

or that version of Manusmariti which is progressive. We do not want to take that interpretation of Manusmariti which is regressive, reactionary. It is as simple as that. This is what the nation wills. This is what the nation's representative body wills today and that is what will be done in the legislation. It is going to come before the House and then naturally we will have a fuller discussion and a more detailed scrutiny of all these matters. I do not think I need add any more. Much has been said about what happened and what did not happen and what were the motives. All those things, and those motives would have to be gone into. For the first time in this country probably in the Central Government, matters connected with women have been receiving greater attention than ever before. That is why most of these things are coming here for discussion. They are coming here for dissent and for debate because there is a separate machinery now. I admit that it is not adequate. In fact, we have been struggling for more facilities, more staff, more availability of persons to take care of such cases whenever they come up, with more legal assistance, etc. All these things are being done only during the last two or three years. Earlier it was a part of 'Social Welfare'. Now, it is being focussed separately and I am not at all surprised that more and more and more cases of this nature are being brought to the notice of this House. In a way, we feel that as a result of there being a special machinery, all these things are coming up. We welcome this. We would like to tackle all these matters at source, wherever they are occurring. The Government would like to be as effective as possible under the circumstances. As has been pointed out again and again by many hon. members, legislation alone is not enough. Government's action alone is not enough. Legislation has its importance, but it could only adorn the Statute Book for all the time without anything happening outside. So, it has to be a combination of certain action on the part of the society as such and on the part of the social reformers. We will have to have a new crop of social reformers today, which perhaps become more or less extinct after those very great reformers. So, it will have to be a

multi-faceted multi-front action along with legislation. And whenever, there is any inadequacy in legislation, we should always be ready to amend it and make it as effective as necessary.

This is all that I would like to submit to this House. I am again thankful to the members for having given very good suggestions and as I said, the combination of emotion, determination and introspection—this is what I feel very grateful for.

RE : DETENTION OF MEMBER

[English]

MR. CHAIRMAN : Now we will take up the next item . . .

SHRI S. JAIPAL REDDY (Mahbudnagar) : Sir, we have learnt that an hon. member of this House. . . (Interruptions)*

MR. CHAIRMAN : No please. You have to give a proper notice. It is not allowed.

(Interruptions)*

MR. CHAIRMAN : Nothing will go on record.

SHRI INDRAJIT GUPTA (Basirhat) : The Minister should make a statement.

MR. CHAIRMAN : Let the intimation come from the hon. Minister. Then it will be announced. I cannot allow it.

(Interruptions)*

SHRI S. JAIPAL REDDY : The House has the information that a member has been physically prevented from entering the House and participating in its proceedings.

MR. CHAIRMAN : Let the information come. Then, we will announce. Mr. Poojary, you may please move your Bill.

SHRI S. JAIPAL REDDY : This is a wrong precedent Sir.

SHRI ARIF MOHAMMAD KHAN

* Not recorded.

(Bahraich) : You are the custodian of the rights of the members of this House, . .

(Interruptions)

[Translation]

SHRI RAJ KUMAR RAI : Sir, there cannot be a worse tradition than this. You force the Government.

(Interruptions)

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI SHEILA DIKSHIT) : There is no information. Once the information comes, the hon. Speaker himself will announce it.

[Translation]

SHRI RAJ KUMAR RAI : I am coming from there. He has been arrested in the Indian Olympic Association office at 11.00 A.M. How can it be that the Government is not aware of it? You are trying to evade the issue. The Democracy is being murdered. This is illegal.

(interruptions)

[English]

MR. CHAIRMAN : We are bound to give the information to the House. As soon as it is received; it will be announced.

(Interruptions)

SHRI INDRAJIT GUPTA : MR. Chairman, after Mr. Shukla's arrest or detention or whatever it is, if that has anything to do with the affairs of the Indian Olympic Association, then Mrs. Alva should be in a position to tell us something as to what has happened.

THE MINISTER OF STATE IN THE DEPARTMENTS OF YOUTH AFFAIRS AND SPORTS AND WOMAN AND CHILD DEVELOPMENT IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI MARGARET ALVA) : From 11 O'clock in the morning and since this debate is going on, I am here, I do not know what has happened.

[Translation]

SHRI RAJ KUMAR RAI : You are sitting in the Chair and, therefore, you are not a Member. Kindly protect our interests. Do not lose sight of the august position that you occupy. You are occupying the Chair. You are not an ordinary Member, where you may have to raise your hand before saying something.

[English]

SHRI INDRAJIT GUPTA : You go and find out.

SHRI BASUDEB ACHARIA : You go and find out and inform the House.

SHRIMATI MARGARET ALVA : How do I know? He is an MP. He should go and find out.

[Translation]

SHRI RAJ KUMAR RAI : I had given information about it an hour ago. Sir, in this very house I have said it. What type of Government is this? A Member has been arrested and the Government is turning a deaf ear to it.

[English]

MR. CHAIRMAN : They will find it out.

SHRI S. JAIPAL REDDY : We would like to know, right now.

[Translation]

SHRI RAJ KUMAR RAI : You will have to tell us. Nothing worse than this can happen when the House is in session.

[English]

SHRIMATI SHEILA DIKSHIT : I would appeal to the Members that when information comes, we will clarify it to the House.

(Interruptions)

SHRI BASUDEB ACHARIA : Now, it is 3.30 P.M. . . (Interruptions)

It is a gross violation of the Rule.

(Interruptions)

SHRI ARIF MOHAMMAD KHAN : This is a contempt of the House.

*(Interruptions)**[Translation]*

SHRI RAJ KUMAR RAI : He has been arrested by the Lodhi Estate Police Station.

MR. CHAIRMAN : Kindly sit down. As soon as we get any information, we shall convey it to the House.

(Interruptions)

MR CHAIRMAN : The Minister has listened to what all of you have said. You may please take your seat now.

(Interruptions)

SHRI RAJ KUMAR RAI : Sir, I have a point of order. What action have you taken, since I informed you an hour ago ?

*(Interruptions)**[English]*

SHRI BASUDEB ACHARIA : The Home Minister should come and inform the House. *(Interruptions)*. He has been under detention from 12 O'clock.

*(Interruptions)**[Translation]*

SHRI MANVENDRA SINGH : Sir, it is already 3 PM now and he was arrested at 11.00 A.M. The Government will have to inform the House.

*(Interruptions)**[English]*

MR. CHAIRMAN : Whatever the hon. Members are saying will not go on record.

*(Interruptions)***

MR. CHAIRMAN : The rule says :

"As soon as may be, the Speaker shall, after he has received a communication referred to in rule 229 or 230, read it out in the House . . ."

I have not received any information. As soon as I receive the information, I will inform the House.

*(Interruptions)***

MR. CHAIRMAN : Nothing will go on record.

*(Interruptions)**[Translation]*

SHRI RAJ KUMAR RAI : A very wrong, a very bad convention has been set up.

(Interruptions)

MR. CHAIRMAN : Action will be taken according to rules.

*(Interruptions)**[English]*

MR. CHAIRMAN : Only when I receive it, can I convey it to the House. I have not received it.

*(Interruptions)***

MR. CHAIRMAN : The Minister of Parliamentary Affairs has said she has not received it. She will find it out.

*(Interruptions)**[Translation]*

MR. CHAIRMAN : The hon. Minister of Parliamentary Affairs has heard what the hon. Members have said, she will find it out.

SHRI ARIF MOHAMMAD KHAN : The convention is that if any hon. Mem-

ber has himself seen that an hon. Member of the House has been arrested and he informs the House of this, then action has to be taken.

MR. CHAIRMAN : Information should come through proper channel.

(Interruptions)

AN HON. MEMBER : The law should take its own course.

(Interruptions)

MR. CHAIRMAN : Information will come as per rules.

(Interruptions)

SHRI MANVENDRA SINGH : An hon. Member has been locked up without reasons. It is a serious matter.

MR. CHAIRMAN : We do not know whether he has been arrested for some reasons or without reasons.

AN HON. MEMBER : I am returning after talking to the S.H.O.

MR. CHAIRMAN : Action will be taken only when the information is received.

SHRI ARIF MOHAMMAD KHAN : Information should have come. Why did it not come so far ?

[English]

SHRI INDRAJIT GUPTA (Basirhat) : Sir, I think you will agree that Members are understandably agitated. It is reported that the arrest, or whatever it is, took place at about 11 O'clock. That means nearly five hours ago. According to the Rules of Procedure, you will kindly see that information of the arrest of a Member has to be conveyed to the Speaker at the earliest possible moment. Five hours ago the arrest has taken place here in Delhi; but nobody on the Government benches says that he knows anything about it.

(Interruptions)

AN HON. MEMBER : Incompetent Government.

SHRI INDRAJIT GUPTA : You give them time. Let them come in half-an-hour or one hour, and inform the House.

SHRI BASUDEB ACHARIA (Bankura) : Why can't you tell them ?

SHRI RAJ KUMAR RAI : I informed the House one hour before. You must take action.

[Translation]

SHRI MANVENDRA SINGH : The proceedings of the House have been on for 5 hours is now.

[English]

MR. CHAIRMAN : I hope they will find it out.

SHRI BASUDEB ACHARIA : You give them half an hour to get the information. Let it be laid before the House.

SHRI INDRAJIT GUPTA : Why don't you act under the rules ? Five hours have passed.

SHRIMATI SHEILA DIKSHIT : When information comes, we will definitely inform you about this.

[Translation]

SHRI MANVENDRA SINGH : It happened in Delhi and you do not have the information ?

[English]

SHRI ARIF MOHAMMAD KHAN : It is a contempt of the House.

SHRIMATI SHEILA DIKSHIT : We cannot take it on the basis of what you are saying.

[Translation]

SHRI ARIF MOHAMMAD KHAN : Do not make excuses. We know this Government does not work. There is nothing particular in it.

[English]

This is a non-functioning Government. We know that they cannot . . .

MR. CHAIRMAN : Please hear. You must also know the rule that when the Chairman stands, you must take your seats. You have given some information, and we shall find it out. The Chair will now find it out. I shall inform the House. What more do you want? How can I tell you now?

(Interruptions)**

MR. CHAIRMAN : Nothing goes on record.

(Interruptions)**

SHRI ARIF MOHAMMAD KHAN : Sir, when you sit in the Chair, you are the custodian of the rights of the House. You must perform your duties here.

(Interruptions)

MR. CHAIRMAN : This is what I am saying. I will inform the House as soon as I get the information.

(Interruptions)

SEVERAL HON. MEMBERS : Let us adjourn the House.

SHRIMATI SHEILA DIKSHIT I would appeal to the hon. members to . . . (Interruptions)

How can I tell you just now? We are waiting for the information because it has to come to the Speaker first. (Interruptions)

SEVERAL HON. MEMBERS : Let us adjourn the House.

(Interruptions)

SHRIMATI SHEILA DIKSHIT : No. We have heard you. You have informed about it.

(Interruptions)

SHRI H. A. DORA (Hanamkonda) : You will not be allowed to speak.

(Interruptions)

15.41 hours

[MR. SPEAKER in the chair]

SHRI INDRAJIT GUPTA : Have you been given any information?

MR. SPEAKER : I have heard you. If you allow me, I will speak. I will try to find out what is happening and then report back to the House.

(Interruptions)

SHRI BASUDEB ACHARIA : How has the police failed to inform you?

(Interruptions)

MR. SPEAKER : Acharia Sahib, there is a rule.

(Interruptions)

[Translation]

SHRI MANVENDRA SINGH : Mr. Speaker, Sir, 5 hours have passed. Nothing has been done so far.

MR. SPEAKER : Just listen to me.

(Interruptions)

SHRI ARIF MOHAMMAD KHAN : I have a submission to make.

MR. SPEAKER : If necessary, I will listen to your views.

SHRI ARIF MOHAMMAD KHAN : Sir, I shall not speak after you make your observations. Therefore, please listen to me for a moment.

MR. SPEAKER : I have heard.

SHRI ARIF MOHAMMED KHAN :
I am just returning from the Police station and Shri Manvendra Ji was also with me. Shri V.C. Shukla was arrested between 11 to 12 hours. Information to this effect has not yet reached here. Attempts were being made to lathi charge the people who were with him. Excesses were being committed on them. Somehow we intervened and saved the situation from taking an ugly turn.

(Interruptions)

MR. SPEAKER : Please listen to me.

SHRI RAJ KUMAR RAI : I am just returning after meeting him.

(interruptions)

MR. SPEAKER : I shall take such action to protect your rights as rules permit. According to rules, if any hon. Member is arrested within 24 hours—
(Interruptions).

[English]

SHRI AMAR ROYPRADHN
(Cooch Bchar) : It is writtenthere : "As soon as possible".

[Translation]

MR. SPEAKER : Please Let me speak. I have heard you. Now please listen to me.

(Interruptions)

[English]

SHRI ARIF MOHAMMAD KHAN :
It is a clear case of violation of the rules.

[Translation]

You may please refer this case to the committee on privileges. We will give you written notice later. Kindly accept our oral notice at the moment and refer this case to the Committee on Privileges.

MR. SPEAKER : It is not done like this.

[English]

SHRI V. SOBHANADREESWARA
RAO : It is their moral duty to inform the Speaker. (Interruptions)

MR. SPEAKER : Not allowed,

(Interruptions)**

[Translations]

MR. SPEAKER : Please listen to me. Whenever any hon. Member is arrested or any hon. Member himself courts arrest, we inform the House. If no information is given to us in this regard, we take disciplinary action and pass on the case to the Committee on Privileges and take action.

(Interruptions)

MR. SPEAKER : Please listen to me. If you do not listen what can I do ?

SHRI ARIF MOHAMMAD KHAN :
Sir, you can reprimand. You can refer the case to Privileges Committee. You can do everything.

MR. SPEAKER : I can do. I shall find out and if it is necessary to refer the case to Privileges Committee, I shall initiate action just now,

[English]

and whatever action is necessary, I will take.

[Translation]

SHRI RAJ KUMAR RAI : Mr. Speaker, Sir, I have a complaint- It is not related to the present issue.

MR. SPEAKER : Now you please resume your seat.

[English]

I will ask for the information. Let us proceed with the business of the House.

SHRI INDRAJIT GUPTA : You will get information now. Failure to keep you

informed at the earliest possible moment is a gross breach of the rule.

[*Translation*]

SHRI RAJ KUMAR RAI : I informed the House about it one hour back and I said. . .

(*Interruptions*)

[*English*]

MR. SPEAKER : Not allowed. I cannot allow.

(*Interruptions*)

[*Translation*]

MR. SPEAKER : It is enough now. You please resume your seat.

15.46 hrs.

SHIPPING DEVELOPMENT FUND
COMMITTEE (ABOLITION)
AMENDMENT BILL

[*English*]

THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI JANAR-
DHANA POOJARY) : On behalf of Shri
B.K. Gadhvi, I beg to move :

"That the Bill to amend the Shipping Development Fund Committee (Abolition) Act, 1986, be taken into Consideration."

The Government of India has taken several positive steps in the past with the primary object of building up a self-reliant merchant fleet, capable of meeting the needs of the country during peace and war. As a result not only there has been significant increase in national tonnage both in the general shipping sector and in the fishing trawler industry but also it has contributed significantly to the emergence of India as an important maritime nation in the developing world. . .

In the past decade the shipping industry has passed through a very difficult period

because of world-wide recession and sharp decline in freight rates. This necessitated the evolving of a new financing mechanism for extending adequate support to the shipping and trawler industries. After a careful review, therefore, Government decided to wind up the Shipping Development Fund Committee and to create a new financing agency which would have wide financial resources and greater flexibility of operations. This decision was given effect to by the Shipping Development Fund Committee (Abolition) Act, 1986.

Based on the experience of erstwhile SDFC and the difficulties faced by it in effecting recoveries of dues certain special powers had been granted to the Government through the Shipping Development Fund Committee (Abolition) Act, 1986. These special powers include powers to recall of repayment of loans before agreed period, to appoint receiver without intervention of court, to appoint directors and administrators of shipping concerns notwithstanding the provisions of the Companies Act, 1956, to recover dues as arrears of land revenue, etc. Such powers were to be exercised by the Government of India itself or through an agent. Section 16 of the Shipping Development Fund Committee (Abolition) Act had enabled Government to delegate such special powers under chapter III of the said Act to a designated person.

This power to delegate, however, does not extend to other provisions of the Act and is confined to Chapter III. This has led to some administrative difficulties since certain functions under the other provisions of the Act have an intimate relationship with the powers and functions under Chapter III of the Act. It has, therefore, been felt that it would be administratively more convenient if all the powers and functions under the Act could be capable of being delegated and could be exercised by the same authority. It is accordingly proposed to carry out an amendment to Section 16 of the Shipping Development Fund Committee (Abolition) Act, 1986 so as to enable Government to delegate all powers under the Act to a designated person. The delegation of all or any of the powers and functions by the Central Government to the designated person would be subject