

11:18 hrs.

COMMITTEE ON PAPERS LAID ON THE TABLE

(i) MINUTES.

SHRI KANWAR LAL GUPTA (Delhi Sadar): I beg to lay on the Table Minutes of the sittings of the Committee on Papers Laid on the Table held on 6th October, 8th November and 29th December, 1977 and 28th March, 20th April and 4th May 1978.

(ii) FIFTH REPORT

SHRI KANWAR LAL GUPTA: I beg to present the Fifth Report of the Committee on Papers Laid on the Table.

COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE

SIXTH REPORT

SHRI NATVERLAL B. PARMAR (Dhandhuka): I beg to present the Sixth Report of the Committee on Absence of Members from the Sittings of the House.

11:20 hrs.

BUSINESS OF THE HOUSE

भ्रम तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री लारंग साय) : महोदय, आपकी अनुमति से, मैं सभा को यह सूचित करता हूँ कि 8 मई, 1978 से प्रारम्भ होने वाले सप्ताह के दौरान इस सदन में निम्नलिखित सरकारी कार्य लिया जाएगा :—

1. आज की कार्यसूची के बकाया सरकारी कार्य की किसी मद पर विचार।

2. निम्नलिखित विधेयकों पर विचार और उन्हें पारित करना :

(क) सीमा शुल्क, केन्द्रीय उत्पादन शुल्क और नमक तथा केन्द्रीय राजस्व बोर्ड (संशोधन) विधेयक, 1978।

(ख) खादी तथा ग्रामोद्योग आयोग (संशोधन) विधेयक, 1978।

(ग) पासपोर्ट (संशोधन) विधेयक, 1978।

(घ) तम्बाकू बोर्ड (संशोधन) विधेयक,

(ङ) वायु (प्रदूषण) निवारण तथा नियंत्रण विधेयक, 1978।

(च) दिवाला विधि (संशोधन) विधेयक, (1978, राज्य सभा द्वारा पारित किये गये रूप में)।

(छ) नेत्र (व्यक्तिगत प्रयोजनों के लिए उपयोग का प्राधिकार) विधेयक, 1978।

(ज) कर्ण पट्ट और पट्ट कर्ण ग्रन्थि (व्यक्तिगत प्रयोजनों के लिए उपयोग का प्राधिकार) विधेयक, 1978।

3. सूचना और प्रसारण मंत्री द्वारा गुस्वार, 11 मई, 1978 को आकाशवाणी और दूर-दर्शन के लिए स्वायत्तता सम्बन्धी कार्यकारी दल के प्रतिवेदन के सम्बन्ध में पेश किये जाने वाले प्रस्ताव पर चर्चा।

SHRI A. K. ROY (Dhanbad)—*rose*

MR. SPEAKER: You have not given notice.

SHRI A. K. ROY: Mr. Speaker, Sir, I would like to know whether a comprehensive Industrial Relations Bill is coming in this session or not. Let the hon. Minister of State say about this. It is having very wide repercussions. We have been repeatedly told that a comprehensive Industrial Relations Bill is coming soon and recognition of the Unions by the ballot. Now, in the List of Business we see that they are not bringing this now.

So, Mr. Speaker, through you, I would like to appeal to the Government to bring forward this Bill definitely in this session itself.

MR. SPEAKER: Mr. A. K. Roy, you must know the Rule. You have to give notice of it if you want to raise it.

SHRI A. K. ROY: This is a bolt from the blue.

SHRI SAUGATA ROY (Barrackpore): I rise on a point of order.

MR. SPEAKER: Breach of which rule?

SHRI SAUGATA ROY: Rule 376. I am raising a point of order regarding the order of business in the House.

Sir, day-before-yesterday, in the West Bengal Assembly this thing happened. On the List of Business laid by the Government on the Table of the House, there was a division.

This thing has not happened in this House.

But if the Government goes back on its commitment to bring forward certain Bills in time in the Lok Sabha, here also there will be a precedent when we will be forced to resort to voting on the Report of the Business Advisory Committee. This certainly will not be a good precedent.

Therefore, what I am raising is just a point of order.

You must ask the Government why they have not brought forward a comprehensive legislation.

MR. SPEAKER: Mr. Saugata Roy, the direction given by Speaker earlier is this. When the Business of the Week is announced by the hon. Minister, any Member who wants to object may give notice. Two members have already given such notice, saying, they want to raise certain objections. Not jumping up and objecting.

SHRI SAUGATA ROY: No, Sir. We are not jumping up; we are raising only Points of Order.

MR. SPEAKER: This is not a Point of Order. There is no Point of Order.

SHRI SAUGATA ROY: Let us not shut out Members.

MR. SPEAKER: It is not shutting out. It is regulating it.

SHRI SAUGATA ROY: We are only pointing it out; we want to draw attention to it....

MR. SPEAKER: You are mistaken if you think there is any 'shutting out'. Nothing like that. We are only regulating it. That is all. Every Member has a right to give notice.

SHRI SAUGATA ROY: Don't call it 'jumping up'. It is not proper.

MR. SPEAKER: If you are hurt, I am sorry. Mr. Kamath.

SHRI HARI VISHNU KAMATH (Hoshangabad): Sir, on a point of amplification and clarification.

I would like to raise two or three matters.

Number one: I have already raised in this House in the past two weeks the question of the Shah Commission's First Report.

I have demanded—so also the House—that the Shah Commission's Report should be placed on the Table of the House during the current session together with a Memorandum about the Government's action,

What action they have taken or they propose to take, thereon?

Government has not done it so far. The hon. Minister of State for Home Affairs gave an assurance last week, if I remember aright,—Shri Patil said that it will be placed in the House 'as early as possible'. We don't know what that phrase 'as early as possible' means—it very vague and elastic phrase.

Sir, we want an assurance from the Government that it will be placed on the Table of the House before the end of the session, well before the House adjourns, so that the House can have a discussion on that Report.

I am sorry to say that due to this inordinate delay, rumours are gaining currency in the Capital that there are serious differences among the top trinity with regard to the action to be taken on the Report. We also get the impression that the Government—I am saying this more in sorrow than in anger.....

AN HON. MEMBER: Anguish.... Sorrow and anguish.

SHRI HARI VISHNU KAMATH: ...that the Government is taking undue advantage of Section 3, sub-section (iv) of the Commissions of Inquiry Act, 1952. It gives them six months' time to place the report before Parliament. (*Interruptions*).

SHRI VASANT SATHE (Akola): It is under the intensive consideration. (*Interruptions*)

SHRI HARI VISHNU KAMATH: I hope it will be placed in this session. It will not go to the next—August session.

I would, therefore, like to know from the hon. Prime Minister who is here, the Law Minister is also here, a cluster of our distinguished Ministers are here. So let them tell us as to when they intend doing it.

My second point is whether the Forty-fifth (Constitution Amendment) Bill will be introduced in this session at all or not. The Law Minister gave an assurance in March last that it would be introduced in this session. I would also like to know whether the anti-Defection Bill will be introduced in this session or not. And, finally, I want to know whether this session is going to be extended because we have to make our arrangements—of course;

[Shri Hari Vishnu Kamath]

it is easy for the Ministers to make their arrangements—for our departure, because we have our own programmes outside. I would like to know whether this session will be extended beyond the 12th and if so, by how many days it will be extended ?

**THE PRIME MINISTER (SHRI MORARJI DESAI):** The first report of the Shah Commission we have got on the 11th March and the second report has been given to us on the 26th of April. These are being considered very carefully. And all the legal implications are being considered. They are not light matters; they require, therefore, to be considered very carefully. It is not a question of taking advantage of Section 3. This is mandatory and we have got to see that we come here with our recommendations. That is why this is being carefully considered. Haste will be waste and then one has to repent it also afterwards that we were in a hurry. We are doing it and we hope that before the end of the session, we will be able to come and put it before the House.

**SHRI SAUGATA ROY:** The Secretaries will look into it. We cannot see.

**SHRI MORARJI DESAI:** The Secretary is bound to look into it before you look into. You have got more rights than the Government. Government runs through us. They are our aides but you are not my aide in the matter. Therefore, it has to be considered in proper proportion. What is the use of your talking like this ? In the next session, it can certainly be discussed. But, I cannot hurry it in that manner. That must be seen. We are doing our level best to see that we are able to place the report on the Table of the House before the end of this session. That is what we are trying to do. The Constitution Amendment Bill will also be introduced before the end of this session.

**MR. SPEAKER:** He wanted to know whether this session will be extended; if so, for how many days ?

**SHRI MORARJI DESAI:** I do not think it will go beyond 16th. In any case the hon. Member is free to go wherever he likes.

**डा० लक्ष्मी नारायण पांडेय (मंदसौर) :** अध्यक्ष महोदय, मैं अगले सप्ताह की कार्यसूची में निम्न-विषय जोड़कर उस पर विचार करने का आग्रह करूंगा।

फटिलाइजर कारपोरेशन आफ इंडिया और एन० एफ० एल०—इन दोनों का विघटन कर चार क्षेत्रीय कार्यालयों में इनको पुनर्गठन करने का सरकार ने निश्चय किया था और उसके अनुसार अमल

करना प्रारम्भ किया है ? इसके कारण कर्मचारियों के हितों पर काफी विपरीत असर पड़ने की सम्भावना है, विपरीत असर पड़ा भी है। कर्मचारियों को इस बात से आश्वस्त किया गया था कि उन्हें एक स्थान से दूसरे स्थान पर स्थानांतरित नहीं किया जाएगा। किन्तु अब इस आशवासन को तोड़ा जा रहा है। एक-स्थान से दूसरे स्थान पर सामान ले जाने तथा नई व्यवस्था में करोड़ों रुपए के व्यय की भी सम्भावना है। इतने बड़े मसले पर यहाँ कोई चर्चा न करके सहसा किसी निर्णय को इम्प्लीमेंट कर देना ठीक नहीं है। मैं चाहता हूँ कि इस सारे विषय पर विचार किया जाये। फटिलाइजर कारपोरेशन पहले से काफी घाटे में जा रहा है, वह घाटा किस प्रकार से कम होगा, किस प्रकार से हम लाभ उठावेंगे, उसका काम किस प्रकार से ठीक चल सकेगा वह सब मालूम होना चाहिये। अतः अगले सप्ताह इस पर विचार हो क्योंकि यह विषय बहुत महत्वपूर्ण है व इस पर बार बार चर्चा की मांग की गई है।

**DR. SUBRAMANIAM SWAMY (Bombay North-East):** What happened to the discussion on the Time Capsule ?

**MR. SPEAKER:** I am telling you the same thing as I am telling others. We shall get it regulated. You send me the objection. Then the question comes in. Otherwise, it will not be regulated. Mr. Chandra Pal Singh was speaking yesterday.

11:30 hrs.

**MOTION RE. DRAFT FIVE YEAR PLAN 1978-83—Contd.**

**MR. SPEAKER:** We now take up further consideration of the following motion moved by Shri Morarji Desai:—

“That this House do consider the ‘Draft Five Year Plan 1978-83’ laid on the Table of the House on the 26th April, 1978.”

**श्री चन्द्रपात सिंह (अमरोहा) :** माननीय अध्यक्ष महोदय, कल छठी योजना के प्रारूप पर अपने विचार व्यक्त करते हुये मैंने भ्रष्टाचार को खत्म करने की तरफ आपका ध्यान आकर्षित किया था। यदि भ्रष्टाचार इस देश से दूर नहीं होगा, तो जो आकांक्षायें और अपेक्षायें हम करते हैं वे सफल नहीं होंगी। आज की जो अफसरशाही है, वह हमारी योजनाओं के प्रति उदासीन रहती है। आज तक जो होता रहा है उसमें एक सबसे बड़ी बाधा हमारे सामने यह आई है कि अफसरों का दिमाग देहातों की ओर नहीं है, उनका दिमाग शहरों की ओर रहता है, यही कारण है कि 70 फीसदी आबादी की तरफ जो देहातों में रहती