

[Shri Eduardo Faleiro]

Legislatures of the States. This provision was made at a time when Union Territories did not have their own Legislative Assemblies. In the present circumstances however, this provision is objectionable, anomalies and unfairly discriminates against the elected members of the Legislatures of the Union Territories and in fact operates against the people of those territories who are in a substantial measure deprived of their democratic right to choose the President. The Presidency is indeed a Constitutional office which symbolises the unity of the country and its commitment to the democratic process. I, therefore, call upon the Government to introduce necessary legislation so that Article 54 of the Constitution is amended and this disqualification does not any longer attach to the elected members of the Legislative Assemblies of the Union Territories.

(x) NEED FOR STEPS TO INSURE PAYMENT TO SUGARCANE CULTIVATORS IN U.P.

श्री हरीश कुमार गंगवार (पीलीभीत):  
उपाध्यक्ष महोदय, उत्तर प्रदेश की विभिन्न चीनी मिलों, विशेषकर सहकारी चीनी मिलों तथा राज्य सरकार द्वारा अपने प्रबन्ध में चलाई जाने वाली चीनी मिलों ने फरवरी, 82 के पश्चात् गन्ना मूल्य का भुगतान अब तक नहीं किया है, जिससे गन्ना उत्पादकों की स्थिति अत्यन्त दयनीय हो गई है। एक ओर तो गन्ना कृषकों को करोड़ों रुपए गन्ना मूल्य का भुगतान नहीं हुआ है, दूसरी ओर विभिन्न ऋण-दात्री समितियों, भूमि विकास बैंक, राजस्व अधिकारियों, क्षेत्र विकास समितियों आदि द्वारा कृषकों, नीलाम की कार्यवाही की जाकर कृषकों से जबरन ऋण वसूली की जा रही है जिससे कृषकों में अत्यन्त भय व असंतोष व्याप्त हो गया है।

खलिहान से गेहूँ उठाने से पहले ही वर्षा के कारण गेहूँ पहले ही खराब हो चुका था, अब भयंकर सूखे की स्थिति के कारण कृषक

की आर्थिक अवस्था शोचनीय हो गई है और वह किंकर्तव्यविमूढ़ की स्थिति में आ गया है। चीनी के ओषक उत्पादन के पश्चात् भी गन्ना कृषक को उसके गन्ने का मूल्य न मिलना सरकार की असफलता का द्योतक है।

मैं सरकार से मांग करता हूँ कि वह केन्द्रीय कानून के अन्तर्गत व्याज व हरजाना समेत गन्ने का मूल्य कृषकों को तुरन्त दिलाने की व्यवस्था करे।

15.25 hrs.

EYES (AUTHORITY FOR USE FOR THERAPEUTIC PURPOSES) BILL

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI B. SHANKARANAND): I beg to move:\*

"That the Bill to provide for the use of eyes of deceased persons for the therapeutic purposes and for matters connected therewith, be taken into consideration."

Mr. Deputy-Speaker, Sir, The Eyes (Authority for Use for Therapeutic Purposes) Bill, 1980 has been introduced in this House on 1st December, 1980 and it seeks to replace the Bombay Corneal grafting Act, 1957 as extended to the Union Territory of Delhi in 1964.

For quite some time, eyes of deceased persons are being used for surgical operations and trans-plantations in the Union Territory of Delhi mainly in the All India Institute of Medical Sciences and in the Lok Nayak Jayaprakash Narain Hospital. The working of the Bombay Corneal Grafting Act, 1957, has however revealed some deficiencies.

Under the Bombay Act, eyes can be removed by any registered medical practitioner practising any system of medicine and recognised as Registered medical Practitioner.

PROF. MADHU DANDAVATE (Rajapur): They can be removed even in Bhagalpur Jail.

**SHRI B. SHANKARANAND:** Since the removal and preservation of eyes require special skill and special facilities, it is considered necessary to ensure that only qualified Registered Medical Practitioners under the Indian Medical Council Act and who have either post-graduate qualification in Ophthalmology or have adequate experience and training enucleation procedure are permitted to remove eyes from the bodies of the deceased persons.

Though the Bombay Act provides for the removal of eyes from bodies in certain hospitals or medical or teaching institutions for therapeutic purposes, with a view to respecting the wishes of the relatives of the deceased persons concerned and giving them an opportunity to claim the bodies, it is considered appropriate to prohibit the removal of eyes from bodies till such time as they do not get damaged and also wait even beyond that period in cases where there is some possibility of the body being claimed by the relatives. Provisions for this and also for the removal of eyes from the dead bodies of the persons if he/she so authorises at any time before his/her death either in writing or orally in the presence of two or more witnesses, at least one of whom is a near relative, have been made in the Bill.

The Bill also gives authority for the removal of eyes in the case of unclaimed bodies in any hospital, prison, nursing home or other such institution, with adequate safeguards.

The Bill also provides for removal of eyes from the body of a person whose death is caused by accident or by any other unnatural cause and the dead body has been sent for *post mortem* examination for medico-legal purposes.

Subsequent to the introduction of the Bill in December, 1980, it has been considered that we should also utilise

this opportunity to provide in the Bill for the removal of eyes from bodies of a person who has donated the same for pathological investigation and for research purposes.

I will therefore, be moving an amendment for this purpose to provide for the removal of eyes in such cases also.

As the House is aware, among the large number of blind and visually handicapped persons in this country 20 to 25 per cent of them are said to have corneal blindness. It is roughly estimated that about two million cases can be helped by corneal grafting operations. The Government of India, fully realising the importance and magnitude of the Problem and economic loss arising therefrom, have launched the National Programme for Control of Blindness, which is also of the items included in the 20-Point Programme of the Prime Minister.

The cases of corneal blindness cannot be treated or cured by any other method but by corneal grafting operation. The advancement in science has now made it possible that the cornea or the eye removed after the death of a person can be processed and used for this transplantation operation with a fair degree of success.

According to information, apart from Maharashtra, similar enactments for corneal grafting are passed in the States of Haryana, Punjab, Karnataka Madhya Pradesh, Uttar Pradesh, Andhra Pradesh, Gujarat, and Chandigarh.

**SHRI SOMNATH CHATTERJEE** (Jadavpur): West Bengal also has passed. You do not keep the information correctly.

**SHRI B. SHANKARANAND:** Now I accept the information.

**SHRI SOMNATH CHATTERJEE:** A Select Committee has gone into it.

**SHRI B. SHANKARANAND:** It is my hope that the enactment of this Bill will be emulated by the States where such legislation is yet to be enacted.

With these words, I commend the Bill for the consideration and passing by this House.

15.29 hrs.

[Mr. Speaker in the Chair]

**MR. SPEAKER:** Now, the Motion moved:

"That the Bill to provide for the use of eyes of deceased persons for the therapeutic purposes and for matters connected therewith, be taken into consideration."

15.30 hrs.

DISCUSSION RE. ATROCITIES BEING COMMITTED ON SCHEDULED CASTES IN TAMILNADU, MAHARASHTRA, UTTAR PRADESH, BIHAR AND OTHER PARTS OF THE COUNTRY.

**MR. SPEAKER:** Now we take up discussion under rule 193—atrocities being committed on the Scheduled Castes in Tamil Nadu, Maharashtra, U.P., Bihar and other parts of the country.

**श्री एम. रामगोपाल रेड्डी** (निजामाबाद): राम विलास जी, आप के वास्ते स्पीकर साहब स्वयं आए हैं ।

**श्री राम विलास पासवान** (हाजीपुर) : प्रधान मंत्री को भी आना चाहिए था । स्पीकर तो आते ही हैं । प्रधान मंत्री जब तक नहीं आएंगी तब तक समस्या का निदान नहीं हो सकता ।

**श्री एम. रामगोपाल रेड्डी:** आप का भाषण वह सुन रही है ।

**श्री राम विलास पासवान:** हमारा भाषण क्या सुनेंगी ?

**THE MINISTER OF DEFENCE AND HOME AFFAIRS SHRI R. VENKATARAMAN:** I will take care.

**श्री राम विलास पासवान:** अध्यक्ष महोदय, मैं आप से एक आग्रह करता हूँ, इस को अदरवाइज न लिया जाये, लेकिन हम नह देख रहे हैं कि यहां पर डिस्कशन होता है, उस डिस्कशन का कोई फ्रूटफुल रिजल्ट निकलता नहीं है, उस को एक सब से बड़ा कारण यह है कि जब भी इस तरह का डिस्कशन हुआ है प्राइम मिनिस्टर कभी यहां नहीं आते हैं । जब यह एक नेशनल डिजीज हो गया है और उस पर हम लोग विचार करते हैं तो कम से कम प्रधान मंत्री को यहां पर होना चाहिये ।

**एक माननीय सदस्य:** आप के दल के नेता हैं ?

**श्री राम विलास पासवान:** हमारे दल के नेता प्रधान मंत्री होंगे तो आप से पहले बैठेंगे । . . . (व्यवधान) . . .

अध्यक्ष महोदय, आज पुनः हम लोग एक ऐसे मसले पर विचार करने के लिए यहां बैठे हैं जिस मसले के सम्बन्ध में जितनी निन्दा की जाए, जितना कुछ कहा जाए कम है । मैं अभी दण्डवत साहब से आज बात कर रहा था, मैंने कहा कि अब क्या इस पर क्या कहा जाए ? इतनी बार चर्चा हो चुकी है, इतनी बार सदन में इस पर डिस्कशन हो चुका है, उस के बाद भी मर्ज घटने के बजाय और बढ़ता जा रहा है । उस का क्या उपाय है ? एक ही चीज हमारे जैसे लोगों के दिमाग में आती है कि सरकार की नियत साफ नहीं है, हम इस सवाल को बार बार उठाने की कोशिश करते हैं, समूचे देश के नक्सों को देखें तो मामला बढ़ता जा रहा है । बिहार में राज घटनाएँ घटती हैं, उत्तर प्रदेश में राज घटती हैं, मध्य प्रदेश में घट रही हैं, तामिलनाडु में घट रही हैं, महाराष्ट्र में घट रही हैं, कोई भी जगह बाकी नहीं रही है कि जहां यह बिमारी फैल न रही हो । आजादी के 35 वर्ष के बाद जब हम यह कह रहे हैं कि हम बढ़ते जा रहे हैं और उस दिशा में बढ़ते जा रहे हैं जो सभ्यता के