

and the hardness was 322 ppm as against the permissible limit of 200 ppm. Besides, the water also contained suspended impurities like clay and sand.

According to Dr. Nilay Chaudhuri, Chairman of the Central Board for the Prevention and Control of Water Pollution, the strength of river Yamuna, flowing through Delhi (from Wazirabad to Okhla) has got the worst quality level, the main cause of the pollution of the river being the ineffective sewerage system. About 10 lakh people living in South Delhi Colonies were being supplied polluted water from the Yamuna, according to Dr. Chaudhuri. It is reported that facilities for conducting bacteriological and other tests at the Okhla Water Works are totally inadequate. The sparse one-and-a-half room laboratory boasts of two shelves of chemical reagent bottles and four beakers. There is no microscope for carrying out bacteriological tests. A two-men team of analysts does all the checking there from the time water is tapped from the Yamuna spur, is cleaned by fixing the traditional alum, filtered through sand and mixed with chlorine gas. The water-filtration plant is reportedly 25-years old.

Thus in spite of the repeated assurances given by the authorities that the water supplied to the residents of Delhi was absolutely safe and potable, doubts and fears persist in the public mind that the water is often contaminated and impure. There is no doubt, as the recent tests have shown, that there is a large-scale contamination of water being supplied in some of the areas in Delhi, carrying with it the risk of water-borne diseases like jaundice and dysentery. This is a serious health hazard and immediate steps should be taken to ensure the supply of clean and healthy water to the residents of Delhi. I have collected and sealed in a bottle on the 30th July last, the water from the taps in my residence 39, Meena Bagh, which comes under the jurisdiction of N.D.M.C. The water is so turbid

and full of foreign matter that it does not need any chemical examination to show the pollution. However, I am sending it to the Minister concerned for analysis to establish the extent of its contamination. If the results show that the water is really polluted, the concerned officials should be taken to task and steps should be taken to ensure that the water supplied by N.D.M.C. is free from impurities in future. The Chairman of Standing Committee of the D.M.C. has also requested the Hon'ble Prime Minister to hold a probe in the matter. I would request the Government to make a comprehensive statement, regarding this matter.

(iv) REPORTED DIFFICULTIES FACED BY FISHERMEN IN WESTERN COAST AND COASTAL AREAS OF ANDHRA PRADESH AND TAMIL NADU

SHRI EDUARDO FALEIRO (Mormugao): Sir, under Rule 377, I wish to raise the following matter.

Fishermen operating country-crafts are in great distress all over the Western Coast and also in the coastal areas of Andhra Pradesh and Tamil Nadu and there have also been constant clashes between this class of fishermen and these operating trawlers. The cause for this situation is the fact that though fishermen manning country boats can only operate within a distance of about 5 kms. from the coast and the mechanised boats have the whole sea for themselves the latter do fish within the 5 km. range and in the process not only deprive the traditional fishermen of any catch but also destroy the fish breeding grounds.

The Government of India had appointed an Expert Committee to study the matter and the Committee has apparently recommended that three fishing zones be demarcated—the first upto 5 km. from the coast for exclusive operation by country crafts, the second from the demarcation line of 5 km. and upto 20 kms. for fishing by mechanised crafts and small traw-

[Shri Eduardo Faleiro]

lers and the further area to be utilised by the large trawlers. In spite of these recommendations and in spite of the tragedy that the present situation has created for the traditional fishermen and their families who are for the last about one year literally deprived of their means of livelihood, Government has so far not taken the necessary steps to amend the Fisheries Act or to demarcate the fishing zones. I had raised this matter some months ago under Rule 377, but Government did not care to come forth with any statement. I hope that at least now, hon. Minister for Agriculture would make a statement on this matter.

14.21 hrs.

MOTION RE: INTERIM REPORTS
OF THE SHAH COMMISSION OF
INQUIRY

MR. DEPUTY-SPEAKER: The House will now take up discussion on the motion by Shri Shyamnandan Mishra. Shri Shyamnandan Mishra.

SHRI K. LAKKAPPA (Tumkur): Sir, I rise on a point of order on the motion being moved by Shri Mishra under Rule 184 regarding motions. Rule 188 says:

"No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry..... shall ordinarily be permitted to be moved".

The subject matter of this motion today is the Shah Commission Report. The discussion on the Shah Commission Report would give a scope for discussing certain subject matter which is pending in a court. In the basis of the Shah Commission Report, six cases have been pending in the court and summons are being issued

already. Therefore, the process of law has already taken place and the law set in motion. In view of these things, I would like to quote the relevant portion from the May's Parliamentary Practice, which says:

"By a resolution of the House, matters awaiting or under adjudication in a criminal court or a court martial, and matters set down for trial or otherwise brought before a civil court may not be referred to in any debate or question...."

I would like to further consolidate my position by submitting to you, Sir, that there are certain rulings also in this regard. I have got an exhaustive note on the subject which says that discussion on *sub-judice* matters should not be allowed. It is the absolute privilege of the legislatures and members thereof to discuss and deliberate upon all matters pertaining to the governance of the country and its people. Freedom of speech, of course, should not be restricted so far as the parliament is concerned, but there are certain reasonable restrictions imposed by framing of the rules, and the rule whether a motion which relates to a matter which is under adjudication by a court of law should be admitted or discussed in the House has to be interpreted strictly, when this matter has to be considered.

As I said, Sir, six cases now pending before the court for trial and in which summons are being issued, are based on the report of the Shah Commission. Legal process has, therefore, already started. Such a discussion in this House would not only prejudice the adjudication by the court, but at the same time, it would violate Rule 184 and the subsequent rules on the subject in our Rules of Procedure, which take away such a right.

There is another point which I would also like to bring to your kind notice, and that is, that the presiding