

billion people cannot, indeed, shall not, be deterred by violence, no matter how gruesome and senseless, perpetrated at the behest of and by those who neither believe in peaceful co-existence nor in peaceful resolution of issues. Thank you.

**RE: DEMAND FOR THE JUDICIAL INQUIRY INTO THE RECENT MASSACRE IN VARIOUS PLACES IN JAMMU AND KASHMIR**

MR. CHAIRMAN: Now, Special Mentions.

श्री गुलाम नबी आज़ाद (जम्मू और कश्मीर): माननीय चेयरमैन साहब, स्पेशल मेंशन से ...*(व्यवधान)*...

MR. CHAIRMAN: Clarifications were over yesterday...*(Interruptions)*...

श्री गुलाम नबी आज़ाद : नहीं, सर, इसमें तो बहुत बड़ा विवाद है । There is a hell of a contradiction...*(Interruptions)*...

श्री सुरेश पचौरी (मध्य प्रदेश): स्पष्टीकरण है तो उसमें आपत्ति क्या है? ...*(व्यवधान)*...

श्री गुलाम नबी आज़ाद : स्पष्टीकरण में क्या एतराज़ है ? ...*(व्यवधान)*... माननीय प्रधान मंत्री जी ने कहा कि सुरक्षा पर्याप्त थी, चौकसी पूरी थी, बंदोबस्त कड़ा था और दूसरी तरफ से डिफेंस मिनिस्टर कहते हैं : The massacre was avoidable and the security for Amarnath pilgrimage was inadequate. तो इसमें तो कोई ...*(व्यवधान)*... इसलिए माननीय प्रधान मंत्री जी के कहने में और डिफेंस मिनिस्टर के कहने में डिफ्रेंस ऑफ ओपीनियन है । हम चाहते हैं कि यह एग्जीक्यूटिव इन्क्वायरी से मसला हल नहीं हो सकता, इसलिए यह जुडीशियल इन्क्वायरी होनी चाहिए । No less than a judge of the Supreme Court of India...*(Interruptions)*... क्योंकि प्राइम मिनिस्टर और डिफेंस मिनिस्टर के विवाद को I do not think the Executive can decide who is wrong and who is right...*(Interruptions)*...Who can decide?...*(Interruptions)*...There is a difference of opinion between the Defence Minister and the hon. Prime Minister...*(Interruptions)*...How can the Executive enquiry bring out the facts?...*(Interruptions)*...I am now sure that this can be done only by no less than a judge of the Supreme Court of India...*(Interruptions)*...

This is what the Defence Minister of India has said. ...*(Interruptions)*... This is what the Defence Minister of India has said. ...*(Interruptions)*... The hon. Prime Minister says, "The security arrangements were foolproof." While the Defence Minister says, "No." Then who is going to decide it? *(Interruptions)* Then, who is going to decide it? The executive! *(Interruptions)* It can be done by a judicial inquiry only. *(Interruptions)* No less than a judicial inquiry. *(Interruptions)* No less than a judicial inquiry, and no less than a judge of the Supreme Court of India. *(Interruptions)*

श्री सुरेश पचौरी : क्या प्रधान मंत्री जी, इस बात को स्वीकार कर रहे हैं  
.....(व्यवधान).....

प्रधान मंत्री जी, अकाउंटेबिलिटी और ट्रांसपेरेंसी में विश्वास करते हैं तो न्यायिक जांच कराने में क्या आपत्ति है?... (व्यवधान)....

श्री टी.एन. चतुर्वेदी (उत्तर प्रदेश): सर, उन्हीं मामलों को फिर दोहराया जा रहा है  
...(व्यवधान)...

श्री सुरेश पचौरी : प्रधान मंत्री जी का जो उत्तर है, वह अपने आप में ... (व्यवधान)...  
क्योंकि उन को मालूम था कि यात्री आतंकवादियों का शिकार बन सकते हैं ... (व्यवधान)...

श्री गुलाम नबी आज़ाद : इस का जवाब क्या है ? इस का जवाब नहीं है । इस का  
जवाब ... (व्यवधान)... सर, अगर मुझे अनुमति हो तो मैं टेबिल पर रख सकता हूँ । ... (व्यवधान)...

SHRI RAJU PARMAR (Gujarat): We demand a judicial inquiry.  
(Interruptions) We demand a judicial inquiry. ... (Interruptions)...

श्री गुलाम नबी आज़ाद : माननीय डिफेंस मिनिस्टर साहब ने जो प्रेस में कहा है, अगर  
चेयरमेन की अनुमति हो, तो उसे टेबिल पर रख सकता हूँ ... (व्यवधान)... Why don't you  
ask your Defence Minister, who is right and who is wrong? (Interruptions)  
Who is going to decide it? (Interruptions) The Defence Minister says one  
thing and the Prime Minister says something else. (Interruptions) You did  
not have coordination between the Defence Ministry and the Home Ministry.  
(Interruptions)

श्री जनेश्वर मिश्र (उत्तर प्रदेश): सभापति जी, यह ठीक नहीं है । ... (व्यवधान)... ऐसे  
चल नहीं सकते, हल्ला मचाकर तो देश को नहीं बचाया जा सकता ... (व्यवधान)...

श्री सुरेश पचौरी : सर, प्रशासकीय अधिकारियों के भरोसे अमरनाथ यात्रा को छोड़ दिया  
गया और वह निकम्मी साबित हुई । इसलिए जूडिशियल इन्क्वायरी होना आवश्यक है  
.... (व्यवधान)....

श्री गुलाम नबी आज़ाद : सर, जो डिफेंस मिनिस्टर जॉर्ज फर्नान्डीस जीने कहा है, उस  
को कौन क्लियर करेगा?

What do you have to say about it? (Interruptions) What do you  
have to say about it? (Interruptions) This is the statement of the Defence  
Minister after his yesterday's visit. This is not with reference to our visit.  
(Interruptions) This is after he visited yesterday. This is the latest.  
(Interruptions) What the hon. Prime Minister has said is in reference to the  
visit four days ago. But what the Defence Minister has said is in reference  
to yesterday's visit. (Interruptions) That is the latest. (Interruptions)

श्री टी. एन. चतुर्वेदी : आप देश में शांति नहीं चाहते हैं । आप जम्मू-कश्मीर में शांति  
नहीं चाहते हैं ... (व्यवधान)...

श्री गुलाम नबी आज़ाद : क्या परेशानी है ? क्यों तथ्य छिपा रहे हैं आप ...(व्यवधान)...

श्री टी. एन. चतुर्वेदी : परेशानी इस बात की है कि आप जो बात कहते हैं देश में, जनता में उसकी प्रतिक्रिया होती है ...(व्यवधान)... आप उस क्रिया और प्रतिक्रिया को बढ़ाना चाहते हैं ...(व्यवधान)...

SHRI GHULAM NABI AZAD: What the hon. Prime Minister has said, has become outdated now. *(Interruptions)* We have to take cognizance of the latest observation made by the Defence Minister. *(Interruptions)*

श्री टी. एन. चतुर्वेदी : क्रिया और प्रतिक्रिया में आप इसके भागीदार हो रहे हैं ... आपने इसको बढ़ाने में सहयोग दिया है ...(व्यवधान)...

SHRI GHULAM NABI AZAD: Ask your Defence Minister. *(Interruptions)* Ask your Defence Minister. *(Interruptions)*

श्री टी. एन. चतुर्वेदी : जितने भी तथ्य उपलब्ध थे, प्रधानमंत्री ने सदन के सामने रखे हैं। जनता को उन पर विश्वास है मगर फिर इस विवाद को बढ़ाने की कोशिश की जा रही है ...(व्यवधान)...

श्री गुलाम नबी आज़ाद : अपने डिफेंस मिनिस्टर से पूछो ...(व्यवधान)...

श्री टी. एन. चतुर्वेदी : आप उसको बढ़ाना चाहते हैं तो बढ़ाइए ...(व्यवधान)...

श्री सुरेश पचौरी : प्रधानमंत्री ने स्वयं स्वीकार किया है कि आतंकवादियों की मंशा ...(व्यवधान)... दूध का दूध और पानी का पानी हो जाएगा, सारे तथ्य उजागर हो जाएंगे अगर इसकी न्यायिक जांच कराई जाए तो ...(व्यवधान)... जम्मू-कश्मीर सरकार के हवाले अमरनाथ यात्रा, उन अधिकारियों के रहते अमरनाथ यात्रा ...(व्यवधान)... हमारे देश से क्या संदेश जा रहा है .....(व्यवधान)

प्रो. रामगोपाल यादव (उत्तर प्रदेश): महोदय, रक्षा मंत्री का बयान कलेक्टिव रिस्पॉन्सिबिलिटी के सिद्धांत के खिलाफ है। इसीलिए माननीय प्रधानमंत्री जी को चाहिए कि इस तरह के गैर-जिम्मेदाराना वक्तव्य के लिए रक्षा मंत्री ...(व्यवधान)...

SHRI S. RAMACHANDRAN PILLAI (Kerala) : Sir, the statement made by the Defence Minister is a charge against the Government. *(Interruptions)* The Defence Minister says that the massacre was avoidable. *(Interruptions)* It means that the Statement by the Defence Minister is a charge against the Government. *(Interruptions)* It shows that there is no collective responsibility in the Government. *(Interruptions)*.

SHRI GHULAM NABI AZAD: There is a difference of opinion between the Defence Minister and the Prime Minister, so far as the security is concerned. That difference can be sorted out by a Supreme Court judge only and not by an executive officer. *(Interruptions)*

श्री के. रहमान खान (कर्णाटक): हमें क्लेरिफिकेशन चाहिए। ...(व्यवधान)...

SHRI GHULAM NABI AZAD: No Deputy Commissioner can sort out the difference of opinion between the Prime Minister and the Defence Minister. (Interruptions)

SHRI K. RAHMAN KHAN: We want this clarification. (Interruptions)

SHRI GHULAM NABI AZAD: We do not find him anywhere. He has not visited Kashmir also. The other day, I had demanded his resignation. Maybe he might have resigned and gone out.

श्री संघ प्रिय गौतम (उत्तर प्रदेश): आपको डाउट करना है करें लेकिन ...(व्यवधान)... सभापति महोदय, हाऊस को चलवाइए, इन्हें बिठवाइए। ...(व्यवधान)... विशेष रूप से ...(व्यवधान)...

श्री गुलाम नबी आज़ाद : जब तक डिफेंस मिनिस्टर की प्रेस कांफ्रेंस का पुष्टिकरण नहीं कराया जाता हम नहीं बैठेंगे ...(व्यवधान)...

श्री नीलोत्पल बसु (पश्चिमी बंगाल): इस तरह से चलना मुश्किल है। ...(व्यवधान)...

श्री सुरेश पचौरी : आदरणीय सभापति महोदय, प्रधान मंत्री जी कहते थे कि ...(व्यवधान)... और दूसरी तरफ यह जांच करवाने से कतराते हैं। ...(व्यवधान)... एक तरफ तो कहते हैं कि उन्हें मालूम था कि आतंकवादियों के इरादे क्या हैं ...(व्यवधान)... और दूसरी तरफ न्यायिक जांच से कतराते हैं। यह अपने आप में दो अर्थ वाली बात है। इसके लिए न्यायिक जांच होनी चाहिए। ...(व्यवधान)... मंत्री का त्याग पत्र ...(व्यवधान)... कांड के बाद जम्मू कश्मीर में हैं। ...(व्यवधान)... यह अपने आप में बहुत निंदनीय और शर्मनाक है। ...(व्यवधान)...

श्री संघ प्रिय गौतम : अगर आप लोगों को वाकआउट करना है तो कर जाएं। ...(व्यवधान)...

श्री टी. एन. चतुर्वेदी : वहां पर मजदूर मारे गये हैं। ...(व्यवधान)...

श्री सुरेश पचौरी : सभापति महोदय, क्या यह सच है कि गृह मंत्री जी ने इस्तीफा दे दिया है? ...(व्यवधान)... गृह मंत्री जी कश्मीर नहीं गए इसका क्या कारण है? ...(व्यवधान)... प्रधान मंत्री जी स्वीकार कर रहे हैं...(व्यवधान)... वहां पर हथियार रखने की इजाजत आतंकवादियों को कैसे दी गई? इसके लिए कौन जिम्मेदार है? ...(व्यवधान)...

श्री रामदास अग्रवाल (राजस्थान): प्रधान मंत्री जी ने जो कहा है उस पर देश विश्वास करें...(व्यवधान) देश में एकता का परिचय देने की जरूरत है। जो आचरण आप कर रहे हैं उससे देश का नुकसान होगा। ...(व्यवधान)...

श्री टी. एन. चतुर्वेदी :आपकी बातें सुनकर देश की जनता में ...(व्यवधान)...आप देश में अशांति लाना चाहते हैं।...(व्यवधान)...

श्री विक्रम वर्मा (मध्य प्रदेश): सभापति महोदय, आपकी व्यवस्था का उल्लंघन किया जा रहा है।...(व्यवधान)...



श्री संघप्रिय गौतम: नौ सौ चूहे खाकर बिल्ली हज को चली। ...(व्यवधान)... आप कश्मीर के मामले में देश को गुमराह कर रहे हैं। ...(व्यवधान)...

श्री के. रहमान खान: सर, ये कैसी बातें करते हैं? ...(व्यवधान)... हम प्रधान मंत्री जी से पूछना चाहते हैं कि आतंकवादी कैम्प के अन्दर कैसे आए?...(व्यवधान)...

SHRI RAMACHANDRA KHUNTIA (Orissa) : We want judicial inquiry. ...*(Interruptions)*...

श्री टी. एन. चतुर्वेदी: आप कश्मीर में शांति नहीं चाहते हो। ...(व्यवधान)... आप चाहते हैं कि जम्मू-कश्मीर में सरकार ...(व्यवधान)... वहां पर लोगों में विश्वास की भावना पैदा करने के लिए...(व्यवधान)...

श्री सुरेश पचौरी: प्रधान मंत्री जी कहते हैं कि आतंकवादी वहां पर...(व्यवधान)...वहां पर हथियार रखने की इजाजत किसने दी और इसके लिए कौन जिम्मेदार है? ...(व्यवधान)...सभापति महोदय, इस बात की न्यायिक जांच की घोषणा होनी चाहिए।...(व्यवधान)...

श्री संघप्रिय गौतम : कांग्रेस ने ही कश्मीर में बीज बोये हैं जिसका फल आज सारा देश भुगत रहा है ...(व्यवधान)...

श्री सुरेश पचौरी: इस बात की जानकारी दें ...(व्यवधान)... जार्ज फर्नांडीज कुछ और कहते हैं। गृह मंत्री जी कश्मीर क्यों नहीं गए ...(व्यवधान)... प्रधान मंत्री जी कहते हैं कि आतंकवादी ...(व्यवधान)...

SHRI RAJU PARMAR: We want judicial inquiry. ...*(Interruptions)*...

श्री टी.एन. चतुर्वेदी: आप क्यों गुस्सा हो रहे हैं? मैं समझता हूँ...(व्यवधान)...

श्री गुलाम नबी आज़ाद : सभापति महोदय, इसकी जुडिशियल इन्क्वायरी होनी चाहिए। ...(व्यवधान)...जब तक इसकी जुडिशियल इन्क्वायरी नहीं होगी तब तक कुछ नहीं हो सकता है। ...(व्यवधान)...अगर उन्होंने अलग से प्रेस कांफ्रेंस नहीं की होती तो ...(व्यवधान)... जुडिशियल इन्क्वायरी के अलावा कोई दूसरा चारा नहीं है। ...(व्यवधान)...

MR. CHAIRMAN: It is one o'clock now. The House is adjourned for lunch for one hour.

The House then adjourned for lunch at one of the clock.

The House reassembled after lunch at three minutes past two of the clock,

THE DEPUTY CHAIRMAN in the Chair

SHRI PRANAB MUKHEREJEE (West Bengal) : Madam, I would like to make a small submission.

In the morning, the Prime Minister made a statement in order to clarify all the points which were raised by the hon. Members on Friday. The

2.00 P.M.

point on which I would like to draw the attention of the Government, especially the Leader of the House, is that the Prime Minister, while replying to the clarifications, also stated that the Defence Minister had visited Kashmir. The Defence Minister's statement, as it appears in the 'Indian Express' of today, says: "Massacre was avoidable: Fernandes". The 'Hindustan Times' quoted him saying: "Security for Amarnath pilgrims inadequate". Not only that, the Defence Minister has gone to the extent of suggesting that the massacre could have been avoided if the security arrangement was beefed up. He is on record saying, as per the newspaper reports, that the Government did not beef up the security arrangements despite the knowledge that a suicide squad had been constituted. Therefore, he feels that the massacre at Amarnath could have been avoided if the security arrangement had been beefed up. Is it not desirable that some explanation from the Government should come in regard to the statement made by the Defence Minister? After all, the Government is a collective responsibility. A Minister cannot simply say that security is the job of the Home Minister.

It is the job of the Government, as a whole. If the statement of the Defence Minister has been wrongly reported, is it not incumbent on the part of the Government to come and explain that the report is not correct, that the report is inadequate, that the information is incorrect? Unless those positions are clarified, you cannot just simply take the position that "well, you raised the clarifications on Friday, the Prime Minister has replied to the clarifications and the issue is closed." Madam, it cannot be closed because the issue itself unfolds new developments, is it not incumbent on our part to draw the attention of the Government to try to get some explanation, some authoritative information from the Government? This is the only point which is agitating our mind. In the fitness of the things, we have also suggested that all these aspects which are coming should be looked into. As per the newspaper report, one Cabinet Minister is of the opinion that the security arrangements were inadequate, the security arrangements should have been beefed up. After obtaining information on the formation of a suicide squad, is it improper on the part of the Opposition to demand a judicial inquiry to be instituted to look into all the aspects so that the position is clarified? Madam, through you, that is the most respectful submission I would like to make to the Leader of the House.

SHRI ARJUN SINGH (Madhya Pradesh): Madam, one aspect.

उपसभापति : अभी लीडर आफ दी हाऊस।

THE LEADER OF THE HOUSE (SHRI JASWANT SINGH): Madam, are we having a debate?

THE DEPUTY CHAIRMAN: We are not having any debate. I am just trying to find out. ...*(Interruptions)*...

SHRI JASWANT SINGH: I can respond, if the hon. Member would kindly sit down.

उपसभापति : उनको भी सुन लीजिए।

SHRI JASWANT SINGH: I will. If we are to have a debate, then, let us know as to how many Members are participating.

THE DEPUTY CHAIRMAN: We are not having a debate. I am trying to ...*(Interruptions)*.... One second. Let me handle. After the Question Hour; and the Prime Minister's reply to the clarifications, the House did not run. ...*(Interruptions)*.... I am trying to bring order. I agree with you that you can respond to it. Shri Arjun Singh is a senior Member. If he wants to say something, let him say. But we will not have a debate. No other Member would speak. They would like to have a response from the Government.

SHRI ARJUN SINGH: Madam, since the Leader of the House stood up, out of courtesy, I sat down.

But there is one aspect which must be kept in view. Unfortunately, apart from what has happened in the Valley, we have witnessed violence all over the country. Violence of this nature is reprehensible. It should be condemned by one and all. But the Prime Minister has not taken any notice of it, though this matter was raised in the clarifications. The spill off from that incident is resulting in violence. What we are witnessing here is the persons belonging to the outfit,\* they are indulging in violence, bringing down houses, mosques and everything. People have been killed. I think this is a cynical exercise of an absolutely low level politics. On the one hand, they are busy doing something; and, on the other, we have been given lectures that we must appeal to everyone and we must look to the national interest. ...*(Interruptions)*...

श्री अहमद पटेल (गुजरात): गुजरात में क्या हो रहा है? ...*(व्यवधान)*... What is happening?

श्री एस. एस. अहलुवालिया (बिहार): यह क्या हो रहा है? ...*(व्यवधान)*...

THE DEPUTY CHAIRMAN: Just one second. ...*(Interruptions)*...

श्री सुरेश पचौरी : मैडम, मेरा व्यवस्था का प्रश्न है ...*(व्यवधान)*...

THE DEPUTY CHAIRMAN: Just a minute. Just a minute. Please. Just a minute. आप बैठिए।

श्री सुरेश पचौरी : मैडम, मेरा व्यवस्था का प्रश्न है। ...(व्यवधान)...

श्री मूल घनद मीणा (राजस्थान): अहलुवालिया जी, आप क्या कह रहे हैं? ...(व्यवधान)...

उपसभापति : सुरेश जी, जरा बैठिए तो सही। एक मिनट ।

श्री राजू परमार : लोग मारे जा रहे हैं। ...(व्यवधान)...

श्री एस.एस. अहलुवालिया : क्या हो रहा है, मालूम है। ...(व्यवधान)...

THE DEPUTY CHAIRMAN: Just one minute; एक मिनट सुरेश जी, सुरेश जी, जरा बैठिए तो सही। One second. आप बैठिए। अहलुवालिया जी, आप जरा एक मिनट चुप होंगे? The main thing is, two issues were raised. You wanted to reply to the issue raised by Shri Pranab Mukherjee. Now, there are two points, शायद, होम मिनिस्टर साहब, दूसरे मसले पर तो स्टेटमेंट इश्यु करने वाले हैं, आज नहीं, बाद में ...(व्यवधान)...

SHRI S.S. AHLUWALIA: We are opposing the language which the hon. Member has used.

THE DEPUTY CHAIRMAN: Okay. I will look into the language. आप बोलिए।

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): He referred to the "low-level politics"? What is meant by "low-level politics"?

श्री सुरेश पचौरी : महोदया, मेरा व्यवस्था का प्रश्न है ...(व्यवधान)... महोदया, मेरा व्यवस्था का प्रश्न है ...(व्यवधान)...

THE DEPUTY CHAIRMAN: I will just go through it and find out. Let the Leader of the House speak. (Interruptions). Let the Leader of the House answer the question which is being raised. We have to run the House in order. We want to have answers. Let the Leader of the House reply. आप बैठेंगे एक सैकिण्ड । सुरेश जी आप बैठिए ...(व्यवधान)...

SHRI JASWANT SINGH: Madam Deputy Chairman, I wish to know if this is going to be a continuous process. There are a number of Members who seem to be keen to make their viewpoints known. Would you permit them also to have their say?

उपसभापति : नहीं-नहीं, आप इसका तो जवाब दे दीजिए ।

SHRI JASWANT SINGH: Even after I have answered, they may still wish to raise it again. So, it is much better if they also speak and then I answer. (Interruptions). There is no difficulty.



THE DEPUTY CHAIRMAN: Let me try my best. *(Interruptions)*. We have got important businesses. We have got the Madhya Pradesh Bill pending before us.

श्री सुरेश पचौरी : मेरा मध्य प्रदेश का व्यवस्था का प्रश्न है...(व्यवधान)...

उपसभापति : हां, पहले यह बात हो जाए फिर आपकी व्यवस्था भी उठा लेंगे...(व्यवधान)...

श्री एस.एस. अहलुवालिया : यह चलती रहेगी मैडम...(व्यवधान)...

उपसभापति : नहीं चलेगी, आप चलने दीजिए लीडर ऑफ दि हाउस बोलेंगे...(व्यवधान)...

SHRI JASWANT SINGH: He is raising a point of order.

उपसभापति : नहीं आप बोलिए, It is for me to decide.

SHRI JASWANT SINGH: You were very kind, Madam, to suggest that I should speak. But he is raising a point of order.

THE DEPUTY CHAIRMAN: It is on another subject. It does not concern this. आप बोलिए।

SHRI JASWANT SINGH: There are two points here. Hon. Pranabbabu referred to some newspaper reports which allege that the hon. Defence Minister has said something which is different from what the hon. Prime Minister has said. It is just being raised. Of course, I will ascertain from the hon. Defence Minister what exactly he said when he visited Jammu. Until I have ascertained that, no amount of agitation here will enable me to reach him by any communication whatsoever. I will ascertain as to what he said and once I have ascertained that, either he himself or I will report to this House. I do not see what this agitation is all about. Permit me to say this, Madam. On this whole question of judicial inquiry into the alleged lapses of security, are we really going back to all the alleged lapses of security, going back to 1962 and 1965 and all that? *(Interruptions)*.

SHRI GHULAM NABI AZAD: In 1962 and 1965, they were wars. *(Interruptions)*.

उपसभापति : सुन लीजिए, सुन लीजिए प्लीज...(व्यवधान)..

SHRI JASWANT SINGH: I am very happy, Madam, that whatever I suggested met with mirth and that the Opposition is bemused by it. I really

wish they were bemused when, earlier, after the hon. Prime Minister said what he did, about a good half-an-hour was spent only on raising slogans. I do not think the Government is in a position to accept this completely untenable, completely unconstitutional, an inquiry... *(Interruptions)*.

SHRI GHULAM NABI AZAD: This answer is not acceptable to us at all.

श्री सुरेश पचौरी : मेरा मध्य प्रदेश का व्यवस्था का प्रश्न है...(व्यवधान)...

उपसभापति : अभी आपकी व्यवस्था का प्रश्न भी मैं सुन लूंगी ...*(व्यवधान)*... Let the Leader of the House speak. When Pranabji was speaking, he listened to him peacefully. Let him put the Government's viewpoint before you. It is entirely up to the House as to what they want to do. It is beyond the Chair. But at least, let him say what he wants to. He is the Leader of the House. Let him explain how it is unconstitutional. It is for him. *(Interruptions)*. I do not have to decide. It is for them to say what is the reason why they cannot have a judicial inquiry. Let him say that. *(Interruptions)*. अभी देखिए हमारे हाउस की परंपरा है । जब लीडर ऑफ दि ओपोजिशन बोलते हैं तो हम सुनते हैं जब लीडर ऑफ दि हाउस बोलते हैं तो सुनते हैं ...*(व्यवधान)*... सुन लीजिए...अपनी परंपरा है तो कायम रखिए ...*(व्यवधान)*... फिर आप जो करेंगे वह आपकी परंपरा पर डिपेंड करेगा...आप जो भी कहेंगे हम उसके लिए तैयार हैं पहले यह तो होने दीजिए ...*(व्यवधान)*...

SHRI JASWANT SINGH: Let me repeat it. So far as what is alleged to have been said by the hon. Defence Minister is concerned, I shall certainly ascertain as to what exactly he said. Either he will come back here or I will report to the House. So far as the question of judicial inquiry is concerned, I will not go back into all this. The judicial matter does not serve the nation's interest. We will not accept it because it is not constitutional, and it is, in fact, damaging to the nation's interest. Therefore, we cannot accept it. *(Interruptions)*

SHRI GHULAM NABI AZAD: Madam, for the first time we are hearing that any judicial inquiry would be unconstitutional. *(Interruptions)* I think, this is the greatest aspersion. Madam, as we have stated in the morning, there is a difference of opinion between what the hon. Prime Minister has said and what the Defence Minister has said, and the difference of opinion cannot be sorted out by an Executive order. *(Interruptions)* It can be sorted out by a sitting judge of the Supreme Court, not by an officer. *(Interruptions)* How can a Collector take the side of the Defence Minister or the Prime Minister? There is a total difference of opinion. *(Interruptions)*

THE DEPUTY CHAIRMAN: I can say one thing. As far as the report of the Defence Minister in the newspaper is concerned, I have also read it. *(Interruptions)* As has been stated by the Leader of the House, either he will ascertain or I will ascertain if the Defence Minister can come to the House and explain as to what the exact position is, provided he is available. *(Interruptions)* Or the Leader of the House can also find out. *(Interruptions)*

SHRI GHULAM NABI AZAD: Madam, I would like to say what the Prime Minister has said. He has stated: " The Government had the information that the suicide squads are going to strike, and even after having that information, they have succeeded. " *(Interruptions)* खुफिया एजेंसियों को जानकारी थी कि यात्रा के दौरान कोई घटना हो सकती है । ...*(व्यवधान)*...

SHRI SANGH PRIYA GAUTAM: You are misleading the House. The Prime Minister did not say this. Don't mislead the House. *(Interruptions)* वह अलग बात है।

SHRI M. VENKAIAH NAIDU (Karnataka) : Madam, the hon. Prime Minister has made an elaborate response. So, it is not fair now to comment on the Prime Minister's response in the House. *(Interruptions)*

SHRI GHULAM NABI AZAD: There is a contradiction in the answer itself. There is an in-built contradiction in the reply. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: There is no contradiction. *(Interruptions)*

THE DEPUTY CHAIRMAN: I am not allowing it. I want the House to take up the Madhya Pradesh Reorganisation Bill, 2000. *(Interruptions)*

SHRI GHULAM NABI AZAD: That contradiction can be removed and the doubts can be cleared not by the Executive inquiry but by the judicial inquiry,

SHRI M. VENKAIAH NAIDU: There is no contradiction in the reply. *(Interruptions)* The stand of the Government is very clear. *(Interruptions)* You are only thinking.... *(Interruptions)* It is the Government of the people which takes strong action as and when necessary *(Interruptions)*

श्री सुरेश पचौरी : उपसभापति महोदया, मेरा व्यवस्था का प्रश्न है ।

उपसभापति : क्या व्यवस्था का प्रश्न है ? ...*(व्यवधान)*...

श्री एम. वेंकैया नायडु : कोई व्यवस्था नहीं है, अवस्था देखिये हमारे देश की। ...*(व्यवधान)*...

श्री संघ प्रिय गौतम : यह विषय तो समाप्त हो चुका है । और विषय ले लीजिये ।  
...(व्यवधान)...

श्री सुरेश पचौरी : उपसभापति महोदया, मुझे पहले आपकी अनुमति मिली है । इसलिए मैं व्यवस्था के प्रश्न पर बोलना चाहता हूँ। इस सदन की यह परंपरा रही है कि जब भी कभी महत्वपूर्ण मसले पर सदन से बाहर मंत्री ने वक्तव्य दिया है, मसला बहुत अहम और महत्वपूर्ण हो और जब सदन चल रहा हो तो सदन ने यह व्यवस्था दी है कि माननीय मंत्री से कहा जाए कि वह सदन में आ कर उस संबंध में या तो वक्तव्य दें या स्पष्टीकरण दें । ...(व्यवधान)... महोदया, इस सदन में ऐसी बात 1951 में हुई, 1971 में हुई, 1973 में हुई । मैं आपका ध्यान "राज्य सभा एट वर्क" के पृष्ठ 362 की ओर आकर्षित करना चाहता हूँ। पहले भी इस सदन की आसंदी पर जो विराजमान रहा है, जब उसका ध्यान इस बात की ओर आकर्षित किया गया है कि माननीय मंत्री ने महत्वपूर्ण मसलों पर सदन के बाहर कोई वक्तव्य दिया है जब कि सदन चल रहा है तो उस मंत्री को निर्देशित किया गया है कि वह सदन में आ कर वक्तव्य दें। रक्षा मंत्री ने सदन के बाहर कहा ...(व्यवधान)...

THE DEPUTY CHAIRMAN: Okay. I will get the Minister.  
...(Interruptions)... I will get the Minister to the House.

श्री सुरेश पचौरी : यह रक्षा मंत्री का वक्तव्य है। प्रधान मंत्री का वक्तव्य कुछ और है। दोनों वक्तव्यों में विरोधाभास है।

उपसभापति : यह तो लीडर भी बोल रहे हैं।

श्री सुरेश पचौरी : इसलिए यह स्पष्ट होना आवश्यक है। आपको निर्देश देना आवश्यक है कि रक्षा मंत्री को यहां बुलाया जाए ताकि वे अपनी स्थिति स्पष्ट करें कि किस आधार पर उन्होंने यह कहा "the massacre was avoidable" मेरे प्वाइंट आफ आर्डर का दूसरा बिंदु है महोदया कि दूसरे सदन में भी इस प्रकार के डायरेक्शन दिए गए हैं, मैं वहां की प्रोसीडिंग्स को कोट नहीं करना चाहता हूँ, चाहे वह 18.3.70 की बात हो, 1984 हो या 3.6.88 की बात हो। रही बात कि किस क्लैरीफिकेशन पर कितना समय दिया जा सकता है ...(व्यवधान)... महोदया, इस सदन में 1991 में 24, 25 और 26 जुलाई को सात घंटे तक स्पष्टीकरण पूछे गए थे। मैं आपका संरक्षण चाहता हूँ। मैं चाहता हूँ कि आप निर्देशन दें कि रक्षा मंत्री को यहां बुलाया जाएर जुडीशियल इन्क्वायरी के संबंध में प्रधान मंत्री स्पष्ट करें कि यह मसला अधिकारियों से संबंधित है ...(व्यवधान)... स्वयं प्रधान मंत्री जी ने स्वीकारा है कि अधिकारियों को इस बात की जानकारी थी कि आतंकवादी, जो अमरनाथ के यात्री हैं उन पर अटैक कर सकते थे। स्वयं प्रधान मंत्री जी ने इस बात को स्वीकारा है। अधिकारियों के जिम्मे यदि यह इन्क्वायरी सौंपी जाती है तो कोई तथ्य निकलने वाला नहीं है ...(व्यवधान)...

SHRI M. VENKAIAH NAIDU: Madam, what is this? Every time, it happens. He was making speeches and quoting from the records!  
...(Interruptions)... I am addressing to the Chair. ...(Interruptions)... I am bringing to her notice, and not to your notice. ...(Interruptions)...

उपसभापति : आप बैठिए, अभी आप बैठिए, सब बैठ जाएं। Now I am standing. Everybody should sit down. The main thing is, as far as the Defence Minister's coming to the House is concerned, the Leader of the House



himself said, I also said, that I will have to talk to him and find out; they will have to talk to him. Immediately he cannot be produced. We do not know where he is. Is he in Delhi ? ...*(Interruptions)*... Just a minute. मेरी पूरी बात हो जाने दीजिए फिर आप अपनी बात कीजिएगा। पता लगे कि वे इस वक्त कहां हैं तो बुलाया जा सकता है। I have two names before me आप बोलना चाह रहे थे ...*(व्यवधान)*... हां, आपका नाम भी है। एक ही वक्त में एक ही तो बोलेगा ..*(व्यवधान)*...

श्री सुरेश पचौरी : गृह मंत्री जी यहां हैं ...*(व्यवधान)*... यह भी तो स्पष्ट हो कि उन्होंने त्यागपत्र दिया है कि नहीं। अगर नहीं दिया है तो क्या वजह है कि वे जम्मू काश्मीर नहीं जा रहे हैं।

उपसभापति : आप बोलिए ...*(व्यवधान)*... बोलने दीजिए। मैंने उन्हें इजाजत दी है ...*(व्यवधान)*...

एक माननीय सदस्य : महोदया, यह बहुत गंभीर मसला है ...*(व्यवधान)*...

श्री संघ प्रिय गौतम : मैं एक सवाल पूछ रहा हूं ...*(व्यवधान)*... यह विषय समाप्त हो गया है ...*(व्यवधान)*...

श्री विक्रम वर्मा : आपने व्यवस्था दे दी है माननीय उपसभापति महोदया ...*(व्यवधान)*... अब उसके बाद फिर नये नये विषय उठेंगे।

उपसभापति : मैंने व्यवस्था दे दी है। बात खत्म हो गयी है। अब आप बोलना चाह रहे थे तो बोलिए। कोई इसमें रहा नहीं है।

श्री विक्रम वर्मा : आपने व्यवस्था दे दी। अब हमें कोई नहीं बोलना है। आपने जो व्यवस्था दे दी वह हमको शिरोधार्य है ...*(व्यवधान)*...

उपसभापति : हो गयी बात। Now I have clearly identified what the problem is ...*(Interruptions)*... That is what I have understood. ...*(Interruptions)*... Just a minute, Nilotpalji. I have understood, from whatever is being said till now in the House, so has the Leader of the House, that the problem is...*(Interruptions)*...

श्री जनेश्वर मिश्र : हम दूसरी बात कहना चाहते हैं ...

उपसभापति : आप दूसरी बात बाद में कहिएगा पहले मेरी बात हो जाए।

The main thing is that the Defence Minister has to be called here, and if he is around here, he can be called immediately. If it takes some time, then we will do some work. We have to find out what statement he has made; what he said, and what the difference is, and whatever knowledge he has, he can share with the House. But when the House is in session, generally such statements should come on the floor of the House, not through the newspapers. This is our tradition, not today...*(Interruptions)*... So, there is nothing improper on the part of the

Members in asking that. ...*(Interruptions)*... अब कौन सा दूसरा विषय है ...*(व्यवधान)* इनका है। अभी जनेश्वर जी।

श्री सुरेश पघौरी : दूसरी बात यह है कि बाहर यह चर्चा है ...*(व्यवधान)*... इसलिए वे काश्मीर नहीं गए। कृपया स्पष्ट कीजिए कि क्या वजह है कि वे काश्मीर नहीं गए? क्या वाकई त्यागपत्र दे दिया है ...*(व्यवधान)*...

उपसभापति : अभी दूसरे मेम्बर भी हैं। हो गयी बात। खत्म हो गयी।

श्री जनेश्वर मिश्र : मैडम, मेरा व्यवस्था का प्रश्न है और मैं आपकी रूलिंग चाहूंगा। अभी अभी नेता सदन जिनकी मैं बहुत इज्जत करता हूं और लोकसभा में हम लोग साथ थे, तब से मैं इनकी इज्जत करता हूं। इन्होंने चलती फिरती भाषा में कह दिया कि जुडीशियल इन्क्वायरी अनकांस्टीट्यूशनल है। हमने अपनी जिंदगी में बहुत बार जुडीशियल इन्क्वायरी फेस की है। उसके फैसले को माना है। मैं आपकी व्यवस्था जानना चाहता हूं कि क्या वाकई यह असंवैधानिक है? अगर है, तो अब तक जितनी जुडीशियल इन्क्वायरी हुई हैं उनके बारे में आपका क्या कहना है और भविष्य में क्या आप गारंटी देंगे कि किसी भी मामले में जुडीशियल इन्क्वायरी नहीं होगी? यह एक बहुत ही गंभीर मामला है, मैडम, क्योंकि सरकार की तरफ से ऐसा बयान आ जाए कि जुडीशियल इन्क्वायरी अनकांस्टीट्यूशनल है और अगर यह देश के सामने खबर चली गई तो जजेज पर से लोगों का विश्वास उठ जाएगा। मैं चाहूंगा कि आप इस पर व्यवस्था दें? ...*(व्यवधान)*...

उपसभापति : जवाब दे रहे हैं। ...*(व्यवधान)*... हां, बोलिए।

श्री जसवन्त सिंह : उपसभापति जी, माननीय सदस्य को मैं आश्चस्त करना चाहूंगा कि मेरा आशय समूची जुडीशियल इन्क्वायरी पर कोई प्रश्न चिन्ह लगाने का नहीं है। आप गंभीरता से विचार कीजिए कि जहां आप जुडीशियल इन्क्वायरी की मांग कर रहे हैं वह जम्मू-कश्मीर राज्य है और जम्मू-कश्मीर राज्य में क्या ...*(व्यवधान)*... और यह जो जुडीशियल इन्क्वायरी है यह केवल राज्य सरकार ही कर सकती है। केन्द्र सरकार को यह अधिकार नहीं है। ...*(व्यवधान)*...

श्री जनेश्वर मिश्र : उपसभापति जी ...*(व्यवधान)*...

श्री जसवन्त सिंह : मैंने यह सब नहीं कहा, मैं मानता हूं क्योंकि मैं यह विश्वास लेकर चलता हूं ...*(व्यवधान)*... प्रतिपक्ष के लोग कल से चिल्ला रहे हैं कि जुडीशियल इन्क्वायरी-जुडीशियल इन्क्वायरी...*(व्यवधान)*... तो कम से कम इस बुनियादी बात पर उन्होंने विचार किया होता। ...*(व्यवधान)*...

श्री राजू परमार : चिल्ला रहे हैं, ऐसा आप मत बोलिए। ...*(व्यवधान)*...

श्री जसवन्त सिंह : आप तो अभी भी चिल्ला रहे हैं। आप संयत भाषा में अभी भी नहीं बोल रहे हैं। ...*(व्यवधान)*... तो मैं जो कह रहा था, मेरा विश्वास है कि अगर आप उसकी गंभीरता का अध्ययन करेंगे तो जो मैंने कहा है उससे आपको इतनी शिकायत नहीं होगी, जितनी शिकायत आपने अभी व्यक्त की है।

श्री जनेश्वर मिश्र : जितनी शिकायत का सवाल नहीं है, आपने साफ-साफ कहा ...*(व्यवधान)*... आप अपने वाक्य को याद कीजिए, इश्यू पर नहीं जाइये। आपने साफ-साफ कहा है कि जुडीशियल इन्क्वायरी नहीं ...*(व्यवधान)*... अब कह रहे हैं कि इस विषय पर ...*(व्यवधान)*...

आप साफ कर दीजिए कि जम्मू-कश्मीर के मामले में हम कोई जुडीशियल इन्क्वायरी नहीं करावेंगे। यह हमारे अधिकार में नहीं है। ...*(व्यवधान)*...

SHRI M. VENKAIAH NAIDU: Madam, I am not raising any point of order. *(Interruptions)*... I would like to know, once the Chair has said something, whether can we go on debating like this. *(Interruptions)*....

SHRI KAPIL SIBAL (Bihar): Madam, I wish to raise a specific question *(Interruptions)*...

SHRI M. VENKAIAH NAIDU: The Leader of the House has said something. *(Interruptions)*.... The Chair has said something. Afterwards, if you want to debate, let us debate. *(Interruptions)*... Pakistan also wants a judicial inquiry. *(Interruptions)*.... Madam, let us debate that also. *(Interruptions)*...

SHRI K. RAHMAN KHAN: The House has a right to know. *(Interruptions)*...

SHRI M. VENKAIAH NAIDU: Madam, Pakistan also wants a judicial inquiry. *(Interruptions)*... Let us debate that also. *(Interruptions)*...

SHRI KAPIL SIBAL: Madam, I wish to raise a point. *(Interruptions)*....

श्री एम. वेंकैया नायडु : देश के हित में क्या है, इसके बारे में सोचना चाहिए। व्यवस्था से ज्यादा, इस देश का क्या होगा इसके बारे में सोचना चाहिए। ...*(व्यवधान)*...

उपसभापति : अगर आप बैठें तो मैं बताऊं। ...*(व्यवधान)*...

SHRI KAPIL SIBAL: Madam, I wish to raise a point which arises out of the statement of the Leader of the House. *(Interruptions)*... The Leader of the House... *(Interruptions)*...

THE DEPUTY CHAIRMAN: Just one minute. What I am trying to do is to split the two things. As far as calling the Defence Minister is concerned, I have given my ruling.

As far as judicial inquiry is concerned, that is a separate matter. It is not part of that. When he said that a judicial inquiry could not be made, perhaps, he might not have meant that a general judicial inquiry was unconstitutional. I don't think so. The Leader of the House is a very senior Member of the House. He was here before also. From the other House also he can never state that judicial inquiries are unconstitutional. When he was speaking in this respect that it was unconstitutional, it may not be unconstitutional. It may be that it is not called for. Perhaps, that may be the words that he wanted to use. *(Interruptions)*....

SHRI KAPIL SIBAL: No, Madam. The hon. Leader of the House, in fact, categorically explained this position. *(Interruptions)*... What he said was... *(Interruptions)*.... There is an important point that arises out of the statement of the hon. Leader of the House. *(Interruptions)*.... We want a ruling of the Chair on that. *(Interruptions)*....

THE DEPUTY CHAIRMAN: Are we going to discuss this issue, or, shall we go ahead with the Madhya Pradesh Reorganisation Bill, till the Defence Minister comes? *(Interruptions)*...

SHRI KAPIL SIBAL: Madam, I have raised a point. *(Interruptions)*... We want a clarification on that because a wrong message will go to the nation. *(Interruptions)*... The hon. Leader of the House has categorically stated ....*(Interruptions)*....

SHRI KAPIL SIBAL: I am entitled to make a point because a very important statement has been made. . I am asking...*(Interruptions)*.

श्री विक्रम वर्मा : उपसभापति महोदय, छत्तीसगढ़ राज्य के निर्माण पर पूरे छत्तीसगढ़ के लोग निगाह लगाकर बैठे हुए हैं और यहां जानबूझकर एक-एक बात पर डिबेट कर के उसे रोका जा रहा है । उसे जानबूझकर रोकने की कोशिश हो रही है । ...*(व्यवधान)*... आप इसे पुट-अप करने की अनुमति दें । ...*(व्यवधान)*... इस मुद्दे पर आप की रूलिंग आ गयी है ।

SHRI KAPIL SIBAL: I am seeking permission of the Chair to make a very important point because I want to correct the misapprehension of the hon. Leader of the House that the Central Government has no jurisdiction to hold a judicial inquiry in Jammu and Kashmir. The Leader of the House ought to know that under the Commissions of Inquiry Act, the appropriate Government to hold an inquiry is the Central Government as well as the State Government. There was a judicial inquiry held once against Bakshi Ghulam Mohammed in 50s under the Commissions of Inquiry Act. For the Leader of the House to tell the nation that the Central Government is powerless to hold a judicial inquiry in Jammu and Kashmir, will send a wrong signal to the people of this country. I want to correct the hon. Leader of the House that the Central Government...*(Interruptions)*. I know that they do not wish to hold a judicial inquiry. They must honestly tell the country that they have no intention of holding a judicial inquiry because they know what is going to come out of it. The fact of the matter is...*(Interruptions)*.

SHRI M. VENKAIAH NAIDU: The basic thing is, Pakistan is also asking for the same. *(Interruptions)*.

THE DEPUTY CHAIRMAN: The Leader of the House wants to say something. *(Interruptions)*. The basic thing is I have to call the Defence



Minister to come to the House and share his perception. Then we have to take up the Madhya Pradesh Reorganisation Bill, 2000. Till the Defence Minister comes to the House, we can take up the Madhya Pradesh Reorganisation Bill, 2000.

SHRI JASWANT SINGH: Madam Deputy Chairman, I have no intention of matching the legal acumen of the hon. speaker from the Congress Party. Neither do I have the pretension nor do I have the aspiration. This House is not a Chamber of law. This House makes laws. It does not discuss issues as if we were a Chamber of law. My esteemed colleague, the Minister of State in the Ministry of Law, Justice and Company Affairs, has already informed me that this was an error. The opinion expressed is an error because it is not covered under List II. List II covers public disorder. But I will not go into that because this is not a Chamber of law. The position of the Government of India has been made clear and explicit. So far as the first aspect is concerned, I will, of course, consult my colleague, the hon. Defence Minister, and come back to you or he himself will come here. On the question of a judicial inquiry, the position of the Government is very clear. We are not ordering a judicial inquiry, no matter what precedents, case laws, real or imaginary, false or true are cited here.

SHRI GHULAM NABI AZAD: Madam, this relates to our security. When it comes to the question of security, the Government of India comes into the picture.

SHRI NILOTPAL BASU: Madam, since morning when the Prime Minister concluded his reply to the clarifications, the House is very much agitated. The issue is, the reported statement of the Defence Minister which was published in an important ...*(Interruptions)*.

SHRI SANGH PRIYA GAUTAM: The Chair has already given a ruling.

SHRI NILOTPAL BASU: Let me make my point. I have a right to speak. The Chair has identified me. *(Interruptions)*.

SHRI SANGH PRIYA GAUTAM: Why are you reopening the issue?

SHRI NILOTPAL BASU: Don't take it upon yourself that you will solve every problem in the House. Don't act as a self-appointed conscience of the House..*(Interruptions)*. You have been saying a lot of things. Shri Naidu was saying that..*(Interruptions)*.

श्री एम. वेंकैया नायडू : मैडम, ऐसा करिए कि उनके बाद हमको 15 मिनट का मौका दीजिए इंडिया का प्वाइंट ऑफ व्यू रखने के लिए ...(व्यवधान)... Madam, what is happening? On such an important issue,...(Interruptions)

SHRI NILOTPAL BASU: I want to make it very clear...(Interruptions)

श्री एस. एस. अहलुवालिया : मैडम, मेरा सवाल यह है कि सदन में एक ही सवाल बार-बार क्यों पूछा जा रहा है ?

THE DEPUTY CHAIRMAN: Ahluwaliaji, you cannot question me...(Interruptions) You cannot question me. Please sit down. I am in control of this House. I know what is to be done...(Interruptions) We have done this before; you better sit down. If a Member raises an issue and he has a different viewpoint and he belongs to a different party, and if he repeats, then it is for me to decide and say that he is repeating...(Interruptions) I have already given my ruling. It is over. We can get the other business done...(Interruptions) We want to do the business, but we also want to have this argument from this side or the other side cleared...(Interruptions) Now, I want the Bill...(Interruptions)

SHRI S.S. AHLUWALIA: Two-hundred-and-forty Members would want to seek clarifications...

THE DEPUTY CHAIRMAN: No, two-hundred-and-forty Members are not putting questions. Nobody else will put questions; I can assure you...(Interruptions) If you argue, then it will be three hundred Members speaking three times. Now let him finish and then I am taking the Bill relating to Madhya Pradesh.

SHRI NILOTPAL BASU: Madam, my humble point is this. Not only has it come in the press, but we have also seen before the camera what the Defence Minister has spoken. Now we are not demanding any judicial inquiry. Let us be very clear about that. At the same time, that cannot be an excuse that the Government should relinquish the responsibility of collective functioning of the Cabinet. Therefore, to think that what they are doing and what they are saying is all being endorsed by all of us is a very, very wrong notion and it is a very wrong illusion that they are nursing. The fact that the Government has not already talked to the Defence Minister to ascertain what he has said is a sad commentary on the way this Government functions.

THE DEPUTY CHAIRMAN: Okay, now, that is over. The Defence Minister will come...(Interruptions) . I will get the Defence Minister...(Interruptions) I promise...(Interruptions) Let me find out where the

Defence Minister is...*(Interruptions)* Now let us do some work...*(Interruptions)*

SHRI SURESH KALMADI (Maharashtra): The House should be adjourned...*(Interruptions)* the whole debate is on that. The House should be adjourned...*(Interruptions)*

SHRI ARJUN SINGH: If we cannot pass over this issue, you adjourn the House for some time...*(Interruptions)*

THE DEPUTY CHAIRMAN: The Home Minister is here. Let the debate start on Chhattisgarh...*(Interruptions)* Then we can find out...*(Interruptions)*

SHRI SURESH KALMADI: Until it is cleared, nothing can go on in this House...*(Interruptions)* There is confusion in the whole country and it should be clarified...

THE DEPUTY CHAIRMAN: At least let me find out...*(Interruptions)*

श्री राजू परमार : मैडम, सुबह से यह मामला चल रहा है ।

उपसभापति : आपने सुबह से डिमांड तो की होगी कि डिफेंस मिनिस्टर यहां आए ?

SHRI SURESH KALMADI: The Prime Minister makes such an important statement without even discussing with the Defence Minister...

THE DEPUTY CHAIRMAN: I can do one thing. I can adjourn the House for ten minutes, go, ring up and find out where the Defence Minister is. So, I adjourn the House for ten minutes.

The House then adjourned at forty minutes past two of the clock.

The House reassembled at fifty-five minutes past two of the clock,

THE DEPUTY CHAIRMAN in the Chair

THE DEPUTY CHAIRMAN: I have left a message with the Defence Minister's office. He was not there. When he comes, he will be informed that the Members want to talk to him. ...*(Interruptions)*... As promised, I tried to contact him, but I could not communicate with him. The Minister of Parliamentary Affairs also could not contact him. He is not there in his office. I have left a message with his office. He will come. It is not that he will not come. Till the time he comes, let us go ahead with the Madhya Pradesh Reorganisation Bill.

SHRI ARJUN SINGH: It is tragic that the Defence Minister of this country cannot be contacted by this Government.

THE DEPUTY CHAIRMAN: It is not that. He is in some meeting where he cannot be disturbed. But the message... ..(Interruptions)...

SHRI K. RAHMAN KHAN: No meeting is above Parliament. ... (Interruptions)...

THE DEPUTY CHAIRMAN: He may be in a meeting. How do I know or you know? Maybe, it is regarding what happened in Kashmir. Maybe, he is in a meeting; but his office has been told and the message will be conveyed to him.

SHRI ARJUN SINGH: The main thing is about the judicial inquiry.

उपसभापति : जूडिशियल इन्क्वायरी की बात तो मैं यहां नहीं कर सकती हूं।  
...(व्यवधान)...

SHRI HANSRAJ BHARDWAJ (Madhya Pradesh): They are wrapping the whole issue under the carpet. ... (Interruptions)...

THE DEPUTY CHAIRMAN: How can I talk about it? ... (Interruptions)... Let us go ahead with the Madhya Pradesh Reorganisation Bill. ... (Interruptions)...

SHRI ARJUN SINGH: Madam, this work can be done... ... (Interruptions)... The issue of judicial inquiry cannot be brushed aside.

THE DEPUTY CHAIRMAN: But judicial inquiry is not in my hand. What in my hand was; I went out of my way to adjourn the House for ten minutes, to go and try to contact the Defence Minister. I tried everything to pacify the House so that we can do some Business. As far as the judicial inquiry is concerned, the Leader of the House has explained his inability about that. He has explained 'why' also. The Law Minister has also explained it. ... (Interruptions)...

SHRI ARJUN SINGH: No, no. Nobody has explained that. ... (Interruptions)... That matter was not explained.

THE DEPUTY CHAIRMAN: I cannot. ... (Interruptions)... I am not a lawyer. I cannot tell you whether it can be done or cannot be done.

SHRI GHULAM NABI AZAD: Madam, the Government has shown its inability to have a judicial inquiry; the Government has shown its inability to contact the Defence Minister. I don't know...

THE DEPUTY CHAIRMAN: Not only the Government, I, the Chair.

SHRI GHULAM NABI AZAD: That is not your job. That is the job of the Government. ... (Interruptions)...



3.00 PM

THE DEPUTY CHAIRMAN: I did it. ...*(Interruptions)*... The Government was doing it. ...*(Interruptions)*...

SHRI GHULAM NABI AZAD: If the Defence Minister of India is not traceable in the capital during the session of Parliament, I think that is the height of incompetence of this Government.

THE DEPUTY CHAIRMAN: No, no. Don't misunderstand it. Ghulam Nabiji, you had been a Parliamentary Affairs Minister. Don't misunderstand it. It is I who volunteered to do it. It may not be my job, but my interest is to get the House going. That is why I went in. I talked to his office. He is in a meeting. He is being told that he has to come as the House wants his explanation on the newspaper report - whether it is right or wrong. So, this is what is being taken care of. Now, let us go ahead with the Business of the House.

श्री राजू परमार: मैडम, सुबह से डिफेंस मिनिस्टर को मालूम है।

उपसभापति: सुबह से थोड़े ही मालूम है।

श्री राजू परमार: मैडम, 12 बजे से हम लोग इस मुद्दे को यहां पर उठा रहे हैं। अभी तीन घंटे हो गए हैं।

उपसभापति: सुबह से तो मैं नहीं थी। मुझे तो आपने बताया है। (व्यवधान)

SHRI M. VENKAIAH NAIDU: Madam, as and when the Defence Minister has got some Business in this House, definitely, he will be coming. He must be having some other work also. Let us go ahead with this work, and as soon as he comes, he will give... ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: The Defence Minister is in a meeting. The Defence Minister cannot just sit around here.

SHRI M. VENKAIAH NAIDU: They are simply raking up that issue to stall the proceedings of the House. It is not fair.

THE DEPUTY CHAIRMAN: Let us go ahead. The Home Minister is here. Let us do some Business. ...*(Interruptions)*...

AN HON. MEMBER: The House cannot go on like this. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Your demand can be there with the Government. As an Opposition, you have a right to demand whatever you like. It is for the Government to decide whatever they can do.

श्री मूलचन्द मीणा : क्यों नहीं कराते? ...*(व्यवधान)*...

उपसभापति : जरा काम तो कर लें। ...*(व्यवधान)*...

एक माननीय सदस्य : वहां लोग मारे गये हैं और उनके लिए ..*(व्यवधान)*.. ज्यूडीशियल इन्क्वायरी ...*(व्यवधान)*...

श्री मूलचन्द मीणा : सौ से ज्यादा आदमी मारे गये हैं ...*(व्यवधान)*...

श्री सुरेश पचौरी : महोदया, हम चाहते हैं कि आपकी इच्छा के अनुसार काम हो। आपने स्वयं यह इच्छा व्यक्त की कि रक्षा मंत्री इस संबंध में आकर अपना स्पष्टीकरण दें।

उपसभापति : हां, मैंने इच्छा व्यक्त की।

श्री सुरेश पचौरी : महोदया, इस संबंध में उन्होंने सदन से बाहर वक्तव्य दिया है। और आपको खुद ही पता नहीं है कि वह कहां हैं?

उपसभापति : मुझे पता है। ...*(व्यवधान)*...

श्री सुरेश पचौरी : जब तक वह यहां न आ जाएं तब तक ...*(व्यवधान)*...

उपसभापति : मुझे पता है कि वह कहां हैं। वह अपने ऑफिस में मीटिंग में हैं। मीटिंग खत्म करके वह आएंगे।

श्री मूलचन्द मीणा : सदन से मीटिंग ज्यादा इम्पोर्टेंट है।

उपसभापति : नहीं, नहीं। ऐसा नहीं है। ...*(व्यवधान)*... Let me get a Bill introduced. *(Interruptions)*

श्री सुरेश पचौरी : मैडम, दूसरा पहलू यह है कि प्रधान मंत्री जी के उत्तर से जो विपक्ष की मांग आयी थी कि न्यायिक जांच होनी चाहिए, उस संबंध में जो टिप्पणी सदन के आदरणीय नेता ने व्यक्त की है, वह भी बहुत आपत्तिजनक है। ...*(व्यवधान)*...

श्री भारतेन्दु प्रकाश सिंहल (उत्तर प्रदेश) : कृपया करके सदन की मर्यादा रखें। ...*(व्यवधान)*...

श्री सुरेश पचौरी : यह स्पष्ट होना अनिवार्य है कि जम्मू-कश्मीर में जो हुआ, उसकी न्यायिक जांच कराई जाए। ...*(व्यवधान)*...

उपसभापति : बिल तो इंट्रोड्यूस होने दीजिए। मिनिस्टर बैठे हैं। बिल अपने हाउस का है। आज नहीं तो कल तो डिस्कशन के लिए आएगा ही।

### THE MULTIMODAL TRANSPORTATION OF GOODS (AMENDMENT) BILL, 2000

जल-भूतल परिवहन मंत्री (श्री राजनाथ सिंह) : महोदया, मैं प्रस्ताव करता हूँ कि:

"माल बहुविध परिवहन अधिनियम, 1993 का संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।"

*The question was put and the motion was adopted.*

श्री राजनाथ सिंह : मैडम, मैं विधेयक को पुरःस्थापित करता हूँ। ...*(व्यवधान)*...