

18 14 hrs.

**SALARIES AND ALLOWANCES  
OF MINISTERS (AMENDMENT)  
BILL**

THE MINISTER OF STATE IN  
THE MINISTRY OF HOME AFFAIRS  
(SHRI DHANIK LAL MANDAL)  
Sir, I beg to move

"That the Bill further to amend  
the Salaries and Allowances of Min-  
isters Act 1952 be taken into  
consideration"

The salaries allowances and other  
privileges of Cabinet Ministers Min-  
isters of State and Deputy Minis-  
ters are governed by the Salaries and  
Allowances of Ministers Act 1952, and  
the rules made thereunder, viz., (1)  
the Ministers' Allowance Medical  
Treatment and other Privileges)  
Rules 1957 (1) the Ministers' Resi-  
dences Rules 1962 Sub section (1)  
of section 11 of the Salaries and  
Allowances of Ministers Act, 1952,  
empowers the Central Government to  
make rules for carrying out the pur-  
poses of the Act

The Committee on Subordinate Le-  
gislation of Lok Sabha which had  
occasion to examine the rules made  
under section 11 of the said Act sta-  
ted that although it did not find any  
reason to comment adversely on use  
of these wide powers by Govern-  
ment yet in financial matters, in  
order to avoid uninformed or misin-  
formed criticism and keeping in view  
the democratic principles and the  
larger public interests, it would be  
appropriate that such powers should  
be exercised by the House itself The  
Committee had also observed that in  
cases where it was considered neces-  
sary by the House to delegate the  
power to make rules to a subordinate  
authority in order to save the time  
of Parliament, it should be  
provided that rules made by a sub-  
ordinate authority should in such  
cases become operative only after an

affirmative vote of the House was ob-  
tained Such a procedure was consid-  
ered less rigid and less cumbersome  
than the ordinary process of legisla-  
tion The Government have accepted  
the recommendations of the Commit-  
tee In the past, due to administra-  
tive reasons, it became necessary to  
give retrospective effect to certain  
rules As there is no provision in the  
said Act for giving retrospective  
effect to the rules, it is proposed to  
validate the rules so framed The  
proposed Bill seeks to achieve these  
objects

This is a very simple Bill and I  
commend it for the acceptance of the  
House

MR SPEAKER Motion moved

That the Bill further to amend  
the Salaries and Allowances of  
Ministers Act 1952 be taken into  
consideration"

Shri Vayalar Ravi

SHRI VAYALAR RAVI (Chirayin-  
kil) The hon Minister says that it  
is a simple Bill some rules are chan-  
ged and it concerns the Ministers  
(Interruptions) I agree that the  
Ministers should have some facilities  
to work But when those hon Mem-  
bers who are now sitting on that side,  
were sitting on this side, they were  
always criticising the Congress Gov-  
ernment for their furnishing, way of  
functioning and the expenditure in-  
curred Today apart from furnished  
houses which they criticised once  
upon a time, large amount of  
money Rs 7 lakhs are being spent  
on further furnishing Very good  
carry on But here I should like to  
make an observation, especially re-  
garding the functioning of the minis-  
ters You Mr Speaker, do not go  
abroad even though you receive in-  
vitations because you have pressing  
work in Parliament, you depute other  
persons to go abroad But except  
two ministers I believe everybody  
has gone abroad in three months in-

[Shri Vayalar Ravi]

cluding Minister Chand Ram whose first journey was to London. George Fernandes had gone seven times within six months, he made a trip to the Socialist International. Why should he go at government expense? Every Minister including Raj Narain had gone abroad and he said Hilton Bilton, Shelton. I do not want to comment on the appearance of Ministers projecting abroad a bad picture of the Indian government. I do not want to comment on it. Is it the way to function? They criticised the Congress Government once upon a time. Is it necessary for a Minister to go abroad six times in seven months? Two were private visits. Is it part of the functioning of this government to take the whole cabinet to London? Once upon a time when the Prime Minister was there, it was reported in the Indian Express that they could hold a cabinet meeting there. Therefore, I would like to ask you to correct yourself.

One more thing about which I would like to say before I conclude my speech is about the propriety to be observed by Ministers. We have to follow some convention especially when we follow the Constitution and the principles adopted by the British Parliament. Mr Speaker, Sir, you might be knowing. You were a judge. You have to follow certain guidelines and principles. Sir, India is a federal State, where different States are ruled by different political parties. When different political parties are ruling the different States, the Ministers at the Central Government must exercise some restraint while visiting the States and making comments. When Janata Party is ruling at the Centre, Mr Chandrasekhar or Mr Madhu Limaye is free to criticise any State Government. But when you are a Minister and when you visit a State, you must

not criticise the State Government. Can you show a single instance in the last thirty years? In 1947, for the first time the Communist Party came to power in Kerala, it was dismissed, but that was a different matter. Even Jawaharlal Nehru visited Kerala, but he never criticised the State Government there. In 1967 many Governments came including that of Mr Jyoti Basu in West Bengal. They might have been criticised in Parliament, but not in Calcutta. You cannot show a single instance. But now where is the propriety?

In Tamil Nadu the Chief Minister, Mr M G Ramachandran made a very strong protest. Mr George Fernandes went to Madras, without informing the State Government. Then who will look after the security arrangements? He should have informed the State Government about his visit. Instead he criticised the State Chief Minister and the State Government. Is it the way to function? Is it propriety? Do you think it is the better way of functioning? Mr Charan Singh the Home Minister, went to Hyderabad and said that the law and order situation in Maharashtra, Andhra and Kerala the States ruled by the Congress party is very bad.

MR SPEAKER He did not say that. He said that it could be improved.

SHRI VAYALAR RAVI Mr George Fernandes went a step further. Three or four months back, he went to Gauhati and said in a press conference—I have got the press cuttings of that—'we will kick out this Government within a couple of weeks'. The Cabinet has got a collective responsibility. When Mr George Fernandes speaks in Gauhati that you would kick out the Congress Government, does he speak for you all? I don't know. Is it fair on his

part to say like this? You are provoking the other political parties to demonstrate against you and by this, a lot of problems will arise. I will only appeal to you to maintain certain propriety to function in a democratic country like India where different political parties are ruling the States. I will only request you to correct yourself and do better things and that will improve your image. With these words, I conclude.

श्री गंगा सिंह (मडी) अध्यक्ष महोदय केन्द्रीय मंत्रियों के वेतन तथा भत्ते सैलरीज एंड एनाउंसिज आफ मिनिस्टर्स एक्ट, 1952 तथा उमरे अधिन बनाये गये नियमों के द्वारा गवर्नमेंट है। इस अधिनियम के अधीन 1957 और 1962 में नियम बनाये गये और उन नियमों को विद रेट्रास्पेक्टिव इफेक्ट लागू किया गया। परन्तु मुख्य अधिनियम इन प्रकार के रेट्रास्पेक्टिव नियम बनाने की इजाजत नहीं देता था। इसलिए 1952 और 1962 में बने इन नियमों के अधीन जो कार्य किये गये, वे गैर-कानूनी कार्य थे, और उन्हें वैलिडेट करने के लिए यह प्रमेडमेंट लाई गई है। मैं मंत्री महोदय से यह क्लैरिफिकेशन चाहता हूँ कि उन नियमों के अधीन जो इल्लिगल कार्य किये गये, वेन एक्ट जिन की इजाजत नहीं देता था, उन्हें वैलिडेट क्यों किया जा रहा है। 1957 और 1962 के नियमों के अधीन जो गैर-कानूनी कार्य किये गये हैं, उन से उस वक्त के कांग्रेसी मंत्रियों को लाखों रुपयों का लाभ हुआ है। मैं यह चाहूँगा कि जो गैर-कानूनी नियम बनाए गए हैं उनको वैलिडेट न किया जाये और दूसरी बात एक इस प्रमेडमेंट के जरिए यह होने जा रही है कि इस अधिनियम के अधीन जो नियम बनेंगे वे तब तक लागू नहीं होंगे जब तक कि लोक सभा और राज्य सभा उनको अप्रूव न करे.....

MR. SPEAKER: The payments have already been made.

एक मन्त्र नैव सत्त्वयः भ्रजन्ते ये गैर-कानूनी खर्च किए गए हैं वह प्राप्त किए जायें।

श्री गंगा सिंह अध्यक्ष महोदय, डेप्युटी गेटेड लेजिस्लेशन का प्राविजन इसलिए किया जाता है ताकि पार्लियामेंट का समय बच सके। यदि हम ऐसी प्रथा शुरू करते हैं कि जो नियम बनाये जायें उनको पार्लियामेंट के सामने सजा जायें और पार्लियामेंट उन के ऊपर डिस्कशन करे और फिर उनको अप्रूव करे तो इसका मतलब है कि यहाँ उन ऊपर डिस्कशन होगा और वांटिग होगी। डेप्युटी गेटेड लेजिस्लेशन का उद्देश्य है कि लोक सभा का समय बचे लेकिन वह समय इस तरह नहीं बचेगा और फिर हर प्रकार के नियम यहाँ धायेंगे। जैसे इस अधिनियम के अधीन कुछ नियम लोक सभा और राज्य सभा की अप्रूवल के लिए प्रस्तावित किये जा रहे हैं वैसे ही दूसरे नियमों की अप्रूवल भी हो सकती है। लोक सभा और राज्य सभा का जो समय अधिनियम बनाने के लिए खर्च होना चाहिए वह नियम बनाने के लिए खर्च होगा। इस तरह जिस मुद्दे के लिए डेप्युटी गेटेड लेजिस्लेशन की जाती है वह मुद्दा ही फेल हो जायगा। इसलिये मैं समझता हूँ कि इस प्रकार का प्रिसिडेंट हमें नहीं कायम करना चाहिए।

PROF. P. G. MAVALANKAR (Gandhinagar) Sir, the very purpose of bringing this Bill is to enable House to discuss it and then pass it. Anyhow, I shall be very brief. I support the Bill. I want the ministers to work efficiently. I want them to get all facilities like conveyance, secretarial assistance, etc., to make them more efficient and more honourable. But let not the extra money be used in such a way that it amounts to conspicuous consumption. We were criticising the ministers of the erstwhile government because they were spending far too much and not doing much work. We do not want the

[Prof P G Mavalankar]

same thing to happen under the new regime. We are not against more facilities being given, but I find that the ministers tend to feel that unless they have TA, DA, PA and all the rest, they cannot function. Let them not forget that they are on par with members of Parliament. Some of us have no assistance whatsoever—no office, no PA etc, and yet we work as efficiently and as hard as they do. We do not have conveyance. We walk, go by bus or scooters and we burn midnight oil. We are not jealous of the ministers. But let them not think that by becoming ministers they are higher than members of Parliament.

In all humility and fairness, I say moreover, let not the Janata ministers give the impression that they are more interested in going abroad than in their work at home on their desks. I asked a question a few days ago and I was told that except one or two, practically all the ministers have gone abroad. I do not know what they are doing abroad. Somebody goes and sees something as if by seeing it himself, he can implement. The seeing etc, has been done by the previous government and by the officials. Yet, they go abroad. I ask the ministers, if you want to bring about a qualitative change in the style and functioning of the Janata Government, do something which will be exemplary and in tune with the standards of simplicity, character and integrity, which are expected of the people of this country.

**MR SPEAKER** Is it the pleasure of the House to extend the time of the House for discussion?

**SOME HON MEMBERS** Yes, by ten minutes.

**SHRI JAGANNATH RAO** (Berpampur) Sir, in 1962 a practice was

established that where water and electricity charges exceed Rs 200, the Minister has to pay himself excess of Rs 200. That practice was continuing. I do not know whether that practice still exists. I would request the Government to look into that.

Secondly, the Act says that a Minister is entitled to a free furnished house. A question arose in 1964-65 when late Shyambhar Nath, a Member from Delhi was appointed a Deputy Minister. He owned a house. Then the Works Ministry wanted his house to be furnished. The question arose and the Law Ministry held that while a Minister is entitled to a free furnished house, where he owns his own house, his house cannot be furnished by Government. This question also may be looked into.

**श्री धनिक लाल मण्डल** महादय यह एक बहुत ही साध बिल है। माननीय सदस्य न जा विदेश यात्रा के सवध म चर्चा की उसका इससे कोई सरोकार नहीं है। जहा तक माननीय सदस्य न यह प्रश्न उठाया कि यह सरकार पुरानी सरकार के द्वारा खर्च किए गए अनियमित पैसे को क्यों नियमित करना चाहती है तो जो पैसे खर्च हो चुके हैं उनको नियमित करना जरूरी है। (बदबखाल) लेकिन मैं सदन को प्राथमिकता करना चाहता हूँ कि हम लोग साधारण जीवन बिताना चाहते हैं, हम कर्म में विश्वास करते हैं और यह इस बात का प्रमाण है कि हम आपके सामन आये हैं और आये भी नियम बनेंगे वे आपके समक्ष रखे जायेंगे और आपकी अनुमति से ही काम होगा।

**MR SPEAKER** The question is

That the Bill further to amend the Salaries and Allowances of Ministers Act 1952, be taken into consideration."

*The motion was adopted.*