

wish to thank all the Members, particularly our own leader, Shri Ranga, Prof. Dandavate and others, not only for their appreciation they have expressed and for the support which I received in getting this Bill passed. All sections of the House have given us their support both inside and outside the House during the consultations and I certainly would say that we are prepared to study together the improvements as we go along because our aim is common; this incident should never be seen in India.

MR. DEPUTY-SPEAKER: The question is:

"That Bill, as amended, be passed".

The motion was adopted.

17.26 hrs.

MESSAGE FROM RAJYA SABHA

[English]

SECRETARY-GENERAL: Sir, I have to report that Rajya Sabha at its sitting held on the 15th December, 1987 passed a motion referring the Indian Medical Council (Amendment) Bill, 1987, to a Joint Committee of the Houses consisting of 45 members, 15-members from Rajya Sabha namely:-

1. Shri Pawan Kumar Bansal
2. Shri Mirza Irshadbaig
3. Shri Bhagtram Manhar
4. Shri P.N. Sukul
5. Shri Thindivanam K. Ramamurthy
6. Dr. R.K. Poddar

7. Shri G. Varadaraj
8. Dr..G. Vijaya Mohan Reddy
9. Shri K.G. Maheswarappa
10. Miss Saroj Khaparde
11. Shri S.S. Ahluwalia
12. Shri Mahendra Prasad
13. Kumari Sayeeda Khatun
14. Shri Pramod Mahajan
15. Shri Virendra Verma

and 30 members from Lok Sabha and recommended that Lok Sabha do join in the said Joint Committee and communicate to that House the names of members to be appointed by Lok Sabha to the said Joint Committee.

17.27 hrs.

CHANDIGARH (DELEGATION OF POWERS) BILL

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINTAMANI PANIGRAHI): I beg to move:

"That the Bill to provide for the delegation of powers vested in the Administrator of the Union Territory of Chandigarh, be taken into consideration."

The statutory powers of the Central Government and the State Government under certain laws in their application to the Union Territory of Chandigarh are with the Administrator of the Union Territory of Chan-

[Sh. Chintamani Panigrahi]
Chandigarh. The Administrator is also required to discharge the functions of a quasi-judicial authority under certain other statutes.

At present, the Governor of Punjab is concurrently designated as the Administrator of the Union Territory of Chandigarh. In his capacity as Administrator, he is required to exercise the said statutory powers and discharge the said quasi-judicial functions. As a result, several appeals and review cases are pending for disposal by the Administrator and it is not practical for him to dispose of them expeditiously. It is, therefore, proposed to vest such powers of the Administrator in any officer or other authority as may be specified in this behalf by the Central Government or the Administrator by notification in the official gazette.

This is a very simple Bill for delegating powers to some officers of the Chandigarh Administration and I hope that the Bill will get support from the House.

MR. DEPUTY SPEAKER: Motion moved:

"That the Bill to provide for the delegation of powers vested in the Administrator of the Union Territory of Chandigarh, be taken into consideration."

SHRI ANIL BASU (Arambagh): Mr. Deputy-Speaker, Sir, I am sorry to say that I am not able to appreciate the purpose the Government wants to achieve through this Bill.

After imposition of the President's rule in Punjab, one and a half years have passed and the Government could not find time to bring any legislation so that justice could be provided to the people of Chandigarh, who earlier were getting the benefit from the powers of the Administrator of Chandigarh.

but after imposition of the President's rule, Governor of Punjab has been made the Administrator of Chandigarh. In the Statement of Objects and Reasons, it has been mentioned that the Governor could not find time to dispose of the cases under his quasi-judicial powers, which he has got, and as a result, several appeals and review cases are pending for disposal by the Administrator and it is not practicable for him to dispose of them expeditiously. It is, therefore, proposed to vest such powers of the Administrator in any officer of any other authority as may be specified in this behalf by the Central Government or the Administrator by notification in the Official Gazette.

The Governor, who is now Administrator of Chandigarh, could not find time for this and that is why you want to delegate these powers to other officers, so that they can discharge the quasi-judicial functions, which they cannot do at present.

This Bill is one of the glaring examples of the indifferent attitude of the Union Government towards solving the Punjab problem. The people of Chandigarh have been denied of their legitimate right during the last one and a half years' Governor's rule in Punjab. Sir, the political solution is the only solution to the Punjab problem. But the Government is not at all intending to bring a political solution to the problems of Punjab. Instead of that Government wants to solve the problems of Punjab through law enforcement agencies and through guns. Day in and day out it has been claimed by the Governor of the Punjab that the situation in Punjab is normal and the terrorists are losing morality. But you must have seen the report that appeared in the newspaper that two top police officers were gunned down at Patiala, in the INSA institute while they were engaged in the morning walk. A report submitted by the Punjab Governor says that 546 persons were killed due to terrorists' activities in Punjab during the period 1st May

1987 to 31st December, 1987. That means the number of persons killed or injured by the terrorists or by police action or by the para-military action is increasing in Punjab. What is required is the restoration of popular Government in Punjab. What is required is to implement the Rajiv-Longowal Accord which is not implemented till now. And that is why the Punjab problem could not be solved uptill now. By this Act you only want to provide relief to the people of Chandigarh which is their legitimate right but which is denied to them because of the President's Rule. Sir, it is the responsibility of the Central Government to see that the benefit of all the developmental activities and other activities of Punjab are provided to the people of Punjab and people of Chandigarh. But you are not doing it and after so many years you have come with the legislation for the delegation of the power to some other officers so that the cases which are pending before the Governor of Punjab can be disposed of. This type of attitude will not help in solving the problem of Punjab.

Regarding the Jodhpur detenus, in spite of your declaration you have not taken any specific steps. And that is why I urge upon the Union Government to see that the problem of Punjab should be solved politically and the Accord which was signed between Shri Rajiv Gandhi and Shri Longowal should be implemented. And Chandigarh should be transferred to the Punjab. With these words I conclude my speech.

MR. DEPUTY-SPEAKER: Now, the Minister will give reply.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINTAMANI PANIGRAHI): Sir, in the beginning only I said that this is a very limited issue. The hon. Member has started discussing the entire security and law and order problem in Punjab. I think this problem has been sufficiently discussed in the House in

the past. The Central Government has put before the House every action taken by them in this regard. We are taking very strong action and the Law Enforcement Agencies are also taking strong action. As a result the situation has apprecably improved and the Government is giving its utmost attention for finding a speedy solution to the problems of Punjab in its totality. But as I said this Bill is only for a limited issue. The present Government of Punjab is also the Administrator of the Union Territory of Chandigarh. To relieve the Governor from the pressure of work the Bill seeks to delegate the powers to such officers as to be notified in the Official Gazette. Therefore, this Bill seeks to achieve a very very limited objective and I hope it will be accepted by the hon. members.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to provide for the delegation of powers vested in the Administrator of the Union territory of Chandigarh, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER: Now, we will take up clause-by-clause consideration of the Bill. The question is:

"That Clauses 2 to 4 stand part of the Bill".

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

MR. DEPUTY-SPEAKER: . Minister may now move that the Bill be passed.

SHRI CHINTAMANI PANIGRAHI: I beg to move:

[Sh. Chintamani Panigrahi]

"That the Bill be passed".

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

17.35 hrs.

ALL INDIA COUNCIL FOR TECHNICAL
EDUCATION BILL-CONTD

[English]

MR. DEPUTY-SPEAKER: We will now take up further consideration of the following motion moved by Shrimati Krishna Sahi on the 9th December, 1987, namely:-

"That the Bill to provide for the establishment of an All India Council for Technical Education with a view to the proper planning and coordinated development of the technical education system throughout the country, the promotion of qualitative improvement of such education in relation to planned quantitative growth and the regulation and proper maintenance of norms and standards in the technical education system and for matters connected therewith, as passed by Rajya Sabha, be taken into consideration."

Mr. V.S. Rao may please speak.

SHRI V. SOBHANADREESWARA RAO (Vijayawada): Sir, this is a very important Bill. I stoutly oppose this Bill. Though the All India Council for Technical Education has made a recommendation as far back as

1981 and in spite of the fact that Education is in the Concurrent List, I do not understand why the Government of India has not consulted the States while coming up with this Bill. This is nothing but ignoring the genuine rights of the States. This Government wants to usurp all the powers of the States. That is why they want to pass this Bill. Their only intention is to extend their power over the States.

Sir, this is a very important Bill and its consequences are far reaching. I suggest that the Government should withdraw this Bill, discuss all the issues relating to it thoroughly with all the States and then come afresh with a new Bill incorporating all the suggestions of the State Government.

Sir, as per this Bill, there are going to be about 51 members in the proposed Council. Of the 51, there are only eight members to represent all the States and Union Territories. What is the logic behind it? I suggest that the Council must at least have 24 members from States and Union Territories having large number of technical institutions.

Now Sir, kindly look at Sub-Clause (k) of Clause 10. It reads as follows:

"grant approval for starting new technical institutions and for introduction of new courses or programmes in consultation with the agencies concerned."

Why should the Central Government give permission to start technical institutions? Are not the States competent to do so? At best, you can give advice on aspects relating to infrastructure of the institutions, course content, etc. By taking away this power from the States, you want to have Education also in the Central Sector. That is why I stoutly oppose this Bill.