

under sub-section (2) of section 7 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. [Placed in Library. See No. LT-2463/78].

(2) A copy of the Annual Report (Hindi and English versions) of the Central Board for Workers Education, for the year 1976-77. [Placed in Library. See No. LT-2464/78].

NOTIFICATION UNDER DRUGS AND
COSMETICS ACT

THE MINISTER OF STATE IN
THE MINISTRY OF HEALTH AND
FAMILY WELFARE (SHRI JAG-
DAMBI PRASAD YADAV): I beg
to lay on the Table a copy of Notifi-
cation No. G.S.R. 820 (Hindi and En-
glish versions) published in Gazette
of India dated the 24th June, 1978,
making certain amendment to the
Second Schedule to the Drugs and
Cosmetics Act, 1940, under
section 38 of the said Act. [Placed in
Library. See No. LT-2465/78].

NOTIFICATION UNDER CUSTOMS ACT RE.
EXEMPTION TO P.V.C. RESINS FROM
BASIC CUSTOM DUTY WHEN IMPORTED
INTO INDIA

THE MINISTER OF STATE IN
THE MINISTRY OF FINANCE (SHRI
ZULFIQARULLAH): I beg to lay
on the Table a copy of Notification
No. 145/78-Customs (Hindi and En-
glish versions) published in Gazette
of India dated the 27th July, 1978
together with an explanatory memo-
randum regarding exemption to P.V.C.
resins when imported into India from
the basic custom duty, under section
159 of the Customs Act, 1962. [Placed
in Library. See No. LT-2465A/78].

12.12 hrs.

MESSAGE FROM RAJYA SABHA

SECRETARY: Sir, I have to report
the following message received from

the Secretary-General of Rajya
Sabha:—

"I am directed to inform the Lok
Sabha that the Rajya Sabha, at its
sitting held on the 25th July, 1978,
has passed the enclosed motion re-
ferring the Visva-Bharati (Amend-
ment) Bill, 1978, to a Joint Com-
mittee of the Houses and to request
that the concurrence of the Lok
Sabha in the said motion and the
names of the members of the Lok
Sabha to be appointed to the said
Joint Committee may be communi-
cated to this House.

MOTION

"That the Bill further to amend
the Visva-Bharati Act, 1951, be re-
ferred to a Joint Committee of the
Houses consisting of 33 members; 11
members from this House, namely:—

1. Dr. V. P. Dutt
2. Prof. D. P. Chattopadhyaya
3. Shri Bishambhar Nath Pande
4. Shrimati Kanak Mukherjee
5. Shri Pranab Mukherjee
6. Dr. Malcolm Sathianathan
Adiseshiah
7. Shri Amarprosad Chakraborty
8. Dr. Sarup Singh
9. Dr. Bhaj Mahavir
10. Shri Ghanshyambhai Oza
11. Shri Lakshmana Mahapatro

and 22 members from the Lok
Sabha;

that in order to constitute a meet-
ing of the Joint Committee the quo-
rum shall be one-third of the total
number of members of the Joint
Committee;

that in other respects, the Rules
of Procedure of this House relating
to Select Committee shall apply
with such variations and modifica-
tions as the Chairman may make;

that the Committee shall make a
report to this House by the last day
of the first week of the next Ses-
sion; and

that this House recommends to the Lok Sabha that the Lok Sabha do join in the said Joint Committee and communicate to this House the names of members to be appointed by the Lok Sabha to the Joint Committee."

12.14 hrs.

STATEMENT BY MEMBER RE. ANSWER GIVEN TO USQ NO. 425 BY MINISTER OF STATE FOR HOME AFFAIRS AND STATEMENTS MADE BY MINISTER OF STEEL AND MINES REGARDING SETTING UP OF A SPECIAL COURT FOR TRIAL OF THE FORMER PRIME MINISTER

MR. SPEAKER: Before I take up the Calling Attention, Mr. Mavalankar to make a statement under Direction 115. The entire statement need not be read out.

PROF. P. G. MAVALANKAR (Gandhinagar): I will read out only the relevant portions.

As per Direction 115(4) of the Directions by the Speaker, Lok Sabha, I invite the attention of the House to the inaccuracy in the statements made by the hon. Minister of Steel and Mines on the question of Government's decision to set up a special court to try the former Prime Minister, Shrimati Indira Gandhi.

On Wednesday, July 19, 1978, I asked the Unstarred Q. No. 425 to which the Minister of State in the Ministry of Home Affairs, Shri S. D. Patil, gave the answer, which I quote:

"Will the Minister of Home Affairs be pleased to state:

(a) whether Government propose to bring forward at a very early date legislation providing for the setting up and functioning of special courts and/or other

judicial bodies for proceeding with the civil/criminal cases against one or more individuals whose conduct and deeds or misdeeds during the nineteen months old emergency were inquired into by the specially constituted Commissions of Inquiry;

(b) if so, broad indications thereto; and

(c) if not, why not?

The Minister of State in the Ministry of Home Affairs, Shri S. D. Patil replied like this:

"(a) to (c). Some specific proposals for legislation have been received by Government. The question of setting up a special court to try Shrimati Indira Gandhi is under the active consideration of the Government. In view of some doubts about the validity of such a legislation, Government have decided to seek the opinion of the Supreme Court on the question of validity under Article 143 of the Constitution."

On the same afternoon, that is, Wednesday July 19, 1978, however, the hon. Minister of Steel and Mines, Shri Biju Patnaik made repeatedly a series of points mentioning the subject of the special court and, I submit, the two Ministerial statements, one following closely the other within some hours, brought out uncertainty and confusion, if not, mutual contradiction.

While the Minister of State for Home Affairs told the House that "the question of setting up a special court to try Shrimati Indira Gandhi is under the active consideration of the Government", the Minister of Steel and Mines went on to say and even repeat that "as Government, we have decided to set up a special court".

In this connection, I wish to refer to the Uncorrected version of the Lok Sabha debates of July 19, 1978.