

some time to consider the matter. After all this is just the beginning of the session. During the interval or recess of Parliament, so many friends have thought it fit to give notices of so many questions in regard to one particular item, and, therefore, there is a huge number of names on the list. This may not happen as we proceed with the session. To try to reach a decision on the basis of the experience of the first two or three days of this Session or the first week of this Session is not going to be useful to the House.

**Shri Hari Vishnu Kamath:** You may call the leaders of the Groups and have a discussion with them.

**Shri Sham Lal Saraf:** May I suggest that only five minutes may be allowed to each question?.....

**Mr. Speaker:** I shall take those suggestions some other time.

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय,  
मे एक मुझाव देना चाहता हूँ।

अन्य महोदय : माननीय सदस्य वर  
मे मुझाव दें।—श्री कामत।

#### Relationship between Govt. Servants and People's Representatives

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\*62. { Shri Hari Vishnu Kamath:  
Shri Yashpal Singh:  
Shri Hem Raj:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 1174 on the 5th May, 1965 and state:

(a) whether the draft Code to regulate the relationship between Members of Parliament and of State Legislatures and the Administration has been finalized; and

(b) if so, whether it will be laid on the Table?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) No, Sir.

(b) Does not arise.

**Shri Hari Vishnu Kamath:** What was the genesis of or need for the consideration of a code of this nature? Was there a spate of complaints on this score? Will the Code, when finalised, apply also to those Ministers who sometimes misuse their authority and powers to interfere in the day-to-day administration, particularly criminal investigation and prosecutions, besides appointments, promotions and transfers?

**Mr. Speaker:** There is no code as yet.

**Shri Hari Vishnu Kamath:** It is under consideration though it has not been finalised yet.

**The Minister of Home Affairs (Shri Nanda):** The hon. Member has picked up this opportunity to have a say about the Ministers.

**Shri Hari Vishnu Kamath:** There is nothing wrong about it. The Speaker has not ruled it out of order. I will utilise every opportunity to say so.

**Mr. Speaker:** Order, order.

**Shri Hari Vishnu Kamath:** He is making an insinuation.

**Mr. Speaker:** There is no insinuation.

**Shri Nanda:** I welcome it, because the Ministers . . . .

**Shri Hari Vishnu Kamath:** I only said 'some Ministers'. I did not say 'all Ministers'.

**Shri Nanda:** A much more stringent code has to be applied to the Ministers. This code is applicable to Members of Parliament, and that certainly applies to the Ministers, and in fact, much more.

**Shri Hari Vishnu Kamath:** In accordance with the practice prevalent in some Ministries, of deputing a competent team abroad for studying a question when it arises, the latest example of which is a committee set up by the Ministry of Information

and Broadcasting, which has gone abroad to European countries to study television and radio, does the Home Minister propose to send an influential committee abroad, to other democratic countries of the world to study an important and vital issue of this nature, and if not, the reasons therefor?

**Shri Nanda:** In the first instance we shall have it discussed with our eminent colleagues in Parliament who are in the consultative committee where this will be discussed, and if they feel that anything more has to be done, it can be considered.

**श्री यशपाल सिंह :** जैसी कि कई बार चर्चा हुई है हरदोई के गरीब एम०एल०ए० की इन्डूक की एप्लीकेशन को इसलिए खारिज कर दिया गया कि डी० एम० साहब ने एम० एल० ए० साहब की एप्लीकेशन . . .

**अध्यक्ष महोदय :** एक एक एप्लीकेशन को खास तौर पर कैसे लिया जा सकता है।

**श्री यशपाल सिंह :** क्या कोड में कोई प्राविजन रखा गया है कि एम० एल० ए० के कारेक्टर को वेरिफाई करने के लिए डी० एम० के दस्तखतों की जरूरत न पड़े ?

**अध्यक्ष महोदय :** जब मन्विरा किया जाए तब ठाकुर साहब को भी वहां बुलाया जाए।

**Shri Hem Raj:** May I know whether Government intend to frame a code of conduct for the members of the legislatures or they do not intend to do so?

**Shri L. N. Mishra:** There will be a code for both officers and the legislators.

**Shri Kapur Singh:** In this finalised code, whenever it is finalised, how do Government propose to immunise public servants against pressures from politicians to make them deviate from the path of duty?

**Shri L. N. Mishra:** If that exists, it is one of the objectives. We want to do that.

**Shri Kapur Singh:** How do they propose to do it?

**Mr. Speaker:** That will be seen when it comes.

**Shri Harish Chandra Mathur:** May I know what are the problems which have been thrown up regarding the relations between the administration and the legislators and what are those problems which they are straightening out?

**Shri L. N. Mishra:** The code has been circulated to members of the informal consultative committee. As a matter of fact, it was Shri Mathur who raised the whole question and it was at his instance that this was taken up. In the draft code, there are some broad objectives: these are about how to reply to letters received, how to meet them, how to attend to problems raised by MPs etc. All the issues are to be discussed before the draft is finalised.

**Shri Harish Chandra Mathur:** My question is not what the code is. My question is what are the problems which have been thrown up, what are the difficulties which have come to surface in the relationship between the administration and the legislators. What passed between me and him is not what I wanted.

**Mr. Speaker:** The author must know it better.

**Shri Harish Chandra Mathur:** When this question is asked, a 1956 circular is sent out to us as if nothing has happened since 1956. My specific question is what are the difficulties and problems in the relationship between the legislators and the administration which have been thrown up and which are under consideration. It is a clear-cut question.

**Shri L. N. Mishra:** There have been complaints both in the House and outside. You will remember, Sir, that you had also put some questions to us in May last. You said that an executive engineer had nominated you on some committee. Then it was said that district officers preside over committees of which members of legislature and even ministers are members. There was the question raised by Members of

Parliament that public grievances are not properly attended to, that in some cases proper treatment is not given by these officials. These are the problems and these have been embodied in the draft, as to how to tackle these problems, and how the grievances are to be attended to.

**Shri Nanda:** May I just add that this question arose because of discussion of this subject in the meeting of the informal consultative committee where several members brought up their difficulties regarding treatment by the officers and other matters. So a draft was prepared which is still to be finalised.

**श्री भागवत लाल आजाद :** चूंकि आज विधान मंडलों या संसद सदस्यों और शासन के बीच में किसी भी महत्वपूर्ण प्रश्न पर कोई आपस में मिलने का तरीका नहीं रहा है इस बास्ते क्या सरकार यह नहीं समझती है कि ऐसे बहुत से प्राचीन नियम हैं जिन नियमों का शासकीय स्तर पर यदि पालन किया जाए तो आपसी सम्बन्ध जोकि बहुत विश्रुखल हो गए हैं, उनमें सुधार किया जा सकता है ? अगर यह बात सच है तो इस कमेटी के पूर्व यह व्यवस्था क्यों नहीं की जाती है ?

**श्री ल० ना० मिश्र :** जैसा कहा गया है सन् 1957 में एक सर्व्यूलर भेजा गया था लेकिन फिर भी शिकायतें आती रही। इसलिए इस पर जोर डाला गया और कहा गया कि सम्बन्ध अच्छे किये जायें। मैं आपको बता दू कि मई और आज तक के बीच में एक बात हुई है। राजस्थान सरकार ने यह किया है कि जितनी भी कमेटियां हों उन में नान-प्राफिशल प्रिजाइड करें और प्राफिशल प्रिजाइड न करें। हम लोग, भारत सरकार भी यह रिवाज करना चाहते हैं कि जिस जिस कमेटी में नान-प्राफिशल हों, पालियामेंट के मेम्बर हों, उस उस कमेटी में वे नान-प्राफिशल या पालियामेंट के मेम्बर प्रिजाइड करें और प्राफिशल प्रिजाइड न करें।

**Shri Ranga:** Is it not a fact that there is nearly as much need to pro-

tect the officers from too much of interference from legislators as there is to see that the officers behave properly in regard to the complaints made and the representations sent up by the legislators themselves?

**Shri L. N. Mishra:** That is correct. That is one of the objectives, as I have said.

### Shortage of Kerosene and Diesel Oil

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- Shri Warrior:
  - Shri Vasudevan Nair:
  - Shri Prabhat Kar:
  - Shri Subodh Hansda:
  - Shri S. C. Samanta:
  - Dr. P. N. Khan:
  - Shri M. L. Dwivedi:
  - Shri Indrajit Gupta:
  - Shri Yashpal Singh:
  - Shri P. C. Borooah:
  - Shri Bibhuti Mishra:
  - Shri K. N. Tiwary:
  - Shrimati Savitri Nigam:
  - Shri A. V. Raghavan:
  - Shri Kappen:
  - Shri Pottekkatt:
  - Shri Mohammed Koya:
  - Dr. P. Srinivasan:
  - Shri Onkar Lal Berwa:
  - Shri Maheswar Naik:
  - Shri D. D. Puri:
  - Shri Mohammad Elias:
  - Shri A. N. Vidyalkar:
  - Shri Surendra Pal Singh:
  - Shri Jashvant Mehta:
  - Shri Gulshan:
  - Shri Inder J. Malhotra:
  - Shri Kindar Lal:
  - Shri Vishwa Nath Pandey:
  - Shri Krishnapal Singh:
  - Shri Maniyangadan:
  - Shri Gokulananda Mohanty:
  - Shri P. H. Bheel:
  - Shri Basappa:
  - Shri S. N. Chaturvedi:
  - Shri S. M. Banerjee:
  - Shri Sarjoo Pandey:
  - Dr. Mahadeva Prasad:
  - Shri Sham Lal Saraf:
  - Shri M. L. Jadhav:
  - Shri Jedhe:
  - Shri Bishwanath Roy:
  - Shri Yamuna Prasad Mandal: