House that we should have a discussion on the anti-defection Act. Even Mr. Upendra has made that demand... *(Interruptions)*... Even Mr. Upendra has made a demand that there should be a discussion on this... *(Interruptions)*...

SHRI P. UPENDRA (Audhra Pradesh); Yes. Let us have a discussions... *(Interruptions)*..

SHRI YASHWANT SINHA; Then, why is the Government shying away from a discussion on the anti-defection Act? Is there something in their cupboard that they want to hide?

SHRI DIPEN GHOSH; The purpose for which the anti-defection law was enacted is defeated by manipulation. So, it is the responsibility of the House to discuss it:

श्री सिकन्दर बल्लभ (मध्य प्रदेश) : मुझे कुछ गलतफहमी लगती है कि डिसक्शन का सिलसिला सिर्फ लीडर आफ दी हाउस या गवर्नमेंट की तरफ से आ सकता है। डिसक्शन का मुताबिक अपोजिशन की तरफ से भी आ सकता है (व्यवधान)

شری سکندر بخت : مجھے کچھ غلط فہمی
 لگتی ہے کہ ڈسکشن کا سلسلہ صرف لیڈر
 آف دی ہاؤس یا گورنمنٹ کی طرف سے آ
 سکتا ہے۔ ڈسکشن کا مطالبہ اپوزیشن کی
 طرف سے بھی آسکتا ہے۔... "مداخلت"...

उपसभापति: मैंने कहा न कि आ
 सकता है। (व्यवधान)

श्री सिकन्दर बख्त : भगवन् जो तरीका
 है, हम चाहते हैं कि उसके मुताबिक
 डिसकशन होना चाहिए। उस तरीके को
 बरत कर जो हमारे क्लज के मुताबिक
 हो, उस तरीके को बरतने के बाद हम
 भी मुताबिक कर सकते हैं कि यहाँ डिस-
 कशन होना चाहिए। (व्यवधान)

شری سکندر بخت : منکر جو طریقہ ہے ہم
 چاہتے ہیں اس کے مطابق ڈسکشن ہونا
 چاہیے۔ اس طریقہ کو برت کر جو ہمارے
 رولز کے مطابق ہو، اس طریقہ کو برتنے کے
 بعد ہم بھی مطالبہ کر سکتے ہیں کہ یہاں ڈسکشن
 ہونا چاہیے۔... "مداخلت"...

उपसभापति : सिकन्दर बख्त साहब,
 एक मिनट। (व्यवधान)

SHRI S. JAIPAL REDDY: The House
 in its wisdom can always take a decision
 to discuss any matter straightaway. The
 House is the master of its own proce-
 dure. The House can take a decision,
 the Leader of the House can respond,
 and we can have a discussion. It is a
 matter of urgent and paramount impor-
 tance. (Interruptions)

SHRI SOMAPPA R. BOMMAI
 (Orissa); Madam Deputy Chairman...
 (Interruptions)

†[]Transliteration in Arabic Script.

SHRI MENTAY PADMANABHAM;
 Madam, if the Government agrees, if the
 other parties in the House agree, we can
 straightaway take up that discussion.

THE DEPUTY CHAIRMAN; Now, we
 are going to have Special Mentions.

SHRI MENTAY PADMANABHAM:
 Madam, the Leader of the House should
 react to it. (Interruptions).

उपसभापति : आप कुछ कह रहे हैं
 मिस्टर बोमई ।

SHRI SOMAPPA R. BOMMAI; Ma-
 dam, the question is, the whole political
 atmosphere in the country... (Interrup-
 tions)

श्री सतुरानन मिश्र : अपोजीशन का
 डिफेंशन हो रहा है (व्यवधान) रूलिंग
 पार्टी का डिफेंशन ही हो रहा है ।

SHRI SOMAPPA R. BOMMAI; Death.
 blows are given to the working of the
 Parliamentary system and the party sys-
 tem. In the country, the whole atmos-
 phere has become vitiated. It requires the
 special attention of this House because...

AN HON. MEMBER; Lok Sabha.

SHRI SOMAPPA R. BOMMAI;...the
 future functioning of this House depends
 upon healthy traditions, healthy practices
 and also implementing the law in letter
 and spirit. Today, we find—without
 making any allegations—that Members
 are defecting from their Party, and there
 have been inducements.

AN HON. MEMBER; Which party?

SHRI SOMAPPA R. BOMMAI; My
 party. Yes, I agree. (Interruptions)

THE DEPUTY CHAIRMAN; I have
 given my ruling Mr. Bommai.

SHRI SOMAPPA R. BOMMAI; Please,
 Madam. .

SHRI MENTAY PADMANABHAM.
 There are inducements.

SHRI SOMAPPA R. BOMMAI; During this one year, the Shiv Sena has split, the Telugu Desam has split, the JMM has split, and the Janata Dal now. Who is engineering these defections? What are the offers?

SHRI MENTAY PADMANABHAM; What are the inducements?

SHRI SOMAPPA R. BOMMAI; The entire country knows how money power is being played. (*Interruptions*)

श्री जगदीश प्रसाद माथुर (उत्तर प्रदेश):
यह गिलसिला चलता रहेगा, दूसरे विषय भी ऐसे हैं जो लेने चाहिए (व्यवधान)

SHRI SOMAPPA R. BOMMAI; Please, It is not a party matter.

श्री जगदीश प्रसाद माथुर: यह बात तो तय हो गई। मेरे दल के नेता ने भी कहा है कि हम चाहते हैं, बी.जे.पी. चाहता है कि डिस्कशन करें। (व्यवधान)

SHRI SOMAPPA R. BOMMAI; All parties are concerned. This is the concern of all those people who believe in democracy, even of my BJP friends. It is the concern of all people. It is not a party matter.

THE DEPUTY CHAIRMAN; Mr. Bommai, I would say...

SHRI SOMAPPA R. BOMMAI; I would only urge that this matter be permitted to be discussed immediately.

THE DEPUTY CHAIRMAN; Mr. Bommai, I said, after my ruling, I am not permitting anything any more on this. If the House so demands and the Government so agrees and then there is time permitted, the Chair has no problem in discussing anything. Just now, I have a problem. (*Interruptions*) I have a problem to have Special Mentions. (*Interruptions*) That matter is closed.

SHRI N. K. P. SALVE (Maharashtra); Madam...

THE DEPUTY CHAIRMAN; Mr. Salve, if I permit you, then I have to permit this side, then I have to permit that side. To me, after my ruling, it is a closed matter. We are not opening it. We are not allowing on this matter. I am not permitting anyone. (*Interruptions*)

SHRI S. JAIPAL REDDY; As a protest against the Government's unwillingness to agree to a discussion on the subject, we stage a walk-out.

(At this stage, some hon. Members left the Chamber)

श्री राम नरेश यादव (उत्तर प्रदेश):
यहाँ तैयारी हो रही थी (व्यवधान)

SHRI N. K. P. SALVE; Madam, we cannot go by default. (*Interruptions*) Madam, I want to submit that if they are walking out, that is a different thing. Madam, on one pretext or the other, if they want to walk out, I have nothing to say. This anti-defection law has not worked in a very satisfactory manner. But then there are a large many laws which have not worked in a satisfactory manner. Have we ever in the House discussed any law in a vacuum? How can we discuss a law in a vacuum?

THE DEPUTY CHAIRMAN; Exactly.

SHRI N. K. P. SALVE; And if they want a law to be amended, let them bring an amendment in regard to the anti-defection law... (*Interruptions*).

SHRI YASHWANT SINHA; How can this side bring an amendment? Government is bound by its own law.

SHRI N.K.P. SALVE; You are entitled to bring in an amendment. Opposition is entitled to move a Bill for amending the anti-defection law. Let it be brought in that manner,

SHRI YASHWANT SINHA; Is that the view of the Government also? What

Mr. Salve is suggesting is that the Government will not bring their amendment.

because if you keep it alive, then it will go on.

SHRI N. K. P. SALVE; I am not saying that this is the view of my party. I am only on the question of procedure. I am not suggesting that it should be done. I am only on the question of procedure. And the procedure is that in this House no law can be discussed in a vacuum.

SHRI SUNDER SINGH BHANDARI (Rajasthan); Working of the anti-defection law can be discussed. There is no obstruction to that.

SHRI N. K. P. SALVE; A law can never be discussed in a vacuum. If you want to discuss the working of a law in a vacuum, that is not permitted. Therefore, I submit on the question of procedure that it is not possible in this House or in any Parliament anywhere in the world to discuss any law in a vacuum.

श्री सुरेश पचोरी : डिफेक्शन तो इनका होता रहेगा .. (व्यवधान) लोगों की ग्राम समस्याएँ हैं हम उन पर डिस्कशन करने के लिए समय नहीं निकाल पा रहे हैं । उनसे उनके एम० पी० संभल नहीं रहे हैं । वे भाग रहे हैं तो हम क्या करें ... (व्यवधान) इस पर डिस्कशन में ..

विपक्ष के नेता (श्री सिकंदर बख्त) : यह भागना क्या होता है । व्हाट इज दिस ;

نیسا اور ودی دل شری سیکندر بخت
یہ بھاگنا کیا ہے تاجیہ دہلوی از دہلی

श्री एन० के० पी० सल्वे : यह भी एक पहलू है ... (व्यवधान)

यह भी एक पहलू है सिकंदर बख्त साहब, नाराज होने की बात नहीं है, यह भी एक पहलू है । अगर लॉ टपकती है पैसों पर .. (व्यवधान)

THE DEPUTY CHAIRMAN; Can we stop here? I want to close this matter

श्री एन० के० पी० सल्वे : मेडम जरा सा निवेदन है । मैं बैठ जाऊंगा (व्यवधान)

THE DEPUTY CHAIRMAN; I have very clearly and in simple words said that if the demand is from the Opposition to discuss the Tenth Schedule which covers anti-defection law and if the Government so agrees to discuss it and if we have the time, and it comes within the procedure, the Chair has no objection to it. But I said it many times that it has to be in a proper procedure. That is what I have said. It has to come in a formal procedure. I cannot start a discussion on the Constitutional amendment just like that. It is not the question of some problem in Madhya Pradesh or Orissa or some other State. It is a very serious matter. It was taken up in the Presiding Officers meeting. The matter is before the Presiding Officers' Conference, and your suggestion is absolutely correct, and the suggestion of Shiv Shankarji and Sikander Bakhtji.

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) : माननीय उपसभापति महोदया, इसमें मेरा दूसरा सुझाव है । मैं एक मिनट में कहूंगा । मेरा सिर्फ निवेदन यह है कि प्रधान मंत्री जी बार बार घोषणा करते हैं कि हम सरकार, सरकार के मसलों और जो कानून हैं इनको ग्राम सहमति से चलाना चाहते हैं, कन्सेन्सस से । तो यह जो कॉन्स्टिट्यूशन 52 अमेंडमेंट है ... (व्यवधान) एण्ड रूल्स में देयर अंडर यह 1985 में हुआ था । 1985 से लेकर आज 1992 हो गया है । 7 साल हो गए हैं । इस कानून ने किस तरीके से काम किया है, अच्छा है, बुरा है, इसके बारे में सबको जानकारी हो गयी है इसलिए मैं आपके माध्यम से प्रधान मंत्री जी से निवेदन करना चाहता हूँ, गृह मंत्री जी से निवेदन करना चाहता हूँ कि इस संबंध में जितने भी राजनैतिक दल हैं उनके नेताओं की बैठक को बुला लें उनसे परामर्श करें, सलाह मशविरा करें उसके बाद आगे कार्यवाही करें । अगर

[श्री सत्य प्रकाश मलवीय]

जल्दतः समझी जाए तो संविधान में या इस कानून में परिवर्तन करें... (व्यवधान)

उपसभापति : आइदर आफ द हाउस ने सुना... (व्यवधान) पहले मैंने माथुर साहब को किसी चीज की अनुमति दी थी... (व्यवधान)

Let me allow him. It is an important matter.

... (व्यवधान) हां, आपको भी दे दंगे, पहले माथुर साहब को दे दें फिर आपको भी दे दंगे। ... (व्यवधान)

RE: HOISTING OF PAKISTANI FLAG IN KASHMIR VALLEY ON 14TH AUGUST, 92

श्री जगदीश प्रसाद माथुर (उत्तर प्रदेश): मैडम, स्वतंत्रता दिवस के परिप्रेक्ष्य में कश्मीर घाटी की स्थिति फिर उजागर हो कर सामने आई है। बड़ा दुख है बल्कि एक प्रकार से हमें लज्जा है कि वहां पर ऐसे तत्व भी हैं जिन्होंने 15 तारीख को स्वतंत्रता दिवस में न भाग लेकर... (व्यवधान)

उपसभापति : प्लीज, आइडर। बोलिए।

श्री जगदीश प्रसाद माथुर : 14 अगस्त के दिन पाकिस्तान के झंडे लहराने की कोशिश की। कहीं पर वे सफल हुए हैं और कहीं पर वे नहीं भी सफल हुए हैं। यह एक बहुत भत्सना का सवाल है। मैं आग्रह करना चाहता हूं कि कल से या परसों से पाकिस्तान के सेक्रेटरी के साथ बात-चीत होने वाली है... (व्यवधान) आज भी होने वाली है तो मैं कहना चाहता हूं इस सदन के माध्यम से कि पाकिस्तान एक तरफ तो बात-चीत करने की बात करता है और दूसरी तरफ ऐसे तत्वों की सराहना कर रहा है, ऐसे तत्वों की मदद कर रहा है जो पाकिस्तान के झंडे लहराना चाहते हैं। मैं उनकी भत्सना करना चाहता हूं। लेकिन एक और भी न ध्यान दिलाना चाहता हूं कि कई साल बाद हमारे आर्म्ड फोर्स ने ही सही, वहां प

घाटी में कई जगह जाकर झंडा फहराया है समाचारपत्रों में नहीं आया लेकिन मेरी जानकारी है। मैं इसका श्रेय अभी मैं कहूंगा तो शोर मच जाएगा, हम लोगों ने पिछले साल लाल चौक पर झंडा लगाया था, आज उसका प्रारम्भ दोबारा हुआ है। जगह-जगह पर हमारे आर्म्ड फोर्स ने झंडा लगाया है। यह हमारे लिए प्रसन्नता का विषय है। लेकिन इस के साथ, मैं एक बात और कहना चाहूंगा कि खेद यह है कि जब वहां पर राष्ट्रीय उत्सव हुआ, किसी दल के नेता जो बेली में थे, जो वहां मौजूद थे, वे तिरंगा झंडा फहराने के लिए नहीं आए। इतनी हिम्मत उन्होंने क्यों नहीं की कि वे भी तिरंगा झंडा फहराने के लिए आते? कोई भी तिरंगा, झंडा ले कर वहां फहराने के लिए नहीं आया। बल्कि इस के विपरीत बयान आ रहे हैं ऐसे नेताओं के... (व्यवधान) ... हिन्दुस्तान पाकिस्तान और... (व्यवधान)

श्रीमती सया बहिन (उत्तर प्रदेश) महोदया, ... (व्यवधान) कश्मिरी लोगों की जगह को कब्जा करने के लिए नहीं होत है जो भारतीय जनता पार्टी के लोग ने किया है... (व्यवधान)

श्री जगदीश प्रसाद माथुर : ऐसे राजनीतिक नेता कभी इश्वर की बात कर रहे हैं उन के ऊपर विश्वास नहीं किया जा सकता। आज आश्चर्यकृत इस बात व है कि काश्मीर बेसी... (व्यवधान) अथवा हिन्दुस्तान के अन्य किसी कोव में भी ऐसे तत्व को... (व्यवधान) पटुचाई जानी चाहिए इतना धीरज कर सकते हैं कि काश्मीर भारत का है। किसी प्रकार का संदे फैलाना अनुचित होगा। मैं सरकार का ध्यान आकर्षित करना चाहता हूं कि ये ऐसे तत्वों के हाथ में जो संदेह पैदा कर चाहते हैं... (व्यवधान)

उपसभापति : माथुर साहब, अब 3 बैठिए। ... (व्यवधान)

श्री जगदीश प्रसाद माथुर : ऐसे त को... (व्यवधान)