

SHRI RAGHU RAMAIAH : The pilot's duty is to pilot and he piloted. (*Interruptions*).

SHRI BAL RAJ MADHOK (South Delhi): While natural calamities cannot be ruled out, may I know whether the fact that there is a strike in the Calcutta Port and some kind of emergency exists there was also a hindrance to proper investigations being made about the ship in time? Secondly, the minister said that 3 ships sailed at the same time; two were safe and this ship was untraceable. What was the tonnage of the two other ships? Is it a fact that this ship had a low tonnage—only about 5000 tonnes—and it was obsolete? Many of the ships in the Indian Merchant Shipping are of low tonnage and obsolete and they cannot stand such storms. Otherwise, bigger and more modern ships can stand such storms.

Therefore, may I know whether anything is being done to see that the ships that we send to the high seas are of a higher tonnage and are of improved conditions so that they are not easily liable to be affected by such natural calamities on the seas?

SHRI RAGHU RAMAIAH : The tonnage of this ship is about 5,700 tonnes. We are not in a position just now to give the tonnage of the other two vessels.

As to why this ship was allowed to go, as I said, I personally wanted to know why some restriction should not be placed. I am asking the Director-General to look into it.

SHRI BAL RAJ MADHOK : That was not my question. My question was: Is it a fact that the strike in Calcutta Port was any hindrance in the way of tracing the ship?

SHRI RAGHU RAMAIAH : The strike in the Calcutta Port has become a very frequent feature. That has nothing to do with these regular sailings.

RE: MAHARASHTRA GOVERNMENT
SERVANTS' STRIKE

12.22 hrs.

श्री मधु लिमये (मुंघेर) : अध्यक्ष महोदय मैं आपको कई बार लिख चुका हूँ, आज आप

मेरी बात सुन लीजिए। इस सदन में हम लोगों को कई नियमों के अनुसार चलना चाहिए। पश्चिम बंगाल के बारे में, जब वहाँ पर जनप्रिय सरकार मौजूद थी—मैं 1967 की बात कर रहा हूँ—चटर्जी साहब के ऊपर हमला हुआ, नक्सलाइट वायलेन्स हुआ, कई दफा हम लोगों को चर्चा करने का मौका मिला। उस समय इन लोगों के द्वारा आक्षेप उठाया गया था तो मैंने कहा था कि लोकसभा सार्वभौम है, इसको हर सार्वजनिक महत्व के प्रश्न पर चर्चा करने का अधिकार होना चाहिए। इसका मतलब यह नहीं है कि राज्यों के मामले में हम हस्तक्षेप कर रहे हैं। अब महाराष्ट्र में राज्य कर्मचारियों की हड़ताल चल रही है जिसके चलते विधान सभा की बैठक को मुलतवी रखा गया। बीस साल में इस तरह की कोई घटना नहीं हुई है। अगर आप एडजर्नमेंट मोशन नहीं करना चाहते तो बात मेरी समझ में आती है लेकिन नियम 193 के अन्तर्गत या कालिग अटेंशन में इस मामले को उठाने का मौका दिया जाना चाहिए। क्या विधान सभा की बैठक इस तरह स्थगित किया जाना कोई मामूली बात है मैं मेरिट्स में नहीं जा रहा हूँ लेकिन मैं आपसे इसके बारे में निर्णय चाहता हूँ कि किसी न किसी शकल में, या तो घ्यानाकर्षण या नियम 193, किसी न किसी शकल में इसके ऊपर विचार करने का मौका दिया जाए ताकि हम प्रधान मंत्री और वित्त मंत्री से कहें कि इस मामले की गम्भीरता को मद्दे नजर रखते हुए वे हस्तक्षेप करें और अपने गुड आफिसेज का इस्तेमाल करें।

SHRI NATH PAI (Rajapur) : I have also written to you about this matter. May I point out to you, to help you take an early decision in the matter, that the authority of this House is attached under the provisions of the Constitution? Under article 355 it is the duty of the Centre to ensure that the administration of every State is carried on in accordance with the provisions of the Constitution. The impli-

[Shri Nath Pai]

cation of this is that the State Assembly shall meet from time to time. As a result of the strike in Maharashtra; the Maharashtra Government had to cancel the scheduled session of the Maharashtra Assembly which was fixed to meet in Nagpur on the 16th of this month.

Here our attention and authority are invited. I will be absolutely abiding by your judgment and directive but, I think, we owe it to you to help you and to point out to you to reach a conclusion as to how the authority of the House is attracted. The strike is so complete that slowly the Central services operating in Maharashtra are being affected. When there was a bandh in Bengal, the House was allowed to raise the matter. In Maharashtra on the 24th there will be a complete bandh. Whatever may be our attitude, nonetheless, this House must be provided an opportunity to raise it, because once the bandh takes place, the Central services are automatically and inexorably affected.

May I, therefore, appeal to you to give us an opportunity to raise this vital issue on these two scores, namely, (a) the cancellation of the Assembly's scheduled session; and (b) the inevitable effect of the present strike in Maharashtra on the Central Government services?

DR. RAM SUBHAG SINGH (Buxar) : Sir, this is a very serious matter that the session of the Maharashtra Assembly has been cancelled. This Government is thinking of giving jobs to about half a million people. But there the services of about 5 lakh employees have been terminated. What help are they going to give to these 5 lakh employees and their families when they have been rendered serviceless. I suggest like West Bengal and other States, this should also be allowed to be discussed on the floor of the House.

श्री अटल बिहारी वाजपेयी (बलरामपुर) : अध्यक्ष महोदय, महाराष्ट्र में एक असाधारण स्थिति पैदा हो गई है और यह सदन उस परिस्थिति के प्रति एक मूक दर्शक नहीं रह सकता है। विधान सभा की बैठक न बुलाया जाना एक गम्भीर मामला है। वह मामला जुड़ा

हुआ है वहाँ के कर्मचारियों की मांग से और उनकी मांग है कि उन्हें केन्द्रीय दरों पर मंहगाई भत्ता मिलना चाहिए। महाराष्ट्र सरकार की शिकायत है कि केन्द्रीय सरकार उसकी मदद के लिए आगे नहीं आ रही है इसलिए वे अपने कर्मचारियों की मांग स्वीकार नहीं कर पा रहे हैं। अब इस कथन में कहाँ तक सच्चाई है, केन्द्र का कहाँ तक जिम्मा है, केन्द्रीय कर्मचारियों का मंहगाई भत्ता बढ़ने के साथ राज्य कर्मचारियों की मंहगाई भत्ता बढ़ाने की मांग को कैसे टाला जा सकता है— ये मारे प्रश्न हैं जिन पर सदन को विचार करने का मौका मिलना चाहिए। मैं उनसे इस बात में सहमत हूँ कि इसके लिये आप समय निश्चित करें।

SHRI H. N. MUKERJEE (Calcutta-North-East) : Sir, on account of the session of the Maharashtra Assembly having been cancelled, a situation is created which really and truly comes within the ambit of this House. If the Assembly was going to meet in session, we would have nothing say in this matter. Since the Government of this country in one part or the other seems to collapse in this particular fashion—in West Bengal where there is the President's Rule, there is a kind of collapse; in Maharashtra where there is no President's Rule, there is a kind of collapse—it is a very serious situation and it certainly comes within the ambit of this House. The Constitution empowers us to have a discussion and, particularly, in view of the Maharashtra Assembly session being cancelled and being purposely pushed out of the picture, we ought to get into the picture. That is our entitlement.

SHRI S. M. BANERJEE (Kanpur) : Sir, I would like to submit only one thing. You remember, in this House, when there was the Telengana Bandh and there was the strike by the employees there, we got an opportunity to discuss the matter. Then, when there was a strike by Government employees in Himachal Pradesh, we discussed the matter in the House. In Maharashtra, about 4-5 lakh State Government employees have been affected on account

of their going on strike. The entire services have been paralysed. The State transport is completely paralysed with the result that the Central Government employees are unable to attend offices and their services are also likely to be affected. I submit that either a Call Attention Notice or a discussion should be allowed on it. I appeal to your sense of impartiality to see that this matter is discussed here.

SHRI JYOTIRMOY BASU (Diamond Harbour): Sir, this Government taking advantage of the delegation of powers have, more or less, decided to bring two black Acts for West Bengal through back-door/which infringe upon the fundamental rights of the citizen. It is a matter of encroachment on the right of this House that when the Parliament is in session.... (*Interruptions*)

MR. SPEAKER: That is not relevant here.

SHRI S. KUNDU (Balasore): Sir, I just want to bring in another constitutional aspect on this matter. My contention before you is that law and order problems are not always the matter which pertain only to State Governments. There are certain points which have to be considered. I am told, the Maharashtra Government is now getting a lot of C. R. P. and Central Police. And they are mercilessly, arbitrarily and capriciously using the Essential Services Ordinance. Now, the whole question is law and order and, therefore, it can be discussed here, particularly the point Mr. Nath Pai has made. Therefore, I plead with you that Lok Sabha is not barred from discussing this matter.

SHRI DATTATRAYA KUNTE (Kolaba): This is a matter of serious consequence where the State Government has said, 'We should not like to consider the matter till the strike is withdrawn'. In these circumstances in the city of Bombay and other places where the Government is running a milk scheme, children and women are not even getting milk. In these circumstances, if the strike continues like this and the State Governments stand on prestige saying that it will not look into the matter, well, this House also is concerned with it and we must discuss it as early as possible.

As a matter of fact, we must have discussed it before the strike started.

SHRI RANGA (Srikakulam): I don't think we have enough information. The only information that we have is that the session has been cancelled, for their own reason. Certainly the State Government has every right with the assent of the Governor within that period of six months either to convene the Assembly session or to cancel a session that has been called so long as it continues to enjoy confidence of the legislature there. At this rate, I do not know where we would end if we go on interfering with the provincial autonomy.... (*Interruptions*) Then one of these days the Prime Minister will make up her mind to interfere everywhere.... (*Interruptions*)

MR. SPEAKER: Let him speak. He did not interrupt you.

SHRI RANGA: Sir, that is the convention and practice of this House. I would request the Chair to ask the Government to make a statement and in the light of that statement.... (*Interruptions*) if we have enough information which would justify our interference, then I would also join my friend in asking for a special discussion.

श्री रवि राय (पुरी) : मालूम होता है रंगा जो जो कुछ बाले हैं वह जो पुरानो परम्परा है उसको नजरअंदाज कर रहे हैं क्योंकि संसद में बहुत बार हमने इस पर बहस की है। मैं कहूंगा कि इस तरह से रंगा साहब को सरकार का साथ नहीं देना चाहिए। आखिर वह विरोधी दल के नेता हैं और रंगा जो जो सरकार के चंगुल में नहीं फंस जाना चाहिए। रंगा जो अगर प्रजातन्त्र में विश्वास करते हैं तो उनको कहना चाहिए कि 193 या कौलिंग अटेंशन नोटिस के ऊपर इस मामले पर सदन में बहस होनी चाहिए। अध्यक्ष महोदय से हमारा निवेदन है कि वह इसकी इजाजत दें ताकि महाराष्ट्र की स्थिति के बारे में हम यहां पर बहस कर सकें।

SHRI HEM BARUA (Mangaldai): Lest we have double standards in this matter, Sir....

MR. SPEAKER : Kindly resume your seat. I have very carefully read what Mr. Madhu Limaye wrote to me in his motion this morning. (*Interruptions*) a suggestion making a demand for discussion. I have been seriously thinking since recently as to how far we can take up (*Interruptions*). Will you please listen to me? Even on the question of privilege motion also I have been seriously making how far we can go for that and also on such matters.

About West Bengal I did not accept the position later on, as well also in U. P. and other States. I said that may have been done, but that is not a precedent.

SHRI MADHU LIMAYE : Why not? It is a precedent.

MR. SPEAKER : And I explained everything clearly in this House that it was not. We should avoid taking up State matters at every stage. In this particular situation... (*Interruptions*) that was settled. We discussed in everything in this House. Everything was considered. Later on we did not follow that as a precedent and I made the whole position clear in this House. If we have to run this big democracy, we have to face many things, which happen in every corner of the place, in every State, every day.

SHRI RABI RAY : But this situation is extraordinary. (*Interruption*)

SOME HON. MEMBERS *rose*—

MR. SPEAKER : Why can't you listen to me? Hon. Members must have some patience.

SHRI MADHU LIMAYE : Assembly is not in session.

SHRI NATH PAI : Assembly session has been cancelled.

MR. SPEAKER : The question raised is, why the Assembly was postponed—coming as it does from a learned Member like Mr. Nath Pai, who is always very proud of his knowledge of Constitution, which I appreciate, so much....

SHRI NATH PAI : I base my question on

that, Sir; not on pride or knowledge. The Assembly session was cancelled.

MR. SPEAKER : ... from whom I very often get guidance and inspiration. He is advising me as to why it happened; that Assembly was postponed and all that....

SHRI NATH PAI : I am not saying that; Prof. Ranga said. The Assembly's session was cancelled.

MR. SPEAKER : Cancelled, postponed—whatever that might be, I accept everything that you say. Don't quarrel about the word, cancellation, postponement or adjournment or prorogation. They are the same so far as the session is not being held.

Now, Mr. Vajpayee was much more clever than any other person. He said, though he realises that they are provincial subjects, and the dispute is local, it might lead to dislocation of the Central Services who are also working there and they are demanding their own share. I am going into this point of what Mr. Vajpayee wrote, that that Government wrote to Central Government and the Central Government did not accept the demand,—as if that Government is very much willing and everything is arising from these Benches. I will have to find this out. That is the only point. (*Interruption*).

I have been the Speaker of a State Assembly for 10 years. At least I would not have gone in for Mr. Nath Pai's point of discussion by Parliament due to postponement or cancellation of sessions of Vidhan Sabbhas—that would not have been accepted by any Vidhan Sabha or any State Government.

SHRI NATH PAI : Who is responsible for Central Services if not Parliament? The whole of air-services, communications, etc. are affected.

MR. SPEAKER : Don't take the position of a Parliament representing as touch-me-nots. Any Member going out, touch-me-not; anything done by Parliament, touch-me-not; This is a wrong attitude. We should not be too much over-sensitive and touch-me-nots. (*Interruption*)

श्री मधु लिमये : टच मी नोट कहाँ हैं ?
यहाँ पर चर्चा का मौका मिले बस केवल इतनी ही बात है ।

MR. SPEAKER : I am going to have a statement from the Government as to what their position is to the objection raised. And, if I find something, I am very much disposed to have some guidelines for the discussion....
(*Interruption*).

SHRI MADHU LIMAYE : Not one standard for the West Bengal and another for Maharashtra.

SHRI RABI RAY : There should be one standard ; not double standards.

MR. SPEAKER : I am not going to allow this Parliament House to become an every day debating place for whatever happens,— which is purely within the jurisdiction of a State. I have asked them ; I will be getting that statement. I shall give my ruling on Monday morning and I shall try to help you in this matter.

SHRI NATH PAI : Sir, let not that statement take as much time as the enquiry.

MR. SPEAKER : It is before me and before the House before I allow or dis-allow or accept at in any other shape. Papers to be laid on the Table.

12.39 hrs.

PAPERS LAID ON THE TABLE

STATEMENT REACTION TAKEN BY GOVERNMENT ON ASSURANCES, ETC. AND NOTIFICATION UNDER MERCHANT SHIPPING ACT

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH) :

I beg to lay on the Table—

- (1) The following statements showing the action taken by the Government on various assurances, promises and undertakings given by the Minister during the various sessions of Lok Sabha :—

Third Lok Sabha :

- (1) Supplementary Statement No. XVI

Fourth Lok Sabha :

- (2) Supplementary Statement No. XVII
(3) Supplementary Statement No. XXIX
(4) Supplementary Statement No. XXII
(5) Supplementary Statement No. XXVIII
(6) Supplementary Statement No. XXII
(7) Supplementary Statement No. XV
(8) Supplementary Statement No. XX
(9) Supplementary Statement No. X
(10) Supplementary Statement No. VIII
(11) Supplementary Statement Nos. VII, VIII and IX
(12) Statement No. I

Thirteenth Session, 1965.

First Session, 1967.
Second Session, 1967.
Third Session, 1967.
Fourth Session, 1968.
Fifth Session, 1968.
Sixth Session, 1968.
Seventh Session, 1969.
Eighth Session, 1969.
Ninth Session, 1969.
Tenth Session, 1970.
Eleventh Session, 1970.

[*Placed in Library See No. LT—4323/70*]

- (2) A copy of the Life-boatmen's (Qualifications and Certificates) Amendment Rules, 1970 (Hindi and English versions) published in Notification No. G. S. R. 611 in Gazette of India dated the 11th April, 1970 under sub-section (3) of section 458 of the Merchant Shipping Act, 1958. [*Placed in Library See No. LT—4324/70*]

- (3) A statement showing reasons for delay in laying the above Notification. [*Placed in Library See No. LT—4325/70*]

NOTIFICATION UNDER AIR CRAFT ACT

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) :
I beg to lay on Table a copy of the Aircraft (Second Amendment) Rules, 1970 (Hindi and English versions) published in Notification