

(ii) Ministry of Information and Broadcasting;

(iii) Ministry of Petroleum.

[Placed in Library. See No. LT-10608/54].

Auditor General of India for the years 1971-72 and 1972-73, Union Government (Civil), Revenue Receipts, Vol. II—Direct Taxes—Gift Tax—relating to the Department of Revenue and Insurance.

12.01 hrs.

ASSENT TO BILLS

SECRETARY-GENERAL: Sir, I lay on the Table following ten Bills passed by the Houses of Parliament during the current session and assented to since a report was last made to the House on the 26th March, 1976:—

- (1) The Appropriation (Vote on Account) Bill, 1976.
- (2) The Gujarat State Legislature (Delegation of Powers) Bill, 1976.
- (3) The Contempt of Courts (Amendment) Bill, 1976.
- (4) The Kerala Legislative Assembly (Extension of Duration) Amendment Bill, 1976.
- (5) The Appropriation (Railways) No. 2 Bill, 1976.
- (6) The Appropriation (Railways) No. 3 Bill, 1976.
- (7) The Foreign Contribution (Regulation) Bill, 1976.
- (8) The Tamil Nadu Appropriation Bill, 1976
- (9) The Tamil Nadu Appropriation (No. 2) Bill, 1976.
- (10) The Gujarat Appropriation Bill, 1976.

11-1/2 hrs

PUBLIC ACCOUNTS COMMITTEE

HUNDRED AND NINETY-THIRD REPORT

SHRI H. N. MUKERJEE (Calcutta-North-East): I beg to present the Hundred and Ninety-third Report of the Public Accounts Committee on paragraphs included in Chapter IV of the Reports of the Comptroller and

SHRI THA KIRUTTINAN (Sivaganja): Before going to the next item, may I draw your attention to the notice that I gave about the death of one Mr. Balakrishnan who was arrested under MISA. Whether he died in the prison or outside?

MR. SPEAKER: You have not received my consent. It is not in order to raise it like that. If you have given notice, I will consider that.

SHRI C. T. DHANDAPANI (Dharampuram): I want to know whether the death of DMK Secretary was natural death or un-natural (Interruptions)

SHRI THA KIRUTTINAN: Since Tamil Nadu is under President's Rule, the Home Minister should make a statement in the House. (Interruptions).

MR. SPEAKER: The Home Minister.

12.02 hrs.

DEMANDS FOR GRANTS 1976-77— MINISTRY OF HOME AFFAIRS—Contd.

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY): Mr. Speaker Sir, I feel most thankful to the large number of hon. Members who have participated in the discussions on the Demands of this Ministry. It is a matter for gratification that many hon. Members who spoke, felt inclined to pay a commitment to the way the Ministry has functioned in the last one year. It is a welcome phenomenon and on behalf of all the functionaries of my Ministry, I wish to express our grateful thanks to those who have heartened us for a better performance in 1976-77.

[Shri K. Brahmananda Reddy]

All hon. Members who participated made valuable contribution to the discussion, made good suggestions and here and there made valid criticisms also. It may not be possible for me to reply to every point that has been raised by every hon. Member, but it shall be my effort only to give a broad picture to this hon. House as to the way it has functioned during the last one year. It does not mean that this Ministry has lost sight of the valuable suggestions that have been made here. In due course, they will be examined, considered and disposed of.

I must also express my thanks to my colleagues, Shri Om Mehta and Shri Mohsin who were kind enough to intervene in the debate and had replied to several of the points that have been made out here and also tried to give a lot of information on matters that are administered under the Home Ministry. We look back to the year 1975-76 as an year of achievements.

Sir, the declaration of emergency on the 25th June 1975 has created a sense of discipline in the entire society. Though Mr. Bhogendra Jha might try to say that it was delayed and that we had no other option but to declare emergency, still, thanks to the determination and foresight of Shrimati Indira Gandhi, our Prime Minister this nation was pulled back from the precipice of disorder and instability. The proclamation of emergency has also saved this nation, this young republic, this nascent democracy—and all that we have built during the last 25 years—from the onslaughts of right reaction and the pro-fascist and undemocratic forces in this country. You also know, Sir, that this nation was able to turn a new leaf and move forward towards social and economic reconstruction. I do not want to go at length into the entire situation, because it has been debated in this House on several occasions; and the Prime Minister had also occasions to speak at length in this House as well as in the other House. Mr. H. M. Patel

might now say or present a posture of injured innocence. He was speaking yesterday and was trying to show that they were self-righteous and that there was nothing in what they had done, which led to the proclamation of emergency. I hope Mr. Patel and his friends will look back on what has happened from the year 1974 till the middle of 1975, i.e., what had happened in this country and who had contributed to that spirit of lawlessness, to that atmosphere of violence and of trying to short-circuit democratic processes in this country. Who has contributed to them? Mr. Patel was asking yesterday: "Did we do anything against increased production; did we do anything to interfere with the distribution of supplies?" etc. But, Sir, before he puts that question, he must try to appreciate the atmosphere into which this country was thrown, and by whom. Therefore, I would request him to look at it that way, to have some introspection and not to say that they were not at all responsible and that none of the so many Opposition Parties was responsible for creating that climate. If you go on in the same way, trying to adopt the same posture, it does not help anybody; you are not contributing to any closer examination of the political situation.

Then, he made the point that the Prime Minister in her speech to the foreign journalists said that the opposition must behave in a responsible manner. Then he asked, "What is it? Have we behaved otherwise?" I think at this late hour I need not convince anybody as to what is responsible for the declaration of emergency in this country.

SHRI H. M. PATEL (Dhandhuka): No, that is a wrong presentation. My reference was to the lifting of the emergency. It was stated that the emergency would be lifted, when the opposition behaves as it is expected to behave. So, my question was whether the opposition was not behaving as it was expected to behave, so far as the lifting of the emergency is concerned.

SHRI R. S. PANDEY (Rajnandgaon): The Baroda case is a glaring example.

SHRI K. BRAHMANANDA REDDY: You may also recall the several statements that have been made by the Prime Minister that there is no question of going back to the way in which some of the opposition parties had functioned, either inside or outside the House. Certainly in a democracy like ours, especially a parliamentary democracy....

SHRI DINEN BHATTACHARYYA (Serampore): The emergency must continue!

SHRI K. BRAHMANANDA REDDY: ...there is scope for everything. But the way in which you tried to approach the problem, by creating anarchic conditions, by creating disorder in this country, by creating chaos, left us with no alternative.

You look back to what had happened in Gujarat. Everybody knows what has happened in Gujarat, not now but in 1974. The students were encouraged to indulge in lawlessness and legislators, especially those belonging to the tribal sections and Scheduled Castes, were paraded in the streets and were insulted. Then this was carried on to Bihar also. I need not repeat all that had already been said on the floor of this House. My submission would be as stated by the Prime Minister, the opposition in this country must be able to think and act in a manner in which a responsible opposition in any democratic country would behave. It is not for me to teach you these things, nor am I pretending it. I am only stating the point that we all want the democratic institutions to thrive and democracy to function. All of us are wedded to democracy, secularism and socialism. Therefore, in approaching this matter, there is a way in which things can be done and ought to be done, in the interests of this young nation and in the interests of the democratic functioning of this country.

It is agreed on all hands that several gains have accrued to this nation on account of the declaration of emergency and the shock treatment that was given, practically in all fields, in the fields of students and workers and so on. I need not enumerate them. Many hon. Members have already enumerated them. Actually, the entire life of this country has undergone a sea change for the better. Therefore, it is up to us to see that this spirit survives, that the gains of this emergency that have come about are consolidated and, as Mr. Jaganatha Rao has said, that it becomes a way of life in this country. It is not a question of any party's benefit. I am not speaking as merely a Congress Party man.

SHRI KRISHNA CHANDRA HALDER (Aurangabad): What are you then?

SHRI K. BRAHMANANDA REDDY: I am speaking as a democrat interested in you also. Therefore, if all of us think that these gains that have accrued....

SHRI H. M. PATEL: So, emergency becomes a way of life.

SHRI K. BRAHMANANDA REDDY: It is not that. On account of the emergency and the several steps that have been taken in pursuance of the emergency, on account of the shock treatment that was given certain results have flowed. I only want that those results which have come about and which are to the credit of the nation must be consolidated to the benefit of the nation.

As has been said also by many friends, the greatest achievement is the containment of inflation. Certainly it is a thing which you or I or anybody can boast of, and this should also endure. It may be that a country like ours, whose economy is dependent on seasonal changes, may at certain times be put to certain economic difficulties. Even so, if we take proper steps, if we create the necessary climate, it

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should be possible for us, for all of us, to meet a situation of that kind and see that the situation which had come about in 1974 and early 1975 does not recur.

The most important thing which all of us should remember is that the diffidence which was prevalent in the entire society in 1974 and early 1975 has yielded place to one of confidence. In my personal opinion, that is the greatest asset. A nation which has diffidence, which feels that there is no hope for the future, or which feels diffident about taking any step forward, has no right to survive. This emergency has created discipline in this country which gives the people in this country that enormous amount of confidence which is necessary for building up this nation, and this is a thing again which should endure to your and to my benefit.

I need not tell you that law and order or internal security, with which my Ministry is vitally concerned, is a pre-requisite for any economic growth. This internal strength, this internal unity, also increases our defence capability. This is also known. It also heightens our international prestige. Therefore, the essential point is that if there is unity, if there is law and order, if there is internal security in this country, and if we have internal strength, that will contribute not only to economic growth, not only to our defence capability, but also heighten our international prestige.

This is a vital matter on which all of us, irrespective of whether we belong to different political persuasions, have to exercise a great thought and see that these gains are consolidated for the benefit of the future generations of this country. It is true that now and then, we hear some adverse criticism in the Western Press. I am sure in the long run with more objective and realistic assessment of the situation in India, that will also yield place to praise or adulation for this country and particularly Prime Minister.

As I had said just now, I do not want to complain about what Mr. Patel has said. But I do want to say one thing about the 20-point economic programme, which has been put forward amongst the parties. It was something which was to be approached in the spirit in which it was made, and on which co-operation had to be given by all sections of the society, by all political parties, but are you not aware that in some sections of the Opposition Parties, there is a reluctance to give the credit that is due to the Prime Minister? Therefore, my submission would be that on this programme—which has been universally accepted, and even the worst critics like my friends in the CPM... (interruptions) would like to concede its validity and the usefulness, particularly to the weaker sections in our society—on a programme of this type, which has to be approached by the entire nation in a spirit of co-operation, there need not be and there should not be any reservation on behalf of any particular political party or parties or groups.

Therefore, it is upto us and I feel inclined to tell the Prime Minister that here an occasion has arisen where she will have to announce a programme which is related to national integration, where no section of the society can have differences—I mean to say, for instance, communal amity, and regional harmony, and seeing that there are no acts of high handedness or atrocities against Harijans or other minority communities, etc. These are the points on which there can be no difference of opinion and there are no differences as such. And therefore, it is a point which has been taken note of by the Prime Minister to see that we also highlight this important aspect of our community life, namely, national integration.

(Interruptions)

SHRI SOMNATH CHATTERJEE (Burdwan): Here is victim of the 20-point.

SHRI DINEN BHATTACHARYYA: That is why he is asking for another one.

SHRI K. BRAHMANANDA REDDY: Mr. Shastri may be a victim of DIR or MISA, I do not know. But he is not victim of the 20-point programme.

(Interruptions)

SHRI RAMAVATAR SHASTRI (Patna): I wholeheartedly supported that programme and therefore I was arrested.

SHRI H. M. PATEL: You said, "There ought to be no difference of opinion in regard to 20-point programme, I think the Opposition has not questioned the value of the 20-point programme; it has merely said, "Was it necessary to have any emergency in order to have such a programme?" That is the point.

SHRI K. BRAHMANANDA REDDY: To successfully implement it, to effectively reach the benefits of this programme to the weaker sections of society, to create a proper climate, it may be necessary. Certainly, the proof of the pudding is in the eating. We have seen how the declaration of Emergency has acted in promoting the implementation of this programme and how it has created a sense of awareness in the entire society and in the administration.

SHRI SOMNATH CHATTERJEE: The Emergency is to justify the programme or the programme is to justify the Emergency. (Interruption)

SHRI K. BRAHMANANDA REDDY: It is not only necessary that we add to the economic strength of the country but we have also to see that, in addition to the economic strength, we have the political stability which can come about better from national integration. All sections in the society should be so integrated, all regions in the country should be so integrated, that it helps not only the political stability but also economic growth of the country.

I also wish to submit before the House that the year 1975, so far as the Home Ministry is concerned, was

a year of consolidation. I want to recall to your memory the accord reached between the Prime Minister, the Government of India, and Mr. Sheikh Abdullah on the other. As you know, subsequent to this agreement, Jammu and Kashmir is better united and it is moving in the direction of a faster economic growth. It is adding not only to the integration but also to the strength of the entire country. You also know that there are committees to look into any misunderstandings that may arise between the groups of people between the parties. There is also a coordination committee set up under the Chairmanship of my colleague, Shri Om Metha, with several other Ministers here to look into the affairs of Kashmir, particularly, economic matters of Kashmir and forge them ahead. It is paying us a good dividend.

You also know that on 11th November, 1975 the two-decade old Naga problem has come in for a settlement. All of us must be happy that this two-decade of insurgency in that part of the country which has not only caused a great loss to the people of Nagaland but also to the entire country has come to an end. I wish to tell the House that the insurgency situation in north-eastern part of our country may well be a thing of the past. You may be aware that discussions are going on with regard to Mizoram as well. I have reason to believe that the discussions are proceeding satisfactorily. Therefore, if you look at the entire situation in the north-east, you will see very hopeful signs of complete peace and tranquillity prevailing in that part of the country and the people in that area, including Nagaland and Mizoram are entering the main stream of our national life.

Now, of course, it has been suggested by some friends here and outside that people from the valley of Kashmir and also friends from Nagaland—particularly young friends from Nagaland—and Mizoram should be able to come over and visit us in the rest of India to see how India is progressing, because it is just possible that

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they have got distorted notions about the rest of India. Therefore, it is up to us to see that there is a two-way traffic; not only should people go to Kashmir, but people from Kashmir should also be brought here, particularly young people, to see how things are happening and how India is marching forward and how India is developing, so that they can draw good lessons from this experience. So, this is also being attempted.

Now, Sikkim has been discussed here before. I am happy that I have been able to go there and see the people in their own place. They are also trying to move forward and see that they improve and that they cover up decades of neglect that occurred in that part of the society. I have been able to see their enthusiasm; I have been able to see their eagerness to develop fast. The Government of India has been able to give them the necessary financial allocations so that they can, with dedication and some discipline, move forward and improve that area in well.

Now my friend Mr. Mavalankar and another friend Shri Mohapatra, think, have been speaking about the Andaman and Nicobar Islands. I know the difficulties they have experienced there, and we have been making efforts to improve the position there. In a larger perspective, in the next 15 to 20 years, we have a plan, in the entire structure, to make it one of the best areas of the country; but this is a perspective plan just now. Even so, several steps that are necessary are being taken to further improve the position there. Now, this Ministry is a sensitive one.

SHRI KRISHNA CHANDRA HALDER: Here, the Home Ministry is coming.

SHRI K. BRAHMANANDA REDDY: I thank you; but that does not help me very much.

In any case, this is a sensitive Ministry and naturally so, its fundamental duty being, according to Mr. Patel, keeping law and order. We certainly accept that position, but we are also concerned with many other matters of great consequence. However, I may tell him, for his information, that the crime incidence in India in the year 1975 was much less than what it was in 1974.

SHRI DINEN BHATTACHARYYA: At that time, you were the Home Minister.

SHRI K. BRAHMANANDA REDDY: Thank you, but I am not trying to take credit for that. I am only trying to say that the tendency is towards improvement, and there has been improvement. Particularly, if you take Delhi, there is 25 per cent less crime in 1975 and if you take Bombay, Madras and some other important States of our country, you will see the decline in crime. This is a good trend and it should be your effort and mine to see that this trend continues and the crime rate goes down further in the years to come. Therefore, this is an indication that no agitations and things like that should be encouraged by our friends.

I may also say in this connection that the dacoity menace is tried to be fought with all vigour by the co-ordinated efforts of not only Delhi but Rajasthan and UP also. A co-ordinated effort is being arranged and in fact, it has paid us dividends. There was a meeting in the Ministry. There was a meeting with the Home Secretaries, the respective IGP's, Chief Secretaries, etc. and a plan of action has been thought out. In these two-three months of 1976....

SHRI DINEN BHATTACHARYYA: What about the trend of dacoities in Delhi? It is increasing.

SHRI K. BRAHMANANDA REDDY: As many as 117 dacoits had been killed in encounter and several...

SHRI H. M. PATEL: If I may say, my emphasis was not on the fact that nothing was happening. My emphasis was on this fact that in certain areas the work was being done in such a way that you were not being able to control crimes as they should be controlled. For instance, I said, there is a great deal of concealment of crime.

There are many other matters to which I referred and in the spirit in which I referred to them, I would request you to consider them seriously. If you say that there are fewer dacoities and you have been controlling them, etc., well that is admirable and all to the good. I had also referred to the various kinds of syndicates of crime. I had said that these exist that they were gaining strength and I urged you to make every effort to control them.

SHRI K. BRAHMANANDA REDDY: As you have mentioned the point, is it not my duty to tell you and the House that base steps are being taken against the dacoity menace, that these steps are being taken against the goonda menace, that these steps are being taken against criminal activities in several States? I am not trying to criticise you. I am only trying to say that in the last year a special effort has been made to meet this dacoity menace, that a co-ordinated effort has been drawn up and, in pursuance of that, I saw in the last three months alone, it has paid up good dividends. It has yielded results. So many dacoits have died in encounters with police and so many have been apprehended. You have been seeing not only in today's papers or yesterday's papers but earlier also reports of the killing of dacoits by the police in encounters. It is a good thing and we should give all encouragement to the three States concerned, namely, Rajasthan, Delhi and UP to further take more effective steps in this direction.

One other point has also been made. You know we have been trying not

only now but for the last several years to improve the quality of the functioning of the Police in the entire country. You may remember the several steps that have been taken prior to 1970 to make a change in their attitudes and to bring about a change in their attitudes, especially when they deal with the weaker sections of the society. In this effort, a good deal of effort has gone into it and I am hoping that in the next few years, our Police force which was considered rather unfortunately sometimes as a repressive force, will be considered to be a people's protection force.

Many changes have been made in their training, in their curriculum, in their habits and many punitive measures have been taken against the erring people. You must have seen in the newspaper about the lengthy letter that I have written to the Chief Ministers about the third degree method about punitive action to be taken against the police officers who indulge in un-necessary violence against the people in this country.

SHRI DINEN BHATTACHARYYA: In the thana, people have been killed after you wrote a letter.

SHRI K. BRAHMANANDA REDDY: Mr. Bhattacharyya, I would request you to develop a sense of proportion in this matter.

We should all try to see that the quality of the police force in the entire country improves. We are taking steps in this direction, active steps in that direction and steps have been thought out and considered well and I hope, as I said just now, it will be a much better force.

A mention has been made that in 1950-51 the amount of expenditure of Home Ministry on police was Rs. 3 crores or 4 crores but now it has come to Rs. 150 or Rs. 160 crores. I need not go elaborately into this matter but you must be able to remember several

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things that have been done during the courses of 20 or 25 years which have led to this increase which was very necessary. For instance, there was only one C.R.P. Battalion in the year 1950-51. Now we have 60 battalions of the CRPF. There was no BSF in 1950-51. BSF has come into being only in 1965 and it is doing great service and valuable work. The budget of Assam Rifles has come to be calculated under the Head of the Home Ministry. Now, there is an Indo-Tibet Border Police. The strength has increased so much and the pay scales have increased so much in these 25 years. The hon members will be able to see why this increase has come about. It is because of the increase in strength of the CRPF, BSF, Indo-Tibetan Police, Assam Rifles and the Central Industrial Security Forces. All these have been created by this very House.

We push in a lot of money to the States to give them assistance for modernisation of the police force. In fact, we have given them substantial assistance for police housing, especially for the police constables and Head Constables, etc. From the Centre we have been able to push in about Rs. 60 crores and in addition the States have spent about Rs. 40 crores. Rs. 100 crores have been spent but that is not enough. Much more has to be done. It has been my effort to plead with the authorities concerned and particularly with the Prime Minister that the allocation under 'Police Housing' not only in our Budget should increase but also help should come from various other sources so that the housing of the police constables can increase at a rapid pace.

If you have a picture in the entire country, in a State like Maharashtra about 67 or 68 per cent of police people have housing. If you go to Andhra Pradesh or Orissa, hardly 11 to 12 per cent of police people have housing and, therefore, it is creating problems in the sense, even if you

want to meet a situation, even if you want to gather these people at a moment's notice, it is becoming increasingly difficult;—not only that they live in all kinds of slums exposed to an unhealthy condition but are also exposed to all types of people which is unhealthy. Therefore, we are doing our best to help the State Governments is seeing to it that they provide better housing facilities for the police people. We have been helping the State Governments to modernise their police force with equipments and in several other ways. We are thus trying to improve the quality of the police force as a whole, as I have already submitted.

There is one other important thing which I wish to bring to the attention of the House. We are creating a Coast Guards Organisation under the aegis of the Ministry of Home Affairs. This matter regarding safeguarding the security and our interest in our off-shore areas has been thoroughly examined. And this question of setting up of a Coast Guards Organisation under the aegis of the Ministry of Home Affairs to police our territorial waters etc is under active consideration.

SHRI B V NAIK (Kanara): I am happy about it. I represent the coast.

SHRI K BRAHMANANDA REDDY: I am glad that Mr B V Naik is happy; I am sure he represents the entire House.

Whenever Home Ministry's Demands are discussed, one important aspect coming under the administration of the Home Ministry is the welfare of the Scheduled Castes and the Scheduled Tribes. This is a very important segment of our society. We can neglect their interest only at our peril. The well-being of the entire society depends upon our efforts in regard to this segment of our society. I do not want to go into the details. I wish to tell you this much that in the Fifth Plan the allocation is about

Rs. 255 crores for this sector. There are several schemes contemplated for their benefit.

SHRI R. S. PANDEY: The hon. Prime Minister herself has written to all the Chief Ministers. You are doing very well and I am glad you are allocating Rs. 255 crores or so. But the basic requirement is protection. And so far as Andhra Pradesh is concerned, this State has been the worst victim regarding protection of Harijans. I am not talking on the situation after emergency, but even before that.

SHRI K. BRAHMANANDA REDDY: I do not want to speak much because it is Andhra Pradesh and because it is within my intimate knowledge. There may be isolated incidents happening here and there. But you will see that a lot of improvement has gone into the welfare of these sections of our society. I may also tell Mr. Pandey that during my Chief Ministership I had built about 10,000 pucca houses for these scheduled caste people, and this is being continued.

SHRI BHOGENDRA JHA (Jainagar): Are we discussing your Chief Ministership?

SHRI K. BRAHMANANDA REDDY: I am not discussing just now either my Chief Ministership or Mr. Bhogendra Jha's remarks.

The point is this. A point was made about what was happening to the harijans in Andhra Pradesh. I have been trying to tell him that sufficient care is being taken regarding the welfare of scheduled castes probably much more than in areas from which Shri Bhogendra Jha comes.

With regard to that, this House has been debating the Untouchability Offences Bill which is before them. And it is up to this House to pass that Bill as early as you may think fit. If and when it is passed, that will give more opportunities for dealing with the offences relating to untouch-

ability. This stigma of untouchability on the society must be effected.

SHRI K. S. CHAVDA (Patan): Don't pay lip sympathy. This was discussed in the House in March 1975. It is still lying and it is for you to move the Bill before this House and pass it. You know the Opposition walked out because the House wanted to pass it without a discussion. And you had instructed your Members not to speak.

SHRI K. BRAHMANANDA REDDY: Therefore, when this is passed, more effective steps could be taken to remove this evil.

SHRI BHOGENDRA JHA: The point that we raised was whether the powers of emergency under the MISA or DIR had been used against those who were torturing the harijans in other parts of the country and whether such action had been taken against the usurers and also against those violating the Land Ceilings Act etc. I would like the Minister to enlighten us on whether those powers have been used in this regard.

SHRI K. BRAHMANANDA REDDY: Now you are talking about the use of MISA. I shall come to that. I do not want to raise it just now because it is a subject which has been discussed not once but twice, thrice, four times or even five times. (Interruptions) Mr. Speaker, Sir, just as the scheduled castes and other backward classes are a big segment of our population, so also are our tribals who number about four crores—forty million people—living in this country in all kinds of places—some of them in plains while some others in the hills—and, therefore, their condition has also to be improved. You may be aware that, at the instance of the Prime Minister, the allocation from the central sector has been increased to Rs. 200 crores as a supplemental effort to the efforts that State Governments are making. For 1976-77, I have got information from nine States which

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shows that they have included in their Plan for 1976-77 alone, about Rs. 155 or 165 crores in addition to Rs. 40 crores of supplemental assistance that we are pushing in from the Central Government. This is in addition to some centrally sponsored schemes and also in addition to some other schemes which are being implemented by the Departments, like Irrigation, Agriculture etc. Therefore, these should be able to enable those areas to improve. One question that often arises from some of our tribal Members is this. They suggested that if we push in too much of money into the area it is very likely that all parasites may go there and go on sponging all this money that is thrown into that area. It is true.

Therefore, it becomes necessary for all of us and particularly the Government to see that this money is channeled in a proper manner and institutional arrangements are made in that area and the credit and marketing organisations are built up. To sum up, the whole effort is that the exploitation that is going on in the tribal areas has to be reduced, if not completely eliminated. In course of time—may be five or ten years—we should be able to give them so much assistance that they lift themselves up educationally, socially and otherwise. This is a huge effort. In fact, we have been trying to impress upon all the Chief Ministers at separate meetings as well as at collective gatherings that the administrative personnel that are posted in that area should be one of the best in that Service. Unless people of that quality and those who have sympathy towards the tribals are posted in these areas quick development may not take place.

Sir, it is very necessary, when bonded labour has been abolished and indebtedness has been wiped out, especially with regard to smaller people, the credit and marketing...

SHRI BHOGENDRA JHA: Legally it has been done but it is for the Home Minister to enforce it.

SHRI K. BRAHMANANDA REDDY: Now, we must help in that process and not try to find fault and catch hold of some mistakes and condemn the whole thing. You and I are interested in seeing to it that the bonded labour goes and indebtedness of poor people is wiped out. If there are instances where it has been implemented certainly we should look into the matter and take steps. There is no use of merely complaining.

It is our effort to see that credit and marketing organisation takes place there. If you leave it in a void or without effort being made naturally they will become victims of money-lenders which all of us want to avoid.

Sir, many Members have been making suggestions regarding the revision of list of scheduled castes and scheduled tribes. There is general unanimity that the present area restrictions, as a result of which a community is scheduled only in one part of the State and not another, should be removed. Such area restrictions cause hardship to the left-out members of the community and there are administrative difficulties. There have been many representations that these area restrictions should be done away with quickly and the Government is of the view that early steps should be taken to remedy the situation. This particular aspect is of such urgency that we feel, legislation should be enacted to remove these area restrictions. Government are considering introducing suitable legislation for this purpose shortly, so as to mitigate the difficulties experienced by a large number of people who are today deprived of the facilities admissible to the Scheduled Castes and Scheduled Tribes. Therefore, this step also is being taken. This has been voiced by many friends here.

Now, as you may remember—I need not give statistics...

12.08 AM.

SHRI K. S. CHAVDA: When are you going to introduce that Bill? It lapsed in 1970. That is the main point.

SHRI K. BRAHMANANDA REDDY: What I was trying to submit, which you have not heard, is that that Bill which has lapsed in 1970 is split into two parts, one the Area Restriction Removal Amendment Bill and the other inclusion of certain tribes in Scheduled Tribes which may come later. That was what I was trying to submit, because it is not a matter that easy. There is scope for some dissent, there is scope for some controversy. Therefore, we want to help at least a section of these people who are groaning under difficulties. It will be over effort to see that if this area restriction is removed, a restriction where in a certain part of a State, they are called a Tribe and in certain other parts they are not called a Tribe, if this restriction is removed, it will greatly help at least a good number of these tribal people.

Now one other thing which has been mentioned is about some friends here—Shri Pandey was saying it and another friend was also mentioning it—that a function should be arranged where tamrapatras should be given to those MPs....

SHRI R. S. PANDEY: All the Members of Parliament who had been jailed—and a cup of tea at your house.

SHRI K. BRAHMANANDA REDDY: Tamrapatras to those MPs who are freedom fighters, who have not received tamrapatras. Out of the 73 MPs whose names have been mentioned to us in this connection, particulars are available in respect of 59 only.

SHRI S. A. SHAMIM (Srinagar): Including Shri Pandey.

SHRI K. BRAHMANANDA REDDY: Shri Mohan is in touch with the members.

SHRI R. S. PANDEY: Another condition was that the function would be held at your house—and a cup of tea.

SHRI K. BRAHMANANDA REDDY: The function will be held. I do not want to mention the place. But I can tell you this, that the function will be held during this session.

SHRI R. S. PANDEY: Very good.

SHRI BHOGENDRA JHA: Who has given you the names? I have not mentioned by name to anyone in this connection. I do not know where from you got the facts.

SHRI S. A. SHAMIM: For the last 8 months I am also a freedom fighter.

SHRI K. BRAHMANANDA REDDY: One other matter which I wish to mention is with regard to taking effective steps...

SHRI BHOGENDRA JHA: In this connection, a request was made whether you could grant pension to those freedom fighters also—I am not talking of MPs—who had been to jail for five months, four months and three months. Are you going to reconsider this condition of six months? It is only a small gap.

SHRI K. BRAHMANANDA REDDY: If you open that gate, it will be a floodgate.

With regard to the welfare of Scheduled Castes, you know that in several States at the intervention of the Prime Minister, Chief Ministers have created cells in their own departments to deal quickly and effectively with complaints and grievances of Scheduled Castes.

SHRI P. G. MAVALANKAR (Ahmedabad): How active are they?

SHRI K. BRAHMANANDA REDDY: Very active. I may say that 11,238 cases were registered during 1974 and prosecution was launched in more than 70 per cent of those cases.

Therefore, I am only trying to say that if these Scheduled Castes, help-less people, who are in villages are subjected to these atrocities and high handedness at the hands of others, it is the desire of this Government that succour should be given to them at the earliest possible moment. An officer of some standing should go and investigate the matter and book the real culprits. At the same time, I must sound a note of caution and mention here, namely, that in some places where there are factions in villages where these Harijans are being exploited to support one party of the other to give it a colour as atrocities on Harijans it should be guarded against.

Our idea is to bring harmony in the villages, bring understanding among the people and see that the communities come closer. It is not our effort to develop confrontation between one community and another. This should also be borne in mind and the poor people, helpless people should be helped and they should be saved from the atrocities that the other communities commit against them. To that extent it is all right. But if they become parties to any factional fight; in the village and try to give it the colour of atrocities on Harijans, it would do no good. As I said it is our desire that we should avoid confrontation; we should help create understanding between the different communities in the villages and other places.

Shri Bhogendra Jha and some other friends referred to the alleged misuse of DIR. As I have said in this House as well as in the Rajya Sabha, when extra-ordinary powers under an extra-ordinary situation are given to the executive...

AN HON. MEMBER: They are extra-ordinary people.

SHRI K. BRAHMANANDA REDDY: ...naturally, you and I can visualise the possibility of some misuse. Therefore, the Prime Minister has as early as 3rd July 1975, within a week of the promulgation of the emergency, wrote personally to the Chief Ministers requesting them to look personally into cases where complaints of misuse have come and also to set up a machinery for this purpose consisting of some ministers, officers, etc., This was followed up by my discussion with the Chief Ministers and the Home Secretary has written to them elaborately what is to be done and how it is to be done so that we do not give room for any complaint of this type. Therefore, I submit to you that from the highest to the lowest, all necessary steps that can be taken in this regard are being taken. You could be rest assured that representations that have been made by hon. Members of Parliament have been looked into. Many of them were kind enough to see me and give representations; they had been examined in consultation with the state governments.

SHRI BHOGENDRA JHA: Some MPs have been arrested.

SHRI K. BRAHMANANDA REDDY: Therefore, if Mr. Bhogendra Jha or other hon. Members go away with the impression that alleged misuse is not being looked into either by the state government or the central government, it would be a wrong impression. I do not rule out something happening somewhere but we are doing all that is necessary to control this and to take effective steps not only against possible misuse but also see if we can take action against the person who is responsible for the misuse and gives a bad name to the government.

I have no time to go into some other matters; for instance many friends complained about conditions in jails.

I may admit that the situation in jails is not that happy; the administration of jails has got to be improved. It is also true that because of the heavy pressure on the political situation, overcrowding in jails has led to some undesirable results. We have been trying to impress upon state governments to take necessary steps so that not only more accommodation is available but also administration inside jails is improved. Jails is a state subject. In the Home Ministry we consult the state governments and we act as a co-ordinating authority.

SHRI S. A. SHAMIM: You are only supplying prisoners.

SHRI K. BRAHMANANDA REDDY: I do not know if my friend knows or not. Amongst those people who might have been detained under MISA very few have been detained by the Central Government.

SHRI S. A. SHAMIM: But it is a Central Act.

SHRI K. BRAHMANANDA REDDY: Including your leader Sheikh Abdulla, Sahib it is they who are responsible for several detentions and several actions taken under D.S.I.R. Now, I may tell you that the conditions in jails are governed by the rules that have been framed by the respective State government. Of course all those rules are not uniform in all cases. But the conditions in jail regarding food, regarding clothing, etc. are being taken care of. Whenever anything comes to our notice regarding the health of the prisoner, a very energetic and very effective steps are taken to consult immediately the State Government and see that necessary assistance is rendered to the suffering patient inside the jail. Therefore, I would only like to point out ...

SHRI P. G. MAVALANKAR: The point is that it is not the question of better accommodation but of human treatment and action against any

cruelty especially to the political detainees and Satyagrahis. There have been cases of individual detenus whose ailment could have been detected earlier. Some of them have come to a bad shape because they have not been given prompt treatment. We do not want just the amenities. We want humanity.

SHRI THA KIRUTTINAN (Sivaganja): The same thing has happened in Madurai. In Madurai Jail, one Mr. Bala krishnan was ailing. But he was not sent to the hospital. At the last moment he was sent to the hospital, but he died.

SHRI K. BRAHMANANDA REDDY: Not only there should be more accommodation and there should be better treatment, but there is humane treatment also. I do not like that that should be carried away by any story or atrocities or high-handedness in jail. I may tell for your consideration that all necessary care, that is possible, is being taken to see.

SHRI DINEN BHATTACHARYYA: By you or the State Government?

SHRI K. BRAHMANANDA REDDY: By us as well as the State Governments.

SHRI DINEN BHATTACHARYYA: When the matter was presented to you you said that it was a State matter and here you say that you are taking care of the prisoners.

SHRI K. BRAHMANANDA REDDY: Though we say that it is a State matter, because under the Constitution it is a State matter, we also take note of what you say and we consult the State Government and also try to know what is being done there.

SHRI THA KIRUTTINAN: Whether any instruction has been issued to the State Governments to treat them well. (Interruptions)

SHRI K. BRAHMANANDA REDDY: No instructions are necessary and especially the prisoners of the political

[Shri K. Brahmananda Reddy]

type are treated with great courtesy, that goes without saying, and I do not want that anyone of you should go away with any impression that any political prisoners or any detainee...

SHRI DINEN BHATTACHARYYA: The unfortunate thing is that the State Government has not recognised anybody as a political prisoner.

(Interruptions)

SHRI K. BRAHMANANDA REDDY: I would only advise my friend there or my friend here, if they have got anything specific to say kindly tell me. I am at your service. Now, you also know that the Home Ministry has been trying to impress upon the State Governments to establish Grievance Committees so that people will have an opportunity to make complaints, not only people that are high in the society like MLAs, MPs, etc. but even others. They are given opportunity to make complaints and to the extent possible we try to correct them if any thing bad is coming into the Administration.

SHRI THA KIRUTTINAN: Even after 40 days the wives and relatives were not allowed to see ex-MLAs in Tamil Nadu. (Interruptions)

SHRI K. BRAHMANANDA REDDY: Instead of trying to raise it here four or five times for publicity's sake, you could have come to me and I would have certainly looked into it. I do not want to contribute to what you are saying. (Interruptions) In the end, I wish to repeat again and submit that on behalf of my colleagues and on behalf of all the functionaries in the Ministry, I thank you all for the very hearty support that you have given to these Demands. It shall be our effort, I promise, to come to you with a better performance in 1976-77.

SHRI SHANKERRAO SAVANT (Kolaba): What about border dispute?

SHRI K. BRAHMANANDA REDDY:

The Maharashtra border issue is under very active consideration and we are in touch with the Chief Ministers' concerned. I hope, a solution could be found with your assistance, with the cooperation of state Governments and with the cooperation of the people of those areas, as early as possible. (Interruptions).

MR. DEPUTY-SPEAKER: Let us conduct things in a dignified way, a meaningful way. We have taken a long time. Even so, when hon. Members are willing to eager to elicit some more information, I would allow not all, but a limited number to put a question each and the Minister may kindly note and reply. There should not be intervention simultaneously by too many Members. Let us do it in a meaningful manner.

SHRI H. M. PATEL: I referred to the question of Delhi Advocates and the manner in which their cabins were demolished and bull-dozed. Since then, 20 odd advocates have been arrested under MISA and some 30 others have been arrested under DIR and other provisions. I would like to know as to what the facts are?

SHRI B. V. NAIK: Mr Deputy Speaker, Sir, I have brought to the notice of the Ministry of Home Affairs, at the appropriate level, the case of a person who was held—whose name need not be reproduced here—under MISA. The Central Government had ordered his release on the 8th of March; but upto the 28th of March he had not been released.

(Interruptions)

MR. DEPUTY SPEAKER: How can he answer all this?

SHRIMATI ROZA DESHPANDE (Bombay Central): Yesterday I had asked a question as to why an organization like the Shiv Sena, indulging in all kinds of anti-national activities.

MR. DEPUTY SPEAKER: We know what Shiv Sena is. What do you want to do with Shiv Sena?

SHRIMATI ROZA DESHPANDE: Why has it not been banned, when it was supporting the J. P. movement?

MR. DEPUTY SPEAKER: That is enough.

SHRI P. M. MEHTA (Bhavnagar): I heard the Home Minister very attentively. The question is about the area restriction. There is a peculiar situation in Saurashtra, especially in my district. A tribe by name Bhil is not recognized in my district, whereas it is recognized in the other districts.

MR. DEPUTY SPEAKER: He has replied to that question; he has already dealt with that in his speech.

SHRI P. M. MEHTA: Therefore, when this bill is introduced, proper notice should be taken of such things also.

SHRI BHOGENDRA JHA: I would not like to raise a new point. I had stated these things yesterday; but it has been misde. I am not repeating. With regard to the Muslim minority, I had stated....

MR. DEPUTY SPEAKER: No statement; the question.

SHRI BHOGENDRA JHA: The question is whether it is a fact that more than two-thirds of the compulsorily retired employees in Andhra Pradesh itself are Muslims; and whether the Bourkela office of the Marcus Saria, the high court for the personal law of the Muslims has been sealed and the office-bearers arrested. And secondly in regard to the lawyers....

MR. DEPUTY SPEAKER: He has put that question. You are making a speech.

SHRI BHOGENDRA JHA: Is it a fact that the Delhi Bar Association has passed a resolution that it should negotiate? Is the Government going to negotiate with them, or not?

SHRI N. K. SANGHI (Jalore): I would like to draw the attention of the Home Minister. (Interruptions)

MR. DEPUTY SPEAKER: Order please; I am not able to hear Mr. Sanghi.

SHRI N. K. SANGHI: A part of the cellular jail in Port Blair is today being used as an ordinary jail. Since it has housed so many of our freedom fighters, we have a high feeling for this particular jail. May I ask the Home Minister whether he will remove the jail from the cellular jail and keep it only as a national monument?

MR. DEPUTY SPEAKER: That is enough.

SHRI DINEN BHATTACHARYYA: My question is very simple. The Minister himself had said that the conditions in the jails are the responsibility of the State Governments, but that if any representation is made by the Centre and the Home Minister, he will look into it. But already a presentation has been made regarding the treatment of the MISA prisoners in West Bengal and other States. No step has yet been taken. Has the Government got any scheme for making uniform rules for the treatment to be meted out to prisoners all over the country?

SHRI C. K. CHANDRAPAN (Tellicherry): Have the Government taken any steps against the Vijaya Bank authorities who were protecting the RSS elements by keeping them as their staff when they were arrested and detained? What action has the Government taken against them?

SHRI K. BRAHMANANDA REDDY: If Shri Bhattacharyya had made any representation, it is obvious that it is being looked into. But jails, as I submitted, is a State subject. So, there can be no question of uniformity.

MR. DEPUTY-SPEAKER: You are looking into that?

SHRI K. BRAHMANANDA REDDY: Which one? The representation that has been made? Regarding uniformity, I am not looking into it. It is a State subject. Therefore, the State Governments will have to look into it. What I submitted was that the representation alleged to have been made by Shri Dinan Bhattacharyya regarding some prisoners is being looked into.

With regard to the point raised by Shri B. V. Naik, the releases are made by the authorities that are responsible for the detention. The releases are not made by the Central Government, except in cases where they are detained by them. I do not know if in this particular case any advice has been given. That is a different matter altogether. But the point is that the release has got to be made by the detaining authority.

Regarding Shiv Sena, all of you are aware of the propensities of that organisation. But I can say that just now there is no proposal before the Government to ban Shiv Sena.

Regarding the Muslim minority, my hon. friend, Shri Sambhali, made a forceful speech yesterday. So far as this Ministry is concerned, as a result of the drive launched in 1973 the recruitment position to BSF and CRPF is like this. During the period 1973-75 the percentage of Muslims recruited to BSF was 32.1 and the number 395. So far as CRPF is concerned, out of a total recruitment of 498, the number of Muslims was 120, which comes to 24 per cent.

MR. DEPUTY-SPEAKER: I think Shri Jha wanted information about certain compulsory retirement.

SHRI BHOGENDRA JHA: I was referring to the *Imarate Sarai*, a court which was dealing with Muslim personal law in Bihar and Orissa.

SHRI K. BRAHMANANDA REDDY: It becomes difficult for me to answer individual cases.

MR. DEPUTY-SPEAKER: You can write to him.

SHRI K. BRAHMANANDA REDDY: I can tell you that the State Governments have been advised to set up review committees to look into the cases of premature retirement, on account of inefficiency, corruption etc.

Regarding the other point raised by Shri Jha, if a question is suddenly raised in the House, it is difficult to answer it.

SHRI BHOGENDRA JHA: I have mentioned it in my speech yesterday.

SHRI K. BRAHMANANDA REDDY: So far as Vijaya Bank is concerned, so far as I recollect, one man has been either suspended or dismissed.

Regarding Port Blair, I had been there. I have visited the two wings of the Port Blair jail. There were no prisoners. It was declared a monument. In any case, I shall look into the suggestion which he has made.

MR. DEPUTY-SPEAKER: Delhi advocates.

SHRI K. BRAHMANANDA REDDY: Shri H. M. Patel and some other Members referred to the demolition of the lawyers' cabins in the vicinity of the Tis Hazari Courts.

This area had virtually become a slum on account of haphazard unauthorised construction, encroachments etc. Repeated efforts were made to persuade the lawyers to move to other

nate sites where they could have put up suitable structures. On 6th March, 1976, the Deputy Commissioner called the President and Secretary of the Bar Association for a discussion and there was an agreement that the alternate sites on platforms parallel to Hamilton Road would be available for constructing lawyers' chambers. The Bar Association was requested to speed up the shifting and start construction. Apart from assuring that this would be done, there was hardly any positive response. Finally they assured that bricks and construction material would be brought to the site positively by 22nd March, 1976, but nothing happened. Ultimately the authorities had to remove the unauthorised structures. In most cases the lawyers themselves arranged to have the articles removed from these structures and nearly 50 per cent of the structures were demolished by the lawyers themselves with a view to taking out building materials.

The lawyers decided to boycott the courts from 29-3-1976 as a protest against the action taken on the previous day. They gathered in front of the court building and entered the Deputy Commissioner's office in a body and indulged in destruction of Government property. They thereafter went to the ADM (Headquarter's) room and destroyed Government property in the ADM's chamber including furniture, office records and files. As a consequence of this unlawful action, two cases have been registered against

them. Fortythree lawyers were arrested on 29-3-1976.

It is understood that the representatives of the Bar Association met the Lt. Governor yesterday and have agreed to request the lawyers to shift to new temporary sites to be allotted by the Administration. The cases of the arrested lawyers are also being reviewed.

MR DEPUTY-SPEAKER. There are a number of cut motions moved by hon. Members. Unless any particular Member wants a particular cut motion to be put separately, I will put them all together to the House.

I put the cut motions to the House.

All the cut motions were put and Negatived

MR. DEPUTY-SPEAKER The question is:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the fourth column of the Order Paper be granted to the President to complete the sums necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1977, in respect of the heads of demands entered in the second column thereof against Demands Nos. 49 to 59 relating to the Ministry of Home Affairs"

The motion was adopted

[The Demands for Grants, 1976-77, in respect of the Ministry of Home Affairs, which were voted by Lok-Sabha, are shown below.—Ed.]

No. of Demand	Name of Demand	Amount of Demand for Grant on account voted by the House on 23-3-1976		Amount of Demand for Grant voted by the House	
		Revenue Rs.	Capital Rs.	Revenue Rs.	Capital Rs.
19.	Ministry of Home Affairs	36,10,000	..	1,80,53,000	..
50.	Cabinet	21,07,000	..	1,05,35,000	..

1	2	3	4	
51. Department of Personnel and Administrative Reforms	1,23,35,000	25,00,000	6,16,72,000	1,25,00,000
52. Police	31,46,80,000	50,00,000	157,34,43,000	2,50,00,000
53. Census	61,44,000	..	3,07,18,000	..
54. Other Expenditure of the Ministry of Home Affairs	22,75,29,000	6,21,87,000	1,33,76,43,000	31,09,56,000
55. Delhi	18,70,87,000	8,35,05,000	93,54,37,000	41,65,24,000
56. Chandigarh	2,68,91,000	1,01,89,000	13,44,54,000	5,09,48,000
57. Andaman and Nicobar Islands	3,93,02,000	1,61,72,000	17,45,41,000	1,08,56,000
58. Dadra and Nagar Haveli	31,44,000	22,61,000	1,57,22,000	1,13,04,000
59. Lakshadweep	53,13,000	18,05,000	2,65,68,000	90,25,000

MINISTRY OF SHIPPING AND TRANSPORT

Motion moved:

MR. DEPUTY-SPEAKER We take up discussion and voting on the Demands for Grants relating to the Ministry of Shipping and Transport, for which four hours have been allotted

Members present in the House who desire to move their cut motions may send slips to the Table within 15 minutes indicating the serial numbers of the cut motions that they would like to move.

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the fourth Column of the Order Paper be granted to the President to complete the sums necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1977, in respect of the heads of demands entered in the second column thereof against Demands Nos 79 to 82 relating to the Ministry of Shipping and Transport"

Demands for Grants, 1976-77 in respect of the Ministry of Shipping and Transport.

No. of Demand	Name of Demand	Amount of Demand for Grant on account voted by the House on 23-3-1976		Amount of Demand for Grant submitted to the vote of the House	
		Revenue Rs.	Capital Rs.	Revenue Rs.	Capital Rs.
1	2	3	4	5	6
79. Ministry of Shipping and Transport		40,99,000	..	2,04,93,000	..
80. Roads		13,44,42,000	13,80,14,000	67,22,12,000	69,00,68,000
81. Ports, Light houses and Shipping		4,15,19,000	34,52,07,000	20,75,67,000	172,80,70,000
82. Road and Inland Water Transport		17,91,000	2,80,90,000	89,53,000	10,14,73,000