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**Monday, December 16, 1974
Agrahayana 25, 1896 (Saka)**

LOK SABHA DEBATES

(Twelfth Session)



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**LOK SABHA SECRETARIAT
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LOK SABHA DEBATES

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LOK SABHA

Monday, December 16, 1974/Agrahayana 25, 1896 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Irrigation Projects in Krishna River Valley

*474. SHRI P. R. SHENOY: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government of Karnataka has approached the Centre for assistance to complete the irrigation projects in Krishna river valley;

(b) if so, the names of these projects and the estimated cost of each project and the amount spent so far on each of them; and

(c) what is the nature of assistance that would be offered by the Centre to complete these projects without further delay?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) to (c). A statement is laid on the Table of the House.

statement

(a) No, Sir.

(b) Does not arise.

2071 L.S.—1.

(c) Irrigation is a State subject and funds for the execution of irrigation projects are provided by the State Governments within the framework of their overall developmental plans. The Central assistance to the State Plans is given in the form of block loans and grants, not related to any individual sector of development or project

SHRI R. P. SHENOY: Though the dams have been put up across the Ghataprabha and Malaprabha river, so far no work has been taken up for the construction of the right bank canal of Ghataprabha and left bank canal of Malaprabha. Also, the distributaries work either for the left bank canal of Ghataprabha or right bank canal of Malaprabha. Dams are being put across the Upper Krishna river but these are coming up slowly. As a result, the State Government has spent more than Rs. 10 to 15 crores in the last 5 to 10 years but there is no irrigation in the locality. In view of this, may I know whether the Government will at least increase the grant and block assistance under the Fifth Five Year Plan for the State of Karnataka?

SHRI KEDAR NATH SINGH: As we all know, the irrigation is a State subject. The Centre is not expected to interfere in the overall plans of the State Governments. The State Governments are to allocate funds according to the priorities and, therefore, it is upto the State Governments to manage it.

SHRI P. R. SHENOY: My question has not been answered. My question was as to whether the Central Government will give any lumpsum grant for the river valley projects in the State of Karnataka in view of the fact

that all the river valley works are pending execution for want of funds.

SHRI KEDAR NATH SINGH: At this stage, the Centre is not in a position to consider this aspect because it is upto the State Governments to allocate funds according to priorities. I feel, if the State Government is approached properly, they shall manage it

SHRI P. R. SHENOY: I want to know whether the Government has any idea of forming the Krishna Valley Authority similar to the Cauvery Valley Authority.

SHRI KEDAR NATH SINGH: I feel, it is a good suggestion. But it is for the State Government to agree, whether they want to form the Krishna Valley Authority like the Cauvery Valley Authority

SHRI S. B. PATIL: As far as the Upper Krishna project is concerned, I would like to know when this project was sanctioned and started and also what is the total expenditure incurred on it

SHRI KEDAR NATH SINGH: As regards the Upper Krishna Project, Stage I, the total estimated cost is Rs. 11,667 lakhs and the expenditure incurred in the Fourth Plan is Rs 1,744.16 lakhs.

SHRI J. MATHA GOWDER: I want to know whether the Karnataka Government need not take the concurrence of the Centre even for irrigation projects that affect the neighbouring States.

SHRI KEDAR NATH SINGH: Normally, they are to take the concurrence of the neighbouring States.

SHRI P. VENKATASUBBAIAH: Sometime back, the hon. Minister of Irrigation said that to maximise food production, irrigation is the only answer. In view of the fact that many of the projects on our major rivers

are being held up because of inter-State water disputes, may I know from the hon. Minister whether an early action will be taken in regard to the settlement of the Krishna water dispute since the Karnataka Government has revised their stand and have agreed to appear before the Tribunal?

SHRI KEDAR NATH SINGH: As we all know, the Krishna water dispute has come to an end and the Tribunal has given its award. Some clarifications are being sought from certain States and they are under process.

Paddy procured by Tamil Nadu during Kharif Season

*476 **SHRIMATI PARVATHI KRISHNAN:** Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) how much paddy Government of Tamil Nadu procured in Kharif season; and

(b) the quantity of surplus paddy Government of Tamil Nadu could offer to the Centre?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) About 2.16 lakh tonnes of paddy has been procured by the Government of Tamil Nadu during the current Kharif season upto 9th December, 1974.

(b) The Government of Tamil Nadu have not offered any paddy for the Central pool so far.

SHRIMATI PARVATHI KRISHNAN: May I know whether, as a result of the failure of the North-East Monsoon, the estimated crop in Tamil Nadu is far below what usually is, whether there is an estimated shortage and whether the Government propose to extend any help to Tamil Nadu as a result of that?

SHRI ANNASAHAB P. SHINDE: As far as North-East Monsoon is concerned, there has been an erratic behaviour; the rains have not been normal in Tamil Nadu. We are aware of that; we are watching the situation. I do not think we should take a very alarming or gloomy view of things. If it comes to that, we shall try to extend the necessary help to Tamil Nadu.

SHRIMATI PARVATHI KRISHNAN: May I point out to the hon. Minister that, already the Chief Minister in the Assembly has stated that, as a result of the failure of the Monsoon, there is a severe drought in Tamil Nadu and the estimated crop is less than what usually is. It is in that context that I have asked this question. I want to know whether it has been brought to the notice of the Centre, whether the Tamil Nadu Government has appealed to the Centre for relief and if so, what are Government's reaction to it.

SHRI ANNASAHAB P. SHINDE: The hon. lady Member knows much better than I that large areas of Tamil Nadu are irrigated areas. Therefore, even if there is a setback, it should not be so much and probably the Tamil Nadu Government and the Government of India would be in a position to face the situation in cooperation with each other.

SHRIMATI PARVATHI KRISHNAN: I know that some areas are irrigated areas, but there are large areas which are not irrigated. The Tamil Nadu Assembly has been seized of this subject for the last one week; it is appearing in the press. The Chief Minister has appealed to the Centre. What is the reply that he is giving? I am well aware of the position there.

MR. SPEAKER: This is Question Hour, not a debate.

Mr. Kiruttinan.

SHRI THA KIRUTTINAN: During the last year and the year before last, when there was surplus in Tamil Nadu, it was able to give so much of

paddy and rice to the Central Pool as well as to the other State Governments as the Centre wanted. Now there is a serious shortage of rice and paddy and other foodgrains there. May I know whether the State Government has brought to the notice of the Central Government the problems and has approached them for any help and if so, what is the reaction of the Government of India to it?

SHRI ANNASAHAB P. SHINDE: The State Government is in touch with us very much on this issue. They have been bringing to our notice the problems of Tamil Nadu as a result of the erratic behaviour of the North-East Monsoon.

SHRI C. T. DHANDAPANI: The State Government has estimated a shortage of eight lakh tonnes of rice in Tamil Nadu. As the Tamil Nadu Government has stated in the Assembly and in the press, there is a drought situation prevailing in all the districts in spite of the irrigation facilities provided in Tamil Nadu. May I know whether the Government of Tamil Nadu has requested the Central Government for help for relief work to the tune of Rs. 5 crores and if so, what is the reaction of the Government to it?

SHRI ANNASAHAB P. SHINDE: I seek your protection, Sir, because the main question relates to procurement of paddy in Tamil Nadu and I am being asked about drought relief.

MR. SPEAKER: The next Question.

Rajasthan Canal Project

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*479. **SHRI R. S. PANDEY:**

SHRI M. RAM GOPAL REDDY:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government propose to revise the second phase of the Rajasthan Canal Project; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) and (b). A statement is laid on the Table of the House

Statement

(a) and (b). The National Commission on Agriculture in their Interim Report on Desert Development have proposed recasting of the Stage—II of Rajasthan Canal Project to exclude unsuitable areas, bring more areas under lift irrigation and alter cropping pattern for more fodder crops with a view to immunising the desert areas and to protect maximum number of people against the ravages of recurring droughts. The State Government is thinking of constituting a study team for undertaking technical and economic surveys of the proposals.

SHRI R. S. PANDEY: The statement of the hon. Minister states:

"The National Commission on Agriculture in their interim Report on Desert Development have proposed recasting of the Stage—II of Rajasthan Canal Project to exclude unsuitable areas...."

I would like that the statement had given more details as to how much area is going to be covered at the Stage—II, what the interim report says, etc. Such comprehensive details are required, in the absence of which, it is very difficult for us to put questions.

MR. SPEAKER: He has taken note of what you have said...

SHRI KEDAR NATH SINGH:...and have given maximum information available. The project comprises of two Stages. I feel that the first stage consists of the construction of a feeder canal upto 215 km and the Rajasthan Main Canal is of 195 km and the Second Stage comprises of 273 km.

Now, there is a proposal by the National Commission on Agriculture for recasting the Stage—II of the project. The Centre has approached the State Government and a meeting was held in Jaipur and they decided to recast it after getting certain more data and investigation. For that, the Centre has already approached them for setting up a committee. The Rajasthan Government is, therefore, setting up a committee to go into the details to see whether recasting is possible or not.

SHRI R. S. PANDEY: The hon. Minister said that the National Commission on Agriculture has made an interim report suggesting recasting of the Second Stage and for that, they are going to meet in Jaipur and that a committee will be appointed and that the report will be placed later on. I would like to know whether any time schedule has been fixed for all these stages.

SHRI KEDAR NATH SINGH: Normally, there is no time schedule fixed. But, as I have already said, it should not go beyond a year.

MR. SPEAKER: Shri Ram Gopal Reddy.

SHRI M. RAM GOPAL REDDY: I do not want to put any question.

MR. SPEAKER: Is it out of frustration or satisfaction?

श्री राम गंवर : राजस्थान नहर के दूसरे चरण के बारे में बताया है तो मैं जानना चाहता हूँ कि पाचवी योजना में क्या आप ने दूसरे चरण की रकम का प्राविधान नहीं किया है ?

श्री केदार नाथ सिंह : उसको हमने शामिल किया है पंचवर्षीय योजना में ।

SHRI S. A. KEDAR: The Rajasthan Canal Project was expected to have been completed many years ago and we have been hearing it for the last so many years. We were also assured that once it was completed, Rajasthan

would become the granary of India. Now, in view of the food shortage in the country, would it not be advisable that some quick action is taken to see that the work is taken up on a war footing and the canal completed early?

SHRI KEDAR NATH SINGH: We are aware of the difficulties and we have, therefore, allocated more funds this year in the coming Plan for this canal.

DR. MAHIPATRAY MEHTA: According to the original plan, this canal was proposed to be extended to the Port of Kandla to give an opening to the sea for the States of Rajasthan and Punjab as also for defence purposes. Now, I would like to know whether they are going to stick to the original plan or are they going to revise it?

SHRI KEDAR NATH SINGH: As I had explained earlier, recasting is already in process and it depends on the availability of water—how much water will be available for this canal. Therefore, at this stage, it cannot be said whether it shall be possible to connect it with the sea.
(Interruptions).

MR. SPEAKER: Order, please. Kindly keep sitting.

Now, we move on to the next question.

Raids on Dealers in Essential Commodities in Delhi

*482. **SHRIMATI SAVITRI SHYAM:** Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the enforcement staff of Delhi Administration had recently raided the premises of nearly 184 licenced dealers in essential commodities such as Fair Price Shop owners, wheat licences and bread dealers in Delhi;

(b) if so, the outcome thereof; and

(c) the action taken against them?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) to (c): A statement is laid on the table of the Sabha.

Statement

As per information made available by the Delhi Administration, 184 licences/dealers were checked for detecting hoarding, black-marketing etc. during the period from 1.11.1974 to 15.11.1974. Out of these irregularities were detected in 150 cases. Departmental action have been taken in 138 cases and 9 cases have been registered under Defence of India Rules and 3 under Essential Commodities Act 1955.

श्रीमती सावित्री श्याम : मंत्री महोदय ने उतनी ही जानकारी दी है जितना मेरे प्रश्न में है। उन्होंने भी स्टेटमेंट में यह कहा है कि 184 लाइसेंसों का डीलर्स को चेक किया हुआ जोकि मेरे प्रश्न में भी है। कुछ अधिक जानकारी मंत्री महोदय ने नहीं दी है। जिस तरह से ये लाइसेंस होल्डर या डीलर जन साधारण के जीवन के साथ बिनाबाध कर रहे हैं उससे क्या इन बात का पता नहीं चलता है कि इन फोर्समेंट डिपार्टमेंट के लोग इनके साथ मिले हुए हैं और चुगी बाजारों पर माल पैसे ले कर जाने दिया जाता है, पैसे ले करके दोषी व्यक्तियों को छोड़ दिया जाता है। क्या मंत्री महोदय की जानकारी में यह बात नहीं है? क्या मंत्री महोदय को इसकी जानकारी भी नहीं है कि यूथ वागमैन के कार्यकर्तियों ने पहाड़गञ्ज के एक डीलर के महा भ्रमशन किया, छापाने की बात कही, तभी एनफोर्समेंट डिपार्टमेंट के लोगों ने उस डीलर को पकड़ा, उसके खिलाफ एक्शन लिया। मैं जानना चाहती हूँ कि एनफोर्समेंट डिपार्टमेंट और चुगी बाजारों के उन कर्मचारियों के खिलाफ क्या एक्शन ले रहे हैं जोकि डीलरों के साथ मिले हुए हैं?

SHRI ANNASAHEB P. SHINDE: In the course of this year more than 9000 raids were carried out. To blame the inspecting staff in a general way would not be correct. If any individual cases are brought, we will take up with Delhi Administration. But by and large very large number of actions have been taken. Cases registered were 694. Cases in which licences were cancelled were 53. Cases convicted were 32. Case acquitted one; cases pending trial 487, cases pending investigation 106 and so by and large action has been taken in respect of these cases.

श्रीमती सावित्री श्याम डीनार्ज श्रॉर लाइसेंस होल्डर्स के खिलाफ तो एकात्म रिपोर्ट का रहा है लेकिन प्रश्न यह है कि एनफोर्समेंट डिपार्टमेंट के लोगों को खिलाफ भी जो इन के साथ मिले जुले हैं, आप बताएं कि आपने आज तक क्या एक्शन रिया है। इनकी जानकारी में चाहती हूँ।

SHRI ANNASAHEB P. SHINDE: I have already replied to that. If specific cases are brought we shall take up with Delhi Administration.

SHRIMATI SAVITRI SHYAM: He has not replied to my question.

SHRI ANNASAHEB P. SHINDE: Enforcement machinery works under Delhi Administration. I said we will take up with Delhi Administration.

श्री इतहाक सम्भली : क्या सरकार की जानकारी में यह बात है कि पिछले दिनों जो छापे मारे गए दिल्ली के अन्दर और कुछ स्वयंसेवकों की पकड़ कराई हुई उनका नतीजा यह हुआ कि एसोशियल काम्युनिटीज के काम कुछ थिरे? मिनिस्टर साहब ने बताया है कि कितने लोगों को पकड़ा गया और कितनों पर केसिल चल रहे हैं। लेकिन उसके बाद से इन छापों का सिलसिला बन्द हो गया है। इसका नतीजा यह है कि बीजों की कीमतें फिर से उसी दरों पर पहुँच रही हैं जहाँ छापों

के पहले थीं। जबीरा मंदीजों और चोर बाजारियों के खिलाफ छापे मारने का जो सिलसिला बन्द कर दिया गया है क्या उसकी वजह से ही कीमतें नहीं बढ़ रही हैं यदि हाँ तो इस सिलसिले को कब से आप शुरू करने जा रहे हैं?

SHRI ANNASAHEB P. SHINDE: I don't think Delhi Administration has failed to take action. Of course, one may have a different judgment about the adequacy of action taken. That is a different matter. But if the hon. Member wants to make any specific suggestion we shall welcome it.

श्री इतहाक सम्भली : यहाँ क लोगों पर क्या गुजर रही है, क्या दरवाजा मारना आपकी है? दिल्ली का अन्दर भारे हिन्दुस्तान पर पड़ रहा है। छापे मारने का नाम आप ने बन्द कर दिया है। श्रीमती सावित्री श्याम ने सही पूछा है कि एनफोर्समेंट डिपार्टमेंट जो ठंडा होकर रह गया है या जिनको ठंडा कर दिया गया है, आखिरकार इसकी वजह क्या है? क्यों नहीं फिर से छापे मारने का सिलसिला शुरू किया जाता है?

SHRI ANNASAHEB P. SHINDE: Sir, I shall take up the matter with the Delhi Administration to keep up the tempo against the hoarders and blackmarketeers.

SHRI H. K. L. BHAGAT: Sir, I would like to know from the hon. Minister if it has come to his notice that a very large number of people, particularly, the labourers, in Delhi who are living here for a long time do not get their ration cards or they have not been given any ration cards. The procedure that is being adopted is very cumbersome. Has this come to the notice of the Minister? If not, will he kindly look into this to see that thousands of these poor people who are not getting the ration cards get them quickly?

SHRI ANNASAHEB P. SHINDE: I have all my sympathies for these underprivileged people whom the hon. Member is pleading for. But, my difficulty is that in Delhi there are about five to 10 lakhs of bogus units. This is really posing a problem. If there are genuine problems for the poorer sections of the society and if they can be brought to our notice, I shall take up the matter with the Delhi Administration.

SHRI H. K. L. BHAGAT: But no cards have been given to these people who are living here for a long time. Hundreds of them have met me; they are living here but the have not yet got their ration cards.

SHRI MOHANRAJ KALINGARAYAR: Sir, the Delhi Enforcement authorities have raided about 184 licensed holders for the essential commodities. Some of their licences have been cancelled after the raid while some of the licences have again been extended in certain cases. I would like to know what is the main policy of the Ministry in this regard—do they differentiate as between big blackmarketeers and hoarders and small ones? I want to know whether everyone of them is treated alike.

SHRI ANNASAHEB P. SHINDE: Of course, malpractices between the big hoarders and profiteers and small ones have to be differentiated. But, nobody—even a small fair price shop owner—has any authority to commit irregularities or malpractices. Therefore, the law may have to take its own course against anybody who commits the breach of law.

श्री जनजाब मिश्र : प्रश्न के उत्तर में संत्री महोदय ने बताया है कि 1 नवम्बर से 15 नवम्बर तक 184 कैसों की जांच पड़ताल की गई जिन में से 150 कैसिन अनियमित पाए गए। क्या इससे 1 प्रश्न उभर कर सामने नहीं आते

हैं ? एक अनियमितताएँ—बड़ल्ले से चल रही है और जो आपकी मशीनरी है वह इन पर काबू पाने में असमर्थ है। मैं जानना चाहता हूँ कि इन दोनों पर नियंत्रण पाने के लिए आप क्या कर रहे हैं।

SHRI ANNASAHEB P. SHINDE: Because of action taken during the last few months in Delhi, I think the malpractices have gone down and the Delhi Administration have succeeded in reducing them. I cannot claim that these have been eliminated. That is not possible. This had a salutary effect on the prices and availability of essential commodities in Delhi. I think that by and large this has helped in disciplining the trades.

श्री जी. सोहन लाल : आप कहते हैं कि स्टाफ बहुत अच्छा काम कर रहा है। वह इतना अच्छा काम कर रहा है कि उसकी मेहरबानी से ही पिछले दो साल में ग्यारह लाख बोगस कार्ड बने हैं दिल्ली में। मैं जानना चाहता हूँ कि क्या ये बची बचम होंगे और होंगे तो कब तक और इसके लिए आपने कौन सा तरीका अपनाया है ?

आपका स्टाफ जो छापे मारता है ऐसी दुकानों पर मारता है जहाँ कुछ नहीं मिलता है और नाम हो जाता है कि हमने इतने छापे मारे हैं। ऐसे इस्पेक्टर जिन के इलाकों के अन्दर छापे मारे गए हैं इनफोर्समेंट की तरफ से, उनको भी कोई सजा दी गई है ?

SHRI ANNASAHEB P. SHINDE: Of course we shall seek the cooperation of the hon. Member and the public. This is not confined to Delhi alone. This is an all-India problem in all metropolitan cities. In fact, the Delhi Administration is taking steps. In practice, this is found to be a very difficult proposition unless there is public cooperation in the matter.

1972-73 के लिए संकटकालीन कृषि
उत्पादन कार्यक्रम

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* 483. श्री जगन्नाथराव बोडो :

श्री अटल बिहारी वाजपेयी :

क्या कृषि और सिंचाई मंत्री यह बताने
की कृपा करेंगे कि : (क) 1972-73
के लिए संकट कालीन कृषि उत्पादन कार्य-
क्रम पर केन्द्र और राज्य सरकारों द्वारा मिला
कर राज्य वार किंग गट व्यय का व्यौरा
क्या है ; और

(ख) उसके परिणाम स्वरूप राज्यवार
किंतना तथे निम्न मूल्य का उत्पादन हुआ है?

THE MINISTER OF STATE IN THE
MINISTRY OF AGRICULTURE AND
IRRIGATION (SHRI ANNASAHEB
P. SHINDE): (a) and (b). A state-
ment is laid on the Table of the Sabha.

Statement

(a) The amounts reported to have
been actually spent by the State Gov-
ernments out of Central assistance
given to them as medium-term loans
for minor irrigation and also the short-
term loan released for agricultural
inputs under the Emergency Agricul-
tural Production Programme, 1972-73
are as follows. This was a special
programme sponsored by the Govern-
ment of India to meet the situation
created by drought and no financial
contribution from the State Govern-
ments was stipulated.

(Rs. in crores)

Name of State	Amount approved for minor irrigation programme	Amount actually spent on minor irrigation programme	Short-term loan released for inputs
1. Andhra Pradesh	9.865	5.397	13.50
2. Assam	2.029	2.020 [@]	2.50
3. Bihar	17.728	17.728	7.00
4. Gujarat	5.000	5.000	2.00
5. Haryana	12.000	12.000	0.10
6. Himachal Pradesh	0.500	0.325	0.35
7. Kerala	2.500	2.500	1.25
8. Madhya Pradesh	5.810	5.810	6.00
9. Maharashtra	24.963	24.963	16.00
10. Manipur	0.577	0.383	0.40
11. Mysore	6.389	5.299	2.00
12. Nagaland	0.200	0.200	0.08
13. Orissa	6.600	6.600	2.00
14. Punjab	14.720	14.720 [†]	
15. Rajasthan	3.892	3.892	4.00
16. Tamil Nadu	3.820	2.990 ^{**}	3.50
17. Tripura	0.229	0.229	0.20
18. Uttar Pradesh	20.750	20.750	15.50
19. West Bengal	14.330	14.330	6.00
TOTAL	151.862	148.136	99.92†

Notes:—[@]Includes Rs. 32 lakhs for purchase of tractors and threshers.

^{*}Includes a grant of Rs. 197 lakhs for construction of tubewells in the border areas.

^{**}Includes Rs. 20 lakhs for purchase of tractors and threshers.

[†]Includes Rs. 17.60 crores under normal programme for all States.

(b) The objectives of the EAPP launched in the country to meet the situation created by the un-precedented draught during 1972-73, were (i) to retrieve, to the extent possible, the apprehended loss of 15 million tonnes of foodgrains caused by the drought during the Kharif season and (ii) to increase the production of rabi and summer crops through implementation of special minor irrigation programmes and provision of enhanced short-term loan for purchase and distribution of agricultural inputs. The kharif production turned out to be only 4.4 million tonnes lower in 1972-73 than in the previous year (1971-72), as against the initially feared loss of 15 million tonnes. During the rabi season, the weather continued to be unfavourable. The output of wheat was adversely affected by hot winds in some parts of North India during Feb-Mar, 1973 and the occurrence of rust disease. There was shortage of fertilisers, the reservoirs and tanks were dry, the water table in the dug-wells and tubewells continued to be low because of the unprecedented unbroken drought, and there was shortage of electric power, partly because the reservoirs feeding the hydel-generating stations were dry. The unbroken drought in the major rabi jowar growing areas destroyed this crop almost in its entirety. All these factors resulted in reducing the rabi production in 1972-73 by about 3.8 million tonnes from the previous years' level. Since in actual practice the production did not register an increase, the question of indicating the value of additional production achieved as a result of the implementation of the EAPP does not arise. Nevertheless the irrigation facilities which had been created through implementation of the quick maturing minor irrigation schemes taken up under the EAPP have proved very useful in providing irrigation to crops in the subsequent years.

श्री जगन्नाथ राव जोशी जो वक्तव्य समाप्त करने पर रक्षा हैं उस में था पात कृषि उत्पादन योजना के अन्तर्गत हर प्रदेश में कितना फलदायी पैसा खर्च हुआ यह तो

दिया है किन्तु उसका दूसरा हिस्सा जो जैने पूछा था कि इसके कारण उत्पादन कितना बढ़ा, उस का मूल्यांकन क्या है, उस में मंत्री महोदय ने यह स्वीकार किया है और पब्लिक एकाउन्ट्स कमिटी ने भी अपनी रिपोर्ट में इस बात को स्वीकार किया है :

"In no State was the EAPP target for increased production achieved."

यानी इतना सारा पैसा हर प्रदेश में खर्च करने के बाद कहीं भी उत्पादन-वृद्धि हुई नहीं है, यह पब्लिक एकाउन्ट्स कमिटी ने भी स्वीकार किया है और आप ने भी स्वीकार किया है। कुछ जगह तो लाभ सूख गए, कुछ जगह खाद की कमी हो गई, किन्तु क्या पूरे देश भर में जम्मू काश्मीर में ले कर केरल और तमिलनाडु तक यह बात लागू था ? इतना सारा पैसा खर्च करने के बाद जो उत्पादन में वृद्धि नहीं हुई उस का कारण क्या था ? यह गाल माल उत्तर नहीं चलेंगा। मैंने हर प्रदेश के बारे में पूछा है।

SHRI ANNASAHAB P. SHINDE:

Sir, as far as the investment is concerned hon. Member is intelligent enough to understand that even normally, under Plans, we invest much larger amounts Annually, for instance, we invest about Rs. 250-300 crores for minor irrigation and other things. That does not necessarily mean that agricultural production goes up because there are large areas of our country which are unirrigated where irrigation facilities are not there. If nature is not favourable, if there is failure of rain, if there is power shortage—these factors do come in—they adversely affect production. But, hon. Member should appreciate that in the drought year of 1966, there was a set back in production of almost 15-17 million tonnes. But, this time, the fall in production was only 8.2 million tonnes. There has been some production potential, which is getting built up. As far as State-wise production figures are concerned, in some States produc-

tion has gone up. In some States, production has come down. I can also give the State-wise information to the hon. Member. But, it will take the time of the House. I am prepared to furnish the statement to the hon. Member.

श्री जगन्नाथ राव जोशी : वक्तव्य में इध बात का हवाला दिया गया है कि "आधात कृषि उत्पादन कार्यक्रम के अन्तर्गत शुरू की गई शीघ्र नैथार होने वाली लघु सिंचाई योजनाओं के क्रियान्वयन के जरिए सृजित की गई सिंचाई सुविधाओं बाद के वर्षों में फसलों की सिंचाई करने में बहुत लाभदायक सिद्ध हुई है।" तो आन्ध्र में यह जो लघु सिंचाई पर पैसा खर्च किया गया उस का लक्ष्य यह था कि 61 हजार एकड़ भूमि सिंचित होगी, यह पब्लिक एगजन्ट्स कमेटी की रिपोर्ट में है, किन्तु प्रत्यक्ष में जो भूमि सिंचित हुई वह 5093 एकड़ है और इस का कारण यह बताया गया है कि आन्ध्र में उस समय डिस्टर्बेंस थे और स्ट्राइक थी। किन्तु कम से कम लघु सिंचाई का प्रबन्ध जब था तो क्या अगले साल या तो 73-74 में कम से कम वहां उत्पादन ज्यादा होगा ऐसी कुछ आशा है क्या? उस का तो कुछ मूल्यांकन दें हमें। डिस्टर्बेंस के साल में तो नहीं हुआ लेकिन उस के बाद में ?

SHRI ANNASAHEB P. SHINDE: Sir, political instability did affect developmental activities and I think hon. Member also concedes the position. In 1973-74, there was substantial increase in production in Andhra Pradesh. That was not mainly because of this programme. Nature was also favourable and this programme made some contribution.

श्री जगन्नाथ राव जोशी : सिंचाई को जो प्रबन्ध 61 हजार एकड़ का था वह जो केवल 5 हजार हुआ है उस के बारे में मैं में खबर पूछा है।

SHRI ANNASAHEB P. SHINDE: I have replied to that. Political instability did affect this.

SHRI BISHWANARAYAN SHASTRI: Sir, the Minister has admitted that since in actual practice, the production did not register an increase, the question of indicating the value of additional production achieved as a result of the implementation of EAPP does not arise. He expects that in future years, it will give results. May I know, in view of the fact that Rs. 2, 20,000 has been spent in Assam for minor irrigation, can he indicate how many tubewells have been dug in Assam?

As a result of non-productive release of Rs. 151 crores, is there no likelihood of inflation in the country?

SHRI ANNASAHEB P. SHINDE: Information as to how many tubewells were sunk is not readily available with me, but with appropriate notice, it will be possible to give the figure. As for the amount spent, the necessary irrigation potential has been built up in Assam.

SHRI BISHWANARAYAN SHASTRI: What about the unproductive release of Rs. 151 crores?

SHRI ANNASAHEB P. SHINDE: I do not agree. This is a very productive and purposeful investment. Though there were some delays and difficulties, this adverse inference would not be correct.

PROF. MADHU DANDAVATE: The hon. Minister has mentioned in the statement figures for Maharashtra and Mysore. Incidentally, let me tell him that there is no State called 'Mysore'. The name is Karnataka—I am not raising the issue of a wrong statement under 115. In the written statement, he has said that for Maharashtra the amount sanctioned was Rs. 24,963 crores which was fully spent and for Karnataka it was Rs. 6,389 crores of which only Rs. 5,299 crores were spent. Is it a fact that the entire amount

sanctioned for Karnataka has not been spent because certain border areas on the border of Maharashtra and Karnataka remain under dispute and the State Government has been rather shy in spending the amount already sanctioned for those areas? If this is happening, will not the Centre step in and see that those amounts sanctioned are spent on those border areas, because it has been the consistent grievance of the border people that these areas are neglected? Today there is a deputation which has come to Delhi to point out the economic consequences of the pending border dispute. In view of this, will the Centre ensure that whatever is the amount actually sanctioned it is actually spent?

SHRI ANNASAHEB P. SHINDE: In the case of Karnataka, the full amount was not spent, but whether it pertains to the border areas cannot be said. One cannot say whether the amount was to be entirely invested in the border areas, but I will find out where the investment was to be made.

PROF. MADHU DANDAVATE: I have verified that is why I asked.

SHRI ANNASAHEB P. SHINDE: I am thankful to the hon. member for the information, but at least I have not this information.

श्री नरसिंह शिंदे : माननीय मंत्री जी ने कुछ दिन पहले यह बयान दिया था कि 40 लाख एअड जमीन अभी ऐसी है जिस को कि यूटिलाइज करने की जरूरत है, तो देश में प्रोडक्शन ज्यादा हो इस बात को ध्यान में रखते हुए क्या माननीय मंत्री जी ने इस बीच को भी अपनी इस स्कीम में शामिल किया है और नहीं शामिल किया है तो इसे शामिल करने की कोई योजना है ?

SHRI ANNASAHEB P. SHINDE: The original question is about the Emergency Agricultural Production Programme, but this is a different question. It can be a suggestion.

SHRI B. K. DASCHOWDHURY: There is no denying the fact that despite this heavy expenditure under the Emergency Agricultural Production Programme, in that particular year under the kharif crop the production was less to the extent of 4.4 million tonnes, as stated in the statement itself, and in regard to the rabi crop, it is less by 3.8 million tonnes. The hon. Minister has said that in subsequent years it will give a better result. I would like to know whether during 1973-74, due to these Rs. 250 crores spent throughout the country, agricultural production has gone up.

SHRI ANNASAHEB P. SHINDE: In those years, because of adverse weather conditions, it is well known that agricultural production did go down.

SHRI B. K. DASCHOWDHURY: What about the schemes?

SHRI ANNASAHEB P. SHINDE: It is very difficult to assess in relation to a particular scheme, but in the country as a whole, when we see the state-wise figures, we find that where weather conditions were adverse, there production has gone down where conditions were not adverse, there production has come up. So it is not entirely dependent on this programme. It is very difficult to make an assessment because statistical data are not maintained on that basis.

SHRI SAMAR GUHA: May I know whether with regard to the execution of the emergency agricultural production programme, the Auditor-General had in his interim report indicated numerous irregularities in different States, particularly in the case of Meghalaya in addition to other States? What are the findings of the Auditor-General?

SHRI ANNASAHEB P. SHINDE: The Auditor-General raised certain issues in his report. For instance, he raised the issue that expenditure incurred on minor irrigation schemes undertaken before the commencement of the programme on 10 August 1972

were debited to the emergency agricultural production programme. There are seven such points...

SHRI SAMAR GUHA: There are serious complaints against some Government servants and he should inform the House.

SHRI ANNASAHAB P. SHINDE: I shall lay a statement on the Table of the House.

श्री भगतराम मनहर पिछले दिनों जब श्री शिन्दे रायपुर के बारे पर गए थे, तो उन्होंने कार्यकर्ताओं की एक मीटिंग में यह घोषणा की थी कि छत्तीसगढ़ के लिए इमर्जेंसी एग्रीकल्चरल प्रोडक्शन प्रोग्राम के अन्तर्गत 100 करोड़ रुपये दिये जायेंगे। इस समय छत्तीसगढ़ में इस शताब्दी का सबसे भीषण भूकाल है। मैं यह जानना चाहता हूँ कि मंत्री महोदय ने 100 करोड़ रुपये मध्य प्रदेश शासन को जब मुहैया करा रहे हैं, ताकि वह उस पैसे का उपयोग राहत-कार्यों और इमर्जेंसी एग्रीकल्चरल प्रोडक्शन प्रोग्राम के लिए कर सकें।

SHRI ANNASAHAB P. SHINDE: At one stage the Government of India were thinking of taking up special development programmes in areas where the potential was the richest. Later on we found that the present economic situation and the financial resources do not permit us and I do not think it will be possible to take up such a programme now.

Pulse Cropping

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*486. **SHRI P. GANGADEB.**

SHRI SHRIKISHAN MODI:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Agricultural Scientists from foreign countries and International Organisations met on the 30th September, 1974 in New Delhi to discuss pulse crops;

(b) if so, whether problems relating to plant structure physiology and nitrogen fixation figured in the discussions;

(c) if so, whether reasons for low yield of many pulse crops were also discussed; and

(d) whether any guidelines for new approaches to research in these crops were also discussed and if so, facts thereof?

Statement

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION: (SHRI ANNASAHAB P. SHINDE): (a) to (d). A statement is laid on the Table of the Sabha.

(a) Yes, Sir. The Technical Advisory Committee of the Consultative Group on International Agricultural Research convened a working Group to discuss the Biology of Yield in Grain Legumes. Twenty Four scientists from different parts of the world met at the Indian Agricultural Research Institute, New Delhi from 30th September to 4th October, 1974.

(b) Yes, Sir. Plant architecture and its bearing on yielding ability, the physiology of flowering, fruiting and seed development, efficiency in photosynthesis and distribution of the products of such photosynthesis and different aspects of nitrogen by grain legumes were among the topics considered.

(c) The variation in productivity of grain legumes in various agro-ecological regions of the world, experimentally as well as in farm practice, the reasons for such regional variation as well as for the difference between yields on research plots and on farms and the relative yielding abilities of grain legumes vis-a-vis cereals were among topics discussed.

(d) Yes, Sir. The working group has pointed out the concurrent need for applied and fundamental research

in this field and identified action need-
er to push up the production of
grain legumes in the short term as
well as several areas where more
research is needed to overcome fac-
tors limiting the productivity of grain
legumes.

The principle conclusions and recom-
mendations of the working Group
are:—

(I) Much higher yields of grain
legumes have been recorded from
developed countries characterised by
efficient agricultural management
systems, as compared to yields obtain-
ed in India and other developing
nations, where these crops are gener-
ally grown in low yield environ-
ments and under poor management.
Also, grain legumes which have
received more research attention
show a better average yield than
those which have received less re-
search support.

(II) The Group identified a wide
gap between yields obtained in re-
search stations and in farmers' fields.
Among the important factors identi-
fied as determining the difference
between yield in research plots and
in farmers' fields were to the avail-
ability of inputs, adequate agronomic
management and the quality of seed,
especially in respect of seed trans-
mitted diseases. The Working Group
felt that the scope for improving the
production and productivity of pulse
crops with the already available
know-how and varieties is immense in
developing countries.

For bridging the gap between what
is possible and what is being accom-
plished, it was recommended that
national Governments should develop
appropriate package of services and
of public policies to match the re-
quirements of scientific package.
Also, production oriented training
courses should be organised for
field extension workers. A publica-
tion indicating the extent of the
"accomplishment gap" in transferring
known knowledge to the farmers'
fields may also be brought out.

(III) Towards bridging the gap
between research and practice and to
identify the socio economic factors, if
any, impeding such technology trans-
fer, the Working Groups has recom-
mended that the Consultative Group
should sponsor operational research
projects covering whole villages or
large areas in developing countries
where grain legumes are important
in human nutrition.

(IV) Several areas where more
mission oriented research of a basic
nature is needed in order to push up
the ceiling to yields in grain legume
beyond the highest yields currently
obtained, when all constraints on
inputs and management are remov-
ed, were also identified. The scope
and need for cooperative endeavour
in this direction between national
and international programmes as well
as institutions in the developing and
developed countries has also been in-
dicated.

(V) The Working Group also recom-
mended that national Governments
should set up an independent moni-
toring agency for ensuring that the
bacterial cultures supplied to farm-
ers are of good quality.

(VI) It was recommended that global
responsibility for collecting germ
plasm and promoting relevant re-
search may be assumed jointly by ap-
propriate laboratories in developing
and developed nations in collaboration
with international research Institu-
tes. The Indian Agricultural Research
Institute may be one of the Institutes
that may play a pivotal role in such
work.

SHRI P. GANGADEB: May know
whether any hybrid seeds in pulses
have been developed and if so which
are those pulses where they have been
developed and what is their yield
as compared to the normal crop?

SHRI ANNASAHEB P. SHINDE:
There have been two major develop-
ments in regard to pulses: short

duration crop and high yielding variety. In the case of moong, the baisakhi moong of short duration has been satisfactory. It has not had a total impact on the country as a whole because the areas covered are small.

SHRI P. GANGADEB: Since certified seeds supplied by Government do not germinate invariably and insecticides sprayed on crops always failed to kill pests may I know whether these two factors are responsible for low yield pulses in the country and if so devices discussed by the scientists to improve these anomaly.

SHRI ANNASAHEB P. SHINDE: This problem was being looked into. It is known that only marginally and unirrigated lands are under pulses in this country and that is why the yields are low. The non-availability of good seeds and the non-use of phosphates are some of the factors which are contributing to low yields.

Expenditure incurred on Housing Schemes in Rural Areas

*488. **SHRI SAMAR GUHA:** Will the Minister of WORKS AND HOUSING be pleased to refer to the reply given to Unstarred Question No 8629 on the 29th April, 1974 regarding housing problem of rural areas and state the expenditure incurred by Government in regard to housing schemes in rural areas, Statewise, during last three years?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): The Village Housing Projects Scheme is in the State Sector. The up-to-date expenditure incurred by the various State Governments under this Scheme is not available. The Scheme for provision of house-sites to landless workers in rural areas was in the Central Sector upto 31st March, 1974. The Scheme has been transferred to the State Sector with effect from 1st April, 1974. A Statement showing the amounts which have been disbursed to the various State Govern-

ments under this Scheme during 1972-73 and 1973-74 is laid on the table of the Sabha. No amount was disbursed under the Scheme to the State Governments during 1971-72. The State Governments have not furnished up-to-date information about the expenditure incurred by them under this Scheme.

Statement

Statement showing the central assistance released to the State Governments under the scheme for provision of house-sites to landless workers in the rural areas during 1972-73 and 1973-74.

Sl. No.	Name of State	Amount released
		(Rs in Lakhs)
1.	Andhra Pradesh	32 78
2.	Bihar	15 71
3.	Gujarat	76 65
4.	Haryana	0 06
5.	Himachal Pradesh	0 38
6.	Karnataka	59 84
7.	Kerala	358 44
8.	Madhya Pradesh	49 91
9.	Maharashtra	41 14
10.	Orissa	2 10
11.	Punjab	16 56
12.	Rajasthan	7 19
13.	Tamil Nadu	56 64
14.	Uttar Pradesh	7 71
15.	West Bengal	4 85
TOTAL		729 96

SHRI SAMAR GUHA: Although we have talked a lot about the Harijans, the poor minorities and adivasis—even yesterday the Prime Minister made a speech in Lucknow—the policy of the Government so far was that the national expenditure is made overwhelmingly for the urban people

only. In reply to my question last Friday, it was said that the expenditure made by LIC on house-building loans was Rs. 82 crores in 1971-72, Rs. 94 crores in 1972-73 and Rs. 115 crores in 1973-74, but all these amounts have been spent only for the urban people. May I now whether this is a fact and also whether it is a fact that we have shed a lot of crocodile tears for the rural people but the LIC has not given anything for the rural people?

SHRI MOHAN DHARIA: It is true that rural housing has not so far received due priority and only 55,000 rural houses have been constructed so far. According to our information, 1.96 lakh land house sites have already been developed and delivered. The Government is reconsidering the policy of LIC investment so that investment can be made for the welfare of the weaker sections of society including rural people.

SHRI SAMAR GUHA: The statement says that no amount was disbursed to the State Governments during 1971-72. What they have given in 1972-73 is perhaps the consolidated amount. You have also said, "The State Governments have not furnished up-to-date information about the expenditure incurred by them under this scheme". The Central Government has stated on innumerable occasions that it is worried about the development of rural housing schemes, particularly for the landless people. If it is so, when will Government furnish to this House this information about the expenditure of money sanctioned for the landless people in the rural areas?

SHRI MOHAN DHARIA: We shall call for the information. Besides, we have already discussed the matter with the Planning Commission that while annual plans are being formulated, specific amounts should be earmarked for these projects.

SHRI BHAGWAT JHA AZAD: The information that has been given to the House is inadequate. And the figures are revealing. As against 43 crores of people who live in rural areas of this country, only 55,000 houses have been constructed. I would like to know, in spite of the inefficiency, inadequacy and the flaunting of Directive Principles in the Constitution to safeguard the interests of Harijans, poor landless, who are 20 crores in this country, why did the Government of India give up this scheme on 1st April, 1974 and hand over to State Governments? Was it due to inefficiency and failure or due to something else? What was the reason?

SHRI MOHAN DHARIA: In spite of the fact that the Housing Ministry has insisted that this project should remain in the Central sector, the National Development Council had taken a decision to transfer it to the State sector. These schemes are to be implemented by the State Governments. Now, we are insisting that if this is to remain with the State Governments, at least, specific amount should be necessarily earmarked and spent in this sector itself. That is what we have been insisting on. We shall again bring this thing to the notice of the Chief Ministers concerned.

DR. MAHIPATRAY MEHTA: The hon. Minister said that the implementation of the scheme actually rests with the State Governments. In Gujarat which is under the President's Rule, there is a Rural Housing Board set up since years. I want to know what is the amount sanctioned to it after the President's Rule was imposed and what is the utilisation of that amount.

MR. SPEAKER: You are asking a specific question for which a specific notice should be given.

DR. MAHIPATRAY MEHTA: In Gujarat, there is no popular Govern-

ment and there is the President's Rule at present.

MR. SPEAKER: I am sorry.

SHRI NOORUL HUDA: It appears from the statement given by the hon. Minister that my State, Assam and also Tripura do not figure in the list and in West Bengal only Rs. 4 lakhs and odd have been spent. I would like to know from the hon. Minister as to why during 1972-73 and 1973-74, not a single paisa has been spent on rural housing in Tripura and Assam and why only Rs. 4 lakhs and odd have been spent in West Bengal and on what schemes it has been spent.

MR. SPEAKER: That is what Dr. Mahipatray Mehta also asked about Gujarat. You can ask in a general way.

Let the Minister reply in a general way. Let him reply about Gujarat also.

SHRI MOHAN DHARIA: Under that scheme, the State Governments were asked to confer homestead rights on the landless agricultural workers. Those State Governments have enacted accordingly alone could get the benefit of the scheme. Now, the scheme has been transferred to the State Governments. That is the reason why their names are not-mentioned.

DR. MAHIPATRAY MEHTA. My question was not that. Gujarat is now under the President's Rule. The Central Government is supposed to know it.

SHRI MOHAN DHARIA: About the question of the hon. Minister, I require notice.

MR. SPEAKER: You better find out and send it to him.

श्री राम भगत दासबाबु : जहाँ तक मेरा व्यक्तिगत अनुभव है इस योजना के अंतर्गत किसी भी भूमि हीन को बिहार में ख़ास कर कोई लाभ प्राप्त नहीं हो सका है और न कोई सहायता दी गई है । हम ने कितने व्यक्तिगत पत्र भी लिखे कि इस योजना के अंतर्गत भूमिहीनों को कुछ सुविधा मिलनी चाहिए । तो क्या मंत्री महोदय यह बता सकते हैं कि बिहार में इस योजना के अंतर्गत कितने भूमिहीनों को मदद दी गई है और कितनों के आवास की व्यवस्था की गई है ?

SHRI MOHAN DHARIA: I require notice for that.

SHRI PRIYA RANJAN DAS MUNSI: I would like to know from the hon. Minister, in view of the Statement, what is the rational policy of the Works and Housing Ministry and the Government of India in the allocation of financial assistance to various States because in the statement we find the U. P., which is the biggest State of this country; Assam is not at all figuring; West Bengal is another problematic State like Kerala; Orissa, another backward State of this country, is figuring with absolutely low amount. Therefore, I want to know the rational basis or the principle for the allocation

Secondly, is it not a fact that the Government of Orissa and the Government of West Bengal, consecutively in the last two years, have been asking the Central Government to allocate specific financial resources, so that they can meet the demands of the landless agriculturists there because the amount of Rs. 4.85 lakhs which has been sanctioned by the Government is not sufficient even for a single district housing scheme. You were in the Planning Ministry for two years. You please tell me whether an amount of Rs. 4.85 lakhs can meet the demand of even a single district or taluk level landless labour housing scheme.

SHRI MOHAN DHARIA: The Central Government had sent the scheme and written to all the State Governments on the same day. They also asked the State Governments to confer the homestead rights on the agricultural labour on the same day. The State Governments that are competent and efficient have taken the advantage and the others have not taken the advantage. It is for the State Government to be more efficient.

Seminar on Irrigation in India

*489. SHRI C. K. CHANDRAPAN:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether in the papers presented by Administrators, Engineers and Social Scientists in a Seminar organised by the Institute of Economic and Social Change in Bangalore, it has been pointed out that the "irrigation in India is in a mess";

(b) whether public irrigation has been losing all the time; and

(c) if so, what measures Government have taken against it?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) to (c). A statement is laid on the Table of the House.

Statement

(a) Some of the Papers presented at the Seminar highlighted the following main issues relating to the irrigation development:

(i) Need for realistic water rates and their periodic revision.

(ii) Water logging, see page and salinisation due to canals and distribution channels.

(iii) Need for reclamation of lands through drainage and adequate amendment technique.

(iv) Need for efficient water management.

(v) Systematic surveys for groundwater and soil conservation works in the river Valley catchments.

(vi) Collection of more precise data to assess adequacy of water supply in irrigation systems.

(vii) Command area development to maximise production.

It may be mentioned that several old canal system in our country are enable to provide adequate water supplies in an efficient manner to meet the needs of present day agriculture. Steps are being taken to modernise them and render them more efficient.

(b) and (c). Irrigation is a State Subject and irrigation schemes are executed by the State Governments within their overall developmental plans. The economic feasibility of an irrigation project is, of late, judged on the basis of benefit cost ratio which takes into consideration the value of the increased agricultural production as well as annual financial burden of the project. Irrigation projects, however, yield low returns to the Exchequer mainly because the water rates being charged are much lower. The Central Government has often impressed on the State Governments the need to increase water charges and collect betterment levy, where permissible. The other causes for low financial returns are:

(a) Long gestation period of the irrigation projects.

(b) Lag in the utilisation of irrigation potential created.

(c) Escalation in cost of construction and operation of the project.

The State Governments have been increasing water rates from time to time. However, the increase is not adequate. It is also impressed upon the State Governments to provide adequate funds to complete the on-going schemes with the least possible delay. Command Area Development Authorities are also being set up on major projects to take necessary measures to expedite utilisation of the potential created.

SHRI C. K. CHANRAPPAN: The Statement appears to be a routine statement of the Government. But a very shocking fact has been revealed by the said Seminar. The discussions have revealed that more than 50 per cent of the water is being wasted by the inefficiency of the Government in running the irrigation scheme. I really thought that the Government would react to that. I would like to know the reaction of the Government to this.

SHRI ANNASAHEB P. SHINDE: I do not think the use of the word 'waste' is appropriate. In fact, what happens is that, in the reservoir, for instance, there are evaporation losses. How do we stop that?.....

AN HON. Member: How much?

SHRI ANNASAHEB P. SHINDE: 10 to 15 per cent. Again, in the canal, while the waters flow, there are seepage losses. Lining of the canals is an effective remedy, but the lining is very expensive. The resources position is known to the members. Though Government has accepted the principle, if we go on lining the canals, the other development activities, irrigation activities, will suffer. We have to take a balanced view. These losses are not waste, they are because of the structure of the canals, soil structure, etc. Particularly in northern India where canals are dug and where we have the alluvial soil structure, the water losses are more. In the canal distributive system, the losses

are there. But Government is well aware of the problem and we propose to line the canals when the resources position eases.

SHRI C. K. CHANDRAPPAN: In the statement, the Government say on page 2:

"There is a lag in the utilisation of irrigation potential created."

I would like to have an explanation from the Government as to what exactly it means by saying "a lag in the utilisation of irrigation potential", and, if there is any lag, what is the remedy that the Government suggests for the full utilisation of the water resources that we are creating?

SHRI ANNASAHEB P. SHINDE: This is really a very important problem. There is a lag in the sense that when potential has been created, it is not fully utilised. Though at the all India level the figure is 84 per cent of water utilisation, there are individual places where water utilisation is quite low. Therefore, the Government of India has decided to have 50 Canal Command Authorities to provide for better water management, improved utilisation, etc as also a number of other steps are being taken.

MR SPEAKER: Now, the Question-Hour is over.

WRITTEN ANSWERS TO QUESTIONS

मध्य प्रदेश के अमलाई तथा अन्य आदिवासी क्षेत्रों में यूकिलिस्ट के वृक्ष लगाये जाने के विरोध में अन्त्यावेदन

*475. श्री बमराह प्रधान : क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि :

(क) पेपर मिलम, अमलाई के प्रबन्धक मध्य प्रदेश के महडोल जिले में अमलाई तथा अन्य आदिवासी क्षेत्रों में आदिवासियों

की उस भूमि में, जो कि उनकी जीविका का एक मात्र साधन है, यूकलिप्टस के पौधे किमके आदेश पर लगवा रहे हैं,

(ख) क्या उस क्षेत्र के आदिवासीयो ने इसका विरोधस्वरूप प्रधान मंत्री और मुख्य मंत्री को ज्ञापन भेजा था; और

(ग) क्या सरकार ने उपरोक्त स्थिति को ध्यान में रखते हुए उक्त वृक्षारोपण रोकने के लिए कोई निर्णय लिया है ?

कृषि और सिंचाई मंत्रालय में राज्य मंत्री (श्री अण्णासाहेब पी० शिन्दे) (क) राज्य सरकार ने सूचना दी है कि यूकलिप्टस के पेड़ पट्टे की भूमि में या आरक्षित वन क्षेत्रों में लगाए गए हैं। किमी आदिवासी अथवा गैर-सरकारी भूमि में यूकलिप्टस के पौधे नहीं लगाए गए हैं।

(ख) इस विषय में आदिवासियों द्वारा या उनकी ओर से प्रधान मंत्री या मध्य प्रदेश के मुख्य मंत्री को दिए गए किमी ज्ञापन या अभ्यावेदन का पता नहीं चला है।

(ग) राज्य सरकार ने सूचित किया है कि भूमि के अभाव में इस मिलने गत दो वर्षों से बन्दूत कोई पेड़ नहीं लगाये हैं।

Allotment of Undeveloped Plots to Landless Labour in Madhya Pradesh

*477 SHRI NATHU RAM AHIR-WAR: Will the Minister of WORKS AND HOUSING be pleased to state whether the work of allotment of undeveloped plots to landless labour in Madhya Pradesh is almost complete and is awaiting full release of grant-in-aid from his Ministry?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): The Scheme for Provision of House-sites to Landless Workers in Rural Areas has been transferred to the State sector with effect from 1st April, 1974. The question of releasing any funds to the Government of Madhya Pradesh for the implementation of this Scheme during 1974-75 does not, therefore, arise.

Working of Food Corporation of India in Punjab

*478. SHRI B S BHAURA: SHRI PRABODH CHANDRA:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Punjab Government is not satisfied with the working of the Food Corporation of India in that State;

(b) if so, whether any investigation has been conducted into the working of the F.C.I. in the State; and

(c) if so, the broad outlines thereof and the remedial measures being taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) to (c). The Punjab Government have recently brought to the notice of the Government of India their dissatisfaction about certain delays on the part of the Food Corporation of India functioning in Punjab in starting procurement operations of Kharif cereals this seasons and other allied matters. A detailed report in the matter has been obtained from the Food Corporation of India and is under the consideration of the Government.

Setting up of Sugar Mills in U.P. during Fifth Plan

*480 SHRI RAJDEO SINGH
Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state

(a) whether 26 sugar mills will be set up in U.P. during the Fifth Plan; and

(b) if so how many will be in cooperative sector, public sector and private sector and their proposed locations in different districts?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P SHINDE) (a) Letters of Intent/Licences have been issued during the Fifth Plan and earlier for the establishment of 26 new sugar factories in Uttar Pradesh which are yet to go into production

(b) Out of these 26 Letters of Intent Licences granted 21 are in the Cooperative Sector 4 in the Public Sector and one in the Private Sector. A statement giving the proposed locations with districts is placed on the Table of the Sabha

[Placed in Library see No LT-8740/74]

Acreeage of Land under Cultivation

*481 SHRI BIBHUTI MISHRA
Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state

(a) State-wise acreage of land under cultivation in the country,

(b) whether Government have formulated a crop-wise cultivation scheme for 1974-75 by classifying the cultivated land for growing various crops and if so, crop-wise acreage thereof;

(c) the outcomes of the scheme; and

(d) the arrangements made for its implementation?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P SHINDE) (a) to (d) A statement is laid on the table of the Sabha. [Placed in Library see No LT-8761/74]

तम्बाकू के उत्पादन में गिरावट

*484 श्री महादीपक सिंह शास्त्री :
क्या कृषि श्रीर सिन्हाई मंत्री यह बताने की कोशिश करेंगे कि

(क) क्या वर्ष 1972-73 में इलहाबाद में वर्ष 1973-74 में तुम्बाकू के उत्पादन में गिरावट आई है।

(ख) यदि हाँ, तो इसका क्या कारण है और

(ग) क्या सरकार में विचार उसकी पैदावार बढ़ाने के लिए किसानों का कोई सुविधा देने का है।

कृषि श्रीर सिन्हाई मन्त्रालय में राज्य मंत्री (श्री अण्णासाहेब पी० शिन्दे) (क) जी मंत्री वर्ष 1972-73 में तम्बाकू का उत्पादन लगभग 4414 लाख कि० ग्रा० था जबकि वर्ष 1973-74 में यह उत्पादन 3722 लाख कि० ग्रा० था।

(ख) प्रश्न ही नहीं उठता।

(ग) पाचवी योजना की अवधि में क्रियान्वित होने वाली वर्जिनिया पत्र कम्पैण्ड तम्बाकू के विकास की केन्द्रीय प्रायोजित योजना के अन्तर्गत उत्पादन बढ़ाने के लिये तकनीकी स.गं.दर्शन करने के अलावा, कृषकों को पीढ़, सस्रहायकों के निर्माण, आदि के लिए आर्थिक सहायता देने का भी विचार है।

Prime Minister's Views about change in the System of Education

*485. SHRI R. K. SINHA:

SHRI H. N. MUKERJEE:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether the Prime Minister, while inaugurating the Seventh All India Jamboree of Bharat Scouts and Guides at Faridabad on the 7th November, 1974 stressed the need for an entirely new system of education to meet the challenges of a fast changing society; and

(b) the proposal of his Ministry in response thereto?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROFESSOR S. NURUL HASAN):

(a) The Prime Minister pointed out that there were many deficiencies in the existing system of Education and radical change was needed in Education as in other fields. Many steps have been taken in this regard and many more were being taken. At the same time the fact should not be ignored that there are some virtues in the existing system of education which had produced capable Engineers, Artists, etc.

(b) A statement is laid on the Table of the House.

[Placed in Library See. No. LT-8762/74].

पशु बीमा

*487. श्री आर० बी० बड़े : क्या श्री और सिन्हाई मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या पशु बीमा के सम्बन्ध में मार्च, 1973 में कोई निर्णय किया गया था; और

(ख) यदि हाँ, तो तसम्बन्धी तथ्य क्या है ?

कृषि और सिन्हाई मंत्रालय में राज्य मंत्री (श्री अण्णासाहेब पो.सिन्हे): (क) और (ख) राष्ट्रीय स्तर पर पशु बीमा योजना आरम्भ करने के बारे में मार्च, 1973 में कोई निर्णय नहीं किया गया था। तथापि, सामान्य बीमा निगम की 4 सहायक कम्पनियों चयनात्मक आधार पर पशु बीमा का कार्य करती रही है। वे व्यवस्थित डेरियों और अलग-अलग किसानों जिन्हें ऋण सम्पत्तियों द्वारा धन दिया जाता है के दुर्घटना पशुओं, भैंसों का बीमा करने के प्रस्तावों पर विचार करती है, वशतः पशु उन इलाकों में हों, जहाँ पर्याप्त पशु चिकित्सा सेवाएँ और दूध के ऋण-विक्रय की सुविधायें उपलब्ध हों।

Drop Outs at School Stage

*490. SHRI V. MAYAVAN:

SHRI P. M. MEHTA:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether the drop outs at school stage will be safeguarded in the proposed new scheme of Primary Education; and

(b) if so, the salient features thereof?

THE MINISTER OF EDUCATION SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): (a) and (b): Among the principal factors responsible for the high rate of "drop out" among pupils, mention may be made of the inability of children belonging to the weaker sections of society particularly girls to pursue education on a whole time basis, inability of the school system to provide for children who have had to "drop out" for a short time to resume their studies or for

those lacking in attitude for one or two subjects to continue their studies in other subjects.

2. The traditional model of the primary education system is to be modified on the following lines:—

(1) The single-point entry system should be replaced by a multiple-point entry under which it will be open for older children of 9, 11 or 14 to join the primary schools in separate classes specially organised for their needs.

(2) The sequential character of the system must go; and it should be possible for older children to join the prescribed courses at any time and also to complete them in shorter or longer periods.

(3) The exclusive emphasis on full-time institutional instruction that is laid in the present system should be replaced by a large programme of part-time education which should be arranged to suit the convenience of children who are required to work.

(4) The exclusive emphasis on the utilisation of full-time professional teachers should go. An attempt should be made to utilise all the teaching resources available in the local community; and the services of part-time local teachers, and even of senior students, should be fully utilised for promoting instruction in the primary schools.

(5) There should be no rigid demarcation between primary schools and pre-schools. Girls who are required to look after young children should be encouraged to bring them to the school. These could be taken care of in pre-school or creches attached to the primary schools and managed by the girls themselves, by turns, under the guidance of the teachers. This will provide a valuable service at a minimal additional cost and assist materially in the spread of education amongst girls from the poorer families

Languages Proposed to be Recognised by Sahitya Akademi

*491. SHRI C. K. JAFFER SHARIEF: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) the names of the languages which are proposed to be accorded recognition by the Sahitya Akademi in the near future; and

(b) the criteria followed by the Akademi for according recognition to Indian languages?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): (a) The Akademi has recently decided to give recognition to Nepali as a literary language. The question of giving recognition to Konkani is under consideration of the Akademi

(b) The following criteria have been laid down by the General Council of the Sahitya Akademi for recognition of languages by the Akademi:—

(1) Whether structurally a language is an independent language or is part of a system of a given language.

(2) Whether it has had a continuous literary tradition and history.

(3) Whether a sufficiently large number of people use it today as a vehicle of literary and cultural expression.

(4) Whether it is recognised by the State concerned and/or by some Universities as a medium of instruction and/or as a separate subject of study.

(5) The number of people using the speech, the current literature that is being produced in it (fiction, essays, other literature, journals, etc.) should also be considered.

नदी घाटी योजनाएँ

* 492. श्री अम्बेश :

श्री अण्णा साहेब गोटखिण्डे :

क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि

(क) उन नदी घाटी योजनाओं के नाम व स्थान बता दें जिनका कार्य पूरा हो गया है, और

(ख) प्रत्येक नदी घाटी योजना द्वारा कितने एकड़ भूमि को सिंचाई हो रही है ?

कृषि और सिंचाई मंत्रालय में उपसत्री (श्री केदार नाथ सिंह) : (क) और (ख) अब तक 25 बृहत् नदी-घाटी परियोजनाएँ पूर्ण हो चुकी हैं। उनके स्थला तथा लाभो का विवरण मन्त्रालय पर रख दिया गया है। [मन्त्रालय में रखा गया। देखिये संख्या एल-टी-74]।

इनके अनिश्चित 367 मध्यम स्कीमें भी पूर्ण हो चुकी हैं, जिनके बारे में निम्नलिखित है —

राज्य	पूर्ण की गई स्कीमों की संख्या
1. आंध्र प्रदेश	35
2. बिहार	37
3. गुजरात	44
4. हरियाणा	2
5. जम्मू और काश्मीर	4
6. कर्नाटक	3
7. केरल	11

राज्य	पूर्ण की गई स्कीमों की संख्या
8. मध्य प्रदेश	39
9. महाराष्ट्र	53
10. उड़ीसा	5
11. पंजाब	8
12. राजस्थान	44
13. तमिलनाडु	13
14. उत्तर प्रदेश	56
15. पश्चिम बंगाल	3
योग	367

इनके अनिश्चित आठ बृहत् परियोजनाएँ कार्यान्वयन तक पूर्ण हो चुकी हैं, जिनके शेष कार्यों के लिए थोड़ा परिचय अपेक्षित है।

Agency for Supply of Vanaspathi to Dadra and Nagar Haveli

*493 SHRI R R PATEL: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state whether Government propose to appoint some agency for the supply of Vanaspathi Ghee to the Union Territory of Dadra and Nagar Haveli?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHEB P SHINDE): This is a matter for decision by the Administration of the Union Territory.

'Youth Parliament' Programme

*494. SHRI BANAMALI BABU:
SHRI M. C. DAGA:

Will the Minister of PARLIAMEN-
TARY AFFAIRS be pleased to state:

(a) whether Government propose to extend and intensify 'Youth Parliament' programme covering more schools and colleges in the country; and

(b) if so, the broad outlines thereof?

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): (a) Yes, Sir. It is proposed that "Youth Parliament Competitions" be introduced in recognised High/Higher Secondary Schools.

(b) The Central Government have been advising the State Governments from time to time to arrange Youth Parliament Competitions in recognised Schools in the States on the pattern of the Youth Parliament Competition Scheme for recognised educational institutions in the Union Territory of Delhi. For this purpose, expenditure incurred by each State upto a ceiling of Rs. 1,000 will be reimbursed by the Department of Parliamentary Affairs, Government of India for each Annual Competition.

**Placing of Idol on a Platform on Jantar
Mantar Road and Ashoka Road**

4530. SHRI BHOLA MAJHI: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether between 4, Jantar Man-
tar Road and 16, Ashoka Road New
Delhi some people have cleared up
footpath and have placed an idol on
a small platform with a view to claim

this plot of land later on for a temple;
and

(b) if so, the steps being taken in
the matter?

THE MINISTER OF STATE IN
THE MINISTRY OF WORKS AND
HOUSING (SHRI MOHAN DHA-
RIA): (a) No, Sir.

(b) Does not arise.

**Schemes approved under the National
Water Supply and Sanitation
Programme**

4531 SHRI ARVIND M. PATEL: Will
the Minister of WORKS AND
HOUSING be pleased to state:

(a) how many schemes under the
National Water Supply and Sanitation
Programme were approved during the
year 1973;

(b) what was the cost of the
Schemes approved; and

(c) within how many years the
Schemes will cover the entire rural
and urban areas?

THE MINISTER OF STATE IN
THE MINISTRY OF WORKS AND
HOUSING (SHRI MOHAN DHARIA):
(a) and (b). Only technical approval
is required to be given by the Central
Government to schemes of
water supply, prepared by State
Governments, costing more than
Rs. 25 lakhs for urban areas and
Rs. 10 lakhs for rural areas. The limit
for sewerage schemes is Rs. 10 lakhs.
During 1973, 27 schemes costing
Rs. 1134.57 lakhs were technically ap-
proved by the Central Public Health
Environmental Engineering Organi-
sation.

(c) In view of the vast dimensions
of the problem and the huge finan-
cial outlay required, no reasonable
estimate of the time for covering the
entire country can be made.

मध्य प्रदेश के सेंट्रल कोऑपरेटिव बैंक लिमिटेड में आदिवासी किसानों के जमा खाते

4532. श्री बनब्राह प्रवाल: क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह उन्हें मालूम है कि मध्य प्रदेश के आदिवासी क्षेत्र में विशेषकर जिया शहडोल में सेंट्रल कोऑपरेटिव बैंक लिमिटेड के कर्मचारियों ने अनेक गरीब आदिवासी किसानों की जमा राशि जमा खातों में नहीं दिखाई है और उनके नामों में फालतू राशि के माग-कांड जारी कर दिए हैं

(ख) ऐसे घाटाला को रोकने तथा प्रबंध आदिवासियों के हितों की रक्षा के लिये अब तक क्या कार्यवाही की गई है और

(ग) अब आगे क्या कार्यवाही करने का विचार है ?

कृषि और सिंचाई मंत्रालय में राज्य मंत्री (श्री अण्णासाहेब पो. शिन्डे): (क) से (ग) सूचना एकत्र की जा रही है और सम्बन्धित पर रख दी जाएगी।

Students registered as Probationary Research Scholars in Indian Languages

4533. DR. GOVIND DAS RICHHARIYA:

SHRI SHRIKISHAN MODI:

SHRI PRABODH CHANDRA:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state the number of

students who have been registered as Probationary Research Scholars and Research Scholars in various modern Indian Languages including Hindi in the year 1974 in Delhi University?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): According to the information furnished by the University of Delhi, the number of students registered for Ph D course in Modern Indian languages, including Hindi during the period from 1-1-1974 to 30-11-1974, was 47. Out of these only 39 students have paid their registration fees so far.

The University does not have any provision for registering students on probation.

Improvements to Champakkara Canal Scheme

4534. SHRI A. K. GOPALAN: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the final orders of the Government of India sanctioning the "Improvements to Champakkara Canal Scheme" and assistance in the form of grant have not yet been issued;

(b) if so, the reasons thereof, and

(c) when the orders are likely to be issued.

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) The Champakkara Canal Scheme was sanctioned as a Centrally Sponsored Scheme in 1971 with full loan assistance.

(b) and (c). Do not arise.

मध्य प्रदेश द्वारा चीनी की मांग

4535. श्री गंगा चरण बोसित : क्या कृषि और सिंचाई मंत्री यह बनाने की कृपा करेंगे कि :

(क) मध्य प्रदेश ने गत पांच महीनों में केन्द्र सरकार में कितनी मात्रा में चीनी की मांग की है ;

(ख) क्या सरकार ने राज्य सरकार को मानी गई चीनी का पूरा कोटा दे दिया है, और

(ग) यदि नहीं तो इसको क्या कारण है ?

कृषि और सिंचाई मंत्रालय में राज्य मंत्री

(श्री अण्णासाहेब पी० शिन्दे) :

(क) में ग) पिछले पांच महीने के दौरान मध्य प्रदेश सरकार की ओर से लेरी चीनी के मासिक कोटे में वृद्धि करने के लिए कोई अनुरोध नहीं किया गया है। तथापि राज्य सरकार को जुलाई 1974 में 11,224 मीटरी टन का मासिक कोटा आवंटित किया जा रहा है।

56 years Agreement between Karnataka and Tamilnadu on sharing of Cauvery Waters

4536. SHRI C. JANARDHANAN: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the fifty-year agreement between Karnataka and Tamil Nadu on the sharing of Cauvery waters has only a few weeks to go; and

(b) if so, the facts thereof and steps being taken to end the interState controversy?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) and (b). An agreement relating to certain rules and schedules defining the limits within which new irrigation works could be constructed by the Mysore Government was entered into between the Government of Mysore and the Government of Madras in February 1892.

A supplemental agreement was reached between the two State Governments on 18th February 1924 with regard to extension of irrigation in the Cauvery basin in the respective territories of the two States and certain rules of regulation of the Krishnarajasagar Reservoir. Certain clauses of this agreement are open to reconsideration in the light of the experience gained and possibilities of further extension of irrigation at the expiry of 50 years from the date of the agreement.

A meeting of the Union Minister of Agriculture and Irrigation with the Chief Ministers of Tamil Nadu, Karnataka and Kerala to discuss various issues relating to Cauvery waters was held at New Delhi on 28th and 29th November, 1974. A broad consensus emerged during negotiations regarding the quantum of water that can be saved and the manner in which it may be apportioned. Consensus was also reached to set up Cauvery Valley Authority to regulate supplies of the Cauvery with a view to ensuring the most equitable distribution of waters. The Authority would also monitor the schemes for effecting savings and allocate the water so saved amongst the various States on an agreed basis. Another meeting with the Chief Ministers is proposed to be held shortly

Shifting of Industries

4537. SHRI VEKARIA: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether Government are reviewing the shifting of industries in the non-conforming areas of Delhi;

(b) if so, the reasons thereof; and

(c) whether some more changes in respect of shifting of industries in the Master Plan are envisaged?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) No, Sir.

(b) and (c) Do not arise

ग्रामीण क्षेत्रों में नियुक्त इंजीनियरों को प्रोत्साहन

4538. श्री भारत सिंह चौहान क्या शिक्षा, समाज कल्याण और संस्कृति मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार ऐसी योजना पर विचार कर रही है जिसमें अन्तर्गत उन इंजीनियरों को कुछ विशेष प्रोत्साहन/महायत्ता दी जायगी जो अपना अध्ययन समाप्त करके ग्रामीण क्षेत्रों में निरत होते हैं; और

(ख) यदि हा, तो उसका व्यौरा क्या है ?

शिक्षा, समाज कल्याण और संस्कृति मंत्री (प्रो० एल० नरेश हसन) :

(क) और (ख) इंजीनियरों व प्राध्यापिकों के नये स्नातकों तथा डिप्लोमाधारियों को लाभप्रद रोजगार के उपयुक्त बनाने के लिये केंद्रीय सरकार द्वारा संचालित शिक्षा प्रशिक्षण कार्यक्रम अन्तर्गत उन्हें ग्रामीण तथा शहरी दोनों क्षेत्रों में, जहाँ भी सुविधाएँ उपलब्ध होती हैं तैनात किया जाता है। प्रशिक्षण

प्रवधि के दौरान जो रुद्ध रणतया एक वर्ष की होती है डिप्लोमारी को 200 रु० प्रतिमास और डिप्लोमाधारी को 150 रु० प्रतिमास के हिमात में प्रत्येक प्रशिक्षणार्थी को बर्जीफा दिया जात है।

Rate for Milling Wheat

4539. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Centre have fixed any rate for milling the wheat or wheat products this year (1974-75);

(b) if so, what is the rate per tonne, and

(c) whether State Government is entitled to amend the rate?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHEB P SHINDE): (a) to (c) The extraction percentages for fines (maida, suji, resultant atta etc) differ from state to state as per local requirement and taking this factor into account the present range of milling margin for these wheat products varies from Rs. 99.2 per tonne to Rs 107.8 per tonne. For wholemeal atta, the milling margin is Rs 54.9 per tonne for all the States. The State Governments are instructed to keep within the milling margin so specified.

Enquiry Report into the Affairs of Dera Ismail Khan Cooperative House Building Society, Delhi

4540. SHRI RAM DHAN: Will the Minister of WORKS AND HOUSING be pleased to refer to the reply given to Unstarred Question No. 2802 on the 19th August, 1974 and state:

(a) the follow up action taken so far consequent on the enquiry report submitted by the Enquiry Officer appointed to look into the affairs of the Dera Ismail Khan Cooperative House Building Society, Delhi,

(b) by what date the whole process is proposed to be finalised, and

(c) whether Government have fixed or propose to fix any time-limit by which the plots would be handed over to its Members and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA) (a) to (c) The rectification report called for from the Society has not so far been received. Reply to notice issued under Rule 16(2) of the Delhi Co-operative Societies Rules 1973 has also not been received. Keeping in view that the elected Managing Committee of the Society came into office on 3rd November, 1974, a further time for compliance of the legal requirements has been allowed till 25th December, 1974 after which date further action according to law will be taken.

Uniformity in Composition of Senate, Syndicate and Academic Councils of various Universities

4541 **SHRI NARAIN CHAND PARASHAR** Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state

(a) whether there is any uniformity in the composition of Senates, Syndicates and Academic Councils of the various Universities in India, and

(b) if not, whether Government propose to bring out suitable legislation in case of Central Universities and persuade the State Governments for similar measures in the case of State Universities, so as to ensure a uniform and democratic basis for the composition of these bodies?

THE MINISTER OF EDUCATION AND SOCIAL WELFARE AND CULTURE (PROF. S NURUL HASAN):

(a) and (b) The Composition of Court Senate, Executive Council/Syndicate and Academic Council depends on the type and stage of development of a University and as such is bound to vary. The Committee on Model Act for Universities, appointed by the Government of India, had made some suggestions in its Report (1964) regarding composition of these bodies. The Gajendragadkar Committee in its report on Governance of Universities (1971) has also indicated certain broad principles for constituting these bodies which can result in achieving considerable uniformity in this regard. These are being kept in view while amending the Act of Central Universities. The recommendations of the Committees have also been brought to the notice of all the State Governments.

Target of Irrigation Programme for Rabi Crop in U.P.

4542 **SHRI M KATHAMUTHU** Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state

(a) whether Uttar Pradesh State Government has set an ambitious Rabi irrigation target of 74.38 lakh acres with a view to achieving a target of 134.50 lakh tonnes of foodgrain,

(b) if so, the main features of the programme, and

(c) whether the State Government has sought for Central assistance for this programme and if so, the facts thereof and Government's response thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) The Uttar Pradesh Government has set a target of irrigating 71.75 lakh hectares during the year 1974-75 with a view to achieving the target of 134.50 lakh tonnes of foodgrains.

(b) and (c). The State Government has sought Central assistance for an amount of Rs. 30 crores, for Sharda Sahayaka Project and approximately Rs. 14 crores for 600 additional State tubewells, 1000 kilo metres of lined guls/pipeline and energisation of 750 State tubewells. Due to the difficult resources position it has not been possible yet to allocate additional amounts for these schemes to the State Government but efforts are still on to find resources for speedy completion of on going projects.

Taking over of Bhawani Permanand Library

4543. SHRI ONKAR LAL BERWA: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether Government propose to take over the Bhawani Permanand Library of Jhalawar (Rajasthan) and convert it into the Hadoti Culture Centre;

(b) whether the above-mentioned Library is one of the best in the State of Rajasthan and a large number of classical books there are not being adequately utilised; and

(c) the steps Government propose to attract scholars to this Library, to maintain it and enlarge its collection?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): (a) No, Sir.

(b) and (c). No information or proposals in this regard have been received from the Government of Rajasthan.

Vanaspati Manufacturing Mills

4544. SHRI MARTAND SINGH: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the number of Vanaspati manufacturing mills in each State and their licenced capacity and the requirement of Vanaspati of each State where the mills are situated; and

(b) the actual production of Vanaspati by these mills during the year 1973-74?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHEB P. SHINDE): (a) and (b). A statement is laid on the Table of the House. [*Placed in Library. See No. LT-8764/74.*]

Fall in Price of Paddy below support Price in Punjab

4545. SHRI MOHINDER SINGH GILL: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Punjab Government has written to him regarding indifference of the Food Corporation of India by not entering the 'mandis' to purchase the paddy and thereby allowing its prices to fall below the support price; and

(b) if so, his reactions to this communication and directives given to FCI?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHEB P. SHINDE): (a) and (b). Yes Sir, the Punjab Government have recently brought to the notice of the Government of India certain delays on the part of the Food Corporation of India functioning in the Punjab in

starting late procurement operations of kharif cereals this season resulting in the fall in price of paddy below support price in Punjab. A detailed report in the matter has been obtained from the Food Corporation of India and is under the consideration of the Government.

Method of procurement of Foodgrains in Goa

4546. SHRI PURUSHOTTAM KAKODKAR: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the different method of procurement of foodgrains in vogue in Goa; and

(b) the names of the public agencies doing procurement?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHEB P. SHINDE): (a) and (b). The information is being collected and will be laid on the Table of the Sabha.

Representation by C.P.W.D. Engineers posted in Andamans

4547. SHRI S. D. SOMASUNDARAM: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether the C.P.W.D. Engineers posted to Andamans have represented about the reduction of work load and writing/reviewing their confidential reports by junior I.A.S. officers; and

(b) if so, the action proposed to be taken in redressing their grievances early?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARJA): (a) and (b). No representation regarding reduction of workload

has been received either by the Andaman Administration or the CPWD in the Works and Housing Ministry.

A resolution expressing concern at the procedure adopted by the Local Administration for the writing, reviewing and counter-signing of the performance reports of the Engineers posted in Andaman was, however, passed by the CPWD Engineers' Association, Andaman PWD Unit on the 19th October, 1974 and a copy of this resolution has been received. According to this the Association's demand is that the Chief Secretary Andaman Administration should not review or counter-sign the report of CPWD Engineers posted to Andaman, on the ground that he is an Officer of a rank lower than the Chief Engineer, CPWD, who according to the CPWD procedure, is the counter-signing authority of the Assistant Engineers in the CPWD, or the Engineer-in-Chief, who according to the same procedure, is the counter-signing authority for the Executive Engineers. While this resolution is being examined by the Administration, the position is that the CPWD procedure is meant for officers working directly under the CPWD; the engineers posted to Andaman are actually on deputation to the Andaman Administration and the reporting and reviewing of their performance and counter-signing has, necessarily, to be done by the superior officers of the Local Administration, according to their own procedure.

Promotion to the Post of Junior Draftsman

4548. SHRI RAMDEO SINGH: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether in Ganga Basin (now J.R.C.) Drawing Section of the Ministry of Agriculture and Irrigation (Department of Irrigation) some tracers have been promoted to/and are working on the post of Junior Draftsman

who do not possess the requisite qualifications; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) and (b). Two Tracers, who have not so far qualified in the departmental examination, are at present working as Junior Draftsmen in the Drawing Section of Ganga Basin Organisation (now J.R.C.) of the Department of Irrigation. These Tracers are senior most in the grade and have been appointed as Junior Draftsmen on *ad hoc* basis, pending filling up the posts on regular basis.

Salandi Project

4549. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Salandi Project in Balasore District includes canal system upto Balasore; and

(b) whether there is any project in view, which can link up Subarnrekha for perennial irrigation in the Balasore and Mayurbhanj districts?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) The Salandi Project is intended to irrigate areas between Salandi and Kansbans rivers and does not envisage irrigation of any areas near Balasore.

(b) No project report to use the waters of Subarnrekha for irrigation in Balasore and Mayurbhanj districts has so far been received from the Government of Orissa.

Percentage of Irrigated Land in Rajasthan

4550. DR. H. P. SHARMA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the percentage of cultivable land in Rajasthan which is provided with irrigation facilities at present, and comparative figures during last three years and how those figures compare with the corresponding all-India figures;

(b) the percentage of the irrigated land in Rajasthan and in the country as a whole covered by the medium and minor irrigation schemes; and

(c) the respective targets for Rajasthan and the country as a whole in regard to irrigated lands to be achieved by the end of 1974-75, 1975-76 and by the end of the Fifth Five Year Plan?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) The estimates of percentage of the gross irrigated area to the gross cropped area for Rajasthan and all India for the year 1973-74 and the three preceeding years are given below:—

	73-74	72-73	71-72	70-71
Rajasthan	17.1	16.6	14.5	14.7
All India	25.4	N.A.	23.7	23.3

(b) The desired percentages in relation to major-medium and minor irrigation, for the year 1973-74 are given below. Separate figures for medium irrigation are not available.

Major/Medium Rajasthan.	Minor Irrigation
6.4	10.7
All India	
11.5	13.9

(c) The respective targets for Rajasthan and for the country as a whole in regard to gross irrigated area to be achieved by the end of 1974-75 and by the end of Fifth Five Year Plan are given below:—

	(Lakh Hect.)	
1974-75	At the end of Vth Plan (1978-79)	
Rajasthan	29.18	32.43
All India	451.15	540.67

The targets for the year 1975-76 have yet to be finalised.

More Sugar Units

4551. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government have sanctioned more sugar units recently;

(b) if so, the places for which they have been sanctioned; and

(c) whether the production has started?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHEB P. SHINDE): (a) 54 Licences have been issued so far against Fifth Five Year Plan target for the establishment of new sugar factories in different States.

(b) A statement giving the locations of these licensed sugar factories is laid on the Table of the House. [Placed in Library. See No. LT-8765/74.]

(c) All these factories are yet to go into production.

Time taken in Handling and Clearing of Foodgrains from Ports to Destinations

4552. SHRI S. R. DAMANI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) what is the normal time taken to unload foodgrains from the ships at the ports and then to move them to destinations;

(b) whether any new methods have been introduced for quicker handling and clearance recently; and

(c) if so, the broad outlines thereof and how much time will be saved in these operations?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHEB P. SHINDE): (a) The time taken to unload foodgrains from a ship depends upon several factors such as the type of vessel (Super-tanker, Tanker, Bulk Carrier etc.), nature of Cargo (in bulk or in bags), facilities available on the berths for discharging cargo (e.g. Phenomatic equipment, shore cranes etc.), bagging, stitching, weighing; weather conditions; output of labour; clearance by rail and/or road, etc. The average daily discharge of foodgrains

from a ship on berth, therefore varies from port to port and even in the Charter Party terms for various ships. Similarly, the time required to move foodgrains to destinations depends upon the lead and the type of transport used, capacity on various sections enroutes, whether traffic moved through or transhipped from broad-gauge to metre gauge or from rail to road and *vice versa*. The average lead of foodgrain traffic moved by rail is about 1100 kms and the average distance covered by broad gauge wagon in a day is about 75 kms. However, sponsored foodgrains are, by and large, moved by Specials; hence the time taken to move them to destinations is comparatively much less.

(b) and (c). Increased mechanised handling, overside discharge simultaneously when ship is discharging on berth, discharge into barges to reduce pre-berthing delays, additional shifts of duty, clearance by Specials to the maximum extent possible, increased clearance by rail and road, are being resorted to for quicker handling and clearance. The saving in time is commensurate with the facilities available.

Recognition to Naval School Chankyapuri New Delhi

4554. SHRI P. VENKATASUB-
BAIAH: Will the Minister of EDU-
CATION, SOCIAL WELFARE AND
CULTURE be pleased to state:

(a) whether the Naval School, Chankyapuri, New Delhi is a recognised school;

(b) whether the recognition is granted on annual basis and if so, the reasons for not granting recognition on a regular basis;

(c) whether the grant of recognition on annual basis causes a great deal of suspense among the students and difficulties for the parents; and

(d) the kind of control Government exercises over the management of this institution and whether Gov-

ernment propose to take over the management of this school or run it as a Central School on a sound footing?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): (a) to (d). The requisite information is being collected from the Ministry of Defence, who are concerned with the matter, and will be laid on the Table of the Sabha as early as possible.

Development of Fishing in Kerala Coasts

4555. SHRI VAYALAR RAVI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Government are aware of the large scope for the development of fishing along the Kerala coasts; and

(b) if so, the steps taken or proposed to be taken by the Government to increase the facilities, such as development of fishing harbours, increasing boat building facilities and extending financial assistance to fishermen in the coastal areas of that State?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) Yes, Sir.

(b) A sum of Rs. 270.40 lakhs has been sanctioned by Government of India for construction of a major fishing harbour at Cochin. The harbour when completed in 1976 will be able to accommodate 50 trawlers and about 500 mechanised boats. The addition to this minor fishing harbours at Vizhinjam, Cannanore, Balipatnam, Ponnani and Beypore have also been sanctioned at a total cost of Rs. 218.11 lakhs. These harbours when completed would accommodate about 600

small mechanised boats. The harbour proposed at Neendakara with a total cost Rs. 160 lakhs is under examination.

It is proposed by State Government to introduce 540 small mechanised boats and 20 large fishing vessels in State sector and 500 small mechanised boats and 8 large fishing vessels in the private sector during Fifth Five Year Plan with an outlay of Rs. 992 lakhs. The boat building yards for the construction of boats are proposed to be strengthened in the State to meet the need of mechanised boats. In addition to this for refitting, repair and Radio Telephone Stations for mechanised fishing operations on Kerala coast, an outlay of Rs. 81 lakhs has been provided in the Fifth Five Year Plan of the State.

Examination of Samples of the Material used for Construction of Houses Under D.D.A.

4556. SHRI SARJOO PANDEY: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether Delhi Development Authority has a Housing Cell in the office of the Chief Engineer to examine samples of the material used for building houses under D.D.A. as to decide if the material used is sub-standard or not;

(b) if so, number of complaints received by the said office in 1973;

(c) whether Janta quarters Agency (Regd) D.D.A., Paschim-puri (Madipur) Delhi-26 had requested for samples to be taken from Janta Colony Houses;

(d) whether as a result of the said complaint samples were taken and results communicated to the complainant; and

(e) if so, the salient features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) and (b). There is no such separate Cell dealing with this and, as such, no record of complaints is available.

(c) Yes, Sir.

(d) Yes, Sir.

(e) The complainant was informed that the proportion of the mix taken from plaster work was found to be 1:7.1 as per the report of the National Test House, Alipur, Calcutta. The result was considered to be satisfactory technically.

Kothari Commission's Recommendations

4557. SHRI R. N. BARMAN: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether in the light of Kothari Commission's recommendations Government have calculated the monthly salaries of Primary, High School and College teachers in view of their ratio of starting salaries;

(b) if so, what are the salaries of Primary School teachers, High School teachers and College teachers thus calculated by the Government;

(c) whether the Central Government have communicated its decision to the State Governments in this regard;

(d) if so, names of the States which have implemented/have not implemented this decision so far; and

(e) the extra financial requirements submitted by each State Government in this regard?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): (a) to (e). The Education Commission Kothari Commission) had recommended several general principles including

the ratios referred to which should govern the emoluments of teachers. The new grades recommended by the University Grants Commission for University and college teachers and accepted by the Government of India broadly conform to these principles. The pay scales recommended by the Third Pay Commission for primary and secondary school teachers under the Central Government are also more or less within the framework of the general principles laid down by the Education Commission. As for the salary scales of School teachers in the States, the Governments concerned have been revising the scales from time to time and will, no doubt, have taken into account the recommendations of the Education Commission.

2. The Central Government have offered to the State Governments financial assistance for the implementation of the revised salary scales of college and university teachers. The State Governments have not, however, submitted their financial requirements so far in this regard to the Central Government. As for the revision of salary scales of school teachers, there is no scheme of Central assistance to the State Governments and the question of State Governments submitting their financial requirements to the Centre does not arise.

Supply of Drinking Water in Moti Nagar, New Delhi

4558. SHRI CHANDRA SHEKHAR SINGH: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether the position of water supply in 'B' Block, First Floor, New Moti Nagar, New Delhi is worse than the previous years in spite of the installation of Booster Pump in that area;

(b) if so, the reasons therefor;

(c) whether the residents of the above-mentioned Colony are not getting even a drop of water since April, 1974 onwards and if so, the reasons therefor; and

(d) the steps taken by Government to remove this difficulty faced by the residents of the above-mentioned Colony for the last several years?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) and (b). It is a fact that, in spite of the provision of a booster station for improving the supply, the demand for water for the first floor has been met only partially.

(c) No, Sir.

(d) A scheme for the provision of one over-head tank, ground reservoir and pumps of bigger capacity is being prepared by the Planning Cell of the Delhi Water Supply and Sewage Disposal Undertaking.

Nationalisation of Sugar Industries in Tamil Nadu run by Joint Stock Companies

4559. SHRI M. R. LAKSHMINARAYAN: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether any request or a suggestion has been received by the Central Government from the Government of Tamil Nadu regarding nationalisation of the sugar industries in Tamil Nadu run by joint stock companies;

(b) if so, the main points made therein; and

(c) the reaction of the Central Government in regard thereto?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHEB P SHINDE) (a) to (c) Yes, Sir The Government are still examining the issue of nationalisation of the sugar industry in the context of the recommendations contained in the report of the Sugar Industry Enquiry Commission and the views expressed by the Honourable Chief Minister Tamil Nadu will also be taken into account

Recruitment of Junior Engineers in CPWD

4560 SHRI HUKAM CHAND KACHWAI Will the Minister of WORKS AND HOUSING be pleased to state

(a) whether the recruitment of Junior Engineers in CPWD is made through an All India Competitive examination.

(b) if so, the number of posts of Junior Engineers which were lying vacant in 1972 and the number of candidates qualified and the number of posts filled through the examination held in 1972,

(c) whether a similar examination was held in September, 1973 and if so, the number of candidates qualified on both civil and electrical sides and the number of posts of civil and electrical Junior Engineers filled through the said examination and number of letters of appointments sent to the candidates uptill now; and

(d) the number of posts of civil and electrical Junior Engineers which are further to be filled from amongst those candidates who qualified in the September, 1973 examination and when these posts will be filled?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA) (a) Yes, Sir

(b) 172 posts of Junior Engineers (Civil) and 102 posts of Junior Engineers (Electrical) were lying vacant in 1972 and 172 candidates qualified for Junior Engineer (Civil) and 102 candidates for Junior Engineer (Electrical) However, only 86 posts of Junior Engineers (Civil) and 53 posts of Junior Engineers (Electrical) could be filled through this examination as the others did not join

(c) Yes Sir; 287 candidates on Civil side and 322 candidates on Electrical side qualified for appointment as Junior Engineers Out of the list of successful candidates, appointment letters were issued to 137 on the Civil side and 120 on the Electrical Engineering side Only 51 on the Civil and 55 on the Electrical side joined, and accordingly only this number of posts has been filled up

(d) At present due to a fall in the workload of the CPWD, it may not be possible to appoint all those Junior Engineers who qualified in September, 1973 examination The position will be reviewed in the light of the programme of work for the next year

Prosecution of F.P.O Licence holders under P.F.A Act

4561 SHRI NAWAL KISHORE SINHA Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state

(a) whether F.P.O Licence holders are prosecuted under the P.F.A Act?

(b) whether F.P.O authorities are consulted while launching prosecution under the P.F.A Act; and

(c) whether there was an understanding to the effect that no prosecution of the F.P.O. Licence holders shall be launched by P.F.A. authorities without consulting F.P.O. authorities?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHEB P. SHINDE): (a) The provisions of both the Act and the order are supplementary and cumulative in their operation. There is, therefore, no bar to prosecutions being launched under P.F.A. if manufacturers contravened any of the provision of P.F.A. Act or the rules made thereunder.

(b) No, Sir.

(c) A Committee which considered this question had suggested that where the sample of commodities covered under F.P.O. and taken by the P.F.A. Authorities contravened the PFA Act, the matter would be referred to the Central Authorities for scrutiny. But some of the States intimated that this would delay prosecutions and hence was not desirable.

Views of Education Minister on Job-Oriented Education

4562. SARDAR SWARAN SINGH SOKHI: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether the Union Minister in his convocation address at the South Gujarat University (Surat) on the 30th November, 1974 criticised the idea of Job-Oriented Education; and

(b) if so, what was the justification of such criticism and what alternative steps Government propose to take to provide jobs to the jobless educated unemployed youths of the country?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV: (a) and (b). The point made in the Convocation Address was that job-oriented courses are essentially programmes of training and

have limitations in the context of the fast changing modern society. Many categories of jobs may totally disappear in a few years and persons trained for them would be required at different periods of their life, to learn new jobs for their livelihood. The objective of the broad process of education is not to fit a given individual to a specific job but to enable the individual to realise his potential to the full and grow intellectually, emotionally and spiritually. The problem of job oriented courses should, therefore, be tackled in an appropriate and limited fashion and not be allowed to dominate the entire system of university education itself. Such training courses are normally successful at the secondary than at the university level. Moreover there is no basis for the assumption that there are plenty of jobs available and the education system has only to provide suitable training.

The new pattern of education involving 10 years of general school education and two years of higher secondary education, is expected to be in operation throughout the country by the end of the Fifth Plan. The plans of many State Governments provide for vocationalisation of higher secondary education. The Government of India have also proposed a Central Scheme for assisting about 1000 schools in the country for introducing new vocational courses which are to be started on the basis of the needs in the districts concerned. The thinking is that while engineering and some vocational courses are already catered for by the Industrial Training Institutes, Polytechnics, Teacher Training Institutions and schools for para-medical personnel and agricultural technicians, there are other courses which can be profitably started.

Nevertheless, what is contemplated is work and production oriented education rather than job oriented education, the intention being that students must receive enough education

to prepare themselves to earn a living including self employment as well as to fulfill themselves as individuals and discharge their duties as citizens in a modern democratic society.

The solution to the problem of unemployment is to be found essentially in faster economic development and consequent increase in employment opportunities. The educational system can contribute only indirectly to economic development and employment. The programmes contemplated in the Fifth Plan are intended to ensure the maximum feasible contribution from the educational system. But it is not the responsibility of the education system itself to create jobs or provide jobs to the jobless.

Recruitment Rules for CPWD Engineers

4563 SHRI R R SHARMA: Will the Minister of WORKS AND HOUSING be pleased to refer to the reply given to Unstarred Question No. 164 on the 11th November, 1974 and lay on the Table of the House;

(a) a copy of up-to-date corrected recruitment rules for appointment to the posts of Assistant Engineer Class II, Executive Engineer Class I and Superintending Engineer Class I in the CPWD; and

(b) the dates when these rules were notified?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) and (b). The existing Recruitment Rules which were notified on the 21st May, 1964, have become out of date because of decisions taken by Government on most of the recommendations of the Third Pay Commission and also because of some courts' judgements affecting the Recruitment Rules. Comprehensive Recruitment Rules will be

issued taking into account Government's decision on the recommendations of the Third Pay Commission and the courts' judgements.

Confirmation of Civil and Electrical Engineers in C.P.W.D.

4564 SHRI LALJI BHAI: Will the Minister of WORKS AND HOUSING be pleased to refer to the reply given to Unstarred Question No. 40 on 11th November, 1974 and state:

(a) names of permanent Assistant Engineers/Executive Engineers and Superintending Engineers on both Civil and Electrical sides in CPWD together with the effective date of their confirmation;

(b) the number of permanent posts lying vacant as on the 1st July, 1974; and

(c) the dates since when those posts are lying vacant?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) The information is given in the statement laid on the Table of the House. [Placed in Library See No LT-8766/74]

(b) and (c) The number of permanent posts not yet filled on a substantive basis and thus lying vacant as on 1st July, 1974 are as under:—

Superintending Engineers (Civil)	10
Superintending Engineers (Electrical)	1
Executive Engineers (Civil)	93
Executive Engineers (Electrical)	25
Assistant Engineers (Civil)	307
Assistant Engineers (Electrical)	137

These posts are lying vacant since various dates.

Cancellation of Interview for Post of Principal of Institute of Commercial Practice

4465. SHRI HARI SINGH: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) under what circumstances the interview for the post of the Principal of Institute of Commercial Practice, Directorate of Technical Education, Delhi Administration, scheduled to have been conducted by the UPSC on 21st November, 1974 was cancelled by the Delhi Administration;

(b) whether the services of the Acting Principal, Institute of Commercial Practice was extended after his attaining the age of 58 years; and

(c) if so, the reasons therefor?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF S NURUL HASAN): (a) to (c) On receipt of information that the Delhi Administration has given extension of service to the officer who was holding the post of Principal of the Institute, the Union Public Service Commission decided not to proceed with the recruitment

The services of the concerned officer were extended by one year beyond the age of 58 years in the public interest on consideration of the fact that he is a displaced person from erstwhile East Pakistan and the benefit of extension has been given to other employees working as teachers in Delhi Administration

Accords in the Matter of Godavari and Narmada on the Lines of Cauvery Authority

4566. SHRI ANNABHAEB GOTK-HINDE: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether efforts are being made to hammer out accords, on the lines

of Cauvery Valley Authority, in the matters of setting up Godavari Valley Authority and Narmada Valley Authority; and

(b) if so, the gist thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH) (a) and (b) The Narmada and Godavari Water Disputes are under adjudication before the Tribunals, whose decision are awaited

Foreign Exchange spent on visit of Indian Cricket Team to England and Indian Contingent to Asian Games at Teheran and visit of West Indies Cricket Team to India

4567. SHRIMATI PREMALABHAI CHAVAN: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) the amount of foreign exchange spent on the visit of Indian cricket team to England and Indian contingent to Asian Games at Teheran in 1974, and

(b) the amount of foreign exchange involved in the current tour of West Indies Cricket team to India?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI ARVIND NETAM): (a) No foreign exchange was released for the U.K. tour of the Indian Cricket team. On the contrary, the team received a sum of £39,280 as guarantee money from the M.C.C. and out of this amount the Board of Control for Cricket in India was allowed to spend £25,000 on account of boarding and lodging and other miscellaneous expenses during the team's stay in U.K. The balance of £14,280 was to be repatriated by the team to India.

A sum of \$39,560 was released to the Indian contingent for the VII Asian Games held at Teheran in September, 1974, to meet expenses on boarding

and lodging, purchase of ancillary equipment etc.

(b) The Board of Control for Cricket in India is to pay guarantee money equivalent to £55,000 to the visiting West Indies Cricket Team. Out of this, an amount equivalent to £10,000 would be given by the Board to the visiting team in Rupee currency for meeting sundry expenses of the members of the team. The balance of £45,000 has been released to the Board of Control for Cricket in India on the conditions that expenses on boarding, lodging and internal travel etc., of the West Indies Team should be paid for in foreign exchange, and that the net amount to be taken out of India by the West Indies Team shall not exceed £30,000.

Insanitary Conditions due to Construction of open Nallah by DDA in Village Rarhi Jharia-Maria, Lajpat Nagar, New Delhi

4568. SHRI D. K. PANDA: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether the open nallah constructed by DDA, which flows through the village Rarhi Jharia-Maria, Lajpat Nagar, New Delhi is being used as sewer line by the Village, has not been cleaned ever since its construction and has created serious health hazards for the villagers;

(b) if so, whether urgent arrangements will be made to clean it and cover its portion that flows through the above village;

(c) whether it is also a fact that that area is not being inspected by the Health Officers and no sanitation arrangements exist there; and

(d) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) to (d). The information is being collected and will be laid on the Table of the Sabha.

Findings of U.P. Land Reforms Committee on violation of Land Ceiling Laws

4569 PROF. MADHU DANDAVATE: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Committee appointed by the U.P. Government for studying land reforms has alleged that some Union Ministers and former Union Ministers have violated the land ceiling laws;

(b) if so, the names of the Ministers and former Ministers concerned; and

(c) the steps taken to deal with these violations?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) to (c). The Bhoomi Vyavastha Janch Samiti appointed by the Uttar Pradesh Government has in its report mentioned that Raja Dinesh Singh of Kalakankar, District Pratapgarh, had 760 acres of land of which 561 acres were exempted from the ceiling, most of it being orchards. 125 acres were declared surplus; subsequently, after the disposal of several objections under Section 14(3) of the ceiling law, only 92 acres were found to be surplus. Of these, the committee had information of 50 acres having been distributed at the time of its investigation.

Filling up of Reserve quota in Food Corporation of India

4570. SHRI P. ANTONY REDDI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether reserved quota for the S.Cs and S.Ts for jobs under Class IV and Class III categories in the Food Corporation of India have not been filled; and

(b) if so, whether any special steps have been taken to fill up the allotted number of vacancies on reservation basis?

THE MINISTER OF STATE
IN THE MINISTRY OF AGRICULTURE
AND IRRIGATION
(SHRI ANNASAHEB P. SHINDE):

(a) and (b). Quotas reserved for Scheduled Castes/Scheduled Tribes in Class IV and Class III categories of jobs in the Food Corporation of India could not be filled entirely mainly due to non-availability of suitable persons from amongst Scheduled Castes/Scheduled Tribes candidates to fill these vacancies. The Food Corporation of India have taken measures like inserting separate advertisements in Newspapers calling for applications from Scheduled Castes/Scheduled Tribes candidates from time to time and these candidates are interviewed separately so that they are not judged by the same standards prescribed for others. Efforts are being made by the Corporation for filling up as many posts as possible from amongst the Scheduled Castes/Scheduled Tribe candidates against the quota reserved for them.

Rejection of applications of Muslims of Malerkotla by Punjab Wakf Board

4571. SHRI JHARKHANDE RAI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Punjab Wakf Board had rejected an application of Muslims of Malerkotla asking for a grant of Rs. 1000/- for repair of a Masjid vide resolution Nos. 9 and 11 on the 20th April, 1974;

(b) if so, what was the reason for rejecting it; and

(c) whether a copy of the resolutions will be laid on the Table of the House?

THE DEPUTY MINISTER IN THE
MINISTRY OF HOME AND WAKFS
(SHRI F. H. MOHSIN): (a) As per the information received from the Punjab

Wakf Board, no meeting of the Board was held on 20th April, 1974. Hence there was no question of passing a resolution rejecting any application for grant as alleged.

(b) and (c). Do not arise.

Percentage of Government Servants in Delhi in possession of Government Accommodation

4572. SHRI B. V. NAIK: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) the percentage of Delhi-based civil servants and mofussil-based civil servants respectively provided with living accommodation in Government quarters; and

(b) the steps Government propose to take to remove the disparity between the two, if any?

THE MINISTER OF STATE IN THE
MINISTRY OF WORKS AND HOUSING
(SHRI MOHAN DHARIA): (a) Allotment of accommodation from the general pool is made keeping in view the date of priority of an individual officer in respect of a particular type. No distinction is made between Delhi-based and mofussil-based employees. As such no separate statistical data in regard to allotments made to Delhi-based civil servants and mofussil-based civil servants, are maintained.

(b) Does not arise.

Extension of Crash Programme for Rural Employment beyond 1974-75 in Madhya Pradesh

4573. SHRI SHRIKISHANA
AGRAWAL:

SHRI NARENDRA SINGH:
SHRI G. C. DIXIT:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether in view of the need to improve the employment situation in the State of Madhya Pradesh, the Central Government propose to extend the crash employment programme beyond 1974-75 in that state; and

(b) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) and (b). The Crash Scheme for Rural Employment was implemented for a period of three years only, i.e. from 1971-72 to 1973-74. In view of the adoption of integrated area development approach during the Fifth Plan, it was not considered necessary by Planning Commission to continue the Crash Scheme for Rural Employment in the States (including Madhya-Pradesh) during the Fifth Plan period.

Survey of marine resources for location of fishing grounds.

**4574. SHRI D. P. JADEJA:
SHRI VEKARIA.**

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the programme in regard to survey of marine resources for the purpose of locating fishing ground in off-shore and deep sea areas is still continuing; and

(b) if so, the places where this survey work is being done?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) Yes, Sir.

(b) The survey is being carried out from bases at Kandla, Bombay, Panaji (Goa), Mangalore, Cochin, Tuticorin, Madras, Visakhapatnam, Paradeep, Calcutta and Port Blair (Andamans) by the Explanatory Fisheries Project,

Bombay. From Cochin, the survey is also carried out by the Integrated Fisheries Project and Pelagic Fisheries Project.

Production of Margarine

4575 SHRI MADHU LIMAYE: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state-

(a) whether it is a fact that the chemical processes used for manufacturing Vanaspati ghee and Margarine are roughly the same, the only difference being that Dalda is the final product and Margarine an intermediate one;

(b) whether Government's attention has been drawn to the fact that since Margarine is not a controlled item, a large proportion of the oils used by the Dalda manufacturing companies are actually being used to produce Margarine which can be sold at a high profit and not Vanaspati ghee.

(c) whether any investigation has been made or will be made into these allegations; and

(d) if not, the reasons for not ordering an investigation?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) No, Sir. Edible hydrogenated oil is one of the raw materials which can be used in the manufacture of margarine.

(b) The consumption of raw oils in the manufacture of margarine during 1974 (up to October) represented less than 7.5 per cent of the total consumption of such oils by vanaspati factories.

(c) and (d). Do not arise.

Implementation of Kothari Commission recommendation in respect of Pay Scales of Teachers

4576 SHRI K MALLANNA Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state the number of States, which have during Fourth Five Year Plan period implemented pay scales in respect of Primary and Secondary school teachers as recommended by the Kothari Commission?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION, SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D P YADAV) All States except four are considered to have implemented the Kothari Commission's recommendations in respect of Primary School teachers. In the case of Secondary School teachers, all States except six can be considered to have implemented the recommendations.

कानपुर कृषि संस्थान को कृषि विश्वविद्यालय में परिवर्तित करना

4577. श्री रामचन्द्र विकल : क्या कृषि और सिंचाई मंत्री यह बताने की बात करेंगे कि

(क) क्या सरकार का विचार कानपुर कृषि संस्थान को कृषि विश्वविद्यालय में परिवर्तित करने का है, और

(ख) यदि हाँ तो इस संबंध में अंतिम निर्णय कब तक कर लिया जाएगा ?

कृषि और सिंचाई मंत्रालय में राज्य मंत्री (श्री अण्णासाहेब पी० शिंदे) :

(क) उत्तर प्रदेश कृषि अनुसंधान संस्थान, कानपुर और पशुचिकित्सा विज्ञान महाविद्यालय, मथुरा को मिलाकर राज्य

सरकार ने एक नया कृषि विश्वविद्यालय स्थापित करने का प्रस्ताव रखा है।

(ख) कानपुर में कृषि विश्वविद्यालय स्थापित करने की दृष्टि में राज्य में कृषि-अनुसंधान, शिवा और विस्तार को पुनर्गठित करने के लिए राज्य सरकार की उच्चस्तरीय समिति के सुझावों को कार्यान्वित करने के बारे में स्पष्टीकरण प्रदान करने के लिए उत्तर प्रदेश सरकार से निवेदन किया गया था। स्पष्टीकरण मिल जाने पर आ० क्र० ५०० की सलाह से विश्वविद्यालय अनुदान आयोग इसक संबंध में अंतिम निर्णय लेगा।

Meeting of International Dairy Congress in New Delhi

4578 SHRI NAWAL KISHORE SHARMA Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state

(a) whether a meeting of International Dairy Congress is to be held in the capital during the month of December, 1974

(b) if so, the delegates and the countries from where they are coming to participate in the conference and

(c) the decisions taken at the meeting to boost up dairy development in India and the extent to which the participant countries will also be benefited?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P SHINDE): (a) The XIX International Dairy Congress met in the Capital from 2nd to 6th December, 1974.

(b) The total number of delegates registered for attending the Congress was 1,317. In addition, 300 persons on an average also attended the conference daily as Observers.

The delegates represented the following countries:

Argentina	Ethiopia	Jamaica	Sri Lanka
Australia	Finland	Japan	Sweden
Austria	Federal Republic of Germany	Republic of Korea	Switzerland
Bangla Desh	Fiji	Kuwait	Thailand
Belgium	German	Libya	Trinidad
Bhutan	Democratic Republic Hongkong	Malaysia	Tanzania
Brazil	India	Mexico	United Kingdom
Bulgaria	Iran	New Zealand	U.S.S.R.
Canada	Ireland	Norway	U.S.A.
Chile	Iraq	New Guinea	Western Samoa
Cyprus	Italy	Philippines	Yugoslavia
Cuba		Poland	
Czechoslovakia		Spain	
Denmark			
Egypt			

(c) The Recommendations made by the XIX International Dairy Congress are given the statements laid on the Table of the House. [Placed in *Library*. See No. LT-8767/74].

The Congress afforded an opportunity for exchange of ideas in respect of recent advantages in dairy development which will be beneficial to India and also to other participant countries.

Production and Price of Sugar

4579. SHRI JYOTIRMOY BOSU: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) total sugar production year-wise from 1972 to 1974;

(b) total quantity earmarked for (1) sale through ration shops, (2)

free sale, and (3) export, year-wise, from 1972-74;

(c) retail price (per Kg.) of (1) Levy sugar and (2) free sale sugar, year-wise from 1972 to 1974;

(d) foreign exchange per Kg. realised through export, year-wise from 1972 to 1974;

(e) Month-wise, release of (1) Levy sugar and (2) free sale sugar, year-wise, from March to October, 1974; and

(f) retail price (per Kg.) of free sale sugar, month-wise, from March to October, 1974?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI AN-NASAHEB P. SHINDE): (a) The total production for the last three sugar years viz. 1971-72 to 1973-74 (October to September) is as under:—

Sugar Year

Production (in lakh tonnes)

1971-72 31.13

1972-73 38.73

1973-74 39.49

(b)	(Figures in lakh tonnes)		
	1972	1973	1974 (upto 31st Oct.)
(1) Levy sugar for sale through ration/fair price shops	22.95	23.20	19.10
(2) Free sale sugar	13.53	12.20	9.60
(3) Export	0.98, 827	2.48, 864	5.00
	*(Estimated)		

(c) and (f). The levy sugar is being sold at a uniform price throughout the country from 1st October, 1972. The uniform issue price to the consumers which was Rs. 2 per Kg to begin with was revised to Rs. 2.15 per Kg. with effect from the 1st December 1972 or such date in December, on which the 1st issue period of levy sugar through fair price shops commenced in different States. Prior to that the retail price in each State was being fixed separately by the respective State Governments after adding to the ex-factory price of sugar, the excise duty, transport and handling charges, wholesalers' and retailers' Commission etc. The range of retail price of fair/levy sugar per Kg prior to 1st October, 1972 in different States ranged from Rs 1.67 to Rs 2.50 per Kg. A statement showing month-wise retail prices of free sale sugar at selected important centres during the years 1972 to 1974 is laid on the Table of the House. [Placed in Library. See No. LT-8768/74].

(d)	Year	Average foreign exchange earned per Kg. (in rupees)
	1972	1.27
	1973	1.70
(Estimated)	1974	4.60

(e) A statement showing month-wise levy and free sale releases from

January, 1972 to October, 1974 is laid on the Table of the House [Placed in Library. See No. LT-8768/74].

(f) Reply covered in the reply to part (c) of the Question

Refusal of Grant to I.C.S.W. for Printing its Report

4580 SHRI YAMUNA PRASAD MANDAL Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether Government have refused the grant to the Indian Council of Social Welfare this year for printing its report; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI ARVIND NETAM): (a) and (b). In January 1974, the President, Indian Council of Child Welfare applied for a grant-in-aid for printing the Report of its National Committee for presentation in the 17th International Conference on Social Welfare to be held at Nairobi from 14th to 20th July, 1974. For processing the request for grant, a copy of the text of the Report was called for from the Council. The text of the Report was received by Government on 30th May, 1974. A scrutiny of the Report revealed that it contained considerable material which was not relevant for presentation at

an international forum. This was verbally brought to the notice of the Executive Secretary of the Council. The Executive Committee of the Council considered the matter at its meeting held in Madras on 8th June, 1974 and authorised the President of the Council to approve the Report with such modifications as might be necessary. The Executive Secretary of the Council through his letter dated 10th June, 1974 wished to know the portions of the Report which needed modifications. He was informed on 15th June, 1974 that the editing of the Report to render it suitable for presentation was a matter which the Council itself might best handle. An amended version of the Report was received from the Executive Secretary of the Council on 17th June, 1974. While the request for grant was being considered with reference to the amended version of the Report, Government was informed by the President of the Council through her letter dated 30th June, 1974 that she had decided to withdraw the Report in the larger interest of the organisation. This rendered irrelevant any further consideration of the request for grant for printing copies of the Report.

Cauvery Dispute

4581 SHRI M. M. JOSEPH: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Chief Minister of Kerala has sent a D.O. Letter to him on the 31st August, 1974 in connection with the Cauvery dispute;

(b) whether the Government of Tamilnadu were contemplating the constructions of the Nelli Thurai Scheme or which Kerala Government have protested both to Government of Tamilnadu as well as to the Central Government against the implementation of the scheme pending settlement of the Cauvery dispute among the three concerned States; and

(c) whether the Government withheld the sanction already issued pending settlement of the Cauvery dispute?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH) (a) Yes, Sir.

(b) and (c). The Nelli Thurai Hydro Electric Project, as proposed by Tamil Nadu envisages utilisation of the tail race releases below the Pillur Dam on River Bhawani (a tributary of Cauvery) for power generation. Kerala contends that since the project is located in the Cauvery basin, it should not be sanctioned without their prior concurrence. Although the Planning Commission had cleared this project, the Central Electricity Authority has not yet accorded approval to it. The contention of Kerala is under examination.

Criteria for Allocation for Irrigation Projects

4582 SHRI GIRIDHAR GOMANGO: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) State-wise allocation for irrigation projects made by the Centre and the States in 1974-75 and for 1975-76;

(b) the criteria adopted for the allocation; and

(c) the allocation earmarked by the Centre and State for tribal sub-plan in annual plan and for Fifth Plan?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) Irrigation is a State subject and irrigation projects are implemented by the State Governments within the frame-work of their development plans. The Statewise allocations for 1974-75 for irrigation sector are given in the statement laid on the Table of the House [Placed in Library. See No. LT-8769/74]. The allocations for 1975-76 have not yet been finalised.

(b) The following general principles were kept in view while formulating the Annual Plan 1974-75 —

- (i) Priority has been given to those schemes in respect of which appreciable progress has already been made and which are capable of yielding benefits progressively with the investments to be made
- (ii) For multi-purpose and inter-State projects necessary matching provisions have been made in the concerned State Plans
- (iii) Necessary provisions for modernisation in respect of some of the important structures requiring replacement has been made
- (iv) Priority has been given to those schemes which benefit chronically drought-affected tribal and backward areas

(c) The Fifth Plan proposals have not been finalised. However, an outlay of Rs 200 crores is contemplated as supplementary assistance for tribal sub-plans. For 1974-75 an amount of Rs 5 crores has been given to the States for the preparation of tribal sub-plans and advance action.

Unexecuted Irrigation and Flood Control Projects

4583 SHRI ARJUN SETHI Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state

(a) the number of irrigation and flood control projects sanctioned by the Centre lying unexecuted with the States;

(b) the names of those States if any; and

(c) what specific reasons are advanced for not being executed at the earliest by those States?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH) (a) to (c) The Irrigation Schemes on which work is not yet in good progress are the Warna Project in Maharashtra and Anandapur Barrage in Orissa. In the case of Warna the State Government are considering the possibility of an alternative site involving less submergence. In the case of Anandapur Barrage the Orissa Government have yet to take a final decision about the site.

The flood control schemes which have not been implemented are (i) Pagladiya Flood Detention Dam in Assam and (ii) Subernarekha Embankment in West Bengal. The former has not been executed due to paucity of funds and the latter due to modifications necessary in the light of recommendations of the Subernarekha Technical Committee.

Procurement of Rice in Orissa from 1971-72 to 1974-75

4584 SHRI CHINTAMANI PANI GRAHI Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state

(a) what was the target of procurement of rice in Orissa for 1973-74 and how much was procured up-to-date,

(b) what was the procurement of rice in Orissa in 1971-72 and 1972-73, and

(c) how much of rice was exported from Orissa in 1971-72 and 1972-73?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASHEB P SHINDE) (a) and (b). Targets of procurement and actual procurement of rice in Orissa during

Kharif Marketing Seasons, 1971-72, 1972-73 and 1973-74, has been as follows:—

(Fig. in '000 tonnes)

Year	Target of procurement	Actual procurement
1971-72	350	169
1972-73	390	210
1973-74	400	214

(c) Quantities of rice exported from Orissa in 1971-72 and 1972-73 were:

(Fig. in '000 tonnes)

1971-72	63
1972-73	500

Survey of Seeds Requirement

4585. SHRI M S PURTY Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether there is any arrangement in the National Seeds Corporation to survey the seed requirements of the country,

(b) if so, the assessment made regarding requirements of seeds of wheat and other rabi crops to be sown in the year 1973-74 together with the quantity of seeds produced and the quantity supplied to Bihar; and

(c) the names of the places where permission to produce seeds was granted in Bihar alongwith the area of their holdings?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHU-DAS PATEL) (a) It is primarily the responsibility of the State Government to assess the seed requirements

of different varieties of various crops needed by the farmers of the State and to arrange for sufficient quantities of seeds to meet the demand. The N.S.C. supplements the efforts of the State Government by supplying seeds through their dealers as also by making available certified seeds on firm indents placed by the State Governments and others.

(b) The State Government of Bihar had assessed the wheat seed requirements for the current rabi year at about 30,000 tonnes. The N.S.C. has supplied to Bihar 7,000 tonnes, from its 1973-74 production of 14,523 tonnes. The State Government had also utilised good quality stocks of Sonalika wheat of the Food Corporation of India, for the purposes of seed. The State Government have reported that there is no difficulty in meeting the wheat seed requirements for the current rabi season. The N.S.C. has also supplied about 300 tonnes of hybrid maize to the State Government for distribution.

(c) The N.S.C. had organised only a small wheat seed production programme during rabi 1973-74 on 379 acres in a number of districts in Bihar.

John Committee Report on Higher Education in Gujarat

4586. SHRI P. G. MAVALANKAR:
SHRI VEKARIA:
SHRI ARVIND M. PATEL:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether Government of Gujarat have now completed their consideration of the V. V. John Committee Report on Higher Education in Gujarat;

(b) if so, whether the said Report will now be placed on the Table of the House;

(c) whether Government of Gujarat have accepted the recommendations of the said Report and if so, the broad outlines thereof; and

(d) action being taken for implementation of the recommendations in this regard?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): (a) No, Sir.

(b) to (d). Do not arise.

International Women's Year
4587. SHRIMATI BHARGAVI
THANKAPPAN;

SHRI AMARSINH CHAU-
DHARI:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether Government have set up a Committee to celebrate 1975 as International Women's Year; and

(b) if so, the broad outline of the programme?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI ARVIND NEETAM): (a) Yes, Sir, a National Committee has been constituted to formulate a suitable programme.

(b) The Committee held its first meeting on 10-12-1974 and resolved that the programmes should be oriented towards the achievement of positive results in improving the status of women and enabling them to play a larger role than hitherto in various spheres of national life. Stress was laid on improving the economic condition of women and in creating among them a greater awareness of their rights and responsibilities, with reference to the various laws that are

in force. Stress was also laid on family planning and on bringing about certain attitudinal changes, both among men and among women, in regard to the role of women in society. It was emphasised that the backward areas like the tribal, slum and rural, should receive primary attention.

A Sub-Committee is being considered to settle the details of the programme in the light of the general observations of the National Committee. Every endeavour will be made to dovetail the Governmental programmes with those of voluntary organisations working in the field.

Withdrawal of Permit System for Sale of Fertilizer

4588. SHRI BANAMALI PATNAIK: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the desirability of withdrawing permit system to help the private wholesalers and retailers to freely market their stocks of fertilisers has been considered;

(b) if so, the reaction of Government thereto; and

(c) the steps proposed to be taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) to (c). Only some State Governments have introduced the card/permit system in their States, in regard to fertiliser distribution. The Government of India received some complaints that in some States this system of distribution was affecting the smooth and quick off-take of fertilisers. The Government of India have brought these complaints to the notice of the State Governments and have requested them to review the system of

distribution through cards/permits, and ensure that any such system if necessary do not become an irritant or deterrent in smooth and quick off-take of fertilisers.

Eradication of Illiteracy

4589. SHRI G. Y. KRISHNAN:

SHRI C. K. JAFFER
SHARIEF:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) the amount spent by Government to eradicate illiteracy in the country, State-wise, during the year 1972-73;

(b) the names of the voluntary organisations working to eradicate illiteracy in the country, State-wise and

(c) the percentage of illiteracy in the country, State-wise, amongst males and females, separately?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): (a) and (c). Information is being collected and will be laid on the Table of the Sabha.

(b) Government do not have information of all the voluntary organisations that are working to eradicate illiteracy in the country.

Sugar Supplied to Employees by Sugar Factories in Bihar

4590. SHRI RAMAVATAR SHASTRI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether sugar factories get sugar quota from the Government on the basis of the employees' strength in their respective factories;

(b) if so, the number of employees shown by each sugar factory of Bihar in the season of 1973-74 and the off season and the quantum of sugar supplied to each employee; and

(c) the quota given to each sugar factory for the purpose?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHAB P. SHINDE): (a) Yes, Sir.

(b) and (c). A statement showing the strength of workers during the season and off season and quantity allotted for gate sale quota to meet the requirements of factory employees in respect of Bihar sugar factories for the season 1973-74 is laid on the Table of the House. [Placed in Library. See No. LT-8770/74]. The allotment of gate sale quota to each factory is made at the rate of 3 Kg. per worker per month.

Charges Levelled against Shri Bishan Singh Bedi

4591. SHRI INDRAJIT GUPTA:

SHRI SUKHDEO PRASAD
VERMA:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) the specific charges levelled against Shri Bishan Singh Bedi by the Cricket Control Board and his reply thereto;

(b) whether Shri Bedi had complained that the member of the Indian Cricket Team to England in 1974 were deprived of the full quota of foreign exchange allotted for their expenses; and

(c) if so, whether this complaint has any substance and the action taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI ARVIND NETAM): (a) to (c). The Board of Control for Cricket in India had considered certain action of Shri Bishan Singh Bedi as constituting breach of propriety. Shri B. S. Bedi expressed regret which was accepted by the Board of Control for Cricket in India and the matter has been treated by them as closed.

Alleged Misappropriation of Funds of 'Operation Flood Scheme'

4592. SHRI VASANT SATHE:

SHRI DHAMANKAR:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether attention of the Government has been drawn to the news report dated the 17th November, 1974, under the caption "10 crore operation flood swindle";

(b) if so, the reaction of the Government to the observations made therein; and

(c) steps taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) Yes, Sir.

(b) and (c). In accordance with the decision taken by the Government of India for implementation of W.F.P. Project 618 (Operation Flood), the I.D.C. (a public sector corporation) which was charged with the responsibility of implementing the project, was required to deposit international value of the commodities received from W.F.P. as gift with the Government. The I.D.C. has not been able to deposit the required amount with the Government. It has made a

request for reconsideration of this arrangement, which is under examination.

State Government's policy regarding Diversion of Fertilisers from Non-Food Crop

4593. SHRI D. B. CHANDRA GOWDA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government are aware of the non-availability of fertilisers in various States and the policy of some State Governments to divert allocations of fertilisers to different crop pattern irrationally; and

(b) if so, whether any Committee has been appointed to enquire into such policy in order to increase production of foodgrains?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) There is some shortage of fertilisers in the country as compared to the requirements. However no report has been received by the Government of India about policies of irrational diversion of fertilisers, amongst different crops, being followed by the State Governments.

(b) Does not arise.

संभालव में लेखकों को मानदेय राशि दिया जाता

4594. श्री सिधकुमार शास्त्री : क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय द्वारा प्रकाशित की जाने वाली अंग्रेजी तथा हिन्दी पत्रिकाओं के लिए लेख देने वाले लेखकों को किस प्रकार पर मानदेय राशि दी जाती है तथा किस दर पर दी जाती है ;

(ख) क्या भागीरथ संस्करण के लिए लेख देने वाले किसी भी लेखक को अब तक पत्रिका के किसी भी संस्करण में प्रकाशित लेखों के लिए मानदेय राशि का भुगतान नहीं किया गया है;

(ग) यदि हां तो 'भागीरथ' के हिन्दी संस्करण के लिए लेख देने वाले लेखकों को मानदेय राशि का भुगतान न करने के क्या कारण हैं; और

(घ) क्या 'भागीरथ' को अब तक प्रकाशित सभी संस्करणों में शामिल सभी लेखों के लिए मानदेय राशि का भुगतान करने के लिए व्यवस्था की जा रही है ?

कृषि और सिंचाई मंत्रालय में उप-मंत्री (बी प्रभुदास पटेल) : (क) कृषि, खाद्य, कृषि अनुसंधान और शिक्षा तथा सिंचाई विभागों में उन लेखकों को जो अंग्रेजी और हिन्दी की पत्रिकाओं के लिए लेख भेजते हैं, लेखों की क्वालिटी और विषय के अनुसार संलग्न विवरण में दी गई दरों पर मानदेय दिया जाता है।

(ख) से (घ). "भागीरथ" के हिन्दी संस्करण का प्रकाशन अप्रैल 1974 में शुरू हुआ था। इस पत्रिका के लिए लेख लिखने वाले गैर-सरकारी व्यक्तियों को मानदेय की प्रदायगी करने के प्रश्न पर सक्रिय रूप से विचार किया जा रहा है।

विवरण

विभाग का नाम

लेख लिखने वाले व्यक्तियों को दिए जाने वाले मानदेय की दर

कृषि विभाग (विस्तार निदेशालय)	10 रु० से 25 रु० तक	सरकारी कर्मचारियों तथा अन्य व्यक्तियों के लिए।
अनुसंधान और शिक्षा विभाग (भारतीय कृषि अनुसंधान परिषदें)	30 रु० से 100 रु० तक	
ग्रामीण विकास विभाग	250 रु० तक	सरकारी कर्मचारियों के अलावा अन्य लेखकों के लिए।
खाद्य विभाग (भारतीय खाद्य निगम)	50 रु० से 100 रु० तक 25 रु०	प्रकाशित लेखकों के लिए। अपने कर्मचारियों के लिए।
सिंचाई विकास	250 रु०	भागीरथ के अंग्रेजी संस्करण के सम्बन्ध में सरकारी कर्मचारियों को छोड़कर अन्य लेखकों के लिए।

Criteria for Small Farmers Development Agency Project

4595. SHRI K. PRADHANI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the criteria required to qualify for a Small Farmers Development Agency Project;

(b) the projects in Orissa and other States to be taken up during the year 1974-75 during Fifth Plan; and

(c) whether this scheme is to cover the whole country and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P SHINDE): (a) The main criterion for the allocation of small farmers development agency projects to States as also for selection of districts for locating such projects, is the number of small/marginal farmers and agricultural labourers. The suitability of the district for subsidiary occupations has also been taken into consideration in the selection of districts for locating the projects.

(b) The total number of small farmers development agency projects to be set up in the country during the Fifth Five Year Plan, including the existing projects, is 160. State-wise break-up is given in the enclosed Statement.

(c) On the basis of the recommendations made by the National Commission on Agriculture in their Interim Report on the reorientation of the Small Farmers Development Agencies, it has been decided to extend the coverage to 160 districts in the Fifth Five Year Plan. The decision taken into account facilities available to small and marginal farmers under other special programmes like D.P.A.P., C.A.D.P., T.D.A.

etc., and also the availability of necessary support for such special and intensive programmes from different sources.

Statement

State/Union Territory	Total Agency Units
Andhra Pradesh	15
Assam	4
Bihar	16
Gujarat	6
Haryana	3
Himachal Pradesh	2
Jammu & Kashmir	4
Kerala	4
Madhya Pradesh	12
Maharashtra	12
Manipur	1
Meghalaya	2
Mysore (Karnataka)	7
Nagaland	1
Orissa	7
Punjab	4
Rajasthan	5
Tamil Nadu	12
Tripura	1
Uttar Pradesh	26
West Bengal	9
UTs. and reserve	7
TOTAL	160

Economy effected in Education Ministry

4596. SHRI GAJADHAR MAJHI: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) the cut or economy to be effected in the Ministry of Education, Social Welfare and Culture 'under the Central saving pool of Rs. 400 crores' in respect of plan and non-plan items; and

(b) the scheme/projects likely to be deferred on account of this cut?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): (a) and (b). A cut of Rs. 11.97 crores is proposed to be effected as part of the economy drive in the current year's budget of the Ministry of Education and Social Welfare including the Department of Culture. The cut has mostly been effected by slowing down the activities in several of the schemes. However, the following few schemes have been deferred:

- (1) Exchange of Youth Delegations at International and State levels;
- (2) Setting up of Gramik Vidya-peeth;
- (3) Development of Camping Sites.
- (4) Establishment of Rural Libraries for neoliterates;
- (5) Adult Education through Universities;
- (6) Linking literacy with Employment Programmes;
- (7) International Students House, Calcutta;
- (8) Establishment of Special Sports Schools;

(9) Centres for Advanced Study and Research in Technical Education;

(10) Establishment of Indian Institute of Management, Lucknow;

(11) Appointment of Teachers of Modern Indian Language, in Hindi Speaking States;

(12) Grant for State and District Gazetteers; and

(13) National Museum of Man.

Decision of Sugarcane Growers in Punjab not to sell their produce to Sugar Mills

4597. SHRI N. K. SANGHI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the sugarcane growers in Punjab have decided not to sell their produce to the sugar mills unless they are paid a higher price for their produce;

(b) whether this will have any adverse impact on the production of sugar in the country in reaching the targetted figure; and

(c) if so, whether Government are considering any proposal to mediate in the matter and if so, the broad outlines thereof?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHAB P. SHINDE): (a) The Central Government have seen only a report to this effect published in some newspapers. However, five out of the six factories in Punjab have already commenced production for the season.

(b) At this early stage of the season, it is difficult to say if there will be any fall in production.

(c) Does not arise.

Delay in President's Assent to Land Ceiling Laws of States

4598. SHRI BHOGEN德拉 JHA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to refer to the reply given to Unstarred Question No. 955 on 18th November, 1974 and state:

(a) the specific hurdles in the way granting President's Assent or recommending the ceiling laws in accordance with the Centre's directions in the cases of Maharashtra, Assam, Tamilnadu and other States; and

(b) action taken in this regard to expedite the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) and (b). The revised ceiling law of Assam was enacted with Governor's assent received in 1972. Since President's assent to it was required, the State Government was advised either to take steps for the re-enactment of the bill after its passage by the State legislature or to get the act that received Governor's assent repealed and a new law promulgated by ordinance.

The Maharashtra Bill passed by the State Legislature has not yet received President's assent, as in the opinion of the Government of India it does not fully meet the requirements of the national policy on land ceiling.

The Uttar Pradesh land ceiling act has been revised comprehensively in accordance with the national guidelines; some further minor revisions only are underway.

The Tamilnadu land ceiling law was comprehensively revised several times in recent years in accordance with national guidelines and President's assent to it was accorded at the appropriate stage.

Effect of Aid by Agricultural Refinance Corporation on Agricultural Production

4599. SHRI B. K. DASCHOWDHURY: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to refer to the reply given to Unstarred Question No. 954 on 18th November, 1974 regarding aid by Agricultural Refinance Corporation for projects and state:

(a) whether the investment has not had the desired impact on agricultural production;

(b) whether he has identified the areas of weakness and shortcomings; and

(c) whether he has taken remedial measures to revamp the working of the Corporation?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) to (c). The disbursements made by the financing institutions in the various projects which are refinanced by the Agricultural Refinance Corporation have resulted in substantial minor irrigation and other farm investments by individual beneficiaries thereby contributing to greater farm production. In order to evaluate the benefits to the farmers and to the economy arising out of investments financed under these projects, an Evaluation Cell has been set up in the A.R.C. which is expected to undertake suitable studies in this regard.

2. In minor irrigation programmes which account for the major portion of the investments, certain difficulties relating to adoption of the technical disciplines by the financing institutions were experienced and appropriate corrective action has been taken in order to ensure planned exploitation

of groundwater resources. Other issues relate to the enforcement of the definition of small farmers for purposes of concessional lending under the I.D.A. credits and the criteria relating to the level of overdues of loans advanced by Land Development Banks. Appropriate remedial action has been initiated so that refinancing arrangements by the A.R.C. do not suffer. Other measures include the formulation of banking plans to ensure the planned involvement of commercial banks in the investment programmes.

3. The policies and procedures adopted by the Corporation and also the organisational set-up are constantly reviewed and suitable remedial measures taken with a view to facilitating speedier and effective implementation of the programmes assisted by the Corporation.

Paddy Bonus to Farmers in Punjab

4600. SHRI SUKHDEO PRASAD VERMA:

SHRI B. S. BHOURA:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government have taken into consideration the Punjab Government's request for paddy bonus to farmers; and

(b) if so, the reaction of the Central Government in regard thereto?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHIB P. SHINDE): (a) and (b). A request recently received from the Government of Punjab for the grant of bonus on paddy to the farmers is under the consideration of Government of India.

Lifting of Ban on sanctioning of House Building Loans

4601. SHRI SHASHI BHUSHAN:

SHRI BIRENDER SINGH RAO:

Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether Government have lifted the ban on sanctioning housing loans to the Government employees;

(b) whether some restrictions have been imposed for the ban has been lifted completely; and

(c) the particulars thereof and whether the Government servants are satisfied with it?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) and (b). The ban has been lifted partially with some restrictions.

(c) The restrictions imposed are as follows:

(i) Fresh applications for grant of house building advance have been invited from certain specified categories of Central Government employees only;

(ii) The amount of house building advance for construction has been restricted to Rs. 25,000;

(iii) For purchasing ready-built flats/houses the amount of advance has been further restricted to 20 per cent of the cost of the flat so allotted minus the deposits or payments, if any, the Central Government servant concerned might have already made to the allotting authority;

(iv) The amount of advance for purchasing plot of land has been restricted to 20 per cent

15 per cent of the amount to which the Central Government servant concerned may be entitled or Rs. 5,000, whichever is less.

Loans sanctioned by the HUDCO

4602. SHRI SOMNATH CHATTERJEE: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) the amount of loans sanctioned by the Housing and Urban Development Corporation Limited to the different States or State Undertakings;

(b) the terms on which loans are granted and the amounts actually released; and

(c) the utilisation of such loans in the completion of the building projects?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) to (c). A statement showing the amount of loans sanctioned and released by the Housing and Urban Development Corporation Limited to State Governments, or State Undertakings (Housing Boards, City Improvement Trust, Development Authorities, etc.) upto November 30, 1974 and the expenditure incurred by these agencies is laid on the Table of the House. [Placed in Library. See No. LT-8771/74].

Loss of Chemical Fertilizer in Transit tioned are given below:—

(i) The normal rate of interest charged, at present, on loans advanced by HUDCO is 8 per cent with a rebate of 1½ per cent for prompt repayments. Schemes meant for the benefit of economically weaker sections of society or composite schemes in which expenditure on houses-plots proposed to be sold to economically weaker sections con-

stitutes at least 25 per cent of the total expenditure on the entire scheme qualify for the subsidised rate of interest of 6-¾ per cent prompt repayments. In the event of default in the repayment of the instalment of loan or interest on due dates, additional interest at the penal rate of 2-½ per cent is payable.

(ii) Interest is payable half yearly and the principal within 20 years in the case of loans relating to schemes for economically weaker sections, 15 years in the case of low income group, and 12 years in the case of other categories.

(iii) Loans are to be secured by mortgage of borrowers' unencumbered properties, to the extent of 133-1/3 per cent of the loan amount outstanding at any time, as valued by an independent approved valuer. In a case where the lending rate of interest does not exceed 6-¾ per cent in the case of social housing projects and 7-¾ per cent in the case of non-social housing projects, the borrowers can furnish a State Government Guarantee as security for the loan, in lieu of mortgage of

Bank guarantees are also accepted as security against loans.

Loss of Chemical Fertilizer in Transit Godown at Bhavnagar

4603. SHRI NARENDRA SINGH:
SHRI NAVAL KISHORE
SINHA:
SHRI NAVAL KISHORE
SHARMA:
SARDAR SWARAN SINGH
SOKHI:
DR. LAXMINARAYAN
PANDEYA:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether chemical fertilizer worth Rs. 68 lakhs of the Fertilizer

Corporation of India was destroyed in a transit godown at the Bhavnagar Port on the 23rd November, 1974;

(b) if so, the facts thereof; and

(c) action taken in that regard?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) to (c). On 22nd November, 1974, at about 1400 hours, fire was detected in Transit Shed No. 1 at Bhavnagar Port where Calcium Ammonium Nitrate fertiliser was stored. With the help of Fire Brigade and the port fire fighting equipment, the fire was extinguished by about 1700 hours. 2863 tonnes of Calcium Ammonium Nitrate which were in and just outside this transit shed were affected by the fire. It is, however, estimated that substantial portion of this cargo can be salvaged as sound fertiliser and that some portion which has only been partially affected will be capable of utilisation as substandard fertiliser for granulation and manure mixing. Only the balance will be without any nutrient content. The exact quantity under these three categories and the loss caused by the fire can be determined only after the salvage operations are completed.

The stocks belong to the Government of India, whose handling agent at the ports is the Food Corporation of India. At the time of the fire the above fertiliser stocks were in the charge and custody of the Bhavnagar port authorities, who act as bailees for bagged stocks in the port transit sheds. The Bhavnagar port is under the administrative control of the Gujarat State Government.

Immediately on receipt of the information about the fire, the Food Corporation of India appointed a surveyor. The State Government also ordered police investigation, and have appointed an Enquiry Committee to investigate the case. Since the damage took place while the stocks were in the

custody of the Bhavnagar Port authorities, claims have been lodged by Food Corporation of India against the Port. The salvage operations are continuing and the standard material is being bagged, standardised and stitiched for despatch to various destinations.

राष्ट्रीय अनुशासन योजना पर केन्द्रीय व्यय

4604. श्री कूल चन्द वर्मा : क्या शिक्षा, समाज कल्याण और संस्कृति मंत्री यह बताने की कृपा करेंगे कि :

(क) राष्ट्रीय अनुशासन योजना के इन्स्ट्रक्टरों का प्रशासकीय नियंत्रण राज्यों को सौंपने के पश्चात से केन्द्र सरकार द्वारा राष्ट्रीय अनुशासन योजना पर प्रतिवर्ष कितना व्यय किया जा रहा है ; और

(ख) इससे पूर्व कितना वित्तीय भार वहन किया जा रहा था ?

शिक्षा और समाज कल्याण मंत्रालय तथा संस्कृति विभाग में उप मंत्री (जी डी० पी० यादव) : (क) और (ख) : भूतपूर्व राष्ट्रीय अनुशासन योजना के अनुदेशकों से सर्वोच्चतम प्रशासकीय नियंत्रण केरल राज्य के अनुदेशकों को छोड़कर, 1-8-1972 से बृहद् होकर विभिन्न तारीखों से विभिन्न राज्य सरकारों को हस्तान्तरित कर दिया गया है। हस्तान्तरण प्रक्रिया बृहद् होने से पहले और उसके बाद में, राज्य सरकारों को अनुशासन के रूप में और केन्द्रीय सरकार द्वारा सीधे ही निम्नलिखित व्यय किया गया है :—

- (i) 1971-72 2,26,87,000 ₹
- (ii) 1972-73 2,34,41,000 ₹
- (iii) 1973-74 2,61,24,000 ₹

**Development of Drought Prone Areas
in Maharashtra**

4605. SHRI SHANKER RAO SAVANT: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) districts of Maharashtra selected for the World Bank Development Project for drought-prone areas;

(b) how much amount is proposed to be spent in those districts; and

(c) in what manner and during which period is it proposed to be spent?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) to (c) The districts of Ahmednagar and Sholapur in Maharashtra have been selected for the World Bank Development Project for Drought Prone Areas Programme. Each district will get a central assistance of Rs. 4 crores to be matched by an equal amount by the State Government. The total project including Institutional Credit is likely to be Rs. 18.18 crores in Ahmednagar and Rs 15.48 crores in Sholapur. The Project consists of activities such as Minor Irrigation, Soil Conservation, Pasture Development, Forestry, dry farming, Sheep Development and Dairy Development. The closing date of the project is likely to be June 30, 1980.

Compensation paid for Kosi Canal

4606. SHRI RAMKANWAR: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state the total amount of compensation paid by India to Nepalese Government for the territory acquired for the Kosi canal?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): An amount of Rs. 36,25,256 has been paid to the Government of Nepal as compensation money for the land required for the construction of the Western Kosi Canal in the Nepal territory.

**Development of Irrigation Projects in
Ladakh**

4607. SHRI KUSHOK BAKULA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the particulars of the irrigation projects to be developed in Ladakh region of the Jammu and Kashmir State during the next two years; and

(b) the amount to be spent thereon and the benefit to accrue therefrom?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) and (b). According to the information received from the State Government in July 1974, the following four irrigation schemes in Ladakh region which were included in the fourth plan are continuing in to the Fifth Plan—

Name of Scheme	Potential (Acres)
1. Khumbathang Canal	970
2. Upshi Canal	550
3. Gargarthang Canal	250
4. Abichanmothang Canal	1261

The Gargarthang Canal and Abichanmothang Canal are nearly completed. Work is in progress on the other two. The amount to be spent on these schemes during next two years is not yet available as the annual plans for 1975-76 and 1976-77 are yet to be finalized.

The State Government have reported that in addition they have a number of schemes at the stage of surveys and investigation for the Ladakh region.

News report regarding Delhi Water Supply and Sewage Disposal Undertaking

4608. SHRI N. E. HORO: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether Government's attention has been drawn to the news-item appearing in a local daily dated the 8th October, 1974 under the caption "post abolished, official still draws salary" to the effect that an officer of the Delhi Water Supply and Sewage Disposal Undertaking continues in office and draw salary even though the Municipal Corporation has abolished his post from April 1, 1974; and

(b) if so, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) Yes, Sir

(b) According to legal advice, the abolition of the post of Assistant Commissioner (water) was not legal. As such the post continues.

Water Pollution in Damodar River

4609. SHRI S. A. MURUGANATHAM:

SHRI ROBIN SEN:

Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether the Asansol-Durgapur Calcutta stretch of the Damodar river has been described as one of the most polluted regions in India; and

(b) if so, the measures proposed to be taken to check this growing pollution problem?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) There is substantial pollution of the Damodar river in the Asansol-Calcutta stretch.

(b) The Government of West Bengal has constituted a State Board for the Prevention and Control of Water Pollution under the Water (Prevention and Control of Pollution) Act, 1974. The State Board is expected to take necessary action to control and prevent pollution of the Damodar river within West Bengal.

Seizure of Office Equipment of Benaras Division of the Ganga Basin Water Resources Organisation

4610. SHRI R. P. DAS: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government are aware that the office equipment alongwith a Jeep car of the office of Benaras Division of the Ganga Basin Water Resources Organisation have been seized by a decree of the Court of Law in favour of an ex-employee of the said office:

(b) whether the officers of the above-mentioned office have been virtually forced to work on the bare floor without any furniture and office equipment apprehending a second seizure by the Court;

(c) whether due to inefficiency and Mal-administration of the officers many such other cases in different Divisions of the Organisation have been filed against the Government; and

(d) if so, the steps taken by Government in that regard?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH; SINGH): (a) Yes, Sir.

(b) Till the appeal of the ex-employee against the order of release of office equipment and jeep car issued by the Additional Munsif, Varanasi is decided by the Hon'ble Court, the work is being managed for the present with the available articles of furniture and office equipment.

(c) No such case has occurred in any other Division of the Ganga Basin Water Resources Organisation.

(d) Does not arise.

डी० डी० ए० कालोनी, जनकपुरी के सी० एस० पी० रिहायशी प्लॉटों में दुकानें खोलना

4611. श्री हीरा लाल डोडा : क्या निर्वाण और आवास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जनकपुरी में डी० डी० ए० (दिल्ली विकास प्राधिकरण) द्वारा बनाई गई सी० एस० पी० कालोनी के कुछ भलाटियों ने अपने रिहायशी प्लॉटों में दिल्ली विकास प्राधिकरण के नियमों के विरुद्ध दुकानें खोल रखी हैं;

(ख) यदि हाँ, तो क्या डी० डी० ए० इस बारे में कुछ कार्यवाही करने जा रहा है तथा कब तक वह कार्यवाही शुरू हो जाने की संभावना है ?

निर्वाण और आवास मंत्रालय में राज्य मंत्री (श्री मोहन चारिया) :

(क) जी, हाँ ।

(ख) ऐसे आवंटियों को दिल्ली विकास प्राधिकरण द्वारा नोटिस जारी किये जा चुके

Foodgrains Premises raided in Union Territories

4612. SHRI BIRENDER SINGH RAO:

SHRI MUKHTIAR SINGH MALIK:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the names and addresses of firms/persons whose premises were raided in the Union Territories during the year 1974 under foodgrain de-hoarding drive;

(b) the total amount of foodgrains recovered; and

(c) the action taken in each case?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNA-SAHEB P. SHINDE): (a) to (c). The information is being collected and will be laid on the Table of the Sabha.

Recruitment and Promotion Rules in National Book Trust

4613. SHRI ANADI CHARAN DAS: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether National Book Trust, India has got any Recruitment and Promotion Rules for its staff members;

(b) what is the number of appointments and promotions made in the Trust since August, 1973; and

(c) whether a uniform policy was followed in case of all those appointments/promotions?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION, SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): (a) to (c). The National Book Trust has been following the

procedure for recruitment applicable to comparable posts in similar Government and autonomous organisations. Draft recruitment rules for various posts in the Trust have, however, since been framed and are currently in the process of being finalised. The total number of appointments and promotions made since 1st August, 1973, is 69.

Famine in Chhotanagpur and Palamau (Bihar),

4614. KUMARI KAMLA KUMARI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to be pleased to state:

(a) whether the Central Government are aware of the major famine in Chhotanagpur in general and in Palamau district in particular; and

(b) if so, the action being taken by the Central Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) and (b). The information has been called for from the State Government and it will be laid on the Table of the Sabha as soon as it is received.

केन्द्रीय फार्म तथा उन से किसानों को लाभ

4615. श्री प्रभुलाल चन्द्राकर: क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में कुल कितने केन्द्रीय कृषि फार्म हैं;

(ख) क्या इन फार्मों से किसानों को कोई लाभ होता है;

(ग) यदि हाँ, तो उन्हें किस प्रकार का लाभ होता है; और

(घ) क्या गत दो वर्षों में इन फार्मों से कोई आर्थिक लाभ हुआ है?

कृषि और सिंचाई मंत्रालय में उप मंत्री (श्री प्रभुदास पटेल) :

(क) भारतीय राज्य फार्म निगम 14 केन्द्रीय फार्मों का प्रबन्ध कर रहा है।

(ख) जी हाँ।

(ग) किसानों में वितरण के लिये राज्यों की एजेंसियों को अधिक उपज देने वाली किस्मों के बढ़िया बीज पैदा करके सप्लाई किए जाते हैं।

फार्म के इर्द-गिर्द के किसानों को फार्म की भारी मशीनें भाड़े के आधार पर उपलब्ध होती हैं।

(घ) 1972-73 के कृषि वर्ष के दौरान इन फार्मों से कुल 2.30 लाख क्विन्टल खाद्यान्नों, दालों, तिलहनों और रेशेदार फसलों का उत्पादन हुआ है। इसी अवधि में 71,000 क्विन्टल बीज बोया गया था। 1973-74 के कृषि वर्ष के दौरान कुल मिलाकर लगभग 2.36 लाख क्विन्टल का उत्पादन हुआ था जिसमें 1,19,000 क्विन्टल बीज था। गत वर्ष 2.07 करोड़ रुपये के मूल्य की बिक्री हुई थी जबकि 1973-74 के दौरान 3 करोड़ रुपये के अनुमानित मूल्य की बिक्री हुई है। 1972-73 के दौरान इन फार्मों को कुल 102 लाख रु० का लाभ हुआ था।

Removal of Jhuggi-Jhonprie in Delhi

4616. DR. LAXMINARAIN PANDEYA: Will the Minister of WORKS and HOUSING be pleased to state:

(a) the number of jhuggi-jhonpries removed in Delhi during the last three years;

(b) the places where those jhuggi jhnapari dwellers were resettled; and

(c) the number out of them who were allotted flats in lieu thereof and on what rates as also the sizes of the flats so allotted?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA):

(a) About 2130 jhuggies have been removed from public lands in Delhi since January, 1972 to-date.

(b) As in the attached Statement.

(c) 568 have been allotted tenements each with a floor area of 232 sq. ft. Rent is charged at Rs. 40/- per month for a tenement from persons having an income of Rs. 250/- per month or more. From those whose income is less than Rs. 250/- per month, the rent charged is Rs. 27/- per month, increasing gradually to Rs. 40 per month during a period of 6 years.

STATEMENT

1. Srinivasपुरि.
2. Seemapुरि.
3. Seelampur.
4. Madangir
5. Madipur
6. Nangloi.
7. N.G. Road.
8. Pandoo Nagar.

9. Wazirpur.
10. Sunlight Colony.
11. Tigri.
12. Hastsal.
13. Ring Road.
14. Naraina
15. Kalkaji.
16. Garhi.

Rabi Production Target in Orissa for 1974-75

4617. SHRI CHINTAMANI PANIGRAHI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the additional rabi production targetted for Orissa in 1974-75 season; and

(b) the rabi production programme district-wise in Orissa?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) Season-wise targets of crop production are not fixed by the Centre. However, the targets of agricultural production fixed by the Working Group set up by the Planning Commission to consider the Annual Plan 1974-75 proposals of Orissa State relating to Agriculture and allied programmes are given below:—

Items	Units	Assumed base level (1973-74) production	Target for 1974-75	Additional targetted production during 1974-75
1. Foodgrains	Lakh tonnes	54.01	57.00	2.99
2. Sugarcane (cane)	"	20.00	21.00	1.00
3. Oilseeds	"	2.00	2.50	0.50
4. Jute & Mesta	Lakh bales	5.50	5.63	0.13

(b) District-wise production programmes are fixed by the State Government and not by the Centre.

Mysterious Bullock Disease in Assam

4618. SARDAR SWARAN SINGH SOKHI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether a mysterious disease has claimed the lives of "Several Hundred" bullocks in the scarcity hit areas of Kamrup District in Assam only in the month of October last;

(b) whether the veterinary doctors are unable to diagnose and treat the disease; and

(c) if so, what steps Government propose to take to check the same from further spreading in the neighbouring States?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) 222 animals are reported to have died due to malnutrition, starvation and infestation with the parasite "liver fluke" in the flood affected areas of Assam.

(b) No, Sir. The disease has been diagnosed by the staff of the Animal Husbandry Department of the State Government.

10,168 cattle have been vaccinated and 6,554 given treatment. The Department also issued 400 quintals of green grass and 40 bags of concentrates for the feeding of flood-affected animals.

(c) Since the situation has been caused by floods, spread of the diseases to neighbouring States is not apprehended.

Completion of Western Kosi/Gandak and Rajasthan Canal Projects in Fifth Plan

4619. SHRI BHOGENDRA JHA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to refer to the reply given to Unstarred Question No. 3767 on 28th August, 1974 regarding provisions for Western Kosi, Gandak and Rajasthan Canal Projects for Fifth Plan and state:

(a) whether financial requirements and work-schedule for completion of the Rajasthan, Gandak and Western Kosi Canal Projects during the Fifth Plan period have been finalised, phase-wise and annually; and

(b) if so, the amounts provided for the purpose?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) and (b). Fifth Five Year Plan has not been finalised so far. It is, therefore, not possible to indicate the annual financial outlays for the Fifth Plan period in respect of Rajasthan, Gandak and Western Kosi Canal Projects. The provision approved for these projects during 1974-75 are as under:

	Rs. crores
Rajasthan Canal Project Stage-I	8.00
Rajasthan Canal Project Stage-II	1.50
Gandak Project (Bihar)	31.00
Gandak Project (U.P.)	2.00
Western Kosi Canal Project	4.00

The Government of Rajasthan have allocated an additional amount of Rs. 5.24 crores over and above the approved outlay of Rs. 9.50 crores for the Rajasthan Canal Project for providing employment to about one lakh famine labour and expediting construction work on the project. In the absence of definite yearly financial outlays detailed construction work

programmes are drawn up on year to year basis tailoring them to the amount of funds available for these projects annually.

Donation received by Central Relief Committee to help Flood and Drought affected areas

4620. SHRI R. N. BARMAN: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the total donation received by Central Relief Committee (India) in cash and kind through contribution for relief and rehabilitation work for the people of flood and drought affected areas;

(b) the criteria of providing aid out of this contribution to various areas affected by drought and floods; and

(c) what precautionary measure Government have taken to avoid any misuse of this contribution?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) to (c). There is no organisation known as Central Relief Committee (India) under the administrative control of the Ministry of Agriculture and Irrigation. However, there is one such institution registered under the Societies Registration Act XXI of 1860 which is said to carry out the work of the relief and rehabilitation of Tibetan refugees.

Experiments by Indian Institute of Management Bangalore for improving working of Bullock Carts

4621. SHRI ARJUN SETHI: Will the Minister of EDUCATION SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether the Indian Institute of Management, Bangalore is currently

conducting experiments to improve the working of bullock cart with mechanised innovations;

(b) if so, the success so far achieved in the matter; and

(c) the expenditure expected to be incurred on such an innovation?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): (a) and (b). The Indian Institute of Management, Bangalore has conducted a pilot study on the social, economic and technical aspects of the bullock cart transportation in India. The Institute is also conducting experiments in association with an engineering college on the improved designs of bullock cart.

(c) The preliminary estimates of the Institute indicate that the research work on the social and economic aspects and redesign of the cart would cost about Rs. 8-10 lakhs during a period of two years.

Rent charged from Shri D. R. Nim by the General Secretary of Dr. Bhagwan Das Memorial Trust

4622. SHRI AMBESH: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether he has received a complaint from Shri D. R. Nim r/o P. No. 10, Model Eye Hospital, 2F, Lajpat Nagar, New Delhi (Postal address D. R. Nim, B-145, Amar Colony, New Delhi) in the month of June, 1974 regarding deceitment or cheating by Shri Kumar Paul, the General Secretary, Dr. Bhagwan Das Memorial Trust, Lajpat Nagar, New Delhi:

(b) whether the complaint states that above Shri Kumar Paul rented out a house to - Shri D. R. Nim, in August, 1964 @ Rs. 56 per month and surrendered the above house to the

Government (Land and Development Office, Ministry of Works and Housing) on the 26th April, 1969 and has been receiving rent from Shri D. R. Nim till today as he did not inform Shri D. R. Nim that the premises has been surrendered to the Government; and

(c) if so, the action taken by Government in this respect?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) to (c). No complaint was received from Shri Nim in June, 1974. In a subsequent complaint, he alleged irregularities in the internal affairs of the Dr. Bhagwan Das Memorial Trust and misuse of property by unauthorised parties. Action has been taken in the matter.

Assessment of damage due to floods and effect of drought in West Bengal

4623. SHRI B. S. BHAURA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether a Survey Team of the Planning Commission visited Calcutta to assess the recent damage due to floods and the effect of drought in West Bengal; and

(b) if so, the findings and recommendation of the Team?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) A Central Team visited West Bengal in November, 1974 to make an on the spot assessment of the situation created by floods and drought.

(b) The report of the Team is awaited.

Orphan Children

4624. SHRI VASANT SATHE: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether a number of orphan children are being taken abroad by various social organisations;

(b) whether the number of such organisations and orphan children has increased during recent years; and

(c) if so, the number of orphan children taken abroad during the past three years, year-wise, organisation/countrywise?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI ARVIND NETAM): (a) and (b). The existing Indian laws on adoption and legal guardianship do not permit any social organisation to take orphan children abroad. However, foreign nationals can take Indian children, orphan or otherwise, abroad as wards under Section 26 of the Guardians and Wards Act, 1890 with the permission of the court of competent jurisdiction.

(c) Does not arise.

नर्मदा जल विवाद न्यायाधिकरण

4625. श्री गंगा चरण दीक्षित : क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि नर्मदा जल विवाद न्यायाधिकरण अपना निर्णय कब तक देगा ?

कृषि और सिंचाई मंत्रालय में उप-मंत्री (श्री केदार नाथ सिंह) :

नर्मदा जल विवाद न्यायाधिकरण को न्यायनिर्णयन संबंधी कार्यवाही प्रगति पर है। न्यायाधिकरण द्वारा, जिसका गठन अंतर्राज्यीय

अन-विवाद अधिनियम के प्रावधानों के अन्तर्गत किया गया है तथा जो अपनी प्रक्रिया का स्वयं निर्धारण करता है, न्यायनिर्णयन कार्यवाही को पूरा करने के लिये किसी विभागत अधि का निर्धारण करना व्यवहार्य नहीं है ।

(iv) Grant of Selection Grade to all teachers on completion of six years of service, and

(v) Fixation of pay on point to point basis, i.e., one increment for every three years service with a ceiling of three increments

Relay fast by Secondary Teachers' Federation

4626. SHRI C JANARDHANAN: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether Government's attention has been drawn to the relay fast by Secondary Teachers' Federation, began at the Boat Club in New Delhi on 21st November, 1974, to press their demands, and

(b) if so what are their demands and Government's response thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D P YADAV): (a) Yes, Sir

(b) The demands made by the Federation are:-

(i) Removal of the disparity between pay scales of Principals and the pay scales of the other categories of teachers on the one hand and between the University teachers and the school teachers on the other;

(ii) Improvement in pay scales of lowest paid categories of Primary Teachers and other allied categories.

(iii) Increase in the rate of increment and reduction in the time span to 12 years in the pay scales of all categories of teachers;

These demands have been carefully considered by the Government, but it has not been possible to deviate from the recommendations of the Third Pay Commission

Committee on Status of Women

4627 SHRI VEKARIA: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state

(a) since when the Committee on Status of Women was appointed,

(b) how much money has so far been spent on its Secretarial work and

(c) how much money has been spent on travel, D.A. Allowances by the staff and the Members of the Committee?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI ARVIND NETAM): (a) The Committee on the Status of Women was appointed on 22nd September, 1971

(b) and (c). The expenditure incurred by the Committee upto 30th September, 1974 is as follows:—

	Rs. in lakhs
(i) Secretarial work	3.90
(ii) T.A., D.A. and other charges	4.66

Scheduled Castes employees in Education Department in Delhi Administration

4628. SHRI AMBESH: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to refer to the reply given to Unstarred Question No. 9299 dated the 7th May, 1973 regarding Scheduled Castes employees in Education Department in Delhi Administration and state:

(a) whether Delhi Administration has not prepared a final seniority list of 125 Scheduled Caste teachers in Delhi Administration; and

(b) if so, the reasons due to which the separate seniority list could not be prepared during the period of last two years and promotion of Scheduled Caste and Scheduled Tribe teachers could not be made for the post of Vice-Principal and Principal so far?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): (a) Final Seniority list of Scheduled Caste Teachers has already been issued.

(b) Does not arise.

Ceiling limit for Stocking Foodgrains, Ghee, Mustard Oil, Sugar and Baby Food

4629. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Centre has fixed a ceiling on stockists, dealers and traders for stocking wheat, ghee, mustard oil, sugar, baby food and other foodgrains;

(b) if so, what is the limit; and

(c) whether State Governments are entitled to amend the ceiling limit of stock?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) to (c). The ceilings on stock limits are generally fixed by the State Governments. In case of sugar, however, the Government of India have fixed the ceiling limits. These limits which apply to recognised dealers in sugar are as follows:—

	<i>Limit</i> Quintals
1. In Calcutta and extended area—	
(a) Recognised dealers' who import sugar from outside West Bengal	7500
(b) Other recognised dealers	1000
2. In cities and towns with a population of five lakhs or more	1000
3. In cities and towns with a population of lakh and more, but less than five lakhs	600
4. In other towns with a population of less than one lakh	250

The State Governments are not competent to amend the above ceiling limits.

Project taken up by Indian Council of Historical Research

4630. SHRI ARVIND M. PATEL: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether any project of national importance was taken up by the Indian Council of Historical Research during the year 1973-74; and

(b) if so, the amount released for the project?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): (a) and (b). According to the information furnished by the Indian Council of Historical Research, the projects of

national importance undertaken and the expenditure incurred by it during 1973-74 are as follows:

	Rs
(i) Preparation of Source Book on Indian Culture	98,500
(ii) "Towards Freedom" Publication of 10 volumes covering all the important events and documentation for the period 1937 to 1947	8,930
(iii) Preparation of Pictorial Album on Freedom Fighters Abroad	6,358
(iv) Inscriptions of the Vijayanagar Empire	7,000
(v) Compilation of the main articles on Indian Religion	1,000
(vi) Collection of articles on 'Indian Philosophy'	1,000
(vii) Compilation of articles on India: Sculpture and Iconography	500
(viii) Article of D D Krambhi on 'Indian History and Culture'	2,050
(ix) Editing and Publishing of Topographical list of 16,000 Inscriptions of Kerala and Tamil Nadu	3,000
(x) Temples of Eastern India	6,000
(xi) Indexing of India Antiquary and Preparation of Bibliography of Art History	4,600
(xii) Material Progress and Social evolution in Ancient India	15,200
(xiii) The Coinage of the Satavahana Empire	1,500

In addition to the above, some projects of national importance initiated during the previous year, were also continued.

Report of Committee on situation arising out of increase in number of students and colleges of University of Delhi

4631 SHRI ARVIND M PATEL.

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether the Committee appointed to consider the situation arising out of the increase in number of students and colleges of University of Delhi has completed its work; and

(b) if so, what are the finding of the Committee and the reaction of Government of India thereon?

THE MINISTER OF EDUCATION AND SOCIAL WELFARE AND CULTURE (PROF S NURUL HASAN)

- (a) No, Sir
- (b) Does not arise

Criteria for allotment of C.D. Blocks in States and Union Territories

4632. SHRI NARAIN CHAND PARASHAR;

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the criteria for allotting new C D Blocks to the various States and Union Territories;

(b) whether area-cum-population rather than population alone is the main criterion while considering the opening of new C D. Blocks in the Hill States and regions; and

(c) the number of new blocks proposed to be allocated to the Hill States during the Fifth Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHIB P. SINDE), (a) and (b). C.D. blocks had generally a coverage of 80-100

villages with an average population of about 66,000. In case of difficult and hill areas a flexible approach was adopted lowering both village and population coverage. The State Governments are free to delimit Blocks

(c) The C.D. Programme has been transferred to the State Sector with effect from 4th Plan and it is for the States to consider any fresh allotment of blocks in future.

Setting up of Plaques in Places connected with Netaji Subhas Chandra Bose in Foreign Countries

4633. SHRI SAMAR GUHA:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether Government propose to preserve or acquire or set up plaques at the places or the materials connected with the Azad Hind liberation struggle under the leadership of Netaji Subhas Chandra Bose,

(b) whether Government propose to make fresh attempts even if any made earlier, to set up plaques in the places where Netaji stayed in Afghanistan, Malaya, Burma, Thailand and other places in East Asia and the places in Japan where Netaji stayed or made historical pronouncement in connection with the freedom struggle of India; and

(c) if so, the steps proposed by Government and if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION, SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D P YADAV): (a) to (c) Important sites in several foreign countries connected with Netaji Subhas Chand; Bose are considered by the Government of India as places of historical importance in relation to the Freedom Movement of the country. Should steps be initiated in these countries to set up plaques at these places to

preserve them as memorials, the Government of India would be glad to co-operate. Government of India is of the view that it would not be desirable to take the initiative regarding erecting of memorials in places of historical importance in foreign countries.

Government Presses registered under the Factories Act

4634 SHRI BHOLA MANJHI:

Will the Minister of WORKS AND HOUSING be pleased to state:

(a) the number and name of Government of India Presses registered under the Factories Act; and

(b) the number of C.P.W.D. staff employed in each Press according to each category of post?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA):

(a) and (b) Information is being collected and will be laid on the Table of the House

Transfer of CPWD works

4635 SHRI BHOLA MANJHI

Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether sometime ago certain Civil and Horticultural works of CP.W.D. in R. K Puram area in New Delhi were transferred to Electrical Division No. IX;

(b) whether certain Electrical and Horticultural works in the same area were transferred to Civil 'M' Division;

(c) whether these Electrical, Civil and Horticultural works have now been restored to their respective Electrical, Civil and Horticultural Division; and

(d) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA):

(a) Yes, Sir.

(b) Yes, Sir.

(c) Yes, Sir.

(d) The system of unified maintenance of all Civil, Electrical and Horticultural works under one Division was introduced in May, 1972 on an experimental basis in a small area in R. K. Puram. According to this system, the maintenance of all Civil, Electrical and Horticultural works in respective areas was entrusted to one Civil Division (M. Division) and one Electrical Division (Division No. IX). After trial, it was found that the earlier system was more convenient and suitable.

Social Welfare Grant to Goa

4636. SHRI PURUSHOTTAM KAKODKAR:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether any grant for social welfare has been given to Goa in 1974; and

(b) if so, the nature and type of such grant?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI ARVIND NETAM): (a) Yes, Sir.

(b) The Department of Social Welfare has given grant-in-aid of Rs. 1.40 Lakhs during 1974 to the Union Territory of Goa, Daman & Diu for the continuance of the Special Nutrition Programme.

The Central Social Welfare Board has also given grants totalling Rs.

7,86,000/- to voluntary social welfare organisations in that Union Territory for the implementation of programmes and schemes for the welfare of women, children and the handicapped.

Enhancement of levy on foodgrains in Goa

4637. SHRI PURUSHOTTAM KAKODKAR:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state whether Government consider it necessary to enhance the present percentage of levy on foodgrains imposed in Goa to maximise procurement under the present system and the new system?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): The information is being collected and will be placed on the Table of the Sabha.

Tractors Lying idle in Goa

4638. SHRI PURUSHOTTAM KAKODKAR:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether tractors in Goa state are lying idle during the last quarter;

(b) if so, whether diesel shortage is responsible for the same; and

(c) steps taken in that regard?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) to (c). The requisite information is being collected and will be laid on the Table of the Sabha, as soon as it is received.

Enhancement of levy on foodgrains in Orissa

4639 SHRI P. GANGADEB:

SHRI ANADI CHARAN DAS:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government consider it necessary to enhance the present percentage of levy on foodgrains imposed in Orissa to maximise procurement under the present system or the new system; and

(b) if so, the broad outlines thereof?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) and (b). The quantum of levy to be imposed for procurement of foodgrains is decided by the State Government, with the concurrence of the Govt of India. For the current Kharif marketing season 1974-75 the Orissa Government have replaced their existing monopoly purchases system by a graded levy on producers along with a 75 per cent levy on millers, and hullers with par-boiling and drying facilities and a fixed levy on other hullers. No other proposal has been received from the State Government or is under consideration at present

Tractors Lying Idle in Orissa

4640. SHRI P GANGADEB:

SHRI ANADI CHARAN DAS:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Tractors in Orissa State are lying idle for the last quarter;

(b) if so, whether diesel shortage is responsible for the same; and

(c) steps taken by the Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) No, Sir

(b) and (c). Do not arise.

Method of Procurement of Foodgrains in Orissa

4641. SHRI P. GANGADEB:

SHRI ANADI CHARAN DAS:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the different methods of procurement of foodgrains at present in vogue in Orissa State;

(b) the names of the Public agencies doing procurement; and

(c) the quantity procured by each agency in the previous year and the target for each agency in the current year in Orissa?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P SHINDE). (a) Only Rice and Paddy are covered during the Kharif marketing season 1974-75 by the State Government's procurement programme. The method adopted for this purpose is mainly as follows:

(i) 75 per cent levy on rice mills including hullers which have got boiling and drying facilities

(ii) Levy on all the other hullers with 10 H.P. and above at a fixed scale of 5 tonnes of rice per annum.

(iii) Graded levy on producers in respect of paddy.

(b) The Food Corporation of India and the State Government's Civil Supplies Department are the main public agencies undertaking procurement in the State in areas demarcated

for each. The State Apex Co-operative Society has also been authorised to procure throughout the State

(c) The quantities of rice/paddy procured by different agencies in Orissa from the 1973-74 Kharif season are as follows —

(Figures in '000 tonnes)

Name of Agency	Quantity procured in terms of rice
F.C.I	141 8
State Govt.	52 7
Apex (Coop)	19 7
Total	214 2

No targets of procurement for the Kharif season 1974-75 have so far been fixed

Allegations against Punjab Wakf Board

4642 SHRI JHARKHANDE RAI

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether he has received some communication containing allegations of corruption and instances of irregularities committed by the Chairman and Members of the Punjab Wakf Board from the Secretary of that Wakf Board in April 1974.

(b) if so, whether a copy of the same will be placed on the table of the House; and

(c) the action taken thereon so far?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AND WAKFS (SHRI F. H. MOHSIN) (a) Yes Sir.

(b) and (c). The communication received from the Secretary, was sent to the Chairman, Punjab Wakf Board, for his comments which have since

been received. As the matter is under examination, it may not be proper to lay it on the table at this stage.

देश में डबल रोटी की मांग और सप्लाई

4643. श्री आर० श्री० बड़े :

श्री अटल बिहारी वाजपेयी :

श्री जगन्नाथ राव जोशी :

क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि

(क) देश मेंगत तीन वर्षों में वर्षवार डबल रोटी की मांग और सप्लाई सम्बन्धी स्थिति क्या रही है,

(ख) इस सम्बन्ध में देश की कुल उत्पादन क्षमता कितनी है तथा इसका कितना प्रतिशत उपभोग किया जा रहा है, और

(ग) इनके उत्पादन को बढ़ाने के लिए सरकार द्वारा क्या कार्यवाही की गई है ?

कृषि और सिंचाई मंत्रालय में राज्य मंत्री (श्री जगन्नाथराव पी० जोशी) : डबलरोटी तैयार करने का उद्योग गैर अनुसूचित उद्योग है। देश में पिछले तीन वर्षों के दौरान डबलरोटी की मांग और सप्लाई के बारे में ठीक ठीक सूचना उपलब्ध नहीं है। इस अवधि के दौरान संगठित क्षेत्र में डबलरोटी के अनुमानित उत्पादन का व्यौरा नीचे दिया गया है —

1971	54,931 मीटरी टन
1972	69,187 मीटरी टन
1973	81,227 मीटरी टन

असंगठित क्षेत्र के बारे में सूचना उपलब्ध नहीं है।

(ख) संगठित क्षेत्र में डबलरोटी तैयार करने की अनुमानित उत्पादन क्षमता

लगभग 1 लाख मीटरी टन प्रति वर्ष है और इस्तेमाल करने की प्रतिशतता लगभग 80 प्रतिशत है।

(ग) सरकार ने पौष्टिक डबलरोटी तैयार करने और उसे उपयुक्त मूल्यों पर बँचने के लिए एक सरकारी प्रतिष्ठान स्थापित किया है। इस कम्पनी ने विभिन्न राज्यों में 9 यूनिट पहले ही स्थापित कर दिए हैं। जिनकी वार्षिक उत्पादन क्षमता 400 ग्राम की 1236 लाख मानक डबलरोटिया है। उत्पादन में वृद्धि करने के लिए कम्पनी वर्तमान यूनिटों की क्षमता में विस्तार कर रही है और नवें यूनिट भी स्थापित कर रही है।

शिक्षा निदेशालय दिल्ली में अपने मकान वाले अधिकारियों को मकान किराये भत्ते का भुगतान

4644. श्री अम्बेश : क। शिक्षा, समाज कल्याण और संस्कृति मंत्री यह बताने को तैयार होंगे कि

(क) क्या सयुक्त शिक्षा निदेशक (बजट एण्ड प्लानिंग) दिल्ली प्रशासन ने अपने पत्र सख्या डी/ई/एकाउन्ट्स एम आर ए/74 दिनांक 31 अगस्त, 1974 में उन अधिकारियों के बारे में जागरूकता मागी है जिनके मकानों पर सम्पत्ति का अथवा भवन कर नहीं लगा है,

(ख) क्या पत्र के अनुसरण में उक्त मकान मालिका को मकान किराया भत्ता देना बन्द कर दिया गया है और क्या पत्र में ऐसे अधिकारियों को 31 अगस्त 1974 तक दिए गए मकान किराए भत्ते का ख्यारा भी मांगा गया है,

(ग) यदि हा, तो इन अधिकारियों के साथ तथा पवनाम क्या है तथा वे किस-किस स्कूल में हैं और उन्हें 31 अगस्त, 1974 तक

कितना मकान किराया भत्ता दिया गया है,

(घ) उन अधिकारियों के नाम और पते क्या हैं जिन्हें सितम्बर, 1974 से मकान किराया भत्ता देना बन्द कर दिया गया है; और

(ङ) यदि मकान किराया भत्ता देना बन्द नहीं किया गया है तो उनके क्या कारण हैं ?

शिक्षा, समाज और कल्याण मंत्रालय तथा संस्कृति विभाग में उप मंत्री (श्री डी० पी० यादव) : । नं० 21।

(ख) दिनांक 31-8-1974 के परिपत्र का उद्देश्य, मकान किराए भत्ते की मजूरी को विनियमित करने वाले अनुदेशों के उल्लंघन में मकान किराए भत्ते की अदायगी के सम्बन्ध में दिल्ली प्रशासन (विन विभाग) द्वारा मागी गई सूचना एवज बतानी थी, दिल्ली प्रशासन द्वारा अपने पारल सख्या एफ० 14(24)/72—विन (घ) दिनांक 29-9-1972 के परिपत्र एक मरिटीकरण जारी किया गया था कि ऐसे स्थान पर स्थित मकान में रहने वाला कोई भी सरकारी कर्मचारी, जहाँ पर गृह-कर/सम्पत्ति कर भी लगाया जाता, मकान किराए भत्ते का हकदार नहीं है, क्योंकि उक्त सरकारी कर्मचारी का गृह/सम्पत्ति कर के प्रति कोई वाधित्व नहीं है। इस परिपत्र की प्रति 13-10-1972 को सभी सरकारी स्कूलों को भेज दी गई थी।

(ग) और (घ). दिल्ली प्रशासन से सूचना एकत्र की जा रही है तथा उक्त यथासंभव तथा पत्र पर रख विना जाया ।

(क) दिनांक 31-8-1974 के परिपत्र में आदान तथा सविनयन अधिकांशिया न केवल इस बात को सुनिश्चित करने के लिए कहा गया था कि भारत सरकार के अनुदेशों को ध्यान में रखते हुए किसी भी ऐसे मूल्यवान् पत्रकारी को मकान किराए भत्तों का अदायगी न की जाए जो मकान किराया भत्ता लेने में पात्र नहीं है।

Acquisition of Documents and other material connected with Netaji Subhas Chandra Bose in Foreign Countries

4645 SHRI SAMAR GUHA Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether no consolidated effort has been made to acquire historical documents and other material connected with the Azad Hind liberation struggle under the leadership of Netaji Subhas Chandra Bose from European and East Asiatic countries,

(b) whether Government propose to set up a special committee to acquire from the archives of East Germany, West Germany, Italy, Czechoslovakia, Russia and other European countries and Burma, Malaysia, Singapore, Thailand, Vietnam, Philippines, Taiwan and particularly Japan

(c) whether Government also propose to make additional efforts to collect such materials from archives of the Governments of U.K. and USA; and

(d) if so, the steps proposed and if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION, SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D P YADAV) (a) to (d) There is no specific scheme with the objective of location of papers relating to the Azad Hind liberation struggle in foreign countries and to acquire originals or copies of the same. However, the National Archives of India has already acquired some papers on this subject from Singapore, Malaysia, Eire, Austria and the Peoples Republic of China. Under various Cultural Exchange Programmes it is also possible for the National Archives of India to acquire micro film copies of records of Indian interest which may be in foreign repositories.

Money Donated for Mahanirvana Celebration

4646 SHRIMATI PARVATHI KRISHNAN Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state

(a) whether Government have donated any funds for the Mahanirvana Celebration

(b) if so the particulars thereof,

(c) whether Government have donated funds to such celebrations in the past also, and

(d) if so, the particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D P YADAV) (a) and (b) No, Sir. However, a total allocation of Rs. 50 lakhs has been agreed to, in principle by the Government for the programmes to be undertaken for the 2500th anniversary of Bhagwan Mahavir's Nirvana.

(c) and (d). The broad details of such anniversaries observed during the last three financial years are given hereunder:—

	Financial allocation
1971-73	
Birth Centenary of Shri Aurobindo	50
1972-73	
Bi-Centenary of the birth of Raja Rammohun Roy.	50
1973-74	
Fourth Centenary of Ram Charit Manas.	30

विदेशी शराब की खपत में वृद्धि

4647. श्री श्रीकार लाल बेरवा : क्या शिक्षा, समाज कल्याण और संस्कृति मंत्री यह बताने की कृपा करेंगे कि

(क) क्या घत पाच वर्षों में, देश में विदेशी शराब की खपत में वृद्धि हुई है, और

(ख) यदि हाँ तो इसके क्या कारण हैं ?

शिक्षा तथा समाज कल्याण मंत्रालय और संस्कृति विभाग में उप-मंत्री (श्री अरविन्द मेहता) : (क) जी, हाँ। भारत में बनी विदेशी शराब की खपत बढ़ गई है।

(ख) शराब की खपत के बढ़ने के मुख्य कारण निम्नलिखित हैं :—

- (1) आबादी में बढ़ोतरी,
- (2) शराब पीने की आदत के बिनाफ सामाजिक बहावों की अग्रगण्यता ;

- (3) बड़े क्लबों की स्मृति ;
- (4) पर्यटन स्थलों की स्थापना,
- (5) सशस्त्र सेनाओं और पैरामिलिटरी सेनाओं की ताकत बढ़त,
- (6) ऐसे औद्योगिक समूहों का विकास, जिन में अधिकतर श्रमिक रहते हैं; तथा
- (7) शराब के व्यापारियों द्वारा प्रचार।

वनस्पति तेल का निर्यात

4648. श्री श्रीकार लाल बेरवा : कृपि और सिन्हाई मंत्री यह बताने की कृपा करेंगे कि :

(क) चालू वित्तीय वर्ष में अब तक कितने वनस्पति तेल का निर्यात किया गया है; और

(ख) क्या वास्तविक तेल के निर्यात में वृद्धि के फलस्वरूप देश में वनस्पति तेल के उत्पादन-कृषिओं को वनस्पति तेल के मूल्य बढ़ाने की अनुमति दे दी है।

कृपि और सिन्हाई मंत्रालय में उप-मंत्री (श्री प्रभुदास पटेल) : (क) अगस्त से जुलाई, 1974 तक का अवधि में (विक्रय विषय में आठों उपलब्ध हैं) 33,974 मीट्रिक टन वनस्पति तेल का निर्यात किया गया था।

(ख) देश में वास्तविक तेल के मूल्यों पर कोई धातुनी नियंत्रण नहीं है, अतः मूल्यों में वृद्धि करने की अनुमति देने का प्रश्न ही नहीं उठता।

Anomalies in Pay Scales of Employees of Regional Engineering Colleges

4649 SHRI P. R. SHENOY Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state

(a) whether Central scales of pay are paid to higher class of employees and State scales of pay to lower class of employees in the Regional Engineering Colleges of the country

(b) if so, whether there is any representation to remove this anomaly,

(c) which of the autonomous bodies running these Colleges have agreed to remove this anomaly and have made the necessary representation to the Government, and

(d) whether any objections have been raised by the Government in that regard?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN) (a) In the scheme of setting up of the Regional Engineering Colleges it was envisaged that the Central scales of pay are paid to the teaching and certain non-teaching staff and for the rest of the non-teaching staff same pay scales as prevailing in the State Government for the same category

(b) Yes, Sir

(c) The Board of Governors of Karnataka Regional Engineering College, Surathkal, and the Regional Engineering College, Rourkela have passed resolutions recommending Central pay scales for all categories of staff

(d) Since the Regional Engineering Colleges are functioning as all India institutions, recruitment for teaching

and certain other posts is made on all-India basis and therefore Central pay scales have been prescribed for these posts in the original scheme. For the posts for which recruitment is made locally, pay scales as prescribed by the State Governments for the same categories of posts are adopted. Since this is the position at all the 14 Regional Engineering Colleges, it is not possible to make an exception in the case of the above two Regional Engineering Colleges alone.

Release of full Grant-in-Aid to the State of Madhya Pradesh

4650 SHRI NATHU RAM AHIRWAR Will the Minister of WORKS AND HOUSING be pleased to state the date by which his Ministry propose to release full grant-in-aid towards cost of acquisition of private land to the State of Madhya Pradesh?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA) Evidently the Question seeks information with regard to the Scheme for Provision of House-sites to Landless Workers in Rural Areas. This Scheme was introduced as a Central Sector Scheme in October 1971 and has been transferred to the State sector with effect from 1st April 1974. When the Scheme was in the Central sector, 73 projects of the Government of Madhya Pradesh for provision of 1,34,496 house-sites at an estimated cost of Rs 199.63 lakhs were approved and a sum of Rs 49.91 lakhs was released to the State Government. As the Scheme is now in the State sector further expenditure on the projects sanctioned by the Government of India will be incurred by the State Government out of their Annual Plan allocation. A sum of Rs 50 lakhs has been earmarked specifically for the implementation of this Scheme by the Government of Madhya Pradesh during 1974-75.

Decline in per capita availability of Foodgrains

4651. SHRI RAMSAHAI PANDEY:

SHRI YAMUNA PRASAD
MANDAL:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether per capita availability of foodgrains has considerably declined in comparison to previous years;

(b) if so, the reasons therefor; and

(c) the figures for 1972-73 and 1973-74?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) to (c). The per capita availability of foodgrains in a particular year is determined on the basis of production, net imports, changes in stocks and population. The per capita availability of foodgrains for human consumption during 1972 and 1973 was 171.1 Kg. and 154.9 Kg. per year respectively. The decline in the per capita availability was due to decline in production in 1972-73 caused by severe drought and unfavourable weather conditions. In the absence of complete data on imports and changes in stocks, it is not possible to work out the per capita availability for 1974. However, considering the increase in production of foodgrains in 1973-74 and expected increase in quantum of imports in 1974 per capita availability in 1974 is expected to be higher than that in 1973.

Central Directive to States for Uniform Policy regarding Fertiliser Prices and Irrigation Rates

4652. SHRI RAJDEO SINGH: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government propose to direct the State Governments to have uniform policy as regards prices of

fertilisers and the irrigation rates because the next price of wheat will be uniform everywhere;

(b) whether in view of hundred per cent increase in the fertilizer prices and increase in electricity charges in some States, Government consider it advisable to provide subsidy in such cases; and

(c) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) and (c). Fixation of irrigation rates lies entirely within the power of the State Governments based on their socio-economic and technical considerations. The Irrigation Commission 1972, however, had studied *inter alia* the laws relating to irrigation and concluded that there was multiplicity of State Statutes covering various aspects of irrigation management and administration and in pursuance of their recommendations "Model Canal Irrigation and Drainage Bill" which seeks to consolidate the laws regarding levy of water rates and betterment contribution in certain States, was prepared which is under examination by a Committee consisting of representatives of various organisations presided over by Shri J. P. Naegamvala, Chairman, Bhakra Management Board before the draft Model Bill is commended to State Governments for adoption. As far as imported fertilizers are concerned, these are sold at uniform retail prices through out the country, fixed by the Union Ministry of Agriculture & Irrigation. The prices of indigenously produced fertilizers are fixed by the manufacturers, themselves. The Central Government, however, prescribed maximum retail prices in respect of three major nitrogenous fertilizers viz, Urea, Ammonium Sulphate and Calcium Ammonium Nitrate, any sale beyond which constitutes an offence under the Law. The State Governments do not fix any prices of fertilizers. There is, therefore, no proposal in State Governments to have a uniform policy of

Common Seniority List of Education Officers/Principals

4653. SHRI RAJDEO SINGH: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased, to state:

(a) whether Delhi Administration have prepared a common seniority list of Education Officers/Principals;

(b) whether there is discontentment regarding the common seniority list; and

(c) what was the old procedure in place of common seniority list?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION, SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): (a) Delhi Administration does not maintain a combined seniority list of Education Officers and Principals

(b) Does not arise

(c) Previously also the Administration used to maintain separately the seniority lists for Education Officers and the Principals

Representation by Education Officers/Principals of Delhi Administration

4654 SHRI RAJDEO SINGH: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) the number of representations/appeals submitted by the Education Officers/Principals to the Delhi Administration and memorials to the President of India regarding their grievances against erroneous promotions/fixation of Seniority during the last three years;

(b) if so, how many of these have been finalised and how many are pending; and

(c) how much further time is likely to be taken to finalise the pending cases?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION, SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV) (a) to (c) The Delhi Administration has so far received seventeen representations and one memorial, addressed to the President of India. Of these, one has already been finalised and the remaining are under different stages of processing. effective steps are being taken by Delhi Administration to dispose of the remaining representations expeditiously.

प्रत्येक जिले में पब्लिक स्कूल खोलना

4655. श्री विभूति मिश्र : क्या शिक्षा समाज कल्याण और संस्कृति मंत्री यह बताने की कृपा करेंगे कि

(क) सरकार का विचार प्रत्येक जिले में पब्लिक स्कूल खोलने का है,

(ख) यदि हा, तो कब तक, और

(ग) उनमें शिक्षा का माध्यम, विभिन्न राज्यों में क्या होगा ?

शिक्षा और समाज कल्याण तथा संस्कृति विभाग में उप-मंत्री (श्री डी० पी० यादव) : (क) से (ग) : पब्लिक स्कूलों का आशय उन स्कूलों से है जो इंडियन पब्लिक स्कूल कॉन्फेस के सदस्य हैं। प्रत्येक जिले में ऐसे स्कूल खोलने का सरकार का कोई प्रस्ताव नहीं है। तथापि सरकार ने मुख्यतः स्थानान्तरणीय केन्द्रीय सरकारी कर्मचारियों के बच्चों के लाभ के लिए देश के विभिन्न भागों में केन्द्रीय विद्यालय संगठन के जरिए केन्द्रीय स्कूल खोले हैं। इन स्कूलों में शिक्षा की एक समान पाठ्य चर्चा तथा समान माध्यम हैं।

India's participation in the Regional Conference of F.A.O. at Tokyo

4656. SHRI P. GANGADEB:
SHRI PURUSHOTTAM
KAKODKAR:
SHRI RAGHUNANDAN LAL
BHATIA:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether he attended the Regional Conference of F.A.O. at Tokyo on 23rd September, 1974;

(b) if so, whether India had asked the rich nations to help fight hunger;

(c) if so, views of the other countries thereon; and

(d) whether India had made any other suggestions and if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PABHUDAS PATEL) (a): Yes, Sir. The then Minister of Agriculture Shri C. Subramaniam attended the regional Conference of F.A.O. at Tokyo from 23rd to 27th September, 1974.

(b) and (c): On the subject of World Food Conference, Minister of Agriculture had observed, "...World Food Conference will have meaning and purpose only if the developed and oil rich nations can commit substantial quantities of food, energy, agricultural growth". There was no discussion as such on this subject.

(d). Some of the other important suggestions made by the Minister of Agriculture were as follows:

(i) Highest priority should be accorded in our region to the development of techniques for the elimination of factors causing serious undulations in production.

(ii) The F.A.O. Regional Organization should also accord the highest priority to productivity improve-

ment in both field crops and farm animals.

(iii) We should address ourselves to the important question of providing the power and energy needed not only for irrigation but also for the organisation of rural industries. Developing countries which are not endowed with fossil fuels, can achieve the fulfilment of their agricultural goals only through mastering the principals of energy conservation and recycling.

(iv) F.A.O. Regional Office may convene a special meeting soon to discuss the implications of the impending pesticide crisis and to stimulate the development and adoption in the different ecological regions of an integrated pest management system, involving and appropriate admixture of agronomic, genetic, biological and chemical methods of control.

(v) We must examine critically as to why the high-yielding rice varieties have not been able to make the anticipated impact during the major monsoon season. What we need is concrete action programmes tailored to specific locations and situations. Social scientists, agricultural scientists and extension workers will have to work together in order to bring about a proper match between movements in science and in society.

(vi) This region needs a major programme in inland and coastal aquaculture. We need massive training programmes as well as arrangements for the breeding and distribution of fish fingerlings. Activities of this kind covering not only fishing, but also animal husbandry, farming and horticulture call for the organisation of integrated supply of physical inputs and services to the farming community.

In addition to the above suggestion, Indian delegation made comments on several items to the agenda including some of the technical subjects.

भारतीय कृषि अनुसंधान परिषद् द्वारा आयोजित प्रेस सम्मेलन

4657. श्री आर० बी० बड़े : क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि :

(क) भारतीय कृषि अनुसंधान परिषद् द्वारा गत वर्ष कितने प्रेस सम्मेलनों का आयोजन लिधा गया और इनमें भाग लेने वाले पत्रकारों के नाम क्या हैं और

(ख) क्या इनमें भारतीय भाषाओं की दो समाचार एजेंसियों के किन्हीं प्रतिनिधियों को भी आमंत्रित किया गया था और यदि नहीं, तो इसके क्या कारण हैं ?

कृषि और सिंचाई मंत्रालय में राज्य मंत्री (श्री अण्णासाहेब पी० शिन्डे) : (क) भारतीय कृषि अनुसंधान परिषद् द्वारा गत वर्ष किन्हीं भा प्रेस सम्मेलन का आयोजन नहीं किया गया था।

(ख) उद्युक्त (क) के उत्तर को देखते हुए, इसका प्रश्न ही नहीं उठता ?

दिल्ली दुग्ध योजना में प्रति लिटर दूध की लागत

4658. श्री आर० बी० बड़े : क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि.

(क) दिल्ली दुग्ध योजना में प्रति लिटर दूध की क्या लागत आती है ; और

(ख) इसमें प्रयासिक खर्चा कितना होता है।

कृषि और सिंचाई मंत्रालय में उप मंत्री (श्री प्रभुनाथ शर्मा) : (क) और (ख). दूध के वितरण तक उसे सम्भालने और निपटाने

का खर्च 27.85 पैसे प्रति लिटर होने का अनुमान लगाया गया है।

प्रयासिक खर्चों में बंटन का खर्च, लेखन सामग्री, मुद्रण, डक प्रभार, टेलीफोन, लेखा परीक्षा का, विद्युत्, वीमा और फूटकर खर्च शामिल है। दूध के सम्भालने और निपटाने पर आने वाली 27.85 पैसे प्रति लिटर की कुल लागत में से खर्च 4.97 पैसे प्रति लिटर पड़ते हैं।

नेहरू संग्रहालय

4659. श्री आर० बी० बड़े : क्या शिक्षा, समाज कल्याण और संस्कृति मंत्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों में कितने दर्शकों ने नेहरू संग्रहालय को देखा ; और

(ख) इस संग्रहालय में कुल किन्ते कर्मचारी कार्य कर रहे हैं तथा उनके वेतनमान क्या हैं ?

शिक्षा और समाज कल्याण मंत्रालय तथा संस्कृति विभाग में उप मंत्री (श्री डी० पी० यादव) : (क) पिछले तीन वर्षों में, नेहरू स्मारक को देखने वाले दर्शकों की संख्या इस प्रकार है

1971-72	8,77,577
1972-73	10,53,530
1973-74	9,28,029

(ख) निवृत्त सलग्न है जिसमें एक मात्र संग्रहालय को देखभाल करने वाले स्टाफ और उसके वेतनमान दिए गए हैं :

विचारक

क्रम संख्या	पदनाम	पदों की संख्या	बेतनमान
1	महायक क्यूरेटर	1	रु० 400-40-800-50-950 (पूर्व परिशोधन)
2	वरिष्ठ तकनीकी सहायक	2	रु० 550-25-750-द०रो०- 20-900
3	गाइड लेक्चरर	2	रु० 125-15-500 द० रो० 15-560-20-700
4	गाइड	5	रु० 150-10-250-द० रो० 10-250-15-320 (पूर्व परिशोधित)
5	बिक्री महायक	1	रु० 330-10-380- द० रो० 12-500-द० रो० -15- 560
6	बीबी परिचर	20	रु० 196-3-220-द० रो० 3-232

Promotion to Post of Joint Director
in Directorate of Education, Delhi

4660. SHRI CHHATRAPATI
AMBESH: Will the Minister of
EDUCATION, SOCIAL WELFARE
CULTURE be pleased to refer to the
reply given to Unstarred Question No
2245 dated 12th August, 1974 regarding
provision of appointment of Vice-
Principal, Principal and Deputy Edu-
cation Officers in Education Directo-
rate, Delhi and state:

(a) whether there was no Scheduled
Caste/Scheduled Tribe Assistant Direc-
tor and Deputy Director in the senior-
ity lists of the above cadres in 1971-
72;

(b) if so, how are Joint Director
could be promoted by D.P.C. in 1971-

72 from the post of Deputy Director
of Education; and

(c) if not, the community of this
Deputy Director who could be pro-
motees to Joint Director of Education
in 1971-72?

THE DEPUTY MINISTER IN THE
MINISTRY OF EDUCATION, SOCIAL
WELFARE AND IN THE DEPART-
MENT OF CULTURE (SHRI D. P.
YADAV) (a) There were two Sched-
uled Caste Officers in the seniority
list of Assistant Director of Education/
Education Officer and one Scheduled
Caste Officer in the seniority list of
Deputy Director of Education in the
year 1971-72

(b) Since there was only one post of
Joint Director of Education (Budget
& Planning) under the Directorate of

Education, the senior most Deputy Director of Education was promoted to this post on an ad-hoc basis in the year 1971-72. There was no question of reservation for Scheduled Castes/ Scheduled Tribes since only one post was to be filled at that time.

(c) In view of (b) above, the question does not arise.

Vanaspati Ghee for Dadra and Nagar Haveli

4661. SHRI R. R. PATEL: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Vanaspati Ghee is not being provided to Dadra and Nagar Haveli; and

(b) if so, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHAB P. HINDE): (a) and (b). There is no centralised control on the distribution of vinaspati. It is open to the local trade, or to the Administration of the Union Territory, to obtain their requirements from neighbouring States.

Import Programme of Fertiliser

4662 SHRI MADHU LIMAYE: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Government have finalised their programme of fertilizer import;

(b) the quantities likely to be imported of different types of fertilisers from various countries; and

(c) the probable prices which the Government is likely to pay therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) to (c). The Government have finalised the programme of fertilizer imports for Kharif 75 and Rabi 75-76. The Government would like to have as much quantity as possible of high analysis and straight fertilisers to meet our import requirement. In view of the general inflationary and tight availability position of fertilisers in the international market, it is not possible at the present juncture, to estimate with any degree of accuracy, the type of fertilisers and the prices at which they would be available.

Women's Committee

4663. SHRI MADHU LIMAYE:
SHRI NAWAL KISHORE
SINHA:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether the Women's Committee, set up under the Resolution of the Government has completed its work;

(b) what was the period laid down in the Government Resolution/Notification for the Committee to complete its work; and

(c) when is the Committee likely to submit its report?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI ARVIND NETAM): (a) to (c). The Committee on the Status of Women in India was constituted on 22nd September, 1971 stipulating a two-year term. Having regard to the vast and diverse field of work involved, the Committee could not complete its report within two years. The Government agreed to extend the term of the Committee up to 31st December, 1974. The Committee is now in the process of finalising its report and is expected to submit it by the end of December, 1974.

Production and Import of Wheat

4664. SHRI MADHU LIMAYE
Will the Minister of AGRICULTURE
AND IRRIGATION be pleased to
state:

(a) whether it is a fact that according to the final estimates the production of wheat this year was 4 million tonnes lower than the highest figure reached;

(b) whether the Kharif Crop has suffered as a result of drought and floods;

(c) whether the Government's stocks of foodgrains have been depleted in the last year;

(d) if so, whether a massive food import programme is contemplated; and

(e) the details thereof?

THE MINISTER OF STATE IN THE
MINISTRY OF AGRICULTURE AND
IRRIGATION (SHRI ANNASAHEB
P. SHENDE): (a) Yes, Sir. The production of wheat during 1973-74 was 22.07 million tonnes compared to the peak level of 26.41 million tonnes in 1971-72.

(b) The crops during the kharif season in 1974-75 have been adversely affected as a result of drought particularly in Gujarat, Madhya Pradesh, Orissa and Rajasthan. Floods are reported to have caused some damage to crops in parts of Assam, Bihar and Kerala.

(c) Yes, Sir.

(d) and (e). Import requirements are kept under constant revision and purchases of foodgrains from abroad are made to the extent necessary and feasible. A quantity of about 47.66 lakh tonnes of foodgrains has been purchased from abroad during this year so far.

निर्माण कार्य में सीमेंट के स्थान पर अन्य सामग्री का प्रयोग

4665. श्री मलचन्द डाणा : क्या निर्माण और आवास मंत्री यह बताने की कृपा करेंगे कि :

(क) सीमेंट की कमी को ध्यान में रखते हुए सरकार लोगों को मकानों के निर्माण में सीमेंट के स्थान पर किसी वस्तु के प्रयोग का सुझाव देती है ; और

(ख) इस सम्बन्ध में सरकार द्वारा क्या कार्यवाही की गई है और उसका परिणाम क्या है ?

निर्माण और आवास मंत्रालय में राज्य मंत्री (श्री मोहन चारिया) : (क) सीमेंट के विकल्प निम्नलिखित हैं :—

(i) ममाला तथा पलम्टर के लिए चूने का पोखलाना सम्मिश्रण ।

(ii) 9 की भारवाही इंटों की बीबारों के 4 मंजिले तथा इससे ऊंचे भवनों के लिए चार० सी० सी० संरचनाओं के स्थान पर प्रति, स्थापन के रूप में उच्च क्षमता की इंटें ।

(iii) मसाले तथा कंक्रीट में सीमेंट के आंशिकप्रतिस्थापनी के रूप में उड़न राख ।

(iv) सेन्चूर कंक्रीट की बीजे ।

(ख) इस सम्बन्ध में की गई कार्यवाही तथा उसके परिणाम इस प्रकार हैं :—

(i) राष्ट्रीय भवन (निर्माण) संवेदन निर्माण में किडामर तथा सीमेंट और इस्पात के प्रयोग को कम करने के विभिन्न उपाय निर्माणकर्ता अधिकारियों के नोटिस में भेजा है ।

(ii) राष्ट्रीय भवन (निर्माण) समूह नगर सार्वजनिक एवं निजी क्षेत्रों के निर्माण अधिकारियों की नये तथा प्रतिस्थानी भवन निर्माण संघनों को लगाने में उनकी व्यवहार्यता रिपोर्ट तैयार करने में सहायता करता आया है। राष्ट्रीय भवन (निर्माण) समूह द्वारा जारी किये गये एक परिपत्र के अन्तर्गत कई आवास बोर्डों तथा सार्वजनिक क्षेत्र के अन्य निर्माणकर्ता अधिकारियों ने सूखाडूझा चूना, क्ले पीजलाना, उच्च क्षमता वाली इटों, क्लिडिल कंक्रीट आदि के उत्पादन के लिए संयंत्र लगाने में रुचि प्रकट की है।

(ग) राष्ट्रीय भवन (निर्माण) समूह द्वारा की गई उपयुक्त प्रवर्तनात्मक गतिविधियों के अन्तर्गत, राज्य सरकारों को अन्य स्थानीय निर्माण मामलों का उपयोग करने तथा भवनों के लिए सन्ती-शिफ्टियों को प्रदान करने के लिए भी लिखा गया है जिसमें सीमेंट तथा इन्पट की दृष्टि से।

नई दिल्ली में सरकारी कार्यालयों और रिहायशी मकानों पर ध्वज

4666. श्री मूल सन्ध डाला : क्या निर्माण और आवास मंत्री यह बताने की कृपा करेंगे कि .

(क) नई दिल्ली में सरकारी कार्यालय भवनों और सरकारी रहने के मकानों की कुल संख्या क्या है और अभी परम्पन सफेदी तथा रखरखाव पर प्रति वर्ष कुल कितना खर्च किया जाता है तथा वर्ष 1973 के दौरान इन पर कुल कितना धन व्यय हुआ; और

(ख) वर्ष 1973 के दौरान केंद्र सरकार को कुल कितना किराया प्राप्त हुआ तथा नई दिल्ली के उन मकानों की कुल संख्या क्या है जिन से यह किराया वसूल किया गया ?

निर्माण और आवास मंत्रालय में राज्य मंत्री (श्री मोहन चारिया) : (क) और (ख) निर्माण और आवास मंत्रालय का सम्बन्ध केवल सामान्य पूल वास से है। 1973-74 के वित्तीय वर्ष के लिए प्रपेक्षित सूचना एकत्र की जा रही है तथा सभा पटल पर रख दी जायेगी।

“मीरल एंड सोशल हाईजिन एसोसिएशन” की राज्य शाखाओं का कार्यकरण

4667. श्री मूल सन्ध डाला : क्या शिक्षा, समाज कल्याण और संस्कृति मंत्री यह बताने की कृपा करेंगे कि

(क) कौन कौन से राज्यों में “मीरल एंड सोशल हाईजिन एसोसिएशन” की शाखाएं कार्य कर रही हैं और प्रत्येक पर प्रति वर्ष कुल कितना खर्चा होता है और इसमें से कितना खर्चा केंद्र सरकार द्वारा और कितना प्रत्येक राज्य द्वारा वहन किया जाता है, और

(ख) इन शाखाओं में महिलाओं की राज्यवार तथा कुल संख्या क्या है ?

शिक्षा और समाज कल्याण मंत्रालय तथा संस्कृति विभाग में उप मंत्री (श्री अरविन्द मेहता) : (क) और (ख) एक विवरण पत्र सभा के पटल पर रखा जाता है। [सन्धालय में रखा गया। देखिए संख्या एल टी-8772/74]।

पाँचवीं योजना के दौरान ग्राम सहकारी समितियाँ

4668. श्री जू रब्ब डग्गा : क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि :

(क) प्रत्येक राज्य में कितनी ग्राम सहकारी समितियाँ कार्य कर रही हैं और इन से लाभ प्राप्त कर रहे छोटे किसानों की संख्या कितनी है, और

(ख) क्या इन ग्राम सहकारी समितियों के अलावा सरकार का विचार पाँचवीं योजना के दौरान कोई अन्य व्यवस्था करने का है ताकि छोटे छोटे किसानों को ऋण उपलब्ध हो सके।

कृषि और सिंचाई मंत्रालय में राज्य मंत्री (श्री अण्णासाहेब पी० शिंदे) : (क) प्रत्येक राज्य/विन्देशासित क्षेत्र में जून 1972 के अन्त में कार्य कर रही प्राथमिक कृषि ऋण सोसायटियों की संख्या दर्शाने वाला एक विवरण सभा पटल पर रखा जाता है। [मन्त्रालय में रखा गया। देखिए संख्या एल० टी० --8773/74]।

वर्ष 1971-72 में इन सोसायटियों द्वारा 1 हेक्टेयर तथा 1 से 2 हेक्टेयर तक की भूमि के मालिक किसानों को दिए गए ऋणों की संख्या (राज्यवार) भी विवरण में दी गई है।

(ख) सहकारी संस्थाओं के अलावा सार्वजनिक क्षेत्र के व्यावसायिक बैंकों से भी धांधला की जाती है कि वे छोटे किसानों की आवश्यकताओं के लिए धन दें। राष्ट्रीय कृषि आयोग की सिफारिश पर सरकार की गई किसानों की सेवा सोसायटियाँ स्थापित करने की योजना का उद्देश्य भी किसानों को समर्पित ढंग से ऋण निवेशों की सप्लाई तथा सेवाएं प्रदान करना है।

Techno-economic Report of Central Food and Technological Research Institute for setting up of Fruit Processing Unit in West Bengal

4669. SHRI R. N. BARMAN: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Central Food and Technological Research Institute has prepared a techno-economic report for the setting up of a Fruit Processing unit in West Bengal;

(b) if so, the main points of the report and the areas identified for the setting up of such unit;

(c) what would be the Central assistance for this project; and

(d) when the project will be implemented?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) Yes, Sir.

(b) The main points of the report are that there is a scope for developing processing industry in the State of West Bengal, areas identified being:—

(a) Siliguri (North Bengal)—Pineapple processing.

(b) 24 Parganas—Tomato processing.

(c) Malda—Mango processing.

(c) and (d). The Central Food Technological Research Institute has reported that the project report is under consideration of West Bengal Agro-Industries Corporation in which Government of India is a shareholder.

Additional Wheat for Rajasthan and Gujarat

4670. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether additional quantum of wheat has been granted or yet to be delivered to Rajasthan and Gujarat than the past year's quota; and

(b) if so, the reason thereon?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P SHINDE): (a) and (b). The supply of wheat to Gujarat and Rajasthan during October, 1973, to December, 1973 and the supply and allotment of wheat to Gujarat and Rajasthan during October, 1974 to December, 1974, is as under:

(In thousand tonnes)

Name of State	Supply during October, '73 to Decm. '73	Supply/ allotment during October' 74 to December '74.
Gujarat	84 0	135.6
Rajasthan	54.0	43.9

In respect of both the States the overall allotment/supply of foodgrains including coarse grains is, however, much higher during the last quarter of this year when compared to the corresponding period of last year. This has been done to enable the State Government, to meet the situation arising out of the unsatisfactory kharif crops.

Import of Wheat from U.S.S.R.

4671. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether U.S.S.R. has agreed to give a loan of 50 million tonnes of wheat to India this year;

(b) if so, the main features of the agreement; and

(c) what would be the position of returning the backlog of Twenty million tonnes of wheat of last year?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P SHINDE): (a) No, Sir.

(b) Does not arise.

(c) The agreement signed on the 12th October, 1973 with U.S.S.R. for obtaining supplies of wheat on loan basis was for two million tonnes and not for twenty million tonnes. Under the agreement, the entire quantity is to be replaced in kind in the course of five years commencing two years after completion of deliveries. The entire quantity of two million tonnes of wheat was received by October, 1974.

Central Directive to States for increasing Irrigational Target Projects for Rabi Crops

4672. SHRI SARJOO PANDEY: SHRI M. KATHAMUTHU:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government has sent any directive to the States to increase the rabi irrigation targets so as to achieve more foodgrains target in rabi season; and

(b) if so, the names of the States and nature of directive thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) and (b). No, Sir. No such directive relating to achievement of more foodgrains target in the rabi season has been sent. However, the need for providing additional irrigation facilities and for expeditious and better utilisation of existing irrigation potential is being consistently emphasised.

Posting of P.C.S. Officers as Education Officers

4673. SHRI NAWAL KISHORE SHARMA: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether as against the declared policy and assurances of Government of India that the posts of specialists will not be given to generalists the Delhi Administration is considering to post P.C.S. Officers as Education Officers/A.D.E (Administration) in place of educationists who have been hitherto holding these posts under Directorate of Education since inception;

(b) if so, whether the appointment of PCS Officers will not create disappointment and resentment among 300 principals in Delhi Administration in case their chances of promotion are blocked by the appointment of these persons; and

(c) the steps being taken by the Government to protect the rights and claims of the Principals and withhold the appointment of PCS Officers to those posts?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): (a) to (c). The matter is being looked into and a Statement will be laid on the Table of the Sabha as soon as possible.

Schools running in Tents

4674. SHRI NAWAL KISHORE SHARMA:

SHRI VARKEY GEORGE:
SHRI SUKHDEO PRASAD VERMA:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) the total number of middle high and higher secondary schools in Delhi which are running in tents;

(b) since when these schools are running in tents;

(c) how many of them are Government and how many are private but recognised; and

(d) the steps taken to ensure protection to students from sun and cold?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): (a) Forty seven Government and Government aided schools under the Delhi Administration are running in tents. One Middle School, opened by the New Delhi Municipal Committee during the current session, has been housed temporarily in tents.

(b) Since 1963	
1965	
1970	
1971	4
1972	4
1973	5
1974	22
TOTAL	4
	School

(c) Forty three are Government schools, four Government aided schools and one N.D.M.C. school.

(d) Three government buildings are under construction to replace purely tented accommodation of three government schools.

For eight new government buildings, for which economy ban has been relaxed by the Government, the construction work will start soon. These will remove purely tented accommodation of eleven government schools on completion. Steps are being taken to procure sites for the remaining government tented schools and construction work of new government buildings will be taken up during 1975-76 after lifting of economy ban by the Government of India for all the new buildings. Government aided schools are being advised to construct pucca buildings in place of tented accommodation.

Execution and Expenditure on Minor Irrigation Schemes in States

4675 SHRI JYOTIRMOY BOSU: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) State-wise and year-wise total amount spent on execution of minor irrigation schemes, during the last three years;

(b) State-wise total amount sanctioned and amount actually disbursed by the Centre on this account year-wise, during the last three years;

(c) State-wise actual spending of Central financial assistance, year-wise, during the last three years; and

(d) State-wise land in hectare benefited through execution of small irrigation schemes, year-wise, during the last three years?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) A statement giving the state-wise and year-wise total public sector expenditure incurred during

the period 1971-72, 1972-73 and 1973-74 (approved outlay) under minor irrigation programme is laid on the Table of the House. [Placed in Library. See No. LT-8774/74].

(b) and (c). Central assistance for State Plan schemes is given in the form of block loans and grants for the Annual Plan as a whole and is not related to any specific head of development or scheme. A statement giving the allocation and disbursement or total Central assistance for the Annual Plan of States for the years 1971-72 to 1973-74 is laid on the Table of the House. [Placed in Library. See No. LT-8774/74]. In addition, Central financial assistance outside the State Plan was provided to various States during the years 1972-73 and 1973-74. State-wise position of Central assistance provided outside the State Plan is given at Annexure-III.

(d) The State-wise gross area estimated to have been benefited by minor irrigation schemes at the end of 1973-74 is given in Annexure-IV. The estimates of State-wise gross area benefited through minor irrigation schemes for the years 1971-72 and 1972-73 are not available.

Central Fund utilized by States for Housing

4676. SHRI JYOTIRMOY BOSU: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) State-wise total amount spent from Central fund by each agency under the administrative control of his Ministry for housing, either as loan or as subsidy for the period 1970-71 to 1973-74;

(b) State-wise name or names of the agencies through which the schemes were executed; and

(c) State-wise. Union Territory-wise and category-wise which means office building, residential building,

roads, bridges and such other heads amount of money spent through C.P.W.D. for construction works for the period 1970-71 to 1973-74?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) to (c). The information is being collected and will be laid on the Table of the House.

Mid-day Meals for School Children

4677. **SHRI JYOTIRMOY BOSU:** Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) State-wise and Union-Territory-wise allocation of funds made by the Centre for mid-day meals for school children, year-wise, from 1972-73 to 1974-75; and

(b) State-wise and year-wise number and proportion of school children covered by the programme during the same periods?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): (a) In the years 1972-73 and 1973-74, the Central Government did not allocate any funds to the State Governments for the Mid-day Meals Programme as the American Organisation CARE supplied the food commodities and the State Government, met the administrative cost involved. However, during 1974-75, the Planning Commission have approved outlays totalling Rs. 4.943 crores in the Annual Plans of the State Governments for the Mid-day Meals Programme under Minimum Needs Programme. A State-wise break up of this sum is given in the Statement I laid on the Table of the House. [Placed in Library. See No. LT-8775|74].

(b) A Statement II laid on the Table of the House. [Placed on Library. See No. LT-8775|74].

Unfilled Posts in I.I.T., Kanpur

4678. **SHRI YAMUNA PRASAD MANDAL:**

SHRI PRABODH CHANDRA:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether top posts in IIT. Kanpur remain unfilled since long; and

(b) if so, the reasons therefor?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S NURUL HASAN): (a) According to the information received from the I.I.T. Kanpur, the post of a Deputy Director remained vacant since 1970 and a post of Superintending Engineer remained vacant since 1971.

(b) With regard to the Deputy Director's post, the IIT, Kanpur placed the administrative units under the policy directions of a council of Deans consisting of (i) Dean of Faculty, (ii) Dean of Research, Design and Development, (iii) Dean of student's Affairs, and (iv) Dean of Administration and with this Council the Institute did not feel the need to fill up the post of a Deputy Director.

With the construction phase of the Institute's work over in 1971, the need for a Superintending Engineer purely for maintenance of buildings was not considered necessary and, therefore, as a measure of economy, the Superintending Engineer's post was kept in abeyance.

Model Fire Protection in Kerala

4679. **SHRI M. M. JOSEPH:** Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether with the establishment of large scale extensive plantations of quick growing species to meet the

requirement of pulp and cellulose industries in India, the development of an adequate system of fire protection is absolutely necessary to safeguard the investment on plantation forestry;

(b) whether the establishment of a modern fire protection service including telecommunication facilities and modern machinery for laying out roads for fire fighting purposes in each of the 4 territorial forest circles in Kerala is also a necessity;

(c) whether such an establishment would also be a model upon which fire protection service in other States would be built up, and

(d) whether financial and technical support from F.A.O./SIDA is being solicited by the Government of India in favour of Kerala State?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) to (c). Information is being collected from the State Government and will be laid on the table of the Sabha.

(d) On account of limited amount of assistance proposed by SIDA, the recommendation of FAO/SIDA Forestry Project Identification Mission for "The Establishment of Model Forest Fire Protection Service" for Kerala, could not be processed; it would be taken up along with other projects recommended by the FAO/SIDA Mission, when additional SIDA assistance becomes available.

Discussion between Orissa and Andhra Pradesh about river Bansadhara (Koraput)

4680. SHRI GIRIDHAR GOMAN-GO: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Government of Orissa and Andhra Pradesh recently

met for discussion relating to the river Bansadhara (Koraput);

(b) if so, the nature of discussions held and the reactions of the States on the issue; and

(c) the reasons for reviewing the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) to (c). A Technical Committee consisting of Member (Floods) of Central Water and Power Commission and Chief Engineers in charge of Flood Control, Andhra Pradesh and Orissa was constituted by the erstwhile Ministry of Irrigation and Power in October, 1972 to make a detailed study of the flood problem in the Vamsadhara basin and drawn up a comprehensive plan of flood control measures. The second meeting of this Committee was held from 3rd to 5th October, 1974 in which the Chief Engineers of Andhra Pradesh and Orissa States participated. As collection of data for the assessment of the problem and formulation of proposals was not complete and site inspection was not possible due to the area being inaccessible when the meeting was held, the Committee could not finalise their observations and recommendations. The Committee indicated the further data to be made available by the States of Andhra Pradesh and Orissa and proposed to hold the next meeting at the end of December 1974 or early in January 1975 for finalising the recommendations.

Professors appointed in various Departments of Universities

4681. SHRI ARJUN SETHI: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) the number of Professors allowed to be appointed in a particular Department of the Central Universities;

(b) whether there has been variation in this rule; and

(c) if so, the reasons therefor?

THE MINISTER OF EDUCATION AND SOCIAL WELFARE AND CULTURE (PROF. S. NARUL HASAN):

(a) to (c). The University Grants Commission has not laid down any particular norms for the number of posts of Professors for different Departments in the Central Universities. Such posts are sanctioned by the Commission depending upon the stage of development of a Department and the specialisation which it provides for at any given time, and the special schemes and quality programmes which it may be undertaking.

Per Capita Distribution and Availability of Food

4682 SHRI VAYALAR RAVI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the *per capita* distribution of food is not equal to the *per capita* availability in the country; and

(b) what steps are taken to ensure the equitable distribution of food?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) and (b). The *per capita* availability of foodgrains varies from area to area depending on the production of foodgrains, movement and availability of other substitutable foodstuff etc. In order to ensure equitable distribution, foodgrains are procured to the maximum extent possible in the surplus States and the surplus stocks are taken over in the Central pool and made available to the deficit States for distribution through fair price shops.

The quantum of issues through the public distribution system is, however, determined by the State Governments taking into account local

conditions and the variation in the *per capita* availability of foodgrains amongst the various regions within the States.

Equitable Distribution of Foodgrains among States

4683. SHRI VAYALAR RAVI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Government are aware that food producing States are consuming more than deficit States; and

(b) if so, what steps are being taken for equitable distribution?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) and (b). Foodgrains are produced in all the States. However the level of consumption in a State depends on a number of factors such as production, availability of foodgrains in the market, other substitutable foodstuffs, their comparative prices, levels of income, extent of urbanisation etc. To ensure equitable distribution, foodgrains procured on Central account, from the surplus areas are allotted to the States, for distribution through fair price shops. The quantum of issues through the public distribution system is, however, determined by the State Governments taking into account local conditions and the variation in the *per capita* availability of foodgrains amongst the various regions within the State.

Supply of Wheat and Rice to States

4684. SHRI CHINTAMANI PANIGRAHI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state the quantity of wheat and rice supplied to various States, State-wise, in the months of June to November, 1974, month-wise?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): A statement is laid on the Table of the House. [Placed in Library. See No. LT-8776/74].

Poor quality Wheat being Supplied to Ration Card Holders in Delhi

4685. **SHRI M. S. PURTY:** Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government have received recently a large number of complaints to the effect that wheat sold to ration card holders in Delhi through fair price shops is of poor quality and gives bad smell, and

(b) if so, the main points of the complaints and the steps taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) and (b). Only one anonymous complaint was received in October, 1974 by the Delhi Administration regarding one fair price shop holder at Janakpuri who was alleged to be selling inferior quantity of wheat and some complaints were also received by the Food Corporation of India regarding issue of sub-standard wheat from the fair price shops situated at North and South Avenues, New Delhi.

On investigation it was revealed that the complaint received by Food Corporation of India was due to the issue of Mexican red variety of wheat which is not preferred by consumers in Delhi.

The Delhi Administration investigated into the complaint and it was

found that the wheat stocks with the fair price shops were of fair average quality.

While issuing stocks from the FCI depots grains of only acceptable quality are issued. A jointly drawn and sealed sample is also handed over to the fair price shop owners for display in order to enable the consumers to compare the stocks issued to them with that of the sample.

Cost of Production of Pulses, Millet, Peas and Gram and steps to increase their production

4686 **SHRI M S PURTY:** Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the State-wise cost of production of pulses, millet, peas and gram per quintal according to various surveys conducted by Government;

(b) the steps taken by Government to encourage their production, and

(c) the results thereof and the future plan in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) Under the Comprehensive Scheme for studying the Cost of cultivation of Principal Crops in the different States of the country, launched by this Ministry, State-level estimates of the cost of production have become available in respect of Bajra for the year 1970-71 for Rajasthan and Jowar for the year 1971-72 for Maharashtra. These estimates are given below:

Crop	State	Year	Cost of cultivation per hectare (Rs.)	Yield per hectare (Quintals)	Cost of production per quintals (Rs.)
Bajra	Rajasthan	1970-71	310	6.46	36.82
		1971-72	290	4.22	54.70
Jowar	Maharashtra	1971-72	471	5.73	57.05

@ Provisional.

- Notes 1. Cost of cultivation includes (a) Cash and kind expenses such as those incurred on hired human labour, bullock and machine labour (both hired and owned), seed, fertilizer and manure, irrigation, pesticides, land revenue, cesses and taxes, and rent paid for leased-in land and (b) imputed values of interest on fixed capital rental value of owned land and cultivator's family labour
2. Cost of production per quintal is obtained by dividing the cost of cultivation per hectare (net of the value of by-product) by the yield per hectares.
3. 1970-71 was a year of very good yield in Rajasthan owing to excellent weather conditions.

The field data for the above States have been collected by the University of Udaipur, Udaipur, for the State of Rajasthan and Mahatma Phule Krishi Vidyapeeth, Rahuri, for the State of Maharashtra. Similar data on the cost of production of Bajra, Jowar and Maize have been collected for a number of producing States. In some cases, the data are still being collected/compiled by the Implementing Agencies; in other cases, where the data have been received in the Ministry of Agriculture and Irrigation, they are either being analysed or are at the stage of scrutiny and compilation.

So far as pulses, peas and gram are concerned, representative data on their cost of production have not yet been collected under the scheme.

(b) and (c). The production of pulses is proposed to be increased by increasing their productivity and area under these crops. To achieve these objectives a Centrally Sponsored

Scheme on development of pulses was launched from kharief 1972 and implemented during 1972-73 and 1973-74. Under the scheme financial assistance was provided to the State Governments for layout of demonstrations, nucleus and foundation seed multiplication, adoption of plant protection measures, supply of seed to the farmers, equipping microbiological laboratories for production of rhizobium culture. As a result of these efforts 1.50 lakh hectares additional area was brought under pulses and package of practices adopted on 9.30 lakh hectares during 1973-74. The Centrally Sponsored Scheme is being continued during the 5th plan. This is expected to bring 15 lakhs ha. more area under pulses and package of practices adopted on 70 lakh ha. by the end of the 5th Plan.

Similarly, during the 5th Plan emphasis is being laid to increase the coverage under the high yielding varieties of bajra, jowar and maize. It is proposed to cover an area of 85 million hectares under these crops by the end of 5th Plan, as against a coverage of 4.7 million hectares in the base year (1973-74). A Centre Sector Scheme of minikit programme of millets has been introduced from the current year (1974-75). A number of new varieties of Sorghum hybrids and new disease resistant varieties have been evolved. These varieties have been introduced through the minikit programme during 1974-75. This will facilitate the farmers to select good varieties and have the seed for cultivation on larger areas.

Reduction in Sugar Quota supplied to Ration Card Holders in Gujarat

4687. SHRI P. G. MAVALANKAR: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the quota of sugar supplied to the ration-card holders in Gujarat was recently reduced by Government;

(b) if so, the quota reduced; and

(c) whether Government propose to restore and if possible enhance the sugar quota per head in Gujarat, and if so, when and how? .

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) to (c). The Central Government allots monthly quotas of levy sugar to the States for distribution to domestic consumers through controlled channels and there has been no reduction in the allotments since July 1974. The scale and mode of distribution of levy sugar within the State is, however, left to be decided by the State Government taking into account the local factors.

Central Assistance to Government Employees for construction of Residential Units in Gujarat

4688. **SHRI P. G. MAVALANKAR:** Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether Central Government as well as State Government employees in Gujarat are finding it difficult to get Central financial assistance by way of loan for the purpose of construction of their residential houses;

(b) if so, the reasons therefor; and

(c) whether Government propose to extend necessary financial assistance to the said employees, and if so, how and when?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): (a) to (c). A ban on grant of house building advance to Central Government employees was imposed in August, 1973. Government have since decided to invite applications

for the grant of this advance from certain specified categories of Central Government servants.

Strike by Students of I.I.T., Kanpur

4689. **SHRI P. G. MAVALANKAR:**
SHRI S. R. DAMANI:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether about 2000 students of the Indian Institute of Technology at Kanpur were on an indefinite strike recently;

(b) if so, the reasons thereof;

(c) whether the striking students had demanded the removal of the Director and the Chairman, and if so, the reasons therefor and whether such removal did take place; and

(d) the steps taken by Government to correct and improve the situation in the said academic campus?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF S NURUL HASAN): Following the unfortunate death of a post-graduate student the students of IIT Kanpur went on strike from 1st November to 9th November, 1974 as a protest against alleged mal-administration in the I.I.T. Campus. They further alleged that mal-administration was a result of continuous difference in opinion between the Chairman, Board of Governors and the Director. The striking students demanded the resignation of both the Chairman and the Director. The Chairman has submitted the letter of resignation while the Director has requested sanction of leave due and early release from the Institute with a clear expression that he would not wish to resume work at the Institute after the expiry of the leave, despite the fact of his having a contract to serve the Institute. The Government is considering appointment of an Acting Director and a new Chairman, Board of Governors, IIT, Kanpur.

Effect of power shedding on Kabi Crop in Haryana

4690. SHRI ISHAQUE SAMBHALI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether total shedding of power is likely to affect the rabi production in Haryana; and

(b) if so, to what extent?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) No such proposal is under consideration.

(b) Does not arise.

Representation of Fertilizer Associations on Fertilization Coordination Committee

4691. SHRI BANAMALI PATNAIK: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the desirability of giving representation to the Fertilizer Associations at the State level on Fertilizer Coordination Committee to enlighten the Government with the day to day problems of fertilizer trade in the private sector has been considered; and

(b) if so, with what results?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) Most of the manufacturers who supply fertilisers to the States, are already represented on the Coordination/Standing Committees set up by the State Governments. These manufacturers are, in turn, members of the Fertiliser Associations. The question of according a

direct representation to Fertiliser Associations on these Coordination/ Standing Committees has therefore not been considered by the Government of India.

(b) Does not arise.

Reintroduction of purchase tax in Fertiliser Trade

4692. SHRI BANAMALI PATNAIK: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the desirability of re-introducing the purchase tax in place of sales tax to encourage more and more retail dealers to enter into the trade of fertilisers has been considered;

(b) if so, with what results; and

(c) the steps proposed to be taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) to (c). Levy of tax on sales and purchase of goods (other than newspapers) is a State subject vide entry 54 in List 2 of the VII Schedule of the Constitution of India. It is therefore open to the State Governments to either impose purchase tax or sales tax on purchase and sale of fertilisers in their respective states. As such, the question of the Central Government considering the desirability of introducing purchase tax does not arise.

Allotment of Government accommodation to son or daughter of a deceased Government employee

4693. SHRI BHARAT SINGH CHOWHAN: Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether on compassionate grounds, Government accommodation occupied by a deceased Government employee is allotted to his son/daughter

who happens to be employed in Government service,

(b) whether the same accommodation is allotted to the deceased employee's son/daughter or an alternative accommodation of the type which he/she may be entitled to; and

(c) whether there are cases where the same accommodation has been allotted irrespective of the fact that the son/daughter happened to be at the time of the demise of his/her father, entitled to a lower type of accommodation and if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTER OF WORKS AND HOUSING (SHRI MOHAN DHARIA)
According to the existing policy, an ad hoc allotment is sanctioned to a son, daughter, wife or husband, as the case may be, or father of a deceased Government servant occupying general pool accommodation provided that the said relation is a Government servant eligible for general pool accommodation and was sharing accommodation with the deceased officer for at least six months before his death. The same residence, which was occupied by the deceased officer is regularised in the name of the eligible relation if he/she is entitled to a residence of that type or of a higher type. Where the deceased officer was occupying type I accommodation and the dependent relation is entitled to type II, type II accommodation is allotted to the dependant. In other cases, the relation is allotted a residence of his/her entitled type, if available at the time, or failing that, the next lower type, if acceptable to the allottee. In a few exceptional cases of extreme hardship, the dependent relations of the deceased officers have been allowed to retain the accommodation occupied by such officers even though the dependent relations were not entitled to that type of accommodation.

2971 LS-7.

Car of Punjab Wakf Board involved in accident

4694 **SHRI JHARKHANDE RAI:**
Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the car of Punjab Wakf Board was involved in an accident in December, 1973 killing one man on the spot and injuring some persons travelling in Wakf Board car;

(b) if so, the names and addresses of the persons killed and injured in the car;

(c) what was the official purpose of the car being driven on that date; and

(d) whether any of the injured persons is or was co-accused with the Chairman of Punjab Wakf Board in any case under section 307 or some other section of IPC, pending at Ambala on that date?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AND WAKES (SHRI F H MOHSIN) (a) Yes, Sir.

(b) and (c) According to the information received from the Secretary Punjab Wakf Board, the Chairman of the Punjab Wakf Board was going to Thanesar to inspect Dargah Jalaluddin there. On the way the car collided with another car coming from the opposite direction. Shri Piere Lal, driver, and Shri Mayat Ram an Assistant working in the Central Co-op. Bank Ltd, Karnal, both from the other car received injuries and the former is reported to have died in the hospital. Shri Tayyab Hussain, the Chairman of the Punjab Wakf Board, is also reported to have received minor injuries.

(d) The Government have no information. The State Government have been addressed in that connection.

**Meeting of Muslim Ulemas under
Auspices of Central Wakf
Council**

4695. SHRI JHARKHANDE RAI.
Will the Minister of AGRICULTURE
AND IRRIGATION be pleased to state

(a) whether a meeting of Muslim Ulemas was held under auspices of Central Wakf Council on 22nd July, 1972 to consider whether a Masjid on a site of Masjid could be leased out and used for other purposes;

(b) if so, the broad outlines of statement made by Deputy Minister for Wakfs and the Officer on Special Duty, Wakf before these Ulemas; and

(c) what was the decision given by the Ulemas?

THE DEPUTY MINISTER IN THE
MINISTRY OF HOME AFFAIRS AND
WAKFS (SHRI F H MOSHIN) (a)
No, Sir.

(b) and (c). Do not arise

**Reported malpractices by M/s Vishnu
Sugar Mills Ltd., Gopalganj**

4696 SHRI RAMAVATAR
SHASTRI.

SHRI K M MADHUKAR.

Will the Minister of AGRICULTURE
AND IRRIGATION be pleased to
state:

(a) whether the Secretary of Chini Mill Mazdoor Union, Harkhua, Gopalganj had drawn the attention of the then Union Agriculture Minister vide letters dated 17th August, 1974 and 2nd September, 1974 against the malpractices adopted by M/s. Vishnu Sugar Mills Ltd., Harkhua, Gopalganj (Bihar) in supply of sugar samples; and

(b) if so, whether Government have made any enquiry into the allegations and what are the findings?

THE MINISTER OF STATE IN THE
MINISTRY OF AGRICULTURE AND
IRRIGATION (SHRI ANNASAHEB P.
SHINDE). (a) Yes, Sir.

(b) 5 sugar samples were drawn in accordance with the prescribed procedure by the Deputy Director (Sugar Technical) from the Directorate of Sugar and Vanaspati, who conducted the inspection during the first week of August 1974 and not by an Inspector. A show cause notice has been issued to the factory on account of the overgrading found in two of these cases. No malpractices have been adopted in the drawal of sugar samples

**Instructions to Bihar Government to
file a case against Vishnu Sugar
Mills, Gopalganj under the
Essential Commodities Act**

4697 SHRI RAMAVATAR
SHASTRI:

SHRI K M MADHUKAR.

Will the Minister of AGRICULTURE
AND IRRIGATION be pleased to
state:

(a) whether Government had directed the State Government of Bihar for filing cases against the management of Vishnu Sugar Mills, Gopalganj (Bihar) under the Essential Commodities Act for its lapses on 27th September, 1972 and 11th July, 1973 in supplying sub-standard sugar; and

(b) if so, what is the position of these cases?

THE MINISTER OF STATE IN THE
MINISTRY OF AGRICULTURE AND
IRRIGATION (SHRI ANNASAHEB P.
SHINDE). (a) Yes, Sir. The State Government has been advised on 17.10.1973 to launch prosecution against the management of M/s. Vishnu Sugar Mills Ltd., Gopalganj (Bihar) for their lapses in proper grading of sugar detected on 27-9-1972. In the second case, the reply to a Show Cause Notice is still awaited from the factory and it is being pursued.

(b) The State Government has been asked to intimate the latest position of the case, and a reply is awaited.

**Sale of press mud of V. S. Mills Ltd.,
Harkhua, Bihar**

4698. SHRI RAMAVATAR
SHASTRI;

SHRI K. M. MADHUKAR:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Government had received a copy of the letter dated 8th October 1974 addressed by Secretary, V.S. Mills Harkhua Employees Co-operative Credit Society Ltd., Gopalganj (Bihar) to the Manager V.S. Mills Ltd., Harkhua Gopalganj (Bihar) for the sale settlement of "Press mud" a by-product of sugar factory with the Society; and

(b) if so, what action the Government have taken to get it settled?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P SHINDE): (a); Yes, Sir.

(b) The matter has been referred to the Government of Bihar

Cattle camps in Gujarat

4699. SHRI D. P. JADEJA

SHRI ARVIND M. PATEL

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the number of cattle camps opened in scarcity area in Gujarat State, District-wise;

(b) the financial help given to each camp;

(c) from where the fodder was obtained; and

(d) whether it was obtained by the Government agencies or by the private contractors?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) to (d). The information is being collected and will be placed on the Table of the Lok Sabha when received.

Procurement of paddy by rich farmers below declared price in absence of Food Corporation of India Agents

4700. SHRI D. P. JADEJA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government are aware of the fact that a large number of jotedars and rich farmers are taking advantages of the distress rate of paddy by the poor farmers in the absence of Food Corporation of India agents;

(b) whether the poor farmers are selling paddy at less than the Government's declared price of Rs. 75 a quintal; and

(c) if so, what measures Government are taking in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) to (c). Government have seen such Press reports from West Bengal. The correct position is being ascertained from the State Governments.

Acquisition of India Office Library

4701. SHRI D. P. JADEJA:

SHRI VEKARIA:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) the latest position in regard to the acquisition of India Office Library; and

(b) when the work of the acquisition is likely to be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): (a) and (b). Various implications regarding the issue of ownership of India Office Library have been under continuous examination by the Governments concerned since 1947. A draft arbitration Agreement was received from the Government of United Kingdom in 1968 and is still very much the subject of discussions.

World Table Tennis Championship

4702. SHRI INDRAJIT GUPTA: Will the Minister of EDUCATION SOCIAL WELFARE AND CULTURE be pleased to state:

(a) the progress made so far with technical preparations for hosting the World Table Tennis Championships at Calcutta with particular reference to construction of the stadium, accommodation for spectators, pricing of tickets, Press facilities, T.V. and radio coverage; and

(b) by which time the preparations are expected to be completed for inspection by the International Table Tennis Association authorities?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI ARVIND NETAM): (a) and (b). The Table Tennis Federation of India which is organising the 33rd World Table Tennis Championships in Calcutta during February, 1975 has furnished the following information:-

(i) The construction of the Indoor Stadium is progressing according to schedule, and the premises would be ready in time for the Championships.

(ii) The said Indoor Stadium has a seating accommodation for 12,000

spectators; residential accommodation for the visiting teams, officials and others has been reserved in various hotels in Calcutta.

(iii) Season ticket of the value ranging between Rs. 40--540 (inclusive of the Entertainment Tax) would be put on sale Tickets in 2 classes namely, Rs. 40 and Rs. 80 have been reportedly reserved exclusively for registered players and students who will be given 50 per cent concession, to be subsidised by the State Government.

(iv) Adequate Press facilities and Radio coverage for the Indian Press and the visiting Press/Radio/TV Corps have reportedly been made.

(v) No specific inspection of the arrangements for the said Championships is required to be undertaken by the International Table Tennis authorities. However, it has been stated by the Federation that some officials of the International Table Tennis Federation would be present in India in the 1st week of January, 1975 and they would be taken to Calcutta to see the arrangements made for the Championships.

MISA for paddy market offenders in States

4703. SHRI INDRAJIT GUPTA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) how many States have declared to use MISA for paddy market offenders; and

(b) how many traders have been arrested so far for increasing the market prices of paddy?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) and (b). The information is being collected and will be laid on the Table of the Sabha.

News item with the Caption Ghost owners buy DDA flats

4704. SHRI VASANT SATHE:
SHRI DHAMANKAR:

Will the Minister of WORKS AND HOUSING be pleased to state:

(a) whether attention of the Government has been drawn to the news report appearing in a local English daily dated 17th November, 1974, under the caption "Ghost owners buy D.D.A. Flats";

(b) if so, the reaction of the Government in regard thereto; and

(c) action taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA) (a) to (c): The news report refers to sale of flats on power of attorney by the allottees of D.D.A. flats on hire purchase basis. As no specific instance of such a sale has been brought out in the report, the question of reaction of Government or of taking any action in the matter does not arise.

आयातित उर्वरक में जहरीला पदार्थ और उस का फसल पर प्रभाव

4705. श्री-शिव कुमार शास्त्री :
क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को इस आशय की शिकायतें प्राप्त हुई हैं कि आयातित उर्वरक में कुछ विषैला तत्व होता है जिससे फसल को क्षति पहुंचती है;

(ख) क्या फसल को क्षति होने की आशंका के कारण किसान इस उर्वरक को स्वीकार नहीं कर रहे हैं; और

(ग) यदि हां, तो किस देश से इस उर्वरक का आयात किया गया था और इस बारे में सरकार का क्या कार्यवाही करने का प्रस्ताव है ?

कृषि और सिंचाई मंत्रालय में उप मंत्री (श्री प्रभुदास पटेल) : (क) सरकार को ऐसी कोई शिकायत नहीं मिली है कि आयातित उर्वरकों में विषैले पदार्थ मिले हैं जिससे फसलों को क्षति पहुंचती है।

(ख) और (ग) : प्रश्न ही नहीं उठता।

पांचवी योजना के दौरान मत्स्य पालन के लिये आवंटन

4706. श्री शिव कुमार शास्त्री :
क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पांचवी पंचवर्षीय योजना में मत्स्य पालन के लिए 150 करोड़ रुपये की राशि आवंटित की गई है; और

(ख) इस समय मत्स्य पालन पर कुल कितना व्यय हो रहा है और इसके परिणाम स्वरूप कितनी मात्रा में मछली प्राप्त हो रही है ?

कृषि और सिंचाई मंत्रालय में उप-मंत्री (श्री प्रभुदास पटेल) : (क) पांचवी पंच वर्षीय योजना के दौरान केन्द्र तथा राज्य दोनों की योजनाओं में अन्तर्देशीय मत्स्य उद्योग के विकास के लिए जिसमें मत्स्य-पालन भी शामिल है, अन्तिम रूप से 37 करोड़ रुपये के परिव्यय की व्यवस्था की गई है।

(ख) अन्तर्देशीय मत्स्य-उद्योग के विकास पर, जिसमें मत्स्य पालन भी शामिल है 1974-76 की वार्षिक योजना में 6.14

करोड़ रुप के परिव्यय के लगभग 80 प्रतिशत के खर्च होने की आशा है। आशा है कि 7.60 लाख मीटरी टन मछली का उत्पादन होगा।

श्री नरम सुधार पर व्यय

4707. श्री शिव कुमार शास्त्री :

क्या कृषि और सिंचाई मंत्री यह बताने की कृपा करेंगे कि

(क) गाय की नरम सुधारने पर कितना व्यय हुआ है और दूध के उत्पादन तथा बैलों की उपलब्धता के सम्बन्ध में कितनी सफलता मिली है, और

(ख) वर्ष 1973-74 के दौरान गाय की नरम सुधारने के केंद्रों पर कुल कितना व्यय हुआ ?

कृषि और सिंचाई मंत्रालय में उप मंत्री

(श्री प्रभुदास पटेल) :

(क) और (ख) सिर्फ गाय की नरम सुधारने पर किया गया व्यय अलग में बताना संभव नहीं है क्योंकि पशुपालन और डेरी विकास की कई योजनाएँ अन्य पशुओं के लिए भी हैं। दूध का उत्पादन 1968-69 में प्रति वर्ष 212 लाख मीटरी टन में बढ़ कर 1973-74 में 232 लाख मीटरी टन हो गया है। केवल काम के लिए प्रयोग में लाए जाने वाले 3 साल से अधिक कम पशुओं की संख्या 1966 में 691.76 लाख में बढ़ कर 1972 में 706.56 लाख हो गई है।

Agro-service Centres during 1971-74

4768. SHRI K PRADHANI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) number of agro-service centres, out of 2500 centres proposed to be set up during Fifth Plan, are working in our country at present;

(b) which are those in Orissa and other States; and

(c) number of the centres working properly?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL) (a): 532 agro-service centres have been set up in the country since April, 1974

(b): Only 7 centres have been set up in Orissa. A statement showing State-wise break up of agro-service centres in the country is appended.

(c): All the agro-service centres set up are reported to be working satisfactorily. The centres started with custom hiring work in the initial stages and are now extending their activities to other services and supplies.

Statement

Sl No	Name of the State	No. of Agro service centres set up—
1.	Punjab	18
2.	West Bengal	68
3.	Tamil Nadu	2
4.	Karnataka	31
5.	Assam	
6.	Maharashtra	66
7.	U.P.	76
8.	Haryana	22
9.	Bihar	59
10.	Rajasthan	44
11.	Madhya Pradesh	56
12.	Gujarat	17
13.	Jammu & Kashmir	
14.	Orissa	7
15.	Kerala	3
16.	Andhra Pradesh	24
TOTAL		532

Implementation of Sugarcane Price for 1973-74 Season announced by Tamil Nadu Government

4709. SHRI M. R. LAKSHMI-NARAYANAN:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Tamil Nadu Government announced the final price to be paid by the sugar factories for Sugarcane for the season 1973-74 after several Tripartite Meetings;

(b) if so, the price for each factory in Tamil Nadu;

(c) whether all factories have implemented the price announced by the Tamil Nadu Government;

(d) whether any representation has been received by the Central Government from Sugarcane Growers Association regarding failure of the factory to implement the price; and

(e) if so, what effective steps or punitive measures the Central Government propose to take against the factories who have failed to implement the Tamil Nadu Government's orders?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) Yes, Sir.

(b) A statement showing the fair and final cane prices decided by the State Government of Tamil Nadu for being paid by each factory in the State during 1973-74 season is attached.

(c): Information in this regard sought from the Tamil Nadu Govt. is awaited. It will be laid on the Table of the House as soon the same is furnished by the State Govt.

(d): Yes, Sir. Representation has been received from Sugarcane Growers' Association of South India Steel

and Sugars Ltd., Mundiampakkam, Villapuram Taluk.

(e) So long as sugar factories are paying the minimum statutory cane price fixed by the Central Government, no penal action can be taken by the Central Government against any factory. However the State Government may be expected to use their good offices to ensure payment of the higher cane prices decided by them.

Statement

Sl. No.	Name of Factory	Price Payable for 1973-74 session (Rupees per tonne)
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Cooperatives

1.	Ambur	137.00
2.	Madurantakam	135.
3.	Amravathi	118
4.	Salem	118.00
5.	Kallakurichi	113.00
6.	National	102.50
7.	Dharmapuri	106.00

Joint Stock:

8.	Nellikuppam	101.12
9.	Cavery Sugars	100.12
10.	Deccan Sugars	100.00
11.	South India Steel and Sugars	104.75
12.	Aruna Sugars	102.37
13.	Sakthi Sugars	110.62
14.	Madura Sugars	101.12
15.	Kothari Sugars	107.00
16.	Thiru Aroran Sugars	100.00

Failure of Sugar Factories in Joint Sector in Tamil Nadu to pay fixed Price of Sugarcane

4710. SHRI M. R. LAKSHMINARAYANAN:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether many of the sugar factories in the Joint Sector in Tamil Nadu have failed to pay the price for sugarcane fixed by the State Government after tripartite meetings held since the 1971-72 season;

(b) if so, which are these factories who have failed to pay the price fixed, year-wise, since 1971-72,

(c) whether the State Government or the Central Government have the powers under the Essential Commodities Act or any other Statute to ensure payment of the price fixed; and

(d) if not, the steps that are being taken to direct such erring factories to pay the price fixed or punitive measures that is proposed to be taken against them?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHIB P. SHINDE). (a) and (b). The information has been called for from the Government of Tamil Nadu and will be laid on the Table of the Sabha as soon as it is received.

(c) and (d). Under the Sugarcane (Control) Order, 1968 issued under the Essential Commodities Act, the sugar factories are required to pay the statutory minimum cane price fixed by the Central Government. Failure to do so will constitute an offence under the Act. But no panel action can be taken so long as a factory pays the statutory minimum price. The State Governments, however, are expected to use their goods offices to ensure payment of higher prices if any, fixed by them.

Composition of University Senates, Executive Councils and Academic Councils

4711. PROF. NARAIN CHAND PARASHAR:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether the Government or the UGC have gone into the question of the composition of University Senates or Courts, Syndicates or Executive Councils, and Academic Councils;

(b) if so, whether there is highly inadequate representation given to the Lecturers, as against Readers and Professors in these bodies, in spite of the fact that the Lecturers constitute nearly 70 per cent of the teaching staff in Colleges and Universities; and

(c) if so, whether Government propose to follow a more democratic policy and allow the Lecturers more adequate representation in accordance with their numerical proportion in the teaching staff?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF S NURUL HASAN): (a) to (c). The Gajendragadkar Committee in its report on Governance of Universities has indicated certain broad principles regarding composition of these bodies, including representation of teachers-Lecturers, Readers and Professors. These are being kept in view while amending the Acts of Central Universities. The recommendations of the Committee have also been brought to the notice of all the State Governments.

Shortfall in Kharif Paddy Output in States

4712. SHRI H. N. MUKERJEE:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the latest assessment of shortfall in Kharif paddy output for this year in Bihar is 15 lakh tonnes;

(b) whether a shortfall in the output of Kharif paddy is expected in other States also; and

(c) if so, how Government propose to meet the demands of rice in rice eating States?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) and (b). Firm estimates of area and output of rice for 1974-75 have not yet become due from the States, it is therefore difficult to indicate the shortfall, if any, in production in Bihar and other States.

(c) In accordance with the existing policy, the requirements of rice, for the public distribution system will be continued to be met from stocks procured in control Government account.

Demand_s of Tribals

4713. SHRI C. K. CHANDRAPPAN:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Tribals are very much hard pressed for lands, jobs and food;

(b) if so, the steps Government have taken to meet their demands;

(c) whether Government are aware of the fact that in certain places Tribals gheraoed Legislators demanding food; and

(d) if so, the steps taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) and (b). All possible steps are being taken to ameliorate the difficulties of the tribals with regard to lands, jobs and food as they are comparatively economically weak.

Land.—Under the land reforms pro-

gramme, the Scheduled Castes and the Scheduled Tribes are given preference in the distribution of surplus lands. The land assignment rules framed by the different States Governments also give preference to the landless agriculturists including Scheduled Castes|Scheduled Tribes.

Jobs.—For giving facility to the Scheduled Tribes in securing jobs, certain relaxations of the general criteria of recruitment for them and a policy of reservation of certain percentage of the vacancies are being followed.

The tribals in general are dependent on agricultural activities. In regard to the tribal landless labour, efforts are being made to create employment opportunities in tribal areas through construction works like irrigation projects, link and arterial roads etc., by encouraging rural industries based on agro and minor forest produce; and by encouraging subsidiary occupations like dairy, poultry, piggery, sheep|goat rearing etc.

Food.—Distribution of food within the States is the responsibility of the respective State Governments. Instructions have, however, been issued from time to time for augmenting and strengthening the public distribution system including opening of fair-price shops in rural and inaccessible areas. In rural and inaccessible areas where distribution of foodgrains through system including opening of fair-price shops, the State Governments have been asked to consider feasibility of distribution through weekly hats|shandies.

(c) and (d). No such report has come to the notice of the Union Government from any State. However, a news item appeared recently in one of the dailies in Delhi to the effect that some tribals in Tripura gheraoed some members of the State Assembly when they were proceeding to investigate a Project. The matter has been taken up with the State Government.

**Convention of certain Colleges into
Minority Institutions in Delhi**

4714. SHRI N. K. SANGHI:

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether efforts are being made by some colleges in Delhi to convert them into 'Minority Institutions';

(b) if so, the names of the institutions who have initiated such a move;

(c) what would be the position of the teaching staff of these colleges when turned into minority institutions vis-à-vis their present position. and

(d) whether it is essential to have permission from the University of Delhi before the conversion takes place and if so, whether any such permission has been given?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): (a) and (b). In connection with the proposal of the University of Delhi to amend Statute 30 and Ordinance XVIII of the Statutes and Ordinances respectively of the University relating to the composition of Governing Bodies of affiliated colleges, and Selection Committee for appointment of teaching staff etc., representations were made to the President of India by the Delhi Sikh Gurdwara Board in April, 1973. The Board, which manages the S.G.T.B. Khalsa College and Mata Sundari College for Women, requested that the Colleges established and maintained by minority communities should be excluded from the purview of the proposed amendments, as these were *ultra vires* of articles 29 and 30(1) of the Constitution of India. The Principal, St. Stephen's College had also represented to me in August, 1973 that the College, during its 92 years of life had as a Christian institution, developed a special character and tradition

of its own and the proposed amendments will radically alter its essential character and may even raise complex legal questions about the ownership of the College property; the proposed amendments could not therefore be acceptable to the College. I was also approached on behalf of the management of Jesus and Mary College who objected to the proposed amendments.

(c) and (d). The terms and conditions of service of teachers of colleges of Delhi University, as well as affiliation of Colleges, are governed by the Act and Statutes of the University.

Sale of Imported Fertiliser at High Price

4715 SHRI N. K. SANGHI:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the price of a particular variety of imported fertiliser is being sold to the Indian farmers at Rs. 95 to Rs. 105 a quintal while the same variety is made available to Nepalese farmers at a much lesser price;

(b) whether the Government have found out the cost of this variety of imported fertiliser and its price per quintal for sale to farmers in India and also the reasons for the price difference; and

(c) action taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) to (c). Prices of all imported fertilizers sold in India are fixed by the Union Ministry of Agriculture and Irrigation. The sale price of any fertilizer so fixed is uniform for whole of the country. As there is no mention in Question about the name of the particular fertiliser in respect of which information is solicited, it is not possible to verify the selling price or to compare it with the selling price of same variety in Nepal.

Pedigree Histories of Cattle Imported from Foreign Countries

4716. SHRI B. K. DASCHOW-DHURY:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether exporters from foreign countries never supplied pedigree histories of imported cattle; and

(b) whether these cattle were found to be afflicted by a serious genetic disease called "Bulldogism" and this has adversely affected the health and productivity of indigenous cattle?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) No, Sir. Exporters have supplied pedigree histories of imported cattle.

(b) No, Sir. The Government of India have received no reports of "Bulldogism".

Effect of short supply of Seeds on Food Production

4717. SHRI B. K. DASCHOW-DHURY:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the National Seeds Corporation of India has totally failed in meeting the requirements of seeds of agriculturists;

(b) whether non-availability of seeds has been responsible for the fall in food production in the country; and

the reasonse for this setback in production?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) Arrangements for production and distribution of improved seeds to the agriculturists is primarily

the responsibility of the State Governments. The National Seeds Corporation supplement the steps taken by the State Governments in this respect by supplying foundation seeds and certified seeds of varieties of All India importance. The Corporation has by and large met the seed requirements of the State Governments, as registered in time with them.

(b) The shortage of food production is attributable to a number of factors like adverse climate conditions and insufficient availability of inputs or lack of irrigation facilities etc.

(c) The seed production agencies have been expanding their seed production programmes for making larger quantities of seeds available.

Paddy supplied to Cooch Behar Cooperative Rice Mill, West Bengal by Food Corporation of India

4718. SHRI B. K. DASCHOW-DHURY:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Food Corporation of India has demanded considerable amount of money from the Cooch Behar Cooperative Rice Mill in West Bengal for breach of contract and not supplying required quantity of rice against the paddy supplied to the said cooperative; and

(b) if so, the total quantity of paddy supplied to the Cooch Behar Cooperative Rice Mill in different years, year-wise and the total quantity of rice received from the aforesaid Cooperative Rice Mill in different years, year-wise, showing the net balance year-wise?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHAB P. SHINDE): (a) Yes, Sir.

(b) The required information is being collected and will be laid on the Table of the Sabha.

Suit against Cooch Bihar Cooperative Rice Mill, West Bengal by Food Corporation of India

4719. SHRI B. K. DASCHOW-DHURY:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Food Corporation of India has recently instituted a Money Suit against the Cooch-Bihar Cooperative Rice Mill in West Bengal and if so, the amount demanded and claimed for and at what stage the suit is now pending;

(b) names of persons against whom the suit has been instituted; and

(c) what other steps the Food Corporation of India is considering to release their dues from the aforesaid Rice Mill?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) to (c). The Food Corporation of India has instituted a suit against the Cooch Behar Co-operative Rice Mills Limited, Kalighat Road, Cooch Behar Town for a claim of Rs. 1,66,205.85 pertaining to 1969-70 crop year and the case is pending before the Court. Efforts are however also being made by the F.C.I. to recover the dues out of the Court.

Expert Committee on Management of Zoos

4720. SHRI SUKHDEO PRASAD VERMA:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether Government have taken into consideration the recommendations made by the Expert Committee on Management of Zoos for the development of zoo projects in the country; and

(b) if so, the necessary action Government propose to take on those recommendations?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) and (b). The Expert Committee report on the management of Zoos was presented on 20-11-74, to the Executive Committee of the Indian Board for Wildlife. Government have yet examine and the decisions on it.

Delhi School Teachers' Cooperative House Building Society

4721. SHRI SHASHI BHUSHAN:
Will the Minister of WORKS AND HOUSING

be pleased to state the specific steps taken or proposed to be taken to check that the persons who have filed affidavits with the Registrar of cooperative societies, Delhi as members of Delhi School Teachers Cooperative House Building Society actually do not own any residential plot/house in his/her name or in the name of his/her spouse or any of his/her dependents in the Union Territory of Delhi?

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAN DHARIA): After consideration of the findings of the Enquiry Officer, further action according to law will be taken.

Problem of Malnutrition

4722. SHRI SHASHI BHUSHAN:
Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether his attention has been drawn to the newsitem appearing in a local English daily dated 18th November, 1974 under the heading 'Expert sees no early end to malnutrition'; and

(b) the reaction of Government thereto and the steps taken or proposed to be taken to improve the situation?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) Yes, Sir.

(b) Government are aware of the problem of food and nutrition in the country. Apart from stepping up of agricultural production alongwith animal husbandry and fisheries as the basis of all effort in improving nutrition, Government have also initiated a combination of efforts comprising of conservation, nutrition education, fortification of foodstuffs, supplementary feeding and development of new foods from raw materials like oil seeds.

Cost of Education and Employment prospects

4724. SHRI B. V. NAIL. Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) what has been the rise in the cost of education in general;

(b) whether Government have thought of any scheme whereby a prospective student is admitted against a clear vacancy of a job in future; and

(c) whether Government are contemplating any other measures against the rigours of unemployment after completion of education?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): (a) The expenditure incurred by Central and State Governments and by the managements of educational institutions from all sources is estimated to have increased from Rs. 344 crores in 1960-61 to Rs. 1477 crores in 1973-74.

(b) Government have not proposed any scheme whereby a prospective student is admitted against a clear vacancy.

(c) It is hoped that as a result of the measures taken by the Planning Commission and the Economic Ministries, the employment prospects after education would improve. The Ministry of Education also propose to introduce the scheme of Vocationalisation of secondary education and relate higher and professional education increasingly to manpower requirements.

Milk for Millions Project

4725. SHRI ANADI CHARAN DAS:
SHRI RAGHUNANDAN LAL BHATIA:

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether G.B. Pant University of Agriculture and Technology propose to start a Milk for Million Project in collaboration with the World Bank and the Union and State Governments;

(b) if so, whether the Project involves optimisation of milk production.

(c) whether the project also involves the Introduction of 'Soyamilk' as a supplement to milk for the first time; and

(d) if so, facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): (a) Yes.

(b) Yes.

(c) Yes.

(d) The project includes use of soya milk as a milk extender and aims to help in developing a cheaper substitute for milk. The soya milk may be sold alone or after mixing with ordinary milk to the extent of 15 to 50 per cent or even more. According to the University, the consumer will get nutritious soya milk at 1/3rd or 1/4th of the price of ordinary milk.

Emergency Agricultural Production Programme for 1972-73 in Orissa

4726. SHRI CHINTAMANI PANIGRAHI: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether in 1972-73 Rs. 8.6 crores were given as loans to Orissa Government for increasing Rabi production under emergency programme; and how this money was spent;

(b) the target for additional Rabi production for Orissa in 1972-73 fixed under this emergency programme;

(c) whether the additional target was achieved and to what extent; and

(d) if not, why not?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): (a) Yes, Sir; a loan assistance of Rs. 8.6 crores comprising of Rs. 6.6 crores as medium-term loan for minor irrigation programmes and Rs. 2 crores as short-term loan for agricultural inputs was given to the Government of Orissa under Emergency Agricultural Production Programme, 1972-73. The medium-term loan of Rs. 6.6 crores was utilised on execution of special minor irrigation schemes like lift irrigation, reservoirs,

renovation of tanks etc. Out of the short-term loan of Rs. 2 crores the actual utilisation for purchase and distribution of agricultural inputs for rabi production was Rs. 1 crore.

(b) Under the E.A.P.P., it was planned to increase the rabi/summer production of foodgrains in Orissa by 5.35 lakh tonnes.

(c) and (d). The actual increase in production of foodgrains during the Rabi/Summer season, 1972-73 over the previous year was 1.53 lakh tonnes against the target of 5.35 lakh tonnes. Reason for achieving an increase which was less than what was targetted, was mainly the fact that the works taken up and even completed could not give their full benefit to the crops grown during the same season.

Levy on Husking Mills in West Bengal

4727. SHRI INDRAJIT GUPTA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Union Food Minister had discussed with the officials of West Bengal the question of imposing levy on the husking mills; and

(b) if so, the outcome thereof?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHAB P. SHINDE): (a) and (b). In order to make the procurement operations more effective the Government of West Bengal have with the concurrence of the Govt. of India, enacted the Rice Milling Industries (Regulation) (West Bengal Second Amendment) Act, 1974 imposing levy on the husking mills. The provisions of the amended Act inter alia includes the condition that the owner of a new husking mill for

the grant of licence shall recover from every customer not less than 60 per cent of the charges for milling paddy in kind and shall deliver to the State Government seven tonnes of rice in the case of a husking mill which is fitted with a number 2 type of huller and in other case five tonnes of rice at prices fixed by the State Government.

each year's floods, which are complied by the State Governments have not so far been received for 1974 floods from the State Governments. However, the reports of damage caused by the floods of 1974 have been received from the States, according to which, the total loss due to floods in the country is about Rs. 559 crores. The losses in the worst affected States have been reported as follows:—

	(Rs. in crores)	
Extent and Duration of Floods and Damage caused in Bihar	Assam	19.2
	Bihar	381.8
4728. SHRI MADHU LIMAYE:	Kerala	21.8
SHRI RAMDEO SINGH:	Uttar Pradesh	105.3
	West Bengal	26.8

Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) whether the Government have made a final estimate of the extent and duration of floods and the damage caused by them in Bihar, Assam and other States;

(b) whether it is a fact that because of disturbance caused to the natural drainage of North India by unplanned and unintegrated schemes of motor roads, Railway lines, canal systems, bridges, barrages, bunds and above all, the reckless deforestation, the severity of the floods in Bihar and other states is increasing every year; and

(c) if so the steps the Government propose to take to improve the drainage of the Ganga basin and mitigate the havoc caused by the annual floods?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI KEDAR NATH SINGH): (a) Flood Reports giving detailed information of magnitude and duration of floods, damage caused, performance of the flood protection measures and new works considered necessary as a result of experience of

(b) and (c). Flooding is caused by spilling of waters over the banks due to insufficient capacity of the rivers within their banks to carry the high flood discharges brought down from upper catchments due to heavy rainfall and also by accumulation of water resulting from heavy spells of rainfalls over areas which have poor drainage characteristics. There are several factors which contribute to accentuation of flooding. In alluvial plains, the process of erosion and silting leads to meandering of the rivers and reduction of the carrying capacity of the river channels. Flooding can get further aggravated by land-slides in hilly catchments, changes in river course, synchronising of flood flows in the main and tributary rivers, excessive rainfall over short periods, spells of continuous rainfalls, obstruction of natural drainage and change of sheet flow into concentrated flows by the developmental works, such as roads, canals, railways etc. The de-afforestation and improper land uses in the catchment of rivers lead to increase in sediment load leading to silting of rivers. Analysis of available data does not indicate that there has been an increasing trend in the magnitude of floods in Bihar and other States. However, in monetary terms increase in

flood damages is due to general rise in prices of damaged crops and property. increasing occupation of flood prone areas due to pressure of population etc.

For preparing a comprehensive plan of flood control in the Ganga basin and arranging its implementation in a co-ordinated manner through the agencies of the State Governments, Ganga Flood Control Commission has been set up by the Central Government. In the preparation of the comprehensive plan, the Commission will make an assessment of the adequacy of the waterways provided for the roads, rail and canal systems and the effect of various developmental works on the flood problem. The Commission has prepared an outline plan estimated to cost Rs. 1043 crores and is now engaged in the preparation of detailed basinwise plans. Pending the preparation of the comprehensive plan, the State Governments who are responsible for the planning and implementation of flood control measures are executing flood control and drainage works according to the availability of funds to mitigate the damage caused by floods and drainage congestion.

In the planning of the roads, railways, canals, etc suitable arrangements are made for providing adequate waterways to reduce the drainage congestion caused by the obstruction of the natural drainage due to these structures. This is continuously reviewed and additional waterways are provided as necessary.

Time-bound programme for distribution of Land

4729. SHRI BHOGENDRA JHA: Will the Minister of AGRICULTURE AND IRRIGATION be pleased to refer to the reply given to Unstarred Question No. 956 on 18th November, 1974

regarding distribution of surplus land and state.

(a) whether against the estimated 40,61,000 acres of land above ceiling being available, only 17,520 acres have been distributed so far; and

(b) if so, what steps are being taken to expedite the acquisition and distribution of the entire estimated surplus land within a specified time limit and under the supervision of statutory popular committees?

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL). a) and (b) According to the latest information received from the State Governments, the total surplus area distributed so far on the implementation of the amended Ceiling Laws is 18,909 acres. In most of the States which have made tentative estimates of the extent of surplus land likely to be available, various steps prescribed under the law are being taken for expeditiously implementing the ceiling laws with a view to distributing surplus land. All these laws and rules framed under them provide for returns of land being filed by the land owners, scrutiny of these returns, the declaration of surplus land, the selection of land that can be held by the land-owner within the ceiling, the filing of objections against the decision of the appropriate authority, the disposal of objections, appeal, revision, the preparation of list of eligible categories of persons to whom surplus land should be distributed etc. Since opportunity is given to the affected parties to raise objections at various stages, it is difficult to ensure the implementation of these laws within a specified time-limit. Besides, references to the courts of law by affected parties have also held up or slowed down the pace of implementation in a number of States. The law of Kerala provides for the association of village level advisory committees in the process of the implementation of the ceiling law

12 hrs

RE ADJOURNMENT MOTIONS
(Query)

SHRI JYOTIRMOY BOSU (Diamond Harbour): I have given an adjournment motion on the basis of an article which has come out in the *Hindustan Times* that the Union Law Ministry is now contemplating to circumvent and thereby order the Election Commission to go in for a polls without revising the voters' lists, delimitation of the constituencies, etc

Sir, this is a very serious matter on the context of the assurances that have been pouring, starting from the Prime Minister down to the Law Minister and everybody. In that context, I am sure you would have applied your mind to that article and I would like to have a statement from the Government what they intend doing. Sir, we are not afraid to go to the polls at any point of time. But the question is: in the context of the assurances that have been pouring in during the last two months or so, to-day's article saying that the Union Law Ministry is contemplating to circumvent by adhering to certain provisions

MR SPEAKER: Order, please

SHRI JYOTIRMOY BOSU: of the Act of 1955 that elections can be held without revising the voters' lists and without delimitation is ominous. I would like to have a clarification on that point through your good offices (Interruptions).

SEVERAL HON MEMBERS rose

SHRI SHYAMNANDAN MISHRA (Bengaluru): I have given notice of an adjournment motion regarding the functioning of the All India Radio. There has been recently a step-up in its partisan propaganda and highly mutilated and distorted versions of the proceedings are being broadcast

by the All India Radio... (Interruptions). The broadcasts give a clear impression that it is acting as the mouth-piece of the ruling party and is acting at its behest so that the proceedings of the House might be given in an unmannered mutilated and distorted fashion. It is a matter of privilege which the House must raise that its proceedings must not be allowed to be dishonestly broadcast to the country. Therefore, I would request you to give us permission to raise this adjournment motion (Interruptions)

SHRI PRIYA RANJAN DAS MUNSI (Calcutta—South): Our complaint is also the same and they are dragging in the name of All India Radio for no purpose and at every time (Interruptions).

SHRI BHAGWAT JHA AZAD (Bhagalpur): The All India Radio gives more time for the Opposition than for the Government. That is our complaint.

SHRI PRIYA RANJAN DAS MUNSI: When they go to attend a meeting of 50 people in Vithal Bhai Patel House the All India Radio says it is a 2000 people gathering and if they address for an hour, it says they addressed for two hours. Let us discuss that. We are ready to convince you about it by giving concrete instances. (Interruptions). You take the Photo Films Division. You find their faces prominently at the television, not our faces (Interruptions).

MR SPEAKER: Kindly sit down.

PROF. MADHU DANDAVATE (Rajapur): As both sides seem to be agreed that there is a partisan attitude on the part of the All India Radio, though for different reasons, you please admit the adjournment motion (Interruptions).

SHRI SHYAMNANDAN MISHRA: The main thing is that the nation has invested Rs. 300/- crores in the All

[Shri Shyamnandan Mishra]

India Radio. It is not the property of the ruling party. It is the property of the nation. If they say that we are taking more time than the ruling party... (Interruptions) then admit my adjournment motion and you will know the truth.

PROF MADHU DANAVATE
You may kindly listen to those who have given motions and then decide and give your ruling. I have given a very clear notice of adjournment motion. I have said: "Failure of the Government to curb the shamelessly open partisanship of the departmental All India Radio especially its unfavourable treatment of opposition speeches on privilege notices against the ministers particularly Shri L N Mishra in the Pondicherry Licence Case and the wide favourable publicity to the Congress speeches on the privilege motion against Shri R N Goenka". I would like even the privilege motion on Goenka to get publicity. I have no objection. The other day the Deputy Speaker admonished the Education Minister for not getting the President's sanction in time regarding introduction on the Delhi Dramatic Bill by Mr Madhu Limaye; and therefore he could not introduce the Bill. This is a very important ruling given by the Deputy Speaker. You also said that in the case of Maruti you will go into the matter regarding the question tabled by Mr. Madhu Limaye. These are important matters. This is not reported in the All India Radio. This shows their partisan attitude.

SHRI SHYAMNANDAN MISHRA: My motion says: "The recent step-up by mutilated, motivated and aggressively partisan broadcasts of the All India Radio resulting *inter alia* in distorted, unbalanced and unfaithful reporting of the proceedings of the House". I would like to convince the House how on numerous occasions the All India Radio has been taking a partisan attitude and distorting the proceedings of the House. (Interruptions). Let them take up whatever

they want during the course of the discussion in the House. There seems to be at least sufficient justification for a discussion here in this House. This is my submission.

श्री मधु लिमये (बाका) : अध्यक्ष महोदय, मैं आप का मार्गदर्शन चाहता हूँ— मैं इस पर कोई भाषण नहीं करना चाहता हूँ। मैं कभी भी आल इण्डिया रेडियो या टेलीविजन सुनता और देखता नहीं हूँ— इस लिए मेरा मानसिक स्वास्थ्य अच्छा रहता है। लेकिन उस दिन, अध्यक्ष महोदय, मैंने चैज के लिए एक दफा आल इण्डिया रेडियो सुना और नतीजा यह हुआ कि मैंने मन पर यह असर हुआ कि क्या वास्तव में इतना शेरमनसली पक्षपात आल इण्डिया रेडियो कर सकता है? इस लिये मेरा आप से नफ़ा निवेदन है कि इस मकाल पर हम लोग सदन की मानहानि का सवाल उठाये या एडजानमेंट मोशन दे— इस के बारे में मैं आप का मार्गदर्शन चाहता हूँ।

(Interruptions)

MR SPEAKER: It cannot form the subject-matter of adjournment motion. As regards your question that there has been no fair reporting.

SHRI SHYAMNANDAN MISHRA: My complaint is we are being misrepresented everyday.

अध्यक्ष महोदय : क्या बन रहा है एक मिनट में चढ़ जाते हैं और एक ही मिनट में नीचे आ जाते हैं।

If this is in the shape of privilege and you think it has not been properly reported, you just point out I will call for the report of the Minister

and will examine if it can be raised in the shape of privilege or other discussion

As regards the other one about election. I will get the clarification. All of us are concerned about it. I will send your point to the Minister and ask for the report.

SHRI SHYAMNANDAN MISHRA: Sir, the problem is somewhat basic. If the House feels its proceedings have been mis-reported and the Government is using it as a mouth-piece of ruling party should there be no remedy open to the House except a privilege motion. (Interruptions)

12.15 hrs.

**QUESTION OF PRIVILEGE
AGAINST SHRI L. N. MISHRA RE.
IMPORT LICENCE CASE—contd.**

MR SPEAKER: Now, I have to give my ruling regarding the question of privilege against Shri L. N. Mishra. Sarvashri Atal Bihar Vajpayee, Madhu Limaye, Jyotirmoy Bosu and Shyamnandan Mishra gave notices of question of privilege against Shri L. N. Mishra, Minister of Railways. They also made their submissions in the House on the 4th, 5th, 11th and 12th December, 1974, on the admissibility of their notices.

The facts are as follows:—

(i) On the 28th August, 1974, Shri L. N. Mishra made a statement in the House as follows:—

"I recollect having received a letter purporting to bear the signatures of a number of MPs when I was in charge of the former Ministry of Foreign Trade. As far as I remember, I passed on the letter to the officer concerned in the normal course of business. No order was passed by me, nor any licence was issued during the period I

remained in that Ministry. I strongly repudiate the allegation that I had anything to do with the obtaining of signatures on the application or grant of licence. I repeat, Sir, none of these licences were issued during my stewardship of the Ministry of Foreign Trade."

(ii) On the 9th September, 1974, when Shri Atal Bihar Vajpayee said (original in Hindi) that Shri Tulmohan Ram was having a school constructed in his village in the name of Pandit Ravindra Nath Mishra, the father of Shri Lalit Narain Mishra, and that donations had been collected for that purpose, Shri L. N. Mishra, Minister of Railways, intervened to say:

'Hum Ko gyat nahin hai'

मम को जान नहीं है

The contention of the members is that by his above two statements Shri L. N. Mishra has deliberately misled the House. In support of their contention, these members have referred to the following passages in the Charge Sheet filed in the Court against Shri Tulmohan Ram, M.P., and others:—

(i) "On 23-11-1972 Shri Tulmohan Ram after meeting Shri L. N. Mishra in his office told S/Shri K. V. Nair and S. M. Pillai that the Minister had asked the CCI&E to examine the position and put up the case early"

(ii) "On 5-2-1973 Shri K. N. R. Pillai sent an interim report to Shri N. K. Singh saying that a detailed report of the Controller of Pondicherry in this matter was awaited and that the Minister be apprised, if necessary. On 5-2-1973 Shri L. N. Mishra took oath of office of Minister of Railways. On the relevant file there is a noting by Shri N. K. Singh, admitted to be dated 5-2-73, to the effect that Minister desires that this case should be finalised quickly, as it has been pending for a long time.

[Mr Speaker]

According to his understanding, the Public Notices were not properly worded or have been incorrectly interpreted. MFT also feels that if an injustice has been done to the appellant, remedial action should be taken and such reliefs as are possible under the Import Control Regulation should be given to them."

Shri Shyamnandan Mishra also referred to the following noting in a file of which there is no mention in the Charge Sheet:—

"Refer my minutes at page 11/N. This matter has been unduly delayed. I should like the points raised in my notes on page 12/N be examined with speed and file submitted to me by the 30th "

He also referred to Shri N. K. Singh's note dated the 5th February, 1973.

SHRI SHYAMNANDAN MISHRA (Begusarai): This was on 23-8-72. I pointed this out that day.

MR. SPEAKER: And argued that on the principle of ministerial responsibility, Shri L. N. Mishra should be held responsible for this Officer's action.

As regards the alleged construction of a school in the village of Shri Tul Mohan Ram, MP., Shri Vajpayee referred to proceedings of a Committee where Shri Tul Mohan Ram had suggested that the school might be named after the name of the father of Shri L. N. Mishra.

Shri L. N. Mishra, Minister of Railways, laid on the Table of the House a statement on the 9th December, 1974, explaining the position. In his statement, he stated *inter alia* as follows:—

"My above statement of August 28, 1974 is factually correct and is fully borne out by the CBI charge-sheet

My hon'ble friends opposite have tried to make much of a note (referred to in the charge-sheet) recorded by Shri N. K. Singh, OSD on the relevant file. The date of the note is admitted to be 5-2-1973, the date on which I ceased to be a Minister of Foreign Trade. Since this note has been quoted to establish that it is in conflict, with my statement before this House of August 28th 1974, I would like to submit that any such assumption is unwarranted and baseless. Even taking the note as it is, I would emphatically assert that by no stretch of imagination can it be construed as an order or directive from me sanctioning the licence. In fact, no order relating to the issue of these licences, as already stated earlier, was issued until seven months after this note.

I reiterate that my entire statement of 28th August, 1974 is factually correct and in no way conflicts with the contents of the charge-sheet.

On 4th December, 1974 Shri Vajpayee quoted from a document which he described as the proceedings of a meeting of the school Managing Committee held on 22nd February, 1973. According to this document, at the meeting, Shri Tul Mohan Ram had suggested the naming of the school after the Railway Minister's late father, Shri Ravindra Nath Mishra. My father's name is *Pandit Ravi Nandan Mishra* and not *Ravindra Nath Mishra*.

According to the document from which Shri Vajpayee has quoted, Shri Tulmohan Ram is reported to have said that he had talked to me about this subject. Sir, it is not for me to explain Shri Tulmohan Ram's statements. I repeat that I said on 9th September, 1974 is factually correct. Shri Tulmohan Ram had at no stage discussed with me any proposal in this regard.

I had recorded, I remember, a note almost three months earlier i.e. in August and that note related to the examination of the matter in the Ministry of Law on certain legal points of discrimination etc. This was for contesting the case in a court of law, and not for helping anybody. This was three months before the memorandum in question was received or you can say memorandum was born."

In his further statements on the 12th December, 1974, Shri L. N. Mishra has stated *inter alia*:

- (a) "My note of 23rd August, 1972 as also the notings on pages 11 and 12, now popularly known as 11//N and 12, N of the file to which Shri Vajpayee has referred, relate to my decision to contest the case in a Court of Law and obtaining opinion of the Ministry of Law on legal aspects including discrimination. My note of 23rd August, 1972 called for speedy action only in direction of contesting the case in a Court of Law and not for speedy issue of the licences as alleged"

On the 5th morning, I became Railway Minister. Therefore, whatever happens after I left the Ministry I cannot be held responsible."

During the course of their speeches, Members have raised many issues. Some of them are obviously for debate and decision by the House and do not call for a ruling by me.

However, one important issue raised by Shri Shyamnandan Mishra is whether a Minister is responsible to this House for the actions of his officers. There is no doubt that Ministers are responsible to this House for all the actions of their officers, and from the statement of Shri L. N. Mishra, I find that he has not denied responsibility for the actions of his

officers during his tenure as Minister of Foreign Trade.

As regards the note by an officer of the Ministry of Foreign Trade on the 5th February, 1973, Shri Mishra has stated that he became Railway Minister that day and he cannot be held responsible for any notings done in the Ministry of Foreign Trade (renamed as Ministry of Commerce) on that day. Strictly speaking, the constitutional position is that any notings done after a Minister has ceased to be Minister of a Ministry will be the responsibility of the Minister who has assumed office of that Ministry on that day and not of the Minister who had left the Ministry.

With respect to the noting in August 1972 on a file, it is stated by the Minister that it had nothing to do with the application signed by the Members of Parliament for grant of a licence, which was of course submitted in November, 1972. So, this is not relevant to the question of privilege under consideration.

The limited question for my consideration is whether the two statements made by the Minister in the House on August 28 and September 9, which are the basis of the questions of privilege by the Members, have been shown to be false and made deliberately to mislead the House in those respects.

On the 28th August the Minister stated that he acknowledged the receipt of the letter purported to bear signatures of a number of Members of Parliament. He also stated that he sent this letter in the normal course of business and that he did not pass any order nor any licence was issued during the period he remained in that Ministry. From the submissions made by the members and the Minister, it is clear that the said statements made by the Minister are factually correct and none of them has been proved false.

[Mr Speaker]

So far as Shri Vajpayee's allegation is concerned, the Minister has stated that he had no knowledge. Shri Vajpayee in his statement has quoted Shri Tulmohan Ram and minutes of a Committee. He has not shown anywhere that the statements made by Shri Tulmohan Ram in a Committee were with the knowledge of Shri L. N. Mishra. In a question of privilege the responsibility and the act of commission or omission must be direct. I do not think this is a case where Shri L. N. Mishra has misled the House.

I therefore do not give my consent to these notices of question of privilege

(Interruptions)

MR. SPEAKER: No points of order now. No discussion on this. I am not here to explain my ruling. I am not allowing anything. I have done it with a full conscience. I have not called any member. Nothing said will go on record. There should be no discussion on this. I am so sorry.

MR. SPEAKER: There can be no discussion; no points of order on a ruling.

(Interruptions)

MR. SPEAKER: Whatever was relevant in the records I have seen. Shri Indrajit Gupta—absent. Shri Ramavatar Shastri—absent.

(Interruptions)

MR. SPEAKER: Whatever any Member has said and whatever has happened, it will not go on record. I have not called any Member on this item. I have gone to the next item. Shri Darbara Singh.

(Interruptions)

MR. SPEAKER: I have given my ruling. You cannot compel me to give a ruling which suits you. It may be right; it may be wrong; it is according to my conscience. No

Member is allowed except Mr. Darbara Singh. Only Sardar Darbara Singh is on his legs.

SHRI SHYAMNANDAN MISHRA: We walk out as a protest against your ruling. (Interruptions).

Shri Shyamnandan Mishra and some other hon. members then left the House.

MR. SPEAKER: Shri Darbara Singh.

SHRI BHOGENDRA JHA (Jaipur): Sir, I have sought your permission. I have some very important documents.

MR. SPEAKER: You have already spoken. I cannot give you a second chance.

—

12.40 hrs.

QUESTIONS OF PRIVILEGE AGAINST SHRI R. N. GOENKA —contd.

श्री बरबारा सिंह (होशियारपुर) : अध्यक्ष महोदय, मैं इस प्रिविलेज मोशन पर कुछ कहना चाहता हूँ जो श्री गोयनका के खिलाफ लाया गया है। मैं सिर्फ यह अर्ज करना चाहता हूँ कि हम अपने हाउस की रजिस्ट्रार को बरकरार रखने के लिए यह चीज चाहते हैं। यहाँ सवाल उठा मिस-कांडक्ट का। इस हाउस की प्रिविलेज को गिराने का काम किया गया, कुछ लोगो ने चीटिंग की, कुछ और खराबियाँ की जो इस हाउस को जीव नहीं देती। इसलिए हम एक मेम्बर की प्रोटेक्शन चाहते हैं और वह मेम्बर हमें पता नहीं, मुझे तो जो मालूम हुआ वह यह कि वह जनसचिव के मेम्बर थे, हट गये, हट कर फिर इंडिपेंडेंट एलेक्शन लड़े, लेकिन फिर सिम्बल जो था वह जनसचिव का इस्तेमाल किया, इसलिए मैं समझता हूँ कि उनकी जिम्मेदारी हो जाती है और वह अपनी जिम्मेदारी से मुनहुरफ नहीं हो सकते हैं। उन्होंने ठीक कहा है कि जहाँ जनसचिव रहेगा

वहा वह इमवाद करेंगे। इसलिए वह उनका हक बनता है। मैं नहीं कहता कि वह उनका हक नहीं बनता है। इसलिए उन्होंने जयप्रकाश नारायण जी को या किसी और को इनकी मार्फत कोई मदद की हो तो वह उनका हक बन जाता है और यह उन्होंने माना भी कि हम ने मदद की है। वह बहुत अच्छे आदमी है कि उन्होंने मान लिया कि जो कुछ आज हो रहा है वह उनके पैसे की झन्कार और उसकी बदीलत हो रहा है। मैं समझता हूँ कि यह वह बाहर करे, जो मर्जी हो करे, वह चाहे जिस किसी को पैसा दे क्योंकि हर सरमायेदार की यह आदत होती है कि वह रुपया कहीं बहुत अनफेयर मीन्स के जरिए कमाता है और फिर उसको ऐसे लोग पर खर्च करने की कोशिश करता है जिस में कि उसको और पैसा हासिल हो सके। उसके लिए वह पैसों को खर्च करता है, और किसी के लिए नहीं। इसलिए वह रुपया हासिल करने के लिए रुपये का अखराज कर रहे है ताकि रुपया उनमें पाम आये। उसके लिए वह उन्होंने माना है। लेकिन एक मेम्बर और वह मेम्बर मुझे पता नहीं कि यही मेम्बर है या गोयनका माहव और कोई है, अगर यही है तो इन्होंने हमारे हाउस की बहुत बेइज्जती की है। सन् 66 में इनके खिलाफ दो केमेज चले। दो फर्म इनकी है, उसमें एक पंजाब नेशनल बैंक का—हमें यह भी खेद है कि उसका नाम पंजाब नेशनल बैंक है

अध्यक्ष महोदय : मैं आप में पूछता हूँ कि सन् 66 में उस वकन तो यहा वह मेम्बर ही नहीं थे।

श्री बरबारा सिंह : पंजाब नेशनल बैंक से मुझे कुछ लेना-देना नहीं है। लेकिन उसमें पंजाब का नाम आता है इसलिए मुझे और दुख है कि इन्होंने वहा से लूट-मार की है। दो फर्मों के नाम इन्होंने वहा से न्यूजप्रिंट के नाम पर पैसा निकाला और पैसा किस बात के लिए खर्च करते रहे? इसी खुराफात के लिए कि किसी पैसा दे कर आगे लडाए और

फिर अपने ज्यादा पैसा हासिल कर. . . (व्यवधान) आप ट्रेडर की बात करते है। एक खराबी मैं ने या आप ने बाहर को हो और वह खराबी लगातार चलती रहे तो उसका जिक्र यहा न किया जाय? यह क्या आप बात करते है?

श्री एस० ए० शमीन (श्री गिर) :
यह तो मेम्बर 1971 में हुए।

श्री बरबारा सिंह : 71 में बहुत अच्छे हो गये जो 66 में खराब थे? . . . (व्यवधान) . . . जम उन में आप इन्फार्मेशन मांगते है वह मैं जानता हूँ। अगर उसके हक में आपको कुछ कहना है तो जरूर कहिये।

श्री बसन्त साठे (कोटा) : ये वह जानना चाहते है कि बीमारी नई है या पुरानी?

श्री बरबारा सिंह : यह बहुत पुरानी बीमारी चलती आ रही है। सन् 66 में इन्होंने अपनी दो फर्मों के नाम पैसा निकाला। फिर जब उनमें पूछा गया तो तीसरी फर्म का जो एग्जिस्ट नहीं करती उसके नाम पर यह कहा कि हम ने न्यूजप्रिंट उसके लिए लिया। यह उसका फाड है और यह चीटिंग है और इसके लिए हर वह खराब लवज इस्तेमाल हो सकता है, हर लवज जो कानून में गन्दा हो सकता है वह इसके लिए इस्तेमाल किया जा सकता है। वह सब इनके खिलाफ उस चार्जशीट में लगा है। हमें वह चार्जशीट कहीं मिल पाये ना बहुत अच्छा होगा क्योंकि यहा 6-7 बिन तुलसीहन राम का नाम लेकर खुराफात होती रही (व्यवधान) अब आप लाये है तो कहीं लाइब्रेरी में रखवा दें ताकि हम लोग देख तो ले कि हैवान का अमली चेहरा क्या है? वह हम शीशे में देखना चाहते है (व्यवधान) . . . आप उसे टेबल पर रखने के लिए कह दी जिये।

[श्री अश्ववारा मह]

जितनी इन्वेस्टिगेशन कार्ट हुई है। उन्होंने वह सब कुछ जो किया है अपनी एग्जम्पल बनाने के लिए जो भी किया है उसकी जितनी भी जांच हुई हो वह हमें देखने का मिल जाय। उनका फ्राड और उनका नया फ्राड चलाने में ये माहिर है। यहां बहुत कुछ उन्होंने कहा गाली निवाली कहा है यह कृपा में वह कहेगा, तो हम उस बात से तो उत्तर नहीं दे क्योंकि हम जानते हैं कि उनसे अदावत नहीं है, हमें उनसे जमाने में अदावत है जो काम उन्होंने किये हैं उनसे अदावत है। जो नैतिक काम करने के लिए उन्होंने उनका फ्राड रखा है हम यहां उसका भया फोटोना चाहते हैं ताकि हाउस को पता चले कि हाउस की उज्ज्वलता बरकरार रखने के बजाय उसे और नीचा गिराने का काम उन्होंने किया है।

तो मैं बहुत न कहता हूँ आप में भिन्न यह कहना चाहता हूँ कि इसको प्रिविलेज कमेटी में आप भेज दीजिये। वहां उसकी छानबीन हो जाय। . . (व्यवधान)

जो चार्जशीट इनके ऊपर लगी है उस चार्जशीट को अगर हम पढ़ सकें आप उसके लिए उन्हें इजाजत दे दें टेबल पर रखने की तो बड़ी अच्छी बात होगी। क्योंकि एक हमारे दोस्त के पास वह पड़ी हो तो वह तो हमें दे नहीं सकते जब तक कि वह हाउस की टेबल पर प्लेस नहीं की जाती। तो उसे हाउस की टेबल पर रखना दे या कहीं लाइब्रेरी में रख दें जैसे तुलमोहन राम का रखा है तो हम उसे पढ़ सकेंगे क्योंकि यह कैम बहुत लम्बा-चौड़ा है, फ्राड का है और जिनकी चीजें अनफुल इस्तेमाल हो सकती हैं, जितने रागफुल डीड्स हो सकते हैं वह सब किये हैं। यह जो फीर्जिंग है यह सारी नगी होनी चाहिए। हम लोग चाहते हैं कि आप मेहरबानी करके इसको प्रिविलेज कमेटी में भेजिये, वहां हम सारे मामलों की छानबीन हो जायगी और यह पता चल जायगा कि कितना फ्राड करने के

बाद भी ये इस हाउस में बैठे हुए हैं और उस हाउस की बेइज्जती कर रहे हैं।

श्री शक्ति भूषण (दिल्ली-दक्षिण)

अध्यक्ष जी, मुझे गोयनका जी से हमदर्दी है। वे इस सदन के सदस्य हैं और एक सदस्य होने के नाते मैं नहीं चाहता कि किसी मेम्बर पार्लियामेंट के व्यक्तित्व पर इस तरह से लाइन लगें, इस तरह से देश के अश्ववारा में छपता रहे और उनमें सदन की मर्यादा को चोट पहुंचे।

अध्यक्ष जी, यह बिल्टज अश्ववार है—इस दफा का ताज: अश्व है—इसमें निकला है—
“मैं रामनाथ गोयनका अदालत के बटवारे में. . . वरु को धोखा देने का आरोप। लोक सभा में रामनाथ गोयनका के बारे में हो-हाले की तुलना तुलमोहन राम के बारे में हुए हंगामे में उस लिये की जा रही है कि उनके तथा हमारे पांच आर्दामियों के खिलाफ अश्ववारी कागज में घोटाले का अभियोग-पत्र पेश किया गया है।

यह मामला यहां के प्रमुख नगराधीश के इजलास में 30 नवम्बर को सी०बी०आई० की तरफ से दायर किया गया। अभियोग-पत्र में खाम इलजाम यह है कि उन लोगों ने, जिनमें गोयनका के बेटे और पत्नी भी शामिल हैं, 1968 में अश्ववारी कागज के ऐसे भंडारों के बारे में “गलत बयान” दे कर, जिसका कहीं कोई नाम-निशान भी नहीं था, पञ्जाब नेशनल बैंक को धोखा दिया, जिसका इस्तेमाल शेयर बाजार के धंधे के लिये किया गया था।

अध्यक्ष जी, मैं बहुत ज्यादा डिटेल् में नहीं जानना चाहता, लेकिन चूंकि इन्होंने सदन को भी बीच में शामिल किया है और यह कहा है कि चूंकि मैं लोक सभा का मेम्बर चुना गया, इस लिये विरोधी दल की सरकार ने इनके खिलाफ मुकदमा दायर किया।

हाईकोर्ट में इनकी पेटिशन रद्द हुई, सुप्रीम कोर्ट में भी रद्द हुई। यह किस एक पुराना केस था, जब कि ये मेम्बर नहीं थे—लेकिन मेम्बर बनने के बाद इन्होंने बहुत से सक्श्यों को, सरकार के जिम्मेदार लोगों को इसमें घसीटा और कहा कि यह उनसे बदला लिया जा रहा है। लेकिन उसके बावजूद भी ये सुप्रीम कोर्ट में बुरी तरह से हारे—यह जो सुप्रीम कोर्ट का फैसला है यह इनके मेम्बर होने के बाद का है।

अध्यक्ष महोदय: मुझे एक बात बतलाइयें—मेम्बर होने के नाते और खास तौर से अपोजीशन का मेम्बर हों—उम सूरत में क्या फर्क पड़ेगा। रूलिंग पार्टी का हो तो हाँ सकता है, लेकिन अपोजीशन से क्या लेना है?

श्री शशि भूषण मैसिफ इतनाही कहना चाहता हूँ—जब एक सदस्य अदालत में यह कहे कि मेरे चुने जाने के बाद विरोधी दल ने ऐसा किया—इन के लिये विरोधी दल हम हैं—कि इन के खिलाफ केस दायर किया और उस पर सुप्रीम कोर्ट और हाई कोर्ट ने कहा कि यह गलत है—इस का क्या मतलब है? कम से कम इनको यह नहीं कहना चाहिए था, जब कि इन के खिलाफ फ्राड का चार्ज है जो हैबिचुअल आफ्फेण्डर है—सब लोग जानते हैं। लेकिन उसके बाद भी केस को टालने के लिये ये सुप्रीम कोर्ट तक गये। सी०बी०आई० के इन पर पचासो चार्जिज लगे हुए हैं लेकिन ये बराबर सी०बी०आई० को कोई महत्व नहीं देते हैं, क्योंकि ये जानते हैं कि पैस के बल पर वर्षों तक अदालत में लड़ सकते हैं, केसिज करते

है, गवाहों के खिलाफ स्टे के घाते हैं और फिर सुप्रीम कोर्ट तक पहुँचते हैं। इनके खिलाफ जितने चार्जिज लगे हुए हैं, अगर वास्तव में हम लोग चाहते यह सोचकर कि ये विरोधी दल में हैं, इस लिये इनका विरोध करना है, तो अब तक तो कई बार ये जेल गये होते, लेकिन यहाँ पर ये प्रजातन्त्र का फायदा उठाना चाहते हैं। भुनभुनवाला जी जो यहाँ के मेम्बर हैं, उनको भी उन्होंने धोखा दिया है, आप उनसे बात कर सकते हैं . . .

अध्यक्ष जी, कल जब यहाँ बात चल रही थी तो यहाँ किसी साहब ने कहा कि ये फीरोज गांधी साहब को अपने यहाँ सर्विस में रखे हुए थे। अध्यक्ष जी, वे प्रानेस्ट धादमी थे, इनके यहाँ नौकरी करते थे, जब मूढा के खिलाफ उन्होंने सदन में कुछ सबाल उठाये तो ये नाराज हो गये कि मारवाड़ी बिराहरी के खिलाफ क्यों उठा रहे हो, तब उन्होंने रिवाइज कर दिया और इनको कहा कि मुझे तुम्हारी नौकरी की विलकुल परवाह नहीं है

श्री जनेश्वर मिश्र (इलाहाबाद) : उस वक्त फीरोज गांधी जिड़ला के साथ थे।

श्री शशि भूषण : मैंने डा० लोहिया के बारे में कुछ नहीं कहा है।

श्री जनेश्वर मिश्र : अभी जवाहर लाल नेहरू का नाम नहीं लिया गया है, उनका नाम भी आयेगा।

श्री कृष्ण भूषण : अध्यक्ष जी, मैं जयकांत जी का नाम नहीं लेना चाहता हूँ, इस लिये कि अगर इन्होंने उनके गांव में उनका मकान

[श्री शशि भूषण]

बनवाया हो या ये उनके मूवमेंट के साथ हों तो इससे मुझे कोई मतलब नहीं है। इनका पैसा है, जिसको चाहे वे। यह जो चर्चा शुरू हुई है कि ये जयप्रकाश जी

श्री जनेश्वर मिश्र : इन्दिरा गांधी के लिये होटल खुलवाये तब भी कोई एतराज नहीं होगा—इन सारी बातों पर चर्चा होगी।

श्री शशि भूषण : यह तो जयप्रकाश जी की अपनी ईमानदारी है, वे जिससे मदद लेते हैं—इस में न मिश्रा जी को सफाई करने की जरूरत है और न इनको। उनको जब इस सदन की कार्यवाही का पता लगेगा तब वह देखेंगे, लेकिन मेरा इससे कोई ताल्लुक नहीं है। लेकिन अगर इनका फ्रंट इस बात का दबाव डालना चाहता है कि सरकार इनके केसज वापस ले ले तो यह सम्भव नहीं है।

श्री श्याम नन्दन मिश्र (बेगूसराय) : यह तो सूरज को कीचड़ उछालना है।

श्री शशि भूषण : पता नहीं, ये किसको रात में सूरज समझते हैं।

ये बड़े शौभाग्यशाली है—जनसभ के सिम्बल पर यहाँ आये और फिर उसको छोड़ दिया। राती ने इनकी मदद की थी

MR. SPEAKER: Mr. Unnikrishnan spoke the other day for quite a length of time and I did not interrupt him even for once because all the time he was relevant. So, please do not get yourself involved in this thing and that thing. You please explain the points at issue.

श्री शशि भूषण : अध्यक्ष जी, मैं महारानी का जिक्र नहीं करना चाहता हूँ—जिनको इन्होंने बिट्टे किया। लेकिन मैं इतना जरूर कहना चाहूँगा कि तुलसीमोहन राम का जो केस है, वह इनके मुकाबले में ऊट के मूह में जीरा है। यहाँ पर कहा गया है कि उन्होंने 50 हजार रुपये लिये, उनके मुकाबले में तो यहाँ करोड़ों रुपये का घोटाला है। एक गरीब हरिजन के पीछे सारे लोग पड़ गये, वहाँ 50 हजार रुपये का मामला है और उमका भी अभी फैसला होना है, लेकिन यहाँ तो करोड़ों रुपये का घोटाला है। तुलसीमोहन राम और गोयनका की बराबरी नहीं हो सकती—कहा राजा भोज और कहा गगवा तेली। मैं तो इतना ही चाहता हूँ कि जो चार्जशीट इनके खिलाफ अदालत में पेश की गई है—मैं आप की मारफत मंत्री जी से कहूँगा—वे यदि इस मदन के मेम्बरा को उमें पढ़ने की इजाजत दे सकें—ऐसी जगह रख दें। जैसे तुलसीमोहन राम के खिलाफ जो चार्जशीट लाइब्रेरी में रखी गई वैसे ही इनकी चार्जशीट भी लाइब्रेरी में रखी जाय, हर जबान में ट्रांसलेट करके, ताकि लोग कम्पेयर कर सकें कि कौन कितना दोषी है, और वह लोग भी जो विरोधी दल के इनकी रक्षा कर रहे हैं, जो इनकी रक्षा पर जीवित हैं, वह भी दोनों का मुकाबला कर सकें। मुझे विश्वास है आप इस पर निर्णय देंगे और गृह मंत्री को कहेंगे कि श्री गोयनका से संबंधित चार्जशीट लाइब्रेरी में रखी जाय।

13 hrs.

श्री बसंत साठे : ज्यादा अच्छा होगा अगर "इंडियन ऐक्सप्रेस" और "एचरीमैन" अखबारों में वह छप जाय।

श्री शशि भूषण : तुलमोहन राम का स्पेशल केस क्यों हो ? अगर उससे बड़ा कोई 420 हो तो वह भी सब को पता लगना चाहिए । . (श्रवण) क्योंकि वह कांग्रेस का है और यह विरोधी दल के है इसलिये दोनों में भेद किया जा रहा है ।

MR SPEAKER What happened in Tul Mohan Ram's case will not be a precedent for future

श्री श्यामनन्दन मिश्र : तुल मोहन राम का कोई काउन्टरपार्ट नहीं है । यह सिर्फ इसलिये कि कांग्रेस का कोई सदस्य ऐक्सपोज़ हुआ है इसलिये विरोधी दल के भी किसी सदस्य को काउन्टरपार्ट बनाने की कोशिश कर रहे है । (श्रवण)

तुल मोहन राम ही नहीं इनके मिनिस्टरस के ऊपर भी भ्रष्टाचार के चार्ज है । उनका काउन्टरपार्ट कौन मिलेगा ? . (श्रवण) कौन चीज चल रही है कुछ समय में नहीं आता है । हम लोग अगर इर्रैलीबेट बोलते है तो कदम कदम पर आप हम लोगों को पकड़ते है ।

अध्यक्ष महोदय : माननीय शशि भूषण जी, कुछ मेरे साथ भी तो बातचीत कीजिये । आप ने सारा समय ले लिया ।

श्री शशि भूषण : मैं मिश्रा जी को बताना चाहता हू कि तुल मोहन राम और गोयनका जी की तुलना नहीं करनी चाहिए । कहा एक अरबपति आदमी और कहा गगुआ तेली । यह तो वर्षों से चीटिंग करते आ रहे है । आप ने कहा तुल मोहन राम का स्पेशल केस था । तो स्पेशल केस इनका बनाना चाहिये था ।

अध्यक्ष महोदय : वह तो हाउस का फैसला है, मेरा फसला थाडे ही है ।

(Interruptions)

MR SPEAKER I am not allowing any other gentleman He has not given notice

SHRI H N MUKERJEE (Calcutta—North-East) How can you lay down such a law? I am not going to give you notice because in a privilege matter I am entitled to make extraneous intervention

श्री शशि भूषण अध्यक्ष जी यह समय की मर्यादा का प्रश्न है ।

(Interruptions)

अध्यक्ष महोदय मैं भी अगर हु हु कर दू तो कैसा लगे । यह भी कोई बात है ?

SHRI JYOTIRMOY BOSU (Diamond Harbour) Is this the language you use?

SHRI K P UNNIKRISHNAN (Badagara) Please, pull him up

श्री ज्योतिर्भय बसु . मैं भी बोलूंगा ।

अध्यक्ष महोदय : बोलेंगे तो बगैर इजाजत नहीं बोलेंगे ।

श्री श्यामनन्दन मिश्र : बड़े बड़े पृजीपतियों की सारी लिस्ट हम लोगों के पास है । टुजूर यह लोग फाइले बेचते है परमिट कोटा लाइसेंस बेचते है । विरोध पक्ष के हाथ में क्या है जो उद्योगपतियों का समर्थन करे ?

श्री शशि भूषण : माननीय मिश्र जी मंत्री रहे है इन्हे तजर्बा है क्या बेचते है ।

MR SPEAKER Why are you involving yourself with this Member or that Member? Why don't you address the Chair?

कीं शक्ति भूषण : मैं सिर्फ इतना कहना चाहता हूँ कि प्रजातंत्र तीन चीजों पर आधारित है : (1) हमारी संसद, (2) अध्यक्ष, (3) चर्चा की शक्ति। तो जहाँ तक चर्चा का संबंध है माननीय उन्नीकृष्णन् ने कहा कि बेंकटेशन के मन्दिर को इन्होंने चीट किया। "एंबेसीमैन" वगैरह जितने प्रश्न बार है लाखों प्रश्न चर्चा हो रहा है, यह पंसा कहा से आता है। "इंडियन एक्सप्रेस" इनके पास है। तो इन्होंने भारत के चर्चा को इस्तेमाल किया, जनसंघ के सिम्बल को इस्तेमाल किया, भारत के मोनोपलिस्ट अध्यक्षों को इस्तेमाल करते हैं, और इस संसद का इस्तेमाल करते हैं। तो ऐसा व्यक्ति बहुत ही खतरनाक है। सुब मोहन राम के पास तो कुछ नहीं है। और वह देश के बड़े-बड़े आन्दोलन अपनी जेब में रखते हैं, सरकार से कहते हैं कि केस वापस ले लीजिये। इसलिये स्पेशल केस इनका बनाइये और जो चार्जशीट इनके खिलाफ भारत सरकार ने अदालतों में पेश की है उसको सीइन्नेरी में रखा जाय। और आइन्दा भी जो इनके खिलाफ चार्जशीट पेश होने वाली है, जैसे ही अदालत में पेश हो, उसको भी लाइब्रेरी में रखें। इनके मददगारों पर मुझे दया आती है जो इनके अध्यक्ष से, पैसे से भय खाते हैं। मैं कहना चाहता हूँ कि यह सदन की प्रतिष्ठा का सबाल है। अगर किसी भी सदस्य पर 420 का मुकदमा चल रहा हो और एक सदस्य उनकी मदद करे और उनकी चर्चा हो तो यहां लोग खड़े हो जाय कि अयप्रकाश जी का नाम क्यों ले लिया, यह उचित नहीं है। इसलिये इनके खिलाफ चार्जशीट जो भी है वह हम लोगों की मिल

सके इसकी व्यवस्था हीनी चाहिए और उसको लाइब्रेरी में रखा जाय।

MR. SPEAKER: Mr. Veyalar Ravi.

SHRI VASANT SATHE: Sir, I rise on a point of order if you allow me..

MR. SPEAKER: No, no. I am sorry.

SHRI SAMAR GUHA (Contal): Sir, I rise on a point of order.

SHRI VASANT SATHE: I do not want to make a speech. I want to rise on a short point of order, with your permission.

MR. SPEAKER: What shall I do? In this case it took us the whole day. It is again going beyond the lunch hour.

SHRI BHOGENDRA JHA: I shall be totally relevant in my point of order.

MR. SPEAKER: I am not concerned whether it is useful or not. You had your chance the other day. I shall listen to the other hon. Members only for one minute.

SHRI SAMAR GUHA: My point of order relates to the points that you have permitted on this privilege motion against Shri Goenka on the basis of one specific news—the news that appeared in the *Patriot*—which related to a case instituted against him in a metropolitan court in Madras. And many hon. Members have mentioned about many C.B.I. reports and he was described as a habitual offender. All kinds of words were used against him. I want your ruling on this. There are violent accusations made against the Member without any document against him. The Members mentioned about certain informations relating to different ministries and those files have not been made public; nor have they been laid on the Table of the House. The hon. Members have made these accusations in Parliament about which there is no notice given and

no information was given in this House. I want to know whether, before such observations are made, you in your wisdom, would ask all the Ministers concerned to lay all the relevant papers on the Table. Only after that, you will allow the Members to make such accusations. Otherwise, we are completely in dark. These are wild accusations made against the hon. Member.

MR. SPEAKER: Mr. Shamim, are you also raising a point of order?

SHRI S. A. SHAMIM (Srinagar): My point of order to the privilege motion is relevant. What you should decide is whether Mr. Goenka's conduct as Member of Parliament can be discussed in respect of charges made against him. I can understand the hon. Members being concerned about a Member's misconduct. May be, about six months ago, there was a chargesheet against Shri A. K. Sen whose passport had been impounded. And not once this issue was raised. How can you hear them without a notice? When the case is in a court, can his conduct be discussed here? Mr. Goenka's name should have found a third place in the list; Mr A. K. Sen's name should come first and Shri Tulmohan Ram's name should come next and then Mr. Goenka's name should come.

MR. SPEAKER: Do not make a speech. What is your point of order?

SHRI S. A. SHAMIM: What I am submitting is this. Can you allow either Shri Mishra or Sashibhushan to refer to Mr. Goenka's conduct not once but many times? This is what all these Members are doing outside. I warn this House that if everybody's conduct is to be discussed in this House, then the Parliament is left with hardly five or six Members including myself. Therefore, don't throw the flood gate open as this may boomerang.

SHRI VASANT SATHE: Sir, my point of order, if Mr. Jyotirmoy

Bosu allows me, is under Rule 222. When I am raising a point of order, I must say under what Rule I am doing it.

PROF. MADHU DANDAVATE (Rajapur): How can it be under Rule 222? That is for privilege.

SHRI VASANT SATHE: You were pleased, in your wisdom, to allow us in this House to make submissions so as to enable you to come to a decision whether you should give your consent .. (Interruptions). Sir, if I understand it correctly, the speeches are not being made here under Rule 225

MR SPEAKER: Kindly conclude in a minute.

SHRI VASANT SATHE: Sir, if I understand you correctly, you, in your wisdom, have decided to take the learned views of the hon. Members to enable you to come to a decision whether you should give your consent or not. If I understand you right, you are not allowing these submissions under Rule 225. Therefore, Sir, if this is what you are asking, then, to enable you to come to a decision, in this case as to whether there is a *prima facie* case of misdemeanour, of a conduct derogatory to the dignity of a Member of Parliament so that where a *prima facie* case exists against a Member, that he is not fit to be a Member of this fraternity—I think this is what you want to decide....

MR. SPEAKER: Please sit down. I understand everything.

SHRI VASANT SATHE: In your wisdom, you gave the guidance the other day in Tulmohan Ram's matter. You said, Sir, that you will not give a direction to the Government, but, if the Home Minister is willing to keep the chargesheets on record, you will have no objection. This is what you have said. In justice, you must at least say that in this case also.

[Shri Vasant Sathe]

You must remark in your kindness that the Government and the Home Minister may, if they want, place these chargesheets for our knowledge. Will you say this such? This is my point of order. I want your ruling on this.

SHRI JYOTIRMOY BOSU: Sir, we are concerned to hear things which are not good for this House. It is very important that we try and put our finger on the right pie. There are two things. We wanted statements from the concerned Ministries whether Mr. Ramnath Goenka, as a Member of Parliament had allegedly put pressure to advance his own personal interest. Secondly, we are also anxious and we are interested that the CBI reports with regard to his cases be placed on the Table of the House. We have said it on Friday time and again. Instead of beating about the bush and denigrating this House, let us deal with the business firmly and methodically. We want these two documents and these information to be made available to the Members of the House so that we can certainly proceed against these Members who are doing things which are not proper for a Member of Parliament.

SHRI SYED AHMED AGA (Bara-mulla): Sir, during the last 4-5 years, I have always obeyed you. But, I have always been ignored. I feel that I have always been ignored because I cannot shout. I am, therefore, forced to shout. Since I have always been ignored, up till today, I walkout of the House.

Shri Syed Ahmed Aga then left the House

MR. SPEAKER: We will take up everything on this issue tomorrow.

AN HON. MEMBER: On a point of order.

MR. SPEAKER: No points of order now. We will resume it tomorrow.

SHRI VASANT SATHE: At least express yourself.

MR. SPEAKER: Papers to be laid on the Table. Shri Pranab Kumar Mukherjee.

श्री अटल बिहारी वाजपेयी (ग्वालियर) : अध्यक्ष महोदय, आप ने कहा है कि आप श्री गोकुल के मामले में चर्चा कल जारी रखेंगे। लेकिन आप 7 दिसम्बर का बुलिटिन देख लीजिए, जो आप के सेक्रेटेरियट ने जारी किया है। उस में श्री तैयब हुसैन के बारे में लिखा है कि प्राइमरी केम है, उन पर दंगा करने का आरोप है और मामले अदालत में चल रहे हैं। कोई काग्रेस का मेम्बर उन के खिलाफ प्रिविलेज मोशन नहीं लाया है। (व्यवधान) हम भी नहीं लाये हैं, क्योंकि पार्लियामेंट के मेम्बर के नाते उन का आचरण जुड़ा हुआ नहीं है। श्री गोकुल उद्योगिक के नाते जो कुछ करते हैं, वह एक अलग प्रश्न है।

PAPERS LAID ON THE TABLE

REPORT OF COMPTROLLER AND AUDITOR-GENERAL OF INDIA FOR 1974 UNION GOVERNMENT (COMMERCIAL) PART I.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PRANAB KUMAR MUKHERJEE: I beg to lay on the Table a copy of the Report (Hindi and English versions) of the Comptroller and Auditor General of India for the year 1974—Union Government (Commercial) Part I—Introduction, under article 151(1) of the Constitution. [Placed in Library. See No. LT-8757/74].

**FRUIT PRODUCTS (AMENDMENT) ORDER,
1974**

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): On behalf of Shri Anna saheb P. Shinde, I lay on the Table a copy of the Fruit Products (Amendment) Order, 1974 (Hindi and English versions) published in Notification No. S.O. 3044 in Gazette of India dated the 16th November, 1974, under subsection (6) of section 3 of the Essential Commodities Act, 1955 [Placed in Library. See No. LT-8758/74]

CERTIFIED ACCOUNTS OF INDIAN SCHOOL OF MINES, DHANBAD FOR 1970-71 AND AUDIT REPORT THEREON

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI ARVIND NETAM): On behalf of Shri D. P. YADAV, I lay on the Table a copy of the Certified Accounts of the Indian School of Mines Dhanbad, for the year 1970-71 along with the Audit Report thereon (Hindi version). [Placed in Library See No. LT-8759/74].

13 22 hrs.

BUSINESS OF THE HOUSE

MR. SPEAKER: There will be no lunch recess this week.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Our submissions about the business of the week were postponed under your orders on Friday till today.

MR. SPEAKER: You were already on your legs. You may speak.

SHRI JYOTIRMOY BOSU: The list of business announced by Shri Raghuramaiah shows the big gap

between promise and performance, as usual. If you look at the list of legislative business, published in Bulletin Part II, you will see legislations which are vital and important, which really mean a change in the political outlook, religiously shunned and put into the wastepaper basket.

13.23 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Let us take, for example, item No. 12—the Lokpal and Lokayukta Bill which was introduced on 11th August 1971. What about its consideration and passing? Where are our friends here talking about stoppage of corrupt practices? You do not even bring it for consideration and passing. It was introduced in 1971. We are in 1974. This is because you cannot survive without corrupt practices. That is why you do not bring it up for consideration and passing.

Then you come to the Banking Services Commission Bill, to provide for the establishment of a Commission for the selection of personnel to service in banking institutions. What happened to that? When did you nationalise the banks? Even today, after a lapse of six years, you do not bring that Bill.

MR. DEPUTY-SPEAKER: What are you talking about?

SHRI JYOTIRMOY BOSU: Part II Bulletin—what they promised in the beginning of the session and what they have done.

Then there is a vital Bill, the Working Journalists (Conditions of Service) Bill. We have decided that it should be passed without discussion. The Tobacco Board....

MR. DEPUTY-SPEAKER: What are you talking about?

SHRI JYOTIRMOY BOSU: Bills that were promised to be enacted.

MR. DEPUTY-SPEAKER: That is not before the House.

SHRI JYOTIRMOY BOSU: Of course, yes; Business of the week.

MR. DEPUTY-SPEAKER: Let me understand. Let us proceed in accordance with some order I am trying to find out what the order is. The Minister of Parliamentary Affairs presented the list of business for this week last Friday. The normal practice is that soon after he presents that, Members make submissions about items that should be included. Last Friday being an unusual Friday, not a good Friday, this could not be done. I find from the proceedings here the Speaker saying that some Members wanted to make submissions and he said: "For submissions regarding next week's business I will keep the names pending; it will come up later on." When I came to the Chair on Friday afternoon, this question came up again and I had the impression that somebody told me that this would be taken up today. That is what I understood. We are very hard pressed for time and there is a lot of business. How can we go about in this matter? The Minister of Parliamentary Affairs is the key person. Does he want to say anything?

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHURAM-AIAH): I should make one submission. This is the last week and the working hours during this week have been taken into account by the Business Advisory Committee and they had agreed on certain Bills. Government had also agreed for certain discussions on Wednesday and Thursday. Today and tomorrow we have heavy work, already agreed upon. In that light I would appeal to the House to consider what we can do and whether we can do anything more. I do not see how time could be found for anything more.

श्री मधु लिमये (बांधा) : बेरी प्रार्थना है कि बहुत ज्यादा प्रोसीजरल मामले में पढ़ने के बजाये आप सदस्यों को एक एक मिनट के लिए सुनिये। हम जानते हैं कि नया बिल्लिनेस नहीं लिखा जा सकता है। इस लिए आप हमें प्रार्थना करने की इजाजत दे। हम सरकार की तरफ से वक्तव्य चाहते हैं।

MR. DEPUTY-SPEAKER: The Minister of Parliamentary Affairs has made an appeal. I can do things only with the consent of the Member; I cannot impose anything. As is our practice Members who want to make submission send in their names in advance. Those names are before me. Let us proceed systematically. Otherwise everybody gets up.

SHRI MADHU LIMAYE: Why only those? Those who have given notice under 377 should also be allowed.

MR. DEPUTY-SPEAKER: I would only appeal; please keep in mind that we are short of time and make your submissions as briefly as possible. Prof. Madhu Dandavate.

SHRI JYOTIRMOY BOSU: I was on my legs. The Tobacco Board Bill has been pending for donkey's years because the tobacco tycoons could not be touched as long as the Guntur kings are here. The Constitution Amendment Bill providing a legislative assembly and a council of ministers for the Union Territory of Arunachal Pradesh where corruption is seething is there. The Monopolies and Restrictive Trade Practices (Amendment) Bill relating to the enterprises of big business houses is there. Then, the Bill for imposing ceiling on urban property. Then, the Cigarette Smoking Bill—that I am told the cigarettewalas are not allowing you to bring. Then, the Brahmaputra Board Bill. Then the Bill on diffusion of ownership of newspapers. They talk so much about Mr. Goenka, but I have not seen even the definking business which they are talking

about. I have given a motion on Maruti for a detailed discussion with regard to land, cement, steel, share prices, dealers' deposits, overdraft from the Central Bank to the tune of Rs. 7 crores and so on and so forth. No discussion has been allowed.

13 months have passed since I gave exhaustive original documents with regard to Shri D. P. Dhar. He wanted to go to France and stay there at the expense of a French company and have secret dealings and negotiations with regard to the purchase of a fertiliser project from them costing about Rs. 60 crores. That matter must be discussed. That matter has been suppressed and hushed up. The matter should be thrashed out before the session. There is corruption galore on the other side. I have given the original documents....

MR. DEPUTY-SPEAKER: Is only your party here and nobody else in this House?

SHRI JYOTIRMOY BOSU: I am just finishing. My only prayer is, if I have produced any fake document or done anything malicious, let the House proceed against me with regard to Shri D. P. Dhar's case. But this matter must be taken up for discussion.

SHRI S. M. BANERJEE (Kanpur): I was told by the Minister of Parliamentary Affairs that if every opposition party agrees to it, the Bill about working journalists will be passed without discussion. I have already given him a letter signed by all the opposition parties who have agreed that it should be passed without any discussion.

Secondly, I would request you to realise the gravity of the situation which has been created by the Government's awful silence or indifference regarding the payment of four instalments of DA to Central Government employees. There is a lurking fear

in the minds of lakhs of Central Government employees that once Parliament is adjourned *sine die*, Government is not going to announce the decision and the Government will freeze the entire amount of DA in the compulsory deposit, which is the most hated Act passed by this House. I do not want to threaten the minister, but a situation has come where our Group with the help of some other leftist groups have decided that we are going to disturb the proceedings of the House and we shall not allow any proceedings to be conducted after the 18th if the announcement is not made by then about the four instalments of DA that have fallen due. I am telling you in all sincerity. It is a legitimate demand. For the last 27 years, this Government has not been able to check the prices. We wanted cheap grain to be supplied to them, which has been denied. The Minister of Parliamentary Affairs should inform the Finance Minister and the Prime Minister to make the announcement. It is the greatest injustice done to them. They do not want anything else but what the Government has already accepted. The Government has accepted the recommendations of the Pay Commission. Four instalments of D.A. are due. Still they have not been given to them.

Sir, I would request you to ask the Finance Minister to make a statement tomorrow or day after tomorrow. Otherwise, don't force us to start a dharna in the House.

MR. DEPUTY-SPEAKER: I see Mr. H.K.L. Bhagat getting very impatient and also some other Members whose names are not there. This being the last week, I do not want to shut out anybody. Let me first go according to the list of names here. After that, I will call them.

SARDAR SWARAN SINGH SOKHI (Jamshedpur): Mr. Deputy-Speaker. Sir, I want to raise a matter which is of a very serious nature and which is of the utmost national interest. As

[Sardar Swaran Singh Sokhi].

reported in the *Hindustan Times* dated 1st December, 1974, there was an announcement made by the DKM that it would observe Ravanahila on December 25 when the effigies of Sri Rama and his associates would be burnt to counter the Kamlila celebrations in Delhi. This is a very very serious matter, an historical matter. I would request the Government through you, Sir, to make a statement sometime this week before the Session adjourns so that the confusion in the public mind is removed.

SHRI NOORUL HUDA (Cachar): Sir, I would like to draw the attention of this House as also the attention of the Prime Minister herself to a serious matter. The Project Allowance which was being given to the employees of the Rajasthan Atomic Energy Establishment, the Madras Atomic Power Project, the Heavy Water Project, Kota, the Reactor Research Centre, Madras and the Civil Engineering Group, the Department of Atomic Energy, Tamil Nadu, is being discontinued with effect from 1st November, 1974 as a result of which thousands of these employees will sustain a loss of ranging from Rs. 40 to Rs. 100 per month.

The Atomic Department is under the direct supervision of the Prime Minister. I would like to draw the attention of the Department concerned, the Prime Minister and the Ministry of Energy to this serious matter. The Project Allowance which was being given to these employees for the last several years is being withdrawn and the employees are being deprived of the Project Allowance. I want a statement from the Prime Minister which is directly in-charge of the Atomic Energy Department.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): Sir, already this morning, the Question had come up and, once again, the Minister had evaded the reply. I gave him an opportunity

this morning by putting a Question to make a reply. Since he evaded the reply this morning, I am forced to raise the matter now and that is about acute famine and drought conditions in Tamil Nadu. I want the Minister to make a statement as to what the Centre is doing about it.

Only one week back, on the 9th, I was amazed to see, in answer to an Unstarred Question No 3656 tabled by me that the Tamil Nadu Government had not even bothered to inform the Central Government that drought conditions were there. But I am happy to see that in the Assembly, as reported by *Hindu* on 13th December, that the Chief Minister Mr. Karunanidhi

MR DEPUTY-SPEAKER: We don't refer to the proceedings of other Houses. Moreover, you are not raising a discussion, you are only making a point of submission.

SHRIMATI PARVATHI KRISHNAN: In the morning, he had contradicted certain things when he was answering a question. I am reading from the newspaper, not from the proceedings of any House. This is what has been reported in the *Hindu* of December 13, 1974.

"Mr. Karunanidhi said that due to a six-week delay in the onset of the south-west monsoon, the farming area depending on it had dwindled by over two lakh acres. The north-east monsoon also had failed so far. As a result, Ramanathapuram, Pudukkottai, Tirunelveli, Coimbatore, Madurai, Tiruchi and Salem districts had been affected extensively. The samba crop had been raised only on 27 lakh acres as against the normal extent of 37 lakh acres. . ."

MR. DEPUTY-SPEAKER: What do you want to be done about it?

SHRIMATI PARVATHI KRISHNAN: We want a statement on this. People are eating poisonous roots and things

like this in Tamil Nadu. In Palladam taluk, seeds of grass are being eaten. Children are dying as a result of eating poisonous roots....

SHRI SHYAMNANDAN MISHRA (Begusarai): And the Prime Minister has just assured us in Lucknow yesterday that the food situation is very satisfactory.

SHRIMATI PARVATHI KRISHNAN: I also read the newspaper. It is not only Mr Shyamnandan Mishra who is reading newspapers. I have a few suggestions to make.

In Tamil Nadu there is not a single district which is unaffected by drought and famine and scarcity. Five crores of rupees have been requested from the Centre. I want the Minister to make a statement as to what they are doing about it, what they are doing to open relief centres in Tamil Nadu. Corruption cases are there, no doubt. Let us have a Citizens' Committee. It will ensure that the money is spent exactly where it should go. Payment of dearness allowance to the Central Government employees also becomes very important in these drought and scarcity conditions.

श्री जगन्नाथ मिश्र (मधुवनी) : उपाध्यक्ष महोदय, बम्बई के एक साप्ताहिक में इस आशय का एक समाचार प्रकाशित हुआ है जिस को पढ़ कर मैं बहुत दुखी हुआ हूँ और चाहता हूँ कि सरकार का भी ध्यान उस ओर जाय कि आदिवासी क्षेत्रों में काम करने वाले विदेशी ईसाई धर्म प्रचारक वहाँ के लोगों को गलत पाठ पढ़ाकर स्वतन्त्र झारखण्ड की मांग करने के लिये भड़का रहे हैं। इतना ही नहीं, उन का यह भी आयोजन है कि 1975 में एक संघर्षात्मक आन्दोलन की तैयारी की जाय। इस सन्दर्भ में मैं, श्रीमन् सरकार का ध्यान इस ओर भी आकर्षित करना चाहूँगा कि नागालैंड में उन के द्वारा जो कुचक रचे गये हैं, हम उन से अभयगत हैं। अभी भी बिहार, पश्चिमी बंगाल, उड़ीसा और मध्य प्रदेश में उन के द्वारा जो

हरकते हो रही हैं, हम उन्हें भी जानते हैं। यदि आप इस की गहराई में जायें तो आप को पता चलेगा—चूँकि आदिवासी क्षेत्रों का समुचित विकास नहीं हो सका है, इसलिये आदिवासी इस प्रकार के आन्दोलनों में साथ देते हैं और विदेशियों द्वारा उन को भड़काना सम्भव हो रहा है। दूसरा कारण यह भी है कि उन क्षेत्रों में प्रचुर मात्रा में यूरैनियम और खनिज पदार्थ पाये जाते हैं, इस लिये ये लोग चाहते हैं कि यदि इन क्षेत्रों को देश से अलग कर दे तो वे उन पर कब्जा कर लेंगे। मैं चाहता हूँ कि सरकार इस की छानबीन करे और इस विषय पर यहाँ डिबेट करने की स्वीकृति प्रदान करे अथवा इस सम्बन्ध में यहाँ एक वक्तव्य दे।

मेरा दूसरा प्रश्न यह है—आज देश में नकली दवाइयों की बिक्री के कारण जनता बहुत परेशान है। इतना नहीं, अब तो दवाइया मिलती भी नहीं है। सुना जाता है कि टेरामार्सी-सीन भुप की दवाये, नेवलजिन, कोडोपाइरीन, आदि भी बाजार से गायब हो गई हैं। मैं चाहता हूँ कि सरकार इस की जांच करे और इस सम्बन्ध में इस सदन में डिबेट हाने दे अथवा इस विषय पर मन्त्रो जो यहाँ एक बयान दे। इस स्थिति को नियंत्रित करने के लिए सरकार की ओर से हर कसबे और शहर में सरकारी दवा की दुकानें खोलने की व्यवस्था की जाए।

श्री जनेश्वर मिश्र (इलाहाबाद) : उपाध्यक्ष महोदय, दो हफ्ते पहले मैंने निवेदन किया था कि सीतापुर में एक डाल्डा कम्पनी है—उस का नाम है—सुहागिन। उस कम्पनी ने करोड़ रुपये का गोलमान बिक्री कर में किया है। समाचार पत्रों में इस को खबर छपी है। उस कम्पनी के मैनेजिंग डायरेक्टर की लड़की—शीला भारत सरकार के एक मन्त्रा की पुत्रवधु है और उस पुरे के पूरे घाटले की कार्यवाही श्री दीक्षित जी महाराज एकवाने की कोशिश कर रहे हैं.....

SHRI H. K. L. BHAGAT (East Delhi): This is being used as Zero Hour. He is misusing the forum of this august House. It is the business of the UP Government. The State Government has already contradicted the allegation.

श्री जनेश्वर मिश्र : यह एलीगेशन नहीं है—मैंने मांग की थी कि दीक्षित जी यहाँ पर डम मिलसिले में एक वक्तव्य दे ...

SHRI H. K. L. BHAGAT: It does not concern the Central Government.

श्री जनेश्वर मिश्र : यह एलीगेशन नहीं है, बल्कि मैं मांग कर रहा हूँ कि इस के बारे में वक्तव्य आये। एक मिनिस्टर साहब और उन की पुत्रवधु का जो रिश्ता उस कारखाने के मैनेजिंग डायरेक्टर के साथ पड़ता है और वह कारखाना एक करोड़ रुपये का घोटाला करता है—हम चाहते हैं—बूकि यह आखरी हफ्ता चल रहा है, उस पर सफाई हो जाय ताकि देश भर के आखबारों ने जो खबर छापी है—उस के बारे में सफाई हो जाय।

मेरा दूसरा निवेदन यह है कि कल लखनऊ में कांग्रेस पार्टी की जो रैली हुई है, उसमें नगाम जिलों के सभी कलेक्टरों को आदेश दिये गये थे कि जितने गल्ले के सरकारी दुकानदार हैं उन से रुपया वसूल कर के लखनऊ भेजो। करीब 25 करोड़ रुपया इस प्रदर्शन के मिलसिले में उत्तर प्रदेश के सभी जिलों के कलेक्टरों ने वसूल कर के दिया है और वह आ कर प्रधान मंत्री जी ने केवल बिहार के जनमान्दोलन को राष्ट्र-द्रोही मान्दोलन कहने का काम किया है? एक राष्ट्र-द्रोही सरकार की सरगना बिहार के जनमान्दोलन को राष्ट्र-द्रोही कहे—यह बहुत ही गम्भीर और आपत्तिजनक बात है। इस पर सरकार की तरफ से वक्तव्य आना चाहिये।

SHRI SAMAR GUHA (Contal): Mr. Deputy Speaker. Sir, through you I want to draw the attention of the Minister of Parliamentary Affairs and

also the Minister of Law who is fortunately here to the statement that he made on the floor of the House that it would take a few months more upto July next for the completion of the delimitation of the constituencies and the revision of the voters' lists.....

Mr Jyotirmoy Bosu, let me have the attention of the Law Minister ...

MR. DEPUTY-SPEAKER: Mr. Jyotirmoy Bosu is trying to monopolise the Law Minister?

SHRI JYOTIRMOY BOSU: Getting professional advice, Sir.

SHRI SAMAR GUHA: After that statement, a lot of information is coming I use the word 'information' because just recently, the Congress President who is a Member of the other House also, made a statement in Calcutta which appeared in big headlines—'Be prepared for a snap poll immediately'....

SHRI H. K. L. BHAGAT: How can he quote the statement of the Congress President in this House?

SHRI SAMAR GUHA: He is a Member of the Upper House.

SHRI H.K.L. BHAGAT: Even then you cannot discuss it here.

SHRI SAMAR GUHA: He belongs to the ruling Party. He is a Member of the Upper House and he is Congress President. Certainly, it can be raised.

It has also come to my notice that the Chief Minister of West Bengal has directed all the District Magistrates to be prepared within a short notice to have any kind of election. Even to-day and almost every day this news is coming in some form or the other. Even to-day it has come in a two column banner headline.

I want that the hon. Minister concerned should make a statement very clearly....

हूँ यदि कलेक्टर विषय: जब से कह उठा है कि चुनाव जल्दी होगा, दिल्ली में एम० पी० लोगों को कहीं उधार भी नहीं मिलता है।

SHRI H. K. L. BHAGAT: That is Mr. Janeshwar Misra's worry.

SHRI JYOTIRMOY BOSU: *Sah: Bath Hai.*

SHRI SAMAR GUHA: I am not worried about it and I am not raising that question.

I am not on the point whether they are really contemplating to have a snap poll. That is not my question. As these reports are coming so frequently, and almost everyday, in one form or the other and Ministers and Chief Ministers of different States are giving indirect indications on the holding of the snap poll, I want to know from the hon. Minister, and it is his obligation also, that he should make it very clear to this House, clarifying certain constitutional provisions. According to Article....

MR. DEPUTY-SPEAKER: No discussion please. You have made the point.

SHRI SAMAR GUHA: I have not.

I do not want the element of surprise to go and whether they would have a snap poll or not, I am not on that point. I am not so dull, Sir.

MR. DEPUTY-SPEAKER: What do you want?

SHRI SAMAR GUHA: I am coming to that. My point is this. As per Article 82 of the Constitution there is this obligation, after each census the Election Commission should complete the revision of voters' list and there should be fresh delimitation of constituencies. I want to know from the Minister whether He will make a categorical statement whether without amending the Constitution, only by

amendment of the law, or for that matter, by the ordinance, whether without fulfilling the obligation of Article 82, they can be empowered to hold election in case there is any dissolution of the House. The hon. Minister owes it to the House and to the country to make a categorical statement in this regard.

Then there is one other point which we have raised several times about the statue of Mahatma Gandhi at the India Gate. Just a few days back a young man wanted to instal a statue of Mahatma Gandhi and the statue was broken. This matter has been hanging on for so many years. Government should come out with a statement whether they want to set up a statue of Mahatma Gandhi there or whether they want to have some other statue at the India Gate. This is my submission.

श्री कमल मिश्र "मधुकर" (केसरिया) : मान्यवर, मैं सरकार का ध्यान उत्तरी बिहार और पूर्वी उत्तर प्रदेश के करोड़ों गन्ना उत्पादकों की मांग की ओर धाकड़ित करना चाहता हूँ उन की मांग है कि चीनी मिलों का राष्ट्रीयकरण किया जाय। क्यों कि चीनी का निर्यात होता है जिस से विदेशी मुद्रा मिलती है इसलिये उस की पैदावार बढ़ाने की जरूरत है। लेकिन उत्तर प्रदेश और बिहार में चीनी मिलें जक बन गई हैं, उन में काम नहीं हो रहा है। 257 एम० पी० का उलीगेशन प्रधान मंत्री से मिला था। हमारे उत्तरी बिहार और पूर्वी उत्तर प्रदेश के लोगों की मांग बन गई है कि चीनी मिलों का राष्ट्रीयकरण किया जाय यह मजदूरों और किसानों के हित में है। इसलिये इस पर सरकार स्पष्टीकरण दे। साथ ही भारीव कमीशन की रिपोर्ट पर भी बहस होनी चाहिये। इसी तरह से उत्तर बिहार में जो जूट पैदा करने वाले हैं उन की जूट कौरपोरेशन की ओर से लूट हो रही है और किसानों को उचित दाम नहीं मिल रहा है। इसलिये उन की समस्याओं पर विचार होना चाहिये ताकि

[श्री कमल मिश्र "मधुकर"]

किसानों को रेस्यूनेटिव प्राइस मिल सके और आप के लक्ष्य तथा लोगों की मांग की पूर्ति हो सके।

SHRI H. K. L. BHAGAT: The Delhi Rent Control Bill is pending consideration of the Housing Ministry for a long time and as a result of wrong interpretation of the existing law by the court there are thousands of cases of heirs and successors of diseased tenants whose cases are pending in the courts. A large number of them have been evicted. Sometime back the Minister for Housing made a statement that he would bring this in the House in this session. I request the Housing Minister through you to bring this Bill in this session as this matter causes lot of agitation in the minds of the people of Delhi.

Then there is one other matter which I wish to submit. On the 13th night of this month a highway robbery took place resulting in the murder of Municipal Corporation Doctor in village Bijwasan. There are number of cases of robbery on the bordering areas of UP, Haryana etc. and some special efforts are necessary in this regard. I request through you the Home Minister to kindly let us know what has happened in these cases and to let us know what is being done in cases of this kind. This is my respectful submission. Thank you, Sir

श्री अटल बिहारी वाजपेयी (स्वालयर) : उपाध्यक्ष महोदय, सब से पहले तो मैं यह जानना चाहता हूँ संसदीय कार्य मंत्री से कि क्या बहु अधिवेशन की अवधि बढ़ाने का विचार कर रहे हैं? अगर विचार कर रहे हों तो अभी से बता दें जिस से हम अपना कार्यक्रम निश्चित कर सकें।

दूसरी बात मैं यह कहना चाहता हूँ कि कंपट्रोलर और आडिटर जनरल के विभिन्न दफ्तरों में काम करने वाले कार्यालयों के

कर्मचारी उन को रेलवे हड़ताल की सहानुभूति में एक दिन को काम बन्द करने के कारण नोकरी के निकाला गया था, अभी तक उन्हें वापस नहीं लिया गया। बहुत से लोग अभी तब बेकार सड़कों पर घूम रहे हैं। कंपट्रोलर और आडिटर जनरल ने जो रिक्मनाइज्ड क्रेडिटेशन था उस को नोटिस दे दिया कि क्रेडिटेशन का रिक्मिन्शन क्यों न विदग्धा कर लिया जाय। अभी तक वह नोटिस वापस नहीं लिया गया। उपाध्यक्ष महोदय, संसदीय कार्य मंत्री ने इस के बारे में एक अल्पकालिक चर्चा स्वीकार की थी, बिजनेस एडवाइज़री कमेटी ने उसे मान लिया, बुलेटिन में उस को प्रकाशित कर दिया गया। लेकिन उस के लिये समय नहीं है। मेरा निवेदन है कि आप घटे का समय निकाले तो यह मामला उठाया जाय। नहीं तो केन्द्रीय कर्मचारियों का महंगाई भत्ता और ए० जी० के कार्यालय में काम करने वाले कर्मचारियों का विक्रिमाइज़ेशन, यह दो ऐसे सवाल हैं जो देश में पार्लियामेंट के भीतर भी गुँजे और बाहर भी गुँजे। इन के बारे में तुरन्त फ़ैसला होना चाहिये।

SHRI KRISHNA CHANDRA HALDER (Ausgram): Mr. Deputy Speaker, Sir, more than 45 people have died due to cold wave in Bihar at Kathihar, Hazaribagh and Mokamah. Government has not taken any steps to give relief to the affected people. Unless Government provides free blankets, food and charcoal many more deaths may take place in those areas. Therefore, Sir, through you I will appeal to the Minister to supply free food and blankets to the poor people of Bihar and Northern India.

Secondly, I also made a representation last Friday to amend the Delhi

Rent Control Act so that thousands of cases pending in the court for eviction may be settled.

श्री मधु लिमये (बांका) : उपाध्यक्ष महोदय, शनिवार के "फाइनेंसियल एक्सप्रेस" में पहले पृष्ठ पर खबर छपी थी :

The Government plan to dodge payment of dearness allowance.

और उस में यह कहा गया था कि जो अध्यादेश और विधेयक यहाँ पर भ्रमा हुआ है उस के तहत 50 प्रतिशत महंगाई भत्ता फीज कर की बात की गई थी। लेकिन अब तो पूरा महंगाई भत्ता रोकने की बात चल रही है, महंगाई भत्ते की चोरी हो रही है। श्रीमाननीय बनर्जी ने कहा कि इस के बारे में सरकारी निर्णय नहीं हुआ तो 18 तारीख से प्रोसीडिंग हम लोग ब्लाक करेंगे। लेकिन मैं 18 तारीख तक इंतजार करने के लिये तैयार नहीं हूँ। श्रीमती मटल जी ने कंपट्रोलर और आडिटर जनरल के कार्यालय में जिन लोगों को सस्पेंड किया गया उन का सवाल उठाया। उस के ऊपर यह तय हुआ था कि चर्चा होगी।

MR. DEPUTY-SPEAKER: Why repeat it?

श्री मधु लिमये : नहीं मैं रिपोर्ट नहीं कर रहा हूँ। मैं अपनी बात कह रहा हूँ कि मैं 18 तारीख तक इन दोनों चीजों के लिये इंतजार करने के लिये तैयार नहीं हूँ। आज जो बिले साहब इस बिल को पास कराने के चक्कर में हैं। लेकिन अगर आप इस को पास करना चाहते हैं.....

MR. DEPUTY-SPEAKER: This you can speak when the Bill comes up.

श्री मधु लिमये : नहीं, नहीं, मैं दूसरी बात कह रहा हूँ कि यह कार्यवाही घामे नहीं चल पायेगी।

MR. DEPUTY-SPEAKER: Not now.

श्री मधु लिमये : श्रीमती सुरेन्द्रा घाने बाला है इसलिये चेतावनी दे रहा हूँ कि जैसे ही माननीय श्यामनन्दन मिश्र का जवाब खत्म हो जायगा हम लोग चालू हो जायेंगे। मैं इतना ही कहना चाहता हूँ।

14.00 hrs.

SHRI SOMNATH CHATTERJEE (Burdwan). Will you kindly listen to what is happening in the House? Sir I am referring to the cases of the railway employees who have been victimised during the last railway strike. Their cases have been kept pending for months and months. In spite of repeated assurances that have been given that it would be expedited, still cases of the employees are pending and transfers of victimised employees are taking place. There is still break in service. Still there are many different types of harassments that are caused to them. Apart from review of the cases of the dismissed railway employees which have been pending for a long time, I may tell you that we have won in two high courts—Calcutta and Gujarat—where the dismissal orders of the employees have been set aside by these two high courts. Even then Government is not considering this matter sympathetically.

So far as railway employees are concerned, a statement should be made before we adjourn so that the people know what is the position with regard to them.

SHRI VASANT SATHE (Akola)- Sir, you will recall that last week I had asked for a specific statement in this House. I have given notice—other Members also have given notice—under 193 to discuss a very serious situation arising in my part of Maharashtra about the cotton purchase. Sir, I have come from my region only last night. I may tell you that there is virtual panic and Government is not even giving the minimum credit to

[Shri Vinayak Sathe]

the Maharashtra Government, which is going in for purchasing the cotton under the monopoly purchase scheme from the cultivators. The Reserve Bank has refused to give any credit. The results of all this are that there is a collapse on price. A cartload of cotton has come to the market but nobody is prepared to buy it. The private trade is holding the cultivators to ransom. The cultivators are panicky. I have brought this to the notice of the Government. The Finance Minister must be willing to give at least Rs. 100 crores. There is already a drain of Rs. 1,000 crores in cotton textile. Of this Rs. 100 crores, Rs. 50 crores will go to Maharashtra and the other Rs. 50 crores to the Cotton Corporation of India. In Punjab, Gujarat and other parts of the country, the cotton growers are coming forward but there is none to buy this. This year there is going to be a catastrophe on cotton. I warn the Government about this. Immediate steps should be taken in this regard. This is what I want to say. I want a statement from the Finance Minister.

SHRI P. G. MAVALANKAR (Ahmedabad). Sir, with your permission I would like the Minister of Parliamentary Affairs to let us know as to what happened to my request that I had made in the last couple of weeks with regard to various public matters on which I wanted statements from the respective Ministers.

He only conveyed that to the Ministers. As regards Gujarat, I do not want to take the time because the matter is coming tomorrow and I shall take that up tomorrow. Maharashtra is also as strong as Gujarat. In regard to Gujarat, I want to make one reference. As many as 3,500 Officers of seven subsidiaries of State Bank of India are on agitation—peaceful agitation—from the 10th of December. The managements are refusing to take cognisance of this because this is a peaceful agitation. 3,500 officers have

been making a number of demands some of which are pending for the last several years. But, the management is keeping completely silent because they think that they are very few in number and because their agitation is peaceful and they are democratic in their demands. They want integration of Grade II and I Officers, revision of Dearness Allowance formula and linking of dearness allowance to cost of living index as applicable to Award Staff, fixation of working hours, adequate differential between clerical emoluments and supervising staff emoluments including protection of special allowance, absorption of Technical Officers (Agriculture) in the normal cadre transfer policy, promotion policy, cash department procedures and standardisation of working hours and parity treatment with State Bank of India counter-part. Sir, the Chairman, Shri Talwar (also Chairman of State Bank) and Managing Director, Shri Majumdar, who is under transfer and the new Managing Director, Shri Nawathe who is taking charge shortly are refusing to take cognisance of this and the managements are refusing to start negotiations with the officers and they are all feeling aggrieved. That is why I am referring to all these matters.

श्री लक्ष्मी नारायण पांडेय (मंबरी)

मध्य प्रदेश के छत्तीसगढ़ और विन्ध्य प्रदेश इलाकों में अन्नकर सूखे के कारण अनेक स्थानों पर मौतें होने के समाचार मिले हैं। राज्य सरकार स्थिति को सम्भालने में विफल रही है। केन्द्रीय सरकार ने भी कोई उचित कार्रवाई इस दिशा में नहीं की है। सोम पेड़ों की पत्तियाँ और छाल खा खा कर अपने पेट भर रहे हैं। स्थिति यहाँ तक आ पहुँची है कि पेट भरने के लिए लोगों को अपने बच्चों तक को बेचने के लिए विवश होना पड़ रहा है। मैं संसदीय कार्य मंत्री से प्रार्थना करता हूँ कि वह सम्बन्धित मंत्री महोदयों द्वारा इसके बारे में एक बतव्य्य दिलबाने की कृपा करें और बतावें कि किस प्रकार वे यहाँ लोगों को राहत पहुँचाई जाएगी।

आज के मद्रास में समाचार छपा है जिस का शीर्षक है वन लैंक बिड़ला शेयरों इन मारुति । इस में कहा गया है :

"Four companies officially declared by the Government of India as belonging to the Birla Group, hold one lakh shares in Sanjay Gandhi's Maruti Ltd. according to the latest information available with the Registrar of Companies."

इसके सम्बन्ध में भी सम्बन्धित मंत्री महोदय के संसदीय कार्य मंत्री वक्तव्य दिलाने की कृपा करें । समाचार में गम्भीर एलीगेशन लगाए गए हैं और कहा गया है कि सम्बन्धित मंत्री महोदय ने इससे इंकार किया था और कहा था कि बिड़ला कम्पनी के शेयर मारुति में नहीं हैं । इस में छपा है कि उसके शेयर हैं । इसके बारे में स्पष्टीकरण होना जरूरी है अन्यथा यही कहा जाएगा कि यह एक बहुत बड़ा घोटला है और उसकी ओर यह संकेत करता है ।

मध्य प्रदेश में झुगरकेन की प्राइस को लेकर, उसकी कीमत बढ़ाने के प्रश्न को लेकर बहुत जोरदार आन्दोलन किसानों द्वारा चलाया जा रहा है । झुगर मिल मालिकों द्वारा किसानों को यह धमकी दी जा रही है कि अगर किसानों ने अपनी योग्यता जारी रखी तो मिल मालिक झुगर मिलों को बन्द कर देंगे । यह जावड़ा महिदपुर में ही रहा है । राज्य सरकार ने इस सम्बन्ध में कुछ नहीं किया है । मिलें बन्द होने की स्थिति में घा गई हैं । मैं चाहता हूँ कि सम्बन्धित मंत्री महोदय से इस सम्बन्ध में आप वक्तव्य दिलाने की कृपा करें और किसानों में व्याप्त असन्तोष को दूर करने के प्रयत्न करें ।

SHRI B. V. NAIK (Kanara): Hon. Deputy-Speaker, Sir....

श्री अटल बिहारी वाजपेयी : हमें आपकी कमी बहुत खटकती रही है । आपका अभाव हमें परेशान कर रहा था ।

MR. DEPUTY-SPEAKER: We definitely missed you.

SHRI B. V. NAIK: Very kind of you, Sir. I have just returned yesterday from my constituency and in my constituency, the entire case of a particular company regarding the acquisition of the lands belonging to about 10,000 poor cultivators is pending the decision of the hon. Minister of Law, Shri H. R. Gokhale, who is fortunately sitting here. There have been a large number of prosecutions, which includes the local MP also as the accused. Prosecutions, numbering about 500 have been launched. This is not the State prosecution, but....

MR. DEPUTY-SPEAKER: What you want to be done?

SHRI B. V. NAIK: Since the hon. Minister has been kind enough to promise me a decision on the entire question of issue of licence to this firm, Messrs. Ballarpur Straw Board and Paper Mills Limited for the caustic soda plant, about which I have had the displeasure of repeatedly stating for the last three and a half years, Sir, with no result, with an absolutely dead State Government of Karnataka.

MR. DEPUTY-SPEAKER: What you want to be done?

SHRI B. V. NAIK: I would request the hon. Minister of Law to the effect that the prosecutions and the official harassment of the poor cultivators that is going on in my district may stop forthwith.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, Shri Vajpayee raised the question whether the current Session of the House will be extended. I mentioned about this in the Business Advisory Committee. I would like to mention here that there is no intention to extend it. The Business Advisory Committee agreed that certain Bills will be taken up today and passed and tomorrow, certain other Bills will be taken up and passed. I have since received a request from most of the Opposition leaders with which I am inclined to agree that we take up also in addition to that, the Bill relating to the non-working journalists. I shall include that in the list. There is also a small Bill, passed by Rajya Sabha, which is of an urgent nature, Punjab Chandigarh Municipal Amendment Bill. I will include this also in the list. Regarding the various motions for discussion, the entire time at the disposal of this House was considered by the Business Advisory Committee and priorities were given to certain discussions. About this matter, which has been raised by Shri Vajpayee, I do agree that this is an important matter. But, let us find out how to fit this into the programme. I like to give time. Let us sit together and try to fit it into the programme. I am not standing in the way. Regarding the Tobacco Bill, about which my hon. friend Mr. Jyotirmoy Bosu is very particular, let me tell him that nobody is more concerned than myself, because 90 per cent of Indian Virginia tobacco is grown in my constituency. I am more anxious than him to see that this is passed. I do not know whether time will be available.

SHRI JYOTIRMOY BOSU: It is crocodile tears you are shedding rather than real tears.

SHRI K. RAGHU RAMAIAH: It is real tears. You have crocodile eyes.

SHRI P. G. MAVALANKAR: What about statements by various Ministers on important matters?

SHRI JYOTIRMOY BOSU: What about diffusion of ownership of newspapers and definking? You were talking so much about that subject on Friday. What about the Property Ceiling Bill?

SHRI K. RAGHU RAMAIAH: There are many more things which Government is more anxious than any member to take up for consideration. But the question is how to find the time.

About the matters raised by Shri Mavalankar, I would submit the scope of these submissions is that I should convey to the Ministers the *intense anxiety of the members...* (*Interruptions*).

SHRI JYOTIRMOY BOSU: There are ways of ridiculing us and Shri Raghu Ramaiah is a pastmaster in them.

SHRI K. RAGHU RAMAIAH: I can only convey this to them, and I am always doing it.

SHRI S. M. BANERJEE: I will take only half a minute.

There are two important things which were urged by members. One is a statement by the Railway Minister regarding reinstatement of the railway employees. The second was about the dearness allowance due to Government employees. There must be a statement made on this. Otherwise, I can assure you this: we will see that the election law which we are going to pass after the Second reading is not passed. Let him ask the Finance Minister to make a statement.

MR DEPUTY-SPEAKER: Understand my difficulty. I have to run the House according to certain rules and procedure.

SHRI S. M BANERJEE: Let him ask the Finance Minister to make a statement Twentyeight lakhs of government employees are cheated.

MR DEPUTY-SPEAKER: He has responded as far as he could I cannot go further Let us get along with the business.

SHRI S M BANERJEE: It should be conveyed to the Finance Minister. He should make a statement tomorrow Otherwise, I can assure you—all my friends here will support me—we are going to stall the other Bill

MR DEPUTY-SPEAKER: I understand item 5 has not been disposed of

SHRI THA KIRUTTINAN (Sivaganja): On behalf of Shri Murthy, may I lay it

MR DEPUTY-SPEAKER: Are you member of the Committee?

SHRI THA KIRUTTINAN: Yes.

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**RAILWAY CONVENTION
COMMITTEE
SIXTH REPORT**

SHRI THA KIRUTTINAN (Sivaganja): I present the Sixth Report of the Railway Convention Committee, 1973, on "Rate of Dividend for 1975-76 and other Ancillary Matters".

SHRI JYOTIRMOY BOSU (Diamond Harbour): We should observe the funeral of the Railways.

MR. DEPUTY-SPEAKER: Order, order.

14.13 hrs.

STATUTORY RESOLUTION RE. DISAPPROVAL OF REPRESENTATION OF THE PEOPLE (AMENDMENT) ORDINANCE AND REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL—contd.

MR DEPUTY-SPEAKER: We take up further consideration of the following Resolution moved by Shri Shyamnandan Mishra on the 12th December, 1974, namely:—

"This House disapproves of the Representation of the People (Amendment) Ordinance 1974 (Ordinance No. 13 of 1974) promulgated by the President on the 19th October, 1974"

and the following motion moved by Shri H. R. Gokhale on the 12th December, 1974, namely:

"That the Bill further to amend the Representation of the People Act, 1951, be taken into consideration".

Before we resume discussion, I think I should acquaint members with the lay of the land because last time there was some amount of confusion....

SHRI ATAL BIHARI VAJPAYEE (Gwalior): Lay of the land or law of the land?

MR. DEPUTY-SPEAKER: Lay of the land.

There was some confusion last time When some points were raised, even the Law Minister thought that perhaps those points were to obstruct the motion for consideration. It was not so. That was why I allowed him to move the motion for consideration. He did so and he made a speech. Then because there were a few minutes before 6 P.M. before we adjourned, I also called on the first

[Mr. Deputy-Speaker.]

speaker from the Opposition, Shri Jyotirmoy Bosu, to speak. I had also said that with regard to the points of order raised by Mr. Mishra and other Members regarding the scope of the discussion, whether Members can make reference to the different election petitions pending before different courts, that was the point of order, I had said that I would reserve my ruling. Now before Mr. Jyotirmoy Bosu continues his speech I think that we must settle this matter. I would not have permitted Mr. Jyotirmoy Bosu to begin his speech last time were it not for the fact that we had only two or three minutes to adjourn at 6 O'clock; I did some calculation and I decided in my mind that within those few minutes, long-winded and stout lunged as he is, weighty as he is, he would not reach even the banks of the Rubicon, not to speak of crossing it. And therefore, I allowed him and at 6 O'clock we adjourned.

I know what is worrying Mr. Sathe. I know that this is a very slippery and trecherous ground and I have to proceed very carefully. I should first dispose of one particular item so that there may not be any misunderstanding. Last Thursday Shri Salve of the Ruling party drew my attention to a precedent in this House. He read out from page 901 of the book, *Practice and Procedure of Parliament* and on the strength of that precedent he wanted me to rule that reference to the cases before the court should not be permitted. I said then that I would have to study this particular case. If there had been a precedent like that, of course it would make my job much easier.

I think I should acquaint the House with what that precedent was. It related to a particular Bill which the Home Minister at that time—I think it was the late Govind Ballabh Pant—referred to in his memory—brought before the House in 1955. The Bill was called the Prize Competitions Bill of

1955. The Bill related to Entry 34, List II, State list and it sought to prohibit promotion and conduct of prize competitions which exceeded certain level; I think they mentioned a level of Rs. 1,000. The Bill was brought before the House under article 252 of the Constitution after a number of States, namely, Bombay at that time, Andhra, Patiala and East Punjab States Union had passed resolutions delegating their powers of law making to Parliament. The Bill if passed would be made applicable to the States in Part C and Union Territories; and other States in Part A and B as might pass resolutions to adopt the Act. After the Home Minister had moved the motion for consideration of the Bill, an hon Member Dr. Krishnaswami raised a point of order. He said, certain laws relating to the subject were already passed by the State Legislature of Bombay but those laws were challenged in the Bombay High Court and the Bombay High Court struck them down. The Bombay Government, went to the Supreme Court on appeal and so the case was pending before the Supreme Court. On the strength of the fact that the case was pending before the Supreme Court, Dr. Krishnaswami sought to say that this was *sub judice* and discussion on the Bill should not be proceeded with and the Bill could be considered only after the Supreme Court had given its judgment. The Speaker ruled out the point of order and allowed the discussion to proceed on the ground that the House had the power to make laws, whatever might be the case. But, he also appealed to the members not to refer to the facts. He said:

“They will not refer to the facts, not of a law, but of the particular case under appeal.”

Hon. members will see that that Bill and this Bill are not on all fours. The Prize Competitions Bill was brought to this House in response to certain social needs at that time. No

reference was made in that Bill, whether in the Bill itself or in the statement of objects and reasons, to any case pending before the Supreme Court. But in this particular Bill before the House, the very genesis, the very basis of the Bill itself, as the Minister himself had said so many times both in this House and outside, is the 180 cases or so pending adjudication before the various courts in the country. I had said even last time, although I did not have the time to study, that this was a very unusual situation and I expressed my difficulty in these words:

"I must say that this is the most difficult situation in which I have ever found myself."

I have been presiding officer now for 4 years or more. We had faced many difficult situations, but I had never faced a more ticklish situation than this. My good friend, Shri Indrajit Gupta—unfortunately he is not here—who we all know is a brilliant parliamentarian also said that we were standing on extremely slippery and treacherous ground. He cautioned me by saying, "Be very cautious". I replied, "I am very cautious; I know." Then he said, "Don't rush in". I replied, "I don't rush in. I am not a fool to rush in where angles fear to tread."

Regarding the different points of order that were raised, I sought the assistance of the Law Minister. He did intervene once or twice and on Thursday last, he said:

"I have said that reference to facts to the merits of a particular case, is undesirable, because it is definitely prejudicing the trial which is going on.

"If you say that so many cases are pending without reference to the name of the party, without reference to what is the dispute pending, what are the allegations and counter-allegations in that particular case, that is entirely a

different matter....I would submit that this has been unprecedented: it has never been allowed. I hope, you will accept that."

That is what he said.

Before I proceed further in the matter, I would feel very much more comfortable and it would help me and the House—I wish I could accept the submission of the Law Minister straightway—if even at this stage he could point out to me a precedent in the past when a similar Bill of this nature making the cases pending before the courts the very basis, the very genesis, the *raison detre*, of the Bill had come before the House. If he can point me out this and point out that a certain ruling had been given by the Chair saying that it could not be done, I think, it would help me very much.

I do not want to proceed further in a hurry. Of course, I thought about it the whole day yesterday. I struggled with it. My duty is to maintain the balance and to give the House an opportunity of a full and frank discussion. After that, the House can do anything it likes. I have not been able to make up my mind, although I have some idea, and a ruling has to be given—otherwise, we cannot proceed further; I shall give a ruling, but even at this stage, if he can help me by pointing out to a precedent of a similar Bill of this kind in which a certain ruling of the Chair had been given, it would help me.

SOME HON. MEMBERS rose—

SHRI VASANT SATHE (Akola)
Sir, would you allow us to make a submission before the Minister says something?

MR. DEPUTY-SPEAKER. Yes.

SHRI JAGANNATH RAO (Chatrapur): Sir, you want a similar precedent so that you could give a ruling on those lines.

[Shri Jagannath Rao]

May I refer to you the case of the Essential Services Ordinance which was passed on December 11, 1968? A point of order was raised by Shri S. M. Banerjee saying that it could not be discussed as the Ordinance was pending adjudication before many courts. The Deputy-Speaker ruled:

"According to the precedent in this House, the Speaker has held the discussion of a Bill the subject-matter of which is *sub judice* by virtue of an appeal pending in the Supreme Court as in order provided the Members refrain from referring to the facts of a particular case in appeal as, thereby, the debate in the House would not prejudice the hearing of the appeal by the Supreme Court."

Therefore, the Members are not allowed to refer to the facts of each case pending before the High Court or the Supreme Court. They can mention the names. The legislative power of Parliament cannot be subject to the principle of *sub judice*. Otherwise, Parliament will be helpless. We have got the powers to make laws. It is a sovereign body. Are we to be precluded simply because some case is pending in a court and the Parliament cannot legislate?

Here, in this particular case, the Government wants to remove the confusion that has been created by the Supreme Court which is contrary to the decision of the very court delivered earlier....

MR. DEPUTY-SPEAKER: It would help me if you give me the basis of the Essential Services Ordinance, whether any particular case was the basis for the Bill itself. That is the crucial question.

SHRI JAGANNATH RAO: I take an extreme case. Supposing there was no precedent, are you going to

decide that Parliament has no power to legislate simply because some case is pending before a court?

MR. DEPUTY-SPEAKER: You were not here on the last day. We are not discussing about the power of this House to legislate. It can legislate. But that is not the point ..

SHRI JAGANNATH RAO: You say that the principle of *sub judice* will come in the way....

MR. DEPUTY-SPEAKER: I never said that. You did not understand me then.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, you have said on page 12118 of the debate:

"But if anybody, at this stage, makes a reference I cannot stop him."

MR. DEPUTY-SPEAKER: That was before my ruling. I said it in this context: at that time it was submitted to me 'Let us go on with the discussion; you can reserve your ruling'. Then I said: 'Before I give my ruling, at that stage, I cannot stop anybody'. But now we have not reached that stage, I have yet to give a ruling.

SHRI VASANT SATHE (Akola): I entirely agree with you, Mr. Deputy-Speaker, that we are facing a very ticklish situation and your problem has become more difficult because there is no direct precedent. If there was a direct precedent on all fours, as you said, the problem would not have arisen and you had only to follow the precedent. I have tried to do some research and I have not been able—I do not know whether the Law Minister has found any—to find out a direct case on all fours.

Now, Sir, the principle of *sub judice* is well understood. And it is no one's case or contention that this House or the Parliament is estopped

because certain matters or cases are pending in a court of law. This is a rule of self-restraint. This is a rule of prudence because we do not want to prejudice the cases in courts created by this very sovereign body. We do not want to refer to those matters lest it should prejudice them. That is why, in the book by Kaul and Shakhder it has been mentioned on page 301:

"The rule of *sub judice* cannot stand in the way of legislation. If the rule of *sub judice* were to be made applicable to legislation, it would not only make Legislatures subordinate to the courts in that matter but would make enactments impossible because numerous cases concerning a large number of statutes await at all times adjudication in one court or the other"

On this, I do not think, there is any dispute. The difficulty has arisen not because of the rule of *sub judice* but because it was contended, as you rightly pointed out, that this Bill in terms is trying to cure a defect that has arisen out of the recent judgment in *Kanwarlal Gupta vs. Chawla*. Because of the recent judgment given, a certain contingency has arisen because of an interpretation given in that decision on section 77 read with section 123 of the Representation of People Act. The interpretation that has fallen from the learned judges of the Supreme Court has created a difficulty; that interpretation was that the 'authorised expenditure' would mean contrary to the earlier rulings, 'deemed to be authorised'...

MR. DEPUTY-SPEAKER: Impliedly.

SHRI VASANT SATHE: Yes, impliedly authorised.

Therefore, this Bill is being brought to make clear what was till then the decision as understood of the Supreme Court and High Courts as was decided in the last case of *Rajagopala Rao vs. N. G. Ranga* which quoted

earlier decisions from *Meghrui Patodia vs. R. K. Birla and others*. I am giving the background so that we may understand the import of what we are trying to prevent. This is what the Supreme Court had to say:

"This Court as well as the High Courts have taken the view that the expenses incurred by a political party to advance the prospects of their candidates put by it without more do not fall within Section 77"

Now, the Supreme Court said and underlined the words "without more". They said the words "without more" are important. They have interpreted the words "without more" as to mean 'not as authorised knowingly or expressly but even by implication'. Now, this is the extent to which the Supreme Court has gone and this is what has created a problem.

Now, what is it that is sought to be done? The effort of this Bill is that where a reference has been made to the pending cases—reference to the pending cases is only *qua* this particular aspect—that means where 'anything more' can be interpreted as to mean implied authorisation. Only that much. Therefore, in the pending cases which are 180 or so, whatever it may be, there may or may not be facts which would show an expenditure by a political party and whether such an expenditure would be deemed to be authorised impliedly or not, would be a matter which, when each case comes up for consideration, is for the Judges to consider and determine. But if this judgment stands, then every such expenditure incurred by a political party would be deemed impliedly incurred by the candidate.

Ram Dayal vs Brij Lal & Others where the contention was that the expenditure incurred by the Maharaja of Gwalior should be deemed to be impliedly an expenditure incurred by Brij Lal but the Supreme Court said, 'No' and did not accept the principle of implied consent. But today if it is accepted, then, even that case could

[Shri Vasant Sathe]

be struck down. That is the possibility. All these candidates pending cases of various political parties stand to be affected if it is established that even friends, or groups of friends or supporters had spent for them for pamphlets, propaganda, arranging meetings or anything even though they had spent that money on the understanding of the law as it stood till the decision in Kanwar Lal Gupta's case. In that understanding, if a party has spent some money or some groups of friends have spent some money and if it is to be impliedly included, then a large number of cases, for no fault of theirs, but only because they understood the law as it stood till then, would be declared void. This is a simple problem. I am sure Mr. Gokale will appreciate my point. I am quoting the law; I am only saying the law as laid down by the Supreme facts of the case. And even if we agree to the principle of *sub-judice* which I do agree, is not to apply and the legislation could go on, we could not make any reference because that is not essential. That is my basic point. Simply say, this is the law on that, you need not go on arguing any further. One should not refer to facts of each case because once you start doing that there will be no end to it. What would be argued by the other side? They would say, yes, such and such expenses must be deemed to be authorised and then they will start giving instances and so on. That is all that they can say. They can quote X or Y or Z. They want only to strengthen their reasoning that this Bill should not be passed and that the Supreme Court ruling would hold the field. This is what they want to say. For that one need not have to refer to facts of the pending cases. And as I see it, the demarcating line would be this. There cannot be blanket shutting out. It cannot be said that nobody can refer to any name of a case or any such thing. That would not be correct. The dividing line

should be the rule of self-restraint. Do not say anything on the merits of facts which have been controverted. What you said in your affidavit could have been controverted by the other side. It is for the court to decide. You need not advance your arguments all over here. You may in your wisdom rule that while Members may without prejudice to *sub-judice* law refer to cases in general, they should not refer to facts averred which are for decision. And the moment they come to that, this Book itself says what the presiding officer should do.

Sir, the presiding officer has a duty; at the point where finds that someone is referring to facts which are likely to prejudice, he can stop. I hope that the hon. Members here can exercise that much restraint unless they want to utilise this Bill, as they have done in the recent past, to do mud-slinging and go on saying things hoping that that will go on record. I do not think that that is their intention. Therefore, they will exercise the restraint and if the ruling comes laying down this guideline. I believe, it would serve the purpose.

MR. DEPUTY-SPEAKER: I had sought the Law Minister's assistance only on one particular point, that is, to help me in pointing to a precedent of a Bill of a similar nature where the cases pending before the courts are the very basis of the formulation of that Bill and the presiding officer decided that even when a Bill is of that nature no reference could be made to those cases before the court.

SHRI SOMNATH CHATTERJEE (Burdwan): The point that we are considering here and also trying to assist on is as to what will be the scope of discussion of this Bill, and whether in the course of discussion of the Bill we can refer to any particular pending case or not? We ought to remember that we cannot discuss a legislation as an abstraction. A legislation cannot be in abstract form. It has to meet certain social needs or important changes which are sought to be brought about in the political

or social fabric of the country. So far as the present Bill is concerned, it is an admitted case that it is for the purpose of providing a protective umbrella to certain pending cases. That is the main objective of this Bill. The object of the Bill is not only to have a law for the future guidance of the people but to seek a protection to pending cases which are about 180 or so.

This Bill has been brought to replace an Ordinance.

This Ordinance that is sought to be replaced now was brought in when Parliament was not sitting. What immediate urgency was there? Clearly the urgency could not be for the future applications. The urgency was to give protection to the respondents to the pending petitions. Whether it was necessary or not or urgent or not, the only consideration is giving protection to the pending petitions and not the future law of this land.

If the intention of this Government was to provide certain changes in an electoral law as such, we have also other pending bills such as the Representation of the People (Amendment) Bill. The hon. Minister could have brought in an amendment to this Bill if he wanted it only for future guidance. The protection is sought to be given to such and such petitions pending in the court. This umbrella is going to be given to those petitions so that the decision of the Supreme Court may not have any effect or it may nullify the Supreme Court's decision in relation to that particular case. Shall we not discuss here the particulars of the cases that are pending? Whether the cases require protection or not, can we not look into it? Can we not look into the question because of the rule *sub judice*? We may not make comments only on the facts of the case. And mere narration of the facts of the case is no comment on the issues involved.

MR. DEPUTY-SPEAKER: I say I am terribly afraid of the tomes that are being brought to the House.

SHRI SOMNATH CHATTERJEE: The principle of *sub judice* is very clear. You should not try to pre-judge the issue. There should be no comments on the merits of pending cases so that the adjudicating authority is not influenced by it. But, if I say that certain cases do not require protection, then this law is not necessary. We must also know what are the facts of the pending cases. If we pass judgments in pending cases, then you can pull us up. But you cannot do that, so far we do not try to give our own opinion as to the rightness or wrongness of the contention made in the election petitions or the contentions made by the respondents in the election petition. We are not discussing the law as such in abstract. On reading the statement of objects and reasons, I find that this Bill is brought forward with reference to the candidates against whom election petitions are pending. It says:

"In view of the effect which such interpretation might have particularly with reference to the candidates against whom election petitions are pending, it became urgently necessary to clarify the intention underlying the provisions...."

When we come to the objectives of the Bill, when we discuss the merits of the Bill as also refer to the pending cases. Otherwise, it will be only a mockery of the Parliamentary Procedure.

SHRI S. M. BANERJEE (Kanpur): Sir, I want one minute only..

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I think the hon Member spoke the other day.

SHRI S. M. BANERJEE: I spoke in regard to the case of Shri Chagla.

MR. DEPUTY-SPEAKER: Kindly listen to me. Were you here when I began...?

SHRI S. M. BANERJEE: I was here.

MR. DEPUTY-SPEAKER: You were not here. I allowed certain things before I proceeded to give my ruling. I had sought the assistance of the Law Minister in one particular respect to point out aprecedent of a Bill of a similar nature in the past, where the presiding officer ruled that reference could not be made to cases pending. This is the limited thing. It is after that that I shall proceed.

SHRI S. M. BANERJEE: That is what I wanted to say.

SHRI MADHU LIMAYE: (Banka): You have not answered Shri N. K. P. Salve's question.

MR DEPUTY-SPEAKER: I have already answered that. You were not here. I have already dealt with that. I had already answered. This is the difficulty with the Members. They do not follow from the beginning.

SHRI S. M. BANERJEE: There is no lunch hour for every one of us. Kindly hear me a minute. Mr. Jagannath Rao...

MR. DEPUTY-SPEAKER: Don't refer to Mr. Jagannath Rao. I have ruled it out that the Bill to which he has referred has no similarity with this one.

SHRI S. M. BANERJEE: I am happy. Secondly, the hon. Minister has said that we should not make any reference to the pending cases in the various courts. There is another case pending, not only pending, but, Mr. A. N. Chawla himself has filed a revision petition.

MR. DEPUTY-SPEAKER: That is a different matter.

SHRI S. M. BANERJEE: My party colleague has been given a copy of that. He is bound to speak on that.

MR. DEPUTY-SPEAKER: This has nothing to do with this particular question. Let us hear the Law Minister.

SHRI S. M. BANERJEE: This is arising out of A. N. Chawla's case.

SHRI H. R. GOKHALE: Mr. Deputy-Speaker Sir, the question is what should be...

SHRI MADHU LIMAYE: Sir, may I make a submission...?

MR. DEPUTY-SPEAKER: After the Law Minister speaks, then again, if you speak, there is no end to it. I have asked a very specific and limited question. Let us do one thing. If you want, you make your submission now. After the Law Minister makes his submission on this limited point, then allow me to proceed. We should not have further discussion. I will give my ruling. I am seeking his help at this stage.

SHRI VASANT SATHE: By way of abundant caution, you may hear Mr. Madhu Limaye also.

MR. DEPUTY-SPEAKER: That is what I say. If you say that you will speak after him, there is no end to it. You rather speak now. Mr. Madhu Limaye, if you want to speak, you rather make your brief submission now.

SHRI MADHU LIMAYE: What is the specific question addressed to the Law Minister?

MR. DEPUTY-SPEAKER: Let me again repeat the specific question. Are you hearing, Mr. Madhu Limaye? The specific question to him is, to point out to me a precedent where a similar Bill of this nature, where cases pending before the court constitute the genesis and the basis of the Bill,

had come before this House where the presiding officer had ruled that reference could not be made to those cases. This is the limited question. I had asked him because I want to be satisfied on that.

SHRI MADHU LIMAYE: I have a right to reply to him.

MR. DEPUTY-SPEAKER: It is not the right to reply. You are not going to reply.

SHRI MADHU LIMAYE: I am going to help you.

MR. DEPUTY-SPEAKER: I am laying down this. If you want to make submissions—I have allowed other Members to make it—you can make it. Why are you all getting excited? After the Law Minister makes his submission, I will proceed. I won't hear anybody else.

श्री मधु लिमये : उपाध्यक्ष महोदय, मेरी प्रार्थना है कि अगर आप कानून मंत्री के बाद मुझ को सुनेंगे, तो आप का ज्यादा फायदा होगा ।

15 hrs.

MR. DEPUTY-SPEAKER: No.

श्री मधु लिमये : ठीक है । मैं पहले बोलता हूँ । आप मेज़ पार्लियामेंटरी प्रैक्टिस, 15थ एडिशन, पेज 380, देखिये । आप उस को मंगवाइये ।

MR. DEPUTY-SPEAKER: It is not that we do not have a copy of *May's Parliamentary Practice* here. But we have the most modern edition. You are referring to the 15th edition. If you refer to the most up-to-date edition and the page number, it would not take time.

SHRI MADHU LIMAYE: This is the 15th edition, page 380.

SHRI H. R. GOKHALE: After that, there are two.

SHRI MADHU LIMAYE: The principle is the same. You prove that subsequently the Speaker has changed his ruling. This should stand unless you have got information that this ruling has been modified subsequently. This is about 'matters pending judicial decisions'.

"A matter whilst under adjudication by a court of law should not be brought before the House on a motion or otherwise. This rule does not apply to Bills".

आप मंत्री महोदय से प्रिसिडेंट पूछ रहे हैं । मैं चाहता था कि मैं आप की खिदमत में एक प्रिसिडेंट पेश करूँ । इस लिए मैं कुछ समय चाहता था । लेकिन चूँकि आप जल्दबाजी में हैं, इस लिए मैं पेज नम्बर नहीं दे पाऊँगा । मेरे पास किताब है । मुझे निश्चित रूप से याद है कि कांस्टीट्यूट एसेम्बली कंसटस आफिशियल होने के बाद जो प्रोविजनल पार्लियामेंट आई, उस में कांस्टीट्यूशन (फस्ट एमेंडमेंट) बिल स्वयं जवाहरलाल नेहरू ने पेश किया था । मैं उन का पूरा भाषण पढ़ कर सुनाऊँगा ।

उस समय पटना हाई कोर्ट का एक केस था लेड रिफार्मज बिल के बारे में, और वह अपील सुप्रीम कोर्ट में पेंडिंग थी । लेकिन फिर भी जवाहरलाल जी ने यह बिल पेश किया, और अपने बिल के समर्थन में, हाई कोर्ट का रूलिंग कैसे गलत है, उस के तथ्य क्या हैं, इस की खर्चा मोटे तौर पर जवाहरलाल जी को करनी पड़ी । मैं आप को एक कन्फ्रीड इन्स्टंस दे रहा हूँ । जो इस से मिलता-जुलता है । अगर मंत्री महोदय ज्यादा अडुंगा डालेंगे, तो मैं जवाहरलाल जी का पूरा भाषण पढ़ कर सुनाऊँगा ।

किसी हाई कोर्ट ने मंडर के बारे में भी कुछ कहा था । पंडित जी ने उस का भी उल्लेख करते हुए कहा कि अगर फंडामेंटल राइट्स के क्वैटर को संशोधित नहीं किया

[Shri Madhu Limaye]

जायेगा, तो मर्डर का प्रचार करने का फडा-मेंटल राइट भी प्राप्त हो जायेगा। क्या यहाँ कोई 1951 वाले सदस्य है ?

श्री क्यामनन्ध मिश्र (बेगुसराय) : मैं 1950 सं था।

श्री मधु लिमये तो माननीय सदस्य को मालूम ही होगा। यह तो मेरी याद है। माननीय सदस्य तो खुद वहाँ मौजूद थे। क्या उन्होंने यह भी नहीं कहा था कि अगर फडामेंटल राइट्स के चार्टर को संशोधित नहीं किया जायेगा, तो शायद हम मर्डर के बारे में भी कुछ नहीं कर पायेंगे, और क्या किसी जजमेंट और उम के तथ्यों का हवाला उन्होंने नहीं दिया ?

कांग्रेस पार्टी के लोग दिन-रात सदन की सर्वोच्चता, पार्लियामेन्टरी सुप्रीमेसी के बारे में चिल्लाते हैं, लेकिन किसी फुटलिंग अदालत में कोई फालतु, फुटलिंग केम चल रहा है, उम को ले कर वे पार्लियामेन्टरी सुप्रीमेसी को, और हमारे राइट्स को, जो आर्टिकल 105 के द्वारा हमें प्राप्त हुए हैं, खत्म करना चाहते हैं।

हम ने शुरुआत को कहा था कि एक साधारण, जेनेरल रूल है और एक विशेष, स्पेशल रूल है। श्री सोमनाथ चटर्जी बड़े लाइयर हैं, मैं तो कुछ नहीं हूँ। लेकिन वह भी इस बात को मानेंगे कि जब बिलों के बारे में अलग नियम है, और उस में सबजूडिम का कहीं उल्लेख नहीं है, और कास्टीट्यूशन में हमें फ्रीडम आफ स्पीच का अधिकार दिया गया है, तो इस बिल पर बोलते हुए हम अदालत में चल रहे अन्य चुनाव याचिका के मामलों के बारे में बोल सकते हैं।

हमारी फ्रीडम आफ स्पीच सबजेक्ट टु दि रूलज आफ प्रोसीजर है, और रूलज आफ प्रोसीजर के बारे में आर्टिकल 118 है; जिसमें कहा गया है कि "सबजेक्ट टु दि प्राविजनज

आफ दिस कांस्टीट्यूशन" रूलज बनने चाहिए। घुमा-फिरा कर आप आर्टिकल 105 पर आ जाते हैं। इस लिए अपने मुहों के समर्थन में 180 पेडिंग पेटीशनज के सभी तथ्यों को नहीं, लेकिन जो रेलिबेट है—रेलिबेट टु दि सबजेक्ट मैटर आफ दि बिल, उन को उद्धृत करने का हम को कास्टीट्यूशनल राइट साविधानिक अधिकार है। हम श्री गोखले और श्री रघुरामैया की दया पर निर्भर नहीं हैं। उम हक को छीनने का किसी को भी नैतिक या साविधानिक अधिकार नहीं है। चूंकि श्री उपाध्यक्ष महोदय हमारे अधिकारों की रक्षा करने के लिए यहाँ बैठे हुए हैं, इस लिए मुझे पूरा विश्वास है कि वह श्री गोखले और श्री रघुरामैया की ताना-शाही को यहाँ पर नहीं चलने देंगे।

जब सुप्रीम कोर्ट के एक जजमेंट के इफेक्ट को ही खत्म करने वाला यह बिल है—आप ने खुद यह कहा था कि इस बिल का उद्देश्य टु नल्लीफाई दि इफेक्ट आफ दि जजमेंट आफ दि सुप्रीम कोर्ट है, तो 180 इलेक्शन पेटीशनज के आधार पर, और उन लोगों को बचाने के नाम पर, यह जो सारा नाटक किया जा रहा है, इस का खंडन करने के लिए हम लोग 180 पेटीशनज के प्राउड्ज की चर्चा करेंगे, और यह साबित करेंगे कि यह सारा दिखावटा काम है, और असल में श्री गोखले की नियुक्ति जिस व्यक्ति ने कैबिनेट में की है—प्रधान मंत्री, उनको बचाने के लिये श्री गोखले यह काम कर रहे हैं।

MR. DEPUTY-SPEAKER: At this stage do not go into those things; we are now dealing with the point of order.

श्री मधु लिमये : कानून मंत्री इस देश के और सदन के सदस्य हैं, किसी व्यक्ति के नहीं, यह बात मैं बड़ी ताकत के साथ कहना चाहता हूँ, और इस लिए मैं कहता हूँ कि वह इन आक्षेपों को वापिस ले ले और बहस को सुचारु ढंग से चलने दें।

श्री एच० राम गोपाल रेड्डी (निजामा
 बाद) : यहाँ पर जितने मेम्बर हैं, व सब
 देश के सेवक हैं। मगनीय सदस्य उन में से
 श्री गोखले को क्यों बाहर कर रहे हैं ?

श्री मधु लिनये : जमे हम इस सदन के
 सेवक हैं, वैसे ही श्री गोखले भी हैं, वह किसी
 व्यक्ति के नहीं हैं।

SHRI SHYAMNANDAN MISHRA.
 It is admitted by everybody that the
 rule of sub-judice does not apply to
 any legislation. What does it mean,
 I should like to understand from the
 Chair. The rule of sub-judice does
 not apply to any legislation in the
 House. Any legislation which is being
 discussed in the House—in my
 humble opinion that means that there
 could be uninhibited discussion on that
 piece of legislation. This rule is un-
 trammled by any qualification. Has
 anybody produced any qualification
 to this rule that the rule of sub-
 judice would not apply to any legis-
 lation? It is without any reservation.
 So I should submit that this has to
 be applied in this case also

You were pleased to say that the
 case that has been cited in this con-
 nection was not identical, on all fours
 with the matter before us just now.
 (Interruptions) Here is a definite
 attempt by the Government to in-
 fluence the judgement in the court.
 That is the express objective of this
 measure. What is the objective of
 this measure?—That the cases which
 are pending before the court should
 not be affected adversely. That means
 that the Government is making an
 attempt to influence the judgements
 in the court. Who is doing it? The
 cap does not fit us. It is the Gov-
 ernment which by bringing up this
 measure is trying to influence the
 judgments in the courts. It may be
 a good act or bad act on the part of
 the Government; I am not going into
 the merits. But the desired effect of
 this act is that the judgments in the
 court should not be adverse, against

the election petitions pending in the
 court on this very subject. If that is
 clear that the object is to influence
 the judgments in the courts, the duty
 of the House is to see that the proce-
 edings in the court are not affected
 by anything you do, if we go by their
 own argument and then we will have
 to cite our own facts to show that
 probably it was not required and there-
 fore, Government is not in order in
 bringing up a measure of this kind.
 You will kindly recall that when the
 Minister first spoke to the press, he
 mentioned about these 180 cases. The
 explanatory memorandum refers to
 the same. The statement of objects
 and reasons says that particularly
 because of these cases pending in the
 courts that this measure is being
 brought I underlined this on the
 previous day when we were discuss-
 ing it that this was the particular
 object mentioned in the statement of
 objects and reasons.

After all that storm that raged in
 the House when the Law Minister in-
 troduced that Bill in the House, at
 that time, his whole speech was full
 of references to the cases pending be-
 fore the courts. The entire speech of
 the Law Minister was based on those
 pending cases. That being so, I think
 this House has a clear duty to go into
 the facts of those cases, which are
 pending before the courts and which,
 as you have been pleased to point out,
 form the very basis of this measure.
 We cannot just refrain from making
 references to the facts that are there.

SOME HON MEMBERS ROSE—

MR. DEPUTY-SPEAKER: I have
 a very difficult task even in running
 the business. On the one hand, there
 is pressure from the Minister of Par-
 liamentary Affairs that we must hurry
 because there is a time-limit that we
 have fixed. Moreover, the Business
 Advisory Committee has made certain
 recommendations, which the House
 has adopted. On the other hand, the
 pressure on me is to ensure that this
 House has the right of a reasonable

[Mr. Deputy-Speaker]

debate, that we do not do anything hurriedly in an irresponsible manner. I have to resist pressures from both the sides. The Law Minister in this case is the spokesman of the Government, of the ruling party. You all belong to that party. The members of the opposition have their submissions to make. It would save the time if you voluntarily forgo the right to make your submissions and leave the matter to the Law Minister.

SHRI S. M. BANERJEE: Sir, what I am going to impress upon you is that in this particular case, there are two points. Firstly, what is the genesis of the case? It arose out of the judgment delivered by the Supreme Court in the case of Shri Kanwarlal Gupta vs. Shri A. N. Chawla. Mr. A. N. Chawla was a sitting Member of the House. When the judgment was given, the Government in their wisdom came out immediately with an Ordinance protecting the cases of those against whom election petitions are pending. If you will kindly read the Statement of Objects and Reasons...

MR. DEPUTY SPEAKER: We have read it many times.

SHRI S. M. BANERJEE: You have read it and you are also convinced that the object of this Bill is quite clear. What is the object of the Bill? The object of the Bill is to protect those 180 and odd cases pending before the various courts in the form of election petitions.

Now, there are two aspects of the case. Firstly, if we are allowed to discuss these cases, if you kindly allow us to refer to those cases, then we will be doing injustice to those against whom election petitions are pending and we will be expressing our opinion in this House which would be the opinion of the legislators. That might go against the interest of those against whom election petitions are pending. Secondly, if you do not allow us to refer to those cases, what should we discuss then?

MR. DEPUTY-SPEAKER: That is exactly my difficulty.

SHRI S. M. BANERJEE: Your difficulty is the difficulty of us all.

My hon. friend, Shri Sathe, was saying, let us discuss the general aspect of the Bill. If we are to discuss it only in abstract terms, let them withdraw the Bill and bring a motion under rule 184 or 193. We can discuss it. In that case, it will not be a Bill. It will be a motion. I have no objection. But if you are interested in passing the Bill...

MR. DEPUTY-SPEAKER: Let us not have too many motions

SHRI S. M. BANERJEE: Sir, I want that you should take a decision....

MR. DEPUTY-SPEAKER: I will take a decision. You allow me to take a decision.

SHRI S. M. BANERJEE: My submission is that if you allow us to refer to those cases, that will prejudice the cases of those against whom election petitions are pending in various courts. If you do not allow us to refer to those cases, what are we to discuss then? I feel, this Bill should be withdrawn. Let us then have a motion and discuss it.

SHRI B. V. NAIK rose—

MR. DEPUTY-SPEAKER: Mr. Naik, I had made an appeal...

SHRI B. V. NAIK (Kanara): I think, even the hon. Minister will yield for a minute to me.

What I am saying is, if you kindly bear with me that in this Statement of Objects and Reasons, without involving myself in legal hair-splitting, since I am not a lawyer but a commoner, the case that has been cited is that of Mr. Kanwarlal Gupta vs. Mr. A. N. Chawla....

MR. DEPUTY-SPEAKER: Please do not go into all that. You were not here last Thursday. You are beginning the whole thing right from the start.

SHRI B. V. NAIK: You bear with me for a minute. The subject-matter of 180 cases has not been referred to at all in the Statement of Objects and Reasons. The case under reference is *post judice*, not *sub judice*.

MR. DEPUTY-SPEAKER: You have not read the Bill; you have not followed the discussion.

A little while ago, I welcomed you after a long time you were seen in the House. I think, I will have to revise my opinion if you go on in this manner.

Shri H. N. Mukerjee.

SHRI H N MUKERJEE (Calcutta—North-East): Mr. Deputy-Speaker, Sir, I would be very short. I think, the basic point is in regard to the position of the Legislature and of the judiciary, and we should not do anything which would prejudicially affect the balance which ought to be there. As far as we are concerned, the rule of sub-judice does not apply in so far as our power to legislate is concerned. And there may be good reasons or bad reasons for Government and Parliament to collaborate in order to bring forward legislations which would affect the country in a particular way and it does not matter what is pending in courts or not. It is, therefore, the point of Government and Parliament making up their mind about what legislation is desirable. But if Government approaches Parliament with change in legislation necessitated on account of a certain trend in so far as judicial pronouncements are concerned, a trend which was of one sort once upon a time and appears to be of a different sort at the present moment, then, surely, it is necessary for Parliament to know exactly what these, in many cases, are about. If reference continued to be made by Government—

I am told so; I was not here; I apologize I was not here a bit earlier—, if Government continues to rely upon the nature of certain cases pending before one court or the other and if that is the reason why legislation of another sort is supposed to be desirable—and Government went so far as having an Ordinance promulgated when Parliament was about to begin its Session—then, the Parliament must satisfy itself. Therefore, I feel that, since we have, as against the judiciary, the sovereign right of not having to bother about the sub-judice rule when we legislate by means of a Bill, we should also, at the same time pay a compliment to the judiciary and to the citizens of our country who have gone to the courts for relief and we should know what exactly is happening, which requires this change. Therefore, I feel, quite apart from the subject-matter of this legislation, if Government has relied upon the pendency of a large number of selection cases, they must keep the Parliament informed in regard to the contents of those cases, the kind of problems that cropped up in those cases and the kind of solutions to those problems which this country, through the Parliament, should evolve.

SHRI SHYAMNANDAN MISHRA Only this much I wish to remind this hon. House that we are discussing not only this Bill but also the Ordinance. Both the discussions are taking place together. I have made a submission to you earlier, Sir, that, while one cannot urge that the Bill is dishonest, one can urge, so far as the Ordinance is concerned, that it is dishonest and *mala fide*.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): Mr. Deputy-Speaker, I would like, in a short time, to deal with the points raised by the hon. members today. The question is what is the scope or what should be the scope of the present discussion. To me it appears to be plain that the scope of the discussion is discussion on the Bill which is before the House....

SHRI SHYAMNANDAN MISHRA: Not on the Ordinance?

SHRI H. R. GOKHALE: I did not interrupt you. I expect you to allow me also to carry on without interruptions.

We are considering the motion for consideration of the Bill and his motion for disapproval of the Ordinance....

SHRI SHYAMNANDAN MISHRA: Both are together.

SHRI H. R. GOKHALE: I know what are going together. You need not remind me of that.

The Ordinance and the Bill, in terms, are the same. So far as the legislative provisions are concerned, the Ordinance and the Bill are, in terms, the same excepting for the fact that one is a Bill converting the Ordinance into law and the other one is an Ordinance. But, in terms, between the provisions of the Bill and the provisions of the Ordinance, there is no difference. Therefore, the scope of the discussion is the scope that will apply to the discussion of the Bill or, let us say, the Ordinance also.

Now I would submit, with respect, that the Bill or the Ordinance will not show this—a reading of the provisions of the Bill or of the Ordinance; I will come to the Statement of Objects and Reasons later because a reference has been made to that also—; the Bill, in terms, seeks to rectify the position which arose on account of a judgment of the Supreme Court, although, in terms, no reference is made to that case in the Bill or the Ordinance. Naturally it could not be made. It only seeks to correct the legal position, it seeks to amend section 77 of the Representation of the People Act, because what was thought that the section really ought to mean one thing but the interpretation of the Supreme Court says that it means another. There have been innumerable instances in which,

Sir, a law has been undertaken to set right decision of the Supreme Court in order to make the intentions of the Parliament clear. There is no difficulty about that. Therefore, there is no question that the Parliament has the power to make a law because it thought that a certain law or legal decisions taken by the court in a particular case were quite different and not the correct decisions and that they required rectification by a proper legislation. Therefore, I think and I submit with respect that it is not correct to say that the legislation is in respect of any particular pending case. In fact, the case in which this proposition was laid down has been excluded from the operation of the ordinance and also from the operation of the Bill because the provisions will show that it does not apply to decisions which have become final in the High Courts or and in the Supreme Court....

SHRI JYOTIRMOY BOSU: Why this urgent ordinance?

SHRI H. R. GOKHALE: Let me deal with it. I have not forgotten the Objects and Reasons reference also. To that I will come step by step. I will deal with all the points.

SHRI ATAL BIHARI VAJPAYEE: Why this discrimination? Why not allow Shri Amar Nath Chawla to sit in the House?

SHRI H. R. GOKHALE: When this question has been raised before the courts as to why this discrimination of excluding a particular case, the courts have laid down, and I have got one judgment here right now where they have said,—that there is no discrimination at all if Parliament were not to touch that very case in which a particular proposition of law has been given, and the reasons given by the Bombay High Court are that when litigants go to the court....

SHRI SHYAMNANDAN MISHRA: We will study that.

SHRI H. R. GOKHALE. You may study or may not study. But a point has been raised and I am answering that.... (Interruptions) It has been said that when a client goes to the court and gets a favourable judgment, he spends a lot of money, time and energy for obtaining a particular judgment and, therefore, it is not right to deprive him and in this case, Mr. Gupta, of the benefit of that favourable judgment. That has been the view taken by courts and, therefore, there is no discrimination in this. This question was considered and decided by the courts.

Now, apart from the question, because I was taken a little aside because of the interruptions, the submission which I wish to make is that when you think of precedents, it is well-known that you do not think of facts, for precedents I am making this respectful submission. What we think of is the ratio even in respect of the legal propositions which have been followed from time to time in different cases in the past. It is unfortunate that you have already said something about the ruling which was cited before you. But I would respectfully submit that the ratio, the basic principle underlying that decision holds even to-day in respect of any other case where legislation is undertaken for the purposes of rectifying a legal position taken in a decision by a court. This question we will have to decide not on whether A or B or C or D or E or F or such other facts which obtain in the earlier cases obtain in this case. Even in the earlier case there was a matter pending in the court and it was argued that without reference to the facts of the case, we cannot proceed with the consideration of the Bill. The Speaker, with respect rightly pointed out that you cannot prevent consideration of the Bill and you can do that but without reference to the facts of that case because the facts of that case have nothing to do with the consideration of the Bill. To-day, a reference to Mr. Chawla's case will come on only in respect of the question of law because that is the

position which is sought to be rectified. My hon. friend, Mr. Mishra may not agree with me. That is a different matter. On his side he has already made his submissions why the position of law taken in the Supreme Court is correct. That is a different matter. With regard to that, I will deal with it later on when I deal with the merits. Therefore, we look to the precedents, not for the facts the previous cases. We look to the precedents, a ratio, some basic principles, some first principles which have been the guiding principles of our deliberations here and in the matter of rule of *sub-judice*, when you apply it outside the House also I would request you to consider this.

Again, I submit with great humility and respect that here, what is the basic principle? If you discuss legislation, you discuss the merits of the legislation by all means. You can say that this legislation is not justified. You may as well say that this is motivated, that the Government has *ulterior* ends and purposes for bringing this legislation. It is your right to say all these things in opposing this legislation and it is my right to defend and privilege to defend the Government which I will do. Therefore, that no case exactly on the point and a case of similar facts were not available is not necessary. The basic principle, the first principle is that when you discuss anything in this house and if you discuss any legislation, you can discuss the merits and demerits of the legislation. On first principle you will not allow anything to happen which will prejudice the fair conduct of a trial in a civil court, may be in a criminal court or as in England where they have referred to even Courts Martial and such other forums before whom judicial adjudication takes place, there are references in May's Parliamentary Practice. References were made just now saying, this principle applies to Motions, this principle applies to questions etc. I can briefly refer to this. This is from page 228 and the heading is, sub-

[Shri H. R. Gokhale]

judice matters. This is from para 11. This is the 18th Edition. It says:

"By a Resolution of the House matters awaiting or under adjudication in a criminal court or a court martial and matters set down for trial brought before civil court may not be referred to in any debate or question."

Now, what is the principle underlying this? It is not the case of A. N. Chawla. The judgment is there already before everybody. It is no longer open for discussion and I am not going to discuss the facts of Chawla's case. The Supreme Court is the final arbiter and on facts the Supreme Court has decided that thing. But now can we refer to other cases and say that in that particular case a certain allegation is made etc.? That is the question; and we can certainly refer to in general terms, in regard to pendency of the case, where a question as regards excess expenditure arises, where similar question of law arises or is pending consideration. If one were to go further and say that we will discuss the merits of those cases, that would be, I very respectfully submit, an irregular thing and by this you would be only setting down a precedent for the future which would be undesirable. This is my submission.

As regards the other point raised, it is a well-known and well-recognised principle of all interpretations that you for understanding the meaning of a legislation, we do not wimply look at its Objects and Reasons. That is a well-known principle that you cannot look at them unless there is any doubt or some such thing in understanding the provision itself. It is only for the purpose of clarification of that thing that you can refer to the Statement of Objects and Reasons. But that statement itself cannot govern the interpretation of a section which is otherwise clear. That is to say, the interpretation of the section will be

on the section itself and on nothing else. But apart from this, what does the Statement of Objects and Reasons state here? One thing is this. What is the position in law which this Bill seeks to remedy? The position in law is stated in the Statement of Objects and Reasons. Certain provision (namely, Section 77) has been understood in a particular way in previous decisions of the courts and by all concerned who are connected with elections. And it is therefore now thought necessary to clarify the intention so that the doubt created by the Supreme Court might be met by clear-cut and unequivocal legislation. That is the sum and substance of the objects of this legislation. Then it proceeds to say the second thing. What we proposed is this. Because, if the intention of Parliament is this—I am assuming that Parliament will eventually pass this Bill,—that such an intention of the legislation should be clarified by amendment in the Bill, it is also mentioned that in order that that intention should be clarified, this Bill must be passed. The purpose is two-fold. First of all, to lay down the law, what Parliament thinks is the law for the present and for future and the second purpose is, if that is going to be law, giving the benefit of that to all those cases where the same question of law arises. It has no reference to any facts of any pending cases. I would again repeat that it will be very unfortunate if a precedent of this type is taken. Thank you.

SHRI H. K. L. BHAGAT (East Delhi): Sir, I may be allowed just half-a-minute. I want to read from the debate of 26th September, 1955. Or you may refer to page No. 15253 of debate date 26th September, 1955 on Prize Competitions Bill. What the Law Minister just now stated about the Objects and Reasons is precisely mentioned in the observations made by the then hon. Speaker whereas he has clearly said that intentions are to be seen from the enactment itself. There he has even gone to the

extent of saying, in my mind, it is irrelevant. Along with this you may also read pages 15251, 15251 and 15252. If you read these pages you will find what the Law Minister has said is absolutely correct and borne out.

SHRI MADHU LIMAYE (Banka): I have got Eighteenth edition of May's Parliamentary Practice. I quote:

"A matter, awaiting or under adjudication by a court of law, should not be brought before the House by a motion or otherwise. This rule applies to motions for leave to bring in bills, but not to other proceedings on bills."

AN HON. MEMBER. What about the foot-note?

दृष्ट नोट का क्या करना है ।

तो आप भी चैंबर में बुलाकर रुलिंग दें कि ये, पकड़ बड़ा पड़ता है ।

MR. DEPUTY-SPEAKER: Please read it again.

SHRI MADHU LIMAYE: I quote:

"A matter, awaiting or under adjudication by a court of law, should not be brought before the House by a motion or otherwise. This rule applies to motions for leave to bring in bills, but not to other proceedings on bills."

अब इंट्रोडक्शन स्टेज पर नहीं है, अनुमति नहीं मांग रहे हैं, लीव नहीं सीधे कर रहे हैं । कंसिडरेशन: स्टेज पर है । यह एक भी बात को नहीं काट रहे हैं । जब जवाहर लाल जी को मुझे पेश करने दीजिये, उन्होंने रप्रेसिप्टिव इन्ट्रिसेज रेकर विधे हैं

श्री बंसल साठे : अब आप भी जवाहर लाल जी को कोट करेंगे ?

श्री मधु लिमये : अगर मेरे पक्ष में कोई बात जानी है तो मैं जरूर कहूंगा । एक ही मुद्दा इस वक्त है कि कंसिडरेशन स्टेज पर

किन किन मामलों की चर्चा हो सकती है ? जवाहरलाल जी ने फस्ट कांस्टीट्यूशन एमेंडमेंट बिल रखा तो उस में हाई कोर्ट की एक जजमेंट का उल्लेख किया था और उसका जो फंक्ट या ग्रांड था वह भी बताया था । दैट बाइ इन अपील बीफोर दी सुप्रीम कोर्ट ।

श्री अटल बिहारी वाजपेयी : बहुत पुराना हो गया है ।

श्री मधु लिमये : पुराना हुआ तो क्या हुआ ।

श्री अटल बिहारी वाजपेयी : ये नए लोग नहीं मानेंगे ।

श्री मधु लिमये : ये न पुराना जानते हैं न आज का जानते हैं और न ही भविष्य का जानते हैं ।

श्री एच० आर० गोखले : सब आप जानते हैं ।

श्री मधु लिमये : मैं नहीं जानता । मैं सीखता हूँ । सीखने का जो निष्कर्ष है वह आपकी खिदमत में पेश करता हूँ ।

जवाहर लाल जी कहते हैं : On page 8828, Vol. XII-XIII, Part II dated 16-5-1951 this is what he said:

"It is clear that the original clause, as interpreted by the superior courts in this country, has put this Government or put any government into a very difficult position. The House knows—and it is mentioned in the Statement of objects and Reasons—that one of the high courts held that even murder or the like offences can be preached. Now it is an extraordinary state of affairs when that can be done. It may, and I am quite sure, it would be in the long run, as in other countries, that judicial interpretation would gradually bring things more in line with—which I would beg to say is—the spirit of the Constitution."

[श्री मधु लिमये]

श्रीर भी लीड रिफार्म्स एक्ट से कई मैटर्ज हाई कोर्ट में विचाराधीन थे। उनका शैड्यूल में उल्लेख किया गया और सारे फैक्ट्स के ऊपर चर्चा हुई। मैं इस तपसील में जाना नहीं चाहता हूँ।

SHRI VASANT SATHE: He was referring to the case law which was sought to be remedied. So, what does it matter? He is referring to the facts of the case.

श्री मधु लिमये : हाई कोर्ट में एक केस था। उसके फैक्ट्स क्या था ?

SHRI H. R. GOKHALE: We have had discussions on Thursday and today. Now we will abide by your ruling.

श्री अटल बिहारी वाजपेयी : मैं केवल एक स्पष्टीकरण चाहता हूँ। यह कहा गया है कि फैक्ट्स का हवाला नहीं दिया जा सकता है। फैक्ट्स का अर्थ है तथ्य। यह तथ्य है कि प्रधान मंत्री श्रीमती इंदिरा गांधी राय बरेली से लोक सभा का चुनाव लड़ीं..... आप जल्द बाजी न करिये।

MR. DEPUTY-SPEAKER: Why bring in other cases?

SHRI MADHU LIMAYE: Why bring in the murder case? When the matter was pending before the Supreme Court, if Shri Nehru could do it, we can also do it.

MR. DEPUTY-SPEAKER: We are referring to the discussion on principles without going into any other case or any special thing.

श्री अटल बिहारी वाजपेयी : यह कहा जा रहा है कि फैक्ट्स का उल्लेख नहीं हो सकता है। लेकिन हर उम्मीदवार चुनाव जीतने या हारने के बाद भी अपने खर्च का एकाउंट देता है। वह एक पब्लिक डायुमेंट होता है। अब यह बात अलग है कि उस चुनाव को कोर्ट में चुनौती दी गई है....

MR. DEPUTY-SPEAKER: That point was made by Mr. Mishra.

श्री अटल बिहारी वाजपेयी : क्या उस पब्लिक डायुमेंट का हवाला नहीं दिया जा सकता है? अदालत में जो भी एफीडेविट दिया गया है और जो सब जानते हैं जो जनता की सम्पत्ति है, जिस की सर्टिफाइड कापी प्राप्त की जा सकती है, क्या उसको उद्धृत करना फैक्ट को उद्धृत करना माना जाएगा? इसके बारे में आप अपना विभाग तय करिये।

MR. DEPUTY-SPEAKER: That submission has already been made. Now you will kindly cooperate with me. Let us not forget how this discussion started again. I had proceeded with the formulations of certain thoughts in my mind. Before I proceeded....

SHRI MADHU LIMAYE: Are you also giving private ruling?

MR. DEPUTY-SPEAKER: No private. No question of private. I have nothing private, nothing to hide, my life is an open book. Now, at a certain stage, while I was formulating my approach to the whole question, and then expressing my difficulties, I sought the Law Minister's assistance on one specific issue, to give me a precedent when a Bill of this nature had ever been brought before this House. That is all. Now, it is obvious from his intervention that he had not been able to oblige me on this particular question. I have not got anything to catch hold of I cannot catch hold of anything.

SHRI MADHU LIMAYE: I have given you something to catch hold of.

MR. DEPUTY-SPEAKER: I will have to hire somebody to carry all those things.

SHRI MADHU LIMAYE: I have not quoted from every book.

MR. DEPUTY-SPEAKER: On the other hand, he pointed out certain what he calls, well-established principles. I am not a lawyer. Again, I express this ignorance.

SHRI S. A. SHAMIM (Srinagar):
That makes you more objective.

MR. DEPUTY-SPEAKER: May be. He mentioned the expression, first principles and he also mentioned the ratio of rulings. I think that is what he meant. From what I understand from him, the first principle is that we do not refer to cases, to facts or merits of cases, as he would like to say, that are pending adjudication. That was what he wanted to enunciate as the first principle here. Also, by ratio of ruling he meant that in the past, many rulings have been given prohibiting a reference of this nature. I think that is what he wanted to submit. Now, . . .

SHRI S. M. BANERJEE: All the cases, or some cases. . .

MR. DEPUTY-SPEAKER: Ratio of ruling is over-whelming in that. In all that has happened in the past. . .

SHRI S. M. BANERJEE: Ratio means 10 per cent or 20 per cent?

MR. DEPUTY-SPEAKER: I will agree with him that in this respect, the ruling were overwhelmingly that we cannot refer. Coming to the question of, first principle, I must say that it is a question of interpretation. Now, we are discussing this Bill and the judgement of the Supreme Court is the cause for this Bill. In the past, the Supreme Court had given a judgement in a certain manner. This time, in its wisdom, it had given a judgement in another manner. It is a question of interpretation. As far as the rules of this House are concerned. . .

SHRI SHYAMNANDAN MISHRA: Supreme Court does not say that. Supreme Court says that the judgement is in keeping with the past. Even the Chair will have to say what the Supreme Court has said. Chair will not say what the Law Minister says.

SHRI H. R. GOKHALE: I am only saying that you are entitled to say that.

MR. DEPUTY-SPEAKER: What Mr. Mishra has said has gone on record. I am just saying, we must be very very accurate in what we say.

But as far as our rules of procedure are concerned, it is also a question of interpretation by us here. Now, what should be the first principle in this particular case, this particular Bill? That is the main thing.

SHRI MADHU LIMAYE: Eighteenth edition. That conclusively settles the question posed by you. There is no room for debate.

MR. DEPUTY-SPEAKER: Order please.

As far as our rules are concerned. I think they have many times, everywhere mentioned this. I will just mention some: 41, (2) (xvii)-(xxii), 58, 59, 173(5), 175, 186(viii), 188, 210(viii) and (xii) and 352(i). These are those rules of ours which have again and again said that reference should not be made by question, motion or anything to cases pending before, or awaiting, adjudication. Our rules have said that so many times. But also our rules say that wherever anything is not specifically provided by these rules, then the Chair, the Speaker, will regulate, obviously anticipating that there might arise situations. . .

SHRI S. M. BANERJEE: Speaker includes Deputy-Speaker.

MR. DEPUTY-SPEAKER: When I sit here, I am the Speaker.

Now obviously this provision is in our rules to take care of certain unforeseen situations and circumstances, when these rules do not quite provide the answer. As I stated at the beginning, this is a very unusual case, a very unusual situation, a very unusual Bill. Therefore, I have to decide in this particular case where not a precedent could be cited in a special way. I agree with the Law Minister that I should not set a precedent by this. This is only for this particular case.

SHRI JYOTIRMOY BOSU: Let him sit up now.

SHRI SHYAMNANDAN MISHRA: He is very happy.

SHRI B. V. NAIK: Can you stop your successors from taking the precedent from you?

MR. DEPUTY-SPEAKER: I hope a Bill like this will never come before this House (*Applause*). Do not misunderstand me. You are taking it in a wrong way in the sense that Government has brought a wrong Bill and therefore, when I say this, it is a kind of censure on them. I do not say that (*Applause*). I am only saying that this Bill is creating for me and for the Chair very great difficulties. I would not like to face this kind of difficulties again, in future. That is the limited sense of what I said. Please do not misunderstand me.

In this particular case, what should be the first principle?

SHRI S. M. BANERJEE: Why don't you convene a meeting?

MR. DEPUTY-SPEAKER: I have made up my mind here. Now here, both the Law Minister and Shri Madhu Limaye have helped me by pointing out certain decisions or certain rulings or guidance given in this book, May's Parliamentary Practice, which we are following.

SHRI S. M. BANERJEE: I cannot keep the book because I do not bring it.

MR. DEPUTY-SPEAKER: Does not matter.

Now the Law Minister has read out from p. 328 of this book, the latest edition, the 18th edition.

I will read that again—

"Matters sub judice—By a Resolution of the House (House of Commons) matters awaiting or under

adjudication in a criminal court or a court martial, and matters set down for trial or otherwise brought before a civil court may not be referred to in any debate or question. If the subject matter of the question is found to be, or becomes, sub judice after notice of the question has been given, the Member is asked to withdraw it, or the Speaker may direct it to be removed from the notice paper or refuse to allow it to be asked if it is on the Order paper".

Obviously this relates to question.

Mr. Madhu Limaye drew my attention to another provision in this book which is on page 362—

"Matters pending judicial decisions.—A matter, awaiting or under adjudication by a court of law, should not be brought before the House by a motion or otherwise. This rule applies to motions for leave to bring in bills, but not to other proceedings on bills.

This is within "Debate".

That this provision in May's Parliamentary Practice has met the situation in this particular instance up to this stage is clear.

We have proceeded with the consideration of Bill. There is no question about that. The question is whether matters pending judicial decision can be brought in at a later stage after the motion to consider the Bill has been moved—that is the point I think this provision of May is very clear. That it should not be brought, does not apply to this. At least that is the interpretation.

SHRI MADHU LIMAYE: You have made it absolutely clear.

MR. DEPUTY-SPEAKER: Not so clear. It is clear up to this and because it suits your purpose, you want me to stop here. I think there is another first principle in this House and I request you hon. Members also

to think about it. The first principle, if you ask me, is laid down in our Constitution, Article 105, freedom of speech and freedom of expression. To me I should say this is the first principle. I think our rules also follow this principle. If you read the rules there is a provision for closure, that whenever a debate has become too protracted somebody can move a motion that the question be now put. In that rule it says clearly that the Speaker has to decide whether he should accept this motion or not, having regard to the fact whether it infringes the right of reasonable debate.

SHRI MADHU LIMAYE. That is enough.

16 hrs.

MR. DEPUTY-SPEAKER. It is not enough, I will proceed and in proceeding I should first like to share with the Members my approach to this question, my approach to the House, to all questions that are before the House. I have always viewed that we are all co-partners in this House. The Speaker cannot run this House alone. I cannot run the House just with the Government. I cannot run the House just with the opposition. We are all co-partners. We have a common interest and we have to get along. Matters as far as possible should not be decided by a mere majority or by just directives from the Chair in the shape of *obiter dicta* or pontification. That is not for the Chair to do. As far as possible by consensus we must try to proceed. That is what parliamentary democracy is. Of course, we have different duties to do. The Government has the duty to bring forward policies and decisions and to defend them and the opposition have their duty to pick holes in the Government and say this and that and I have the duty to hold the balance and make decisions sometimes pleasant, sometimes unpleasant.

I will first deal with some peripheral questions which were raised even on the last occasion. I think this morn-

ing there was an uproar in the House and many members were saying, this point was not answered or that point was not answered. I do not want to fall into the same trap. I will first turn my attention to Mr Madhu Limaye. He raised two questions— Can an Act be amended by just adding an explanation? Should an Amendment to an Act be just of a negative nature and seek to nullify the effect of the original Act? He pointed out rule 344 in which it is said that an amendment should not be of just a negative nature. If an amendment is just of a negative nature, it is not admitted. That is what he submitted. Now, an amending Bill can take any form. Here this Bill says very clearly that because the meaning of this particular provision—section 77 of the Representation of the People Act—is not very clear, because we have not brought it very clearly, we have run into this difficulty arising from the Supreme Court judgment and therefore, we want to make the meaning of this particular provision very clear and we do it in the form of an explanation. Therefore, on that score that the amendment is sought to be made by an explanation—I do not think that objection can be maintained and I do not accept it. About the amendment being negative, this would apply to motions and amendments to clauses, under the rules. For instance, the Law Minister has moved the motion that the Bill be taken into consideration. If there is an amendment saying that the Bill should not be taken into consideration, that is merely a negative amendment and it would not be acceptable.

Mr. Mavalankar raised another ticklish issue, which Mr. Eamerjee has now repeated. He said that there is no bar to discuss the case of Mr. A. N. Chawla because that has been mentioned again and again. He said that Mr. A. N. Chawla had filed a review petition before the Supreme Court. On that day, I sought an authoritative information from the Law Minister about it. He said, yes, he had filed a review petition before the Supreme

[Mr. Deputy-Speaker]

Court but he did not know whether that petition had been admitted or not. I take it that the petition has not yet been admitted and, therefore, to that extent, it is not *sub judice*.

SHRI SOMNATH CHATTERJEE.
The review petition has been filed.

MR. DEPUTY-SPEAKER But not admitted.

I was saying that the Law Minister had said that it had been filed but he had no information whether it had been admitted or not. Therefore, as long as it has not been admitted by the Supreme Court, the Supreme Court is not seized of it. To that extent, it is not *sub judice*.

Then, Mr. H. K. L. Bhagat and Mr. Stephen made the point last time that it was wrong to construe that this Bill was only to give protection to those 180 cases pending before various courts. They said that this law will be of a permanent nature to take care of a future situation, and, therefore, we can discuss this law on its merit without reference to all those cases. I think, Mr. Bhagat had made it very clearly that any reference to these pending cases was only incidental. This was the word he used.

Now, I am afraid, this contention of Mr. Bhagat and Mr. Stephen was not supported by the Law Minister in his speech on that very day. I quote from what the Law Minister himself said on that day:

"A Bill to amend comprehensively the Representation of the People Act, 1950 and 1951 has already been introduced in Parliament and is pending in the Lok Sabha. There will be enough opportunity for the Members to make suggestions in the light of decision of the Supreme Court during the consideration of the Bill in the House."

Therefore, that Bill is coming. From what the Law Minister had said here, it is apparent, very clear, that this Bill is purely of a temporary character. This is what I understand ...

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): What I said was that the Bill to amend the Representation of the People Act, 1950 and 1951 is coming and has been introduced in the House. Therefore, at that time, it will not preclude Parliament from changing this Bill also if it wants so. As soon as this Bill is passed, it becomes law and becomes part of the Representation of the People Act.

MR. DEPUTY-SPEAKER: Now, that comprehensive Bill is coming and, therefore, I feel that this Bill is to meet a particular contingency. As the Law Minister himself has said in his speech many times, in the reasons for the Ordinance, in the Statement of Objects and Reasons, and also outside in the press, on the television and even in his speech on Thursday, that contingency is the 180 cases or so pending before various courts. Now, let me come to the core of the question. These are all peripheral questions....

AN HON. MEMBER: Hard core.

MR. DEPUTY-SPEAKER This is the core. Nothing more. This is the core. While coming to the core I think, my first duty is to delineate the ground, I must delineate the ground. And I must also identify the boundaries. If I make mistakes about these boundaries, members can correct me. If I leave out only landmark, please remind me about it because I want to go along with you, I do not want to say something out of my own mind.

Now, these are the boundaries of the ground. We do not, normally, discuss the facts and merits of a case before a court of law in this House on the healthy principle that there should be no interference with the functioning of our courts. This

[Mr. Deputy-Speaker]

is one. We do not discuss the conduct of the Supreme Court or of a High Court or of judges thereof—the general boundaries—except upon a motion for presenting an address to the President. It is very clear. On the other hand, a case pending before a court of law does not stand in the way of legislation by this House, and Mr. Madhu Limaye has just read out that *sub-judice* does not apply to Bills. It does not, many times. Whatever be the case, we can make our law and after we have made the law, the court will interpret the law as we have made. There is freedom of speech here and the right of reasonable debate. These are the boundaries.

The balance between these different provisions of our Constitution and of the Rules of Procedure of this House has been a long-standing question before the Legislatures of the country, including our House, and constitutes the essence of Parliamentary democracy.

In their report of September, 1968, the Committee of the Presiding Officers—it did a very useful duty.

SHRI MADHU LIMAYE Did you attend that meeting?

MR. DEPUTY-SPEAKER. Always; until the one held in my home-State or home-town; until that time when it looked as if the Speakers' Conference was a forum for running down one presiding officer or the other. Until that time, they did a very useful duty.

In their report of September, 1968, the Committee of the Presiding Officers had this to say on this question—they went into this question:

"The Committee feel that, while applying the restrictions regarding the rule of *sub-judice*, care should be taken to see that the primary right of freedom of speech is not impaired to the prejudice of the Legislature. Every attempt should

be made to strike a balance in this regard."

Coming to this Bill, the main question that has been asked is: should any discussion take place on the conduct of the Supreme Court and should references be made to the 180 cases or so pending before the different courts. This is the question.

SOME HON. MEMBERS Yes, yes.

MR. DEPUTY-SPEAKER: Theoretically, the answer is simple, but, with reference to this particular Bill before the House, it is difficult to give a straight forward answer.

While participating in the discussion last Thursday, Shri Salve said that the purpose of the Bill was to supersede the Supreme Court judgment. That was on record what Mr. Salve said.

I do not wish now to repeat what has been quoted at some length last Thursday from the Statement explaining the circumstances which necessitated the promulgation of the ordinance. We read it last time, and from the Statement of Objects and Reasons appended to the Bill, these were referred to to-day also. But the Law Minister himself has elaborated on all those things and on the Bill's *raison detre* while moving for its consideration when he said:

"However, the Supreme Court in the recent case of *Kanwar Lal Gupta vs. Amarnath Chawla and others*, civil appeal 1549 of 72, has by its observation imported an element of doubt into a hitherto well-accepted and well-understood principle underlying Section 77 of the 1951 Act."

I would like the hon. Members to record and register this in their minds.

"...that the Supreme Court has imported an element of doubt into hitherto well-accepted and well-understood principle underlying Section 77 of the 1951 Act."

"This judgment..."

I am continuing:

"...by giving a wide meaning to the expression 'incurred or authorised' has created a serious problem, particularly, with reference to the candidates..."

Here the candidates—

"...against whom election petitions have been filed and are still pending decision. For no fault of theirs, their election might set aside..."

SHRI MADHU LIMAYE: That has to be seen. That is a controversial subject.

MR. DEPUTY-SPEAKER. I am quoting:

"...Their election might be set aside because they had participated in the election having regard to the then prevalent position in law which had also received judicial approval."

SHRI MADHU LIMAYE: Question.

SHRI SHYAMNANDAN MISHRA: What a great solicitude!

MR. DEPUTY-SPEAKER:

"...To meet this situation created for the candidates, it has become necessary to make clear the intention underlying Sec. 77 of the Representation of Peoples Act 1951, namely, that in computing the maximum amount under Sec. 77 any expenditure incurred or authorised by any other person or body of persons or political parties would not be taken into account. The President promulgated the Representation of People (Amendment) Ordinance 1974 to avoid a situation wherein it would have been necessary to follow the wider interpretation given by the "Supreme Court in pending election petitions..."

So, it is avoid that contingency.

"In the circumstances, I am sure, all sections of the House will appreciate that the President, in promulgating the Ordinance on the 19th October, 1974 and the Government, in bringing the Bill for replacing that Ordinance only wanted to ensure that candidates who have contested elections and whose petitions are pending in various High Courts and the Supreme Court on the understanding of the provisions of the law as hitherto interpreted by the Court should not be made to suffer undue hardship consequent upon a sudden departure in the judicial interpretation of the provision."

This speech of the Law Minister created for me more difficulties...

श्री मधु लिमये · 180 कैडीडेट की बात आ सक्ती है यह इन का कहना है ।

SHRI SHYAMNANDAN MISHRA: In any by-election there may be a case; but that would not be covered according to the Law Minister; this is strictly confined to these cases only!

MR. DEPUTY-SPEAKER: I read his speech and his statement the whole day yesterday; I went on revolving this question in my mind.

SHRI MADHU LIMAYE: It is settled now; no ruling is called for.

MR. DEPUTY-SPEAKER: This has created more difficulties. I would like the Law Minister and the House to help me in resolving my difficulty here. I want to put this question to all of you to give me an answer. In these observations of the Law Minister, the expressions 'import an element of doubt in the hitherto well-accepted and well-understood principles' and 'sudden departure'—the word 'sudden'—would be very significant,—"sudden departure in the judicial interpretation of the provision of law and of courts," whether by these observa-

tions we have not entered into a discussion of the conduct of the Supreme Court. Well, I put this question. Whether we have not entered into a discussion.

SHRI JAGANNATH RAO (Chhatrapur): In the Constitution Amendment Bill we have discussed about Judges; I think we referred to that in the Golaknath case.

MR. DEPUTY-SPEAKER: I have not said anything. I have only posed a question.

Now I come to the corpus of the provision of the Bill.

PROF. MADHU DANAVATE: (Rajapur) From 'core' you are going to the 'nucleus'.

श्री मधु लिमये : आप साधु निर्णय दीजिये । 'मिज' का रुनिध को आप मानते हैं कि नहीं ?

उवाच्यक्ष महोदय . खत्म करो भाई ।

The Law Minister and some hon. Members have made this point that the Statement of Objects and Reasons is not part of the Bill, and therefore we need not discuss about that. I now come to the corpus of the Bill. The Member Shri Salve, said that the provision of the Bill itself is to supersede the Supreme Court judgment. Now, what does the Bill say? I quote.

"Notwithstanding any judgment, order or decision of any court to the contrary, any expenditure incurred or authorised in connection with the election of a candidate by a political party or by any other association or body of persons or by any individual (other than the candidate or his election agent) shall not be deemed to be and shall not ever be deemed to have been, expenditure in connection with the election incurred or authorised by the candidate or by his election agent for the purposes of this sub-section."

Therefore, the provisions of the Bill itself refer to this particular judgment. The Supreme Court in its judgment had formulated a principle on which it based its conclusion. I quote:

"When the political party sponsoring a candidate incurs expenditure in connection with his election, as distinguished from expenditure on general party propaganda, and the candidate knowingly takes advantages of it or participates in the programme or activity or fails to disavow the expenditure or consents to it or acquiesces in it, it would be reasonable to infer, save in special circumstances that he impliedly authorised the political party to incur such expenditure and he cannot escape the rigour of the ceiling by saying that he has not incurred the expenditure but his political party has done so. A party candidate does not stand apart from his political party and if the political party does not want the candidate to incur the disqualification, it must exercise control over the expenditure which may be incurred by it directly to promote the pool prospects of the candidate. The same proposition must also hold good in case of the expenditure incurred by friends and supporters directly in connection with the election of the candidate. This is in fact what the law in England has achieved. There every person on pain of criminal penalty is required to obtain authority from the candidate before incurring any political expenditure on his behalf."

The Law Minister obviously strongly disagreed with this formulation of the Supreme Court and he wants the House to agree with him. It is quite legitimate for him to do so but would it not be fair to this House for him to be more forthcoming in giving grounds for his disagreement with the Supreme Court before the House can discuss the matter? For example, is it true that in England whose form of democracy we are following even a party has to obtain authority from the candidate concerned in respect of expenditure in

[Prof. Madhu Dandavate]

his constituency. A mere and bald statement that the Supreme Court has suddenly departed from a well-accepted judicial interpretation leaves us gaping.

The intention of the Law Minister is also amply clear. He wants, in his own words, "to ensure that candidates who had contested elections and whose petitions might be pending in the various High Courts and the Supreme Court should not be made to suffer any undue hardship consequent upon a sudden departure in the judicial interpretation of the provisions."

This is the clause. It has been submitted that reference to these petitions in the House would prejudice the trials in the sense that it may influence the outcome of one or the other.

SHRI SHYAMNANDAN MISHRA:
That is my submission.

MR. DEPUTY-SPEAKER: I shall repeat

It has been submitted that reference to these petitions in the House would prejudice the trials in the sense that it may influence the outcome of one or the other. Is not the Bill itself which is before us meant to influence the judgment in a particular way? This is the question.

The Supreme Court had given a certain judgment, it had laid down the law and now it has been told that that was a wrong interpretation and the interpretation should be in a particular way. This is what we are trying to do. It is granted that the House has the power to do so. We have the power to do so. But in passing this Bill, are we not collectively going to lay down a particular direction to the Supreme Court?

We can do that. We have that power. We can do that. But, should not the House have fuller information on the matter in order to facilitate a fuller and more perspective discussion

so that we may have the feeling that we have done the best that we can and we are now being railroaded into a particular decision. The Law Minister himself realised the importance of this when he said last Thursday at another stage. I quote him:

"The question is that there are pending cases. The cases are not only, quite only, one but, as I said, they are more than one. There are quite a number of cases which I will substantiate when I am replying to the debate."

This is one positive statement made by the Law Minister but I feel that it will be more helpful and fruitful if such substantiation is made at the beginning so that the House can fully discuss it and come to a decision rather than at the end when fresh questions will come up and the whole thing begins all over again.

Shri Indrajit Gupta has demanded that "somebody has to satisfy us. Simply this bald statement made in the statement of objects and reasons will not suffice... But this should have come first of all." Shri Mavalankar made a similar demand and wanted a synopsis of the cases to be made available. Shri S. N. Mishra stated that the facts as alleged by different parties to the petitions in affidavits and submissions are public knowledge and that copies of them can be obtained by application and by paying certain fees.

Therefore, as I said, this is a very unusual Bill and this is a very unusual situation in which we find ourselves. The quandary was highlighted last Thursday by Shri Salve when at one stage he got up and told me:

"I may submit that you may rule that they may refer to it."

But we don't have to rush. Even at this stage, if the Law Minister has anything to say to help me out of the difficulties which I have tried to

delineate, I shall welcome his help. If he has nothing more to say, the best thing I can do is to rule that it is difficult for me in the circumstances to prevent Members from making reference to these cases. In doing so, however, I would earnestly request them not to cross the limits and upset the delicate balance between Parliament and judiciary. Whatever submissions they might make in this regard should be within the limited purpose of whether a measure of this kind is called for, whether it is justified and whether we should go in for it. They should not try to pronounce on the merits of the various allegations and submissions. Nothing on merits. They should not even try to say that these are facts because the facts are to be determined by the courts. We are not to determine the facts. It is the courts ..

AN HON MEMBER: What about the affidavit?

MR. DEPUTY-SPEAKER: Affidavit is your submission.

SHRI MADHU LIMAYE: What about admitted facts, admitted by the respondents?

MR. DEPUTY-SPEAKER: When they are out from the courts. But, it is the courts that determine the facts and not we. They should not even try to say that these are the facts because the facts are to be determined by the courts and not by us and the merits of each petition are to be determined by them, by the courts and not by us. We should not pronounce on that. Of course, after we pass this Bill, and it has become an Act courts will have to interpret the facts as they find in the light of this Act.

PROF. MADHU DANDAVATE: After listening to you, it has become very clear why the Speaker and the Deputy Speaker are called the Speaker and the Deputy-Speaker.

SHRI SHYAMNANDAN MISHRA: I want to make a small submission. Although on 12th December, 1974, the

statutory resolution was moved, in 'Today in Parliament', there was no mention of the fact that a statutory resolution was moved. This is a very serious thing. When the statutory resolution has been moved, the organ of the Government did not think fit to refer to this in 'Today in Parliament'.

SHRI JYOTIRMOY BOSU (Diamond Harbour): No, Sir, I must at the very outset say a word in appreciation of the useful judgment that the Supreme Court Judge Mr. Bhagwati has delivered. Now, to counter-act that, this undemocratic Government had brought this amendment and the object of the amendment is to supersede and make ineffective the recent Supreme Court judgment in which the Court held that expenditure incurred by political parties. You know fully about that.

16.39 hrs.

{SHRI VASANT SATHE in the Chair}

It is a very interesting case. Mr. Chairman, Sir, this is the judgment I am reading. In the application filed by Shrimati Indira Gandhi, in the case against Mr. Raj Narain—I mean, Mr. Raj Narain is the petitioner—it has been stated that:

"This has been made an occasion by the leaders of opposition parties and opposition press and papers to freely comment on the pending election petition against respondent No. 1. They are widely prejudicing the public by distorted, incorrect and imaginary facts in their statements".

This is when the Ordinance was brought out—

"that the applicant is attaching a true copy of an article appearing in *Panchajanya*. In that it is stated that it is obvious that even on the law as laid down by the Supreme Court in Kanwarlal's case, the respondent is not at all affected, that whatever advantages the parties in election petitions may get out of the Ordinance promulgated by the President, Shrimati Indira Nehra Gandhi,

[Shri Jyotirmoy Bosu.]

respondent No. 1, does not get any advantage out of it as her case is irrefutable even on the law as laid down by the hon. Supreme Court in Kanwarlal Gupta's case".

This is the copy I obtained from the Allahabad High Court.

Then the Order was:

"The relief asked for is not at all understandable"—Mrs. Indira Gandhi's petition and the High Court's judgment—

"If the respondent No. 1 believes that anything said about the Ordinance can have a bearing on the issues involved in the case and can amount to contempt, it is for her to decide whether she should or should not say that and obviously the court cannot allow any party to do an act which is wrongful. Application rejected".

On the one hand, they promulgate an ordinance; on the other, they go to the court to shut out our mouths, that the Opposition should not be allowed to criticise this atrocious, draconian piece of ordinance and law, and the court has very rightly rejected the petition, to my mind, with the contempt it deserves.

Then what did they say in the ordinance? I do not want to go into details because it has been discussed at length.

"There was every likelihood of such wide interpretation being followed in other election petitions"—

will come to the election petitions; have got a copy—

"which were pending and on which the issue related to the question of incurring or authorising of expenditure at an election. In that event, candidates who had fought elections on the basis of the provisions of the law in this behalf, as

they were well-understood and according to the provided decisions of the courts, would have been exposed to the risk of their election being set aside.—

We have said time and again as to whose election is really in danger, whose election is causing concern in the minds of many of my friends—

"which situation would undoubtedly have been unfair to such candidates...."

I do not want to go into details of the Representation of the People Act..

MR. CHAIRMAN: His time is up. The Business Advisory Committee had allotted six hours. Your party has six minutes. You had already started last time. Even excluding that today you have taken six minutes.

SHRI JAGANNATHRAO JOSHI (Shajapur): The debate will go on for six hours. How can it be only six minutes for him? Then we will get three minutes only. We are entitled to 18.

MR. CHAIRMAN: The breakup has already been given here; it is not prepared by me.

SHRI JYOTIRMOY BOSU: That is not correct. I am entitled to at least 24 minutes. You can calculate on the basis of six hours and 26 members.

MR. CHAIRMAN: For the Jan Sangh it is 8 minutes. For the CFI it is 6 minutes and for the CPI(M) it is 11 minutes.

SHRI JYOTIRMOY BOSU: The judgment clearly states:

"Can the Limit on expenditure be evaded by a candidate by not spending money on his own but leaving it to the political party or his friends and supporters to spend an amount far in excess of the limit?"

That is the question. The object of the provision of limiting the expenditure is twofold.

Then it says:

"Douglas points out in his book called *Ethics in Government* at page 72, 'If one party ever attains overwhelming superiority in money, newspaper support and (government) patronage, it will be almost impossible, barring an economic collapse, for it ever to be defeated. This produces anti-democratic effects in that a political party or individual backed by the affluent and wealthy would be able to secure a greater representation than a political party or individual who is without any links with affluence or wealth.'

Since the time is short I would much rather leave it to somebody else to deal with the subject. Of course there is the question of tours conducted and the money spent. I know of one tour for visiting Orissa during the last election. That tour of some V.I.P. belonging to the ruling party had cost 16 lakhs. Here is a paper cutting which says The Bihar Ex-Chief Minister details P.M.'s poll tour expenses; it is given here as Rs. 35 lakhs.

Now I should like you Mr. Chairman to give me your undivided attention because I am going to lay this paper on the Table of the House. This is an extract from the blue book, in which it is stated....

SHRI JAGANNATH RAO: It is not relevant.

SHRI JYOTIRMOY BOSU: I have already written.

MR. CHAIRMAN: You have written to me. Under the rules if you want to lay anything on the Table you will have to give it to me and it will be for the Speaker to decide whether it should be admitted or not. In the meantime do not quote it.

SHRI JYOTIRMOY BOSU: This is something new. I can read out.

श्री सतपाल कपूर (पटियाला) : मेरा पायट आफ आर्डर है । अगर कोई डाकुमेंट स्पीकर साहब की मजूरी के बिना टेबल पर नहीं रखा जा सकता है, तो उसको राइ आउट करने का क्या मतलब है ?

SHRI JYOTIRMOY BOSU: I am entitled to quote from the papers. I request you to accept it for laying on the Table. You can decide whether it should be accepted or not. But it should be accepted because there are two specific rules.

MR. CHAIRMAN: What are the rules? You must assist me. Direction 117 says that a private Member may lay a paper on the Table of the House when he is authorised to do so by the Speaker. Direction 118 says: if a private Member desires to lay a paper or document on the table of the House he shall submit a copy thereof to the Speaker in advance so as to enable him to decide whether permission should be given to lay the paper or document on the Table.

SHRI JYOTIRMOY BOSU: I shall read this out.

SHRI SAT PAL KAPUR: You cannot read that.

MR. CHAIRMAN: What is the rule?

SHRI JYOTIRMOY BOSU: Rule 368.

MR. CHAIRMAN: That rule says if a Minister quotes in the House of despatch or other state paper which has not been presented to the House he shall lay the relevant paper..... This rule relates to the Minister. Which rule are you quoting? Rule 369 says,

"A paper or document to be laid on the Table shall be duly authenticated..." etc,

[Mr. Chairman.]

The actual laying of the paper on the Table is governed by the Directions.

SHRI JYOTIRMOY BOSU Rule is supreme. All right, Sir; I would not lay it on the Table

MR. CHAIRMAN. Therefore, don't quote from it.

SHRI JYOTIRMOY BOSU Sir, you are a lawyer Taking the Speaker into confidence and showing it to him etc. is only for laying on the Table, but I can quote from it and incorporate it in my speech.

MR CHAIRMAN. I will not allow it.

SHRI SOMNATH CHATTERJEE On a point of order, Sir Rule 352 prescribes the rules which are to be observed while speaking. These are the only restrictions. Subject to that, article 105 of the Constitution applies I can quote from any journal or any document I want Only if I want to make it a public document by laying it on the Table that I have to get the prior sanction of the Speaker Please don't make a mockery of the rules. A member can quote from any document that he possesses Subject to Rule 352 and article 105 my right to speak in Parliament is supreme. I cannot be dictated as to what document I shall read here and what document I shall not

MR CHAIRMAN. I shall hear how members on this point of order

SHRI JAGANNATH RAO This matter about the Blue Book is pending decision in the Supreme Court. The petitioner having lost in the Allahabad High Court has gone to the Supreme Court. Secondly, this matter is not relevant at all and not germane to the Bill before us. On these two grounds, he should be debarred from reading from it

SHRI JYOTIRMOY BOSU: Sir, firstly, under article 105 of the Constitution, I am entitled to speak and quote any document that I may choose to

SHRI SAT PAL KAPUR: No; he is wrong.

SHRI JYOTIRMOY BOSU: Secondly, Mr. Jagannath Rao has given a wrong picture of the story. This is already before the court of law. The court of law is wanting the whole Blue Book. I am only reading out from an extract—a change that has been brought in during the present regime as compared to what it was in existence. This is not a matter which is sub judice Therefore, I should be allowed to quote it because this is very relevant here

MR CHAIRMAN: The first thing that I would like to know is: Is this a public document that you want to quote?

SHRI JYOTIRMOY BOSU It is a Government publication.

MR CHAIRMAN: Every Government publication is not a public document Is it available to any citizen on payment of fee?

SHRI JYOTIRMOY BOSU: It does not concern the security of the State

MR. CHAIRMAN. This is not a public document. It is a privileged document. Unless the court asks for it, gets it and makes it public, till then, it will not be treated as a public document. Therefore, if it is a privileged document and yet you want to quote it and produce it, the right thing for you is to take the Speaker into confidence under Direction 117. Otherwise, it will be a very unhealthy thing.

Why I say this? Mr Chatterjee was pointing out that this will curtail the fundamental right of speech. For example, tomorrow, suppose any privileged document, say, a secret document of Army—I am only giving an analogy

—or some secret document on Defence comes in your hand and, while speaking here, without taking any permission of the Speaker, you quote it. The analogy is the same. You say, "I have got the fundamental right of speech. I will quote it; I will produce it." Now, if you quote it, before you take the consent of the Speaker to produce it, it goes on record and it becomes the public property. It will be quoted in the newspapers also. You understand the implication of it. That is why there is the healthy practice here that you must take the Speaker into confidence. If he allows it, I have no objection. You give an advance copy of that to the Speaker. Till then, this cannot be produced and it cannot be quoted. Nothing quoted from it will go on record. I have given my ruling. (*Interruptions*). I heard you patiently and fully. I have given my ruling.

SHRI SOMNATH CHATTERJEE: The scope has been enlarged by your ruling. Is it your ruling that every document read in the House must be presented to the Speaker first?

MR CHAIRMAN: If it is already a public document, it is not necessary to do so. That is why I asked: Is this a public document? The newspaper is a public thing. Why do you give the analogy of a newspaper. I ask: Is this a public document? Is it available to every citizen? Then, why do you say that it is a public document? It is not a public document. It is a privileged document. It cannot be produced. I have given my ruling... (*Interruptions*).

17.00 hrs.

SHRI KRISHNA CHANDRA HALDER (Ausgram): Last Thursday, Mr. Jyotirmoy Bosu quoted from the CBI report and Mr. Speaker was in the Chair.

MR. CHAIRMAN: I am absolutely not concerned with that. I will go by the rules. I have heard you all. Under

the rules—this is my ruling—you cannot produce that document unless the Speaker gives his consent. If the Speaker has given his consent, then I cannot help. (*Interruptions*).

SHRI JYOTIRMOY BOSU: Where is the rule? Show me the rule.

MR. CHAIRMAN: I will show you the rule.

SHRI SAMAR MUKHERJEE (Howrah): That is in relation to laying only. You cannot prevent him from quoting. How can you prevent him from quoting?

MR. CHAIRMAN: After all, what is the idea of quoting? Let us try to understand. Mr. Samar Mukherjee, I am willing to listen to you. Do you want to make a submission?

SHRI SAMAR MUKHERJEE, Yes.

MR. CHAIRMAN: I am willing to listen to you. But, ultimately, you must allow me to decide the matter. I will decide as I think fit under the rules.

SHRI SAMAR MUKHERJEE: Mr Jyotirmoy Bosu wanted to lay on the Table the papers from which he also wanted to quote. But the relevant rule you have referred to is about laying on the Table—where the consent of the Speaker is necessary.

SHRI JYOTIRMOY BOSU: You said, 'Handover to me'. I am prepared to hand it over to you.

SHRI SAMAR MUKHERJEE: He said that he was not laying it on the Table just now; he was only quoting from that. As regards quoting from it, you have not referred to any rule. Simply because some friends there objected, you immediately stood up and said that you were not going to allow him to quote. This is not a ruling according to rules. So many things we have quoted in order to place our

[Shri Samar Mukherjee]

point of view; we want to substantiate how our points of view are justified and for that purpose, we are always entitled to quote from the relevant documents. If this is prevented, it means that you are preventing free expression of opinion here, free discussion here. This amounts to gagging the voice of the Opposition. We cannot allow this to take place. Because this thing is unpalatable to some friends there, you cannot gag us in this way. You must allow this to be quoted if it is relevant. You can only make your comments whether it is relevant or not. Beyond that, you cannot gag him from quoting.

श्री जनेश्वर मिश्र (इलाहाबाद)

ऐसा है, सभापति जी, पिछली तारीख को जब हम लोग यहाँ मिले थे, ज्योतिर्नय बसु जी ने सी० बी० आई० रिपोर्ट कहु कर यहाँ पर कुछ पढा था। आप जिन कल्ल की चर्चा कर रहे है, उन के साथ साथ आप यह भी ध्यान में रखेंगे कि: इसी कुर्सी पर अध्यक्ष महोदय बैठे थे। श्री बसु जी ने कहा कि मैं सी० बी० आई० की रिपोर्ट को टेबिल पर रखना चाहता हूँ। विरोध पक्ष के लोगो ने कहा कि रख दीजिये। हम ने अध्यक्ष महोदय से कहा कि: आप ने सी० बी० आई० की रिपोर्ट देखी है, आप उस से सम्प्रेषण कर लीजिये, कि: सही है या नहीं है। उन्होंने कहा—आप यकीन मानिये, हम ने अब तक नहीं देखा है। उस समय बसु जी उस को लगातार पढने चले गये और वह रिकार्ड पर आ गया। लेकिन, अध्यक्ष महोदय की रुक्ति के मुताबिक वह सी० बी० आई० की रिपोर्ट नहीं मानी गई। इस लिये यहाँ कल्ल के नाम पर अगर वही प्वाइन्ट आऊ

आर्डर जो आप और सत.रूड इल के अर माननीय सदस्य लोग—पहले आप भी यहाँ पर उठाते थे—अगर वही लाइन आप इस स्थान पर बैठकर लें तो हम लोगो के लिये थोडी मुश्किल हो जायगी। हम लिये मैं इतना ही निवेदन करूँगा, कि: आप एडजस्ट कीजिये।

श्री सतपाल कपूर धमकी दे रहे हैं।

श्री जनेश्वर मिश्र हम लोगो के लिये मुश्किल पड जायगी—यह हम अने को धमकी दे रहे है, आप को क्या धमकी दे रहे है, हम तो आप से निवेदन कर रहे है

सभापति महोदय यहाँ मुझ स्पीकर समझ कर एडजस्ट कीजिये।

श्री जनेश्वर मिश्र आप को हम उतना ही सम्मान देना चाहते है हम यह नहीं चाहते है—जैसा आप यहाँ बैठ रहते है ता आप के साथ जैसी बर्तन करन है, उतनी ही वहाँ भी करनी पडे। इस लिये विनम्र निवेदन है कि: आप कुछ एडजस्ट कीजिये, जिस तरह से स्पीकर साहब वहाँ बैठ कर एडजस्ट करते है। श्री ज्योतिर्नय बसु जैसे सी० बी० आई० की रिपोर्ट को पढने लगे और वह रिकार्ड पर आ गया, उसी तरह से जो यह पढना चाहते है, उस को पढने दीजिये। आप अपनी तरफ से यह कैसे कह सको है—चूँकि यह पब्लिक डोक्यूमेन्ट नहीं है, इन लिये जो पड रहे है उन को हम नहीं मानते है कि यह पब्लिक डोक्यूमेन्ट है या उन को कोई रेलेवेन्सी है, उन को रिकार्ड से कैसे हटा देंगे।

SHRI S. M. BANERJEE (Kanpur): I was sitting in the back seat when Shri Jyotirmoy Bosu wanted to quote something from a paper. I do not know whether it is a newspaper report or any paper. He was not allowed to quote that. May I invite your kind attention that under the Rules, whether it be the Directions of the Speaker or the Rules of the House, a Member can quote and when he quotes, other Members can demand laying the document on the Table of the House. But, in this particular case, without knowing what he is quoting and without knowing what he is reading, how can any Member object to it?

When the hon. Deputy Speaker was giving a ruling, I pointed out the danger of it. When this entire Bill came up for discussion, I had pointed out the danger of it because this will involve disclosure of many things which we do not want and which we do not want the Members to do. I would request for your kind indulgence and invite your kind attention that if something objectionable was said or something derogatory was said by the hon. Member, that portion you can possibly expunge it and you can say that it is expunged...

SHRI JYOTIRMOY BOSU Under the rules.

SHRI S. M. BANERJEE: But when it is not derogatory or unparliamentary it cannot be expunged. Then, when an hon. Member wants, authenticity, he can authenticate the document. In this case, I fear they will be falling into their own trap. If they want authenticity, will Mr. Jyotirmoy Bosu authenticate it and will they accept it? Any Member in this House, when he quotes from a particular document, he knows what he is disclosing and he may be asked to establish it and if somebody challenges, let us assume that all members of this House are as responsible as Shri Jagannatha Rao or any body else, he will establish it. The ruling party members and the ruling

party should not be so much touchy about the whole thing. I do not know why they are so much touchy. Out of 180 election petitions 70 are of the ruling party and the leftists are only three or four just as Jan Sangh, Cong. (O) and other parties. I have got the break-up. When you sit in the Chair, you are the custodian of the powers and privileges of the House. I request you to use your discretion. I will accept your ruling unreservedly, if it is according to the rules. I have been a Member of the Rules Committee and I know that these rules were framed by our elders who were in this House and they really wanted that these rules should be flexible. You are the custodian of the liberties of the House. I appeal to your sense of impartiality to consider these points and give your decision in the matter. Thank you

SHRI B. R. SHUKLA (Babraich): I would like to refer to the observations made in Practice and Procedure in Parliament by Kaul and Shakhder at page 829

"Normally a Member is not expected to spring a surprise on the Speaker, the House and the Government by quoting from a document which is not public. In fairness to all, and in accordance with the Parliamentary conventions, he is expected to inform the Speaker and the Government in advance so that they are in a position to deal with the matter on the floor of the House when it is raised. If this requirement is not complied with, the Speaker may stop the Member from quoting such a document, and ask him to make available to the Chair a copy before he can be allowed to proceed with any quotation therefrom.

While the Government cannot be compelled to admit or deny the correctness of any alleged copy of a document which is certified as secret or confidential it is necessary for the Member who quotes from

[Shri B. R. Shukla]

such a document to certify that he has verified from his personal knowledge that the document is a true copy of the original."

You will see the rationale of not allowing a Member to quote from a document for which prior consent of the Speaker has not been obtained. The Government should know these and they should be enabled to give effective reply. The other members should be enabled to give effective rebuttal to the charges levelled therein. Therefore an advance copy must be sent to Speaker. But in this case this has not been done at all. If he is allowed to quote that will create a wrong impression, as if he is quoting from some source which is authentic and so on. Therefore my submission is this. He cannot therefore spring a surprise on the House. Therefore he cannot be allowed to quote from that now. This is my respectful submission, Sir.

SHRI S M BANERJEE: I would like to remind the House that Shri D. K. Barooah, the then Minister for Petroleum and Chemicals, brought a surprise for the House when he brought the Secret Bill.

SHRI SAMAR GUHA (Contn): Sir, now it has become almost a practice to very frequently quote either from May's Parliamentary Practice or from Mr. Shakti's book. I think they are only by way of clarification and we should be guided by the book on rules and procedures. The objection that has been raised is untenable even from what we know from this House. There is no necessity of going back or to citing any example or precedent. Just two to three days back Member after Member in course of the privilege motion against Mr. Goenka were quoting from certain secret and even CBI reports and the Speaker did not object to that. Reports of several Ministries were quoted and the words were used within quotes. There was not a

single occasion when the Speaker objected as to whether the report is authenticated or not or the report should have been placed or that it has not come in the Press. Therefore, if you take the convention and precedent this House permitted quoting and citing reports after reports almost verbatim in the form of quotations

I want to give you one classical example. When Mr H. V. Kamath was the Member of the House he brought a CBI report on the basis of which Mr Malviya was sacked and has now again been rehabilitated. A challenge was made to Mr Kamath whether it was a real CBI report or not and the Speaker who was in the Chair accepted the authentication of the report. It was neither placed on the Table of the House nor published. He simply quoted. If any Member quotes any document and on the basis of that if any allegation or anything derogatory to the hon Member or right or privilege of the Member of the House is affected then the Member is allowed to move privilege motion

I should say that if he makes genuine remarks out of his own imagination, this blue book again provides for the rules under which that Member can be brought before the House and if he makes a wrong statement then he may be taken to task. Therefore I want to make my submission that there cannot be any restriction or any obstruction in quoting from any document or whatever it may be. But if those documents were found wrong later or if anybody finds it wrong you can take legitimate action against him according to the Rules of Procedure of this House. Otherwise you cannot object to the quotation being fed from any document whatsoever by any Member of this House.

SHRI SEZHIYAN (Kumbakonam): As I understand the position, Shri Bosu wanted to quote from a document which has not been allowed on

the ground that he has not given the document beforehand to the Speaker

I think the hon. Member quoted from the book on which I am also relying. If you go through it very carefully. It states:

"A member can ordinarily quote from a document that is treated by Government as secret or confidential, and which the Government have not disclosed in public interest"

Afterwards it says:

"Normally, a member is not expected to spring a surprise on the Speaker, the House and the Government by quoting from a document which is not public. In fairness to all and in accordance with the parliamentary conventions, he is expected to inform the Speaker and the Government in advance so that they are in a position to deal with the matter on the floor of the House when it is raised. If this requirement is not complied with, the Speaker may stop the member from quoting such a document and ask him to make available to the Chair a copy before he can be allowed to proceed with any quotation therefrom".

Here he has already informed the Speaker. I further quote:

"While the Government cannot be compelled to admit or deny the correctness of any alleged copy of a document which is classified as secret or confidential, it is necessary for the member who quotes from such a document to certify that he has verified from his personal knowledge that the document is a true copy of the original with the Government and will do so on his own responsibility, and the Speaker accordingly would permit him to proceed. In case the members not prepared to give a certificate in these terms and insists on quoting from such a document, the Speaker may

find out from the Government before the Chair will be final in determining whether that document is genuine or not. Where the Government decline to admit or deny the correctness of the alleged copy, the Speaker allows the member to proceed and it is for the Government to give such answer as they deem fit."

In case the Member is not prepared to give such a document, then it is the discretion of the Speaker whether or not to accept that as a genuine document to be laid on the Table of the House. I have quoted from Page 829. But, under Art 121 of the Constitution, I quote:

"No discussion shall take place in Parliament with respect to the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties except upon a motion for presenting an address to the President praying for the removal of the judge as hereinafter provided".

Therefore, Art. 121 of the Constitution is the only provision restricting the scope of a discussion. Nowhere else under the Constitution, there is a bar. The Rules of Procedure make it clear. That is, if a Member begins quoting from a document, in all fairness to the House and to the Speaker, the Hon Member should inform the Speaker about it that he is going to quote from that document. If he does not inform the Speaker earlier, then the Speaker has got the right to ask him not to proceed with quoting from that document because he has not given the information to him earlier. The second thing is that if he refuses to certify the document, there is a course of action that the Speaker may take. He may or may not allow him to lay it on the Table of the House. If the hon Member has certified that document, whether it is genuine or not, it is for the Government to deny or accept. Here, it has been stated very clearly. Even if the Member is not prepared

[Shri Sezhiyan]

to certify the document, it cannot be rejected. This is what is stated here:

"In case the member is not prepared to give a certificate in these terms and insists on quoting from such a document, the Speaker may find out from the Government about the authenticity of that document and the facts placed by the Government before the Chair will be final in determining whether that document is genuine or not. Where the Government decline to admit or deny the correctness of the alleged copy, the Speaker allows the Member to proceed and it is for the Government to give such answer as they deem fit."

Therefore, even if the Government is not prepared to accept or deny, it, ever then, even if the Member does not give a certificate, the Chair cannot prevent the Member from quoting or placing it. It is for the Government to give such answer as they deem fit. In this case, I understand the hon. Member has informed the Chair. Therefore, he is within his right as a Member of this House to quote from a document and give his certificate. Then, once the certificate is there, it is for the Government to deny it or accept it.

श्री मधु लिमये : (बांका) यह जो दस्तावेज उदत्त करने का मामला है और टेबल पर रखने का मामला है उसके सम्बन्ध में मेरा जो तुच्छ अनुभव है वह मैं आपकी सेवा में पेश करना चाहता हूँ—

श्री श्यामनन्दन मिश्र : और वह कुछ कम नहीं है।

श्री मधु लिमये : मैं तुच्छ ही कहूँगा।

1966 में जब सचिन चौधरी साहब वित्त मंत्री थे तब मैंने आर्डिगनम सॉलिसिटर फर्म का मामला उठाया था और मैंने डायरेक्टोरेट आफ एनफोर्समेंट के एक गुप्त दस्तावेज

से कुछ जुमले उदत्त किए थे। जब सदन ने मुझसे मांग की कि उसको सभा की मेज पर रखना चाहिए। तो मुझे अच्छी तरह से याद है कि मुझे थोड़ी हिचक ही रही थी लेकिन सभापति महोदय ने कहा कि जब आपने एक दस्तावेज उदत्त किया है तो अगर उसकी नकल आपके पास है। और उस में से आप अगर पढ़ रहे हैं तो आपको वह रखना चाहिए। अब सारे इतिहास का मैं आपके सामने नहीं रखूँगा। पांच सितम्बर, की बात लीजिए। इसी साल की है। उस व्यापार मंत्रालय के द्वारा जो चार गुप्त दस्तावेज तैयार किए गए थे उन में से मैं उदत्त कर रहा था कुछ मिवों ने पूछा था कि वहाँ कहां से उदत्त कर रहे हो तो मैं ने बताया था कि इन में से उदत्त कर रहा हूँ। उन्होंने कहा कि आप का मेज पर रखना चाहिए। मैं तैयार हो गया। उस समय विधि मंत्री ने कहा कि ये क्या कर रहे हैं, इनको टेबल पर रखने की अनुमति नहीं देनी चाहिए। इस पर जो सभापति महोदय उस समय विराजमान थे उन्होंने कहा कि इस तरह से आप नहीं रख सकते हैं, आप अभी मेरे पास दे दीजिए और इनको आर्थेटिकेट कर दीजिए और मैं इनको देखूँगा। आप जानते हैं कि देखने के बाद चारों दस्तावेजों को यहाँ रखने की इजाजत दी गई और बुलेटिन नम्बर 2 में वे प्रकाशित हुए। अभी अभी मोदी रबड़ के डाकुमेंट में कोट कर रहा था, कंठिनैटल जर्मन कंपनी के साथ जो उन्होंने गुप्त करार किया था। वे मेरे पास थे—(इंटरवाज) मेरे पास फोटो कापी भी है। बहुत सारा साहित्य रहता है। सब का इस्तेमाल मैं जल्दी नहीं करता हूँ। उस समय भी मैंने वह मेज पर रखना चाहा था, मैंने उदत्त किया था लेकिन किसी ने आप्पेप नहीं उठाया। लेकिन मेज पर रखने के पहले सभापति महोदय ने कहा था कि वे कागज यहाँ आने चाहियें। जैसा कि माननीय सदस्यों ने कहा है, वह भी स्वीकार किया गया, मेज पर रखा गया और बुलेटिन नम्बर 2 में प्रकाशित हुआ।

जहां तक दस्तावेजों को क्वोट करने का सवाल है, उस पर किसी तरह की रोक नहीं है। लेकिन अगर कोई उस को मेज पर रखने की मांग करे, या सदस्य स्वयं उस को मेज पर रखना चाहे, तो सभापति कहते हैं कि पहले मैं देखूंगा और देखने के बाद इजाजत दूंगा। क्वोटेशन के लिए किसी तरह की पाबन्दी नहीं है। जब पूरी दस्तावेज रखने की बात आती है, तो पहले आप उस को चक करते हैं।

अगर माननीय सदस्य, श्री ज्योतिर्मय बसु, ब्लू बुक में यह उद्धृत करते हैं कि प्रधान मंत्री के चुनाव-ब्यौरे के लिए क्या इन्तजाम करना चाहिए, उस का खर्चा किस को करना चाहिए, राज्य सरकार उस में से कितना अंश दे और पार्टी कितना दे, आदि, तो किसी तरह की आपत्ति नहीं होनी चाहिए। अगर हम लोग यह मांग करते हैं कि माननीय सदस्य जिस दस्तावेज से उद्धृत कर रहे हैं, अगर वह उन के पाम है, और वह उसी से पढ़ रहे हैं, तो वह उस को मेज पर रखे, तब सभापति कहते हैं कि पहले वह उस को देखे और वह बाद में मेज पर रखा जायेगा।

इस लिए हम वक्त यह जो आपत्ति उठाई गई है कि माननीय सदस्य क्वोट नहीं कर सकते, वह बहुत ही हास्यास्पद है, एकदम रिडीकुलम है। किसी भी देश की लोक सभा में ऐसी नहीं होता है। मैं माननीय सदस्य को यह कागज वापिस दे रहा हूँ और इस बारे में आप का यह निर्णय चाहता हूँ कि जो आक्षेप उठाया गया है, उस को रद्द कर दीजिए, आस्वीकार कीजिए, और बाकी भी जो वह क्वोट करना चाहें, उस के लिए उन को पूरी छूट दीजिए। आप को सिर्फ इतना ही देखना है कि वह रिलेवेंट है—वह रिलेवेंसी के रूल के मुताबिक है। मैं ने माननीय सदस्य का भाषण नहीं सुना है, लेकिन मेरा अनुमान है कि वह यह साबित करना चाहते थे कि प्रधान मंत्री के बारे पर, और खासकर उन के क्षेत्र में, उन का एथाराइज्ड एक्सपेंडिचर क्या

था। क्या माननीय सदस्य यही न साबित करना चाहते हैं कि प्राइम मिनिस्टर, का एथाराइज्ड खर्चा क्या है ?

श्री ज्योतिर्मय बसु. सही बात है।

श्री मधु लिमये : इस लिए मेरी राय में यह बिल्कुल रिलेवेंट है, नियमों के अन्दर आता है। एक और श्री रघुरामैया कहते हैं कि हम लोग बिल को जल्दी पाम नहीं कर रहे हैं, और दूसरी और सत्कार्द दल की तरफ में यह अइगेबाजी चल रही है, रूलिंग पार्टी इस तरह के आवस्ट्रक्शनिस्ट टैक्टिक्स से काम ले रही है। जिनने भी पायट्स आफ आर्डर उठ रहे हैं, वे सत्कार्द दल द्वारा उठाये जा रहे हैं पहले पायट आफ आर्डर पर पाच घंटे बर्बाद हो गए। हम लोग पैडिंग पीटीशनज की बातों को उठाना चाहते हैं। कांग्रेस के सदस्यों ने इस का विरोध किया। इस लिए झगडा हुआ। अब श्री ज्योतिर्मय बसु क्वोट कर रहे थे। मैंने उन पर आबजेक्ट नहीं किया, कांग्रेसियों ने एतर्गज किया।

आप का अधिक समय न लेने हुए मैं आप से प्रार्थना करता हूँ कि आप श्री ज्योतिर्मय बसु को आगे बढने दीजिए और उन में प्रेम-पूर्वक अप्रह कोजिए कि जितने डाकुमेंट्स हैं, वे सब पढ़ें।

SHRI JAGANNATH RAO: I submitted earlier that this matter about the production of the Blue book is pending a decision in the Supreme Court.

SHRI MADHU LIMAYE: No.

SHRI JAGANNATH RAO: Secondly, Government is claiming privilege. Thirdly, it is not relevant for the purpose of this discussion.

SHRI MADHU LIMAYE: Jyotirmoy Bosu is not claiming privilege.

SHRI JAGANNATH RAO: Government is claiming privilege.

SHRI MADHU LIMAYE: Let it. He is quoting.

SHRI JAGANNATH RAO: If Government is claiming privilege in respect of a document from which extracts are quoted, the member could not have got it by legitimate means, but by illegitimate means. This is unbecoming on the part of an hon. member. We are talking of misdemeanour of members. Is it misdemeanour or is it decent behaviour?

SHRI H. K. L. BHAGAT (East Delhi): I do not know whether what he wants to quote is part of the Blue book or not. But the question is not that simple as Shri Madhu Limaye has tried to make out. It is not a question of placing this so-called document on the Table. The parallels which he has mentioned are not parallels indeed. This is a matter itself the subject of judicial determination. From whatever we have read in the press, Government is claiming privilege about this documents in the High Court. The matter has gone even to the Supreme Court. Whether this document should be made public or not is a matter pending before the Supreme Court itself. How by placing this government document on Table or quoting from it would be making this so-called document—I do not know whether it is the real document—public and commenting on it. I would further submit this. If you kindly peruse the ruling given by the hon. Deputy-Speaker today, he has also made it clear. Some friends opposite had asked 'Suppose we quote from some admitted document...'. He said, 'No, no'. He asked them to read the rules. Things become facts only when courts determine on them. This is a matter which is pending before the High Court on which a judicial decision has to be given. It is a privileged document. We cannot comment on that. Can Parliament make it public? This obviously will create a very difficult situation and we should be able to meet the situation according to our rules. The Deputy-Speaker has given

a ruling that they can refer to the case but not to the facts which have not been established by the courts as such. Here it is not a question of even the court accepting it or admitting it. That has not arisen. The case is in a very preliminary stage. To permit him to place the document on the Table of the House would be making this issue open for discussion in this House on which a judicial decision on a fact is pending. Therefore he is not entitled to do it under the rules and also in terms of the ruling given by the Deputy Speaker.

SHRI H. R. GOKHALE: Shri Shyam Babu and some other hon. Members were not here when you gave the ruling. You want to hear some persons now. Shyam Babu is here. After Shyam Babu you can give your ruling.

MR. CHAIRMAN: I know I had given the ruling. But senior Members like Shri Mukherjee wanted to make some submissions and by way of accommodating them I shall listen. I am open to correction if they can satisfy me.

SHRI SHYAMNANDAN MISHRA (Begusarai): My submission is that there are only two conditions and no more which restrictate a Member in this matter. One condition is that the Member will not spring a surprise. He should submit to the Speaker the information that he is going to quote from the document. And the other condition is that the act of the Member should not be inconsistent with national interest or security of the country; except these two there are no other conditions.

MR. CHAIRMAN: Is he not to give a copy?

SHRI SHYAMNANDAN MISHRA: No.

MR. CHAIRMAN: Is it your contention that all that he is required to do is only to say: there is some secret document with him from which I can

going to quote. The Speaker may not have a copy of that?

SHRI SHYAMNANDAN MISHRA: I am going to submit to you how it is. Government can quote from any document and we can swallow it. Do not we? The Speaker also swallows it. The Speaker does not require the full document to be placed before him.

MR. CHAIRMAN: I do not agree.

SHRI SHYAMNANDAN MISHRA: The assumption behind this is, it is bound to be in any case, that one has to go by the truth and nothing else. If the hon Members think that he has to place the things in the interest of truth he will do it. Even the Chair cannot prevent him.

MR CHAIRMAN: Should he not take the Chair into confidence? He has not given me a copy.

SHRI SHYAMNANDAN MISHRA: Only in not springing a surprise.

SHRI JYOTIRMOY BOSU: I have given notice to the Speaker. The other day I had profusely quoted from a CBI report which I had in my possession. When I wanted to lay it on the Table of the House hon. Speaker said you cannot lay it on the Table of the House because you have not given me notice. I am sending for the debate and will convince you what I am saying is correct. The Speaker had no objection for my reading from the document. He said that I cannot lay it on the Table of the House because I had not given his notice. Only Notice is necessary.

SHRI SHYAMNANDAN MISHRA: He has to give only information to the Speaker so that no surprise is sprung not only on the Speaker but on the House and on the Government. It says, "Normally a member is not expected to spring a surprise on the Speaker, the House and the Government." If

springing surprise relates to the Speaker, to the House and to the Government, the document will not be made available to the Speaker, to the House and to the Government. In all these cases, the same rule will prevail that he will give information to the Speaker and through the Speaker to the House and to the Government and not spring a surprise. That is the real intention. This is for not only the Speaker but for the House and for the Government as well. The second condition is, it should not be inconsistent with the security of the country or national interest. The hon. member is not compelled even to give a certificate. If he does not give a certificate, the Speaker cannot prevent him from quoting from the document. The Speaker allows him to quote but the Government will have the right to reply to it and say whether what the hon. member has quoted is a correct thing or not. These are the only two conditions. The condition regarding national security does not apply and one condition he has already fulfilled. May I remind you, only a few days ago, when I quoted from a file of the Government in respect of the privilege motion against the hon. Minister of Railways, Shri L. N. Mishra, I was allowed to quote and it is on the record. I have quoted the minutes recorded by the Minister on the 23rd August, 1972. When I was asked by the hon. member, Shri Limaye, wherefrom I was quoting, I said, I am quoting from the relevant file of the Government. An hon. member asked, where are those files? I said, those files had been submitted to the CBI. I was not compelled to quote the entire file or to produce it. So, it is the right of the hon. Member to quote, subject only to those two conditions which I have mentioned.

SHRI BHOGENDRA JHA (Jainagar): In the last two months, inside this House and outside, there have been voices against the very existence of parliamentary democracy and perhaps that has also made the treasury

[Shri Bhogendra Jha]

benches very panicky. They have become so panicky that even things which should be part of normal democratic discussion and debate are sought to be prevented. Otherwise, the very utility of the system of all of us being here will disappear. We are discussing a matter regarding which scores of cases are pending in courts. The Deputy-Speaker has categorically stated that members should keep restraint and try to be on the other side of the dividing line so that it should not influence the judgment one way or the other in any of the pending cases. The point is, what is being discussed is not such a secret document for the safety and security of the Prime Minister. There is nothing so much sacrosanct or secret about it. The Treasury Benches have nothing to hide from the House or from the public. A certain expenditure has to be met by the party concerned for whose campaign the Prime Minister goes on tour.

I would request you, as you have been very reasonable to say that you have given your opinion but you are still with an open mind, to revise your ruling. This will in no way jeopardise any particular case unless any Member refers to any particular case pending before the court. If it is discussed in an abstract manner, there is no harm in it. Let the public know it.

In such a situation, I would again request you to revise your ruling. The Treasury Benches should cooperate so that the people outside should have more confidence in the discussion inside the House and the forces and elements which are casting aspersion and doubt on the very futility of parliamentary democracy should also be compelled to do re-thinking or to change their views or they should be compelled to change their views.

In conclusion, my submission is that it will be good if you revise your ruling and you allow Shri Jyotirmoy Bose to quote from the document which will in no way influence any

particular case pending before the court.

श्री सतपाल कपूर (पटियाला) : सभा-पति महोदय यह डाकूमेंट वह डाकूमेंट है जिस इश्यू पर सुप्रीम कोर्ट में श्री हाई कोर्ट में गवर्नमेंट ने अपना प्रिविलेज क्लेम किया है और सुप्रीम कोर्ट ने इस इश्यू का अभी फैसला नहीं किया है।

दूसरा प्वाइंट जो मैं आप की सेवा में रखना चाहता हूँ यह यह है कि कौन से डाकूमेंट को आप यहाँ पर रख सकते हैं कौन से डाकूमेंट को नहीं रख सकते हैं। अगर कोई प्रिन्टिड मॉटर है, किसी अखबार में कोई चीज छपी हुई है किसी कोर्ट का फैसला है जो प्रिन्ट हुआ है, पब्लिक डाकूमेंट है उसको हर एक आदमी जा कर ले सकता है, उसकी नकल ले सकता है, वह डाकूमेंट आप यहाँ पर रख सकते हैं उस पर किसी को कोई एतराज नहीं हो सकता। लेकिन कोई डाकूमेंट जो अभी कोर्ट में पेश नहीं हुआ, जिसके बारे में इश्यू का ही फैसला नहीं हुआ, उसका सीस नहीं मालूम कि ज्यूरिस्टिक ब्रुजो जो डीटेल यहाँ पर रखना चाहते हैं उसका सीस आफ इन्फार्मेशन क्या है, और यह प्रिविलेज्ड डाकूमेंट है, यह तब रखा जा सकता है जब स्पीकर से यह इजाजत ले कि मैं यह डाकूमेंट रखना चाहता हूँ मुझे इसकी इजाजत दी जाय, तब यह रखा जा सकता है। तब तक उसको कोर्ट भी नहीं किया जा सकता। इसलिए आप की जो रूनिंग है वह बिलकुल ठीक है। भोगेंद्र झा जी का यह कहना कि आप को अपरेट करे या मधु लिमये जी का यह समझ देना कि मैंने फंला साल में यह किया था, फंला साल में वह किया था, आप ने वह सब कुछ किया था लेकिन यह प्रिविलेज्ड डाकूमेंट आप इस टबल पर बिना स्पीकर की मंजूरी के नहीं रख सकते और उसको नहीं कोर्ट कर सकते हैं। यही मेरा इसके ऊपर कहना है।

MR. CHAIRMAN: Now, Shri Jyotirmoy Bosu had sent a letter on 12th Decemebr, 1974 saying:

"During the debate on the Representation of the People (Amendment) Bill, I would like to lay an authenticated extract on Government expenditure, P.M.'s tour."

This is the letter which he has written. My difficulty is this. I have heard all the hon. Members. I will again refer to this portion which was cited to me by Shri Sezhiyan and others—page 829 of the book by Kaul and Shakdher.

"Normally, a member is not expected to spring a surprise on the Speaker, the House and the Government by quoting from a document which is not public. In fairness to all and in accordance with the parliamentary conventions, he is expected to inform the Speaker and the Government in advance so that they are in a position to deal with the matter on the floor of the House when it is raised. If this requirement is not complied with, the Speaker may stop the member from quoting such a document and ask him to make available to the Chair a copy before he can be allowed to proceed with any quotation therefrom."

My objection was not to his right of quoting. My only objection has been that I do not have the opportunity or advantage of knowing what the document is...

SHRI JYOTIRMOY BOSU: I will give it to you right now.

MR. CHAIRMAN: It is not fair. The right thing would be that a document, unless it is a public document—let us distinguish this, unless it is a public document, no question arises.

SHRI JYOTIRMOY BOSU: On a point of order.

MR. CHAIRMAN: While I am giving the ruling, there cannot be any point of order.

SHRI SHYAMNANDAN MISHRA: If the first requirement, that is, giving information to the Chair, is not fulfilled....

MR. CHAIRMAN: I am trying to interpret. All that I understand in the spirit of all these ruling and rules is this. I have read out direction 118. If you read all these together, you will see the spirit of it.

Direction 117 says:

"A private member may lay a paper on the Table of the House when he is authorised to do so by the Speaker."

Direction 118 says:

"If a private member desires to lay a paper or document on the Table of the House, he shall supply a copy thereof to the Speaker in advance so as to enable him to decide whether permission should be given to lay the paper or document on the Table."

Here, the permission that has been sought is:

"I would like to lay an authenticated extract."

So, when 'laying' is to be done and not 'quoting', then this rule says that an advance copy has to be given. So, we are on the point of this request. I have to give a ruling on this request. This request is for 'laying'. I am giving my ruling on that. If you want only to quote and not to lay, that would be a different matter. That is not what you have been saying. All the time you have been arguing that you want to lay it. The next moment you will say, 'I have now quoted, I want to lay this'.

This, I will not allow. Therefore, if you want to quote, you can do so, but, whatever worth the document may be, we will not take cognizance of it.

SHRI JYOTIRMOY BOSU: Right, Sir.

MR. CHAIRMAN: But it cannot be laid.

SHRI JYOTIRMOY BOSU: This is an extract from the Blue Book—Rules and Instructions for the protection of the Prime Minister while on tour or on travel. The provisions that were there before 19th November 1969 during the regimes when her father was the Prime Minister as also when Lal Bahadur Shastri was Prime Minister, were considered adequate and fair. What did they read:

“It has been noticed that the rostrum arrangement is not properly made because the hosts sometimes are unable to bear the cost. As the Prime Minister's safety is the concern of the State, all arrangements for putting up the strum and the barriers at the meeting place will be undertaken by the State whatever may be”

The amended paragraph issued on 19th November, 1969 says:

“71.6 It has been noticed that the rostrum arrangements are not always properly made because the hosts are sometimes unable to bear the cost. As the security of the Prime Minister is the concern of the State, all arrangements for putting up the rostrum, bearriers, etc. at the meeting place including that of the election meetings...

which was not there earlier.

“...will have to be made by the State Governments.”

Now, prior to 19th November, 1969, for those two brilliant Prime Ministers, Pandit Jawaharlal Nehru who had the eminence of the whole world, and Shri Lal Bahadur Shastri, it was considered enough for their security, but from 19th November 1969, this new one line paragraph has made all the difference to others who will be opposing her and all her party candidates in the elections.

Then it says:

“The expenditure on all these items made in the first instance is to be borne by the State Government and then recovered from the political party concerned. In regard to the rostrum only 25 per cent of the cost of the rostrum or Rs. 2500/- whichever is less...

SOME HON. MEMBER: Wah wah.

SHRI JYOTIRMOY BOSU: This is the *Garibi Hatao*.

This I do not know what you would call. A fraud on the exchequer. I have never seen such a big fraud on the exchequer. What was thought to be good and fair by the two successive Prime Ministers till 1969 from 1947 for 22 years was undone by her in one stroke of her pen in order to defraud the exchequer.

Now, I am reverting to what I was saying. The election petition of Raj Narain vs. Smt. Indira Gandhi, etc. I would make no comments. These have been mentioned in the petitions. I will neither say ‘Yes’ or ‘No’, ‘good’ or ‘bad’. Nothing at all. What does it say? It says:

“Shri Yash Pal Kapoor, the Election Agent to Shrimati Indira Nehru Gandhi...

(Interruptions.)

SHRI JAGANATH RAO: How is it relevant?

SOME HON. MEMBERS: He has said that he will make no comments.

SHRI JYOTIRMOY BOSU: “... offered to pay a sum of Rs. 50,000/- to respondent No. 2, Swami Achutanand as a gift with the object of directly inducing him to be a candidate at the said election, and the payment of Rs. 50,000 was made by Shri Yashpal Kapoor to Shri Achutanand on 26th January, 1971 in the town of Rao Bareilly. A corrupt practice of bribery

under Section 123(1)(A) was thus committed by Shri Yashpal Kapoor, the Election Agent."

श्री शशि भवण दक्षिण दिल्ली
सभापति जी, श्री यशपाल कपूर राज्य
सभा कम्बर ह, उन को यहाँ कैसे
कौट कर सकते ह ।

SHRI SHYAMNANDAN MISHRA:
Who knows? He may be a different person

SHRI JYOTIRMOY BOSU. " . A the said election liquor was also distributed freely...."

MR. CHAIRMAN. What are you quoting?

SHRI JYOTIRMOY BOSU I am quoting from the election petition of Shri Raj Narain against Shrimati Indira Gandhi, a case which is so much within the 180 cases.

MR. CHAIRMAN You are quoting from the petition?

SHRI JYOTIRMOY BOSU. It is said that at the said election liquor was distributed freely among the voters by a number of agents.

SOME HON. MEMBER. It is most unfortunate.

(Interruptions)

MR. CHAIRMAN. What is the purpose of this quotation? What are you driving at?

SHRI JYOTIRMOY BOSU: Expenditure incurred, corrupt practices. It is one of the 180 cases.

MR. CHAIRMAN: These are the allegations. That you are referring to. The Deputy Speaker had categorically stated that you shall not aver to the facts which are yet to be decided on. He has categorically stated that you

shall not mention facts. Until the court gives a decision, these are mere allocations. Are they admitted facts?

SHRI JYOTIRMOY BOSU. I am not saying that these are facts I am only reading the petition

18 hrs

MR. CHAIRMAN. The are only allegations and not facts. All these allegations which are read out will not form part of the record (Interruptions) I have given a ruling. Please sit down.

SHRI JYOTIRMOY BOSU: *

MR CHAIRMAN. Nothing that he quotes without my permission will go on record.

SHRI JYOTIRMOY BOSU How can you shut me like that?

MR. CHAIRMAN I will be within the limits of the Deputy Speaker's ruling because it was a very fair ruling.

SHRI JAGANNATHRAO JOSHI. All sorts of allegations were made against Mr Goenka and Jayaprakash Narayan and you never stopped them and all that went on record

MR CHAIRMAN. You need not talk about irrelevant matters On this very point I am within the Deputy Speaker's ruling We have all heard it. That is what I understand Under his ruling and he has said it very clearly, that he facts on which a decision is to be given, if they are mere allegations, they cannot be quoted. How can I allow you to quote? I cannot do that (Interruptions)

Otherwise, if you read it the whole petition, will the ruling have any meaning? Then... (Interruptions). Then, what is the meaning of the Deputy Speaker's ruling? If the entire

[Mr. Chairman]
 petition is to be read out in every one of the 180 cases, we will never finish. Is that the idea and the understanding of the Deputy Speaker's ruling? That is not my understanding of the Deputy Speaker's ruling?

SHRI SHYAMNANDAN MISHRA:
 May I seek your guidance?

SHRI PRIYA RANJAN DAS MUNSI
 (Calcutta-South): No argument after your ruling.

SHRI SHYAMNANDAN MISHRA.
 Is it your pleasure to say that if the complainant is the CBI, then all this, facts mentioned in the complaint .

MR CHAIRMAN. No, no I am not going beyond the Deputy Speaker's ruling. I will neither comment on nor improve upon the Deputy Speaker's ruling

SHRI SHYAMNANDAN MISHRA:
 Please read out the ruling.

SHRI JYOTIRMOY BOSU. If you kindly read it the ruling—I have very carefully listened to it and I got it recorded in my head—it is that I shall not be entitled to pass any comments on what is stated in the petition (*Interruptions*) I beg of you to listen. I say it on my own responsibility. What is the remedy. Sir, when you are proved wrong tomorrow?

MR. CHAIRMAN: As I understand the Deputy Speaker's ruling, I will not allow you say something which will prejudice the case. If the Speaker or the Deputy Speaker allows you tomorrow you vote the whole thing. The court may hold that all these allegations are false. Now, should I allow you to say something as if you are reproducing an allegation on which the House is expected to form its mind? I cannot allow. How can I be a party to that.

I do not have here the copy of the Deputy Speaker's ruling. We will solve it this way. At present, you do not quote. You say on other points and tomorrow when the Speaker or Deputy Speaker..

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): This has to be passed today. That is a decision of the House ..

(*Interruptions*)

SHRI H. R. GOKHALE: You are seized of the matter. You said something on the basis of recollection. That is my recollection also

(*Interruptions*)

But what I am submitting is, it is not necessary for you to postpone this, You can decide this matter.

SHRI BHOGENDRA JHA: Mr. Deputy Speaker gave a ruling on this point. If you read that sentence everything will be clear .

MR CHAIRMAN. I do not have that with me

SHRI SHYAMNANDAN MISHRA :
 We have already gone beyond six now. What is your pleasure Are we to go on till midnight? What is this?

श्री श्यामनन्दन मिश्र : दो घंटे तीन घंटे कितने घंटे बढ़ेगा ?

एक मालगीय सदस्य : देश का काम है

श्री जनेश्वर मिश्र : देश के लिए होता तो हम लोग कर देते। लेकिन यह तो इंचिरा गांधी के लिए है ?

MR. CHAIRMAN: Order, order.

SHRI K. RAGHU RAMAIAH: The Business Advisory Committee decided and the House has also endorsed this decision. If necessary, by sitting late, this shall be finished today. There are other matters which have to be passed tomorrow, there are specific Demands for Grants and other matters. We have other work on the next day. This has to be passed today and this has to go to Rajya Sabha. This is my submission.

SHRI SHYAMNANDAN MISHRA: If it is one hour or one-and-a-half hours more one can understand. You have allotted 6 hours for this. Now itself it is 6 already. Are we to go upto 12 O'clock? Is it humanly possible? If it is 8 O'clock we are prepared to sit. It is very undesirable to except us to sit upto 12 O'clock.

SHRI K. RAGHU RAMAIAH: I make a sportig offer that no one on our side will speak except the Minister. To that extent we will cooperate. Let us pass the Bill. I request all sections to cooperate please.

श्री जनेश्वर बिश्व : हम नहीं मानेंगे ।
 कांग्रेस में श्री मिनिस्टर्स के अलावा कुछ
 काबिल लोग हैं ।

SHRI P. G. MAVALANKAR: Sir, may I make my submission? As far as I understand, it was the decision of the Business Advisory Committee which was endorsed by this House that this particular measure would be passed to-day by sitting late which means it may be by 10 'O' clock or midnight or 2 A.M. We cannot help it. That is my understanding. By sitting late, may be by midnight or 2 A.M., we have to pass this Bill because tomorrow the other business comes up. For the whole of last week we had certain time bound discussions. We must now end it. Another thing is that the other issue may come day after tomorrow.

So I would suggest that we are duty-bound, legally and morally, to

complete the discussion today. That is Number One. Secondly, the Minister of Parliamentary Affairs has now come with a sporting offer. (Interruptions.)

SHRI SHYAMNANDAN MISHRA: It was a reasonable assumption of being late.

SHRI P. G. MAVALANKAR: You may differ from me; I can also differ from you. That is why we are here. He may not like it; I am not bound to please him; I am bound to please my conscience. We are legally and morally bound to conclude this.

SHRI SHYAMNANDAN MISHRA: Please do not rush up.

SHRI P. G. MAVALANKAR: The point is this. On this particular measure the Members on the Opposition Benches have to speak. The Minister for Parliamentary Affairs has already made a sporting offer that none from the Congress Benches will speak. That means the hon. Members from the Congress Benches would be adequately covered by the Law Minister himself. Therefore, let the Chair now go in the order of the speakers from the Opposition. From others there will be no speech.

Lastly, about quoting by Mr. Bosu, recollection. I am not depending on I suggest that you may depend on the recollection. He may not depend on recollection. I would request you to kindly go through the ruling yourself and verify it. Till then, Shri Bosu may continue with his speech without referring to the document.

After they complete their submissions, if you give your ruling, we have to accept your ruling as final.

MR. CHAIRMAN: I am reading that ruling.

SHRI SAMAR GUHA: I am not challenging your ruling. Would you kindly give me a minute?

MR. CHAIRMAN: I heard you last time. You do not remember that. You will please sit down. I am now reading out the Speaker's ruling.

SHRI SAMAR GUHA: Just a minute please.

MR. CHAIRMAN: You do not cooperate at all.

SHRI SAMAR GUHA: Mr. Bosu was reading a quotation from a certain document that has been produced before the court. I want to draw your attention that these documents which have been persued by the courts are available there to anyone. They are available to the newspapers also. He simply quotes from there without making comments. How can you say that he cannot? If he wants to make any comments, I can understand that. He is simply quoting from the document without making any comments. I think that is permissible, to quote from that documents without any comments whatsoever.

MR. CHAIRMAN: This is what the Deputy-Speaker had said:

"Therefore, as I said, this is a very unusual Bill and this is a very unusual situation in which we find ourselves... At this stage, if the Law Minister has anything to say to help us out of the difficulties which I have tried to delineate, I shall welcome his help, but if he has nothing more to say, the best I can do is to rule that it is difficult in the circumstances to prevent the Members from making reference to these cases. In doing so, however, I would earnestly request them not to cross the limits and upset the delicate balance between Parliament and judiciary."

This is important. You must not do anything here which is pending adjudication there on which they have to decide and reproduce it to cast an

aspersion. The Deputy-Speaker, had further said:

"Whatever submissions they might make in this regard should be within the limited purpose of whether a measure of this kind is called for, whether it is justified and whether we should go in for it. They should not try to pronounce on the merits of the various allegations and submissions. They should not even try to say that these are facts because the facts are to be determined by the courts and not by us and the merits of each petition are to be determined by them."

This is the quotation. Mr. Bosu. Now, you quoted from the petition. What was the objective of your quoting? You said that this is the allegation as if it is a fact which you are trying to establish here. Now, this is the only purpose that can be served by this. Otherwise, you will read out the whole petition. You can read out the entire petition, within inverted commas, that this is the petition and you read it out. That becomes irrelevant completely. My understanding of this ruling is this. Allegations should not be reproduced for the purpose of your statement of facts.

SHRI JYOTIRMOY BOSU: I want to cooperate with you. Let me make it clear. What I am reading out are from the petition, allegations. They may or may not be facts. I am not making any comments on the same. I am not saying whether there is merit or no merit. That is left to the court. I am only quoting from the election petition, what has been alleged in that, for the purpose of this Bill only. Sir, it has been stated:

"Hiring charges of vehicles Rs. 1,28,700/- The cost of petrol and diesel used—Rs. 48,230/- Payments made to the drivers—Rs. 9,900/- Repairing and servicing charges—Rs. 5,000/- Payments made to the workers engaged for the purpose of

election propaganda amounting to Rs. 6,66,000.

"Expenses of the election of respondent No. 1's polling camps—Rs. 10,000/-

Expenses of the election of rostrums for the public meetings (from certain date to certain date)—Rs. 1,32,000/-

Expenses of loud speaker etc Rs. 7,200/-

Expenses on respondent No. 1's transport—Rs. 1,68,000/-"

I would like to be corrected, if I am wrong I am only saying that it has been claimed. If I am right, that the total expenses come to Rs 15,86,030/-

"Agent, State Bank, Rae Bareilly, along with the registers of payments made to Shri Yashpal Kapur from 1st January 1971 to 30th June 1971 and on the basis of coded messages received from New Delhi and full details of the accounts from which and the persons on whose instructions these payments were made as also the full details of all the payments made to him on the basis thereof"

"Agent, State Bank, Rae Bareilly along with the complete account or full extract thereof..."

MR. CHAIRMAN: This is from what?

SHRI JYOTIRMOY BOSU: Some—allegations.

"...including register of payment for the cheques..."

All these total up to Rs. 3,95,000, according to this. I do not know whether it is correct or not, whether it is a fact or not. (Interruptions)

SHRI BHAGWAT JHA AZAD: Only he can quote? I would like to know whether it is true or not.

MR CHAIRMAN: He said I do not know'.

SHRI JYOTIRMOY BOSU: I do not know.

Now there is a question of facts. In the petition, there is a list of allegations Allegation is:

"Shrimati Indira Gandhi procured jeeps (32) on hire and incurred expenditure on them".

To that, the reply is:

"Para 17(a) (b): Out of the jeeps, none was procured by Mrs. Gandhi or her election agent 17(b). Out of these, 32 jeeps (number of 22 jeeps admitted)..."

I do not know whether it is 22 or 2; it is not clear—

"were procured by the District Congress Committee of Rae Bareilly for 3 parliamentary constituencies".

Then it is said here:

"Mrs. Gandhi did not specify any amount of expenditure. However a modest amount of Rs. 6,000 per jeep for the election period is hereby assessed on account of hire and petrol expenditure..."

This also comes to a big total of money.

There are so many other things. I do not want to go into them. These things will speak for themselves. The court will sit in judgment. Let the country know what the allegations against the Prime Minister are and why the election petition has remained pending from 1971 to 1974.

Then we have an institution called the Election Commission. Its conduct has been scandalous and disgraceful. It has been so criticised

[Shri Jyotirmoy Bosu.]

throughout by all the opposition parties that it does not justify its existence. It has been headed by servile, superannuated, job-seekers. .

MR. CHAIRMAN: How is it relevant here?

SHRI JYOTIRMOY BOSU: It is an election matter.

MR. CHAIRMAN: This is against the Election Commission.

Is it relevant under this?

SHRI JYOTIRMOY BOSU: Of course.

MR. CHAIRMAN: How? It is irrelevant.

SHRI JYOTIRMOY BOSU: I will show you.

MR. CHAIRMAN: This is under the Representation of the People Act. It is not about the Election Commission. Why are you side-tracking?

SHRI JYOTIRMOY BOSU: The minimum time for a bye-election is 1 month 13 days, maximum time 11 months 17 days. For the Legislative Assembly, minimum time is one month... (Interruptions); maximum time 3 years 1 month and 22 days. But if it is for the ruling party, one bye-election can be held on 1 month 12 days.

MR. CHAIRMAN: You are not on the Bill.

SHRI JYOTIRMOY BOSU: I am.

I am drawing your kind attention to what the Joint Committee on amendments to election law, of which you were an able member, has said. They said:

"It is too great a burden for a single person to exercise supervision, direction and control over

elections effectively. As a result, he is likely to be exposed and vulnerable to charges of arbitrariness and partiality. The Committee therefore recommend that the Election Commission should be a multi-member body as envisaged in art. 324(2) of the Constitution".

Now it had a Congress Chairman. Most of the members were Congressmen. But what has happened? They do not want to touch it. But they are doing this in order to protect their Prime Minister, by bringing in a draconian law in a most shameful manner.

I want to conclude. I want to say that my party has said that there should be restrictions not only on the expenses incurred by the candidate and his party but also on the number of posters issued, vehicles used and other propaganda material distributed, etc.

MR. CHAIRMAN: I have called Mr. Jagannath Rao.

SHRI JYOTIRMOY BOSU: We have said that the All India Radio and television should for the duration of the election campaign be under the supervision of an all parties committee.

In the issue of People's Democracy dated 1st December, we have listed a six point formula and I would urge the House to consider that to prevent rigging and distortion of people's will.

SHRI JAGANNATH RAO: We do not want to speak.

MR. CHAIRMAN: From 4.30 to 6.30 Shri Jyotirmoy Bosu alone has spoken... (Interruptions).

SHRI JYOTIRMOY BOSU: In this debate I took somewhat less time because physically I am a little run down... (Interruptions).

SHRI BHOGENDRA JHA (Jainagar): This Bill has been introduced to replace the ordinance which was promulgated after the Session of the Lok Sabha was prorogued. The necessity for this arose after the Supreme Court gave a certain interpretation to the expenses incurred in the case of Shri Amar Nath Chawla. Some new interpretation has been given to the expenditure that can be incurred by a candidate or a party, accounts to be maintained, etc.

I should like the House to take into consideration the relevant part of the judgement; on page 14 it says:

"When the political party sponsoring a candidate incur expenditure in connection with his election as distinguished from expenditure on general party propaganda, and the candidate knowingly takes advantage of it or participates in the programme or activity or fails to disavow the expenditure or consents to it or acquiesces in it, it would be reasonable to infer, save in special circumstances, that he impliedly authorised the political party to incur such expenditure and he cannot escape the rigour of the ceiling by saying that the political party has done so. A party candidate does not stand apart from his political party and if the political party does not want the candidate to incur the disqualification, it must exercise control over the expenditure which may be incurred by it directly to promote the poll prospects of the candidate. The same proposition must also hold good in case of expenditure incurred by friends and supporters directly in connection with the election of the candidate. This is the only reasonable interpretation of the provision which would carry out its object and intendment and suppress the mischief and advance the remedy by purifying our election process and ridding it of the pernicious and baneful influence of big money."

On page 15 it says:

"But we do not think so. In the first place, a political party is free to incur any expenditure it likes on its general party propaganda though, of course, in this area also some limitative ceiling is eminently desirable coupled with filing of return of expenses and an independent machinery to investigate and take action."

We all know the contradictions and stresses through which our parliamentary democracy is passing through. The contradiction is, we have a system of adult franchise where every adult has got one vote, and the right to get elected or to elect, irrespective of status, wealth, caste, religion, etc. On the other side, there is the huge amassing of wealth, mostly unearned, looted, exploited wealth, concentrated in a few hands. These few people who are hated by the society are influencing the elections, influencing the Government, the ministers and the Members of Parliament, as we have seen. So, big money is having its influence on our system. Under this contradiction, the stage has been reached now when our democratic interest and democratic advancement must be strong enough to curb the power of big money and big business. I am raising this point because those who have huge money, struggled or defalcated money, and who have been influencing the Government, the administration and the political parties, feel strong enough now to openly challenge the very system of parliamentary democracy. A few years ago we were reading in the papers about the sanctity of the parliamentary democratic system. Whenever we on this side—the communists and other democrats—wanted some improvement in the system, we were told that we were following the pattern of the Mother of Parliaments—the British Parliament—and there should be no change. Now the monopoly press is directly attacking the parliamentary system and directly helping the forces

[Shri Bhogendra Jha]

who through violence and other methods are attacking the very system of parliamentary democracy. When people who are big-moneyed like Mr. Naval Tata or Mr. K. K. Birla find that even their security deposit is forfeited, they think, "To hell with this democracy and election system. After spending millions of rupees, one gets his security deposit forfeited." So, the attack is now being made on the system itself. Slogans like partyless democracy are openly supported by the press owned by monopoly houses. In such a situation, there is greater need to curb the power of big money and enhance the democratic content in the Constitution and in our electoral law. Many of us feel it is an unequal election campaign. Almost 80 to 90 per cent of the people are on one side, but minus money, when the final count comes, if you secure a majority, it is a fortunate thing. Even then, on one side you see 10 or 15 thousand persons marching on their legs from village to village. On the other side, there are hundreds of jeeps and cars. Booths are captured by usurious landlords in the rural areas. In such a situation, the country expects that there should be some change in our election methods and election law, like proportionate representation, curbing the power of money etc. Shri Uma Shankar Dikshit, when he was Home Minister made a statement which was publicised in the press that Government should meet the expenses of the candidates. And that there should be a ceiling on that.

We had thought that that was a serious proposal. But, I think, that could not materialise.

Now, through the present Bill, what is being attempted to be done is to give full freedom to big business, full freedom to black money and full freedom to corrupt men openly. They will openly come to capture the whole electoral system on the basis of money power. I am very much apprehensive of that. If we adopt this Bill as it is,

then they will come openly to do what they have been doing stealthily and surreptitiously. Uptill now, they have been telling a lie and they have been filing wrong returns. Now, they will not be required to tell a lie. They can be required to tell a lie. They can come openly now and say that their friends, individuals, associations, chambers of commerce, have spent millions of rupces for their elections. There is no need of hiding it. If we adopt this Bill as it is, this is what will happen. This is a very serious indication. I do not know if the whole Cabinet or the ruling party has seriously thought over it.

This is the provision of the Bill:

"Notwithstanding any judgment, order or decision of any court to the contrary, any expenditure incurred or authorised in connection with the election of a candidate by a political party or by any other association or body of persons or by any individual (other than the candidate or his election agent) shall not be deemed to be, and shall not ever be deemed to have been, expenditure in connection with the election incurred or authorised or authorised by the candidate or by his election agent . "

So, if anybody, any individual or any association spends millions of rupees for me, that will not be taken to be incurred for my election.

This is strange. When there is a direct attack on the parliamentary democracy from one side, there is another counter attack on the parliamentary democracy from the Treasury Benches, the ruling party. The result will be the same. I think, the money bags, the smugglers, the black marketers, the people with black money will have a free play. They will become honourable men. They will not do it stealthily as they have been doing in the past. They will openly do it now. So, there is a very serious danger to our parliamentary democracy. I am giving this warning....

SHRI B. V. NAIK: Do you believe that the electorate can be bought?

SHRI BHOGENDRA JHA: Had it been so, I would not have been here.

MR. CHAIRMAN: Neither the electorate nor the elected, nobody is being bought.

SHRI BHOGENDRA JHA: I am talking of the electorate.

We have dealt with one case. Now, we are dealing with another case. I do not have the courage to say that in such a situation, what is being provided in this Bill will give a death-blow to at least the apparent curb on money power which our election law has provided uptill now. This House should take into account the serious implications of this as to what will happen once this freedom is given. We should not think that those who are in the Treasury Benches today will remain there for ever. Therefore, they should not fail to understand the seriousness of the situation, that the money bags are very powerful not only on their own but also in league with foreign imperialist powers, they are influencing and are attempting to influence our national political situation which may affect our democratic system. The ruling Party is playing with fire by providing for this thing. Millionaires will come openly for this and that candidate publicly and none can say that they are being stealthily. In such a situation, what I am afraid is, they are more than Americanising our election system. So, Sir, I have given notice of an amendment. In the condition when the Supreme Court has given a new interpretation, I understand and appreciate the difficulty that there should not be any curb on a political party. Its Central organ or the State organ gives names or lists of candidates and asks people to vote for them. Naturally it will be very difficult for a candidate or for any election authority to find out the exact sphere of the particular candidate or a particular constituency, what his election expenses will be on the particular issue of a newspaper or hand-

bill and so on. Both with regard to individuals or associations or groups of persons, the position is different. I submit, the Treasury Benches should think over it. They are in a great hurry to pass the Bill today. I think the Business Advisory Committee is also committed to it. At least, they should delete the following words, namely, "or by any other association or body of persons or by any individual (other than the candidate or his election agent)". This portion must not remain. Otherwise, our democracy, which has been advancing very slowly, but nonetheless advancing, will be given a very powerful blow from the Treasury Benches, at the time when it is receiving and facing a blow from outside from certain forces in the name of partyless democracy or dissolution of Assembly....

PROF MADHU DANDAVATE:
Spare Mr Jayaprakash Narayan here

SHRI BHOGENDRA JHA: I have not named him. I think, you also belong to a party. When the partyless thing comes, as long as you do not dissolve your party, you will be with me ..

AN HON. MEMBER: Classless class

SHRI BHOGENDRA JHA: We all know what happens when a classless society is there .. (Interruptions)

MR. CHAIRMAN: Please conclude

SHRI BHOGENDRA JHA: As I was saying, the Bill, in its present form, is not only harmful for one side or the other—it may serve some purpose, some particular election this way or that way—but it will be disastrous for our electoral system and very harmful for the healthy process of democratic life. In such a condition, I urge on the House to accept my amendment which seeks to delete that aspect—that particular portion which I have mentioned. It will at least put some curb on the power of money bags, smuggled money, hoarders' money and so on.

[Shri Bhogendra Jha]

Otherwise Sir, the House should muster courage, if this amendment is not accepted, to reject this Bill That is my submission, Sir

श्री जगन्नाथ राव जोशी : (शाजापुर) ।
 सभापति महोदय, सदन में जिस विधेयक पर चर्चा चली है उसका विरोध करने के लिए मैं खड़ा हुआ हूँ। इस के दो पहलू हैं—एक नतिक और दूसरा राजनीतिक सर्वोच्च न्यायालय ने जो निर्णय दिया इस की ओर दूसरा जो पहलू है 'राजनीतिक' उस दृष्टि से केवल देख कर उस खामी को दूर करने की कोशिश की है। किन्तु यह निर्णय क्यों आया, इतने दिनों के बाद क्यों आया, इसकी कोई पृष्ठभूमि है कि नहीं? इस का सारा विस्तृत वर्णन उन्होंने अपने निर्णय में किया है। वास्तव में जिस गति से हम देश को आगे ले जाना चाहते हैं क्या उस के साथ यह अध्यादेश या विधेयक सुसंगत है? हम जरा सोचें तो सही। राजनीतिक विचार यह है कि कुछ व्यक्तियों को बचाने के लिए हम देश को एक बड़ा भारी धक्का दे रहे हैं, इसकी ओर शायद हमारा ध्यान नहीं गया, ऐसा मुझे लगता है। क्योंकि इस के पहले जब सर्वोच्च न्यायालय का कोई निर्णय आया उस की वजह से कई लोगों को कुछ न कुछ धक्का जहर उठाना पड़ा। जब हम ने भूमि की मर्यादा तय की तो कुछ लोगों को भूमि छोड़नी पड़ी। जब प्रिवी पर्स को समाप्त किया तो राजा महाराजाओं को क्या प्रिवी पर्स नहीं छोड़ना पड़ा? तो बैसे ही सर्वोच्च न्यायालय के निर्णय को स्वीकार करते तो कुछ लोगों को पार्लियामेंट या विधान सभाओं से स्थान छोड़ना पड़ता।

भाबिर हम चाहते क्या हैं? पिछले कई सालों के बसातार क्या यह चर्चा नहीं है कि पैसे का अभाव उद्योग चुनाव में हो रहा है? इस की ओर सब ने विमता

प्रकट की है। स्वयं प्रधान मंत्री ने भी इस के ऊपर विमता प्रकट की है क्योंकि केवल चुनाव का खर्चा ही नहीं, चुनाव के घसाला भी जो खर्चा होता है, वो सरकार करती है, राहत कार्य के रूप में कोई कारखाना खड़ा करने के रूप में जिस की दृष्टि से व्यक्त को किसी न किसी रूप में कुछ न कुछ पैसे इसको भी न्यायालय ने ठीक नहीं समझा। उन्होंने यह कहा है कि यह कोई इत्लीगल प्रैक्टिस नहीं है, किन्तु यह इविल प्रैक्टिस है। यह क्यों कहना पडा? गुजरात में जैसे चुनाव आ रहे हैं तो वहाँ फटिलाइजर कमप्लेक्स लग रहा है बडोवा में कागज के नोट छापने का कारखाना लग रहा है। तो यह सब इविल 'प्रैक्टिस है। फ्री और फेयर चुनाव होना चाहिए। एक सामान्य व्यक्ति को जनता का प्रतिनिधि बनने का अधिकार है उस का पूरी तरह से उपयोग करे, यदि यह मशा है तो उस के विरोध में यह अध्यादेश और विधेयक जाता है। क्योंकि जब चुनाव का सारा मामला तय हुआ उसी समय की मर्यादा क्यों तय की गई कि खर्चा कितना हो, लोक सभा और विधान सभाओं के चुनाव में कितना खर्चा हो? यह इसीलिये तय की गई थी कि सही रूप में जनप्रतिनिधि यहाँ आ सके, और कोई साधारण व्यक्ति पैसे के अभाव की वजह से वंचित न हो जाय। जब पता चला कि उम्मीदवार खुद खर्चा न करे बल्कि उस का कोई दोस्त खर्चा करे तो जो वास्तव में मर्यादा रखी गई थी, उस का उल्लंघन किसी न किसी रूप में होता रहा। तो न्यायालय का कुछ उत्तरदायित्व है कि नहीं। वास्तव में इस दायित्व को आप को निभाना चाहिए था। जो कि आप ने नहीं निभया। जब आप इंग्लिटेरियन सोसायटी की बात करते हैं, समाजवादी समाज की बात करते हैं बंसी हानत में, यदि सारी रोक निकाल देंगे तो क्या बेरे जैसा प्राइमी चुन कर झाड़कता है? कभी नहीं कर सकता। एक तरह पैसे का अभाव खर्च

[श्री जयप्रकाश दास जोशी]

करने की प्रवृत्ति पैदा हुई ती उस पर रोक लगानी चाहिए या नहीं ? हम आखिर क्या करवा चाहते हैं ? लैंड सीलिंग के बाद आप धर्मन सीलिंग का विधेयक लाने वाले हैं ज्यदा पैसे वालों पर टैक्स लगाना चाहते हैं, स्मॉलिंग को रोकना चाहते हैं, चाहते हैं, कि कोई गलत तरीके से पैसा कमा कर बड़ा न बने आखिर यह सब किस लिए ? सामाजिक दृष्टि से चाहते हैं कि शादी बिवाह के अवसर पर पैसे का बल्सर डिस्प्ले नहीं होना चाहिए । यह दृष्टिकोण हमारा इसीलिए है कि हम समाजवादी समाज की स्थापना चाहते हैं । मैं बिल्कुल विरोध नहीं करता यदि आप अमरीकन रिपब्लिकन पार्टी की तरह से रहते बगिग बरैरह सब करते । किन्तु जो हमारी मान्यतायैहै यह विधेयक उन के विरोध में जाता है इसलिए हम हमके विरोधी है । यदि आप शुरू से ही कहते कि हम करेंगे तो हम मान लेते । इसलिए मेरा कहना है कि कथनी और करनी में अन्तर नहीं रहना चाहिए अन्यथा धर्मचक्र प्रवर्तनाय नहीं होगा अपितु धर्मचक्र प्रवर्तनाय खुले रूप से होगा । धर्म का मतलब है कर्तव्य । और चुनाव में जब कोई खडा होता है तो उस की क्या विचाराधारा है, देश और समाज का कल्याण कैसे होगा, इस को समझा कर मैं जनता का प्रतिनिधि बनूँ । इस में पैसे का स्थान है ही नहीं । किन्तु आँखों में धूल झीक कर जो बात कर रहे ह । जो पहले मर्यादा लगायी थी उस का उल्लंघन जब होने लगे तो क्या उस को नहीं रोकना चाहिए ?

सर्वोच्च न्यायालय ने यह नहीं कहा कि पार्टी अपने दल के लिए खर्च नहीं कर सकती । उस पर कोई रोक सुप्रीम कोर्ट ने नहीं लगायी लेकिन जब किसी व्यक्ति के लिए पार्टी खर्च करती है तो उस को क्यों न मिला जाय । इस में कौन सी श्रंखला डाल है ? क्रिस पैसे की बचत से समाज की धारणा बिगड़ रही

है उस को रोकना ही चहियेगा । क्योंकि जयज सर्ववश : सर्वगुणा : कांवन पाखयन्ति । पुरातन काल से यह चालू है । इसलिए उस पर कैसे रोकलगायी जाय इसी दृष्टि से सोचना पडता है । संविधान ने एक मर्यादा दी, सब को समान अधिकार दिया । तो क्या यह समान अधिकार वा उल्लंघन नहीं है कि एवः सामन्य व्यक्ति खड, ही चुनाव से वह तो 7,000 रु० खर्च करे और दल वा कोई आदमी हो तो सात लाख खर्च करे । इस का मतलब क्या है । यदि हम, समानता चाहते है तो उनकी और क्या यह बिल ले जा रहा है ?

विधि मंत्री ने कहा कि 180 लोगों की पेटिशनस पेडिंग है । प्रश्न यह नहीं कि कितनी पेटिशनस पेडिंग है । प्रश्न यह है कि हम कहा जा रहे है ? क्या हम वहा जा रहे है जहा पैस और अधिकार का दुरुपयोग हो या जहा इन चीजों का दुरुपयोग न हो और प्रत्येक व्यक्ति को खुले रूप से अपने विचार व्यक्त करने का अवसर मिले, ऐसी व्यवस्था हम लाना चाहते है जो कि संविधान में निहित है । एक बार पार्लियामेंट के अधिकार को जब मर्यादित करने का विचार आया तो हम ने उस का विरोध, किया । विधान से जो डायरेक्टिव प्रिन्सिपल्स है उस दृष्टि में समाज को भाग ले जाना चाहते है । उन डायरेक्टिव प्रिन्सिपल्स की यदि व्यवहा में लाने की दृष्टि से कोई कानून है, सर्वोच्च न्यायालय का कोई निर्णय है तो उस को हम को स्वीकार करना चाहिए । मुझे ऐसा लगता है कि जो शासन खुद नहीं कर सका यदि वह सर्वोच्च न्यायालय ने किया तो उसका स्वागत करना चाहिए था । 180 लोगों की बात नहीं है ।

19 hours.

सदा देश में लोकतांत्रिक ढांचा बनना रहे और इस लोकतांत्रिक ढांचे में विचार प्रकट करने का अवकाश रहे, ऐसा यदि हमें नहीं लगता है तो 180 लोगों की बचाने के लिए इस तरह

[श्री जयन्ताच राय जोशी]

का विधेयक लाना उचित नहीं हो सकता है। यह एक पीछे की ओर से जाने वाला विधेयक है। इस तरह की बात आप क्यों कर रहे हैं यह समझ में नहीं आ रहा है। आप तो आगे से जाने की बात किया करते हैं। अब उसको छोड़ कर जैसे मेरे मित्र ने अभी कहा है कि यह तो फ्लड गेट्स खोल देगा, पहले कम से कम चोरी से करते थे और अब तो खुले में खर्चें करेंगे। पैसे का प्रयोग बिल्कुल भी न हो, कोशिश तो यह होनी चाहिए। सरकार सारा खर्चा वहन करे, कोशिश यह होनी चाहिए। वह खर्चा कोई ज्यादा नहीं बैठता है। हमारे अध्यक्ष महोदय श्री प्रडवानी ने हिमाब लगा कर बताया है कि सरकार का कितना खर्च होगा। उन्होंने एक एक निर्वाचन क्षेत्र का हिसाब लगा कर बताया है कि वे प्रत्याशी जिनकी जमानत बची है ऐसे लोगों का हिसाब करके उन्होंने बताया है कि 78 लोग थे जिन की जमानत बची है और लोगन सीलिंग जो एक्सपेंडीचर पर है वह 35,000 है। सारा हिसाब लगा कर उन्होंने बताया है कि लोक सभा का खर्चा आया 3 करोड़ 6,6 लाख 13 हजार यदि सरकार इस खर्च को वहन करे। विधान सभाओं के लिए उन्होंने बताया है कि 8 करोड़ 28 लाख 4 हजार खर्चा आपको वहन करना पड़ेगा। इस तरह से कुल मिला कर सरकार का खर्च आया ग्यारह या साठे ग्यारह करोड़ रुपए। प्रो० के० टी० शाह ने कन्स्टिट्यूट असेम्बली में यह बात निराली थी। उस समय यह बताया गया था कि सरकार के पास पैसे नहीं हैं। यह फीजिबल है या नहीं यह नहीं बताया गया। विधान सभाओं और लोक सभा का साथ साथ अगर चुनाव होता है तो खर्चा चौबह पन्द्रह करोड़ आता है। लेकिन आज आप लोगों ने इसको डी लिंक कर दिया है, एक बार इधर आप पन्द्रह करोड़ करते हैं

और दूसरी बार उधर आप पंद्रह करीब करते हैं। इसके बजाय दोनों साथ संक करके आप पैसे की बचत कर सकते हैं और सरकार यह खर्च वहन कर सकती है। दलों की ओर से जो खर्च होता है या बाहर का जो खर्च होता है उस पर रोक लग सकती है और आप चाहे तो दलों को भी आप रिटन फाइल करने के लिए बाधित कर सकते हैं खर्चा कम हो और कोई मामला प्रश्नरे में न हो इसकी आपको व्यवस्था करनी चाहिए।

आज भी मैं आप से प्रार्थना करता हूँ कि इसके पीछे जो नैतिकता है उसकी ओर आप ज्यादा ध्यान दें। राजनीतिकता में फस कर सदा अधिकार में आप रह सके, इस विचार को अगर आपने सामने रखा तो आप देश को गड़बड़े में ले जायेंगे। प्रजातंत्र को बिल्कुल भाग लगाने की बात आप कर रहे हैं। मैं समझता हूँ कि इस लेट स्ट्रेज पर भी आप इस पर जरा गम्भीरता से सोच विचार करके इसको वापिस ले ले तो ज्यादा अच्छा होगा। वरना हमको इसका विरोध करना पड़ेगा।

*SHRI E R KRISHNAN (Salem):
Mr Chairman, Sir, on the Statutory Resolution moved by my hon friend Shri S N Mishra and others disapproving the Ordinance promulgated by the President and also on the Representation of the People (Amendment Bill I rise to say a few words on behalf of my party, the Dravida Munnetra kazhagam

On 19-10-1974 the President promulgated the Ordinance stating that the expenditure incurred by a political party on its candidates, will not form part of the election expenses of the candidates on which there is a ceiling. In order to give statutory shape to this Ordinance, this Bill has been introduced by the Government.

The Supreme Court in its judgment unseated the ruling party Member, Shri Chawla on the ground that the money spent by the Congress Party on him formed part of the election expenses of the candidate, which exceeded the ceiling. The Central Government argue that this Ordinance is necessary in order to give protection to 180 election petitions pending before the Courts of our country. Within two days of the Supreme Court's judgment, this presidential ordinance was promulgated. I would like to know whether this amending Bill has been introduced just to spite the Supreme Court for having unseated a ruling party member or whether this has become an imperative necessity for giving statutory protection to the Prime Minister against whom an election petition is pending in a Court. I also wonder at the sudden solicitude of the ruling Congress Party for the Opposition Parties, when the Law Minister says that this Bill will give protection to Opposition Party Members also against whom election petitions are pending before the Courts. Is it not a surprise that the ruling Congress Party has extended its support to the Opposition Parties at the cost of the Supreme Court?

19.13 hrs.

[SHRI JAGANATH RAO JOSHI in the Chair]

Here, I would like to refer to the behaviour of the Central Government at the time when the Supreme Court gave its judgment against the Abolition of Privy Purses Act and against the Nationalisation of Banks Act. The Central Government superseded three senior judges of the Supreme Court and appointed a junior judge as the Chief Justice, who was in the good books of the Government. The three senior judges later on resigned in protest. But now, the favoured Chief Justice has given this judgment against the ruling Congress Party. I have no hesitation in saying that the Government have insulted the Supreme Court by promulgating the Ordinance and

introducing this Amendment bill. Not only the Supreme Court but also all other Courts in the country have been insulted by the Government.

The Prime Minister as also the Law Minister have been repeatedly saying that there is need for reforming the election law. The Chief Election Commissioner, in his Report after every General Election, has been emphasising the need for reforming the Election Law, particularly in regard to election expenses. I would like to quote from page 181 of the Report of the Chief Election Commissioner, which the Chief Election Commissioner, which he presented after the Fifth General Election:

"The Joint has not accepted the proposals of the Election Commission about the filing of return of election expenses by the political parties. I should once again strongly urge that the recommendations of the Election Commission should be accepted in toto, if some improvement in the position relating to the incurring of expenditure at elections is to be expected and achieved."

This recommendation has not been accepted by the Ruling Congress Party. There is no meaning, in this situation, in decrying the Opposition Parties. Unless this recommendation is incorporated in the Election Law, we cannot expect free and fair elections in our country.

From 1952 to 1971, during the past five General Elections 253 petitions against Lok Sabha Elections and 1680 petitions against Legislative Assembly Elections have been filed in the courts. Most of these petitions are against the Congress Party candidates on the ground of excessive expenditure in the elections. Sir, a sum of Rs. 35,000 has been fixed for Lok Sabha election. At the present rate of inflation and the declining value of rupee, this amount of Rs. 35,000 should be statutorily enhanced to a suitable sum. Then only unfair means can be avoided in the elections. I would like to know what steps the Government propose to

[Shri E. R. Krishnan]

take in this direction. Similarly, the ruling Congress Party should become the beacon light for all other political parties in the country by submitting its annual statement of revenue and expenditure in the form of duly audited Balance-sheet to the Chief Election Commissioner.

Sir, there is widespread belief among the people of the country that the delimitation of constituencies before the General Election is being done in such a way that the ruling Congress Party is enabled to get majority in the constituencies. The Law Minister should find out legislative means for removing this impression among the people of the country. None in the country can refute that the ruling Congress Party unhesitatingly uses the official machinery for election purposes. The illuminating illustration in this respect can be the All India Radio. Another example is the laying of innumerable foundation-stones of big projects by the Prime Minister in the Uttar Pradesh just before the recent Elections. Six months before the Elections in U.P., Shri Kamalapati Tripathi was removed from the political scene of U.P. and Shri Bahaguna from here was installed as the Chief Minister of U.P. in order to ensure success for the Congress Party in the polls. As an election sop, Shri Bahaguna confirmed all the Government servants who were not confirmed for the past 20 years. Even the Government servant with one year of service was confirmed. Are all these things not meant for the success of the Congress Party in the elections?

Sir, the last public function of late Shrimati Sucheta Kripala was giving evidence before a Committee under the chairmanship of Shri Tharkande on 24th November 1974—a week before her death—in the India International Centre. This is what she said before this Committee:

“When I was the Chief Minister of U.P., there was a conflict between

the Congress High Command and myself. The main reason for this conflict was because I refused to collect money for the Election Fund of the Congress, as dictated by the High Command. The High Command was greatly displeased with me. Though in the 1967 Elections I wanted to stand for the U.P. Assembly, the High Command said no and asked me to stand for the Lok Sabha. They wanted to drive me away from U.P. political arena. There was also another conflict. The High Command wanted me to use the official machinery during the Elections and I stoutly refused to do so. Consequently, the Congress Party got defeated in the U.P. In other States, the Congress Party had resounding victory because it could use the official machinery for elections.”

Sir, none in this House can suspect the patriotism of late Shrimati Sucheta Kripalam. She was the leading woman-patriot of the country, who sacrificed her entire life for the good of the nation—this is what our President, Shri Fakhruddin Ali Ahmad, has said about her.

I have referred to this because there is urgent need for comprehensively amending the Election Law to root out all corrupt means during the Elections. As if to substantiate the contention of Shrimati Sucheta Kripalani, the Central Government have recently lifted the ban on the donations of Companies to the political parties. Can anyone in this House deny that this has been done in the interest and welfare of the ruling Congress Party?

Before I conclude, I would say that the Government have shown unseemly haste in promulgating this Ordinance. While there is urgent need for comprehensively amending the Election Law, the Central Government have come forward with this half-hearted measure. As is being stated by the Prime Minister as also the Law Minister both inside and outside this House, the Election Law should be amended

in such a way that free and fair elections become possible of achievement.

In conclusion, I demand that the election expenses of the candidates should be borne by the Government. Then only it will become possible to avert the violent display of differences of opinion among the political parties. This will also pave the way for free and fair elections, eradicating once and for all the corrupt practices and unfair means in the elections. This will also eliminate the habit of filing election petitions. Secondly, within 24 hours after the announcement of the dates of General Election by the Chief Election Commissioner, the Ministry at the Centre and the Ministries at the States should resign. This will avoid for ever the allegation of the use of official machinery for election purposes. The people will also be free from the pressures and pulls of the governmental machinery in exercising their franchise. This arrangement should form part of the Election Law. In the end, I would urge upon the Government of India to find out ways and means for expeditious disposal of election petitions, which are now pending before the Courts for four years and more. The election petitions must be disposed of within six months. Adequate legislative and executive steps should be taken by the Government in this matter.

सभापति महोदय : श्री जनेश्वर मिश्र । एक प्रार्थना है कि यह विषय विवादग्रस्त है, इस लिए जो भी विचार व्यक्त करने हैं, वे संक्षेपपूर्ण शब्दों में और रेलिवेंट करते हुए करें।

श्री परिपूर्णानन्द वैन प्यूसी : (गढ़वाल) : मंत्री महोदय ने भीष्म पितासह की तरह यह घोषणा कर दी है कि हम पर चाहे जितने बाण छोड़े जायें, हम खड़े रहेंगे, और हम उत्तर नहीं देंगे ।

श्री जनेश्वर मिश्र (इलाहाबाद) : सभापति महोदय, मुझे ऐसा लग रहा है कि

इस सदन में कांग्रेस पार्टी तानाशाही के रास्ते पर जा रही है । अभी श्री रघुरामैया ने इन लोगों के नाम एक हुक्म जारी कर दिया कि हमारी पार्टी का कोई सदस्य नहीं बोलेगा, और इन लोगों की जुबान बन्द हो गई । यही तानाशाही कहलाती है । मंत्री महोदय इन लोगों की जुबान पर ताला लगा दें, और ये अपने आप को भीष्म पितामह समझें, यह कितनी हास्यास्पद बात है ।

हम ने उस समय भी यह निबंदन किया था कि कांग्रेस पार्टी में बहुत से काबिल लोग भी हैं और उन लोगों की राय से इस सदन को अवगत कराना जनतंत्र के हक में है । यहां पर केवल हम लोगों के भाषण का कोई मतलब नहीं है । यह विचारों का आदान-प्रदान है । ये लोग अपनी बात हम को समझाते और हम अपनी बात उन को समझाते । लेकिन उन्होंने जिस तरह से यह फ्रैसला कर लिया कि हम नहीं बोलेंगे, उस से उन्होंने इस बिल पर बहस का रस ही समाप्त कर दिया है । यही तानाशाही के रास्ते पर जाने का षड्यंत्र कहलाया है । खर, इसको छोड़ियें । मुझे इस से मतलब नहीं था ।

बहुत दिनों से जनतंत्र और धनतंत्र का विवाद इस देश की राजनीति में चल रहा था एक तरफ़ इस तेश का जनतंत्र था और दूसरी तरफ़ धनतंत्र था । यह बहुत पुराना विवाद है—यह आज से नहीं पिठले दी दशकों से चल रहा था ।

श्री बी० आर० शुक्ल (बहराइच) : जनतंत्र से जनेश्वर आयें ।

श्री जनेश्वर मिश्र : और धनतंत्र से आप आयें ।

अक्सर ये शिकायतें मिलती थी कि जनता के चुने हुए प्रतिनिधि छपट हो जाते हैं, और अगर मैं विषय से थोड़ा सा हट कर कह दूं, तो मुझे ठीक से मालूम है कि अगर खर का कुर्ता धोती, पायजामा और टोपी पहन कर

[श्री जनेश्वर मिश्र]

भाषणी सड़क पर चला जाय, तो काम आइयो, चाहे वह रिक्शा वाला हो, खोन्हे वाला या टैक्सी वाला हो, या बुकानदार या स्टूडेंट हो, एक ही टिप्पणी करता है कि वह जरूर कोई चार-सौ-बीसिया राजनेता है। इस का एक ही कारण है कि पिछले 27 साल के दौरान हिन्दुस्तान के जनतंत्र पर जनतंत्र हावी हो गया है। 1947 से पहले जब यही कुर्ता, धोती और टोती पहन कर लोग सड़क पर निकलते थे, तो भ्रमजो के डर के बारे भले ही कोई न बोले, लेकिन मन ही मन सम्मान से सिर झुक जाते थे। लेकिन पिछले 27 साल के दौरान इन लोगों ने पूरे देश की राजनीति को जनतंत्र के कारण इतना भ्रष्टा बना दिया है कि आज आम आदमी राजनेताओं से नफरत करने लगा है। इसी जनतंत्र से भक्ति पाने के लिए विरोध-पक्ष के लोग लगातार 27 साल स सत्तासद दल स लडते रहे। सत्तासद दल भी यह कहता रहा कि हम चुनाव के तरीकों में कोई संशोधन करेग लेकिन वह नहीं कर पाया।

सत्तासद दल जिस काम से फल कर गया, सर्वोच्च न्यायालय ने अपनी कसम की नोक से उस काम को कर दिया। एक-एक गरीब आदमियों के बंटों को लगने लगा कि हम भी हिन्दुस्तान की राजनीति में हिस्सा ले सकते हैं जो लोग इफरात से वज्रा खूब कर के देश की राजनीति को भोगवस्ति के रास्ते पर ले जा रहे हैं उन से इस दश की राजनीति को मुक्ति मिल सकती है, यह उम्मीद की धुनहरी किरण दिखाई दी। लेकिन मुझे अफसोस के साथ कना पडता है कि वह उम्मीद की किरण केवल बिजली की तरह कौंधी, लेकिन राष्ट्रपति के अघ्यादेश के काले बादल ने उस को डक दिया। और आज फिर एक बार वह शक होने लगा है कि इस हिन्दुस्तान में गरीब भाषणी का बड़ा जनतंत्र में हिस्सा ल सकता है या नहीं। क्या करते हैं आप पैसे के बल पर या क्या करते हैं बोट लेने वाले लोग। आप से भेष बदलक

सत्तासद दल के लोगों से ही नहीं है, कहीं कहीं विरोधी दल के लोग भी, कहीं कहीं निर्दलीय लोग भी क्या करते हैं पैसे के बल पर? मर्राब पर, कम्बल बांट कर, रेडियों बांट कर और उत्तर प्रदेश के चुनाव के बारे में तो अभी इविड मुनेस कडगम के साथी ने अर्षा की, आप की प्रधान मंत्री का दौरा हुआ और दौरे में हर जगह पर कारखानों का शिलान्यास होने लगा, प्रधान मंत्री जी, के हाथ से सगमरमर के पत्थर गाडे जाने लगे। हमारे इलाहाबाद में फूलपुर में भी एक खाद क कारखाने का पत्थर गाडा गया था। उस के तीन महीनों बाद जब मैं फूलपुर गया, वहा के एक मुसलमान ने मुझे चाय पर बुलाया था, तो दखता हू कि वह सगमरमर का पत्थर उन के दरवाजे पर रखा है। मैं ने पूछा कि महा क्यों रखा है तो वह कहते हैं कि मजा आता है नहाने में, बडा चिकना है। 60 से भी ऊपर पत्थर इस तरह के गाडे गए थे। अरर इसी तरह प्रधान मंत्री उत्तर प्रदेश के अरर एक दो हप्ते नहीं, दो चार महीने छुपा कर देती तो पूरे का पूरा उत्तर प्रदेश सगमरमर के पत्थरों का कब्रिस्तान बन जाता। इस के धावाला और कुछ नहीं होता। यह प्रलोभन या जतना का बोट लेने के लिए और इतना ही नहीं, राजा साहब दिनेश सिंह यहा इस समय नहीं है। पिछले पार्लियामेंट के चुनाव के समय उन के इलाके से मैं चला जा रहा था तो मैं ने क्या देखा कि एक ट्रैक्टर के कारखाने का बड़ा सा साइबोर्ड लगा हुआ है। उस समय राजा साहब मंत्री थे। मैं ने बहुत के लोगों से पूछा कि यह क्यों लगा हुआ है तो लोगों ने बताया कि यह कारखाना खुलने वाला है। किस तरह लोगो को, आम जनता को खरीदा जाता है ताकत के बल पर, पैसे के बल पर, केवल यह बता रहा हू। रेखींसी को शेषेच मत कीजिएगा। एक की दफा फिर न बहा गया था तो देखा हू कि उस साइबोर्ड का टिन आधा टूट चुका है और कारखाना भी वहां लगने वाला नहीं है। इस तरह से सत्तासद दल अपनी ताकत का इस्तेमाल कर के जनतंत्र को भोगवाद के रास्ते पर ले जा रहा है।

अब सर्वोच्च न्यायालय ने एक निर्णय दिया । उस निर्णय पर हम समझते थे कि आप लोगों को इच्छत के साथ अपना सिर झुकाना चाहिए था । आप ने यही तर्क दिया है कि सर्वोच्च न्यायालय के इस निर्णय के पहले के जितने न्याय चुनाव लड़े थे, जिन लोगों के खिलाफ कानूनिकाए चल रही हैं, वे लोग मासूम हैं, वे लोग जिस कानून के तहत चुनाव लड़े थे उस कानून के तहत निर्दोष होते हुए अगर यह निर्णय सर्वोच्च न्यायालय का रहता तो उन लोगों का गला कट जाता । तो क्या बिगड़ जाता ? 180 मुकदमे ही थे न । आप यह भी कहते हैं कि केवल हमारे ही लोग नहीं, विरोधियों के लोग भी हैं । कट जाने देते सब के गले । क्या बिगड़ जाता ? मान लीजिए 180 लोग हादसे में आ कर मोटर से लड़ जायें और मर जायें तो आप क्या करेंगे ? आप कहेंगे कि पांच साल के लिए चुने गए थे इतने दिनों तक भत्ता देंगे ? यशतः में यह सब तर्क नहीं चला करता है और वह हादसा नहीं, सुप्रीम कोर्ट का निर्णय था, विवेक का निर्णय था । मैं हादसे की बात अब कर रहा हूँ । मैं जो चुना गया हूँ या साल दो साल चार साल पांच साल जब तक यह सदन है, मान लीजिए कोई आप चुने गए, उस के दो महीने बाद आप कहीं मर गए मोटर ऐक्सीडेंट में या रेल ऐक्सीडेंट में या मैं मर गया तो आप क्या करेंगे ? क्या पांच साल तक लगातार सीलरी देंगे कि जनता ने तो इन को बोट दिया था वे चुने गए थे । इसी तरह सर्वोच्च न्यायालय का फैसला हिन्दुस्तान की भ्रष्ट राजनीति पर, भ्रष्ट डेमोक्रेसी पर एक हादसा था और उस हादसे का सम्मान होना चाहिए था । यह तर्क दे कर के कि पुराने कानून थे, उसी में लोग चुनाव लड़े थे, निर्दोष थे, मासूम थे, यह कह कर आप सुप्रीम कोर्ट के फैसले का अपमान करते हैं । और वह सुप्रीम कोर्ट कौन छद्म था । छद्मी साल भर पढ़े ही सर्वोच्च न्यायालय के जजेज की नियुक्ति करते समय, उस के सब से बड़े जज की नियुक्ति करते संसद में आप ने यही कहा था कि देश की जो

वर्तमान मान्यताएं और आवश्यकताएं हैं उस के मुताबिक इस जूडिशियरी के ढांचे में परिवर्तन करना है । वह आप की प्रगतिशील जूडिशियरी के सुप्रीम कोर्ट का निर्णय था, पहले वाली जूडिशियरी नहीं जिस के तीन जजेज इस्तीफा दे कर चले गए थे बल्कि आप के मुताबिक प्रगतिशील जूडिशियरी थी, उस का निर्णय था । आप ने उस के बाद भी समझा कि यह निर्णय गन्दा हो गया । आप को जरूरत पड़ गई कि राष्ट्रपति जी को मजबूर करते हैं अपनी कलम चलाने के लिए और अध्यादेश जारी करने के लिए ।

तो इन 180 केसेज में मैं निश्चित राय का हूँ कि केवल एक मुकदमे की हिफाजत के लिए आप यह बिल लाए हैं । प्रिय रजन दास मंत्री यहाँ नहीं हैं । जब हम लोगों ने कहा कि कितने बर्बे तक आप इस सदन को बैठाने वाले हैं तो उन्होंने बड़े तपाक से कहा था कि देश की जनता का काम करने के लिए हम 6 बजे सुबह तक बैठेंगे । 180 मुकदमे और उन 180 मुकदमों में भी सब से सरगना मुकदमा प्रधान मंत्री का उन की हिफाजत के लिए उन की सुरक्षा के लिए 6 बजे सुबह तक बैठेंगे और दावा करेंगे देश की जनता का । अब मैं प्रधान मंत्री जी के बारे में बताना चाहता हूँ । प्रधान मंत्री जी ने अपने चुनाव का खर्चा पेश किया केवल 12 हजार 892 रुपये 97 पैसे । इस से भी बड़ा मजाक कुछ हो सकता है ? यशपाल कपूर उन के एलेक्शन एजेंट थे, उन के दस्तखत से यह श्रीमती इंदिरा गांधी का चुनाव खर्चा पेश किया गया है । किस मद में क्या हुआ वह मैं नहीं कहना चाहता हूँ । यह इन्होंने रायबरेली के निर्वाचन अधिकारी को अपना खर्चा दिया है । 12 हजार का खर्चा प्रधान मंत्री जी ने दिया है । मैं समझ नहीं पा रहा हूँ कि प्रधान मंत्री जी रासनामी झूठ कर गई थीं या कोई फकीरी करने गई थीं । उसी के साथ साथ अगर सर्वोच्च न्यायालय का यह फैसला आप देखेंगे और सर्वोच्च न्यायालय का फैसला

[श्री जनेश्वर मिश्र]

नहीं बल्कि वहाँ के स्टेट बैंक के एजेंट तिवारी का बयान देखेंगे तो मालूम होगा कि श्रीमती इंदिरा गांधी के चुनाव कार्यालय में जो रुपये झा किए गए चेक से वह एक लाख से ऊपर हैं। यह रसीदी टिकट के साथ कागज है, कहिए तो मैं इस को रख सकता हूँ। यह स्टेटमेंट एफिडेविट पर है स्टेट बैंक के एजेंट तिवारी का। कहिए तो मैं इस को टेबल पर रख दूँ। यह एक लाख से ऊपर का है। इस से भी ज्यादा सबूत चाहिए क्या? यह प्रधान मंत्री जी के चुनाव में दलबहादुर सिंह जी वहाँ के कांग्रेस पार्टी के अध्यक्ष थे उन्होंने और यशपाल कपूर ने जो पैसे चेक में लिए हैं वह एक लाख से ऊपर की राशि आती है। . . . (व्यवधान) . . . खर्च नहीं किया गया, उस को रखा होगा, यह इन का कहना है। यह जो चाहे कह सकते हैं। 12 हजार खर्च दिखा सकते हैं, और एक लाख दो लाख रूपया ले सकते हैं, 60 लाख भी इन लोगों के नाम से ले लिया जाता है और वृ. खर्च तो होता नहीं, कौन सा वह नागरवाला केस हुआ था, तो ये तो कुछ भी बोल देते हैं। रघु रमैयाजी ने इन लोगों को बोलने के लिए इसीलिए रोका है कि इस बिल पर जब वोट होने लगेगा तो बटन तो ये लोग दबा ही देंगे हम लोग चाहें जितना चिल्लाए इसलिए इन को रोका है। इन लोगों ने हम लोगों को बार बार रोका है कि किसी केस का आप लोग जिक्र मत कीजिएगा और आप ने भी कहा है कि किकट बात हम न बोले। मैं प्रधान मंत्री जी के वकील ने जो एफिडेविट में कहा है वह पढ़ता हूँ।

"That an Ordinance was promulgated by the President of India on such and such date, being Ordinance No of 1974 in respect of election expenses incurred by political parties, in respect of their candidates in election"

उसी के बारे में वह गई थीं सफाई देने।
मैं पूरा का पूरा पढ़ कर सुनाना चाहता हूँ :

"That" this Ordinance restores the law as interpreted by the Supreme Court before its judgment in the case of Kanwarlal Gupta vs. Amarnath Chawla;

That this has been made an occasion by the leaders of Opposition parties and Opposition newspapers to freely comment on the pending election petition against the Respondent No. 1.

सभापति महोदय : यह ज्योतिर्मय बसु जी ने बता दिया था। रिपीटिशन मत कीजिए।

श्री जनेश्वर मिश्र : इस में इन्होंने आखिर में जाते जाते कहा है :

"That all the evidence of the petitioner, Shri Raj Narain is practically over and is before the court;

That it is obvious that even on the law as laid down by the Supreme Court in Kanwarlal Gupta case the Respondent No. 1 is not at all affected."

श्री मधु लिये : मेरा प्वाइंट आफ ऑर्डर है। इन्होंने जो पढ़ कर सुनाया उस में श्रीमती इंदिरा गांधी स्पष्ट कह रही है कि चावला गुप्ता केस में जो सुप्रीम कोर्ट का फंसला हुआ है उस का मेरे केस पर कोई असर नहीं होगा . . . (व्यवधान) . . . इसलिए मैं केवल यह कह रहा हूँ कि जब उन को सुप्रीम कोर्ट के निर्णय से कोई मतबल ही नहीं है तो बेकार गोखले साहब इतनी मेहनत क्यों कर रहे हैं और हम को जगा रहे हैं? साढ़े सात बज चुके हैं। अब हम कब घर जाएंगे कब खाना खाएंगे, कब सोएंगे? क्यों मेहनत कर रहे हैं? इन्दिराजी को इस की जरूरत ही नहीं है।

श्री जनेश्वर मिश्र : इस पर इन्होंने जो प्रश्न किया है—वह इस तरह से है—

It is, therefore, prayed that respondents may be permitted to correct

the distorted facts being propagated by Opposition leaders and opposition press by issuing public statements."

हम समझते थे कि प्रधान मंत्री जी को इस बात का गुमान रहा होगा कि इलाहाबाद हाई कोर्ट का जज उन से डर जायगा। लेकिन उस ने इन के भावदन पर जो आर्डर दिया है—वह इस तरह से है—

"The relief asked for is not at all understandable to me. If the Respondent No. 1 believes that anything said about the Ordinance can have a bearing on the issues involved in the case and can amount to contempt, it is for her to decide whether she should or should not say that. Obviously the court cannot allow any party to do an act which is wrongful. The application is rejected."

इन की एप्लीकेशन रिजेक्ट हो गई। इन्होंने उस में यह कहने की कोशिश की थी। इन के बारे में लगातार प्रचार हो रहा है, विरोधी दल के लोग प्रचार कर रहे थे। देखिये—इन्होंने जानबूझ कर इस केस में हम लोगों को फसाने की कोशिश की थी। अगर आर्डिनेंस के प्राधार पर वहा की जूडिशियरी ने यह रूलिंग दे दिया होता कि ठीक है, इन की जो एप्लीकेशन है, इस को हम एलाउ कर रहे हैं, एडमिट कर रहे हैं, उस के बाद ये कहते कि अब इस पर आप बहस नहीं कर सकते हैं, क्योंकि हाई कोर्ट ने रूलिंग दे दिया है, लेकिन उस ने रद्द कर दिया। प्रधान मंत्री जी वहा यह कहने के लिये गई थी कि हमारे खिलाफ प्रोपेगण्डा हो रहा है, लोक सभा में आज भी प्रधान मंत्री जी को बैठने की हिम्मत नहीं है। रघु-रमैया साहब बैठेंगे या गोखले साहब बैठेंगे—प्रधान मंत्री जी ने यह हिम्मत नहीं है कि इस लोक सभा में बैठ कर कह सकें—उन को लोक सभा में कहने की हिम्मत नहीं है कि मेरे खिलाफ भी चुनाव याचिका चल रही है और जो बिल पेश हुआ है, जिस पर विचार हो

रहा है, यह बिल या राष्ट्रपति का अध्यादेश मेरे खिलाफ चलनेवाली चुनाव याचिका पर कोई असर नहीं करेगा। यह प्रधान मंत्री जी को इस सदन में कहने की हिम्मत नहीं है। वह हाई कोर्ट में कहने के लिये चली जायगी, अपने वकील के जरिये कहलायेगी।

हम समझते हैं एक तरफ तो सर्वोच्च न्यायालय के खिलाफ जबरदस्ती यह बिल लाकर हिन्दुस्तान की न्यायापालिका का अपमान कराती है और दूसरी तरफ जब यहा कोई बिल विचाराय पेश होता है तो उस समय उच्च न्यायालय में भर्जी देती है कि उन के खिलाफ प्रचार हो रहा है। इस तरह से वे दोनों का अपमान करती है।

इस लिये मैं भर्ज कसगा—यहा पर गोखले साहब बैठे हुए हैं, वे कानून के माहिर आदमी हैं। सुबह भी बहुत बात छोड़ी गई थी—आप किसी एक व्यक्ति के कर्मचारी नहीं हैं, बल्कि देश के सेवक हैं, सदन के सेवक हैं, हम समझते हैं कि वे इस बिल को वापस लेंगे। प्रधान मंत्री जी को हिफाजत के लिये ऐसा काला कानून यहांपर नहीं लाया जाना चाहिये।

ये लोभ भ्रमसर कह दिया करते हैं कि हम को चुनाव कानून में अभी विशद परिवर्तन करना है—लेकिन कौन मानेगा आप की बात को। सर्वोच्च न्यायालय ने एक मामूली सा परिवर्तन खर्च के कानून के बारे में किया, उस पर लग रहा था एक सत्तासद्व इस और उस की सरकार की नानी मर रही है और आप कह रहे हैं कि विशद परिवर्तन करेये। अगर विशद परिवर्तन करने की हिम्मत है तो आ रहा है—नोक सभा का चुनाव। जिस दिन नोटिफिकेशन हो चुनाव का—उस के एक महीने पहले कुर्सी छोड़ देना, राष्ट्रपति चला लेंगे और आप चुनाव लड़ लेना। हिम्मत हो तो यह परिवर्तन कर देना—क्योंकि जब चुनाव होगा—उस के एक महीने, दो महीने या 15 दिन पहले कुर्सी कर चुनाव के मैदान में

[श्री जयेश्वर मिश्र]

आयें, तो फिर दोबारा कुर्सी पर नहीं बैठ सकते- इसलिसे इन में इतनी हिम्मत नहीं है। वे लोग इलैकशन कमीशन अपनी मर्जी का रखेंगे, जब वह हट जायगा तो कहीं गवर्नर बनना जायगा, कहीं जज बनाया जायगा या किसी आयोग का चैयरमैन बना दिया जायगा। अगर यही तय करें कि कमीशन एक आदमी का नहीं, तीन-चार या पांच आदमी का बने और उस को री-एम्प्लायमेंट किसी कीमत पर नहीं मिलेगी, फिर इलैकशन कमीशन आप की मर्जी के खिलाफ जाने से नहीं कतरायेगा- लेकिन यह सरकार ऐसा नहीं करेगी। ये नहीं चाहते हैं कि चुनाव विपक्ष हों।

सर्वोच्च न्यायालय ने जो व्यवस्था दी है-उस का सम्मान करने के लिए अभी भी मैं गोखले साहब से आग्रह करूंगा। हालांकि इतनी सद्बुद्धि इन में नहीं है, जिस किसी दिन कोई आदमी कांग्रेस पार्टी की मेम्बररी कबूल कर लेता है, उस की सद्बुद्धि मारी जाती है इतनी सद्बुद्धि इन में नहीं आ सकती है, क्योंकि इन में इतनी हिम्मत नहीं है। इस लिये मैं यह अर्ज करूंगा-बहुत ही विनम्रता के साथ-कोई तेज हमला न करते हुए, आप अपने इन विषय को वापस लीजिए, राष्ट्रपति जी से कहिये कि वे अपने प्राइविलेज को ले जाय, उस को खत्म कर दिया जाय, बिना पास कराये हुए। हम समझते हैं सर्वोच्च न्यायालय जिसको आप ने अपनी मर्जी से नियुक्त किया है-हालांकि तीन-चार जजेज आप की मर्जी को भी ठोकर मार कर चले गये-उस सर्वोच्च न्यायालय की बोड़ी सी मान्यतायें हैं, उस के निर्णय का आप सम्मान करेंगे-इतनी सद्बुद्धि आप में ध्रायेगी।

parliamentary democracy in our country. I do not know whether such a nakedly dishonest and treacherous Bill was ever brought before this august House. To what extent a totalitarian mentality the ruling Party is developing! The Parliamentary Affairs Minister has immediately made, I use the word, an ugly exhibition of that.

The ruling Party, so much confident about the brute majority that regardless of the merits of the issue, without having any consequences, without having any consideration whatsoever about the logic, the argument, the principles that may be put forward against this Bill by the Opposition Parties and opposition Members, this Government, this ruling Party has developed such a fascist mentality—I use the word ‘fascist’ mentality—that they do not consider it desirable in any way to enter into a dialogue, to enter into a controversy, to enter into an exchange of logic and to enter into an exchange of argument but that they, with their numerical superiority can rule over all kinds of arguments, logic or wisdom. This is the naked exhibition of the totalitarian mentality, as I have already said, while initiating my speech. I again repeat what I have said. My apprehension is this. This Bill, if enacted, perhaps again I use the word, the Law Minister who claims himself to be socialist, what to speak of bringing in socialism, is almost going to issue the death warrant on parliamentary democracy in our country in favour of an oligarchy a chosen few. will be chosen from the community of all kinds of vested interests. I repeat, Sir, again that this is the worst, dishonest and treacherous Bill ever brought before this House. It is dishonest in its concept, it is dishonest in its contemplating the procedure of its implementation. It is dishonest in its ultimate objective. The Minister criticised the judgment of the Supreme Court. He did not have the humility in him because he charged the judge of the Supreme Court and he said, this is not a judgment, it is a new law and all that. I have never heard of such

SHRI SAMAR GUHA (Contal): If this Bill is enacted into law, I fear the Law Minister will be remembered in future as the author of the script of the Swan Song of the institution of

a thing. When a judgment is made by any court of law, can one belonging to the legislative wing of the country and being a Law Minister, denigrate or even use derogatory or bantering remarks by calling the judgment a new law? What is the function of these wings in a democracy? The legislative body enacts the laws, the executive implements the laws and judiciary interprets them, and finds out whether the executive has correctly applied the law. The Minister wants to usurp the function of both the judiciary as well as legislative competence, when he said, this is a new law. Those are hantering remarks. If he had any democratic sense, any honour for the judiciary, any appreciation for judicial wisdom, he would have said, we are thankful to the Supreme Court that at least they have found lapses in the condification of this section 77. They have pointed out in their judgment as follows.

I quote:

The pernicious influence of big money would then play a decisive role in controlling the democratic process in the country.

How seriously they have gone into the matter! They have gone to the extent of saying that if a freeplay of money power is allowed, that will destroy the basis of democracy itself. This is the danger when Indian democracy is to be controlled by money power. Then the judgment said:

'If a candidate were to be subject to the limitation of the ceiling, but the political party sponsoring' him or his friends and supporters were to be free to spend as much as they like in connection with his election, the object of imposing a ceiling would be completely frustrated and the beneficent provision enacted in the interest of purity and genuineness of the democratic process would be wholly emasculated.'

What strong words have they used,— whole democratic process would be wholly emasculated! And again the judgment said:

"The mischief sought to be remedied and the evil sought to be suppressed would enter the political arena with redoubled force and vitiate the political life of the country".

Then they said, and mark the words—

"The great democratic ideal of social, economic and political justice and equality of status and opportunity enshrined in the preamble of our Constitution would remain merely a distant dream eluding our grasp."

They have expressed their opinion very clearly. So, I am really astonished at the way the Law Minister spoke saying that they are setting up a new law. I am not at all using a bombastic word when I say that he has sung the swan song of the institution of democracy in India. The supreme court judges had expressed their concern, their anxiety in these matters. They said, if such things are allowed, the basis of democracy will be undone. So the judiciary has been very much concerned with this Bill.

I could understand if the words 'notwithstanding any judgment, order or decision of any court to the contrary' had been omitted in Section 2, Explanation 1 as well as in sub-section (a). What they have done is not only a frown to the judiciary, but an affront to it. It is a challenge and no such remark has been made in any of our enactments so far. You may say anything and decide things by your brute majority. But you cannot avoid the common man coming to the conclusion that you have brought this Bill only to save your Prime Minister. This is an irresistible conclusion. You want to save her from the possible verdict of the courts of law. Now, may I tell you what is the discrimination in the law here? The law is meant for everybody. That has to be equally applied. The benefit of law must be

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equal for everybody. But what has happened? You are making this law. But you are saying that Mr. Chawla will not get any benefit of that. I do not know why one set of people should be discriminated against those who get the benefit of the same law. If some persons commit the same wrong or the same offence, they will be coming under the same law.

Then again I said that this is a discrimination in the law. This is political hypocrisy. You are codifying this into law. You are not courageous enough to say that either for Parliament or Assembly, we do away with the expenditure. Why don't you take courage to say that you are trying to ban donations by the companies? You are doing away with this. Why don't you have the courage to say so? What kind of hypocrisy it is? You say that only Rs. 35,000 will be spent by the Lok Sabha candidate and about Rs. 10,000 by an Assembly candidate. At the same time you are saying that if it is spent by the party or if it is spent by any organisation it will not be included in the expenditure of the candidate. For this you have not even brought in a clause. There is no conscience of the country. That is the reason why I have said that this political hypocrisy is codified into a law which has never happened in any of the laws passed by Parliament. What are the qualifications of a Member? If he indulges in violence or if he indulges in communal propaganda or anything else, I believe he can spend any amount; he can spend lakhs and lakhs of rupees. He can indulge in communal propaganda; communal riots or anything or he can do anything. When it comes to the election of a candidate the law gives him a long handle of freedom. He can indulge in casteism, communalism, violence or rigging or do any kind of political or criminal offence. You will not touch him because it is not done by him but it is done by somebody else. He

may be concerned or many not be concerned with his conscience. It can be said that he can commit all these offences and he will be free from this. Do not take shelter under the codification of political hypocrisy. This ceiling law either for the Lok Sabha candidate or for the Assembly candidate is not practical and it cannot be implemented. Therefore, it is better to say that this ceiling law cannot be utilised by controlling the election expenditure. This I can understand.

MR. CHAIRMAN: Mr. Guha, please conclude. You have taken much time.

SHRI SAMAR GUHA: I am finishing. This is the apprehension of all the Members. Is it honesty? Will the hon. Minister kindly tell us clearly and categorically whether he is going to have a snap poll or not? I do not know. Art. 82 of the Constitution envisages revision of voters' lists as also the revision or delimitation of the constituencies. This can be obviated only by an Act of Parliament or by an Ordinance and then only the Election Commission can issue a notification for the snap poll. About this I want your categorical explanation.

Lastly I want to conclude by saying that this Bill, as I have said, it not only to bury the future but it will also open the floodgate by controlling the so called democracy of our country by the money bag, by radio, and by the process of rigging with the help of hard hoodlums and also by manipulating administrative power. Sir, as I started, I conclude by saying that this Bill is not only dishonest, but is treacherous because this Bill when it will unfold in its applicability will just pave the path of replacing our people's democracy by the oligarchy of a vested interest and that is the fear, that is the apprehension impregnated in this Bill.

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Chairman, Sir, I must say at the outset that I very emphatically

endorse my esteemed friend, Shri Shyamnandan Mishra's observations when he moved his statutory resolution on this very vital subject and I agree with him that this has been a very dishonest and a very treacherous Bill. Shri Samar Guha has said the same thing. I am sorry that on this particular Bill, only Members from this side of the House are participating in the debate and that many good friends from the Congress benches have, due to the Parliamentary Affairs Minister's intervention and offer, denied themselves the privilege of participating and replying to the various points.

PROF. MADHU DANDAVATE: It is a privilege issue.

SHRI P. G. MAVALANKAR: I wish there was more time at the disposal of all of us so that Congress Members could have also effectively intervened at the end of each Member from this side and there would have been a more balanced debate. All the same, I hope that the Minister of Law, Justice and Company Affairs will in his reply refer to the various points which are being referred to in the discussion, especially from the Members on this side.

Now, Sir, let me say at the outset again that I would have thought that the progressive Government, as they often call themselves to be, would have welcomed the historic judgement of the Supreme Court in the Chawla Vs. Kanwar Lal Gupta's case. I say this because the Supreme Court which has given this judgement has viewed all *pros and cons* very carefully. Indeed rather than being ignored, the earlier judgements have been considered, referred to and discussed by the Bhagavati judgement. It is true, Sir, that a view has been taken which has not been taken before... But, it is not contrary to what was already decided. The Bhagavati judgement represents if I may put it that way, a progressive view consistent with the socialistic pattern of society which we are trying to evolve and it carries out the object

of imposing a ceiling on election expenses. Sir, it strikes at the money power in elections. So, this is a progressive judgement, a refreshing and welcome exposition of the law, and an admirable attempt at spelling out the law where it was perhaps silent. It is really, therefore, what we expect from the judiciary of a democratic Republic that the judiciary will, in their judgements, reflect the several wholesome sentiments of the people. Therefore, Sir, I should have thought that for these reasons, Government and particularly the Law Minister deeply immersed as he is in legal and judicial traditions would have welcome this historic judgement. But, on purely and solely political grounds and in fact, on personal and party grounds, my charge is that the Law Minister and his Government have come forward with an Ordinance followed by a Bill to make nonsense of what we call purity of elections and free and fair elections. Sir, the Law Minister says that this is not with regard to this or that individual case. It is not for me to refer to this or that case I am not interested in accusing this or that individual. Some people have already referred to the case pending before the High Court where the Prime Minister is involved. I do not want to go into that aspect. The Law Minister says that this is not merely one individual case or this or that party, but that 180 petitions are pending before the various High Courts and the Supreme Court and the petitions involve various MPs, MLAs of various parties, and therefore, this Bill has come.

20.00 hrs.

I would request him to tell us how many petitions pending before the High Courts and the Supreme Court specifically deal with the question of excess expenditure, authorised or milled. If the Report on the Fifth General Election is perused, it says in 1952— I am talking of the Lok Sabha and not of the Assemblies—there were 39 election petitions, in 1957 there were 59 petitions, in 1962, there were 46, in 1967 there were 51 and in 1971.

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there were 58 petitions. How many of the election petitions in the past and among the pending election petitions deal specifically or in a major way with the matter of excess of expenditure by a candidate in a particular election?

Therefore, it boils down to this that under a general umbrella of 182 election petitions, Government are eager to save the skin of this or that individual. This is my charge and this is the difficulty, to which the Minister will, I hope, if he is honest, try to give us a square answer.

As regards the Chawla case, the Deputy Speaker has ruled that he has gone to the Supreme Court. But the Law Minister has told us that his review petition has not yet been admitted by the Supreme Court. I would ask whether it is on the basis of the original Act, the Act of 1951, or on the basis of this Bill—which I am sorry to say will in a short time become law because there is a tremendous majority for Government in this House—the Supreme Court will reject or admit his review petition. That also is a moot question.

The Law Minister has brought this Bill after the Ordinance. I agree with Shri Shyamnandan Mishra in asking where was the urgency for the ordinance. It has been done in vulgar haste because they wanted to save some of the high-ups in the establishment. Therefore, I charge that this Bill is clearly designed to destroy the effect of the historic Bhagavati judgment.

The Minister has appended to the Bill various objects and reasons. If I had more time, I would deal in detail with these. I know that ultimately these objects and reasons do not form part of the Act itself. But after all, they are a kind of preface, rationale by which the Minister wants to tell the House, and through the House, the country as to why this has been bro-

ught. But the last two paragraphs are, if I may say so, both incorrect and misleading. Section 77 of the 1951 Act is quite specific. It does not say that the expenditure incurred by a political party on behalf of a party candidate is all ruled out. After all, a political party has a right to canvass its view, to propagate its ideology and make it known to the general public. But when a particular party spends money for a particular candidate in a particular constituency with the knowledge of that particular candidate, that expense is specifically and only for him or her, whoever that may be. Then the Bhagavati judgment says...

SHRI H K L. BHAGAT: May I seek a clarification?

May I know if he has understood the judgment means this that if Shri Jayaprakash Narayan goes to his constituency at the time of the election, addresses a meeting and he has participated in that meeting, the expense will be accounted to him? I am sure he has not understood it.

SHRI P. G. MAVALANKAR I have understood it to the best of my knowledge. I am talking of political parties, not independents. I am an Independent and stood as such. But if Shri Bhagat wants my answer, it is simple: if Shri Jayaprakash Narayan were to address the meeting which was organised either by him or by me with my concurrence and I attend and participate in it then surely that expenditure is part of my election expenditure also. I cannot go beyond that. In he cannot understand this, I cannot help.

The main question is: can party's or some one else's expenditure for a particular candidate in an election be considered to be valid? The Bhagavati judgment says that it cannot be considered that way. The court's judgment is not new.

The main and moot question is this. Can the party's or some one else's uncontrolled expenditure for a particular

[Shri P. G. Mavalankar]

This Government, instead of welcoming this judgment, are doing something which really marks through this Bill a great advancement towards everything that is dishonest, unfair and unjust in elections, which really speaking are to be free and fair. I ask the members of the ruling party, after this Bill is passed, will the people of India have any faith in the legitimacy of the members elected as a result of the law which is about to be passed by this House? This Bill is nothing but a charter of corruption in election practices in this country. It is a black Bill and it deserves to be condemned by all those who love democracy and morality.

श्री मधु लिमये (बांका) : अध्यक्ष महोदय, इस अध्यादेश और विधेयक के बारे में अपना दिमाग बनाते समय कुछ मौलिक सिद्धांतों के ऊपर मंत्री महोदय को गौर करना चाहिए था। लेकिन मुझे अफसोस है कि विगत साल सुप्रीम कोर्ट के मुख्य न्यायाधीश की नियुक्ति के समय कानून मंत्री ने और उन के सहयोगी श्री कुमार मंगलम साहव ने जो भावण किया और जिन सिद्धांतों का निरूपण किया, मंत्री महोदय उन सारी बातों को भूल गए हैं। उस समय हम को यह कहा गया कि सुप्रीम कोर्ट के तीन वरिष्ठ न्यायाधियों को तक पर रूख कर श्री ए० एन० राय की नियुक्ति इसलिए करनी पड़ी क्योंकि कि इन तीन जजों ने जो भी संबैधानिक केस के बारे में अपने फैसले दिये उस से सफाई और स्पष्टता की जगह पर उन्होंने संदिग्धता को कायम रखने का प्रयास किया। यह कहा गया हम लोगों को और पूर्णतः इस बात पर जोर दिया गया कि संविधान का जो सामाजिक दर्शन है जो सोशल फिलासफी है उस के प्रति जजों का कमिटमेंट होना चाहिए और कमिटमेंट के बारे में जो यहां पर कहा गया उस को अच्छे ढर्र में ले रहा हूं। जैसे-जैसे हम कहते हैं कि व लोग चाहते हैं कि सरकार के प्रति जजों का कमिटमेंट हो या प्रधान मंत्री के प्रति हो, लेकिन इस की चर्चा में नहीं कर

रहा हूं। इन के भावणों से मैं उद्धृत कर रहा हूं कि गोखले साहब चाहते थे कि जज ऐसे हों कि जो संविधान का सामाजिक दर्शन कबूल करें, उस के प्रति अपना कमिटमेंट रखें। लेकिन इसी कमिटमेंट के अनुसार जब उन्होंने कंबर लाल गुप्ता बनाम चावला केस का फैसला किया और दूसरे भी कई फैसले किए तब कानून मंत्री क्या करते हैं? वे अध्यादेश जारी करते हैं, और विधेयक ले कर आते हैं जिस से सुप्रीम कोर्ट का यह जो प्रगतिशील निर्णय है, जो संविधान के सभी मौलिक सिद्धांतों के अनुरूप है उस को बे खत्म कर रहे हैं।

अध्यक्ष महोदय, मैं आप का ध्यान केवल संविधान की दो धाराओं की ओर ले जाना चाहता हूं। एक संविधान की धारा 14 है जिस में कहा है कि सभी नागरिकों के बीच कानून के सामने समानता होनी चाहिए। इस में मौलिक सिद्धांत बनाम निर्देशक सिद्धांतों का भ्रगड़ा सरकार की ओर से खड़ा किया जाता है। डायरेक्टिव प्रिंसिपल्स के अंदर धारा 39 है। उस में दो बातें कही गई हैं कि श्रौतिक साधन और मिल्कियत का नियंत्रण और उस का वितरण, डिस्ट्रिब्यूशन इस तरह होना चाहिए कि इने गिने लोगों के हाथ में यह मिल्कियत केन्द्रीय न हो या नियंत्रण केन्द्रीय न हो और उसी 39 धारा में कहा गया है कि सम्पत्ति और उत्पादन के साधनों का भी केन्द्रीकरण नहीं होना चाहिए यह संविधान की सामाजिक दृष्टि है। अब जज भगवती ने क्या इसी दृष्टि के अनुरूप अपना निर्णय नहीं दिया है। मैं उनका कुल हिस्सा पढ़ कर सुनाना चाहता हूं।

"Now, if a candidate were to be subject to the limitation of the ceiling, but the political parties sponsoring him or his friends and supporters were to be free to spend as much as they like in accordance with his election, the object of imposing the ceiling would be completely frustrated and the beneficent provision enacted in the inter-

candidate's election be considered valid? The Bhagwati Judgment has said that it could not be considered that way. This judgment, let us note, has not in a way said anything new. It does not make any new law. It says that all expenses which are incurred by a party with the consent of a candidate for his particular benefit and advantage cannot be taken as expenses incurred by that party. It has not held as a matter of law that the expenses incurred by a political party or other persons are included within the expression 'incurred or authorized' by a candidate. I have no time to read extensively from the Bhagwati judgement. It has taken a common-sense point of view. The court has not decided any question of law. It was in conformity with the morality, as you yourself, Mr. Chairman, said rightly earlier on in the debate. I therefore, ask what was the necessity to clarify the intention underlying section 77? The Bill now makes an absolute provision that any party, any other body of persons can spend any amount for a particular candidate. Is this honest? The Government even after spending so much with the evil of black money power is not able to face the electorate honestly, squarely and therefore they cannot afford fighting elections honestly. Therefore they have taken this blanket power. You are talking about smaller parties. What about the still smaller individuals who have every right to stand as a candidate to the Lok Sabha or the Assembly. This Bill of the Law Minister opens the flood gates for a torrent of money power to overwhelm the elective process. It gives licence to moneyed candidates who will be running amuck in spending in elections. The role of money power has been condemned by all of us, by the ruling party itself. Are they honest? I ask them in all fairness they go on spending any amount; yet it will be considered democratic, fair, free and just elections. I am quoting one para from the judgement of Justice Bhagwati:

"It is elementary that each and every citizen has an inalienable right

to full and effective participation in the political process of the legislatures and this requires that each citizen should have equally effective voice in the election of the members of the legislatures. That is the basic requirement of the Constitution. This equal effective voice—equal opportunity of participation in the electoral process—would be denied if affluence and wealth are to tilt the scales in favour of one political party or individual as against another. The democratic process can function efficiently and effectively for the benefit of the common good and reach out the benefits of self-government to the common man only if it brings about a participatory democracy in which every man, whosoever lowly or humbly he may be, should be able to participate on a footing of equality with others."

I shall conclude by quoting one more extract from the same historic judgement:

"if there is continuous community involvement in political administration punctuated by activated phases of well-discussed choice of candidates by popular participation in the process of nomination much of unnecessary expenditure which is incurred today could be avoided. Considerable distances may not have to be travelled by candidates and supporters nor hidden skeletons in political cupboards factually uncovered, propagandist marijuana skillfully administered, temptations of office strategically held out nor violent demonstrations disruptively attempted. The dawn-to-dawn multiple speeches and monster rallies, the flood of posters and leaflets and the organising of transport and other arrangements for large numbers would become otiose. Large campaign funds would not be able to influence the decision of electors if the selection and election of candidates become people's decision by discussion and not a Honson's choice offered by political parties".

est of purity and genuineness of democratic processes would be wholly emasculated ... The great deal of social, economic and political justice and equality of status and opportunity enshrined in the Preamble of our Constitution would remain merely a distant dream, eluding our grasp. The legislators could never have intended that what the individual candidate cannot do, the political parties sponsoring him or his friends and supporters should be free to do. That is why the legislators wisely interdicted not only the incurring but also the authorising of excessive expenditure by a candidate...."

यह हम निर्णय का केन्द्र बिन्दु है और अभी जिन धाराओं का मैंने हवाला दिया इन धाराओं में और जजों ने जो कहा है उत में कितना मेल है इस का निर्णय आप स्वयं कर सकते हैं।

भगवती के बारे में गोखले साहब की क्या राय है मुझे पता नहीं और इन के और मेरे बीच में जो बातें होनी हैं, प्राइवेट कन्वेंशन, उसको यहां पर कहना उचित नहीं है इसलिए मैं नहीं कहता। लेकिन कृष्णा अय्यर के बारे में तो मंत्री जी मुझसे सहमत होंगे कि ये प्रगतिशील जज हैं, यानी इन की प्रगतिशीलता के बारे में भारतीय कम्युनिस्ट पार्टी के सदस्य भी सन्देह प्रकट नहीं करेंगे। कृष्णा अय्यर के बारे में मेरी यह राय है, और मैं यह भी नहीं मानता हूँ कि अगर कोई कम्युनिस्ट है तो उसको सुप्रीम कोर्ट में नहीं बैठना चाहिए, अगर हेगडे साहब बैठ सकते हैं तो कृष्णा अय्यर साहब भी बैठ सकते हैं और इसलिए कृष्णा अय्यर के बारे में मैं केवल आप की जानकारी के लिए कहना चाहता हूँ कि 1957 में जब केरल में कम्युनिस्ट पार्टी की सरकार बनी तो कृष्णा अय्यर उस में एजुकेशन मिनिस्टर थे... (व्यवधान)...

मैं सब जानता हूँ। ये एजुकेशन मिनिस्टर थे और लेजिस्लेचर कम्युनिस्ट पार्टी के सदस्य थे।

श्री को० पी० उन्नीकृष्णन (बड़ागरा) : इंडिपेण्डेंट थे और एसोसिएट मेम्बर थे।

श्री मधु लिमये : जैसे सी डी देशमुख आप के सदस्य थे ऐसे ही कृष्णा अय्यर भी विधायक दल के सदस्य थे।

तो ये कृष्णा अय्यर शिक्षा मंत्री थे और वह जो शिक्षा विधेयक लाए थे उसी को ले कर उनके खिलाफ एक अभियान शुरू किया गया था। और उस अभियान का नेतृत्व अन्त मे न० 1 ने किया था जो इस वकन सदन में, हम लोगों के बीच में नहीं है। श्रीमती इन्दिरा गांधी उस समय कांग्रेस की अध्यक्ष थी और उन्होंने राष्ट्रपति जी के सामने जा कर यह कहा था कि केरल की सरकार को बरखास्त करना चाहिए। यह मैं जरा उन्नीकृष्णनन और अन्य मित्रों की जानकारी के लिए, इतिहास की याद को ताजा करने के लिए कह रहा हूँ।

सभापति महोदय, श्री कृष्णा अय्यर के बारे में इस सदन में अधिकांश लोगों की सहमति होगी कि वे प्रगतिशील विचारों के व्यक्ति हैं। उन्होंने भी, सभापति महोदय, एक जजमेन्ट दिया है। आप तो कर्णाटक के हैं—चाटाक नागराज को आप जानते होंगे—उन के केस में तीन जजों का जजमेन्ट है—यह फैसला कृष्णा अय्यर ने लिखा है और यूनेनिमस है। भगवती का भी यूनेनिमस है—वे दो जज की ओर से बोल रहे थे और ये तीन जज हैं—इस तरह से पांच जज हो गये। जरा कानून मंत्री जी इस जजमेन्ट के मुख्य हिस्से की ओर अपना ध्यान दें। सभापति महोदय, मुझे एक लम्बा उद्धरण देना पड़ेगा क्योंकि ये प्रगतिशील जज हैं—श्री कृष्णा अय्यर कहते हैं—

"To give all candidates a fair chance, an operationally fairer

[श्री मधु लिमये]

perhaps even radical plan to finance our elections, particularly the campaigning process, may have to be devised. Money power casts a sinister shadow on our elections and the political pay-off of undue expenditure in the various constituencies is too alluring for parties to resist temptation. Moreover, there is a built-in iniquity in the scheme because an independent candidate who exceeds the ceiling prescribed under the law legally commits a corrupt practice."

मावलकर जी, जरा सुनिये, मैं इण्डीपेण्डेन्टस के बारे में बोल रहा हूँ—

"His rival set up by political parties with considerable potential for fund raising and using, may lay out a hundred times more in each constituency on their candidates and yet hope to escape the penalty under section 77. The convenient—not necessarily correct—plea would be that the candidate spent for his election but the party for its campaign. This likely evasion of the law by using big money through political parties is a source of pollution of the Indian political process."

गोखले साहब, यह कृष्णा अय्यर कह रहे हैं—

"To channel funds into the campaign for specific candidates getting around the requirements of the law by establishing party committees is all too familiar in this and some other countries. In this context, it may be apt to draw attention to a recent ruling of this court in Kanwarlal Gupta vs. Amar Nath Chawla on election expenses. It may be proper to infuse into the election law the cleansing spirit which was emphasized way back in 1920 by the Select Committee on the Indian Election Offence and Enquiries Act (XXXIV of 1920).

सभापति महोदय, भगवती के फंसले की न केवल इन्होंने ताईव की है, बल्कि कहा है कि यह जो इन्टरप्रटेसन है, वह अण्डा है जिससे यह जो पोल्यूशन आफ इण्डियन पोलिटिकल प्रोसेस है, राजनीति दूषित हो रही है, यह पोल्यूशन इस से कुछ कम होना ।

सभापति महोदय, आगे ये कहते हैं—

"Courts come in only when specific cases are filed and cannot arrest this cultural contamination. We can only suppress the wish, with a sense of social awareness, that campaign finance reform, imposing realistic limitations on spending on behalf of candidates directly or vicariously seems necessary if inequality of influence is not to operate upon the electoral process and later upon government decisions."

श्रीर अज वे कोंट की रूनिंग पर आ रहे हैं—

"To a limited extent, courts can respond to be fulfilment of this constitutional aspiration by a benignant interpretation of the legal limits on election expenditure which section 77 clamps down."

सभापति महोदय, अब कृष्णा अय्यर भी कहते हैं कि वर्तमान कानून के तहत—टु ए लिमिटेड एक्सटेन्ट—सीमित अर्थ में अवास्त भी इस प्रवृत्ति पर रोक लगाने का काम कर सकती है और वही भगवती साहब ने किया । अगर भगवती एक कन्वेंटिव जज हैं या न्यूट्रल जज हैं—सोशल किलास्की के बारे में, तो कृष्ण अय्यर की भी वही राय है । भगवती से मिलती है ।

ऐसी हालत में मैं मानता हूँ कि नली महोदय जो विधेयक लाये हैं यह विधेयक संविधान की शोषण फिवास्की के अनुसार नहीं है ।

सभापति महोदय, आप सुर्जों कीड़ा समर्थ और दीजिए—क्योंकि मैं न दूसरे वाक्य कर बोलने वाला हूँ और न तीसरे वाक्य कर

वाला हूँ। यह बिल किस लिये माया है—
 कभी मेरे मित्र जनेश्वर मिश्र ने इन्दिरा जी की एक एप्लीकेशन पढ़ कर सुनाई। वह कहती हैं कि सुप्रीम कोर्ट के निर्णय का मेरे ऊपर कोई असर नहीं पड़ने वाला है। सभापति महोदय, अगर इन्दिरा जी एप्लीकेशन को आप ले लेंगे— मैं उस पर कमेंट नहीं करूंगा क्योंकि आप का निर्णय है, लेकिन प्रदाता ने ईशूज फॉर्म किये हैं—इन में संकितने ईशूज पैसे सं सम्बन्धित है—कुल मिला कर 12 ईशूज है जो इलाहाबाद हाई कोर्ट ने फ्रेम किये हैं, इनमें से पैसे से सम्बन्धित यानी इस बिल से सम्बन्धित कितने ईशूज हैं—जरा गिनते जाइये—

(4) Use of Air Force planes and helicopter and payment therefor

(5) Rostrums, barricades, loud-speakers' use.

और उन का खर्चा।

(6) Distributing quilts, blankets, dhotis and liquor

मदिरा का उपयोग।

SHRI SHYAMNANDAN MISHRA:
 Most modern campaign!

श्री मधु लिखये

(9) Voters conveyed to the polling stations on vehicles hired and procured for the purpose by Shrimati Indira Gandhi's election agent, Shri Yashpal Kapoor.

श्री जनेश्वर मिश्र : सब कुछ 12 हजार में हो गया।

श्री मधु लिखये : अब इन्दिरा जी के हलफनामे से उद्धृत कर रहा हूँ।

On 1st January 1971 the respondent came down to Lucknow from Delhi in an Air Force plane for Congress election work including the filing of her nomination.

2971 LS.—16.

यह इन्दिरा जी के एप्लीकेशन से पढ़ रहा हूँ—

Loudspeaker was arranged at all these places by the District Congress Committee of Rae Bareilly who organized the meeting at their own expences

ये सारे ईशूज हैं—उन से आप का पता चलेगा कि श्रीमती इन्दिरा गांधी का जो पंटीशन है और उन्होंने जो ब्यान स्वयं रूप से हलफनामे में दिया है—मैं उन पर कमेंट नहीं करना चाहता हूँ—मैं सिर्फ इतना ही कहना चाहता हूँ कि इस विधेयक और अध्यादेश का जो विषय है उस में सीधा सम्बन्धित है, उस को जोड़ता है। इस लिये इन्होंने जो प्रधान मंत्री का एप्लीकेशन पढ़ा है, उस में उन्होंने बहुत ब्रवेडी किया है कि सुप्रीम कोर्ट के निर्णय का मेरे ऊपर कोई असर नहीं पड़ने वाला है—अगर इसमें कोई दम नहीं है।

मैं जानना चाहता हूँ—180 विधायकों की सरक्षण देने के लिये यह जो विधेयक ला रहे हैं, उन में से 14 का हाल तो हम ने बतलाया लेकिन बाकी 179 का क्या स्थिति है, उन के लिये हम को रॉटिफाई कीजिये, उन में जो आधार, ग्राउण्डस लिये गये हैं, वह बतलाइये मैंने तो कहा था कि आप इन को आदेश बीजिये कि हम को उन के बारे में समरी देदे—लेकिन वह आप ने नहीं किया। इस लिये मैं इस सभ्य इसी निष्कर्ष पर पहुंच रहा हूँ कि यह जो विधेयक है यह सविधान का जो सामाजिक दर्शन है उस के बर खिलाफ है और कृष्ण अय्यर और भगवत का जजमेंट सामाजिक दर्शन, सोशल फिलास्फी के अनुकूल है। संश्ल फिलास्फी इस वक्त सुप्रीम कोर्ट के साथ है, आप का यह काम सोशल फिलास्फी के मूल पर बुद्धरावात करनेवाला काम है। कानून मंत्री और सदन के सभी सदस्यों से आज मेरी अपील है, किसे-

[श्री मधु निमये]

कर कांग्रेसी सदस्यों से अपील है—बहुत रात हो चुकी है, आज आप अपने दलील विह्वल के आधार पर, दलील आदेश के आधार पर विचार न करते हुए, आपने शपथ ली है कि इस संविधान के प्रति वफादार रहेंगे, आप को सीधा चुनना है—एक और इन्दिरा गांधी का कानून है और दूसरी ओर यह संविधान है—आप का क्या निर्णय है, आप किस को चुनने जा रहे हैं ? जहां तक हम लोगों का सवाल है हम संविधान के पक्ष में वोट देंगे, इस लिये आप से भी अपील है आप भी आज हमारे साथ वोट दीजिये और इनके अत्यादेश और विधेयक को गिराने का काम कीजिये ।

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI H R GOKHALE) Mr Chairman, Sir, the speeches have been long. Although I did not have the advantage of supporting arguments from speakers of this side yet in view of the short time available to the House I took upon myself the responsibility of putting the point of view which really rests behind the proposal of the present Bill before this House

So many things have been said. They are not all relevant. Some, of course, are relevant. Some according to me do not relate to the subject-matter of this Bill at all. So, I am going to confine myself to those issues which are relevant for the consideration of the Bill. The issue is in a very narrow compass. As the House knows by this proposed amendment—as also by the Ordinance—Section 77(1) has been proposed to be amended. Section 77 has been in the statute book for a long length of time, and as I have said earlier, the amendment has been necessitated by the interpretation recently given by the Supreme Court in the case of Kanwar Lal Gupta versus Chawla.

I have been very carefully reading the judgment of the Supreme Court and I would first dispel the argument made by many members opposite that legislation of this type is a disrespect to the Supreme Court. I must categorically state that when Parliament passes law to set right a certain view taken by the highest court of the land it does not mean any disrespect to the Supreme Court. All that it means is the Supreme Court has done its job—I would concede honestly—in interpreting what they thought was the correct provisions under the existing law and when Parliament wants to re-consider that interpretation Parliament also is equally honestly providing for legislation which will put before the country what was the real intention of the Parliament. Therefore I would categorically reject the argument that any such legislation is a disrespect to the highest court of the country. I want you to consider that we have the fullest respect for the courts. They have done their duty and it is undoubtedly for us to do our duty.

It was argued since the law of land was laid by the Supreme Court under Article 141 the Parliament has no power to legislate so as to set-aside that law. It has also been said that Parliament as the supreme authority has the power ultimately to express what were the intentions behind a particular legislation or what should be the intentions behind a particular legislation. It is in that spirit that the present legislation is brought before Parliament.

I may divide the Supreme Court judgment in two parts. The first part is more or less a theoretical discussion about the electoral process. I would again respectfully submit that when the court interprets a provision it has to take into account the language of the provision which it is interpreting and not to be guided by as to what is considered to be right philosophy.

Unfortunately, I got the impression after reading the judgment very

carefully, first they dealt with that part which gives political theory. At one stage they even say in this light we must interpret the sections which arise for interpretation. I never wanted the Supreme Court to do that. That is where the distortion comes in. What had happened earlier was that they imported their philosophy the other-way around. I never wanted any importing of philosophy for interpretation of statute. The importation of a philosophy for interpretation has never been an accepted canon of construction. While I agree there are various interpretations possible and the other one has not been possible it has not been considered by the court at all. The court may stretch a section here or stretch a section there and give interpretation according to what it considers to be the right interpretation. Here I still maintain that the view taken by the Supreme Court is inconsistent. After hearing my hon. friend, Shri S. N. Mishra, very carefully in his opening speech I still maintain that the interpretation given by the Supreme Court is inconsistent with the view that the Supreme Court itself had taken for a long period of time beginning with 1955, maybe earlier, but that is the earliest decision of which I am aware. The Supreme Court has referred to four cases and I have looked at these cases very carefully and I have looked at the comments of the Supreme Court in respect of these few cases. For the purpose of understanding the submission which I am making, it might not be out of place, very briefly, to refer to these few cases which to my mind clearly establish that a view taken by the Supreme Court was that expenditure incurred by a candidate or his election agent was the only expenditure or authorised by him was the only expenditure which was to be taken into account for purposes of Section 77(1).

I would first refer to the very first cases to which the Supreme Court

referred, namely, Rananjaya Singh Vs. Baijnath Singh and Others. It is very interesting to see what were the facts of this case. The successful candidate Rananjaya Singh was the heir apparent of a estate which belonged to his father and in fact the fact found was that although the Estate belonged to the father Rananjaya Singh was managing the estate because the father was infirm and disabled. A large number of servants were employed technically by the father on the estate because the father was the owner of the estate. Admittedly and also according to the finding of the court a large number of servants employed by the father were working and had worked for the furtherance of the election of Rananjaya Singh. At that time apart from the limit on the expenditure there was also a limit on the number of employees which could be employed by a candidate and the two-fold argument was firstly because the payment made to these employees should be included in the expenditure incurred by the candidate because they are admittedly at any rate according to the finding of the court had worked for the successful candidate; and secondly if all these employees are taken into calculation the number of employees allowed far exceeded and, therefore, it was a corrupt practice under Section 123 of the Representation of Peoples Act. After having found all this what does the Supreme Court say? The Supreme Court says that this expenditure admittedly incurred on account of the employment of the servants of the father cannot be taken into account because this is an expenditure not incurred by the candidate or his election agent. Where was the theory of implied authorisation at that time? What better case and stronger case to infer by implication authorisation could have been there more than this when it was not anybody third person but the father's employees working for the son and money admitted to have been paid and Supreme Court finds that this would not be regarded as expendi-

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ture. The total number of employees would not be taken into account because they may however have helped the election, in fact the finding was that they did work in election, but this expenditure not having been incurred by the candidate or his election agent, the father was not the election agent.

Therefore, this could not be taken into account for the purpose of Section 77 of the Representation of the People Act. I am justifying on the ground that that was the law as per the Supreme Court from 1955 right till the recent judgment was delivered.

If you want to change the law, the way is not this. I shall come to the cases. The proper time for me and for all of us is that we may sit together and consider whether any change in the Election Law is necessary. We are not averse to it. We are today on the narrow question as to whether there is occasion to restore the *status quo ante*. In view of this clear and unequivocal judgment of the Supreme Court where the argument is similar to the one that was advanced in *Rananjaya Singh vs. Baijnath Singh*, it looked as if the spirit of the legislation and the spirit of the legislature will be defeated, if you do not take this expenditure into account. That was argued in *Rananjaya Singh's* case. The observation made by the Supreme Court in regard to this particular argument is very relevant. It is interesting to know what the Supreme Court says. I quote:

"The spirit of the law may well be an elusive and unsafe guide and the supposed spirit can certainly not be given effect to in opposition to the plain language of the sections of the Act and the rules made thereunder. If all that can be said of these statutory provisions is that

construed according to the ordinary grammatical and natural meaning of their language they work injustice by placing the poorer candidates at a disadvantage the appeal must be to Parliament and not to this Court."

Therefore, while conceding—I concede now—that we must restore a certain amount of equality in the fight which takes place in the election between various candidates—whether they are party candidates or not, whether they are independent candidates or not, well, Sir, the way out is not to interpret a section in such a way that the appeal is not to the court as the Supreme Court itself has said but the appeal should be to Parliament. Therefore, it is for Parliament which is the forum to consider whether any change in this law which has been there from 1955 till the judgment in *Chawla's* case came is necessary or whether that will be given effect to or not. It is not as if it is an isolated judgment because I would point out that later on, after this judgment was delivered by the Supreme Court, a reference is made to this judgment and relying on the judgment, they have come to the conclusion that that expenditure shall not be taken into consideration. This is a bench of five judges. I do not go into the technicality of the present law. After all both were the Supreme Court Benches. We can refer to five judges bench. I shall give more importance to the fact that the Bench have gone into it and made an observation. The cases which are referred to by the Supreme Court are those in which they had placed reliance for reiterating their view that the expenditure that was incurred by a person who is not a candidate or an election agent shall not be taken into account. The other case which was considered—it was also referred to earlier—was the case of *Ram Dayal Vs. Brijraj Singh and Others*. That was also referred to in the Supreme Court judgment, in *Chawla's* case.

Here Brijraj Singh was the elected candidate. His election was challenged *inter alia* on the ground that he had exceeded the limit of expenditure. It was contended that the Maharaja of Gwalior and Rajmata had incurred expenditure to support his candidature. They had gone by a helicopter and had incurred considerable amounts of money on the election of this particular candidate.

Now, what is most important to note is this that the Supreme Court did not find that the Maharaja and the Rajmata had not participated in that election campaign. But, the Supreme Court said that there was nothing to show that the Maharaja and Rajmata incurred the expenditure on behalf of the successful candidate, namely, Brijraj Singh. Secondly, the relevant portion of the judgment is this. The Supreme Court observed as follows:—

“Unless it is established that the expenditure was incurred in connection with the election by the candidate or by his election agent or was authorised by him...” (*Interruptions*).

Why does my hon. friend get upset. Just listen to me.

SHRI SHYAMNANDAN MISHRA:
It affects you.

SHRI H. R. GOKHALE: It does not affect me. My friend will realise that ‘authorised’ is the word which the Supreme Court has not used but it is the word in the Section. Therefore, there is no need to run away from it. I am not at all doing that. What I am saying is that this is not said by the Supreme Court. This is in the Section itself. The question is what interpretation you give to it, whether on the facts which the Supreme Court considered in earlier cases, it was not implied authorisation, because it was admitted.

SHRI MADHU LIMAYE: Here, it is a question of fact.

SHRI H. R. GOKHALE: It was not a question of fact. It was a question of law. They have laid it down as law. Subsequently, this has been depended upon and relied upon in all these cases for the proposition of the law and they have come to the same conclusion in the subsequent cases. Here, I was just reading this when unfortunately the word ‘authorised’ rattled my hon. friends on the other side for which there was no reason.

“Unless it is established that the expenditure was incurred in connection with the election by the candidate or by his election agent or authorised by him, it is not liable to be included under Section 77 of the Representation of the People Act. We agree with the High Court that under Section 77(1) only the expenditure incurred or authorised by the candidate himself or by his election agent is required to be included in the account or return of election expenses and thus expenses incurred by any other agent or person without anything more...”

I agree with this. I know my friend will again harp on this ‘without anything more’.

“... need not be included in the account or return, as such incurring of expenditure would be purely voluntary.”

But, the next is important.

“Assuming that the expenditure was incurred...”

even on the assumption that the Maharaja and the Rajmata had incurred that expenditure for the purpose of canvassing votes against Raja Pancham Singh, who was the defeated candidate.

“in the absence of evidence that the Maharaja and the Rajmata of Gwalior acted as election agents of Brijraj Singh, or the expenditure was authorised by Brijraj Singh, it was not liable to be included in

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the account of the election expenses."

Therefore, Sir, let us look at the facts. First of all, it was found that the Maharaja and the Rajmata did incur expenditure, that they travelled by helicopter and otherwise in support of the election campaign of Brijraj Singh. Then, Sir, since that itself was in dispute in the Court, the Court proceeded on the assumption also that they had worked for the election of this candidate and came to the conclusion that even under that assumption, they were not the election agents of Brijraj Singh and that the expenditure need not be included. With reference to the phrase, 'without anything more', because much is made...

SHRI MADHU LIMAYE: Authorisation could not be proved. That is what the Supreme Court has said.

SHRI H. R. GOKHALE: Not at all. If this is not authorisation, when the Maharaja has admitted participation in the election, then what is it? A father spending money for the son was not implied authorisation what other implied authorisation can be found? Nothing special had happened in that case, which had not happened in Chawla's case, and yet, the view was taken that this is not expenditure to be included for the purpose of Section 77 of the Representation of the People Act. Then, Sir, the third case is again very interesting. That was the case of Patodia Vs. R. K. Birla. This is also referred to in the judgment of the Supreme Court. Here, Sir, the successful candidate was R. K. Birla. His election was challenged. It was pointed out that large amounts of money were spent in support of his election. Now, it was said that this expenditure incurred by the political party sponsoring his claim and also the employment of a large number of employees of the Birla Group of companies—I will later on read and

point out that although there was some dispute about it, it was ultimately found that he was a candidate of the Swatantra Party—at that time it was very much there.... Therefore, the question is, a large number of employees belonging to various Birla Group of companies had worked. That was the finding. That was the admission on the basis of which the Supreme Court proceeded and the Supreme Court also found that that the position is established and it is not denied that the Respondent No. 1 was a Swatantra Party candidate. I do not want to take the time of the House. The earlier case of 1955 has also been referred to.

Coming to corrupt practices of incurring expenditure beyond the prescribed limit, in several decisions this Court has ruled that it is not sufficient for the petitioner to prove merely that the expenditure more than the prescribed limit had been incurred in connection with the election.

"He must go further and prove that the excess expenditure was incurred with the consent or under the authority of the returned candidate or his election agent."

Therefore, the incurring of the expenditure in this case was not disputed; it was not disputed that he was a party candidate; it was well established that the expenditure incurred was much more than the limit which had been set for the purpose, and yet they said that this expenditure not having been incurred by the candidate or his election agent, therefore, could not be taken into account.

In this case, it is interesting to note that the Supreme Court also relied on a judgment of the Allahabad High Court where the election of the late Shri Lal Bahadur Shastri was challenged—that is, Mubarak Mansoor vs. Lal Bahadur Shastri. In that case, it was held that expenditure voluntarily incurred by the friends and suppor-

ters of the returned candidate does not come within section 123, even though the returned candidate was aware of the fact at the time of the election itself that his friends and sympathisers were incurring expenditure in connection with his election. This was cited with approval in the Supreme Court judgment. What was held was that even though it was done with the knowledge of the candidate and the expenditure might have been incurred by his friends and admirers, still it was not expenditure incurred by the candidate and therefore it could not be taken into account.

The last one is very important because of the phrase on which my hon. friends have been relying—what is more. Even that is missing in that judgment. I have been trying to understand 'what is more'. Although the Supreme Court never explained what is that something more anywhere, in every case the position was perhaps worse than in the case of the judgment in Chawla's case, but even that something more was not found to exist. It was said that the something more does not come here because expenditure was not incurred by the candidate or his election agent.

The last one which was referred to by the Supreme Court in the judgment is the case in which the election of N. G. Ranga was challenged, that is Rajagopal Rao vs. N. G. Ranga. It was also on the ground of expenditure amongst other grounds. In the Court's observations, what is something more is not there. This is incidentally the last in this series which says: "Expenditure, if any, incurred by the party which sponsored the candidature of a candidate cannot be taken into account for the purpose of determining whether the corrupt practices within the meaning of S. 123(6) were committed by the candidate". That 'something more' is not there. Not only that, but in terms, it says that if sponsored by a party, the expenditure incurred by the political party cannot be taken into account.

20.50 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Again in this last judgment—last in the sense of last but one judgment before the Chawla judgment—even in this reliance was placed on Rananjay Singh's case. In Ramdayal vs. Braj Raj Singh, again they have come to the conclusion that the law is that you cannot take the other expenditure into account. Reliance was placed on these cases because the Supreme Court itself read all these cases to mean that you have to take into account the expenditure incurred by the candidate or his election agent or authorised by him, but the expenditure incurred by others, friends and admirers in one case, a political party in another, father in the third case and in the fourth case by companies which had spent large amounts of money, and also by the Maharaja and Rajmata of Gwalior—all this was not sufficient for implied authorisation. Then the court came to the conclusion that you cannot take that into account.

That is why I repeat this with the utmost respect to the Supreme Court, because as a lawyer, as a parliamentarian and as a citizen, I do insist that we must have the utmost respect for the Supreme Court. But that is not to say that it is not recognised everywhere that the Court's judgment is always open to fair comment. What I am doing is not doing any disrespect to the Supreme Court but what I regard as a fair comment on the judgment of the Supreme Court. This absolutely makes it clear, in my submission, without any shadow of doubt that the law was not the same till the Chawla judgment was delivered. I have read the theory part in the Chawla judgment. I do not wish to say that I disagree with all the observations they have made. I agree that some of these observations do require mature and serious consideration and it might be that when all of us sit

(Shri H. R. Gokhale)

together—election is not a matter where I can sit alone and decide or you can sit alone and decide—it might be that all of us will have to think of this when the substantive law for amendment of the Representation of that People Act is considered. Before that, we can go through this process.

I submit with all the emphasis at my command. I honestly believe, that the judgment is not correct because of the fact that the earlier view, taken was categorically different.

I do not wish to take the time of the House by reading the pages but even here there is some ambiguity left. This portion was read by one hon. friend:

“When the political party sponsoring a candidate incurs expenditure in connection with his election as distinguished from expenditure on general party propaganda, and the candidate knowingly takes advantage of it or participates in the programme or activity or fails to disavow the expenditure or consents to it or acquiesces in it, it would be reasonable to infer.”

I do not understand the next phrase—

“...save in special circumstances....”

Again with this pronouncement the whole thing has been thrown in doubt. What are the circumstances in which party expenditure will be taken into account and what are the circumstances in which party party expenditure will not be taken into account. Even here in categorically saving so the Supreme Court itself proceeded on the basis that there are special circumstances.

PROF. MADHU DANDAVATE:
Special means 180 cases.

SHRI H. R. GOKHALE: I do not know. If they refer to 180 cases my Bill is fully justified. I am sure they do not. My submission before the House is that even here the ambiguity is not altogether done away with. The ambiguity is there. That is not the reason for the present Bill. The reason for the present Bill is, what I believe to be true, namely the law has been consistently the same.

Repeatedly it has been said that there was only one petition in which the question of election expenditure was raised. All lawyers and all politicians also know that in most of the election petitions the question of excess expenditure is raised; in fact that is the most important allegation in most of the petitions; it may not be in all petitions but it is there in most. Only in the Supreme Court there are thirteen appeals pending, where the question of election expenditure has risen; there are many more appeals but in these thirteen the question of election expenditure has come. Two appeals of candidates belonging to the Bharatiya Jan Sangh; five independents, two appeals in which the respondents are Cong (O) candidates and three in which the persons are the Indian National Congress; the Nagaland Nationalist Organisation has one. So, out of thirteen only three are Congress candidates in so far as appeals concerning election expenses are concerned.

I had mentioned the figure of 180 in my Press Conference. That was sometime in October. At that time I had gone on the basis of figures of pending cases available by the end of September. In the meanwhile courts do not wait for that, we do; they decide cases and it appears that twenty cases have in the meantime been disposed of. My latest information is that on 1st November there were 160 petitions pending in various High Courts. It is unthinkable that none of these petitions refer to the question of excess election expenditure I understood quite a few amongst them.

would contain the question of election expenditure.

31.00 hrs.

Reference was made to the Constitution. Shri Madhu Limaye referred to article 14. I have not been able to understand, with great respect to him, how article 14 can come into this article 15 talks of equality before law. I fully agree that if a law violated article 14, it is *ultra vires* of the Constitution. But what has been held by the courts all along in respect of this article is that when you make a reasonable classification and when you do not apply the law by picking and choosing one or two individuals for special and favourable treatment, merely because you make a classification, article 14 is not violated. Here there is a clear-cut classification. It talks of all candidates who will be benefited, irrespective of political parties, colour or their independence against whom election petitions are pending in the High Courts or Supreme Court. (*Interruption*). From what you read yourself, the Supreme Court has referred to friends and admirers. You know better than I that independent candidates have friends and admirers. Gokhale might have a Gokhale Mitra Mandal to support him if he is a no party candidate. Even in one of the judgments I read, there is reference not only to political parties but friends and admirers and associations formed for the purpose. This is not unknown to him. He is far more experienced than me and he has fought many more elections. I cannot believe that he does not know how election funds are collected and how money is spent.

It is perfectly legitimate for the opposition to say that this law is motivated by this and that and so on and so forth, but I sternly cautioned at that time that our discussion should not lead us into a discussion on the facts of the existing cases. That was indirectly sought to be done. Unfortunately, Sir, you were not in the Chair. I am not going to repeat all

those allegations. I know that for all those allegations, there is also a reply in the Court. Therefore, those allegations are not the final facts which are found by the courts. Ultimately the courts may or may not find those facts. The same thing was referred to with reference to the rostrum of the Prime Minister.

SHRI MADHU LIMAYE I read out from the affidavit.

SHRI H. R. GOKHALE: You read out and Mr. Bosu also read out that statement in 1969. This had come up for consideration in the courts and this challenge was thrown out from the courts. This will arise for consideration in the Allahabad High Court in the petition against the Prime Minister and I am sure the High Court is competent to deal with it. But I did not understand one argument. If we are to go on the assumption that the Prime Minister's security is a matter which is of vital interest to the whole nation irrespective of party affiliations, that security is no less important in an election meeting than anywhere else. Therefore, the emphasis as to how much money is paid by the party etc. is completely irrelevant for this discussion. I am not going to deal with it. These questions have been answered several times.

It was said, "you are legitimising corruption". It has been said, "you are not giving effect to the recommendations of the Joint Committee". After all, when the Joint Committee functions, I know there can be differences of opinion. How do we proceed? We proceed on the basis of a recommendation which is of the majority. In this case it is not. In some of the cases, it is not majority recommendation, but it is a recommendation which is almost unanimous. The question as to whether parties should be called upon to furnish their return of election expenses or for that matter whether there should be any limit on party expenditure has as it were not engaged the attention of the Joint Committee.

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I am not saying, what they said is the final word. In view of the importance of the matter, whatever the Joint Committee may have decided, it is open for us to discuss it and see whether in consultation with all of us it is possible to do anything in this direction. I cannot say what is possible, but I do not close the issue. It is a matter of great importance, which I do agree should receive attention. Therefore, the other argument that we have changed the character of Section 77 does not hold good.

That the Government should take over certain expenditure was the one point made by Shri Jagannathrao Joshi. I am not averse to considering this aspect. In fact, we are examining that question. It is a matter as to what extent we will be able to do that. In view of the vastness and the size of the country as well as the electorate, whether we will be able to do to the fullest extent is a different matter. Whether certain items of expenditure can be taken over is a suggestion worth considering. I am not rejecting it outright. It is a matter which we will consider carefully and probably discuss it with you also and find out as to what should be done in this matter.

Then, a reference was made to the review petition, I believe, by my hon. friend, Mr. Mavalankar, filed by Mr. Chawla. The House knows that matters which have been finally disposed of by the Supreme Court or by the High Court have been excluded by the operation of this Ordinance. He asked: What will now the Supreme Court decide? That is the only question I cannot answer. But, I am sure, Mr. Chawla's right to get the judgment reviewed under Article 137 stands unimpaired irrespective of this Ordinance. The right to review has been there and the right to review has been exercised. If the Supreme Court is pleased to take cognizance of the review petition and issue notice to the otherside, the Supreme Court will go into the review petition on merits.

Sir, I would submit that most of the doubts which have been expressed have no foundation. I do hope that this Bill will receive the support of the House.

SHRI SHYAMNANDAN MISHRA (Begusarai): Mr. Deputy-Speaker, Sir, I regret to have to say that the reply of the hon. Law Minister is the most perfect model of an evasive reply. The hon. Law Minister, Mr. Gokhale, has proved to be the proverbial duck on which whatever quantity of water we might pour, not a single drop will stick.

The basic point of law is that if the word "authorised" does exist in Section 77, then would it be allowed to exist in the real sense of the term or not or whether authorisation would be required to be interpreted according to the sweet wishes of the executive or of the ruling party. If the word "authorisation" does exist, my question which I put squarely to him earlier was: Would the law Minister prevent any court from going into the question of implied authorisation? I think, it is beyond the capacity of any executive to go into question of implied authorisation. They are really in a quandary. Whatever changes they might bring in Section 77, they would not be able to tell the court, "Please do not go into the question of implied authorisation." It is only the Law Minister who would appropriate to himself the right of saying, what does authorisation exactly mean.

In all cases which the Law Minister has cited, the word "authorised" does exist. I will go into all these cases. This is bound to exist because that is in the law itself, in section 77 itself. So, it is bound to exist. Whatever the effort on the part of the Law Minister, he has not been able to erase that word from the substantive Section of the law. It is only by a backdoor method, by an indirect method, that he wants that the word 'authorisation' should be a non-word, should be almost non-existent. That is what he desires. But my humble submission

is that, so long as it remains in the substantive clause, the court will always interpret it and in all cases the Law Minister has been pleased to cite, this word does exist

Now, let me come to the cases into which he has gone just now and to which I had made a reference earlier in my speech while moving the Resolution.

The hon. Law Minister has referred to the case of Rananjaya Singh vs. Baijnath Singh. What does the Supreme Court say about this? I will repeat what I have said earlier, so that the House may be in a position to judge whether the interpretation of the hon. Law Minister is correct or the interpretation put by the Supreme Court is correct. There, the Supreme Court says:

"This Court had no occasion to consider whether the elected candidate could be said to have authorised any expenditure by knowingly taking advantage of the services of these persons because no such argument was advanced before the Court. In fact, such an argument could not plausibly be advanced because salaries paid by the father to these persons were not for the purpose of working in connection with the election"

After one or two lines, the Supreme Court has said

"This decision does not, therefore run contrary to what we have said."

No plea of this kind had been taken in that case, in the Rananjaya Singh vs. Baijnath Singh case, and the Supreme Court has held that no such plea could have been plausibly taken in that case. So, that is the position. And the Supreme Court has asserted that it does not go against the judgment that they had delivered.

Coming to Ram Dayal vs. Brijraj Singh and others, the question arose whether a certain expenditure incur-

red by the Maharaja of Gwalior and the Rajmata could be said to be an expenditure in connection with the election of the candidate. The Court had pointed out

"In the absence of any connection I would like to lay stress on this."

"In the absence of any connection carried on by the Maharaja and the Rajmata with the candidature of Brijraj Singh, it is impossible to hold that any expenditure was incurred by Brijraj Singh which was liable to be included in the election expenses of the first respondent"

Further the Court had said:

"We agree with the High Court that under section 77(1) only the expenditure incurred or authorised by the candidate himself or by his election agent is required to be included in the account or return of election expenses and thus expenses incurred by any other agent or person without anything more need not be included in the account or return . . ." and so on.

My humble submission is that, if there could be any connection established between the canvassing activities carried on by the Maharaja and the Rajmata, then the Court would have held that that was an expenditure which should be included in the account of the candidate. These are the words of the judgment which I am quoting:

"But in the absence of any such connection between the expenditure incurred between the canvassing activities carried out by the Maharaja and the Rajmata with the candidature of Brijraj Singh, it is impossible to hold that any expenditure was incurred by Brijraj Singh."

Now, would not the hon. Law Minister agree with me that if the Supreme Court found that there was a nexus between the two, then, it would have been proper for the Supreme Court to

[Shri Shyamnandan Mishra]

hold in that case also that the expenditure should be put down to the account of the candidate? These are the points of the Supreme Court's judgment (*Interruptions*) What? Now, you are a lawyer in disuse

So, Sir, here what has been happening is that the hon Law Minister has been conveniently ignoring all these important observations of the Supreme Court and he has been only going in the direction in which his Party has asked him to go because of the reasons which have been mentioned by many of my hon friends

Now, he had laid a great store by the judgment in the case of *V. Rajagopal Rao vs N. G. Ranga*, May I point out in that very connection what the Court has to say? Here, the first question related to a publication brought out in connection with the candidature of a particular person. There, the Supreme Court says:

"If it is a publication by a person other than the candidate or his election agent, the consent of the candidate or his election agent must be established before the charge is held proved. Proof of express consent is not necessary."

Now, this is the point on which I would like to lay stress. The Court says:

"Proof of express consent is not necessary. Inference of such a consent may be raised from the circumstances."

So, here is also a case of implied inference, implied authorisation. When that could arise in the case of a publication, it should stand to reason that it could arise in the case of an expenditure also. If the whole question... (*Interruptions*) Mr. Rao, don't behave like persons who have completely mortgaged their legal knowledge to their parties.

Now, if that could be in the matter of a publication, why should it not? The authorisation can be implied in the case of a publication. The authorisation cannot be implied in the case of an expenditure of other kind? Is that the submission of my hon. friend? Then the question arose in that very case *Rajagopal Rao vs N. G. Ranga* and the Court observed:

"Towards the boarding and lodging expenses of workers, it appears Simha Jagannatham, President of the District Swatantra Party paid Rs 5000 and Rs 1200 after the election. It was proved by evidence that the Party office was in the house of Simha Jagannatham. The workers were lodged and boarded in a place called Sri Venkateswara Boarding and Lodging at Srikakulam."

Now, if it could be proved again in this case that the boarding and lodging did take place in the house of the District Swatantra Party Chief, my submission is that the whole amount could have been credited into the account of the election of the candidate. That being the position in the case of *Rajagopal Rao vs. N. G. Ranga*—in the other case I have pointed out that in the case of a publication they accept that there can be implied authorisation, not necessarily express—where the court has held that there was no evidence to show that this expenditure of the boarding and lodging was incurred in the house of the District Swatantra Party President and, therefore, it could not be put down to the account of the candidate. But, if it could be proved, then, of course, my submission is that it could have been included in the election account of the candidate. So, whichever case the hon. Law Minister has cited, he has not done justice to the observations made by the hon. Court and I think that thereby he has tried to completely distort the meaning of the judgments on which the Supreme Court has relied. The Law Minister said that the Court has to go by the language of the statute. All the time what

been telling to the country is that the court has to interpret the laws in terms of the ethos and the spirit of society and so on. That is what they have been telling the country all the time. But in this case they want their own philosophy. It is not the supreme court which has imported a philosophy into this thing. It is the philosophy of corruption which the ruling party wants to import into this thing. It is a philosophy of, I again say, corruption. What else can I say? There could not be any other correct philosophy except that of the supreme court, which philosophy it relied upon, to interpret the law in this connection.

Having said this, I would like the hon. Minister to consider whether now the candidate as such does not disappear in a sense altogether in the matter of expenditure. If a candidate shows only zero expenditure and all the expenditure is shown to be incurred by the party, the hon. Law Minister would say it is according to law. Is that the spirit of the law which you want us to appreciate?

SHRI B. V. NAIK: That is a mathematical absurdity.

SHRI SHYAMNANDAN MISHRA: Now the party takes the place of the candidate in the matter of expenditure. And what would the party mean? The party would mean, in effect, an agency of moneybags and capitalists. It can't be anything else. You are placing the party in that position where it can spend amounts, limitless amounts. I should say, on a candidate. The Minister has said this yesterday. He said that election petitions involve members of the opposition as well. Did any opposition party approach the Minister to come forward with this amendment? No. But yet he said, election petitions are not only concerning the ruling party but that members of the opposition as well are involved in it. I would say that this sympathy of the Law Minister so far as the members of the opposition are concerned, is misplaced and this is totally uncalled for.

Sir, let me make it clear on behalf of the entire opposition that no opposition party seeks this amendment at all. If it did involve, then again, he has not answered the question which I had raised earlier on. Why did you not consult the opposition parties before the promulgation of this ordinance? Did you think it fit to consult the members of the opposition when you wanted to promulgate an ordinance on smuggling? But when it comes to protecting the political smuggling you do this, because you want to protect this very thing. Otherwise what is the reason for this at all? In a vital matter of election with which the Parliament of India ought to be concerned more than anybody else there you did not think fit to consult the Opposition. Why? The Opposition could have been persuaded by your point of view or it could not have been persuaded as it was in the case of smugglers.

It is abundantly clear that they seem to be determined to make the ballot-box equivalent of the chest box of the ruling party. That is their plain intention. Earlier a candidate's dishonesty could make a nonsense of the ceiling law on expenditure now the party is being asked to supplement the dishonesty of an individual candidate, that is the plain meaning of this amendment. The Law Minister asks us to believe that the Government is keen to bring about reforms in the election system. If that is the proof of their keenness, I must say, we will have absolutely nothing to do with the reforms they have in their mind.

The decision of the ruling party to do away with the ban on company donations is indeed an indication that the ruling party wants to amass as much money as it is possible for them. They will produce only a certificate of Rs. 2 lakhs from these businessmen whereas they would have got from them under the counter Rs. 2 crores.

[Shri Shyamnandan Mishra]

If the hon. Law Minister and his party are really serious about the election reform then may I ask him why did not his party support the suggestion for putting a ceiling on the expenditure to be incurred by the party. We had all suggested that the party also should be obliged to file election returns. If you were serious why did not your party support that suggestion in the Joint Select Committee itself.

Finally, I would say that the hon. Law Minister has also not answered the point about discrimination that is implied in this law. Why didn't you protect the election of Shri Chawla? Can any law be based on discrimination? That is what you are doing.

This is all only augmenting the heat waves of their words. So far as ideological postures are concerned they do not mean anything serious. It is also a clear violation of the law of ceiling on election expenditure. This makes a complete nonsense of this. I would say if the Election Commission and the Government of India really want to exercise a check on corrupt practices then why should not the Election Commission organise intensive and effective checks in about hundred constituencies in which the high-ups and the affluent persons are involved.

If that is done, I think that we exercise an effective check on the corrupt practices in election. But, this Election Commission consists of persons who have been bred up in that tradition of bureaucracy. That cannot be expected to go against them. We have absolutely no faith in such an Election Commission. Why has the Government not been coming forward with a measure which will expand the Election Commission? That is the question to which the hon. Law Minister has not answered. What stands in your way in expanding the Election Commission? We simply have faith in one man Election

Commission. But, that one Member-Election Commission is always under your patronage. So, I would submit that we cannot support this measure which we consider to be the greatest on-slaught on our democracy and we oppose it with all the strength operate in the other stages of this Bill because they go by the strength of the majority. So, let it be made clear that we, from the Opposition, would not cooperate in other stages of this Bill because it is clear that they want to go by the steamroller majority on the strength—on the physical number—in this House—which we would not support.

MR. DEPUTY-SPEAKER: I shall now put this Resolution moved by Shri Mishra first to the House.

The question is:

“This House disapproves of the Representation of the People (Amendment) Ordinance, 1974 (Ordinance No. 13 of 1974) promulgated by the President on the 19th October, 1974.”

The motion was negatived

MR. DEPUTY-SPEAKER: Now, I shall put the motion moved by Shri H. R. Gokhale to the House

MR. DEPUTY-SPEAKER: The question is:

“That the Bill further to amend the Representation of the People Act, 1951, be taken into consideration.”

The motion was adopted.

Clause 2—(Amendment of Act 43 of 1951)

MR. DEPUTY-SPEAKER: Now we take up clause by clause consideration. There are a number of amendments tabled by various Members.

SHRI SAMAR GUHA: May I move?

MR. DEPUTY-SPEAKER: I shall go step by step. Several hon. Members are not moving their amendments. Mr. Guha, are you moving?

SHRI SAMAR GUHA: I move:

"Page 1.—

after line 17, insert—

"Provided that a political party or any other association or body of persons or any individual with prior consent of the candidate declared the amount of election expenditure apportioned for the said candidate within tenth day after his nomination paper is accepted as valid by the appropriate authority and that such expenditure remained with fifteen per cent in excess of the permissible limit of election expenditure of a candidate in accordance with relevant provisions of the Representation of the People Act, 1951." (14)

Page 1, line 18.—

after "Provided" must further" (15)

SHRI SURENDRA MOHANTY (Kendrapara): Sir, I beg to move:

Page 2—

after line 10, insert—

"Provided further than nothing contained in this *Explanation* shall apply to the cases pending in any court or tribunal on the commencement of the Representation of the People (Amendment) Act, 1974" (26)

SHRI KRISHNA CHANDRA HALDER: Sir, I beg to move:

Page 1—

after line 17, insert—

"Provided that the total amount of expenditure incurred or autho-

rised by the candidate or by his election agent and the expenses incurred or authorised in connection with the election of the said candidate, by a political party, or by any other association or body of persons or by any individual, shall not in any event exceed Rs. 35,000/- and Rs. 10,000/- for a Parliamentary constituency and a State Legislative Assembly constituency respectively within any of the States and Rs. 15,000/- for a Parliamentary constituency within any Union Territory. Such amount in all the cases shall be inclusive of any expenses incurred towards posters and all other publicity materials distributed and transport of any kind viz., road, air or water." (28)

Page 1, line 18. —

after "Provided" insert "further" (29)

SHRI BHOGENDRA JHA: Sir, I beg to move:

"Page 1, lines 13 and 14,—

Omit "or by any other association or body of persons or by any individual (other than the candidate or his election agent)" (30)

*SHRI KRISHNA CHANDRA HALDER: Mr. Deputy Speaker, Sir, I have moved amendment to Clause 2. I have suggested that at Page 1 after line 17 the following may be inserted:—

"Provided that the total amount of expenditure incurred or authorised by the candidate or by his election agent and the expenses incurred or authorised in connection with the election of the said candidate by a political party or by any other association or body of persons or by any individual, shall not in any event exceed Rs. 35,000/- and Rs. 10,000/- a Parliamentary constituency and a State Legislative Assembly constituency respectively within any of

[Shri Krishna Chandra Halder]

the States and Rs. 15,000/- for a Parliamentary constituency within any Union Territory. Such amount in all the cases shall be inclusive of any expenses incurred towards posters and all other publicity materials distributed and transport of any kind viz., road air/or water."

I have also suggested that after line 13, after the word "provided" the word "further" be inserted.

Sir, the leaders of the Opposition Parties have already put forward their irrefutable arguments to prove how the passage of this Bill will encourage the moneyed people and they alone will have a smooth entry into this House while the poorer people will have practically no chance to come to this House and as such I will not reiterate that argument once again. I would, however, stress that after this Bill is passed the entire election system will be dominated by money power. This money power will have an unfettered freedom to wield its unethical influence and elections would be a mockery. My friend Shri Joshi has rightly pointed out that the very foundation of democracy will be shaken because hereafter, the candidate with enormous financial resources will always have an edge over those who lack them. The "Lok Sabha" can never be a House of true representatives of the People, but it would be a House of the representatives of the moneyed people. Sir, Democracy is described as a "Government" of the people, for the people and by the people" but after this Bill is passed it would wholly change the concept of democracy in our country. It would then be a Government of the moneyed people, by the moneyed and for the moneyed people".

The representative of the agricultural labourers, cultivators and the working class can hardly find a place in this House. Sir, I could support the Minister if he had introduced an amending legislation which sought to

lower the voting age to 18, if it sought to introduce proportional representation in our electoral system, if it provided the right to recall to the electorate, if it provided that use of vehicles would be banned within a certain distance from the polling booth on the polling rate, or if it provided that on complaints from the candidates and opposition parties that some rigging had taken place, the Government would automatically order a repolling in that constituency but far from all the Government have brought forward a Bill which will only encourage the play of money and black money into politics. Today the concept of "one leader" "one party" is being propagated by the ruling party. The country is being pushed towards dictatorship. For all these reasons I have suggested some statutory limit through my amendments and I would urge the House to accept them.

SHRI SHYAMNANDAN MISHRA:

We do not give our co-operation to this. We are walking out.

Shri Shyamnandan Mishra and some other hon. members then left the House

SHRI BHOGENDRA JHA: I have moved amendment No. 30. I hope at this stage the hon. Minister will accept it. I have not moved the other two amendments in my name. I have omitted the last one because I think it creates a controversy.

As the Minister has said, the Supreme Court has given some interpretation to the Representation of the People Act, section 77 and because of that a situation has arisen and by this Bill he is trying to restore the *status quo ante*. By this amendment, I seek to omit "or by any other association or body of persons or by any individual (other than the candidate or his election agent)". Otherwise, this will simply open the floodgates and openly legalise corruption, expenditure of black money etc. This should be the concern not only of us but of the entire House, of all those who have been elected by the people. We are concerned with defending and protecting democracy; but we are not

strong enough to do it alone. That is why I say this is the concern of all those interested on this or that side. I appeal to the hon. Member that he should accept my amendment. This should also be his concern. I am not doing it for to sake of propaganda. I mean it very seriously. He should also do likewise.

SHRI H. R. GOKHALE: I am not able to accept his amendment. I appreciate his argument. But I would say that when the election law is amended, we shall keep this in mind and see if anything can be done.

SHRI KRISHNA CHANDRA HALDAR: I am also working out.

Shri Krishna Chandra Halidar left the House.

SHRI BOGENDRA JHA: Is it an assurance?

SHRI H. R. GOKHALE: It is not an assurance.

MR. DEPUTY-SPEAKER: It is an assurance to consider.

SHRI H. R. GOKHALE: I said that we could consider it at that time.

MR. DEPUTY-SPEAKER: I shall put all the amendments to clause 2 together.

Amendments Nos. 14, 15, 26, 28, 29, and 30 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clauses 2 was added to the Bill.

Clauses 3 and 1, the Enacting Formula and the Title were added to the Bill.

SHRI H. R. GOKHALE: Sir, I beg to move:

"That the Bill be passed".

SHRI P. G. MAVALANKAR: The hon. Law Minister in so many words said during the second reading stage that even if this House had to do certain things and the appeal sent to Court, Parliament itself can do many things for making elections more fair and more free. I hope he will try and bring together all the Opposition Leaders and a few Independents with a view to have some meaningful discussion for making elections freer and fairer and less expensive. Let him arrange a meeting as early as possible. I want to make this appeal to him.

SHRI H. R. GOKHALE: This was an appeal.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, December 17, 1974 Agrahayana 26, 1896 (Saka).