Maharashtra, resigning his seat in the Rajya Sabha. I have accepted his resignation with effect from the 18th March, 2005.

STATEMENT REGARDING GOVERNMENT BUSINESS

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE ON THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SURESH PACHOURI): With your permission, Sir, I rise to announce that Government Business during the week commencing Monday, the 21st March, 2005 will consist of:—

1. Consideration of any item of Government Business carried over from today's Order Paper.
2. Discussion on the Statutory Resolution seeking approval of the proclamation issued by the President under Article 356 of the Constitution in relation to the State of Bihar.
3. Discussion on Bihar Budget, 2005-06.
4. Consideration and return of the following Bills after they have been passed by Lok Sabha:—
   a. The Bihar Appropriation (Vote-on-Account) Bill, 2005.
   b. The Bihar Appropriation Bill, 2005.
5. Consideration and passing of the Coastal Aquaculture Authority Bill, 2004.

MATTER RAISED WITH PERMISSION

Re. Denial of U.S. Visa to Chief Minister Of Gujarat

THE LEADER OF THE OPPOSITION (SHRI JASWANT SINGH): Mr. Chairman, Sir, I rise to make a very brief mention of a matter that concerns all of us, and has, indeed, concerned all of us since yesterday. Sir, yesterday, my Leader of the Party in Lok Sabha shared with me that the Government of United States of America had taken a certain action in regard to the Chief Minister of the State of Gujarat. I must admit that my first reaction upon reading the letter that had accompanied it was of outrage. And because I was outraged yesterday, I did not wish to react in anger and I had said as much to Shri L.K. Advaniji. I shared most of my views and observations with him then. Sir, I will be very brief with the hon.

Members because I do believe that the issues involved hear are of a dimension that all of us must, indeed, take cognisance of.

Sir, I am very heartened. I am glad as also encouraged because that indeed is what the External Affairs Ministry's purpose is. The Ministry of External Affairs stood so absolutely boldly for India. The Ministry of External Affairs has not stood up for any one individual or for any one particular Chief Minister of a State or another, it has stood up for India and that is the function of the Ministry of External Affairs. I will be failing in my function if I did not acknowledge that fact.

Sir, I don't want to go into the nomenclature of the Bill proper, which has been referred to by the State Department. But there are aspects of it, 6,7,8, which I will very briefly list. Sir, there are certain allegations in it, contained in that letter, which has been signed by the Congressmen from Pennsylvania alongwith some others. Some of the allegations are tendentious and some are totally false. But whatever is tendentious, whatever is false, the rebuttal of them, or rejoinders, adopting a legal recourse then is a function that the citizens of the United States of America or the Chief Minister of Gujarat will take or such appropriate action as they consider necessary. My function is not to go into those allegations proper. But, Sir, I must say that this is supposed. Freedom of Religion Bill, has an international reach. This is the first time ever that this Bill has been applied. It raises a question why the State Department has chosen India as the country where to first apply this Bill? I must also share with the House a coincidence that concerns me. The last time the US State Department had an occasion was when the then Secretary of State visited India, or when the former Secretary of State, Dr. Collin Powell visited here. I was by then no longer in the Ministry of External Affairs. Then after leaving India, and when Dr. Collin Powell was in Afghanistan, he announced the conferment of a non-NATO military partnership on Pakistan without having even earlier consulted India. That was the first occasion. Secondly, now when the Secertary of State Condoleezza Rice had arrived, as if by a kind of some pre-arranged coincidence, on the occasion of her visit soon after she goes, the mission made this announcement as if to sour the evolving relationship between the two countries. That was to embarrass the Government of the day! Sir, these are uncomfortable coincidences and the House would be the most affected if it did not address them. Therefore, Sir, I wish to sound a word of caution to the State Department, and I have said the same in person to some of my friends in the United Kingdom and also some of my friends in the United

States of America, that they must be very careful about permitting the passions of 'South Asian polities', invading their politics. Sir, just as the political space in the United Kingdom is now shrinking, and more and more of it is being taken over by South Asian activists, in United Kingdom that is happening, and in similar terms, Sir, I feel that will happen in the United States of America, too. Therefore, if this is a manifestation, what we have just witnessed by this initiative that has been taken by the State Department, if what we are witnessing is manifestation of that encroachment of the passions, persuasions and politics of South Asia, then the whole rationale of this Bill which purports to be freedom of religion, with international reach etc. is completely negated. I do wish to deal with that as a matter of some thought and reflection by us, and as a matter of caution for the State Department.

Sir, the other aspect is that this is without any doubt, an interference, and a completely unacceptable interference in the internal affairs of India. We have our difficulties, we have our disputes, we have our contentions, we will address those contentions, find those answers but within India. We do not need a comment or an observation or any kind of extraneous approach from any country in the world. It is not a question of United States alone. Sir, this I do believe, and it also worries me that, I think, implicitly what has been done in really a comment, not simply an encroachment on the constitutional, legal political systems of India. India is sovereign. We will address our difficulties, we will address our problems, whether constitutional, political or internal. We do not require international references in this regard. It is correct that I said nothing yesterday. That was because, Sir, I did not wish to react in anger and I do not wish to go any further now, in what I could otherwise very well do. Sir, this whole unacceptable argument of globalisation: that because this is a world, an era, of globalisation, therefore, the reach is also of globalisation, cannot , be accepted. Television has globalised all of us; yes; but, television does not govern us, and if it is beginning to govern, then, I think, it is a matter of some serious reflection for all of us. I reject, Sir, unequivocally any assumption by anyone, anywhere in the world, to attempt to become a * global judge of human rights. And , if the United States of America have assumed upon themselves a right and a function that they alone are the repositories of all human rights and not only are they the only or the sole repositories, they will be the only judges then—no sir. I don't want to comment further. It has not been a very inspiring record of human rights, whether past or present. But that is not what we are seeing even today, and I am not on any historic enquiry of the past. After all, when a country,

Sir, which, when you begin to count the passage of time, has reached about two hundred years, is commenting on a country's human rights and human values, which goes back to, goes back to the very dawn of civilization, the sheer impertinence of it, at times, is mind-boggling. And, if we do not say more, it is only because I must restrain myself. Further, Sir, we cannot accept the assumptions of religious freedom, clothed as religious freedom etc. which are really aspects of other varieties of evangelism. That is unacceptable to us. Sir, that is an internal challenge. Please reflect, all of you, my colleagues and friends, that when this happened, I got in touch with friends in the United States of America too, and I was informed that there was a limitation of two years upon it, and that limitation having been lifted, therefore, this has now been reached out. I found that argument both implausible and unconvincing. So, if you lift this argument of two years, now, where will you go back to? And, how will the atrocities, even, say, from post-World War II, be addressed? And how will be address 47? And, how willl we address the slow demographic change—I don't want to call it any further—that is taking place, for example, in our neighbourhood, or, continues to take place in Bangladesh? How far will you go back, who has given them the right, to go to 47, to the 50s to 80s? And if we don't realise the scope, the reach, that has been put out by this kind of pernicious argument, are you, therefore, going to revisit all the troubles of 80s in Assam, and all the troubles of Jammu and Kashmir, and all the troubles of Punjab in 1984? This is an unacceptable thing. And, that is why, I started by commending the Ministry of External Affairs and the Government of India for standing up for India. The Ministry of External Affairs has asserted India and India's values; it has not, as I said, stood up, either for an individual or for a Chief Minister alone. Sir, I would just add two sentences. I recognise your impatience. Sir, I reject, as an individual, as a Member of this House, having had the honour of being a Member of Parliament for seven terms,...

Sir, I reject any assumption for superiority, moral, material cultural, or civilizational, by anybody, if they so assume against India. For Indian questions, issues, problems, contentions, or quarrels, Indians will have to find the answer and India will find the answer. There is no other way to approach the solution.

SHRI NILOTPAL BASU (West Bengal): Thank you, Mr. Chairman Sir. I think I must thank the Leader of the Opposition for bringing to the attention of the House a very important matter which causes concern for the whole of the country.

At the outset, I would also like to thank and congratulate the Government of India, especially the hon. Minister for External Affairs, for the prompt response to this development, which causes concer for all of us.

The Leader of the Opposition has made a number of point. Now, we may just recall that this is not an isolated development. Subsequent to September 11, we saw what happened in this globe and the kind of politics slowly unfolding. Incidentally, the hon. Leader of the Opposition was the External Affairs Minister of this country. I recall that we had a very lively debate here. At that point in time, we, from the Left had pointed out that the manner in which the processes are unfolding sends very ominous signals. I also recall—and those words ring in my ears—that the Leader of the Opposition, the then Minister for External Affairs, has termed the entire development as a 'concert of democracy'. Now, on the contrary, what was triggered off, in the manner in which the United States of America started behaving, was actually arrogating to itself to act as the international policeman. Not that they did otherwise in the past, but that was a formal way of announcing the international coalition of terror, and we have seen that. Some of us, and I personally, had this expericence. I can share the same with you. In the first half of October, we where there in New York for the United Nations General Assembly, as part of the Indian delegation. We have seen how South Asians are dealt with by the Immigration Authorities there. We had this instance where the former Defence Minister, Shri George Fernandes, was strip-searched.

I would, therefore, like to say that now, the kind of response that we have seen from the Government of India, gives us a very good opportunity to respond on the basis of a consolidated national consensus, which, unfortunately, was missing earlier. Had we reacted at that point of time when Shri George Fernandes was strip-searched, after having known that he is the Defence Minister of the country, perhaps we would not have come to this pass as we have come.

Sir, I would like to make another point. Sometimes there is confusion as to who has the right and authority to talk about human rights globally. We are seeing newspapers, national and international, replete with incidents, which are happening in the United States. What is happening to the people who are imprisoned in the Guantenamo Bay? What is happening in the jails of Abu Garib? When we have been saying about all this, about what is happening in Iraq, or, some other parts of Middle East, I did not find the sense of urgency, which I find today from the Leader of Opposition. I am saying that we will have to be unequivocal in our

condemnation of the manner in which the United States is behaving and arrogating to itself the kind of powers that it appears to arrogate. Therefore, I feel that the way the United States have behaved in denying the visa permission to the Chief Minister of Gujarat, it should be condemned because it they are charging Mr. Modi of violating human rights, it is an internal question. I have differences, of course, with the Leader of the Opposition in the kind of role Mr. Modi played and in upholding human rights in the country, but that is a different question altogether. But Americans do not have the right to behave in the manner they have behaved. We hope that in the future, the Leader of the Opposition, and his party and his allies will realise that there are certain issues of human rights of international obligations, as the hon. Prime Minister had pointed out in his United Nations General Assembly speech. Thank you.

THE PRIME MINISTER (DR. MANMOHAN SINGH): Mr. Chairman, Sir. I share the concern that has been expressed in this matter on all sides of the House. When I came to know of the denial of visa to Shri Modi, Yesterday, I immediately instructed out External Affairs Minister to call the U.S. Ambassador and explain to them that we are greatly concerned and we greatly regret the decision that has been taken by the United States Government. Sir, the Government has taken note of developments arising from the decision of Government of the United States of America to deny the request of the Chief Minister of Gujarat, Shri Narendra Modi, for on visa. Government is also concerned at the further decision of the United States to revoke other categories of U.S. visas already issued to Shri Modi. Hon. Members of this august House would be aware of the fact that our Foreign Secretary, yesterday, summoned the Deputy Chief of the U.S. Mission in New Delhi to convey strong *demarche* on the decision of the U.S. Government.

Our Government has clearly pointed out our very deep concern and regret over the U.S. decision to deny a visa to a constitutionally-elected Chief Minister of a State of our Union. We have observed that this uncalled for decision betrays to a lack of sensitivity and due courtesy to an elected authority. The U.S. Government has been clearly told of our concern at this development. We have also called for the urgent reconsideration of this decision by the United States Government.

Mr. Chairman, Sir, the American Government has also been clearly informed that while we respect their sovereign right to grant or refuse visas to any person, we do not believe that it is appropriate to use allegations or anything less than due legal processes to make subjective judgements or to question a constitutional authority in India.

Sir, we agree that this is not a matter of partisan politics, but rather a matter of concern over a point of principle. I think, the Government's prompt and firm response clearly shows our principled stand in this matter. Thank you.

STATUTORY RESOLUTION

Approving the Proclamation Issued by The President in Relation to the State of Goa

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY): Sir, I rise to move:

> "That this House approves the Proclamation issued by the President on the 4th March, 2005, under Article 356 of the Constitution in relation to the State of Goa."

Article 356 provides that if the President is satisfied that the situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution, the President may, by Proclamation, assume to himself the functions of the Government of the State, declare that the powers of the Legislature of the State shall be exercised by the authority of the Parliament and to make such incidental stand consequential to provisions, as are required. The facts that led to the imposition of President's Rule in Goa are as follows:

The Goa Legislative Assembly had 40 Members. Mr. Parrikar was the Chief Minister, with a backing of 22 Members. Eighteen Members sat on the Opposition Benches. Four Members, backing the Chief Minister, resigned thus reducing the strength of the House from 40 to 36. The Chief Minister had 17 Members backing him with one of the supporters functioning as the Speaker of the House. The number of Members opposing him was 18. The Opposition Members approached the Governor and requested him to dismiss the Government of Shri Parrikar as he had lost the effective majority in the House. The Governor asked the Members to prove the veracity of their assertions on the floor of the House and directed the Chief Minister to uptime the Vote-of-Confidence at 2.30 P.M. on 2nd February, 2005. As per the Report of the Governor, at about 5 P.M. on the said day, the Speaker announced that the Mr. Rodrigues, a Member of the House had committed a misconduct and, therefore, was liable for action under the provisions of Rules 82,89 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly and directed him to leave the House. Mr. Rodrigues pleaded that he had not done anything to deserve the expulsion and refused to leave the House. On