

[18 MARCH, 2002]

RAJYA SABHA

Does he have the permission of the House for remaining absent from the sittings of the House from 2<sup>nd</sup> to 22<sup>nd</sup> March, 2002, during the 1<sup>st</sup> part of the current Session of the Rajya Sabha?

*(Vo hon. Member dissented)*

MR. CHAIRMAN: Permission to remain absent is granted. Now, Prime Minister.

#### **RE. STORMING OF PRECINCTS OF LEGISLATURE OF ORISSA**

SHRI PRANAB MUKHERJEE (West Bengal): Mr. Chairman, Sir, before you call the hon. Prime Minister to respond to the debate on the Motion of Thanks, I would like to draw your attention to a serious issue. It is a very serious issue, as it relates to the Council of States, which represents the States. Hundreds of VHP and Bajrang Dal activists, sporting saffron headbands and holding *trishuls*, attacked the Orissa Assembly, ransacked the Assembly... *(Interruptions)*... and entered into the offices of various Ministers, ransacked them, causing injuries to a large number of security forces and the Assembly staff there. They also ransacked the library. Therefore, Sir, we want to have a discussion on this issue. Several Members have also given a notice, under Rule 176, for consideration of the Government. As per Rules, time is to be allocated by the Leader of House for any discussion in the House. As far as this House is concerned, there is a precedent also. On 5.8.69, this House debated on a similar nature of subject when some police forces forcibly entered into the premises of West Bengal Legislative Assembly and caused trouble there. At that time, this issue was debated on the floor of this House. First, it came in the form of a Calling Attention Notice. The then Minister of State of Home Affairs, Mr. Shukla, responded when several Members, including Mr. Raj Narain, Mr. Bhupesh Gupta, and also the then Leader of the Jan Sangh, Shri Pitamber Das, who was sitting this side, raised questions. After having a procedural debate for almost half of the day, the then Deputy Chairperson, Smt.violet Alva, gave the ruling that this issue could be discussed on a substantive manner under Rule 176, and next day, on 5<sup>th</sup> of August, 1969, this issue was debated and discussed.

Therefore, Sir, most respectfully, I would like to know from the Government as to what it is going to do in this matter. Because, in the

morning, in our own way of having an informal chat with the representatives of the Government, I suggested to the Minister of State for Parliamentary Affairs to kindly ascertain the views of the Government on this matter, as this issue is agitating the minds of the Members and they would like to have a discussion on this. At the same time, we suggested that we would like to listen to the reply of the Prime Minister to the debate on the Motion of Thanks on the President's Address. Therefore, my respectful submission to you would be that immediately after the Prime Minister's reply to the debate on the Motion of Thanks on the President's Address, we should take up this subject for discussion, and, after that, we should take up the other items, which are slated for discussion in today's List of Business.

SHRI NILOTPAL BASU (West Bengal): Sir, I want to make a small point. We not only propose a discussion, because what happened in the Orissa Assembly ...*(Interruptions)*... Sir, what we propose here is not only a discussion, because what happened in Orissa Assembly is reprehensive, and it has happened in a series of developments, where we are seeing that parliamentary institutions are coming under increasing attack. We had the attack on the J&K Assembly; we had the attack on our Parliament itself; and now there is the attack on the Orissa Assembly. Therefore, what we propose is, if the Government is agreeable, we can pass a unanimous resolution on behalf of this House categorically condemning what happened in the Orissa Assembly. Sir, we would like the Leader of the House to respond to this.

...*(Interruptions)*...

MR. CHAIRMAN: Let Leader of the House speak.

THE LEADER OF THE HOUSE (SHRI JASWANT SINGH): Mr. Chairman, Sir, so far as the incident that took place day-before-yesterday at Bhubaneswar is concerned, I would like to say that the hon. the Prime Minister has condemned it unequivocally and forthrightly. ...*(Interruptions)*...  
कुछ माननीय सदस्य बोलना चाहते हैं। (व्यवधान)

MR. CHAIRMAN: Let him speak. ...*(Interruptions)*... Let the Leader of the House speak.

श्री जसवंत सिंह : एक माननीय सदस्य शायद कुछ कहना चाहते थे , इसलिए मैं बैठ गया । Sir, so far as the sentiments of the Government are concerned and

so far as — by and large, I see -- the sentiments of the whole House are concerned, I would like to say that there is no question of accepting in any fashion any assault on any Legislature in the country, directly or indirectly. There can absolutely be no ambiguity in this regard, and there is no ambiguity in anyone's mind in this regard. Any attack against a Legislature -- whether it is in the case of the State of Jammu and Kashmir, or, as hon. Pranab Mukherjee has cited, earlier, in the case of State of West Bengal, or, in the case of any other State of the country or in the case of Parliament, --is condemnable. The question of accepting it -- leave alone condoning it or explaining it or finding an explanation for it; even accepting it -- does not arise. The Government is very clear in this regard. Let there be no ambiguity on that matter. The Prime Minister has condemned it, and I am sure, today, all the hon. Members of the House collectively condemn what has taken place in Orissa the day-before-yesterday. There is absolutely no question. ...(*Interruptions*)...

MR. CHAIRMAN: Let him complete.

SHRI JASWANT SINGH: If you lower your hand, then I can speak. The Chairman has seen your hand. ...(*interruptions*)... I am saying this because I am on my legs. ...(*interruptions*)... Sir, there are just two aspects of it. Hon. Shri Pranab Mukherjee has said that we should discuss it. This is the Council of States; and without any doubt, I can say that we have a more direct function and more direct responsibility with regard to the States than the other House has. I recognise that also, because we are supposed to safeguard the interests of the States.

Hon. Shri Pranab Mukherjee has cited an earlier precedent in which the House had a discussion. The Government will examine that precedent. He has just cited it. I will examine it with due sense of responsibility. I am informed that the State Assembly of Orissa is today in Session and is discussing this issue. I would urge hon. Members to take that factor into consideration. The Government is not shy of expressing the view that we have expressed. Secondly, you would appreciate that when we are in this assembly, this Chamber, when it discusses as important an issue as an attack on the entire Assembly of Orissa, the very minimum required by the Government are the actual facts of the incident. No doubt, the Union Home Ministry has obtained the facts or is in the process of obtaining the facts. So, I would recommend, for your consideration, that till such time as the

facts are not obtained ...(*Interruptions*)... It will enable the Government ...(*Interruptions*)...

SHRI JIBON ROY (West Bengal) : The Leader of the House not recognising... .(*Interruptions*)...

SHRI SURESH KALMADI (Maharashtra) : All the facts are available ...(*interruptions*)....

SHRI JIBON ROY: .....it is religious fundamentalism. ...(*Interruptions*)...

SHRI NILOTPAL BASU: Is not the time of 48 hours adequate, Mr. Leader of the House?

SHRI T.N. CHATURVEDI (Uttar Pradesh) : The Assembly is discussing it. ...(*Interruptions*)....

SHRI NILOTPAL BASU: That does not exclude the discussion of the issue from our jurisdiction.

**श्री सुरेश पचोरी** ( मध्य प्रदेश ) : सभापति महोदय , अगर सरकार के पास सारे तथ्य अभी तक उपलब्ध तक नहीं हुए है तो इसका आशय यह है कि सरकार इस गंभीर घटना के प्रति अभी तक गंभीर नहीं हुई है । लोकतंत्र की हत्या हुई है , यह कोई मजाक की बात नहीं है । ... ( व्यवधान ) ...

THE MINISTER OF RURAL DEVELOPMENT (SHRI M. VENKAIAH NAIDU) : Sir, the Leader of the House is on his legs.

MR. CHAIRMAN: Let the Leader of the House speak.

SHRI JASWANT SINGH: Sir, the issue is very serious. We do not minimise the seriousness of the issue. We take it very seriously. ...(*Interruptions*)....

MR. CHAIRMAN: Let him complete.

**श्री सचं प्रिय गौतम** ( उत्तरांचल ) : दो तथ्य हमारे पास हैं एक बार ... ( व्यवधान ) ...

SHRI JASWANT SINGH: Let us not, needlessly, divide the sentiment of the House because this House is all uniformly condemns this incident.

श्री रमा शंकर कौशिक ( उत्तर प्रदेश ) : क्या कार्रवाई हो रही है ? ... (व्यवधान)...

SHRI NILOTPAL BASU: Then, Sir, let us adopt a resolution.

श्री सुरेश पचौरी : जिन लोगों ने हमला किया , उनकी संस्था को बैन करिए । ... ( व्यवधान ) ...

SHRI NILOTPAL BASU: We can have a discussion now. We agree. ...*(Interruptions)*....

MR. CHAIRMAN: Let him complete.

SHRI JIBON ROY: We want a discussion.

MR. CHAIRMAN: Let him complete first. ...*(Interruptions)*....

SHRI NILOTPAL BASU: I think the ISI is involved in this also!

MR. CHAIRMAN: The hon. Prime Minister wants to speak. Let him speak.

प्रधान मंत्री ( श्री अटल बिहारी वाजपेयी ) : सभापति जी , उड़ीसा में जो कुछ हुआ , वह अत्यंत निंदनीय है , लोकतंत्र पर कुठाराघात है । जब हम संसद को लोकतंत्र का मंदिर कहते हैं तो विधान सभाएं लोकतंत्र का छोटा मंदिर हैं और मंदिर की प्रतिष्ठा व सम्मान की रक्षा होनी चाहिए । ... ( व्यवधान ) ...

श्री दीपांकर मुखर्जी ( पश्चिमी बंगाल ) : इस पर भी आर-पार की लड़ाई हो जाए ( व्यवधान ) ऐसे आतंकवादियों के खिलाफ भी आर-पार की लड़ाई हो जाए । ... ( व्यवधान ) ...

MR. CHAIRMAN: Nothing will go on record except what the Prime Minister is speaking. ...*(Interruptions)*...

श्री अटल बिहारी वाजपेयी : सभापति जी, मैं बोलने के लिए खड़ा हूँ और मुझे बोलने नहीं दिया जा रहा है , इससे क्या लोकतंत्र की रक्षा हो रही है ,प्रतिष्ठा हो रही है ? सभापति जी, सारे तथ्यों का सामने आ जाना जरूरी है । समाचारपत्रों में जो खबरें छपी हैं , वे पर्याप्त नहीं है ।

मुझे स्वयं इस बात की चिंता है कि वहां जो भीड़ हमला करने के लिए आई, क्या वह मेरा जिंदाबाद का नारा लगा रही थी ? ... ( व्यवधान ) ...

**श्री नीलोत्पल बसु :** ऐसी ही तो रिपोर्ट है ... ( व्यवधान ) ...

**श्री अटल बिहारी वाजपेयी :** हां, रिपोर्ट है और आपने मान ली वह रिपोर्ट ... (व्यवधान) ...

**श्री नीलोत्पल बसु :** तो क्या करें ? ... ( व्यवधान ) ... यह स्थिति है ... ( व्यवधान ) ...

**श्री अटल बिहारी वाजपेयी :** सभापति जी, आप अगर चाहें तो सदन की तरफ से सारे कांड की निंदा करें, हम उसमें साथ हैं, अन्यथा सरकार को वक्तव्य देने का मौका दें और उसके बाद चर्चा हो ... ( व्यवधान ) ...

SHRI NILOTPAL BASU: Let us pass a resolution. ...*(Interruptions)*....

SHRI PRANAB MUKHERJEE: Let the Leader of the House, on behalf of the whole House, bring a resolution, condemning the attack on the Legislative Assembly of Orissa. We will respond to the resolution, condemning the heinous attack, and the whole House should pass the resolution unanimously. ...*(Interruptions)*....

SHRI JASWANT SINGH: Sir, I have no difficulty in suggesting so to the House. But, as the hon. Prime Minister has said, as a collective voice of the House, if the Chair were to say that this is the collective view of the House, we have no difficulty. ...*(Interruptions)*....

SHRI HANSRAJ BHARDWAJ (Madhya Pradesh) : Sir, we have no problem. A resolution can come from the House. This is the sense of the House, including the Prime Minister. ...*(Interruptions)*....

SHRI NILOTPAL BASU: Let us include the Legislative Assembly of Jammu and Kashmir in this resolution. ...*(Interruptions)*....

**श्री राजनाथ सिंह “सूर्य”** ( उत्तर प्रदेश ) : सभापति जी, जम्मू और कश्मीर पर जब हमला हुआ था, तब भी आपकी तरफ से रेजोल्यूशन पास हुआ था .. ( व्यवधान ) ...

MR. CHAIRMAN: The Leader of the House should bring a resolution. ...*(Interruptions)*....

SHRI PRANAB MUKHERJEE: Sir, if you permit me, on many occasions, the Leader of the House does not speak merely on behalf of his party or on behalf of the Government. Some times, you know that the Leader of the House represents the sentiments of the whole House. That is why he is not merely the Leader of the ruling party. Of course, the Chair can always do it. But, to my mind, this is basically a political issue, and therefore, according to my assessment, it would be appropriate, if the Leader of the House collectively reflecting the views of the whole House, moves a resolution. The language of the text could be drafted after getting some time. But, what I would like to submit is that, the hon. Prime Minister has very graciously pointed out that the whole House should condemn this act. Let us not debate on this issue as to who will move the resolution. My most respectful submission, through you, Sir, to the Government would be that on this occasion, the Leader of the House is not merely the leader of the ruling party, but, he is the Leader of the whole House, and let him express our sentiments on behalf of the whole House.

SHRI JASWANT SINGH: Mr. Chairman, Sir, are you doing it, or, do you want me to do it? I do recommend to the House that the House condemns unequivocally the incident of attack on the Legislative Assembly of Orissa....

SHRI PRANAB MUKHERJEE: Sir, if the Leader of the House yields for a second, I would like to submit something. My respectful submission which I wanted to make is that, as we have agreed, the Leader of the House will move the Resolution; and instead of just doing it, let us sit together and draft it properly. After the Prime Minister's reply to the debate on the Motion of Thanks is over, the House can take it up. There will be no two opinions on it. Therefore, my most respectful submission to you, Sir, would be, let the Prime Minister reply to the debate on the Motion of Thanks. After the Prime Minister's reply to the debate on the Motion of Thanks on the President's Address, the Leader of the House can sit with the leaders of various parties and the Secretariat. They can draft a small Resolution, and the Leader of the House can move that Resolution.

श्री नरेन्द्र मोहन ( उत्तर प्रदेश ) : सभापति महोदय , प्रधान मंत्री जी ने एक बात कही थी और उस पर ध्यान दिए बिना ही ... ( व्यवधान ) ...

**श्री नीलोत्पल बसु :** लीडर आफ दी हाउस को बोलने दो ।

**SHRI JASWANT SINGH:** Sir, I have no difficulty with that idea. We can certainly take it up. I think the hon. Prime Minister's reply to the debate on the Motion of Thanks on the President's Address can be taken up now. I will request my friend and colleague, the Minister of Parliamentary Affairs, to sit with Shri Pranab Mukherjee and whoever else and draft a suitable formulation that represents the collective view of the House. It is just a drafting exercise. It would not take very long to do so. If the wish of the House is clear now, let that wish be converted into a will in some letters and form of expression. Let that be taken up after the Prime Minister's reply. This is my request.

**MR. CHAIRMAN:** Yes; the hon. Prime Minister.

**श्री सुरेश पचौरी :** सभापति महोदय , मेरा व्यवस्था का प्रश्न है ।

**MR. CHAIRMAN:** On what?

**श्री सुरेश पचौरी :** राज्यसभा ऐट वर्क में पृष्ठ -258,259 और 260 देखें तो उसमें यह पाएंगे कि 28 जुलाई, 1983 हो , चाहे 6 मई , 1985 हो , चाहे 1990 हो , चाहे 7 मई , 1986 हो , हमेशा यह व्यवस्था आसन की तरफ से दी गई है कि कोई भी माननीय सदस्य इस सदन के अंदर बेज पहने नहीं आएंगे या ऐसी कोई चीज पहन कर नहीं आएंगे जिससे उसका आइडेंटिफिकेशन हो । मान्यवर , मैं समय की बचत करते हुए विनम्रतापूर्वक आपका ध्यान आकर्षित करना चाहता हूं कि हमारे परम आदरणीय संसदीय कार्य मंत्री राजगोपाल जी एक पेन लगाकर आए हैं जिस पर बी. जे. पी . लिखा हुआ है । मान्यवर, वह देखिए , अभी उन्होंने उसको निकाला है । मान्यवर , पहले भी ऐसी व्यवस्था आसन से दी गई है चाहे 1983 हो , 1985 हो या 1987 हो, 1990 हो , उधर देखिए सर, वही पेन दिखा रहे हैं । मान्यवर, या तो माननीय सदस्य को जिनका हम बड़ा सम्मान करते हैं उनको सदन से बाहर किया जाए या वह फिर उसको अपनी जेब में छिपाकर रखें , क्योंकि हमेशा ये यह सदन परम्पराओं से चलता आया है । आप उनको ऐसा निर्देशन देंगे ऐसा मेरा आपसे विन्नम अनुरोध है ।

**श्री टी. एन. चतुर्वेदी :** सर, यह पेन आपको दिया जा रहा है ।

**संसदीय कार्य मंत्री , संचार और सूचना प्रौद्योगिकी मंत्री ( श्री प्रमोद महाजन ) :** सर, यह फाउंटेन पेन मैं सुरेश जी को देता हूं , वैसे उनकी आइडेंटिफिकेशन बी. जे. पी. है नहीं । वह पहन सकते हैं ।

**श्री सभापति :** हो गया । प्रधान मंत्री जी ।