

MR. SPEAKER: While papers are being laid on the Table of the House, questions are not allowed.

SHRI JYOTIRMOY BOSU: Can any unmixed truth be laid on the Table of the House and I do not have the right to mention it also?

MR. SPEAKER: You can do this later on.

REPORT ETC., OF CENTRAL INSTITUTE OF
ENGLISH AND FOREIGN LANGUAGES,
HYDERABAD

THE DEPUTY MINISTER IN THE
MINISTRY OF EDUCATION AND
SOCIAL WELFARE AND IN THE
DEPARTMENT OF CULTURE (SHRI
D. P. YADAV): I beg to lay on the
Table a copy of the Report (Hindi and
English versions) on the activities of
the Central Institute of English and
Foreign Languages, Hyderabad, for
the year 1971-72 along with the Audi-
ed Accounts.

[Placed in Library. See No. LT-6368/
74].

SHRI JYOTIRMOY BOSU: Sir, I
would like to say that there were se-
rious allegations about CIA infiltration
into this Institute.

MR. SPEAKER: There is no ques-
tion of making any observations.

SHRI JYOTIRMOY BOSU: I am
not making any observation. I would
like to know whether while making
this report, they have taken note of
the fact that there are serious allega-
tions.

MR. SPEAKER: You can ask this
question later on.

12.03 hrs.

MATTERS UNDER RULE 377

(i) FAILURE OF MINISTRIES/DEPART-
MENTS OF GOVERNMENT OF INDIA TO

FURNISHES INFORMATION BY COM-
MITTEES OF PARLIAMENT

SHRI H. M. PATEL (Dhandhuka): I
want to draw the attention of this
House to the indifference which the
Ministries and Ministers also show to-
wards the Committees of the Houses
of Parliament. Sir, I would draw
your attention to the Seventh Report
of the Joint Committee on Officers of
Profit. Paragraph 42 reads as follows:

"The Committee are distressed
over the instances of non-supply/
delayed supply of information de-
sired by the Committee as revealed
in the preceding paragraphs. It is
regrettable that some of the Minis-
tries/Department should have failed
to move till the matter was taken up
by the Committee with the Minis-
ters concerned or called their rep-
resentatives to give evidence. The
Committee note in this connection
that two of the Ministers which had
not even cared to give replies to the
reminders issued by the Secretariat,
had furnished information in res-
pect of over 20 bodies each after
the Chairman had addressed the
Minister concerned in the matter.

Another Ministry had furnished
information in respect of over 23
bodies, and still another in respect
of about 50 bodies, after their rep-
resentatives had been called for evi-
dence. Information in respect of
some of the bodies was furnished
five to eleven years after their con-
stitution. The Committee cannot help
strongly deploring this."

Of course the Committee has expres-
sed itself in the mildest possible terms.
It goes on:

"The Committee are not satisfied
with the explanation of the Minis-
tries for their failure to give prompt
information to the Committee. In
their opinion, the lapse in this re-
gard was by and large due to negli-
gence on the part of the Ministries
concerned."

I will not take more time of the House for these quotations make the point abundantly clear

In the end the Committee draws attention to another point:

"In para 17 of their Fifth Report, the Committee had noted with regard that the Draft Parliament (Prevention of Disqualification) Amendment Bill, 1971 had not so far been introduced although about a year had elapsed since the Committee had submitted their Report. The Committee were informed on the 10th May 1973 (the date on which they adopted Fifth Report) by the Ministry of Law, Justice and Company Affairs that the Bill would be finalised and introduced in first week of the next session i.e., . The Committee had expressed the hope that there will be no further delay."

The Report concludes:

"While the Committee observe that the Bill has been included in the Legislative Programme of the current Session (Ninth Session), they cannot help taking note of a time-lapse of 17 months taken by Government to introduce it"

I would invite attention further to the report of another Committee the Committee on Subordinate Legislation, a Committee of great importance because in delegated legislation Parliament trusts the Ministries concerned to carry out the spirit of the Bills passed by it in formulating rules and regulations thereunder. I am reading from paragraph 116 of the Eighth Report

"The following Rules were referred to the Ministries on the dates shown against them for some clarification:—

(1) Exports (Control) Order, 1968 (S.O. 927 of 1968)	Commerce	14-5-71
(2) Indian Railways Traffic Service Recruitment Rule, 1968 (GSR 2204 of 1968)	Railways (Railway Board)	15-11
(3) Roorkee Cantonment (Control) and Supervision of Mills By-laws, 1970 (SRO 206 of 1970)	Defence	4-12-71
(4) The Coir Board Services (Classification, Control and Appeal) By-laws, 1969 (SRO 200 of 1969)	Industrial Development	18-72
(5) The Aircraft (Second Amendment) Rules, 1972 (GSR 324 of 1972)	Tourism and Civil Aviation	26-9-72

[H. M. Patel]

Since final replies had not been received from the concerned Ministries for over 6 months to over two years the Committee at their sitting held on the 3rd May, 1973 took serious note of the inordinate delay in sending final replies and desired it to be conveyed to the concerned Ministries."

The most shocking one is the Ninth Report of the Committee on Subordinate Legislation where they say:

"The Committee are unhappy that Government have failed in their duty to Parliament by not complying with the statutory requirement of laying 47 'Orders' on the Table. They are surprised that these 'Orders', which were issued during the years 1971 to February, 1973 by various Ministries/Departments had not been laid till the Eighth Session which ended on the 5th September, 1973. In their opinion, there has been a serious error on the part of Government in that they have failed to appreciate the importance of the statutory requirement. Had the Committee not pointed out this error, the Members of Parliament would have been deprived of their statutory right of making modifications to these 'Orders'. The Committee would like to emphasize that due importance should be attached to Government's duty towards Parliament."

These are matters of great importance. I may point out that the delegation of powers to the executive to frame rules, regulations, bye-laws etc., is unavoidable and indeed administratively desirable. But Parliament in so delegating its powers retains the right to see that the powers delegated by it to the subordinate authority to make rules etc., have been exercised in accordance with the terms of the Act. This is secured through the laying of the Rules on the Table of the House. Sometimes the prescribed period is laid down in the Act itself, usually it is within 7 days, etc. Here

for years they have not been laid. Only when their attention is drawn by the Committee, they come forward to lay the Rules and they have no satisfactory explanation to furnish for their failure.

There are two points. One is that even to give information asked for, they take a great deal of time and sometimes they do not furnish it at all. Secondly they fail even to comply with statutory direction. I think, the Committees of the House should be treated with greater consideration and respect.

MR. SPEAKER: Mr. Patel, thank you very much for bringing this subject to my notice.

I am myself surprised over this indifference, the gross indifference that has been displayed by various Ministries

SHRI H. M. PATEL: What is the remedy?

MR. SPEAKER: The remedy is that I am thinking of devising some procedures whereby these cases of indifference should not occur. I am going to discuss it with the Rules Committee if we can provide some Rule in respect of cases which come to the notice of the Committee where there is a gross indifference on the part of any Ministry. After discussing it with the Rules Committee, I am going to devise certain procedures. If it is a contempt of the House, I will also study it as to whether it comes within the ambit of that definition.

I must say that it is not good on the part of either Ministries or Ministers that when the matters have been brought to their notice, not once or twice but a number of times, they should just keep sitting over them. In such cases, it is the duty of the Chairman also to inform the Speaker about these matters. After all, according to the Rules of the Committees the Chair-

man should inform the Speaker about the progress of the proceedings and about the progress of the matters pending before them.

I am going to call a meeting of all the Chairmen of Committees, and collect information as to how in this case this has happened and in the case of other Committees also and then discuss it with the Rules Committee. I am going to send a strong note to the Prime Minister about it, and also devise procedures as to how to proceed in such matters in future.

(ii) REPORTED KILLING OF TWO ADIVASIS AND INJURIES TO SEVERAL OTHERS IN A VILLAGE IN BIHAR

PROF. MADHU DANDAVATE (Rajapur): Sir, with your permission, under Rule 377 I am raising an issue which falls strictly within the purview of the Union Government because it is a question of protection and security to Scheduled Castes and Adivasis.

I want to bring to the notice of the House that on 5th March, 1974, there was a firing resorted to by a landlord in a village Durga Dih, 30 km from Dhanbad, in Bihar. In this firing two persons were killed and those who were killed include an Adivasi boy of 9 years age. Several other Adivasis and landless labourers were injured. Some of them are seriously injured and they are lying in the hospital.

I want to remind you that this is not the first time that the landlords of Bihar have been resorting to firing on Adivasis and landless labourers. Sometime back in this House, we had drawn the attention of the Home Minister to the killing and burning alive of the Santhals in Purnea district of Bihar. Again, this is happening. At that time, we were told that they would take all precautions in future to see that such tragedies are avoided. In spite of that assurance given by the Home Minister, again another tragedy has taken place. It is not an accidental case. This is one more

case in a series of various cases that have occurred.

I demand from the Home Minister a categorical statement regarding this episode as well as an assurance that, in future, Adivasis and landless labourers will not be treated in a manner in which they have been treated in Bihar. I would demand that a categorical statement be made by the Home Minister.

MR. SPEAKER: He will make a statement. I am asking him to make a statement.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Only the other day 14 Santhals were shot dead in Purnea district. Every day this is happening..

SHRI INDRAJIT GUPTA (Alipore): We should adopt a convention in this House that in all cases where such atrocities are committed, particularly on Scheduled Caste and Harijan people—because that is a special responsibility..

SHRI JYOTIRMOY BOSU: Minorities also.

SHRI INDRAJIT GUPTA:....in all such cases, without waiting for us to raise the matter, Government should come forward *suo moto* and make a statement on the subject. They keep mum, they keep quiet unless somebody on this side of the House raises it. Should there not be a convention about this?

SHRI VASANT SATHE (Akola): At least in respect of matters which are raised under rule 377, Government should come forward with a statement. I support the view expressed by the hon. Member. That would be a better convention.

SHRI SAMAR GUHA (Contai): I want to draw the attention of the House to the fact that what Prof. Madhu Dandavate has raised is not a solitary instance; such ugly incidents