

The actions of the LIC under Section 19(2) and 9A of the I.D. Act were successfully challenged in the Lucknow Bench of the Allahabad High Court. Another Writ Petition was filed in the Calcutta High Court challenging the validity of the LIC's actions under 19(2) and 9A of the I.D. Act and the Central Government's action under Section 49 and 11(2) of the LIC Act. Having lost the case in the Allahabad High Court, the LIC went in for appeal to the Supreme Court. The writ petition pending in the Calcutta High Court was also transferred to the Supreme Court. At preliminary stage of the hearing, the Supreme Court had passed order that in the event of the LIC appeal not surviving, the employees should be paid bonus along with 12 per cent interest.

On November 10, 1980, the Supreme Court by its judgment held all the actions of the LIC and the Government of India illegal and *ultra vires* the Constitution and struck down the orders depriving the employees of their right to bonus.

But now strangely enough report has appeared in a section of the press that secret confabulations are going on in the concerned Ministries to see to it that the effects of the Supreme Court judgment are nullified and employees are not paid any bonus, even the bonus that has legally accrued to them for the years 1978-79 and 1979-80. To a delegation of the All India Insurance Employees' Association, the LIC Chairman was reported to have told on 11-11-80 that in view of the Finance Ministry telephonically instructing him not to pay the bonus, he was unable to pay.

I urge upon the Government not to engage in such methods. What is involved in this issue is not merely the question of payment of bonus to 43,000 LIC employees only, but also far more basic and fundamental and that is whether this Government will submit to the judicial interpretation of law enacted by the Parliament or it will arrogate to itself also the

power of interpreting the laws irrespective of the judgments and interpretation by the highest judiciary in this country.

(vii) REPORTED GROWING GANGSTERISM
IN CERTAIN PARTS OF BOMBAY

SHRIMATI PRAMILA DANDAVATE (Bombay North Central): Mr. Speaker, Sir, on 7th December, 1980, a serious episode occurred in Bombay which constitutes a grave threat to the freedom of press.

The 'Mumbai Sakal' a popular Marathi daily published from Bombay has been exposing the growing gangsterism in World and Prabhadevi areas of Bombay where gangsters openly move with swords terrorising people. My letters of complaint to the Police Commissioner of Bombay regarding this gangsterism has produced no result so far.

Some elements probably engaged by the exposure of gangsterism through the columns of 'Mumbai Sakal' burnt the tempo carrying copies of the Marathi daily on 7th December, 1980. The driver escaped and was, therefore, saved from being burnt alive. This is an assault on the freedom of press.

I request the Minister of Home Affairs to instruct the authorities concerned to ensure that such acts of vandalism are prevented and freedom of press protected.

(viii) SUPPLY OF MAIDA TO TAMIL
NADU

*SHRI C. PALANIAPPAN (Salem): Mr. Speaker, Sir, under Rule 377, I wish to raise the following matter of urgent public importance. In Tamilnadu there are thousands of cottage units producing pappad, bun, biscuits etc., which are common people's delicacies. To give an example, in Salem district alone, there are 120 cottage units producing pappads in which more than 3000 people are working, out of whom about 2800 are women.

*The original speech was delivered in Tamil.

It has to be borne in mind that women belonging to scheduled castes, handicapped women are working in these cottage units. Besides, thousands of cottage units are there producing bun, which meets food needs of poor people.

The basic raw material for producing pappad, bun, biscuits etc. is maida, starch etc. The starch is prepared out of a root vegetable. This starch is supplied by more than 800 starch producing units in Dharamapuri district alone. But unfortunately, maida is becoming a scarce commodity. It is impossible for these cottage units to purchase maida from open market because there is a difference of Rs. 140 to Rs. 170 per bag of maida between the price charged in the open market and that charged in Government fair price shops. Because of non-availability of maida, many cottage units preparing pappad, bun, biscuits etc. are on the verge of closure. As an illustration 97 such units have been closed in Salem District. The Government of India should supply adequate quantities of maida to these cottage units through the Khadi and Village Industries Commission, which is entrusted with the responsibility of looking after such cottage units.

12.25 hrs.

STATUTORY RESOLUTION RE.
DISAPPROVAL OF CODE OF CRIMINAL
PROCEDURE (AMENDMENT) ORDINANCE
AND
CODE OF CRIMINAL PROCEDURE
(AMENDMENT) BILL

MR. SPEAKER: We now take up the Statutory Resolution and the Code of Criminal Procedure (Amendment) Bill also. Shri Atal Behari Vajpayee—not here, Shri N. L. Shejwalkar—not here. Shri Satish Agarwal.

SHRI SATISH AGARWAL (Jaipur): Mr. Speaker, Sir, I beg to move:—

"This House disapproves of the Code of Criminal Procedure

(Amendment) Ordinance, 1980 (Ordinance No. 12 of 1980) promulgated by the President on the 23rd September, 1980."

Mr. Speaker, Sir, I have moved this Statutory Resolution seeking disapproval of the Ordinance which has been promulgated by the President on the 23rd September, 1980, amending certain provisions of the Criminal Procedure Code which was enacted by the House in 1973 and which came into force from April, 1974.

First, I am dead against issuance of Ordinances and legislation through Ordinances, particularly when Parliament meets for nearly six to seven months in a year. There was absolutely no occasion, and there is absolutely no justification, for issuance of this Ordinance on 23rd September. But, unfortunately, as the House is well aware, this Government is running the administration of this country through Ordinances and is not resorting to legislation through Parliament. This extraordinary power of issuing Ordinances is existing in the Constitution which clothes the President with this power of issuing Ordinances, but resort to it should be taken as least as possible and that too for issuing Ordinances only on not very vital matters. So, I condemn this attitude of the Government to legislate and administer through the system of Ordinances. I register my strongest protest against the tendency of this Government to issue Ordinances. This is not the only Ordinance which has been issued; as the House is well aware, there are nearly a dozen Ordinances which have been issued by this Government during this intervening period. The reasons that have been placed on the Table of the House by the Government and the Minister concerned justifying the reasons for the issue of this Ordinance are not at all convincing.

So far as the other provisions in the Ordinance are concerned, they