

with whom I had discussed, that the discussion would go on till 1.40 or 1.45 p.m. and then the Minister will reply and voting will take place exactly at 2.00' clock. So, you have to adhere to that.

SARDAR JAGJIT SINGH AURORA:
This is wrong. What about my speech? It is not my fault.... (Interruptions) .

THE DEPUTY CHAIRMAN; Then it shows that you are going back on your commitment.

SHRI PARVATHANENI UPENDRA:
(Andhra Pradesh): I make a submission. (Interruptions)

THE DEPUTY CHAIRMAN: Where is the question of submission?

SHRI A. G. KULKARNI (Maharashtra): They are not agreeing to anything. For Heaven's sake let us start with the discussion and then the voting should take place at 2.00. (Interruptions).

THE DEPUTY CHAIRMAN; It is their responsibility also to keep the word. Voting will start at 2.00 O'Clock. That is their commitment.

श्री अटल बिहारी वाजपेयी : (मध्य प्रदेश) : सभी सदस्यों के भाषण होने बाकी हैं। हम बिल के ऊपर बोलना चाहेंगे।

उपसभापति : आप भाषण तो कर ही नहीं रहे हैं।

श्री अटल बिहारी वाजपेयी : हम तो करना चाहते हैं।

उपसभापति : तो कीजिये।

श्री अटल बिहारी वाजपेयी : पहले श्री दरबारा सिंह से भाषण कराइए।

उपसभापति : आप कीजिये। आप बोलने वाले हैं। जिसका नाम आपकी पार्टी की तरफ से आया होगा

श्री अटल बिहारी वाजपेयी : श्री जमवंत सिंह जी का नाम होगा। इस तरह दो बजे तक चर्चा खत्म नहीं होगी। (व्यवधान)

THE DEPUTY CHAIRMAN; It is going back on the promise.

SHRI PARVATHENI UPENDRA.
Madam, let me make one submission.

THE DEPUTY CHAIRMAN: Mr. Aurora can now continue. (Interruptions). On behalf of all groups you said that you will speak, not on one man's behalf. After that Mr. Upendra gets up to make a submission. Then this process will again start. (Interruptions). You are not cooperating. Yesterday you agreed and you have to keep your promise. (Interruptions). You don't deny that. Now go back to your seat and cooperate. (Interruptions), This will be over in 15 minutes. It is a question of fifteen minutes only. Then the Bill can smoothly be passed. (Interruptions)- Yes, Mr. Dipen Ghosh, three minutes only. After three minutes you will not speak.

SHRI DIPEN GHOSH; You need not show your finger like that. I will abide by the finger (Interruptions).

THE DEPUTY CHAIRMAN; Order, order please. Yes, Mr. Dipen Ghosh. (Interruptions). You are unnecessarily wasting the time.

WIDESPREAD ARRESTS IN CONNECTION WITH "BHARAT BANDH"

SHRI DIPEN GHOSH (West Bengal): Madam Deputy Chairman, a serious development has taken place in the country in the meantime. Before the Emergency Bill could be passed by this House the Central Government has declared a *de facto* emergency all over the country today. When the countrymen are observing Bharat bandh today.... (Interruptions).

Madam, I will deduct this time... thirty thousand people have been arrested in Tamil Nadu. Shoot-to-kill orders have been issued in Tamil Nadu. In Orissa, all the leaders of the bandh-sponsoring parties have been arrested. In Tripura, 84 year old ex-Chief Minister, now a Member of Legislative Assembly, Shri

[Shri Dipen Ghosh]

Nripen Chakrovarty, has been arrested. In Delhi, several leaders have been arrested, including women leaders. Mrs. Brinda Karat a woman leader of Delhi has been taken into police custody and her limbs have been broken in police beating.

Madam, before the Emergency Bill is taken up for consideration and passing, I demand from the Home Minister that he should issue immediate orders for release of these political leaders. This is a serious affront to civil liberties and democratic rights of the people. People have got the right to observe a strike. This is the fundamental right of the people of our country. It is a fundamental right of the people of our country to demand the resignation of the Rajiv Gandhi Government. The Home Minister is present. So we demand that the Home Minister must issue orders immediately for release of these political prisoner and restore normalcy in the country. Thank you.

SHRI ALADIARUNA alias V. ARUNACHALAM (Tamil Nadu): Madam unfortunately, Tamil Nadu is under President's rule. So the Government of India is accountable and answerable to the public and Parliament. In the last three days, more than 25,000 people have been arrested in Tamil Nadu, compared to other States. In Tamil Nadu more people have been arrested only because the Congress leaders in Tamil Nadu are acting as if they are the Ministers of the State. The force which has been rejected by Tamil Nadu for the last 20 years is taking advantage of the President's rule and weakening political vengeance against their political enemies. That is why, due to the inducement and at the instigation of the Congress leaders in Tamil Nadu, most of the political leaders of the other political parties have been arrested. Therefore I appeal to the hon. Home Minister to release all those persons. More than that, the Congress leaders and their volunteers are compelling the shopkeepers to keep their shops open. It is an undemocratic and authoritarian style. That is why I appeal to the Home Minister to release all those political prisoners.

SHRI PARVATHANENI UPENDRA

(Andhra Pradesh): Madam Deputy Chairman, despite all the efforts of the Congress (I) and the misuse of the official media for the last one week, the whole nation is observing Bharat Bandh today.. (Interruptions) If you do not see the writing on the wall, you will only suffer. That is all I can say. If you think that there is no bandh, that shows how foolish you are. It is a clear expression of no-confidence in the Government headed by Mr. Rajiv Gandhi which has created a record in corruption and misrule in this country. And after several defeats in the various States, this Government has lost the confidence of the people. Its mandate is over ... (Interruptions) The nation has expressed itself clearly that this Government must go and must go as early as possible and immediately. That is the demand of the people. If they have got any sense of shame, they must go in for a fresh election. They must immediately resign and have elections. And if they stick to this, people will ultimately kick them out and kick them out so hard that they will not ever return.

SHRI M. S. GURUPADASWAMY

(Karnataka): Madam Deputy Chairman, I am constrained to say that the Government of India has lost all its senses. It seems that it has declared a war against the people of India. This was a peaceful bandh. But the Government of India has made it very bloody and arrested thousands and thousands of innocent people, men and women. Therefore, I demand that the Home Minister should announce immediate release of these men and women who have been arrested. I demand that the Home Minister should immediately instruct the Government of Tamil Nadu to withdraw the shoot-to-kill order which has been issued.

I demand that the radio and the television which have been misused and abused for the last few days to propagate the "partisan interests of the ruling party should stop it forthwith.

I demand an unconditional apology by the Government of India to the people of India for having done all these things.

श्री अटल बिहारी वाजपेयी (मध्य प्रदेश): महोदया, भारतीय जनता पार्टी आज के बंद में शामिल नहीं है, लेकिन लोकतंत्र में शांतिपूर्ण तरीके से बंद करने के अधिकार को स्वीकार किया जाता रहा है। सत्ता पक्ष स्वयं अपनी आवश्यकता के अनुसार बंद करता रहा है। मेरे मित्रों ने जो कुछ कहा है, अगर वह सच है, अगर तमिलनाडु में 30 हजार लोग गिरफ्तार किए गए हैं, तो मंत्री महोदय इसका स्पष्टीकरण देंगे, इसका खंडन करेंगे। अगर यह सच है कि त्रिपुरा के पूर्व मुख्य मंत्री को गिरफ्तार किया गया है तो यह गंभीर बात है और सरकार को इस संबंध में स्पष्टीकरण देना चाहिए। जो भी गिरफ्तारियां हुई हैं, उनको रिहा कर देना चाहिए।

SHRI N. E. BALARAM (Kerala): About thousands and thousands of workers¹ and party leaders, Opposition party leaders are being arrested for the last three days. I was in Tamil Nadu the day before yesterday. From my party office^{one} of the State Secretaries of my party was arrested by the police without any reasons assigned. This is a fact.

Somebody was asking how I could say that the arrests are taking place in every area. Most of my party leaders in Bihar have been arrested. I was getting phone calls today.

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): You are here. Where did you get the phone call?

SHRI VISHWANATH PRATAP SINGH (Uttar Pradesh): Because the phones are tapped, Buta Singhji knows it very well.

श्री बूटा सिंह : यह तो आपकी आदत थी। आपको तो माफ कर दिया, पता नहीं मुझे कब माफ करेंगे (व्यवधान)

SHRI PARVATHANENI UPENDRA: When you leave the Government.

SHRI N. E. BALRAM: I do not know whether the Home Minister knows it or not. I have got a phone at my residence. At about 9 O'clock I got a

phone call that 1,500 leaders have been arrested in Bihar. For your information I am saying.

Madam Deputy Chairman, I want to point out to the younger elements on that side that even during the period of the Civil Disobedience Movement when I was also arrested, overnight 30,000 persons were never arrested, 30,000 persons were never arrested in the history of India. This is a shame in the history of India. Along with me a large number of persons were arrested at that time. But overnight 30,500 arrests never took place in India. It is a shame.

I request, you should release all the leaders immediately because we make it very clear that the bandh will be very peaceful. How can you suppress such a bandh?

Thank you.

SHRI V. GOPALSAMY (Tamil Nadu): Madam Deputy Chairman, the Raj Bhavan of Tamil Nadu has become Rajiv Bhavan of Congress (I), and the Rajiv raj has become the police raj. There is an undeclared emergency, and a reign of terror has been let loose in Tamil Nadu.

I raise my accusing finger against the Minister of State for Home Affairs, Mr. Chidambaram at whose instigation these large-scale arrests have been made and shoot-at-sight orders have been given by the Commissioner of Police, Madras.

In the style of Idi Amin of Uganda, this Government through the Tamil Nadu Governor, Mr. Alexander, is ruling the State of Tamil Nadu. The very fact that 30,000 cadres have been arrested is a testimony for the grand success of the Bandh, which has been accepted by the Government. That is why they have arrested more than 30,000 people. Therefore, I request the Government to release immediately all the political party workers who have been detained in the past and the Home Minister should come with a statement tendering apology to the people.

SHRI CHITTA BASU (West Bengal): I join my other distinguished colleagues to

[Shri Chitta Basu] raise my voice of protest against the waves of oppression and repression let loose by the Government on the supporters of the Bharat Bandh which has been called by the major Opposition parties demanding the resignation of the Prime Minister and also a fresh poll. I say this because you are quite aware that by this time this Government has lost the 1984 mandate and it is in all morality that the Government should seek a fresh mandate. Now there has been a successful Bharat Bandh all over the country. This success of the Bharat Bandh explains that the majority of our people have got no faith in this Government. Therefore, they must resign. The most unfortunate part of this is that even though there has been no Emergency in our country, you have practised in such a way that there is an Emergency in an undeclared form. Therefore, all those persons who have been arrested by this time should be immediately released and there should be a stoppage of attacks on civil liberties and trade union rights.

श्री शरद यादव (उत्तर प्रदेश) : महोदया, मैं साफ कहना चाहता हूँ कि तमिलनाडु में "देखो और मारो" आदेश को आपको तत्काल वापस लेना चाहिए। जो कांग्रेस पार्टी के लोग लगातार कह रहे हैं कि दिल्ली खुली हुई है मैं उनसे कहना चाहता हूँ कि 9 मार्च को दिल्ली और हरियाणा बंद रहा है और बाकी भारत बंद है, सारा भारत आज बंद है। सारा अपोजिशन और सारा देश आज आपसे इस्तीफा मांग रहा है। आप को तमिलनाडु में जो "देखो और मारो" आदेश दिया गया है यह आपके लिए मौत का कारण बनेगा। मैं सरकार से कहता हूँ कि यह आदेश आप वापस ले लें।

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) : किसी भी लोकतंत्र में किसी भी राजनीतिक दल को हड़ताल करने और बंद करने का अधिकार है। माननीया उपसभापति जी 23 फरवरी, और 9 मार्च को हरियाणा और दिल्ली बंद थी और आज के दिन भारत बंद है। यह इसलिए बंद किया गया है कि इस देश की जनता को यह विश्वास है कि राजीव

गांधी की सरकार ने जनता के विश्वास को खो दिया है इसलिए इस लोक सभा को भंग करके नये सिरे से चुनाव कराये जाये। लेकिन माननीय महोदया, जिस तरीके के निरंकुश शासन का, पुलिस का राज कायम किया गया है और जिस तरीके से लोगों को इलाहाबाद में गिरफ्तार किया गया है, लखनऊ में गिरफ्तार किया गया है, मध्य प्रदेश में गिरफ्तार किया गया है यह इस बात का सबूत है कि इस देश की सरकार को और इस देश के प्रधान मंत्री को लोकतंत्र में विश्वास नहीं है। इसलिए हम मांग करते हैं कि जितने भी लोग आज गिरफ्तार हुए हैं उन को बिना शर्त तुरन्त छोड़ा जाये और सरकार की ओर से गृह मंत्री जी द्वारा इस सदन में इस बात का आश्वासन होना चाहिए कि इस तरीके की पुनरावृत्ति कभी भविष्य में नहीं होगी। वरना इस देश की जनता कांग्रेस पार्टी और इस देश के प्रधान मंत्री को कभी माफ नहीं करने वाली है। ऐसा लगता है 1975 की स्थिति फिर आ गयी है और जो 1977 में हुआ था वही फिर 85, 86, 87 और 88 में होने जा रहा है।

SHRI TRIDIB CHAUDHURI (West Bengal) : I am standing only to add my voice to the protest from all sides of the House excepting from the ruling party. The steamroller of repression has been run rough shod over the people of the country. It should immediately stop. Only then we can have any peaceful solution to other problems which are before us. The Home Minister should come out with a statement and immediately order the release of all those people who have been arrested.

THE DEPUTY CHAIRMAN: Shrimati Bijoya Chakravarty. Last speaker.

SHRIMATI BIJOYA CHAKRAVARTY (Assam) : Madam, although my party is not supporting "Bharat bandh" I must condemn the arrest of the workers who are observing the bandh because it is a clear violation of the Fundamental Rights guaranteed by the Constitution. I urge upon the Home Minister to make a clear statement regarding the arrests that they

have made yesterday. Thousands of people who have been atxesied in Tamil ' Nadu and in different parts of the coun-I try should be released unconditionally because every institution of India has sot a right to express their protest. Thank you.

THE DEPUTY CHAIRMAN: Shri Buta Singh.

SHRI BUTA SINGH: Madam Deputy Chairman, the Opposition leaders have raised the question and made allegations.

I refute every allegation that they have made. . . (*Interruptions*).

SHRI DIPEN GHOSH: What allegation you refute? (*Interruptions*),

उपबन्धनपति : अ.प. पहले सु। तो लोजिये ।

SHRI VISHWANATH PRATAP SINGH: Madam, th_e hon. Home Minister says he has no...

SHRIPARVATHANENI UPENDRA: He has done everything.

SHRI BUTA SINGH: In the absence of the facts before rne all that I can say... (*Interruptions*)...

SHRI DIPEN GHOSH: How can you say "I refute every allegation"?

SHRI BUTA SINGH: Yes, I refute all the allegations, insinuations and charges made by the Opposition leaders. Since thi_s bandh is a total flop in the city of Delhi and in the country. . . (*Interruptions*)...

SHRI DIPEN GHOSH: Your official media....

SHRI BUTA SINGH: I_n deference to your desire, I will collect the information and come to this House and present before the House whatever information I have.

THE CONSTITUTION (FIFTI- NINTH AMENDMENT) BILL, 1988— *contd.*

THE DEPUTY CHAIRMAN: Now, we will take up the Constitution (Fifty-Ninth: Amendment) Bill, 1988. Mr. Aurora.

SARDAR JAGJIT SINGH AURORA: Madam Deputy Chairperson, I will continue my speech whuh I started yesterday, and I would like to repeat that I oppose the Bill. In July, 1986 when I had the honour to address :he August House for rile first time 'be subject was "Situation in Punjab". I had said then, that you have to win the battle of the mind and bullets will not succeed. But the Government ha_s paid no attention to it. With single-minded determination it has followed this course of suppression without any let-up. When Barnala Government could not carry out this unimaginative suppressive policy to the satisfaction of the Centre it was over-thrown and President's rule was reimposed. Now that President's rule has al⁸⁰ miserably failed, a recourse to emergency i_s being sought. In spite of fine fact that your proven instrument of oppression Governor Ray and super cop Ribeiro have practically 'accepted defeat and they say that it is not possible because it i_s not a law and order problem it is more a political problem, you have decided to take recourse to the ultimate step of State terrorism. The Government is wearing blinkers, it refuses to see what is apparent to ^me whole of India that is incompetence ^ comprehend th_e true nature of the problem is the cause of its failure and not any chinks or loopholes in the 22 or 23 suppressive measures that it has already passed. More than the lack of prope_r, 'appreciation of the problem, it has the lack of honesty and immorality in the governance which has¹ cost the Government its credibility. It has proved that it cannot b_e trusted. It has failed t_o fulfil i_s promises. It has failed to punish the guilty. It has shown no respect for the law of the land which is its responsibility to uphold.

Today thousands of peopl_e are incarcerated in jails under false pretences and without trial. What is more, it_s law keeping forces are thoroughly corrupt and lack courage Of sense of discipline. Last week when there was a gHmer of political initiative, I welcomed it in spite of the rathe_r odd manner in which this initiative Was take_n whe_n the previous ones with much more chances of success had been jettisoned. I had said the_n that