

SPECIAL COURTS BILL*

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): I move for leave to introduce a Bill to provide for the speedy trial of a certain classes of offences.

MR. SPEAKER: Motion moved:

"That leave be granted to introduce a Bill to provide for the speedy trial of a certain classes of offences."

There are certain objections. Mr. Lakkappa and Mr. Faliero have given notice of objection. Mr. Lakkappa.

SHRI K. LAKKAPPA (Tumkur): Mr. Speaker, Sir, While giving notice, I have already mentioned the grounds on which I am opposing the introduction of this Bill. The Special Courts Bill for the introduction of which leave is now being sought is being brought forward with political vindictiveness. It is outside the legislative competence of the House as it is violation of Article 14 of the Constitution. The present Government shouts from the house top that we have the rule of law now. I would like to know what respect they have shown for the rule of law in the last two years. There should be only one law for all persons. They are not only diverting from the rule of law but also mutilating the Constitution to bring to book the alleged guilty of previous Government and this is being done with political vindictiveness. In this context, I would like to quote a statement made by the Prime Minister in the Lok Sabha immediately after the 1977 Elections, when the Janata Party got a massive mandate. He gave an assurance that there would not be any political vindictiveness. But in the last two years the Government has been taking all such steps which smacks of political vindictiveness.

And they are not doing anything to solve the numerous problems of this country. It is a well settled principle that if the Legislature passes a legislation for a single individual, institution, body or corporation, it is consti-

tutional only if there is sufficient reason or basis for it. There is no sufficient basis or reason to bring forward such a legislation and so it is beyond the competence of the House. Not only that, there is also one Private Member's Bill, which had been introduced by Shri Ram Jethmalani, who is also a product of what is called the Janata Party. That Bill is still pending. I remember that when I wanted to bring forward a Privilege motion, when the matter was referred to the Supreme Court under Article 143, you ruled out the privilege motion. I would like to say that a Bill for the same purpose as indicated in the Special Courts Bill was already introduced by Mr. Ram Jethmalani on 4th August 1978 under the title "The Emergency Courts Bill, 1978". You can go through the objects and reasons put forth in that Bill.

SHRI JYOTIRMOY BOSU (Diamond Harbour): On a point of order. The introduction of a Bill can be opposed only on the ground of legislative incompetence...

MR. SPEAKER: He says that there is an identical Bill.

(Interruptions)

SHRI K. LAKKAPPA: I refer to Rules 66 and 67 of the Rules of Procedure and Business before the House, which say that once a Bill is pending before the House, an identical Bill cannot be ordinarily introduced during the pendency of the first Bill. You did not allow Mr. Jethmalani to speak on the privilege issue saying that the convention should not be broken. The Private Member's Bill, to which I have made a reference, is still pending and so the introduction of the present Bill by the Government is out of order. It is violative of the Rules 66 and 67 of the Rules of Procedure and Conduct of Business.

The Minister has also referred in the Bill to Mr. Jethmalani's Bill. Why is this Government in such a hurry to bring forward a legislation in order to

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[Shri K. Lakkappa]

see that an individual or a group of people are punished? It is a political indictment. The Government before introducing this Bill got a reference made by the President to the Supreme Court seeking its advisory opinion in respect of the Bill. There are well-established conventions and the rulings given even in the British Parliament that such a Bill cannot be brought forward.

I oppose the Bill on another ground also, under article 14. I would like to make a very important point that has been made in this regard. Even Mr. Charan Singh has made a statement. I doubt very much whether the Government of India, the present Government, is in a position to bring forward such a special legislation against an individual, Mrs. Indira Gandhi, or a group of people. I would like to quote an important observation:

"In order to sustain legislative or administrative action (against a single individual or institution) as not being violative of article 14 of the Constitution which guarantees equality before law and equal protection of laws, it is not only necessary to show that there are intelligible differentia which distinguish such individual or institutions similarly placed, but that there is a rational nexus between such differentia and the object sought to be achieved by legislation or administrative order."

On that basis, I doubt if this legislation is going to pass the test of competency because they are bringing forward such a legislation with an ulterior motive, the political motive.

What has happened around the world? What is happening today?

MR. SPEAKER: You have gone from the Bill to the world now.

SHRI K. LAKKAPPA: They have to face the wrath of the people. What has happened in Pakistan? What hap-

pened when the martial rule was established in Pakistan? What is the public opinion on the political indictment against Mr. Bhutto? You know the public opinion there. (*Interruptions*)

MR. SPEAKER: Have you got any other point? You have raised some points. That is all.

SHRI K. LAKKAPPA: We are a civilised nation.

MR. SPEAKER: Quite right; there is no doubt about it.

SHRI K. LAKKAPPA: There should be a rule of law, the same law for any individual or a group of people. You cannot bring forward any special law for an individual or group of people. There are economic offenders in this country since many years and they are operating even today. But the Government has not guts to bring forward a special law against them...

MR. SPEAKER: This is not allowed. We are only on the legal objection to the introduction of this Bill.

SHRI K. LAKKAPPA: Kindly hear me.

MR. SPEAKER: I cannot go on hearing you like that.

SHRI K. LAKKAPPA: I quote one thing more:

"If the legislature chooses to pass a special law for setting up a special court for Indira Gandhi, the case arising from the Waliuddowla Succession Act, 1950 would be very much in point. By this act, a piece of legislation was passed to regulate succession to the estate of the late Nawab Waliuddowla who was a nobleman of Hyderabad and was at the time the President of the Executive Council of the State."

Even that was overruled. There are other legislations also. For example, there is the West Bengal Special Courts Ordinance 1949 (replaced by West

Bengal Special Courts Act, 1950). It was objected to on the ground that the establishment of the special court for trial was void and unconstitutional as it denied to the convicted persons equal protection of the laws enjoined by article 14 of the Constitution.

Then, rule 72 provides:

"If a motion for leave to introduce a Bill is opposed... provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the House, the Speaker may permit a full discussion thereon;"

MR. SPEAKER: Full discussion does not mean the discussion on the Bill as such; it merely means a discussion on the legislative competence of the House.

SHRI K. LAKKAPPA: I would like to quote, to consolidate my position and to convince the House. The Governor of West Bengal, by a notification in exercise of the power conferred on him...

MR. SPEAKER: That has no relevance. I can give you a number of cases, but that is not the point.

SHRI K. LAKKAPPA: All these things which I am quoting are going to establish the mala fide intention of the Government in bringing the special Courts Bill, in order to indict individuals politically.

MR. SPEAKER: That does not arise.

SHRI K. LAKKAPPA: We have to honour democracy and the rule of law. Therefore I oppose the introduction on the ground that it is not within the purview and the legislative competence of this House.

SHRI EDUARDO FALEIRO (Mormugoa): I would like to repeat what Mr. Unnikrishnan was mentioning that the Leader of the House should have been here. The Prime Minister should have been here because it personally concerns him.

SHRI K. P. UNNIKRIISHNAN (Badagara): The Leader of the Opposition also.

SHRI EDUARDO FALEIRO: May be, the Leader of the Opposition could come later. You have not understood the context in which I am mentioning it. I am mentioning it in this context that we are opposing the introduction of the Bill on the ground that it is discriminatory. We have nothing to say against having special trial against people in high public offices for offences committed during the Emergency, but what we say is that all people in high places who abuse their power should come under the Special Courts. It is not only people who committed offences during the Emergency, but also people who committed and continue to commit this type of offences, for themselves or their family members, after the Emergency, who should be brought in; and that is why the Prime Minister should have been here. Personally it does concern him.

I say this is discriminatory. As has been said trial of offences under Art. 14 will go before the courts in due course. But I see here that the statement of Objects and Reasons mentions the Supreme Court. At the outset, I would say that it was unfair to drag in the Supreme Court at this stage. When a Bill is intended to be brought in this House or is brought before the House already, as in the case of Shri Jethmalani's Bill, it was improper to drag in the Supreme Court and seek the advisory opinion of the Supreme Court. This is a well established principles. When a Bill is before the House this House and this House alone is competent to decide whether it is within its competence or not.

I have brought this matter under 'discrimination', saying that we have nothing against trial of offence committed during Emergency and to those who have taken advantage of their high public office being brought to book, but we further say that all people in high office whether during or after Emergency who have taken

[Shri Eduardo Faleiro.]

advantage should also be brought under this. That is one thing.

The second ground is that this Bill offends the very constitutional principle which guarantees the independence of the Judiciary. What happens is this: the Central Government will say—it is already saying, in this Bill—that there is *prima facie* evidence of commission of offences against certain people. Now, the Central Government, under Clause 6, of the Bill, is the authority to pick up Judges and appoint them as the special Court—of course after the concurrence of the Chief Justice. But, all the same the offence will not be subject to any common court; it will not be subject to any ordinary court, and the Central Government, which is itself the prosecutor, will pick up the Judges. That is very bad. This is going to be a 'Black Day' if the Bill is introduced. It is going to affect the whole constitution of this country: it is going to effect the independence of the Judiciary. (*Interruptions*).

Now that you are 'wha-whaing' may I say that there is no precedent to this type of legislation either in this country or anywhere in the world excepting only one, that is Pakistan, where the Bhutto trial happened? (*Interruptions*).

There is much to be said about the Nuremberg trial. About what your friends the Britishers and Americans did, there is much to be said.

Now, another point I would like to make is this. The Supreme Court has been dragged into this and the statement of Object, and Reasons gives the impression that the Supreme Court has sanctioned this. The Supreme Court has not. I will quote it. The Supreme Court has made two points—firstly, that all people in high public office must be brought under the scope....

MR. SPEAKER: The opinion of the Supreme Court, one way or the other, does not affect us.

SHRI EDUARDO FALEIRO: I am in full agreement with you. I have said that the Supreme Court should not be brought in at all. But it seems, from the Statement of Objections and Reasons that sanction for this Bill is sought to be obtained on the basis of the advisory opinion of the Supreme Court. I am saying it is unfair on the part of Government to misquote the Supreme Court. I will therefore quote what the Supreme Court has said on two important aspects. This is what the Supreme Court has said.

"The four judges led by the Chief Justice also expressed the view that Parliamentary democracy would enter a happy era in India when the law provided for speedy trial of 'all' those who misuse public offices held by them.

"Purity in public life was a desired goal at all times and in all situations, they said, noting, however, they could not sit as a super legislature and strike down the Special Courts Bill because it left others untouched."

What the Supreme Court has said in this: It is unfair that only some who have abused power should be affected and not others. They have also said that they cannot do anything about this, it is for Parliament to do and, therefore, it is their strong recommendation to Parliament to bring all those, past and present, abusers of high public offices within the scope of this legislation.

On the independence of judiciary and picking up of judges to fill the Special Courts, the Supreme Court has this to say:

"The majority suggested that the trial of the Emergency personalities is 'best' done by investing the High Courts with special jurisdiction; instead of the Government nominating a particular judge to a particular case, the Chief Justice of a High Court could exclusively assign a judge to try the emergency cases referred by the Government."

This legislation shows nothing but vindictiveness which has already rebounded on them. They are in the process of destroying the very rule of law, the Constitutional scheme, by which they have been swearing all the time.

SHRI P. RAJAGOPAL NAIDU (Chittoor) rose—

MR. SPEAKER: Are you opposing the introduction of the Bill?

SHRI P. RAJAGOPAL NAIDU: Yes, Sir. I am opposing the introduction of this Bill because the Janata Party has always said that it is for democracy. In democracy you have to follow the ordinary rule of law. But here, through this Bill, they are seeking to victimise their enemies. Therefore, I oppose the introduction of this Bill.

SHRI M. RAM GOPAL REDDY (Nizamabad): After assumption of office by the Janata Party, Indrajit's name is mentioned daily in Parliament at least 20 times, and in the press, radio and TV about a thousand times...

MR. SPEAKER: Anyway, it is for the first time that I am hearing today.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): He has a computer. (Interruptions).

SHRI M. RAM GOPAL REDDY: The whole country had some faith in Mr. Morarji Desai for his fair-mindedness, but after the introduction of this Bill, people have come to suspect...

MR. SPEAKER: What is the legal objection?

SHRI M. RAM GOPAL REDDY: I am opposing the introduction, Sir.

MR. SPEAKER: That is all right. What is the legal objection?

SHRI M. RAM GOPAL REDDY: Apart from the legal objection...

MR. SPEAKER: Let us stick to the rule. The Bill will come up for discussion...

SHRI M. RAM GOPAL REDDY: It is only a Party affair. Unfortunately, this Party has made the President of India say in his Address that they are going to introduce the Special Courts Bill. Unnecessarily, the President has been dragged into this.

MR. SPEAKER: Mr. Ram Gopal Reddy, You are a Parliamentarian of experience. We are now at the stage of introduction. You have to mention only the legal objection. The other matters, if necessary, may be mentioned later...

SHRI M. RAM GOPAL REDDY: All right, Sir.

SHRI GEV M. AVARI (Nagpur): Sir, I oppose the introduction of this Bill...

SHRI JYOTIRMOY BOSU: Sir, would you hear also those who are supporting the Bill?

MR. SPEAKER: If necessary.

SHRI GEV M. AVARI: I oppose introduction of this Bill because the whole Bill goes against the spirit of the Constitution. The Janata Government always believe in the rule of law. If they believe in the rule of law, then bringing forward a Special Courts Bill like this kills the very spirit of what they believe in. Therefore, I oppose the introduction of this Bill.

MR. SPEAKER: The introduction of the Bill has been opposed by some of the Members on four different grounds. They are: (1) that the Bill is opposed to Art 14 of the Constitution; (2) that the Bill being identical in nature with that introduced by Shri Ram Jethmalani, the same cannot be entertained; (3) that The Bill interferes ...

PROF. P. G. MAVALANKAR (Gandhinagar): Mr. Speaker, Sir it is not you but the Minister who has to reply.

MR. SPEAKER: Not at all. The third ground is: that the Bill interferes with the independence of the Judiciary. The fourth ground is that the Bill is opposed to the spirit of the Constitution...

PROF. P. G. MAVALANKAR: Nobody has raised any point of order...

श्री उपस्थित (देवरीवा) : माननीय अध्यक्ष महोदय मंत्री महोदय न बिल रखा है और इन लोगों ने इसका विरोध किया है. इस पर आपको अपनी फाईटिंग देने की क्या जरूरत है ?

MR. SPEAKER: Not necessarily. If need be, I will call him. So far as Art. 14 is concerned, the matter has been considered by the Supreme Court....

SHRI O. V. ALAGESAN (Arkonam): Are you going to pronounce an opinion on it? Put it to the vote of the House.

MR. SPEAKER: Admissibility is mine and thereafter, introduction is yours.

PROF. P. G. MAVALANKAR: With great respect, I must point out that what has happened just now is that many Members raised their objections regarding the Bill. It is for the Government to reply. I do not know how the Chair comes into the picture. It is the Minister who has to reply.... (Interruptions). With great respect the Chair does not come into the picture at all. The matter is between the Members and the Minister and, ultimately, it is to be decided by the vote of the House. Why are you starting a new practice?... (Interruptions)

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): The only point that calls for a reply from me is the reference to Rule 67 according to which when a Bill is pending before the House, notice of an identical Bill, whether received before, etc. the suggestion is that the Bill for which I have just now sought leave to introduce is identical to another Bill which is already before the House. If the word 'identical' has any meaning at

all, it really means that this must be in every respect exactly the same as the other Bill...

SHRI K. LAKKAPPA: You go through the objects.

SHRI H. M. PATEL: But in fact you will see that this Bill differs on four respects from the Bill that is before the House. In the first place, this Bill will cover only offences committed during the period of the operation of the Proclamation of Emergency dated 25th June, and not in any period preceding that Proclamation as worded in the other Bill. Secondly, only a sitting Judge of the High Court will be appointed to preside over a Special Court whereas the other Bill envisages appointment of retired Judges. The third point is that the appointment of a Judge to preside over the Special Court would be made with the concurrence of the Chief Justice of India whereas in the other case the Bill said that it will be done in consultation with the Chief Justice. The fourth point of difference is that the Supreme Court is being empowered to transfer a case from one Special Court to another, which does not again find a place in the other. So in these four important substantive respects, this Bill is very different from the other.

15 hrs.

So far as the other points are concerned, Art. 14 does not really apply here because this is not with reference to any individual but it refers to the whole class of offences and not the class of individuals.

There are no other points which, to my mind, really call for any reply from me.

MR. SPEAKER: I shall now put the motion.

The question is:

"That leave be granted to introduce a Bill to provide for the speedy trial of a certain class of offences."

SHRI K. P. UNNIKRISHNAN: Sir, I am on a point of order, I want to draw your attention to Rule 72. It says:

"Provided that where a motion is opposed on the ground that the Bill initiates legislation outside the Legislative competence of the House, the Speaker may permit a full discussion thereon."

There should be a full discussion if somebody wants to say something on this.

MR. SPEAKER: Full debate does not mean that all the 542 Members should be allowed.

SHRI K. P. UNNIKRISHNAN: I am not suggesting that. You have heard all those who were opposing. Now, if somebody wants to say something, it should be permitted. That is my point of order. Under Rule 72, it is very clear. So, the procedure you adopted was wrong.

MR. SPEAKER: That is all right.

Now, the question is:

"That leave be granted to introduce a Bill to provide for the speedy trial of a certain class of offences".

The Lok Sabha divided:

AYES

Division No. 1] [15.11 hrs.

- Abdul Lateef, Shri
- Agrawal, Shri Satish
- Ahmed, Shri Halimuddin
- *Alhaj, Shri M. A. Hannan
- Amat, Shri D.
- Amin, Prof. R. K.
- Basappa, Shri Kondajji
- Bhagat Ram, Shri

- Bharat Bhushan, Shri
- Bhattacharya, Shri Dinen
- Birendra Prasad, Shri
- Borole, Shri Yashwant
- Bosu, Shri Jyotirmoy
- Burande, Shri Gangadhar Appa
- Chandan Singh, Shri
- Chandra Shekhar, Shri
- Chandravati, Shrimati
- Chatterjee, Shri Somnath
- Chaturvedi, Shri Shambhu Nath
- Chavda, Shri K. S.
- Chowhan, Shri Bharat Singh
- Das, Shri R. P.
- Dawn, Shri Raj Krishna
- Deo, Shri V. Kishore Chandra S.
- Desai, Shri Morarji
- Deshmukh, Shri Ram Prasad
- Digvijoy Narain Singh, Shri
- Dutt, Shri Asoke Krishna
- Godara, Ch. Hari Ram Makkasar
- Guha, Prof. Samar
- Harikesh Bahadur, Shri
- Hukam Ram, Shri
- Jain, Shri Kacharulal Hemraj
- Jaiswal, Shri Anant Ram
- Joshi, Dr. Murli Manohar
- Kaldate, Dr. Babu
- Kar, Shri Sarat
- Kisku, Shri Jadunath
- Krishnan, Shrimati Parvathi
- Kushwaha, Shri Ram Naresh
- Lahanu, Shidavakom, Shri
- Lal, Shri S. S.
- Liaquat Husain, Shri Syed
- Mahala, Shri K. L.
- Mahale, Shri Hari Shankar

*The Voted by mistake from a wrong seat and later informed Speaker accordingly.

Mahata, Shri C. R.
 Mahishi, Dr. Sarojini
 Malik, Shri Mukhtiar Singh
 Mandal, Shri B. P.
 Mandal, Shri Dhanik Lal
 Mandal, Shri Mukunda
 Mangal Deo, Shri
 Mavalankar, Prof. P. G.
 Meerza, Shri Syed Kazim Ali
 Mishra, Shri Shyamnandan
 Modak, Shri Bijoy
 Mondal, Dr. Bijoy
 Mritunjay Prasad, Shri
 Nair, Shri M. N. Govindan
 Pandey, Shri Ambika Prasad
 Pandit, Dr. Vasant Kumar
 Parmar, Shri Natwarlal B.
 Parthasarathy, Shri P.
 Patel, Shri H. M.
 Patel, Km. Maniben Vallabhbhai
 Patil, Shri S. B.
 Patil, Shri S. D.
 Patil, Shri U. S.
 Phirangi Prasad, Shri
 Pipil, Shri Mohan Lal
 Pradhan, Shri Amar Roy
 Pradhan, Shri Pabitra Mohan
 Raghavendra Singh, Shri
 Rai, Shri Gauri Shankar
 Raj, Shri Narmada Prasad
 Raj Keshar Singh, Shri
 Raj Narain Shri
 Rajan, Shri K. A.
 Rajda, Shri Ratansinh
 Rakesh, Shri R. N.
 Ram, Shri R. D.
 Ram Dhan, Shri
 Ram Murti, Shri
 Ramapati Singh, Shri
 Ramoowalia, Shri Balwant Singh

Rangnekar, Shrimati Ahilya P.
 Rathor, Dr. Bhagwan Das
 Rodrigues, Shri Rudolph
 Roy, Dr. Saradish
 Sai, Shri Larang
 Saini, Shri Manohar Lal
 Samantasinha, Shri Padmacharan
 Shah, Shri Surath Bahadur
 Shanti Devi, Shrimati
 Shastri, Shri Bhanu Kumar
 Shastri, Shri Ram Dhari
 Shastri, Shri Y. P.
 Sheo Narain, Shri
 Shrangare, Shri T. S.
 Shrikrishna Singh, Shri
 Singh, Dr. B. N.
 Sinha, Shri Purnanarayan
 Sukhendra Singh, Shri
 Surendra Bikram, Shri
 Tan Singh, Shri
 Tej Pratap Singh, Shri
 Tiwari, Shri Brij Bhushan
 Tiwary, Shri D. N.
 Ugrasen, Shri
 Unnikrishnan, Shri K. P.
 Varma, Shri Ravindra
 Verma, Shri R. L. P.
 Verma, Shri Raghunath Singh
 Yadav, Shri Gyaneshwar Prasad
 Yadav, Shri Sharad
 Yadav, Shri Vinayak Prasad
 Yuvraj, Shri

NOES

Alluri, Shri Subhash Chandra Bose
 Arunachalam Alia 'Aladi-Aruna5, Shri
 V
 Avari, Shri Gev M.
 Badri Narayan, Shri A. R.
 † Balbir Singh, Chowdhry

Chavan, Shrimati P.
 Chettri, Shri K. B.
 Faleiro, Shri Eduardo
 Gogoi, Shri Tarun
 Gomango, Shri Giridhar
 Jayalakshmi, Shrimati V.
 Kadam, Shri B. P.
 Khan, Shri Ismail Hussain
 Lakkappa, Shri K.
 Murthy, Shri M. V. Chandrashekhara
 Naidu, Shri P. Rajagopal
 Naik, Shri S. H.
 Periasamy, Dr. P. V.
 Ramamurthy, Shri K.
 Reddy, Shri G. Narsimha
 Reddy, Shri M. Ram Gopal
 Reddy, Shri S. R.
 †Sahoo, Shri Ainthu
 Visvanathan, Shri C. N.

MR. SPEAKER: Subject to correction, the result** of the division is Ayes 117, Noes 24. The motion is carried.

The motion was adopted.

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): Sir, I introduce the Bill.

15.07 hrs.

15.14 hrs.

MATTERS UNDER RULE 377

(i) Recent International Film Festival held in New Delhi.

श्री उषसेन (देवरिया) : अध्यक्ष महोदय, मैं आपकी अनुमति से नियम 377 के अधीन निम्नलिखित विषय की ओर ध्यान आकृष्ट करता हूँ :

“सूचना एवं प्रसारण मंत्रालय की ओर से गत 3 से 17 जनवरी, 1979 तक यहाँ पर विज्ञान, भवन में अन्तर्राष्ट्रीय फिल्म महोत्सव का आयोजन किया गया जिसमें 50 देशों की 70-80 फिल्मों को मंगाया गया। जितनी फिल्में प्रदर्शित की गईं उनमें यूरोपीय देशों की फिल्मों अधिक थीं। देश की क्षेत्रीय भाषाओं या हिन्दी की फिल्मों को कोई महत्व नहीं दिया गया। सारा उत्सव विदेशी भावना तथा तौर तरीके से प्रोत् प्रोत् रहा। इस फिल्म महोत्सव से साधारण जनता का कोई सरोकार नहीं था।

15.15 hrs.

[SHRI N. K. SHEJWALKAR in the Chair.]

फिर भी लाखों रुपया पानी की तरह से बहाया गया। उस का लाभ भारत सरकार को क्या मिला, यह सूचना एवं प्रसारण मंत्री ही बता सकते हैं। भारतीय फिल्मों, उनके निदेशों एवं फिल्मी जगत पर क्या असर पड़ा, इसका मूल्यांकन अभी तक नहीं हुआ है। मैं सूचना एवं प्रसारण मंत्री का ध्यान उधर आकृष्ट करता हूँ और एक वक्तव्य की मांग करता हूँ।

(ii) LACK OF PROMOTION PROSPECTS OF OFFICERS IN DEFENCE SERVICES.

SHRI SHAMBHU NATH CHATURVEDI (Agra): With your permission, Mr. Chairman, I wish to bring the following matter of urgent public importance to the attention of the House:—

The Defence Services, which have served the country so well, find themselves at a disadvantage because of the diminishing opportunities for promotion and prospects of their services and denigration of their status as compared to their civilian counterparts. The chances of those for promotion recruited during the China war during 1962 are virtually blocked and similarly hundreds of Major who excelled in the Bangladesh war are destined to retire in the same rank as Majors as there are very few vacancies in the selective post of Lt. Colonels.

†Wrongly voted for Noes.

**The following Members also recorded their votes:

AYES: Dr. Ramji Singh and Sarvshri H. L. Sinha, Shiv Ram

Rai, K. N. Dasgupta, R. K. Mhalgi, Chowdry Balbir Singh and Ainthu Sahoo;

NOES: Sarvshri S. Jagannathan and Jalagam Kondala Rao.