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(AJAY PRASAD)

DEPUTY SECRETARY TO THE  
GOVERNMENT OF INDIA

SHRI JYOTIRMOY BOSU: Sir, I want to seek a clarification.\*\*

MR. DEPUTY SPEAKER: No, no; it will not go on record because Rule 372 is very clear:

“A statement may be made by a Minister on a matter of public importance with the consent of the Speaker, but no question shall be asked at the time the statement is made.”

SHRI JYOTIRMOY BOSU: I have not asked a question; I am seeking a clarification.

MR. DEPUTY SPEAKER: No, I am not allowing you.

Shri Bhishma Narain Singh. (*Interruptions*).

I am not allowing. You and I have got to respect the rules: both of us. (*Interruption*)\*\*. No. no clarification. Please!

Shri Bhishma Narain Singh.

THE MINISTER OF PARLIAMEN-  
TARY AFFAIRS AND WORKS AND  
HOUSING (SHRI . BHISHMA  
NARAIN SINGH): With your per-  
mission, Sir, I rise to announce that  
Government Business in this House...  
(*Interruptions*)\*\*.

\*\*Not recorded.

MR. DEPUTY-SPEAKER: You cannot ask for a clarification accord-  
ing to Rule 372. (*Interruptions*)\*\*  
Why cannot you also take it out and  
read it? I have already read Rule  
372. What is this, Mr. Jyotirmoy  
Bosu? (*Interruptions*)\*\*. I have  
read it:

“A statement may be made by a  
Minister on a matter of public im-  
portance with the consent of the  
Speaker but no question shall be  
asked at the time the statement is  
made.”

Whether a question or a clarification  
there will be no discussion on the  
statement. (*Interruptions*). Who is  
obstructive has got to be known to  
the House. Now please. (*Interrup-  
tions*). I cannot allow, against the  
rules. I am the custodian and the  
House is the defender of the rules.  
(*Interruptions*). No. What is this?  
You are a senior Member. I am  
very sorry.

Yes. Shri Bhishma Narain Singh.  
(*Interruptions*). No I am not per-  
mitting you.

## BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMEN-  
TARY AFFAIRS AND WORKS AND  
HOUSING (SHRI BHISHMA  
NARAIN SINGH): With your per-  
mission, Sir, I rise to announce that  
Government Business in this House  
during the week commencing 1st De-  
cember, 1980. will consist of:—

(1) Consideration of any item of  
Government Business carried over  
from today's Order Paper.

(2) Consideration and passing  
of:—

(i) The Ear Drums and Ear  
Bones (Authority for use for  
Therapeutic Purposes) Bill, 1980.

\*\*Not recorded.

(ii) The Anti-Apartheid (United Nations Convention) Bill, 1980.

(iii) The Air (Control and Prevention of Pollution) Bill, 1980.

(iv) The Eyes (Authority for use for Therapeutic Purposes) Bill, 1980.

(v) The Jute Companies (Nationalisation) Bill, 1980.

(3) Discussion on the Resolutions seeking disapproval of the following Ordinances together with consideration and passing of the Bills in replacement of them:—

(a) The Forest (Conservation) Ordinance, 1980.

(b) The Code of Criminal Procedure (Amendment) Ordinance, 1980.

(4) Consideration and passing of:—

(i) The Khuda Baksh Oriental Public Library (Amendment) Bill, 1980. as passed by Rajya Sabha.

(ii) The Rampur Raza Library (Amendment) Bill, 1980 as passed by Rajya Sabha.

(iii) The Victoria Memorial (Amendment) Bill, 1980.

SHRI CHANDRAJIT YADAV (Azamgarh): Sir, what has happened? This is for next week. and it is entirely Government business. In the Business Advisory Committee it was agreed that the Government will agree to a discussion on the communal situation, the price rise for the peasantry and the Sixth Five Year Plan. These are three important matters of public importance. But now Government is saying that the whole of next week is full with Government business. What about other business of public importance? The meeting of the Business Advisory Committee was postponed, it has not

met. We will not agree to this unless the Government agrees to discuss these important things, i.e. the communal situation, remunerative prices for the peasants' produce etc. Movements are going on; difficulty is there. The Sixth Five Year Plan's framework has been circulated; we want to discuss this also. What has the Government to say about this?

MR. DEPUTY-SPEAKER: You attended the Business Advisory Committee's meeting?

SHRI CHANDRAJIT YADAV: Yes. It was agreed to call a meeting again, but it has not been called; it has been postponed. We are going to adjourn; what will happen then? We are going to adjourn for the next week. Before we start next week's business we must know how Government will find time and Parliament—the Lok Sabha—will find time for a discussion of these important things. These are very important matters and Government must agree. Otherwise, we will not agree to this kind of twisting of the rules.

MR. DEPUTY-SPEAKER: You see, regarding the Business Advisory Committee, reasons have already been placed. You can all speak on that and the Minister will then reply. This is not the way. (*Interruptions*). There should be a procedure. This is one of the points you are going to raise. He will reply to you finally. (*Interruptions*).

SHRI ATAL BIHARI VAJPAYEE (New Delhi): What about the Business Advisory Committee? You don't call a meeting of the Business Advisory Committee; what for is the Business Advisory Committee there if it is not meeting. Without the Business Advisory Committee's consent, how can he announce the business? (*Interruptions*).

MR. DEPUTY-SPEAKER: The point is, he has placed it before the House...

**PROF. MADHU DANDAVATE** (Rajapur): I have a point of order.

**MR. DEPUTY-SPEAKER:** What is your point of order?

**PROF. MADHU DANDAVATE:** My point of order is regarding the procedure—about the statement to be made by the Minister of Parliamentary Affairs.

**MR. DEPUTY-SPEAKER:** Under what rule?

**PROF. MADHU DANDAVATE:** Rule 376. That is the usual rule. How many times do we quote Rule 376? We have learnt it by heart Sir.

What I am pointing out to you is that, always, the statement is made after the Business Advisory Committee's meeting. For some reason, because the Speaker is not keeping good health, the meeting of the Business Advisory Committee was cancelled. Now, by-passing the Business Advisory Committee, here the Parliamentary Affairs Minister makes a statement regarding the business and actually by-passes the decision that was already taken at an earlier meeting. This is all the more objectionable. That is why Shri Atal Bihari Vajpayee was pointing out that the whole procedure of making the statement is wrong. Therefore, you should ask and direct the Minister of Parliamentary Affairs that such a statement, without the consent of the Business Advisory Committee should not be made.

**SHRI ATAL BIHARI VAJPAYEE:** Sir, may I make a submission?

**MR. DEPUTY-SPEAKER:** The Minister will reply to this. Let us hear the Minister first.

**SHRI ATAL BIHARI VAJPAYEE:** You should hear us first. Why did you allow the Minister to make the statement?

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**MR. DEPUTY-SPEAKER:** I want his clarification on this. Then you can speak.

**SHRI ATAL BIHARI VAJPAYEE:** Is it not a fact that the meeting of the Business Advisory Committee was not called? There was no meeting. How can he announce the business for next week without consulting the Committee? The Committee is a Committee of the House. (Interruptions). Do they want our Cooperation or not? If we are not going to be consulted, we will not be members of the Committee.

**SHRI INDRAJIT GUPTA** (Basirhat): Sir, we are all Members of the Committee...

**SHRI BHISHMA NARAIN SINGH:** The Business Advisory Committee allocates the time. That time has been allotted. Then we arrange the business and give it to you. This is the procedure. If the Business Advisory Committee's meeting was postponed, it is not my fault. (Interruptions). For Government business you allot the time in the Business Advisory Committee. Then I announce here...

**SHRI CHANDRAJIT YADAV:** Not only time. It discusses questions which are important questions to be discussed—what will be the business of the House. This is not a technical Committee. (Interruptions) You take the Business Advisory Committee so lightly. It is not a time allocating Committee. I am taking very serious objection. The Business Advisory Committee is not a time allocating Committee: it is an important Committee and functions on behalf of the House as to what will be the business of the House. Business is discussed—Government business and non-official business.

**SHRI INDRAJIT GUPTA:** The Minister knows very well that in the meeting of the Business Advisory Committee last week three subjects

were selected. One was the question of prices, which was already discussed this week, the second was the question of falling prices for the peasants' or farmers' produce. That should be discussed. The third was the question of communal situation. And if this meeting had taken place as usual this week, then we know that one of these subjects would definitely have been found time for. Because the meeting could not be held, he is taking advantage of that and is coming forward with his own arbitrary list of business, without consulting the Committee. We would have selected one of those subjects and he would have agreed. The Speaker had already assured. Without doing that, he has come forward with government business only. What about those other items?

MR. DEPUTY-SPEAKER: Let this agenda be there. The Speaker has already assured the House that those items would be taken up for discussion. I would communicate your strong feelings to the Speaker, and when the Speaker comes on Monday, some announcement will be made with regard to these discussions. (*Interruptions*) Mr. Indrajit Gupta, I will communicate the strong feelings of the House to the Speaker...

SHRI INDRAJIT GUPTA: Why not call a meeting of the Business Advisory Committee?

श्री राम बिलास पासवान (हाजीपुर) :  
मेरा व्यवस्था का प्रश्न है ।

SHRI ATAL BIHARI VAJPAYEE:  
May I make a submission?

श्री राम बिलास पासवान : मेरा व्यवस्था का प्रश्न यह है कि नियम 289 के मुताबिक लिखा हुआ है कि समिति की सिफारिशें सभा को प्रतिवेदन के रूप में प्रस्तुत की जायेंगी, हम लोगों का प्वाइण्ट ऑफ ऑर्डर है कि जब समिति की बैठक ही नहीं हुई, समिति ने कोई सिफारिश ही नहीं की तो सभा में आप क्या प्रतिवेदन करा रहे हैं ? आप इस बारे में क्लिग दीजिए ।

PROF. MADHU DANDAVATE: Sir, you have not given your ruling on my point of order.

MR. DEPUTY-SPEAKER: I am ascertaining the views of all. This is a matter which has to be decided very amicably. (*Interruptions*).

SHRI BHISMA NARAIN SINGH: The report of the last Business Advisory Committee's meeting was already presented. This is the business for the next week. Where is the question of Report?

SHRI ATAL BIHAR VAJPAYEE: May I make a concrete suggestion?

MR. DEPUTY-SPEAKER: Let us hear his concrete suggestion.

SHRI ATAL BIHARI VAJPAYEE: You may call a meeting of the Business Advisory Committee this afternoon. Let the Committee meet and discuss the programme for the next week. The Minister has done something wrong. He should not have come to the House with this business alone.

SHRI BHISHMA NARAIN SINGH: Rule 288 is very clear. You can read the rule.

MR. DEPUTY-SPEAKER: Rule 288 reads:

"It shall be the function of the Committee to recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills and other business as the Speaker, in consultation with the Leader of the House, may direct for being referred to the Committee."

Perhaps he says that it shall be the function of the Committee to recommend the time...

(*Interruptions*)

SHRI CHANDRAJIT YADAV: It is the Committee, not the Minister, who will decide. If you take it like this, then it will be presumed that we have agreed for the next week only these items that the Minister has announced—if the House agreed to that. What you have read now refers to 'the Committee', not the Minister. It is the recommendation of the Committee with

which the Minister is to come and announced in the House....

MR. DEPUTY-SPEAKER: It is only for allocation of time...

SHRI CHANDRAJIT YADAV: There are other subjects which are included with the consent of the Speaker. That is why, the Committee is presided over by the Speaker. In his absence, you may preside over the Committee. In his absence, you are presiding over the House. You may preside over the Committee also. It will be a very wrong tradition if the Minister goes on like this. That means, we will have agreed for the next week only for this business. This cannot be agreed to...

MR. DEPUTY-SPEAKER: Now, the business for the next week has been presented by the Minister of Parliamentary Affairs, and whatever is your viewpoint, you have already given; you have suggested the items to be included...

SHRI CHANDRAJIT YADAV: We will not accept this.

MR. DEPUTY-SPEAKER: You have given your items.

SOME HON. MEMBERS: No.

MR. DEPUTY-SPEAKER: You could have protested.

SHRI ATAL BIHARI VAJPAYEE: I am protesting against the manner in which he has come with this.

(Interruptions).

SHRI JANARDHANA POOJARY (Mangalore): On a point of order.

MR. DEPUTY-SPEAKER: We shall settle it and come to a conclusion. Let us hear this side also. Let us hear the views of both sides. Mr. Poojary.

SHRI JANARDHANA POOJARY: Sir, I want draw your attention to Rule 290. You in your wisdom, have stated that the Report has been submitted before the House.

Now, the House is seized of the matter. It is now for the House to consider it as per Rule 290.

'At any time after the report has been presented to the House....'

(Interruptions)

if they have got any objection—I am just bringing this to your notice—

'a motion may be moved that the House agrees or agrees with the amendments or disagrees with the report.'

A motion may be moved and you can put it before the House whether the House agrees with the report or not. (Interruptions).

SHRI ATAL BIHARI VAJPAYEE: The opposition should not be taken for granted. (Interruptions)

MR. DEPUTY-SPEAKER: Item No. 10 of the Agenda is: Shri Bishma Narain Singh to make a Statement regarding Government Business for the week commencing the 1st December, 1980.

He has already made that statement. Now, I would call one by one to give their own suggestions which, they have already given. Shrimati Dandavate. (Interruptions).

SHRI ATAL BIHARI VAJPAYEE: Sir, I am raising a basic objection. (Interruptions).

MR. DEPUTY-SPEAKER: I am not permitting that. Now he has presented the report. I have got to call one by one. (Interruptions).

SHRI CHANDRAJIT YADAV: Mr. Deputy-Speaker, Sir, we are raising points of orders. You must give your ruling on that. It is not a technical issue like that. Steamrolling would not be allowed. Please give your ruling on the point of order that I am raising.

Under Rules 288 and 289, taking the rules together, the Business of this House has to be conducted on the basis of certain procedures. What will

be the items—official Bills or otherwise—to be discussed in this House are there. There is a procedure for that which Rules 288 and 289 lay down. I am reading them out for your consideration.

Rule 288(1) says:

‘It shall be the function of the Committee to recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills and other business as the Speaker, in consultation with the Leader of the House, may direct for being referred to the Committee.’

This includes even the Government Bills which have to come up to the Committee. It is not as if the Minister may come and make a statement. (Interruptions) Please ask him to listen to me. I am reading Rule 288(2) now which says:

‘The Committee shall have the power to indicate in the proposed time-table the different hours at which the various stages of the Bill or other business shall be completed’.

Then I come to Rule 288(3) which says:

‘The Committee shall have such other functions as may be assigned to it by the Speaker from time to time’.

Besides what the Committee is doing for the House business, it does even the other business which is considered by the Speaker. The Committee is bound to do that. See the Express Explanation. It says:

‘The expression other business referred to in this rule and Rules 290A and 291 means business, other than private members’ Bills under rule 65 and private members’ resolutions under rule 170.’

Then I come to Rule 289 which says:

‘The recommendations of the Committee shall be presented to the House in the form of a report’.

Who presents the recommendations? It has been the practice that the Parlia-

mentary Affairs Minister presents the recommendations to the House. This is the only thing which the Minister does by coming forward with the proposal. Otherwise we all know what is the printed business of the Government and what is the intention of the Government. Government has circulated all these Bills which are known to us. But, formally, the business of the House has to be decided, the time and everything, by the Committee along with the Speaker. Then, the Minister, on behalf of the Business Advisory Committee, comes to the House and submits that report. It is on the basis of that report that the House functions. It is a well aid practice according to rules and traditions also. Here the Minister comes forward without taking any of us into confidence... (Interruptions).

SHRI K. LAKKAPPA (Tumkur):  
No, no.

SHRI CHANDRAJIT YADAV: Just listen to me. He comes here without taking any of us into confidence. Only one meeting was called by the Business Advisory Committee. In that meeting, Mr. Deputy-Speaker, you were not present. Here, I want to tell you that in that committee, meeting, the last business was done. So, the last business was done according to the decision of that Committee meeting. We decided in that meeting that are four to five important issues of public interest which the House would like to discuss. First, the deteriorating communal situation in this country; Second the remunerative prices to the peasantry which they are agitating all over the country; Third, the Sixth Five Year Plan framework which has been referred to and then attacks on Harijans and other things. Then the Minister agreed and the Committee agreed unanimously for the last week’s business. It was agreed that one issue will be taken up, viz., price and in the coming weeks one issue from the issue referred to above will be taken up every week. This was the decision. After that the meeting was

called to decide the next week's business. Unfortunately, the meeting has been postponed.

Sir, if the speaker fell ill, in his place when You are presiding and conducting the business of the House what was wrong if you yourself could have called the meeting and decision of the Business Advisory Committee for the next week's business. Without this procedure being adopted the Minister has come with the next week's business. If we agree to the Minister's proposal it would mean that the House has agreed to the proposal which the Minister has placed and you will say because the House has agreed for the next week's business therefore the next week's business will be this. Therefore, Sir, I am saying that the Minister is not within his right to come with any kind of report or statement to announce the business of the next week without those things being discussed in the Business Advisory Committee. Therefore, Sir, our request is very correct. We have been cooperating with the Minister and the Minister will not have any grievance on that account. We are also interested that the government business gets properly conducted. So, what is wrong if the meeting of the Business Advisory Committee is called this afternoon to decide next week's business and then the Minister announces it on coming Monday as to what is the business of the House. (*Interruptions*).

SHRI K. LAKKAPPA: Mr. Deputy Speaker, Sir, it is not for the first time. It is the convention of the Parliamentary Affairs Ministry and, Sir, the meeting of the Business Advisory Committee was held and all the members were present and the allocation of time for the business of the government was discussed. It is only the previous meeting which was adjourned. It is wrong on the part of Opposition to raise an issue that there was no discussion in the Business Advisory Committee.

MR. DEPUTY SPEAKER: Their point is that no meeting of the Business Advisory Committee was held.

SHRI K. LAKKAPPA: Meeting of the Business Advisory Committee was held.

SHRI INDRAJIT GUPTA: The meeting of the Business Advisory Committee is held every week. He is referring to the last week's meeting. I say, Sir, the meeting was postponed.

SHRI K. LAKKAPPA: There is nothing wrong when he has submitted Report under Rule 289.

(*Interruptions*)

MR. DEPUTY SPEAKER: Mr. Jyotirmoy Bosu: I am calling you to speak on this issue. Only on this issue....

SHRI JYOTIRMOY BOSU: Yes, Sir, on this issue—as if I am new to this House. Sir, I have been a member of the Business Advisory Committee for more than a decade. You kindly don't try to teach me. The question is this, Sir. We are going to come to the end of two working weeks. We had only one Business Advisory Committee meeting. The tendency is being shown to evade the Business Advisory Committee. (*Interruptions*)

AN HON. MEMBER: No, Sir.

SHRI K. LAKKAPPA: It is a serious remark.

MR. DEPUTY-SPEAKER: You know the circumstances. The Speaker is not well.

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): Mr. Jyotirmoy Bosu's remarks are absolutely uncalled for. He is making aspersion against the Speaker.

MR. DEPUTY-SPEAKER: I think, Mr. Jyotirmoy Bosu, you are not casting any aspersion on the Speaker.

SHRI JYOTIRMOY BOSU: I will come to the operative part. Sir, In

the last Business Advisory Committee certain decisions were taken. (*Interruptions*) Mr. Deputy Speaker, Sir, besides the Government Business which you have printed and circulated, if I remember correctly, there were three items. One was Debate on 'Price rise' standing in the name of Prof. Madhu Dandavate. The second one was 'Falling prices of agricultural products' and the third was a debate on the ICAR. Now, Sir, if the hon. Minister in his wisdom has chosen to include all those items decided by the BAC, perhaps the House would not have been so much agitated as they are now..

MR. DEPUTY-SPEAKER: It is already there. Item 3 is there. I think you went through it—it is there, printed. This item is there.

SHRI JYOTIRMOY BOSU: True, but he has not included any of the two remaining items in this week's business. That is what our objection is. That is exactly our objection. My second point is this: If the Business Advisory Committee would have held its meeting in this week, then, we had other points to make which we would have brought in. There is the question of the disposal of Centurian Tank spare-parts. There is the fertilizer complex scandal of Maharashtra.

MR. DEPUTY SPEAKER: Now you have included it..

SHRI JYOTIRMOY BOSU: There is no chance and it is an important thing. You have purchase of tanks worth 10 crores..

MR. DEPUTY SPEAKER: Mr. Banatwalla. Give your points; help me; let us all jointly decide, because, it is the business for the next week.

SHRI G. M. BANATWALLA: Mr. Deputy-Speaker, Sir...

SHRI N. K. SHEJWALKAR (Gwalior): Sir, I think this matter has to be decided. May I draw the attention of the House to this? The item is 'Statement of the Minister'. It is

not a Report. Therefore, my submission is this: Rule 290 does not come into play at all.

AN HON. MEMBER: It has already been decided. (*Interruptions*)

SHRI N. K. SHEJWALKAR: Actually what is expected of us is this: What is the actual interpretation of Rule 288? I just want to quote this. These are the previous precedents. *Kaul and Shakhder*, Volume II, on page 659, say this; and I will quote it. This is apart from the conventions, as has been stated. The convention has been that always these matters, what are to be decided, what are to be taken into consideration in the next week's agenda, all these are considered by the Business Advisory Committee. It never happened—to the best of my knowledge—that just the statement is made and the business time is allotted here. Sir, it is not only the function of the Business Advisory Committee to fix up the time, but they fix up the subject also. Here it is said:

"The Committee selects for discussion in the House motions under Rule 184, short-duration discussions under Rule 193 and recommends time therefor. The priority in respect of Government business is determined by the Government. In certain cases the Committee has however recommended priority to individual items of business or suggested the hour and date on which an item of business be taken up or recommended postponement of certain items of business. If sufficient time was not available during the session for disposal of business placed before the Committee."

So, it is not merely allocation of time, Sir, let us not give a wrong precedent now, May I submit this? At the moment, the best thing which should have been done is this. The Committee can sit for a while after lunch or during lunch and send a report. (*Interruption*) May I submit, Sir,

the purpose is only meeting for this. In view of the good traditions which we have laid down, what we should do is this. They may sit for a while. After that a report can be submitted. I am afraid nothing can be done under 290. Otherwise, this would mean writing off the rights of the Members of Parliament provided under 290. How can the amendment be put? I do not think the amendment to the Statement can be moved? It can be done only after the report has been submitted. This arises only after the report has been presented. Now, the report has not been presented. Therefore, the question does not arise. I think that would mean taking away the valuable right of the House to decide the matter. Without fixing the time, how a matter can be disposed of? There is no report presented. Without fixing the time for the business, how a particular item can come at all? (*Interruptions*).

SHRI BHISHMA NARAIN SINGH: Sir,.....

(*Interruptions*)

SHRI G. M. BANATWALLA (Ponnani): Sir, I was holding the floor when he rose. A point of order had been raised by me. I was holding the floor after being called by you, Sir. (*Interruptions*)

MR. DEPUTY-SPEAKER: I have called the Minister. You have got to sit down. I will allow you to speak afterwards.

SHRI G. M. BANATWALLA: No question of allowing me afterwards. You called me and I was holding the floor. I was addressing the Deputy-Speaker. He raised a point of order. Now you ask me to sit down.

MR. DEPUTY-SPEAKER: I want to know something which is very important. Can I not know that? Please sit down. I will allow you

afterwards. I want to know certain clarifications from him.

SHRI G. M. BANATWALLA: You may know it later on.

MR. DEPUTY-SPEAKER: You please sit down. I want to hear the Minister.

(*Interruptions*)

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, you must give him the time now.....

(*Interruptions*)

MR. DEPUTY-SPEAKER: I can ask him to sit down. I can ask you also to sit down. I can ask both of you to sit down.

(*Interruptions*)\*\*

MR. DEPUTY-SPEAKER: This will not go on record.

PROF. MADHU DANDAVATE: Sir, right from the beginning, Shri Banatwalla got up and wanted to raise a point of order. The convention in the House has been that before the Parliamentary Affairs Minister explains the position of the Government, the Members of the Opposition..... (*Interruptions*)

MR. DEPUTY-SPEAKER: I wanted a clarification on the points raised by Mr. Shejwalkar.

PROF. MADHU DANDAVATE: On the same point, Mr. Banatwalla wants to speak.

MR. DEPUTY-SPEAKER: When I have called the Minister, he must wait for his chance. He cannot dictate to me.

PROF. MADHU DANDAVATE: Nobody wants to dictate. The convention has been that before the Minister for Parliamentary Affairs.....

(*Interruptions*)

He is replying now at the end. Mr. Banatwalla wants to raise a point of

order on the same point. That will help you and help the Minister for Parliamentary Affairs.

**MR. DEPUTY-SPEAKER:** I have called the Parliamentary Affairs Minister to intervene. I am going to call everyone of you. I want to settle the matter. I am going to call Mr. Banatwalla next.

**SHRI BHISHMA NARAIN SINGH:** There was no motion. I want to cite an example.

On 8th May, 1974, several members belonging to opposition parties raised objection to the changes made in the order of business set for particular days without proper motion in this respect. The Deputy-Speaker thereupon observed:

"It was for the Government to arrange business... The list of business is proposed by them. I have to accept the business of the Government as arranged and if they do not want to press a particular Bill and give priority to it, they can give priority to some other Bill. It is altogether their business."

This was the ruling.... (Interruptions).

**SHRI G. M. BANATWALLA:** There was a reference made to the Business Advisory Committee. The Business Advisory Committee held its meeting and its report came to us and the report was unfortunately adopted by this House without referring it back. If you will remember, I had moved a motion that the report be referred back. What was the recommendation of the Business Advisory Committee? I must say that even the hon. Member, Shri Chandrajit Yadav is responsible for making mis-statement and incorrect statement on the floor of the House today. The Business Advisory Committee then recommended that certain items including the communal situation of the country shall be discussed by this House dur-

ing the course of the present session  
..... (Interruptions).

**SHRI CHANDRAJIT YADAV:** You have not listened to what I said. That was the first item in my statement. I am sorry to say that you are making allegations and wrong statement without hearing me.

**SHRI G. M. BANATWALLA:** The Business Advisory Committee in which even the opposition members, not the Muslim League, were represented, gave this particular suggestion that it might now be considered at any time during the session. Therefore, I say that whether it is the ruling party which has not yet come forward to discuss the communal situation, or whether it is the opposition members, who are represented in the Committee... (Interruptions), both of them have failed to allow this House an early opportunity to discuss this communal situation. My point is: Did the Business Advisory Committee in its first report fix the date and fixed the time for discussion on this inflammatory situation? It failed to fix any date and time for discussion on the communal situation. However, I demand that the discussion must take place immediately on the communal situation and as early as possible.

**MR. DEPUTY-SPEAKER:** Your strong feelings have been noted.

**SHRI SOMNATH CHATTERJEE** (Jadavpur): The matter relates to procedure which is very important because the rights of the Members of the House and particularly, opposition are involved. On matters, whether Government Bills or other business, which have already been referred to the Business Advisory Committee, it is the duty and the right of the Business Advisory Committee; which is a Parliamentary Committee to take decision on that even with regard to fixation of time. Fixation

of time necessarily means, which are the subjects which will come up for discussion during the next week. Unless time is fixed, no discussion can be held. Therefore, by the process of fixation of time, the Committee itself has an undeniable right to decide upon the subjects which will be taken up for discussion. Now, with regard to the matters which are pending before the BAC, with the object of pre-empting that discussion and decision, without having a decision on the matters by the BAC which is within its jurisdiction, can the Minister take a decision with regard to those very matters, without consulting the BAC? That means that the BAC cannot take a decision on those subjects before them. The Minister has no such power under the rules. If the matters are not before the BAC, then the Minister may take a decision. But the matters within the actual jurisdiction of the BAC cannot be decided by the Minister unilaterally without taking the Members into confidence.

By the simple process of not fixing a time, can he avoid discussion on the subject which the BAC has decided to discuss? Today, it is very clear from what has been stated by the Members of the BAC themselves that they had been pressing hard for a discussion early next week. Therefore, although the BAC has decided that the communal situation should be discussed the first thing next week, now, that is being pre-empted. By not allowing a discussion, can the hon. Minister *suo motu* obviate a discussion or avoid a discussion on this very important topic? This is not a matter for the Government to decide. It is not a question of priority of Government business. If it is a mere priority of Government business the Minister has the sole authority to write to the Speaker and decide it. Therefore, it is very important that this matter which is before the BAC cannot be decided by him.

**SHRI BAPUSAHEB PARULEKAR** (Ratnagiri): The House is discussing

as to what are the powers of the Business Advisory Committee and the point is, Sir, that the jurisdiction of the BAC is only limited to suggesting the time for a particular item and the Business Advisory Committee has no right to suggest any item.

Sir, in this connection, I would like to invite your attention to 288(3) because, Sir, 288 was referred to by the Honourable Minister for Parliamentary Affairs.

Sir, sub-clause (3) mentions that "the Committee shall have such other functions as may be assigned to it by the Speaker from time to time." Sir, I would ask the Honourable Minister for Parliamentary Affairs whether it is not a fact that the Speaker has assigned a duty of recommending and suggesting subjects for the business of the House? Let him say "No", then that point would be otherwise. In this connection, Sir, there is a precedent. I invite your attention to page 659 of the Shakhder book wherein it is stated that the committee has a right to suggest *suo motu* and recommend to the Government to bring forward a particular subject for discussion in the House and for a precedent, it was mentioned at No. 6 that it was at the initiative and suggestion and recommendation of the Committee that discussions were held on certain subjects of current and topical interest, peaceful use of atomic energy in '54, economic policy of the Government in '55, agrarian policy of the Government and Press Commission report and GATT in '54. That means, Sir, if it is stated that they have no right to make a recommendation to follow the precedent, Sir, that they have made recommendations which have been accepted and Sir, if that is the precedent, if the Business Advisory Committee does not meet to decide the business of the week, that would mean, Sir, the very right which is vested in them to make a recommendation by selection of a subject, is denied to them. Therefore, what the

[Shri Bapusahab Parulekar]

Parliamentary Affairs Minister refers to Rule 288 is not correct, it has to be read with Rule 288(3).

**SHRI ATAL BIHARI VAJPAYEE:** The meeting of the Business Advisory Committee was fixed and members were given notice. Then the meeting was cancelled. Now, is it the contention of the Honourable Minister for Parliamentary Affairs that unless the Speaker is present himself, personally, no Business Advisory Committee meeting can take place? The House has to function and it has to function in an orderly manner. If the Speaker is not here, you are occupying the Chair, you can call the meeting of the Business Advisory Committee and the Business Advisory Committee has to recommend the time and also the subjects. Now the Minister has every right to suggest in what order the Government business is to be taken. But what about the non-official business and for the Minister to come to the House without calling a meeting of the Business Advisory Committee, is not the way to seek the cooperation of the Opposition.

**SEVERAL HON. MEMBERS:** It is a contempt of the House.

**PROF. MADHU DANAVATE:** It is a contempt of the House.

**SHRI ATAL BIHARI VAJPAYEE:** Therefore, I suggest let the Business Advisory Committee meet this afternoon and then we can decide about the business which will be taken up by the House next week.

श्री राम बिलास पासवान (हाजीपुर) :  
उपाध्यक्ष जी, परसों हम लोगों की बैठक बुलाई गई थी। मैं भी अध्यक्ष जी के चेम्बर में वहां गया, वहां जा कर मालूम हुआ कि अभी तुरन्त मीटिंग कैसिल हो गई है। मैं बिजनस एडवाइजरी कमेटी का मेम्बर हूँ। जब मीटिंग कैसिल हुई तब से मैं लगातार पूछ रहा हूँ कि बैठक कब होने जा रही है? अभी तक मुझे नहीं बताया

गया है कि बैठक कब होने जा रही है। आज उस समय भी मैंने आप से यह मामला उठाया था कि 289 क्लीयर कट कहता है कि प्रतिवेदन प्रस्तुत नहीं कर सकते हैं। जब आप प्रतिवेदन प्रस्तुत नहीं कर सकते हैं तो फिर आप इतना झमेला क्यों करवा रहे हैं। इस में सब से बड़ी बात यह है, जैसा कि माननीय सदस्य ने कहा— कि यह सदन का अपमान है। बिजनस एडवाइजरी कमेटी में हम लोग आपके साथ कोअप्रेट करते हैं और आप भी कोअप्रेट करते हैं। लेकिन अभी आप कोअप्रेट नहीं कर रहे हैं। क्या आप कोअप्रेशन नहीं चाहते हैं? इसलिए मैं आप से आग्रह करूंगा कि इसको पोस्टपोन कीजिए। अभी एक बजने वाला है, अभी तुरन्त चल कर के बैठक कीजिए। इसमें अध्यक्ष का कोई मामला नहीं है। उपाध्यक्ष भी इसे कर सकता है। अभी आप चल कर के बैठक कीजिए और बैठक करने के बाद यहां आ कर इसे सदन में प्रस्तुते कीजिए।

**SHRI INDRAJIT GUPTA:** Now, you should give your ruling.

**MR. DEPUTY-SPEAKER:** The Business Advisory Committee (Seventh Lok Sabha) Eighth Report, presented on 17-11-1980, this copy is with me here. There some business has been recommended or hours have been allotted. It is also stated in item No. 3 there that "the Committee also recommend that discussion on the following matters may also be held during the current session:—

(1) Remunerative prices for the agricultural produce;

(2) Communal riots in the country; and

(3) Performance of the Indian Council of Agricultural Research."

These items are in the agenda. Therefore my suggestion is this. I realise the weight of the points raised by Members. Ordinarily, the Business

Advisory Committee meets to allocate time to various items of business. This time, however, it has not been possible to hold the meeting.

I am sure the Government has taken note of the view expressed by the Members and time would be found for discussion of either communal riots in the country or remunerative prices for agricultural product next week.

SHRI G. M. BANATWALLA: During this week.

MR. DEPUTY-SPEAKER: Next week means the coming week. The House stands adjourned to meet at about 2 p.m. after lunch.

12.58 hrs.

*The Lok Sabha adjourned for Lunch till about Fourteen of the Clock.*

*The Lok Sabha re-assembled after Lunch at seven minutes past Fourteen of the Clock.*

[MR. DEPUTY-SPEAKER in the Chair.]

BUSINESS OF THE HOUSE—Contd.

श्रीमति प्रमिला बंडवते (बम्बई उत्तर मध्य) : आने वाले सप्ताह में बहस करने के लिए मैं कुछ सुझाव देना चाहती हूँ। पहला और दूसरा सुझाव मैं एक साथ लेती हूँ। यह चीनी के बारे में है। 1 दिसम्बर से सरकार ने एलान किया है कि लैवी चीनी की कीमत 2-85 पैसे के बजाय 3.50 होगी। इस एलान के पहले से ही किसान आन्दोलन चल रहा है। उनकी मांग तीन सौ रुपया टन केन की कीमत उनको दिए जाने के बारे में है। लैवी चीनी की कीमत बढ़ाने की जब घोषणा की गई उससे पहले से उनका आन्दोलन चल रहा है। इतना ही नहीं बहुत से लोगों को नवम्बर महीने में जो चीनी का कोटा है और जो उनको मिलना

चाहिए था वह नहीं मिला है। यह चीनी फ्रीज कर दी गई है। अब उनको यह चीनी 1 दिसम्बर के बाद 3.50 में मिलेगी। अगर आप लोगों को वक्त पर चीनी नहो देते तो आपको ऐसी व्यवस्था करनी चाहिए कि दिसम्बर में उनको 2.85 के भाव पर ही चीनी मिले। दीवाली के अवसर पर जो आपने चीनी का एडीशनल कोटा दिया था वह भी उनको नहीं मिली है। इसके बारे में शहरों और देहातों से शिकायत आ रही है। यह इशू हमारे सामने आना चाहिए और इस पर अगले सप्ताह बहस का अवसर दिया जाना चाहिए।

सरकार ने असम में नेशनल सिक्को-रिटी आर्डिनेंस लगाया है। प्रिवेंटिव डिटेंशन ले लिया है। पिछले कई महीनों से वहाँ चीनी बाजार में सात रुपये से पच्चीस रुपये तक के भाव में बेची जा रही है। कितने लोगों के खिलाफ इस आर्डिनेंस के तहत कार्यवाही हुई ताकि लोगों को चीनी सस्ते दामों पर मिल सकती, इसके बारे में भी बहस होनी चाहिए।

अब मैं टैलीफोन फेल्योर और एक्शन टेकन के बारे में कहना चाहती हूँ। आज अखबारों में हमने पढ़ा है कि टेलीफोन के जनरल मैनेजर मि० बनर्जी को कहा गया है कि वे छुट्टी पर चले जाएँ। अगर मिनिस्ट्री ठीक से काम नहीं करती है तो उसके लिए जिम्मेदार कौन है? जब इस बारे में लोगों की तरफ से शिकायतें हुई और राज्य सभा तथा लोक सभा में इस पर बहस हुई, तो कम्युनिकेशन्स मिनिस्टर ने कहा कि यह तो ऐसे ही चलेगा, जिनको टेलीफोन नहीं चाहिए, वे सरेंडर कर दें। अगर मिनिस्टर इस प्रकार की भाषा इस्तेमाल करें, तो अफसर और नीचे वाले लोग किस प्रकार से काम कर सकते हैं? अगर मिनिस्टर की गलती के लिए आप अफसरों को फांसी देना चाहते हैं, तो इस प्रकार से इस देश का राज नहीं चलने वाला है।

[श्रीमती प्रमिला बंधुवते]

कामर्स मिनिस्ट्री में भी सेक्रेटरी को ट्रांसफर कर दिया गया है। क्यों? कछले हफ्ते श्री बापूसाहिब परलेकर\*\* ने एक कालिंग एटेंशन नोटिस दिया।

जब यह सवाल उठाया गया, तो सेक्रेटरी को वहां से हटा दिया। अगर मिनिस्ट्री की फेल्युर होती है, तो किस को सजा होनी चाहिए, उस पर क्या एक्शन होना चाहिए इस विषय पर इस सदन में बहस होनी चाहिए।

आप ने ब्लाइंडिड पर्सन्स के बारे में कालिंग एटेंशन नोटिस मन्जूर किया है, लेकिन मैं पूछना चाहती हूँ कि क्या पुलिस ने जगह जगह लोगों को ब्लाइंड करने का एक नया तरीका अपनाया है। मुझे रिलायेबल सोर्स से पता चला है कि महाराष्ट्र में किसान आन्दोलन से सम्बन्धित किसानों की तो आंखें नहीं निकाली गई हैं, लेकिन बैलों की आंखें निकाली गई हैं। वे हेव बि: बनाईड बाई इ: पुलिस इन न सिक। जेल में रखे गये प्रिजनर्स के साथ यह कैसा व्यवहार हो रहा है? मैं चाहती हूँ कि इस विषय पर भी बहस होनी चाहिए।

मेरा आखिरी पायंट यह है—इट इज एक्शोलाटो अरजेंट—कि 25 नवम्बर के वेट्रिड में यह खबर आई है कि श्री रानी सती हिसार में अपने पति की पायर पर सती हो गई, उसके सम्मान में दिल्ली शहर में यहां का एक महिला संगठन सोमवार को एक जुलूस निकालने जा रहा है। आज हम चाहते हैं कि हमारी महिलायें ट्रेडीशन के शैकल्स, जंजीरों को तोड़ कर इन्सान के नाते जीयें। इसके लिए वे संगठित हो रही हैं। इस प्रकार का काम बेकानूनी है। राजा राममोहन राय ने इस देश में एक हवा बनाई, जिससे एबालिशन आफ सती एक्ट पास हुआ। हमारे देश में आत्म-हत्या करना अपराध है। अगर देश के

कैपिटल में महिलायें इस प्रकार का प्रोसिशन निकालती हैं, तो उसका मतलब यह है कि हम सती-प्रथा को पुन:जीवित करना चाहते हैं। मेरी प्रार्थना है कि मिनिस्टर इस बारे में यहां कुछ कहें। (व्यवधान) प्रधान मंत्री तांत्रिक पूजा करती हैं, उसे जाने दें, लेकिन इस पर विचार होना चाहिए।

SHRI NIREN GHOSH (Dum Dum): On the List of Business for next week many of the important items which were raised in the House have not been included. For instance, take the deteriorating law and order situation in the country as a whole.

MR. DEPUTY-SPEAKER: If you say the country as a whole, will it include West Bengal also?

SHRI NIREN GHOSH: The Prime Minister said before the elections that the people will be free from oppression, from torture, atrocities and communal trouble. Now thousands and thousands of butcheries, atrocities and rapes on women continuing. Even though we give Call Attention Notices on these subjects, only innocuous subjects are chosen so that these important issues could be by-passed and they will not come up in the House.

Secondly, I want to refer to the discrimination against the State of West Bengal in the matter of industrial licences. For the last 15 years, there has been no Central investment in the State of West Bengal. Not only that, whenever private capitalists seek industrial licence, the higher-ups in Delhi say that no licence would be given if any unit is to be set up in West Bengal, they have to go to other States.

For the Haldia Petro-chemical complex an industrial licence has been promised for the last 20 years, but it has not yet been issued. So also for the IDPL unit in Kalyani, Free Trade Zone at Dum Dum airport and

\*\*Expunged as ordered by the Chair.

an electronic unit in the Salt Lake Area.

Then, Sir, this is a subject we must include and discuss.

Then, from Adhura in Bihar detailed reports have come. It seems it is a tribal area and it lives in a colonial style. There is no law and order there. There are reports that Adivasi women are forcibly stripped and raped. They are tattooed and tortured. It is a forest area and the forest officers etc. are involved in this. There are harrowing stories of these tortures.

MR. DEPUTY-SPEAKER: You have given more items.

SHRI NIREN GHOSH: Then about the bye-elections in West Bengal which are scheduled shortly, the notice was given, but even without consulting the State, directions have been given to postpone the elections. Is it because they think that if the elections are held in West Bengal, the Congress(I) is bound to lose in the elections?

SHRI JAGDISH TYTLER (Delhi Sadar): Because the West Bengal Government is fully involved in this case.

SHRI NIREN GHOSH: Let Mr. Tytler go there and fight an election there.

So, this is an instance of gross discrimination against the State Government.

There is a Calling Attention on Monday on the unfortunate torture and blindness. Here is the picture...

MR. DEPUTY-SPEAKER: I have already said that I am going to have Calling Attention.

SHRI NIREN GHOSH: But why not a discussion on it? Why merely a Calling Attention? Certain M.Ps. are entitled to speak on that. So, it should be fully discussed.

Then in the Weir constituency of Rajasthan...

MR. DEPUTY-SPEAKER: I have already said about that.

SHRI NIREN GHOSH: You have not said anything. In the Weir constituency a press party was taken by the State Government. When they went to a booth, they saw that it was captured and more ballot papers were stamped and put inside the boxes. The police chased them, they assaulted them and it is reported that the Chief Election Commissioner said that the election results should not be declared. In violation and subversion of the Constitution the election result has been withheld.

The last is about the proposal to send CRP to States. The Centre wants to take law and order in their hands and the States are reduced to glorified municipalities. This is the position which we never consider proper and we never agree.

MR. DEPUTY-SPEAKER: Now, Mr. Chitta Basu. I find there is a lot of repetition in respect of many items.

SHRI CHITTA BASU: Sir, one point has already been emphasised by Mrs. Dandavate. You know, there has been a great deterioration in the P&T services all over the country.

MR. DEPUTY-SPEAKER: You are complaining against the workers or against the Department?

SHRI CHITTA BASU: So far as the workers are concerned, you are perfectly right. The complaint of the workmen is that there are bad materials, bad equipment, bad stocking and bad management. The matter has become all the more alarming in West Bengal. The entire P&T services have practically come to a point

[Shri Chitta Basu]

of near break-down. Therefore, that subject should be included for discussion. If that discussion is not included, may I expect that the great, energetic Minister, Mr. Stephen, will at least make a statement here?

Many of the points have already been raised by my hon. friend Shri Niren Ghosh. There is a policy of deliberate discrimination against the Government of West Bengal. Certain Members are also making wild allegations. You know there has been a massive protest. The people of West Bengal, whom we have the privilege to represent here, have expressed their wrath and condemnation against the policy of the Centre discriminating against the Government of West Bengal. That wrath has been expressed by a successful and complete bandh yesterday. The Central Government should take note of it. It is my allegation that the Central Government has chosen the path of confrontation with the people of West Bengal, but the people of West Bengal will not take that lying down.

**SHRI SOMNATH CHATTERJEE** (Jadavpur): I have mentioned some subjects, one of which has been mentioned here. There is a commitment by you that the communal situation would be discussed early next week.

I also strongly suggest and request the Minister of Parliamentary Affairs, who is so mild and smiles away everything, that there should be discussion of this problem of the West Bengal Government's and people's charge of a deliberate and calculated policy on the part of the Centre denying the legitimate minimal rights and interests of the people of the State. It is a calculated attempt. In the last ten months we find that even a proposal approved by the Minister is scuttled at the Prime Minister's level. Certain matters are pending before the Minister. The food-for-work programme is there, the electronics project etc. Bills are being

held up. Even the quasi-federal set-up in this country is being completely nullified by making the Bills passed by an elected legislature of a State non-functioning and inoperative because the President's assent is not given for months together. No reason is being given, and the State Government officers have to run from the section officer to the Secretary, they have to please them and request them to kindly consider these Bills which are important. The Land Reforms Bill, the Educational Reforms Bill, the Bill with regard to workers' rights have all been held up. If you think you are right, explain it to the people and the nation, so that the people of the State, the Government of the State, the ruling party of the State, do not have the feeling that there is a calculated, deliberate attempt to put the State into difficulties. You clear yourself. You should welcome this opportunity. As they have a guilty conscience, they do not want to face Parliament even on that issue. That is very clear now. They want to run away.

**MR. DEPUTY-SPEAKER:** But your conscience is very clear.

**SHRI SOMNATH CHATTERJEE:** My conscience is clear that we have to get hold of them by the neck. As my hon. friend, Shri Chitta Basu, said, they ought to see the writing on the wall. It cannot be taken lying down for ever.

Another very important point is—the former Minister of State for Defence is here; probably, he has contributed to it—about the removal of an Ordnance depot from Calcutta which has been there for over 200 years. About 600 employees are involved. Everybody has protested about it. Previously, a decision was taken and an assurance was given that they are not considering the removal of the Ordnance depot from Calcutta. Now, a decision has been taken that it will be removed from Calcutta. Our information is that

it is against the recommendation of even the military officers. Some political wire-pulling has been there. That is why it is being removed.

The other point is about the inhuman treatment meted out by the police. I strongly support a discussion on that.

About the port and dock workers' strike which is now impending, the Government should immediately make a statement on that so that the people know what is the position.

About the Rajasthan bye-election in Weir constituency, there has been a mockery of the election machinery that has been set up in the country. Let the Government come out with a statement.

They cannot for ever run away from these problems. They have to face them. Otherwise, the people will take their own course.

PROF. MADHU DANDAVATE: I would like the Government to clarify the position on two issues.

Firstly, in an unfortunate air-crash in the month of June, 1980, along with Shri Sanjay Gandhi, Capt. Saxena also was killed. So many months have elapsed. I would like to know from the hon. Minister whether the widow of Capt. Saxena has been given the succession certificate and whether the compensation has been paid to her and, if so, what is the quantum of compensation.

Then, Capt. Saxena belonged to the Flying Club of Hyderabad. Certain dues were there. He went to the Andhra High Court and, on the writ petition, the judgment came in his favour. I want to know whether the amount of his dues will be paid to the widow? I also want to know whether any financial assistance will be offered to the widow of Capt. Saxena.

MR. DEPUTY-SPEAKER: You can write a letter to the Minister and you will get a reply.

PROF. MADHU DANDAVATE: That does not help. That is why I am raising it here. If it were so easy, I would have done it.

These are the two persons who died in the air-crash. In one case, we find that memorials are being erected, so many schemes are being evolved. I am happy that it is being done.... (Interruptions) You can rest assured that I will not be cowed down by these shoutings. (Interruptions)

MR. DEPUTY-SPEAKER: You go to the next item.

PROF. MADHU DANDAVATE: I would like to know whether the dues from the Delhi Flying Club are being given to the widow of Cap. Saxena.

The second item is that selection grades are already given to the secondary teachers in different States of the country. However, unfortunately, I am told that though a directive has already gone from the Education Ministry, selection grades are not being given to the secondary teachers from Goa, Daman and Diu. As a result of that, a large number of teachers are likely to undertake a mass hunger-strike from 1st December. I would like the Education Minister to send an immediate directive and see that it is implemented by the Government.

MR. DEPUTY-SPEAKER: You better write a letter to the Education Minister also.

SHRI R. K. MHALGI (Thane): I would like the Government to clarify the position in regard to an important constitutional issue.

The post of Special Officer for linguistic minorities under article 350B of the Constitution has not been filled up for the last 2-1/2 years. The last incumbent retired in May, 1977. The post has remained vacant since then. This amounts to a constitutional failure which has escaped the

[Shri R. K. Mhalgi]

notice of the Government at the Centre. Art. 350B lays down that:

- "(1) There shall be a Special Officer for linguistic minorities to be appointed by the President.
- (2) It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under this Constitution and report to the President upon those matters at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament, and sent to the Governments of the States concerned."

So the Constitutional failure is obvious because Art. 350 B uses the word 'shall' in sub-clauses (1) and (2). I therefore urge upon the Government to make a statement to that effect next week.

SHRI G. M. BANATWALLA: (Ponnani): Sir, the Junior Doctors of Delhi had gone on strike. After their 58 days' agitation an agreement was signed between the Health Ministry and the Junior Doctors' Federation in New Delhi. This agreement was about working hours, job avenues, after residency leave benefits, removal of D.A. disparities, accommodation, payment of salary and so on. It is shocking that despite the fact that three months have elapsed since the agreement was signed, no concrete steps have been taken to implement the same. Not only that, but the local authorities are also victimising the Interns and Resident Doctors for their participation in the strike. The promised interim relief has also not been announced. The Government should therefore make a statement, as the Federation has now announced that it would be forced to resort to direct action on the issue of implementation of this agreement.

The second item on which Government's statement is necessary is the Port and Dock Workers' strike. They have threatened to go on strike. Government should make a statement thereto.

29th November is observed as an international solidarity day by the Palestinian people. Government should make a statement announcing closure of the Israeli Consulate at Bombay and must have economic sanctions imposed against Israel.

The next item I want next week is a discussion on communal violence. You have already given your directions and I hope that the discussion will come up soon. Indiscriminate arrests are going on against innocents there. Even those doing relief work and providing succour to the victims are being detained. This is paralysing the relief work being done by voluntary agencies. Then lawyers are being prosecuted and detained. This is a very serious situation. (Interruptions).

The stalemate facing the Indo-Bangladesh Joint Rivers Commission should also be discussed in this House. There are proposals by both India and Bangladesh as regards the long-term augmentation of the Ganges waters. Since India and Bangladesh do not agree to each others proposals, the Joint Rivers Commission may be entrusted with the task of formulating an alternative proposal. A long-term solution also requires Nepal's participation in the Joint Rivers Commission because the source of the water is in Nepal. In the interests of speedy solution this matter should also be discussed at length in the House.

श्री राजवत्सर कास्त्री (वटना) :  
उपाध्यक्ष महोदय, प्रबले सप्ताह के लिए मुझे तीन विषयों पर चर्चा करनी है। मैं लिखा हुआ पढ़ देता हूँ, ताकि समय कम लगे।

उपाध्यक्ष महोदय, बिहार में 6 वामपंथी एवं जनवादी दलों द्वारा आसमान छूती कीमतों, भ्रष्टाचार, बेकारी, बिगड़ती कानून-व्यवस्था, जनविरोधी राष्ट्रीय सुरक्षा कानून अध्यादेश, सांप्रदायिक जहर तथा नागरिक आजादी पर हमले के विरोध में 27 नवम्बर को आयोजित सफल बिहार बंद को असफल बनाने के उद्देश्य से पुलिस द्वारा लाठी चार्ज, घरों में घुस कर बच्चों तथा अन्य लोगों को पीटने, बीस हजार लोगों को गिरफ्तार करने तथा पटना से प्रकाशित हिन्दी दैनिक "जनशक्ति" के सह-संपादक श्री यू० एन० मिश्रा को जेल में डालने का समाचार मिला है। मैं चाहूंगा कि गृह मंत्री महोदय, मेहरबानी करके इन सवालियों पर एक वक्तव्य सदन के सामने दें।

उपाध्यक्ष महोदय, सेकण्ड आटम के सम्बन्ध में बड़े संजोग की बात है कि यहां पर सूचना एवं प्रसारण मंत्री इस समय मौजूद हैं, मैं उनका ध्यान इस ओर आकर्षित करना चाहता हूँ।

MR. DEPUTY-SPEAKER: We are going to have an Half-an-Hour Discussion.

श्री रामावतार शश्री : महोदय, आकाशवाणी जनविरोधी ...

MR. DEPUTY-SPEAKER: Come to the third item. We have got a Half-an-Hour Discussion on that....

SHRI RAMAVATAR SHASTRI: That is 'Akashwani', that is, All India Radio. You do not understand Akashwani perhaps. You may perhaps understand 'Indirawani'.

उपाध्यक्ष महोदय, आकाशवाणी के जन-विरोधी एवं पक्षपातपूर्ण रवैये के बारे में सदन में बहस होनी चाहिए ताकि उसे इंदिरावाणी की भूमिका अदा करने से रोका जा सके। आकाशवाणी संसद् के कार्यों के प्रति उपेक्षा और भेद-भाव की नीति तो

बरतती ही है, बल्कि वह जन आंदोलनों के समाचारों को या तो प्रसारित ही नहीं करती या तोड़-मरोड़ कर सरकार का पक्ष ही उजागर करती है, जिस प्रकार सफल बिहार बंद को असफल बतलाया गया। 24 नवम्बर से 28 नवम्बर तक चल रहे छात्रों, नौजवानों के आंदोलन, उन पर किए गए लाठी-चार्ज तथा गिरफ्तारियों की घटनाओं को भी प्रसारित नहीं किया गया।

तीसरी और आखिरी बात मैं निवेदन करना चाहता हूँ, भागलपुर जिले में दो विचाराधीन बंदियों की आंखों में एसिड डालकर उन्हें अंधा बनाया गया इसके लिए कालिंग अटेंशन की इजाजत दी है, इसके लिए मैं धन्यवाद देना चाहता हूँ, लेकिन सिर्फ इतना ही काफी नहीं है, बल्कि इस पर पूरी बहस होनी चाहिए। अगर सरकार ने इस ओर ध्यान नहीं दिया तो ये पुलिस वाले पागल हो कर मंत्रियों की आंखों में जहर डालेंगे, मंत्री लोग भी अंधे हो जाएंगे। इस पर बहस होनी चाहिए। उमेश यादव और बलजीत सिंह को अंधा बना दिया गया जिसकी खबर आपने अखबारों में भी पढ़ी होगी।

SHRI NARAYAN CHOUBEY (Midnapore): My first point is about the proposed port and dock workers' strike. As has been stated, it is a very serious thing. I think, a discussion on this should be included in the agenda for the next week.

My second point is about the famine conditions about which reports have come in. As a result many persons are dying in Rayalaseema in Andhra Pradesh. This is a very serious situation and I think this matter should be discussed here.

In Midnapore District, In West Bengal, Vidyasagar University was to be set up long time back. But, it has not yet come up. People who are sitting here should have been there. He was a person born in Bengal, in the 19th century and his memory

[Shri Narayan Choubey]

should be given due regard and we should discuss that here as to when that is going to come up there. My last point is, as everybody said, about the blinding of undertrials in Bihar by the police. That should also be discussed here.

MR. DEPUTY-SPEAKER: Shri Hari-kesh Bahadur. You have many items. Please be brief.

SHRI HARIKESH BAHADUR: The first thing is that three disastrous train accidents have taken place. We have given adjournment motions and calling attention. This should be discussed. In this matter, we have given some motions under Rule 184. That may be accepted and can be debated here.

Starvation deaths are taking place in Bihar. This is a very serious thing. We have given adjournment motions as well as Calling Attention notices. I see in this country there is lot of food production and we send to the other countries. Here people are dying because of starvation. It is a very serious problem. Therefore that should be debated.

Centurion tanks deal is a scandalous thing. In the other House, there was a discussion on it. Therefore, in this House also, there should be a discussion on that. There are adjournment motions. I would request you to direct the Government that they must put this thing in the agenda for the next week.

Then, I come to consultancy contracts of ammonia plants of Bombay High gas-based fertiliser plants to be set up at That and Hajira. That matter is very important and very serious because there is a loss of crores of rupees on these—Rs. 55 crores per annum. Therefore, this matter appears to be very serious and it must be discussed here. We have given a notice under 184 and 193. I would like you to direct the Government to discuss this matter also.

The other matter is about the murder of the wife of a journalist in Orissa.

This matter was raised several times. Sufficient attention is not being given by Government. The press freedom is in danger. If some important and vital matter is exposed by the journalists, their family is not safe. Certainly this matter should be discussed by us. This is a serious matter concerning the freedom of the press. I would request you to kindly direct the Government that this must be taken up in the next week's business.

About the Harijan atrocities, we have given several notices for calling attention. At least one of them should be taken up. In Tamilnadu, in Bihar and everywhere there are atrocities on tribals and Harijans.

I now come to Jawaharlal Nehru University's closure. This matter has not been taken up. This is a serious matter. This comes under Ministry of Education. Fortunately it is not a State University. Hence this is a Central subject and therefore this matter must be discussed here.

I come to deteriorating law and order situation through out the country. This matter has got to be discussed. I have not mentioned that. But this should also be discussed, as it has been discussed in the other House.

MR. DEPUTY SPEAKER: You have not given any item, Mr. Bosu.

SHRI JYOTIRMOY BOSU: It is not necessary. The B.A.C. should have met once in the second week. The House should have full confidence in evolving a formula. There is no point in withholding anything. The Committee should have discussed the matters that are agitating the minds of the Members.

Take, for example, Air-India Last year, it had incurred a loss of Rs. 50 crores and they have to be met through taxes. This year—I understand—this is going to be increased. May be, it may come to Rs. 60 to 70 crores. Therefore, a debate on the floor of the House should take place—there should be a sort of debate on setting up a Parliamentary

Commission to inquire into the affairs of Air India. The Public Undertakings Committee did their job. But, it has to be done more thoroughly now.

I now come to the approach to the Sixth Plan. This is a subject involving the country's economy; there is no mention anywhere in the last Business Advisory Committee. This was a matter about which some of us had repeatedly requested for a discussion. Some time has to be found in this session to have a full-fledged debate on the Approach to Sixth Plan document. How are we going to deviate from this? My friends talked about centurion tanks—disposal of components and spares. This is very disturbing because a letter has been produced, signed by Mr. Michael, an international reekateer where it seems a member of the other House, a lady Member of the other House, had approached him. How the Minister got that letter, how he became very close and friendly and familiar, these are the things that need to be discussed on the floor of the House because there is a lot of slush money in the whole affair. There is no doubt about it. And, Sir, what is more annoying to us is this: They require more than an investment of Rs. ten thousand crores for re-equipping the army, with a corps of more tanks. We should have a discussion on the fertilizer complex in Maharashtra. We should have a discussion about the students' demonstrations by Students' Front and Democratic Young League and how they have been treated. Our main criticism is against the All India Radio; it is the usual practice; unless PM's Secretariat clears certain things, they can't be put out in the All India Radio. Another thing is this: There is going to be Agreement on Railways between our country and Bangla Desh. We would like the hon. Railway Minister and the Minister of External Affairs to come and make a Statement in the House apprising the House of the situation, so that we can have the details on this.

SHRI HARI KRISHNA SHASTRI (Fatehpur): Sir, I have given a Calling Attention Notice on Bangla Bandh. It should be taken up for discussion, Sir. (*Interruptions*)

MR. DEPUTY-SPEAKER: You have mentioned these things; he can mention also.

SHRI HARI KRISHNA SHASTRI: Much killings have been done; this matter may be allowed; and time for discussion may be given for discussing this issue. (*Interruptions*)

MR. DEPUTY-SPEAKER: He has expressed his view. Why should anybody oppose it. It is for the Government to see what they can do; why are you agitated about it?

SHRI JYOTIRMOY BOSE: We support it. I say, we support it. (*Interruptions*)

MR. DEPUTY-SPEAKER: Why do you become so very intolerant? Order, please. Mr. Paswan (*Interruptions*) I have called Shri Paswan....

SHRI JAGDISH TYTLER (Delhi Sadar):\*\*

He says he is here for 20 years and if this is going to be the end product after 20 years' stay here, God only knows what will happen after another 5 years.

श्री राम विलास पासवान (हाजीपुर):  
उपाध्यक्ष महोदय, पार्लियामेंट के दोनों सदनो—राज्य सभा और लोक सभा में—और बाहर देश में यह बात ग्राम लोगों के दिमाग में घर कर गई है कि सरकार ने प्रेस और रेडियो पर बिना लिखे सेंसरशिप जारी कर दिया है। इसका जीता जागता सुबूत यह है कि राज्य सभा और लोक सभा दोनों की बैठकें चल रही हैं, लेकिन हिन्दुस्तान के लोगों को पता नहीं चल रहा है कि

\*\*Expunged as ordered by the Chair.

**श्री राम बिलास पासवान**

इस देश में पार्लियामेंट भी चल रही है या नहीं। सरकार के खिलाफ जितनी भी बातें हैं, उन्हें इस ढंग से रखने की कोशिश की जा रही है और सरकार के द्वारा इस प्रकार का दबाव डाला जा रहा है, जिससे जाहिर होता है कि सरकार ने रेडियो और अखबारों पर अलिखित सेंसरशिप जारी कर दिया है। मैंने इस सम्बन्ध में एक क्वेश्चन भी दिया, लेकिन वह एडमिट नहीं हुआ। हमारे पास लिखित रूप से यह सूचना भेजी गई कि इस तरह की कोई बात नहीं है। मैंने कहा कि मिनिस्टर सदन में कहें कि सेंसरशिप नहीं है। मेरे पास प्रूफ है कि सेंसरशिप लगाया गया है और वह जारी है। मैं आपसे आग्रह करूंगा कि इस पर बहस होनी चाहिए कि सेंसरशिप लगाया गया है। हम लोग इसको साबित करेंगे कि सेंसरशिप लगाया गया है।

उपाध्यक्ष महोदय, दूसरा मेरा निवेदन यह है कि बिहार में कानून-व्यवस्था नाम की कोई चीज नहीं है और बिहार के जो संसद सदस्य हैं, चाहे पक्ष के हों या विपक्ष के हों, आप उनसे पूछ लीजिए कि बिहार में कानून-व्यवस्था नाम की कोई चीज नहीं है... (व्यवधान)... बिहार की सरकार को खत्म करना चाहिए... (व्यवधान)...

**श्री सत्यदेव सिंह (छपरा) :** वहां कानून-व्यवस्था ठीक है।

**श्री राम बिलास पासवान :** आप नए-नए आए हैं इसलिए कह रहे हैं... (व्यवधान)... जनता पार्टी से नए-नए गये हैं इसलिए कह रहे हैं... (व्यवधान)... कांग्रेस के लोगों से पूछिए कोई नहीं कह रहा है कि... (व्यवधान)...

**श्री हरिकेश बहादुर :** देश में लॉ-एण्ड-ऑर्डर सिचुएशन बहुत खराब हो गई है। (व्यवधान)

**श्री राम बिलास पासवान :** अभी तृतीय सदस्य ने कहा है कि पूरे देश में कानून-व्यवस्था खराब है उस पर चर्चा हो जाए इसके लिए हम लोग तैयार हैं। दूसरी जगहों पर अांख में सीब डालकर गरीब लोगों को अन्धा किया जाता है। इसके अलावा दो-एक चोड़ों और महत्वपूर्ण हैं। आज कल अखबारों में महन्त के सम्बन्ध में डेली आ रहा है कि उसके पास 20-22 हजार एकड़ जमीन है जब उस जमीन पर हरिजन और आदिवासी लोग जोतने के लिए जाते हैं तो वहां पर लास्ट ईयर तीन हत्याओं की गई और फसल काटने की कोशिश की जा रही है। इसलिए मैं चाहूंगा कि उस पर डिस्कशन होना चाहिए। मैंने लिख कर दिया है कि 15 आदिवासियों को पुलिस द्वारा मारा गया है इस सम्बन्ध में मैंने एडजोर्नमेंट मोशन और कॉलिग एटेंशन भी दिया है, लेकिन आप कहते हैं कि फैक्ट्स मंगा रहे हैं परन्तु अभी तक हमें कोई जानकारी नहीं है कि फैक्ट्स मंगाए जा रहे हैं या नहीं मंगाए जा रहे हैं।

**MR. DEPUTY-SPEAKER:** Law and order is a State subject. Why do you want to raise it here? Please go to the next point.

**श्री राम बिलास पासवान :** बिहार में हुई घटना की जवाबदेही केन्द्रीय सरकार की है राज्य सरकार की नहीं है। बिहार में आदिवासी और हरिजनों पर दिन-दहाड़े कत्ले आम हो रहे हैं। सरकार को इसके लिए स्ट्रांग कदम उठाने चाहिए।

तीसरी बात यह है कि ब्रिटेन में एक नियम बनाया गया है कि भारतीय बच्चों के प्रवेश पर उनका एक्सरे लिया जाएगा एक्स-रे लेने से बच्चों के स्वास्थ्य पर बुरा असर पड़ता है। इस लिए मैं आपसे आग्रह करूंगा कि जो ब्रिटेन में बच्चों के सम्बन्ध में कानून बनाया गया है उसको रकवाया जाए तथा मेरा सरकार से

निबंधन है कि इनको इस पर स्टेटमेंट देना चाहिए ।

**MR. DEPUTY-SPEAKER:** Please conclude now. You are repeating your points

**श्री राम विलास पासवान :** प्रश्न में उपाध्यक्ष महोदय जूनियर डॉक्टर्स की हड़ताल के सम्बन्ध में यहां पर बहस की मांग की गई है मैं उसका समर्थन करता हूं ।

**श्री हरीशचन्द्र सिंह रथ (अल्मोड़ा) :** उपाध्यक्ष महोदय, माननीय संसद्-कार्य मंत्री जी ने जो बिजनेस अगले सप्ताह के लिए रखा है उस में एक बड़ा महत्वपूर्ण मुद्दा रह गया है । कल बंगाल में वहां के सत्तारूढ़ दल के लोगों ने जबरदस्ती अपनी गुण्डागर्दी के द्वारा अपनी दादागीरी के द्वारा बन्द करवाया है उस का जिक्र इस में नहीं किया गया है । वहां पर सरकारी मशीनरी का दुरुप-योग करते हुए पश्चिमी बंगाल की सरकार ने विरोध पक्ष के लोगों का जीवन दूभर कर दिया है . . . (व्यवधान) . . . वहां की सरकार सामान्य आदमी के जीवन की सुरक्षा करने में बिल्कुल असमर्थ हो गई है वहां का सामान्य आदमी आज अपने आप को बिल्कुल असुरक्षित महसूस कर रहा है । एक नई स्थिति वहां पर पश्चिमी बंगाल की सरकार ने पैदा कर दी है । वह के एक मंत्री के द्वारा पश्चिमी बंगाल के सम्बन्ध में यह कहा गया है कि वे केन्द्र की सत्ता को नहीं मानेंगे । यह एक नई बात है—अगर वहां के मंत्री इस तरह की बात को कहेंगे कि केन्द्र की बात को नहीं मानेंगे तो यह हिन्दुस्तान से अलग हटने की बात हो जाती है ।

मैं चाहता हूं कि अगले सप्ताह के बिजनेस में पश्चिमी बंगाल की सरकार के इस घृणित कार्य के लिए उस की निन्दा की जानी चाहिए तथा यह मामला सदन में विस्तार से विचार किया जाना चाहिए । यदि जरूरत पड़े तो पश्चिमी बंगाल में रिजर्व

पुलिस भीजी जानी चाहिए तांकि वहां के नागरिकों का जीवन सुरक्षित हो सके विरोधी दल के लोगों का जीवन सुरक्षित हो सके । यदि इतने से भी मामला न सुलझने वाला हो तो पश्चिमी बंगाल की सरकार को जो जन-विरोधी सरकार है जो केन्द्र के साथ लड़ाई लड़ना चाहती है उस की धंग कर के राष्ट्रपति शासन लागू करने की प्रयत्न रखी जायें ।

दूसरी बात—केरल के सम्बन्ध में है केरल में जो सत्तारूढ़ दलों का कॉम्बिनेशन है उस में विभिन्न फैशनज हैं जो आपस लड़ रहे हैं मारपीट कर रहे हैं । जिस की वजह से वहां सरकार नाम की कोई चीज रह नहीं गई है । आम आदमी असुरक्षित महसूस कर रहा है । इस लिए केरल सरकार के कण्ठकट पर भी विचार किया जाना चाहिए ।

आप यहां पर रोज देखते हैं—अपोजीशन जीरो आवर में जिस तरीके से स्थिति को उठा कर हल्ला-गुल्ला मचाता है उसी तरह से वह बाहर भी करने लग गया है । नासिक में रेल की पट्टियां उखाड़ने, रेलों को रोकने का काम हो रहा है, जिस से आम आदमी का जीवन जो रेल में सफर कर रहा है खतरे में पड़ सकता है ।\*

इस से ऐसा प्रतीत होता है कि हमारे देश में विरोधी पक्ष सिस्टेमेटिक तरीके से सदन में और बाहर भी . . . . .

**SHRI RAM VILAS PASWAN:** I am on a point of order.

**MR. DEPUTY-SPEAKER:** What is this? Let him say what he wants to say Please sit down.

**श्री राम विलास पासवान :** आप मेरा प्वाइण्ट आफ आर्डर सुन लीजिए । प्वाइण्ट आफ आर्डर यह है

MR. DEPUTY-SPEAKER: Under what rules? No point of order. (Interruptions)..

श्री राम विलास पासवान : एक माननीय सदस्य के प्रति ऐसी बात कही जा रही है विदाउट-प्रायर-इन्फर्मेशन ..

MR. DEPUTY-SPEAKER: No, no; please sit down. What is this you are raising? Let him say what he wants to say. More than that is coming the papers.

SHRI RAM VILAS PASWAN: On a point of order....

MR. DEPUTY-SPEAKER: Under what rule? Under what rule do you want to raise a point of order? (Interruptions) This is not the way. Let him have his say What is going to happen? Allow him to speak. Allow him to have his say. (Interruptions). I am not permitting you now. I have already permitted to you. Nothing will go on record. I am not permitting you. This will not go on record.

When you talked so much, they were hearing you. It is not proper.

SHRI RAM VILAS PASWAN:\*\*

श्री हरीश चन्द्र सिंह रावत : त्रिपुरा में वहां की सरकार द्वारा वहां के ट्राइब्स को परेशान किया जा रहा है जिस से वहां अशान्ति भड़के। त्रिपुरा की मार्क्सवादी सरकार वहां सिस्टेमैटिक तरीके से पूरे पूर्वांचल में अशान्ति भड़काने की कोशिश कर रही है जिस से हमारे पूर्वांचल में विघटन की प्रवृत्ति बढ़े। यह खतरनाक बात है इस पर सदन में विचार किया जाना चाहिए।

इस देश के कई प्रान्तों में ढाई साल तक जो एक सरकार रही कहीं लोक दल की, कहीं जनसंघ की आर० एस० एस० की उन लोगों ने पुलिस में अपने लोगों को भरती करवाया

\*\*Not recorded.

है और वे लोग सिस्टेमैटिक तरीके से हमारी सरकार को बदनाम करने के लिए जगह-जगह हरिजनों पर अत्याचार कर रहे हैं। इस स्थिति पर सदन में विचार होना चाहिए।

लास्ट-टाइम जनता पार्टी की सरकारों के मंत्रियों ने एक दूसरे पर विदेशी एजेंट होने के आरोप लगाये थे .....

MR. DEPUTY-SPEAKER: Let him complete it. There is no time. He has to complete it. We have to complete it by 3 O'Clock.

श्री हरीशचन्द्र सिंह रावत : इस से सारे हिन्दुस्तान के लोगों के मन में हमारे देश के इन नेताओं के प्रति जो इस समय विरोध पक्ष में हैं सन्देह पैदा हो गया है। हमारा निवेदन है कि उन के कण्डक्ट पर भी विचार किया जाये।

THE MINISTER OF PARLIAMEN-TARY AFFAIRS AND WORKS AND HOUSING (SHRI BHISHMA NARAIN SINGH): You are very kind to me and I may say that I invariably try to accommodate the wishes of the members of the ruling party as well as of the Opposition. We have also noted your views in the matter. I may say that it was our intention to announce the Government business for coming week only, according to the established practice. But considering the wishes of the House to have an early discussion on communal riots, Government agree to arrange a discussion thereon on Wednesday the 3rd December, 1980, on a motion to be admitted by the Honourable Speaker. As regards the other points raised by hon. Members, I will look into them and whatever I think proper I will bring it to the notice of the Business Advisory Committee.

AN HON. MEMBER: Third December.

SHRI BHISHMA NARAIN SINGH: I have said, 3rd December.