

SHRI DINESH GOSWAMI :
Madam, I introduce the Bill.

PERSONAL EXPLANATION

THE LEADER OF THE OPPOSITION (SHRI P. SHIV SHANKER) : Madam,

THE DEPUTY CHAIRMAN :
Yes, Mr. Shiv Shanker, you can speak now.

SHRI KAHNU CHARAN LENKA (Orissa) : Madam, I have been waiting to make my personal explanation.

THE DEPUTY CHAIRMAN :
Mr. Lenka, I will allow you to make your personal explanation. It is just before me.

SHRI KAHNU CHARAN LENKA : Madam, you said you would allow me after the Question Hour. How long am I to wait ? How long am I to remain guilty ? I have to make my personal explanation. For the past three days, you have been allowing me and I am waiting to make my explanation and I am just sitting here.

THE DEPUTY CHAIRMAN :
I have not said anything, Mr. Lenka. It was I who gave you the permission. Don't say something in the House and something else in the Chamber. If Shiv Shankerji requests me for something as the Leader of the Opposition, I have to respect the Leader of the Opposition. If your Leader is allowing you, I have no objection. You can make your point of personal explanation.

SHRI CHATURANAN MISHRA (Bihar) : You have transferred it to him ?

SHRI P. SHIV SHANKER :
I have not transferred anything.

He wants to make a point of personal explanation.

THE DEPUTY CHAIRMAN :
I have allowed him now. Yes, Mr. Lenka.

SHRI KAHNU CHARAN LENKA : Madam, this is about the vigilance raids on my house at Bhubaneswar on the 9th May, 1990.

Madam, at the outset, before I give my explanation, with all humility I would like to submit in this House to all the Members who are present to listen to what I am going to say about the events that have taken place and I invite the opinion of all the Members on how to restore the prestige of a Member of this House.

Madam, on the 9th May, 1990, at about 7-30 A.M., when I was coming out of my residence for catching the flight to Delhi to attend Parliament, a Special Vigilance Squad of the State Government reached my house and prevented me from going out and presented a paper as search warrant for my signature. I pleaded with the Deputy Superintendent of Police (Vigilance) that my going to Delhi to attend the Parliament session was very important. This request was, however, not heeded to and I was compelled to stay on and I was prevented from attending the Rajya Sabha and from participating in the proceedings of this august House. They immediately started surrounding my house. Policemen surrounded my house and then they began to search. My children were unaware of this position and hence all our programmes were upset. They did not allow anybody to go out and searched the house as a result of which my family members were harassed.

Madam, the policemen entered my house and moved about here and there in such a manner that it

was repugnant to me and shocking to my children. Shri Biju Patnaik had let loose a reign of terror against his political opponents, particularly against me, as I had vigorously campaigned against him during my tenure of presidency of the P.C.C. from 1988 to 1990. *

Madam, I am not boasting. I want to submit in the House that I contested against him in his own constituency, Choudwar, as a Congress candidate in 1971 and got him defeated. Then I was a young man of 26 years. Madam, I have strongly opposed him on several occasions in the political fields. I was the General Secretary of the Students' Congress from 1962 to 1965. I opposed him during that period in the political field and fought against him in the political field when he was in the Congress. From 1967 to 1969, as the Youth Congress President, I fought against him politically. I was the PCC President of the Cuttack District from 1969 to 1971. (*Time bell rings*) Madam, I have just two or three points to explain. So, all through I fought against him. Hence he had accumulated grievances against me and was waiting for a chance to take revenge on me. This is further proved from his declared policy in which I was not coming in for a search. I was not a Minister for the last ten years nor was I holding any public office in the last Ministry. It is, therefore, apparent that in order to take old revenge, he had taken to this mischievous, revengeful and malicious act of conducting a search of my house to humiliate me and to bring down my image and integrity in public esteem. For the information of this august House, I may mention that nothing incriminating was found at my residence. The search is improper, illegal and politically motivated. It is known to all...

*Expunged as ordered by th^e

THE DEPUTY CHAIRMAN : Mr. Lenka, I wanted to remind you that you are not making a Special Mention. I have permitted you under the rule as a Personal Explanation. According to Kaul and Shakhder, the Personal Explanation has to be very brief. So, please confine yourself. I request you to be a little brief.

SHRI KAHNU CHARAN LENKA : I was just submitting in the House for the information of my colleagues why my house was raided.

SHRI KAMAL MORARKA : On a point of order, Madam. In a Personal Explanation, he cannot take the opportunity to sling mud at the Chief Minister of Orissa because Mr. Biju Patnaik cannot give his Personal Explanation.

(*Interruptions*)

SHRI KAHNU CHARAN LENKA : Madam, I am submitting some facts. It is known to all and particularly in Orissa that I fought against the corruption and nepotism of Shri Biju Patnaik, the then Chief Minister of Orissa.

SHRI KAMAL MORARKA (Rajasthan) : Madam, he is vilifying Mr. Biju Patnaik.

SHRI KAHNU CHARAN LENKA : I took the leadership as a Young Turk to fight the syndicate group headed by Shri Biju Patnaik in 1969 whom the people of Orissa then rejected completely. The acts of corruption and tax-evasion to which I attempted to focus the attention of the people must be mentioned here for the information of my esteemed colleagues. *

THE DEPUTY CHAIRMAN : Excuse me, Mr. Lenka, it is your Personal Explanation and not the other person's. (*Interruptions*) You are not understanding.

Chair.

SHRI KAHNU CHARAN LENKA : I have taken up all these things in the last elections. (*Interruptions*)

THE DEPUTY CHAIRMAN : You may give your explanation about your not being involved. (*Interruptions*) Please sit down. Take your seat.

आप जरा बैठ जाइए । आप नए मैम्बर हैं, आपको शायद वह रूल नहीं मालूम होगा जिनके अंतर्गत आपको बैठने अलाऊ किया है ।

...(*Interruptions*) Just a minute. Please sit down. Take your seat.. (*Interruptions*) Take your seat.. (*Interruptions*) I would request you to please take your seat. (*Interruptions*) Let me again remind you that I have not permitted a Special Mention. It is a Personal Explanation, because you are a Member of this House. So if you want to say that you are not involved in anything, you are most welcome to say anything. But no discussion and no other person is going to speak.

SHRI KAHNU CHARAN LENKA : In political vendetta my houses were raided. Therefore, I want to(*Interruptions*) what are the circumstances*

....(*Interruptions*)

SHRI BASANT KUMAR DAS (Orissa) : It was in the election manifesto to confiscate the property during their regime. (*Interruptions*) Shri Biju Patnaik(*Interruptions*) was president, holding a very important post(*Interruptions*) Everything confiscated has been brought to books. (*Interruptions*)

THE DEPUTY CHAIRMAN : Please take your seat.(*Interruptions*) Mr. Lenka, please talk about yourself. Anything else you speak will not go on record. What-

ever you speak about yourself will go on record, not about anyone else, who is not a Member of this House.

SHRI KAHNU CHARAN LENKA : These are new facts. I am not alleging....

THE DEPUTY CHAIRMAN : Mr. Lenka, I must again....(*Interruptions*) Get me the book: Kaul and Saakdher. Let me read out the Rule. Perhaps he does not know. The Rule says....(*Interruptions*) Just a minute. If you have any personal explanation(*Interruptions*) Do you want me to read it out ? (*Interruptions*)

The Rule says that if you want to make a personal explanation, you speak as briefly as possible and there should be no allegations about others—only allegations about you, not the cause and also no debate on it.

So, please let me abide by the Rules, I request you.

डा. अबरार अहमद खान (राजस्थान) : 30 मिनट तक भाषण दिया यशवंत सिन्हा जी ने और इनके साथ अंगर ह्वास-मेंट हुआ है ... (व्यवधान) ... इनका ह्वासमेंट किया गया है, इनके साथ दुर्व्यवहार किया है, इनके वक्कों के साथ दुर्व्यवहार किया है .. (व्यवधान) .. तो इन्हें क्यों नहीं ... (व्यवधान) ...

श्री यशवंत सिन्हा (बिहार) : मैंने किसी के खिलाफ कोई एल्लेगेशन नहीं लगाया था । .. (व्यवधान) ..

SHRI KAHNU CHARAN LENKA : Madam, I am coming to my point.

As regards the seizures....(*Interruptions*) Madam, I am concluding in one minute.

THE DEPUTY CHAIRMAN : Would you like me to read out

*Expunged as ordered by the Chair.

the Rule ? (*Interruptions*) Then, please sit down. He is concluding.

SHRI KAHNU CHARAN LENKA : Madam, regarding the seizures...

SHRI DIPEN GHOSH (West Bengal) : On a point of order... (*Interruptions*)

SHRI SITARAM KESRI (Bihar) : You are disturbing, excuse me... (*Interruptions*)

प्वार्ट आफ आर्डर का क्वेश्चन नहीं है।

SHRI DIPEN GHOSH : I am on a point of order. (*Interruptions*)

SHRI SITA RAM KESRI I : am also on a point of order. (*Interruptions*)

मेरा आपसे निवेदन यह है कि जिस तरह से पहले किसी माननीय सदस्य ने एक्सप्लेनशन दिया है और उसको आपने सुना है, वह कन्वेंशन जारी रहना चाहिए। मैं नहीं कहता कि कानून और व्यवस्था जो उसमें दिया हुआ है प्रावधान, उसके खिलाफ हो, मगर जब वह एक्सप्लेनशन करेगा कि उस पर क्या हुआ तो उस अवस्था में किस पर क्या हुआ, यह तो कहना पड़ेगा ? ... (*व्यवधान*)...

श्री कमल मोरारका : पर क्यों किया? केसरी जी, आप सुनिए। ... (*व्यवधान*)...

श्री सीताराम केसरी : मेरी बात सुन लीजिए। आज जिस तेजी के साथ बोलना चाहें, बोलिए, हम रोकेंगे नहीं। क्या है कि यह तो आप लोगों की अपनी आजादी है, इधर भी है, उधर भी है।

महोदया, उसमें कहां अंतर पड़ता है ? मेरा इतना ही निवेदन है कि अगर किसी तरह की बदले की भावना है और जिस आधार पर इनके साथ व्यवहार किया गया है तो उस आधार को एक्सप्लेन करने का अवसर उस सदस्य को देना चाहिए चूंकि वह हम सभी लोगों के सम्मान का सवाल है।

THE DEPUTY CHAIRMAN :

I only want to refer to the rule through Kaul and Shakhder saying that no controversial issues would be raised. (*Interruptions*) Kesriji, if you like I will give you the rule-book. Kaul and Shakhder is in my hands. It says that the Personal Explanation should be brief and confined to the grievances. There should be no allegation against anybody else and there should be no discussion on it. So, my hands are bound by the rules. I can't help.

SHRI DIPEN GHOSH : Madam, I am on a point of order. You have invited our attention to Kaul and Shakhder. First of all I quote from Kaul and Shakhder. It is page 342 of the Third Edition. (*Interruptions*)

SHRI SITARAM KESRI : It is all right in your hands. Everything is all right in your hands.

SHRI DIPEN GHOSH : It says: "The forum of the House should not, however, be used to make personal explanations to contradict or clarify reports, not connected with the proceedings of the House published in the press." Madam, this is my point of order. (*Interruptions*) It has appeared in the press that this house has been raided, he has been harassed and he has been prevented from attending the Parliament. (*Interruptions*) He is a Member. I understand that. If he is harassed and if he is prevented from attending the House, then he is entitled to refer his case to the Privileges Committee. It does not come under the purview of making a personal explanation.

(*Interruptions*)

THE DEPUTY CHAIRMAN : Let me deal with the matter. I allowed him, in fact, Mr. Lenka was not here when some Members had raised the issue. I had said that if any Member has grievances, he

[The Deputy Chairman]

has a right to raise the matter. The Member came to me. He says that he has some problem. His image is spoiled. So, as a Member of this House I allowed him. But I have certain rules to abide by and the rules bind my hands. It is not in my hands to go beyond the rules. That is why I allowed him. No discussion on it and no allegations against anybody. *(Interruptions)* I have allowed him. *(Interruptions)* I will look at the record. Is it all right? Shri Yashwant Sinha.

SHRI YASHWANT SINHA : Madam, since my name was referred to and connected to what Mr. Dipen Ghosh has said, I would like to refresh the memory of my... *(Interruptions)* Madam, I am merely trying to refresh the memory of this House that when I was arrested in Chandigarh, I did not get up to make a Personal Explanation in this House. I went to the Chairman, made an application for a Special Mention. Despite the fact that the Home Minister had already made a statement in the House, still I did not rise on a matter of Personal Explanation. I made a Special Mention, and through that Special Mention, I said what I wanted to say and, therefore... *(Interruptions)* I have not finished. The point which Mr. Dipen Ghosh has made... *(Interruptions)* Mr. Lenka has no business to rise on a Personal Explanation. He can only make a Special Mention about what has happened. There is no question of Personal Explanation...

THE DEPUTY CHAIRMAN : Now, I think, to solve the situation... *(Interruptions)*

SHRI R. K. DHAWAN (Andhra Pradesh) : Mr. Sinha's name was mentioned only to draw your attention that when he was arrested he was given sufficient time to speak. Why should Mr. Sinha feel agitated?

THE DEPUTY CHAIRMAN : Nobody is agitated. *(Interruptions)* Mr. Lenka, I request that with one last sentence you conclude because we do not want a discussion on it. We have some other business before us.

SHRI KAHNU CHARAN LENKA : Madam, I am concluding.

THE DEPUTY CHAIRMAN : Just conclude with one last sentence. Please strengthen my hands and conclude.

SHRI KAHNU CHARAN LENKA : Madam, this seizure list which has been published in different papers regarding me and some others is all exaggerated. In 1967...

THE DEPUTY CHAIRMAN : Don't go back to 1967. Please do not go on to history. Please conclude. You have said many times. Do not make things difficult.

SHRI KAHNU CHARAN LENKA : Madam, in the papers it has come that the gold ornaments which have been seized are worth one lakh of rupees. Madam, confidently I can say for the information of my esteemed colleagues that in 1967, on the marriage ceremony, my wife brought 80 tolas of gold. Now... *(Interruptions)* Please listen. In 1967, I got 80 tolas of gold as presentation. Now, my wife has 15 tolas. The cost at that time was Rs. 120 per tola. Now it is Rs. 3090. At that time I had about 80 tolas. Now she has got 15 tolas. That has been seized. And in the paper it has come that one lakh worth of gold has been seized. *(Interruptions)* Madam, they have seized old carpets, singar chappals...

THE DEPUTY CHAIRMAN : Now the matter is over. Please take your seat. I have allowed you

one sentence, and you have taken more....*(Interruptions)* Please take your seat. *(Interruptions)* I have allowed him.

SHRI KAHNU CHARAN LENKA : Madam, I have been harassed. I am not agitated at all.

(Interruptions)

THE DEPUTY CHAIRMAN : Please take your seat. I request you, please sit down—PLEASE—with capital letters. Now, Mr. Shiv Shanker.

(Interruptions)

SHRI KAHNU CHARAN LENKA : Madam...*(Interruptions)*

THE DEPUTY CHAIRMAN : We cannot have any discussion. I said right at the beginning. My hands are tied. I do not allow anybody. *(Interruptions)* Mr. Narayanasamy, please sit down.

SHRI KAHNU CHARAN LENKA : Madam, I am submitting my last sentence.

THE DEPUTY CHAIRMAN : Please take your seat.

SHRI KAHNU CHARAN LENKA : My humble suggestion would be that Shri Biju Patnaik, Chief Minister of Orissa, committed breach of privilege...*(Interruptions)*... appropriate action should be taken...*(Interruptions)*

THE DEPUTY CHAIRMAN : Please have peace in the House.

ALLEGED NEGLECT OF HOUSE BY GOVERNMENT

THE LEADER OF THE OPPOSITION (SHRI P. SHIV SHANKER) : Madam, Deputy Chairman, I rise to express my distress, anguish and unhappiness over the neglect

of this House. This House may recall that we discussed the Meham issue last week, on Friday. On Monday, in the other House—we read it in the newspapers—the Prime Minister made a statement that he would convey the decision of the Government on this issue at 11 a.m., the next day. This was announced in the other House. Yesterday, the Prime Minister announced the resignation of Mr. Chautala, in the other House. Similarly, I find that on Monday, the Home Minister made a statement in the Lok Sabha on the killing of Moulvi Farooq. We do not even find the Home Minister, as well as the Deputy Prime Minister, here these days.

I would like to express my anguish that this House should not be neglected. This is not a secondary institution. It has its own importance. I am sure, the Leader of the House would take note of what I am conveying. We should not be let down. This is all I am trying to bring to the notice of the House. I hope he will take appropriate steps to see that this House is not neglected and I am sure, the entire House echoes my sentiments.

SOME HON. MEMBERS : Yes.

THE DEPUTY CHAIRMAN : Now, Special Mentions. Shri Syed Sibtey Razi. *(Interruptions)*

SHRI RAM NARESH YADAV (Uttar Pradesh) : What about the reaction of the Leader of the House ? *(Interruptions)*

THE DEPUTY CHAIRMAN : I am not allowing. I have allowed Mr. Shiv Shanker.

श्री संयद सिब्ते रजी (उत्तर प्रदेश) : महोदया, आप जानती हैं कि 14 मई को अबला हरिजन महिला को जिस तरह से प्रधान मंत्री की कंस्टीट्यूएन्सी में जलाकर मार डाला ...*(व्यवधान)*