

(35) G.S.R. No. 739(E), dated the 28th June, 1988, amending notification No. 133/86-Central Excise dated the 1st March, 1986, so as to extend, for a further period of six months, the concessional rate of excise duty in respect of certain specified resins and plastics.

(36) G.S.R. No. 768(E), dated the 1st July 1988, notifying the Central Excise (Third Amendment) Rules, 1988. [Placed in Library. See No. LT-6355/88 for (23) to (36)]

III. A copy (in English and Hindi) of the Ministry of Finance (Department of Revenue) notification S.O. No. 690(E), dated the 12th July, 1988 publishing the Income-tax (Sixth Amendment) Rules, 1988. [Placed in Library. See No. LT-6404/88].

Reported non-unfurling of the National Flag on the 15th August by the Chief Minister of West Bengal—Contd.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Now, Special Mentions . . . (Interruptions) . . . Mr. Chimanbhai Mehta . . . (Interruptions) . . . I am not going to allow anybody. I cannot allow you. . . (Interruptions) . . . No, please. Yes, Mr. Manhar. Make your Special Mention . . . (Interruptions) . . . Nothing else will go on record . . . (Interruptions) . . . This will not go on record. I am not allowing you. Please sit down . . . (Interruptions) . . . If the Home Minister wants to make a statement, he can make. If he does not want to make any statement, he need not . . . (Interruptions) . . . But I will not allow you . . . (Interruptions) . . . It is for the Home Minister to make a statement if he chooses to make a statement. If he so chooses, he can make a statement. But I will not allow you . . . (Interruptions) . . . He is here that is all right. Yes, Mr. Manhar . . . (Interruptions) . . . Please sit down. All of you, please sit down . . . (Interruptions) . . . Please sit down.

SHRI SATYA PRAKASH MALA-VIYA (Uttar Pradesh): You ask the Minister to sit down. (Interruptions)

SHRI DIPEN GHOSH (West Bengal): We are not at their mercy. We must be satisfied. We are elected Members. (Interruptions)

SHRI SATYA PRAKASH MALA-VIYA: There are Rules of the House. The House cannot be treated in this way.

SHRI YASHWANT SINHA (Bihar): On a point of order. (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): If the Minister wants to say something, I cannot stop him. (Interruptions)

AN HON. MEMBER: It is a question of courtesy. (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Listen to me. I am on my legs. I will allow Mr. Gurupadaswamy to speak. (Interruptions) He has a point of order. I have allowed him. (Interruptions)

SHRI M. S. GURUPADASWAMY (Karnataka): Mr. Vice-Chairman, Sir, I am only making a submission to you and to the Members of the House. Last time when such a furore occurred on a particular issue the Deputy Chairman made an observation. She said that this should not be taken as a precedent; without the permission of the Chairman nothing will be allowed for discussion. I just want to draw your attention to this observation of the Deputy Chairman. In addition, I am not going into the matter my friends want to raise. I do not know what matter they want to raise. (Interruptions) Sir, if you allow the Home Minister to make a statement. . . (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): It is for the Home Minister. I will not say that he should give an assurance. (Interruptions) I cannot direct the Government.

SHRI M. S. GURUPADASWAMY: I conclude by saying that if the Home Minister has to say anything, if you allow him to say anything, then the House is entitled for a discussion. *(Interruptions)*

SHRI DIPEN GHOSH: First of all, on what subject has the Home Minister been asked to make a statement? You cannot take the House for granted. We are all elected Members. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Salve.

SHRI N. K. P. SALVE (Maharashtra): Sir, not for a moment we on this side ever want to undermine the authority of the Chair. We want to go strictly according to the Rules and how you want us to proceed in the matter. But there is no Rule, Sir, in the entire book which prevents us from making a submission. With your permission, I would submit that if in a matter of importance in which we feel that the National Flag was dishonoured . . . *(Interruptions)* Sir, my respectful submission is that I will be very happy ultimately if it is found that no dishonour was meant to the National Flag. That is what we expect from nobody else but from the people of Bengal. But the things as they stand, we feel extremely agitated on an issue on which we feel that the entire nation has been disgraced and disrespected. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You may not agree with him. *(Interruptions)*

SHRI N. K. P. SALVE: I only hope I am wrong. But, Sir, my respectful submission is that we felt so agitated that we request the Chair to get a statement on the floor of the House so that the record is put straight. This is my submission. *(Interruptions)*

SHRI DIPEN GHOSH: I want a statement from the Home Minister on another subject.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Gurudas Das Gupta.

SHRI GURUDAS DAS GUPTA (West Bengal): Sir, the House has certain Rules, and according to the Rules the business of the House is transacted. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I have allowed him.

SHRI GURUDAS DAS GUPTA: My freedom of speech has to be protected by the Chair. But the point is that never before have I seen that if somebody from this or that side of the House stands up and asks for a statement on a certain issue which might be agitating him the Minister makes a statement. There is no precedent like this. If a precedent is created, it has to be applied indiscriminately. I want to make it clear, Sir, coming from Bengal, that the Communists are second to none in defending the National Flag. *(Interruptions)* It is not their property. This country belongs to all of us. It is not your property.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Order, please.

SHRI GURUDAS DAS GUPTA: Sir, deliberately an insinuation is being made to blackmail the Government of West Bengal, to blacken the Government of West Bengal. If you allow it, Sir, if the House is allowed to become a propaganda Chamber, then, it will be a dangerous precedent.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Minister.

SHRI DIPEN GHOSH: Mr. Vice-Chairman, Sir, I want to make a submission. *(Interruptions)* Before he makes a statement, I want to make a submission.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Let him speak. *(Interruptions)* You please hear me.

PROF. C. LAKSHMANNA (Andhra Pradesh): Sir, I was the first to rise on a point of order. (*Interruptions*)

SHRI DIPEN GHOSH: Let me be given a chance because I can help the Chair.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Let me hear what the Minister wants to say . . . (*Interruptions*)

SHRI DIPEN GHOSH: Please listen to me for a minute. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Let me hear what he wants to say. And after he speaks, then....(*Interruptions*) I cannot presume what he is going to say.

SHRI DIPEN GHOSH: I can help the Chair. (*Interruptions*)

PROF. C. LAKSHMANNA: I was the first to rise on a point of order. You are not permitting me.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down.

PROF. C. LAKSHMANNA: Are you now allowing my point of order?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No, I am not allowing. (*Interruptions*) I may tell you why. I asked the Minister to speak . . . (*Interruptions*) Please sit down. Whatever he says will not go on record.

PROF. C. LAKSHMANNA:**

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down. Please hear me. (*Interruptions*) Please sit down. When I asked the Minister to say something, at that time, Mr. Gurupadaswamy wanted to speak. I allowed him. So, now, I will allow the Minister. And after that, if I feel that it is necessary that I should allow others to speak, I will allow. Yes, Mr. Buta Singh.

SHRI DIPEN GHOSH: In that case, Mr. Vice-Chairman, Sir, I must be given a chance to speak on what the

Minister will speak Nobody can take this House for granted, not even the Home Minister. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down. (*Interruptions*)

श्री राम अवधेश सिंह (बिहार) : गृह मंत्री जह न ब द के हरिजनों की हत्या के ऊपर न दे . . .

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I will not allow at all.

SHRI DIPEN GHOSH: Why? What is the reason? (*Interruptions*) I am entitled to know from the Chair on which issue the Home Minister has been asked to make a statement. I am entitled to know from the Chair and not from the Home Minister.

PROF. C. LAKSHMANNA. Sir, I am on a point of order You must listen to my point of order first.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You are taking undue advantage. Because the leader of the opposition wanted to say something, I allowed him. After that you are behaving like this. It is very unfortunate. (*Interruptions*). In spite of that if the opposition is behaving like that, it is very unfortunate. You see, I gave the chance to Mr. Gurupadaswamy.

श्री राम अवधेश सिंह : जहानाबाद में हरिजनों की हत्या हुई है, नरसंहार हुआ है इस पर मंत्री महोदय का बयान कराया जाये । (व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You cannot dictate. I am not going to be pressurised by anybody. Let the Minister speak first, and then if I feel, I will allow . . .

SHRI V. GOPALSAMY (Tamil Nadu): Sir, insinuations have been made against Mr. Jyoti Basu. Sir, accusations have been made against the Marxist party leader, Mr. Jyoti Basu. (*Interruptions*) Sir, to protect the honour of the country, the colour of the

[Shri V. Gopalsamy]

Congress Party flag should be changed.

SHRI CHITTA BASU (West Bengal): Sir, . . .

PROF. C. LAKSHMAN: Mr. Vice-Chairman, Sir, . . . (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I am not allowing anybody except the Minister. I am not going to allow anybody.

SHRI DIPEN GHOSH: Every Member has got a right to make his point of order. You must listen to the point and then you may rule it out.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You cannot dictate to me. I said, after the Minister's speech, if there is anything I will allow. . .

SHRI DIPEN GHOSH: I have a point of order in that connection. I have a point of order in that connection and how can you deny me the right to rise on a point of order?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No, please sit down. Yes, Mr. Minister.

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): Mr. Vice-Chairman, Sir, . . . (Interruptions)

SHRI DIPEN GHOSH: Can the House be taken for granted? No. Let us see how he can make a statement?

श्री राम अवधेश सिंह : व्यवस्था का सवाल 15 मिनट से उठा रहे हैं आप परमिशन नहीं दे रहे हैं आप व्यवस्था के सवाल को नकार नहीं सकते। (व्यवधान)

SHRI DIPEN GHOSH: You cannot take the House for granted. I have the right to rise on a point of order. It is an individual Member's right.

SHRI RAM AWADHESH SINGH: You cannot proceed without hearing the point of order.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down. Yes, Mr. Minister?

SHRI BUTA SINGH: Mr. Vice-Chairman, Sir . . .

SHRI CHITTA BASU: Sir, on a point of order.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Let us know what the Minister wants to say. I have told you that I will allow you, but let him speak first.

श्री राम अवधेश सिंह : आप क्लजाउट कर सकते हैं पर आपको सुनना होगा। आप बिना सुने कैसे कह सकते हैं ? (व्यवधान)
पहले आप सुन लीजिए। (व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You please go to your seat you can speak from your seat only, not from here.

SHRI BUTA SINGH: Mr. Vice-Chairman, Sir, upholding. . . (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Except what Mr. Buta Singh says, nothing will go on record. I have said that after he speaks, I will allow you also. What more do you want?

SHRI CHITTA BASU:*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I have allowed Mr. Buta Singh to speak. Only after that I will allow other . . . (Interruptions)

SHRI SATYA PRAKESH MALAVIYA:*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You are all senior Members. I allowed Home Minister to speak and I said I will allow you later on. (Interruptions). No, I can't allow you now. I cannot allow everybody.

PROF. C. LAKSHMANNA:*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No, I am not allowing you. There is no point of order.

SHRI SATYA PRAKASH MALAVIYA:*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I am very fair with

you. It is very unfortunate that after I asked Mr. Buta Singh to speak, even then I allowed Mr. Gurupadaswamy and you are now behaving like this. It is very unfortunate.

SHRI SATYA PRAKASH MALAVIYA:*

SHRI BUTA SINGH: Sir, this House ... (Interruptions).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): If you have got any grievance against me, you can meet the Chairman. I can leave the Vice-Chairmanship but I cannot allow the House to be run like this. After all I am here to conduct the House I cannot allow like this.

PROF. C. LAKSHMANNA:*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Let us first hear the Home Minister. (Interruptions). No, I will not allow it.

SHRI DIPPEN GHOSH: It is true you have asked the Home Minister to speak, nobody is disputing your right to call the Home Minister to speak. At the same time, every hon. Member has the right to raise a point of order. You should listen to his point of order and then you can dispose it of. Before listening to his point of order, how can you dispose it of? How can deny him the right to rise on a point of order? (Interruptions).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I will answer that: Let him speak first. Let us hear him. Let us know what he wants to say. (Interruptions) Mr. Gurupadaswamy has made a suggestion. After the Home Minister says what he wants to say, we can decide whether there should be a discussion or not. (Interruptions) Let us first hear what he wants to say. (Interruptions)

SHRI DIPEN GHOSH: What is the use? You should first hear Mr. Lakshman's point of order. (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): After the Minis-

ter's statement, the House can decide in what way we can discuss it. (Interruptions)

PROF. C. LAKSHMANNA: Sir, I was the first to rise on a point of order. What is the point in allowing him to make a statement without listening to me? (Interruptions)

श्री राम अवधेश सिंह: आप उनको सूनकर रिजेक्ट कर दीजिये।

श्री उपसमाध्यक्ष (श्री जागेश देशाई): मेरा इतना कहने के बावजूद भी आप ऐसा करेंगे मुझे ऐसी उम्मीद नहीं थी।

श्री राम अवधेश सिंह: आर रिजेक्ट कर दीजिये लेकिन उनकी बात सुनिये।

(व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I will allow only Mr. Buta Singh and nobody else. (Interruptions) Mr. Lakshman, this is very unfair. Please sit down. (Interruptions) I have already allowed Mr. Gurupadaswamy. (Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB): Sir, prof. Lakshman is violating rule 235, by continuously interrupting the Chair.

PROF. C. LAKSHMANNA: Sir, you have not at all heard what my point of order is. Without allowing me to raise my point of order, how can you rule it out? (Interruptions).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I am not going to allow. (Interruptions)

SHRI N. E. BALARAM (Kerala): Sir, Mr. Lakshman should be allowed to raise his point or order. (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Balaram, you are a very senior Member. I first asked Mr. Buta Singh to speak Then I stopped him. (Interruptions)

SHRI N. E. BALARAM: You are also governed by rules and procedures.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please listen to me. (*Interruptions*) I allowed Mr. Gurupadaswamy to say something. In the meanwhile, he is reacting to what some Members have said on this issue. (*Interruptions*) I permitted Mr. Gurupadaswamy to make his point on the issue. (*Interruptions*) After Mr. Buta Singh makes his point we can decide what we should do. (*Interruptions*)

PROF. C. LAKSHMANNA: Sir, my point of order relates to his very right to speak. He is not a Member of the House. Please hear my point of order first. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I have allowed Mr. Buta Singh. After that I will allow. (*Interruptions*) Please sit down. Otherwise I will have to name you. This is too much. (*Interruptions*) Please cooperate with me. (*Interruptions*) Please sit down. Then you do not want to obey me? I have said no to you. (*Interruptions*). I may be wrong. I said 'no' to you. That is all right. Please sit down. (*Interruptions*) I have said I am not allowing you... After him only.

SHRI MOTURU HANUMANTHA RAO (Andhra Pradesh): He is on a point of order. You must hear him.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Not on a point of order... A senior Member, Mr. Advani, wants to say something on this. Let me hear him. I am not allowing any point of order.

SHRI RAM AWADESH SINGH: This is not fair on the part of the Chair.

SHRI V. GOPALSAMY: He is seeking your permission to raise a point of order. This is highly unfair.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Advani wants to express something on what is happening in the House. He is a senior Member. I have allowed him to speak.

SHRI LAL K. ADVANI (Madhya Pradesh): Sir, I do not want to ex-

press anything on the issue that has been raised. I would like to see that the proceedings of this House are conducted smoothly. It seems a stalemate has arisen over this point that you permitted a Minister to make whatever observations he wanted to make, some Members from the Opposition wanted to raise certain points of order and you did not allow them to raise those points of order. The result is an impasse in the House. I suggest that on the misgivings that were voiced by certain sections of this party, let there be a formal statement, not informal remarks or an informal statement at all, but let a formal statement be made so that the entire House has an opportunity of raising any questions. Let not the Minister make any impromptu, ad hoc, off the cuff remarks. This is my submission. (*Interruptions*)

SHRI BUTA SINGH: Wait a minute. I will speak only on procedure. Now, Sir, hon. Member, Mr. Advani, has said that I must make a statement...

SHRI LAL K. ADVANI: A formal statement.

SHRI BUTA SINGH: On what?

SHRI LAL K. ADVANI: Let me deal this with...

SHRI BUTA SINGH: I was going to request the Chair that I have to make some observations. Why should I not be allowed?

SHRI LAL K. ADVANI: I have no hesitation in saying...

SHRI BUTA SINGH: I may be able to say what is there in your mind what you are not willing to say here because you have referred to one party... You are partisan.

SHRI LAL K. ADVANI: I do not have partisan view.

SHRI BUTA SINGH: It is not a party issue.

SHRI LAL K. ADVANI: This is not a party issue.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I will make it

clear. Mr. Advani said like that only for one reason. Because that was the demand from this section that is why he said like this. Am I right?

SHRI BUTA SINGH: It will be much easier for this august House because after all the country is governed by this House, by the Parliament itself and we will not do anything which this House does not desire (*Interruptions*)

श्री राम अवधेश सिंह : ह रजनों की
हृत्प ए जहान ब द मे हुई हैं वहा से धमकर
अ ये हैं, उन पर बोलेगे तो ह र सुनेगे ।

SHRI BUTA SINGH: उस पर भी
बोला ।

Sir, the Parliament has cast upon the Government of India a duty and the whole nation for that matter expects the Government of India to uphold the sanctity and the dignity of our National Flag, National Anthem and National Emblem. The Government of India will not shirk its responsibility in upholding the sanctity and dignity of all these three national emblems of importance. ... (*Interruptions*)...

SHRI DIPEN GHOSH: National bird also. ... (*Interruptions*)...

SHRI BUTA SINGH: Sir, you had, during the proceedings of the House, asked whether the Home Minister was willing to make this statement. Sir, I was going to request you kindly to let me know whether there was any question, motion, suggestion or resolution before the House on which you wanted me to express the Government's viewpoint (*Interruptions*) I would, therefore, in all humility, like to request the honourable Chair either to give me an opportunity or to let me have a report from the State where this thing is reported to have happened. Only then can I make a statement. How can I make it otherwise? Government is duty-bound

SHRI GURUDAS DAS GUPTA: I appreciate Mr. Buta Singh's statement. ... (*Interruptions*)...

SHRI BUTA SINGH: As I said, the Government is duty-bound to uphold the dignity and sanctity of the National Flag. Either the honourable Member be allowed to make a statement, only when I can give the government's view point, or I should be given an opportunity to look into the whole matter when I can report to this House.

SHRI DIPEN GHOSH: Mr. Vice-Chairman, Sir, it is good that the Home Minister has clarified his position. So far as upholding the dignity of the National Flag, National Anthem and other national symbols are concerned, here is non second to anybody to do this job... (*Interruptions*).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I have allowed him. He is reacting.

SHRI M. M. JACOB: Is it a Special Mention? ... (*Interruptions*) ...

SHRI DIPEN GHOSH: There is a procedure in this House. What happens in the other House is, there is something, every man rises and something is made out. That is not so here. Any issue of importance that can be brought to the notice of the House and the Government through a Special Mention, with the prior approval of the Chairman. If there is any such issue which may raise certain controversy, then even, certain other Members are also allowed to make similar Special Mentions from their point of view. Here we have been seeing, at least I have been seeing, of late, that suddenly some Members rise, particularly from the other side, try to make noise, draw the attention of the Minister and insist on his making a statement. Sometimes the Ministers—not like Mr. Buta Singh but certain other Ministers—oblige them and involve the House into a discussion either this way or that way. My point is, I, on behalf of my party, can say that we do not fight shy of discussing anything on the floor of this House, anything under the sky or on the earth of this country, India.

I expect a statement from the Union

[Shri Dipen Ghosh]

Home Minister how the face of the Chief Minister of Bihar could be blackened and what happened in Jhanabad. ... (Interruptions)... We want a statement from the Home Minister. We want to know. The Chief Minister of Bihar is a very responsible person. How can his face be blackened in front of his own security personnel? Mr. Buta Singh went there. We don't fight shy. Let the Home Minister collect all the information. If he wants to make a statement, let us be given notice so that we can have an opportunity to discuss it.

... (Interruptions)...

SHRI SURESH KALMADI (Maharashtra): Why is he allowed? ... (Interruptions)

SHRI DIPEN GHOSH: I have been quite clear. (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down.

SHRI BUTA SINGH: Regarding my visit to Jehanabad ...

SHRI RAM AWADHESH SINGH: * THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down.

SHRI RAM AWADHESH SINGH: *

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): This will not go on record. I have not allowed it.

SHRI BUTA SINGH: Regarding my visit to Jehanabad, the most unfortunate incident took place....

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I don't want it to be discussed now.

SHRI BUTA SINGH: They have raised it. If you permit me, I will speak.

SHRI N. E. BALARAM: Let us hear him. (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): We are discussing something else (Interruptions) Prof. Lakshmananna.

SHRI N. E. BALARAM: Let him make a statement later on.

*Not recorded.

PROF. C. LAKSHMANNA: Mr. Vice-Chairman, I rise on a point of order mainly because I wanted to know whether the statement that is to be made by the Home Minister, Mr. Buta Singh, is in response to anything. (Interruptions) I am coming to that. In that connection I wanted to cite rules also. Now, I would like to know, since the Home Minister has said, he would get the report etc. and come, whether it is in the form of a statement, a *suo motu* statement, or in the form of a motion or in the form of a resolution etc., if the House will be given sufficient time beforehand so that the House may discuss it.

SHRI CHITTA BASU: Sir,....

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No. Please sit down. Please co-operate with me. You have always co-operated with me.

SHRI CHITTA BASU: That will help you, Sir, I draw your attention to rule 251 of the Rules of Procedure of this House, wherein a Minister is allowed to make a statement with the consent of the Chairman.

SHRI BUTA SINGH: No statement has been made.

SHRI CHITTA BASU: Mr. Buta Singh, just listen. Then you speak. I rise on a point of order only to know this from you. If a Minister wants to make a statement on a matter of public importance the Chairman has to be consulted. Just listen. Therefore, I think, no minister can make a statement without the consent of the Chairman. (Interruptions) It is not for you to say.

In that matter, you are the Chairman. I want you to realise that this is a matter of public urgency. Therefore, I want to know whether you know on what subject the Home Minister likes to make a statement.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): As far as the subject is concerned, it has already been made very clear. I have seen the sense of the House. It is a very serious

matter. I want the Government should make a statement after getting all information.

SHRI BUTA SINGH: About Jehanabad I can make a statement if you want.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): That can be a separate thing.

SHRI RAM AWADHESH SINGH:*

SPECIAL MENTIONS

Demand for Quick Disposal of Cases of FERA Violations

SHRI CHIMANBHAI MEHTA (Gujarat): Sir, I would like to submit a few points regarding the FERA violations. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Order, order please.

SHRI CHIMANBHAI MEHTA: Sir, the FERA violations have been increasing. In 1985-86 the violation number was 4,500 *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Everybody must listen to the special mention.

SHRI CHIMANBHAI MEHTA: In 1987-88 the violations almost doubled. It came to 8,500. You can see that the FERA violations are increasing. Although there is a question of severe penalty and fine, still the FERA violations are increasing.

The main problem is while some of the FERA violators on their own have admitted that they committed the FERA violations and have also accepted to the extent of the violation done by them, yet proceedings are going on for the last three years. After admission by a person that he is guilty if you carry on the proceedings of adjudication for more than three and a half years, then the man has a chance to go to the High Court and then to the Supreme Court, for 10 to 15 years. If a person after violating and after accepting the guilt is not convicted, then all the adjudication proceedings of pinning them down really

become a farce and it does not carry a deterrent effect. I would give an example. In 1985, penalties worth Rs. 1/- crores were realised; in 1986, penalties worth Rs. 1.40 crores were realised and in 1987, penalties worth Rs. 1.30 crores were realised. Penalties are imposed in a peculiar way. On an violated amount of Rs. 50 crores, the penalty will be Rs. 1/- crores. Even then immediately they would go in for an appeal. Now you know in this House also it has been reported that Bombay Dyeing was penalised. Rs. 1.14 crores of penalty was imposed, but the Directors went in appeal. So, now for years nothing will happen. One Mr. Mrugesh Jay Krishna from Ahmedabad has himself admitted that Rs. 46 lakhs worth of currency he had tried to sent when he was caught at the airport. More than three and a half years have passed adjudication proceedings are not yet over. The criminal case is just filed. Is this the way to deal with these FERA violators?

Mr. Lalit Mohan Thapar on his own has admitted the crime, but nothing is happening since two and a half years. Adjudication proceedings are going on. If one admits the crimes, then adjudication proceedings should not take much time. But these are all influential people. Mr. L. M. Thapar is also a highly influential man. He has become the President of the Association of Indian Chambers of Commerce and Industries. Dignitaries go there to make speeches under his Presidentship Mugesh Jai Krishna... *(Interruptions)* I have only stated that some people are guilty. I don't name, but some Opposition people also go to Shri L. M. Thapar to collect funds and that they also declare that there is no alternative to Congress. That is also being done. Therefore, what I am saying is that opposition or the ruling party is not the question here, but these influential people are making a farce of adjudication. Therefore, either the Act should be amended or the Ministry should do something drastic. They should give a serious reply. I would give at least one suggestion. If big people are involved

*Not recorded.