

MR. SPEAKER: That is correct. Yours is pending since yesterday.

SHRI SHASHI BHUSHAN (South Delhi): There was a notice from me also yesterday.

MR. SPEAKER: Yours and Bibhuti Mishra's are also pending since yesterday. I have requests from other members also. Prof. Dandavate wants to raise the fast of George Fernandes and other leaders

13.10 hrs.

#### MATTERS UNDER RULE 377

MR. SPEAKER: Today, it is a free for all. But, there is one point. You have completely robbed the Government of their official time. Whatever has been listed for today, may not be taken up. During the last three or four days, no Government Business has been transacted.

श्री अटल बिहारी वाजपेयी: (ग्वानियर).  
आपने वन घेरे बारे मे एलान किया था।

अध्यक्ष महोदय मैंने बहुत कुछ कहा था लेकिन नया बाने आ गई। दूसरे आपके मामले कुछ बाने कर्नी है, एज स्पीकर कर्नी है लेकिन इस तरह मे बडा मुश्किल हो जाता है।

गदाधार साहा के बारे मे बात कर्नी थी लेकिन वह बीच में ही टूट गई और दूसरी तरफ चल पडे। हर पार्लमेंट में मेम्बरों की आइडेंटिटी के लिए कुछ होना है, एक बैज सा कुछ बना होना है। यहाँ भी कुछ न कुछ होना चाहिए। बाहर भी उसका फायदा हो सकता है। साथ ही कुछ नुकसान भी हो सकता है, अगर कोई उठाकर ले जाये तो एम० पी० बन जाये। . . . . . जब ऐसा खतरा हो तो उतारा और जब मे डाल लिया। यह ऐसा देश है, पहले तो चुन लेत है मेम्बर को, और फिर पाच साल उसकी नुकता करत है। पहले उसको चुनते

हैं, सब कुछ करते हैं और फिर उसके पीछे पड़ जाते हैं।

मेडिकल एजुकेशन के बारे में वाजपेयी जी, भान सिंह और मधु निमये जी ने एकट्ठा दिया है। आप मे कोई एक करले।

श्री अटल बिहारी वाजपेयी : आपने मुझे कन ही इजाजत दे दी थी।

अध्यक्ष महोदय : पहले आपका ही नाम है।

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मैं आपकी अनुमति में सार्वजनिक महत्व का एक मामला उठाना चाहता हूँ। नुघ्रियाना में दयानन्द मेडिकल कालेज के नाम से एक कालेज चलना है। यह कालेज 1964 में स्थापित किया गया था। आर्य मेडिकल स्कूल के रूप में इसका आरम्भ हुआ था। बाद में आर्य प्रतिनिधि सभा ने इस कालेज को एक मैनेजिंग कमेटी को सौंप दिया। हर साल इस कालेज में मान्यता प्राप्त करने के लिए आन्दोलन होता था लेकिन हर साल अस्थाई मान्यता प्रदान कर दी जाती थी। मेडिकल कौन्सिल इस कालेज को अस्थाई मान्यता देती थी। इस कालेज में प्रवेश अर्थों के आधार पर होता है, सिफारिश या चन्दे के आधार पर नहीं। जो भी छात्र छात्राये पढने है उनका चयन गुणों के आधार पर किया गया। अब इस समय स्थिति यह है कि बहुत से छात्र छात्राये चतुर्थ वर्ष में पहुच गए है लेकिन इसी समय मान्यता वापिस ले ली गई है। आर्य सभा कालेज को चलाने के लिए तैयार नहीं है, पंजाब सरकार कालेज को लेने के लिए तैयार नहीं है। पंजाब सरकार के स्वास्थ्य मंत्री ने कालेज के लिए 40 लाख रुपया देने का वाकदा किया था लेकिन वह वायदा पूरा नहीं हुआ। पंजाब के मुख्य मंत्री ने भी 15

[श्री भट्टा बिहारी वाजपेयी]

मार्च, 1974 को विधान सभा ने आश्वासन दिया था कि सरकार इस कालेज को ले लेगी अगर भार्य प्रतिनिधि सभा इस आशय का एक प्रस्ताव पास कर दे। इसके साथ कुछ गर्लें भी लगाई गई थी। लेकिन अब स्थिति यह है कि पंजाब सरकार और भार्य प्रतिनिधि सभा के विवाद में विद्यार्थी का भविष्य अव्यक्त-मय हो रहा है। विद्यार्थी सड़को पर फेक दिए गए हैं, वे कहा जाये क्या करें उनकी समझ में नहीं आ रहा है। उनका एक प्रतिनिधि मण्डल दिल्ली आया हुआ था जो केन्द्रीय स्वास्थ्य मंत्री से मुनाकात कर चुका है। मेरा निवेदन है इस मामले में केन्द्रीय सरकार का हस्तक्षेप करना चाहिए।

13 13 hrs.

(Mr Deputy-Speaker in the Chair)

जब फरीदाबाद मेडिकल कालेज का मामला उठा था और वहाँ के विद्यार्थियों के भविष्य की बात आई थी तो यहाँ सदन में मंत्री महोदय ने रुचि ली थी और उस मामले को ठीक करवाया था। उसके विद्यार्थी ऐसे थे जो गुणों के आधार पर भर्ती नहीं किए गए थे, अर्को के आधार पर उनको प्रवेश नहीं दिया गया था, लेकिन यह विद्यार्थी ऐसे हैं जिनको योग्यता के आधार पर प्रवेश मिला है वे अभी तक पढ़ रहे हैं और मेडिकल कौंसिल भी उसे अस्थाई मान्यता देती रही है। या तो मैं समझता हूँ मेडिकल कौंसिल को मान्यता देनी नहीं चाहिए थी जिससे वे विद्यार्थी या उनके पालक वहाँ प्रवेश लेने की गलती नहीं करते। जब अस्थाई मान्यता मिली तो यह आशा थी कि वह मान्यता स्थाई कर दी जायेगी और कालेज अच्छे रूप में चलेगा। मैं चाहता हूँ केन्द्रीय स्वास्थ्य मंत्री इस मामले को अपने हाथ में ले और छात्र

छात्राओं का भविष्य बनाने में योगदान करें।

MR DEPUTY-SPEAKER: I think the Speaker did say that he would allow only one member, although more than one member have given notice. As I said the other day, we have not evolved any procedure and I think I did permit some members to speak on the last occasion I do not want to be arbitrary. If I permit Shri Vajpayee and I do not permit you and I do not permit Shri Madhu Limaye, it is not at all desirable. So, I will permit all the members. The only request I make is that they should be as brief as possible.

श्री भानु सिंह भोरा (भटिंडा)  
वाजपेयी जी ने इस कालेज के बारे में अभी कुछ बताया है। यह जो कालेज है इसके लिए पंजाब गवर्नमेंट ने फैसला कर दिया था कि इसको टेक-ओवर कर लिया जाये लेकिन जो वहाँ की मैनेजमेंट है वह एग्री नहीं करनी। मेरा कहने का मतलब यह है कि पंजाब गवर्नमेंट और मैनेजमेंट के दरम्यान जो झगडा है उसकी वजह से स्टूडेंट्स का नुकसान आप क्यों करते हैं। आप पंजाब गवर्नमेंट को कहे कि प्रापर्टी बगैरह का जो झगडा है उसका फैसला बाद में होता रहेगा, अभी गवर्नमेंट उसके मैनेजमेंट को टेक-ओवर करे और लडको के क्लासेज शुरू करे। यह तो बड़ी आसान बात है। मैं मिनिस्टर माहब से कहूंगा कि वे इस मामले में पर्सनली इंटरवीन करे और पंजाब सरकार के कहे कि मैनेजमेंट का टेक-ओवर किया जाये और क्लासेज शुरू हो। बाद में जो झगडा है उसका फैसला हो जायेगा।

श्री मधु लिमये (बाका) इसमें महत्वपूर्ण बात यह है कि यह लडके कुछ दिन पहले हमारे पास आये थे और उन्होंने कहा था कि उनके 6 महीने बर्बाद हो

बुके हैं तो इन सबकों के समय का भी कोई मूल्य होता है। इसलिए मैं मंत्री महोदय से कहूंगा कि फ़िलहाल इस कालेज को ले लिया जाये और अगर झगड़ा भार्य प्रतिनिधि सभा और सरकार के बीच में नहीं सुलझता है तो उसका रास्ता यह है कि विधेयक के द्वारा नहीं, क्योंकि इस वक्त असेम्बली नहीं बैठ रही है, अध्यादेश के द्वारा इसको कर लिया जाये। इसमें क्या दिक्कत है? पहले समझौते की कोशिश होनी चाहिए लेकिन अगर उसमें नहीं हो रहा है तो फिर अध्यादेश द्वारा किया जाये।

एशस्थ्य और परिवार नियोजन मंत्री (डा० कर्ण सिंह). उपाध्यक्ष महोदय, जहाँ तक मान्यता का प्रश्न है, मेडिकल कौंसिल आफ इंडिया ने इस कालेज को कभी मान्यता नहीं दी। मान्यता तो तब होती है जब कालेज स्थापित हो जाये और मेडिकल कौंसिल आफ इंडिया के बताये हुए जो मार्ग है, जो रिक्वायर्समेंट्स हैं, जो लवाजमात और जरूरियत है उनके मुताबिक वह कालेज चले। (अध्यक्षान) चाहे कितने भी साल से चले, मेडिकल कौंसिल आफ इंडिया का यह दायित्व होता है कि वह स्टैंडर्ड के आधार पर मान्यता दे। एक बार उन्होंने इंस्पेक्ट किया, बिल्कुल स्टैंडर्ड तक नहीं पहुँचे थे और उस वक्त उन्होंने कहा था कि अपना स्टैंडर्ड बढ़ाओ। अब द्वितीय इंस्पेक्शन होने वाला है लेकिन वजाय इसके कि स्तर बढ़ और मेडिकल कौंसिल आफ इंडिया ने जो बातें कही हैं वह पूरी हों, बीच में विवाद पड़ गया भार्य प्रतिनिधि और पंजाब सरकार के दरमियान जोकि वास्तव में एक दुर्भाग्यपूर्ण चीज़ है। एक बात मैं साफ कर दूँ कि इसमें जो निर्णय होगा वह पंजाब सरकार का निर्णय है, हम इसमें सीधे बिल्कुल नहीं आते मेडिकल एजुकेशन उन के नीचे है, धनराशि, यह कहते हैं कि आसान है, लेकिन कालेज को जब ले लिया जाये तो उस के ऊपर लाखों

रुपये का व्यय करना पड़ता है। मेरे पास विद्यार्थी भाये थे मैंने सहानुभूति के साथ उनकी बातें सुनी। मैंने पंजाब सरकार को बता दिया कि ऐसे ऐसे विद्यार्थी भाये थे। मुझे रास्ते में मिले थे इसलिये चाय भी नहीं पिला सका। मैं फिर से पंजाब के मुख्य मंत्री को कहूंगा कि इस प्रकार की बात यहाँ उठे है यदि इसका कुछ समाधान हो जाय तो बड़ी प्रसन्नता की बात होगी हम सब के लिये। विद्यार्थियों का दायित्व हमारे ऊपर होता है, सारे समाज पर होता है। हम नहीं चाहते कि विद्यार्थी इस में जलील हों। लेकिन हमने निर्णय पंजाब सरकार को करना है। मैं पंजाब के मुख्य मंत्री से कहूंगा

**MR. DEPUTY-MINISTER:** Failure of the Home Minister to make a statement regarding the Time Capsule buried by the All-India Confederation of Central Government Officers' Association, Shri Bibhuti Mishra.

श्री बिभूति मिश्र (मोतिहारी) : उपाध्यक्ष जी, मैंने 377 में 2-5-74 को प्रश्न उठाया था कि क्लास 1 के सरकारी कर्मचारी दिल्ली में और देश में और 50 जगहों पर जमीन के नीचे टाइम कैप्सूल गाढ़े हैं और उस में लिखा है कि सरकार ने वायदा खिलाफी की, वचन भंग किया। सरकार का फ़ेल्योर हो गया। तो वह सरकार के प्रथम अणी के कर्मचारी है जिन के ऊपर सरकार चलती है। 2 तारीख से लेकर अभी तक यानी 10 तारीख तक, गृह मंत्री जी ने कोई जवाब नहीं दिया। दुख की बात है कि जो नियम बनाते हैं उस रूल कमेटी में हमारे पार्लियामेण्टी प्रोफेसर्स मिनिस्टर रहते हैं, और लोग रहते हैं। यह सरकार का दायित्व है कि जब सरकार रूल बनाती है और प्रजातन्त्र के आधार पर चलती है तो एक मेम्बर जब प्रश्न उठाता है तो सरकार का धर्म है कि वह उसका जवाब दे।

गवर्नमेंट आफ इंडिया एक्ट 1935-या उस में कुछ कांफ़्रिसियों से झगड़ा पड़ गया।

[श्री विभूति मिश्र]

तो गांधी जी ने कहा सीधे कि मैं और ज्यादा कानून की बात नहीं जानता हूँ, और बातें मैं भी बूझा पाई देताई से पूछूँगा, लेकिन इतना कहता हूँ कि ब्रिटिश सरकार, जो मंत्री बने अगर उनको पसन्द नहीं है, तो डिसमिस कर दे। डिसमिस शब्द से सारी ब्रिटिश एम्पायर बचड़ा गई और घरों में सुलह की। तो जब भाप ने खुद कानून बनाया। 377 और 2 तारीख से लेकर 10 तारीख तक यानी आज तक गृह मंत्री जी ने कोई जवाब नहीं दिया इस से ज्यादा और दुःख की बात क्या हो सकती है।

इसलिये मैं सरकार से आग्रह करूँगा कि सरकार इस का उत्तर दे। आज क्लास 1 कर्मचारी सारे देश में असंतुष्ट हैं, और महा-भारत में लिखा हुआ है कि जिस राजा के राज में उसके कारकून असंतुष्ट रहते हैं उस राजा का राज नष्ट हो जाता है। इसलिये इन क्लास 1 कर्मचारियों के बारे में सरकार सीधे सीधे जवाब दे कि इन को क्या कहना है।

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): I am not aware whether the Home Minister had assured to make a statement I will check up. If it is so, I will request him to comply with it.

MR. DEPUTY-SPEAKER: Reported hunger-strike by Shri George Fernandes and other detenus in Tihar jail in protest against the alleged ill-treatment meted out to them.

Prof Madhu Dandavate

PROF. MADHU DANDAVATE (Rajapur): Mr. Deputy-Speaker, Sir....

SHRI ATAL BIHARI VAJPAYEE (Gwalior): I had given an adjournment motion on this which was rejected. You kindly include my name

MR. DEPUTY-SPEAKER: I don't know. I am going by the order.

PROF. MADHU DANDAVATE: Sir, the detailed reports have now come that 20 detenus who are all railwaymen's leaders, including Mr. George Fernandes, have undertaken a hunger-strike since yesterday. They have undertaken this hunger-strike to protest against the ill-treatment that is meted out to them by the Jail authorities. They have not been permitted to meet their family members. They want certain legal assistance. Therefore, they sought an interview with the lawyers. That has also been refused. Mr. George Fernandes has been kept in a separate barrack and he has been completely separated from the rest of the detenus who are his colleagues on the Action Committee.

On the top of it, you will be shocked and surprised to know that when the detenus undertake hunger-strike, they went to inform the Jail authorities that they were undertaking hunger-strike. You would be surprised to know that the jail authorities told Mr. George Fernandes and others that they would not take an official cognizance of their hunger strike, that they must inform them about hunger strike through lawyers. It is a strange thing. How is it that political detenus, trade unionist-detenus, are required to inform about hunger strike through lawyers? Even if they are to inform about the hunger strike through lawyers, the lawyers are not permitted to interview them. This is a very serious matter and, therefore, you must take note of that

Incidentally I must bring to your notice that you had suggested two weeks back that if there are atrocities on Harijans and Adivasis, the Home Minister ..

MR. DEPUTY-SPEAKER: That is a separate subject.

PROF. MADHU DANDAVATE: All-right, Sir; I will not refer to that

I demand that the Home Minister must make a statement on the situa-

tion arising out of the fast undertaken by Shri George Fernandes and his colleagues. A notice was given about this and I was informed by the Lobby Assistant that I had been permitted. Therefore, the Home Minister should be aware of the fact that the Speaker had admitted this to be raised under rule 377. Therefore, Sir, we expect a statement from the Home Minister.

**श्री मधु लिमये (बांका):** उपाध्यक्ष महोदय मैंने भी नोटिस दिया है आप देखिये। मुझे भी बोलने का समय मिलना चाहिए।

**MR. DEPUTY-SPEAKER:** I do not see your name. Kindly sit down. Here in the order paper only Mr. Madhu Dandavate's name is there. That is why I did not see your name. Now the table has brought this to my notice. You have given a separate notice, which is slightly different. It is an identical notice, but there is a slight difference. Anyway, I allow you, too.

**श्री मधु लिमये:** उपाध्यक्ष महोदय, मेरा बहुत छोटा सा नोटिस था। मैंने इसमें कहा था:

"I hereby wish to revive my notice about the refusal by the jail authorities to give permission to M/s. Luthra and Bhanu, Lawyers of Mr. George Fernandes, to meet him to obtain legal instructions, in gross violation of the provision of article 22 of the Constitution of India."

आप आर्टिकल 22 (1) देखिये:

"No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest nor shall he be denied the right to consult, and to be defended by, a legal practitioner of his choice."

13 तारीख को श्री जार्ज फरनान्डीज की हैबियस काशास रिट पेटिशन पर दिल्ली उच्च न्यायालय में बहस होने वाली है। ऐसी हालत में जब लाइयर्स को, मैंने कहा कि जेल वाले कहत हैं कि जिन्होंने उन को नजरबन्द कर के रखा है उन्हीं से अनुमति मांगिये। तो मैंने कहा आप जाइये डिप्टी कमिश्नर के पास। मैंने माननीय उमा शंकर जी को टेलीफोन किया तो माननीय उमा शंकर जी ने यह आरोप किया कि लाइयर्स की मार्फत श्री फरनान्डीज पत्र स्मगल करते हैं। उपाध्यक्ष महोदय, मैंने माननीय उमा शंकर जी को कहा आप पुराने सत्याग्रही हैं, मैं भी हूँ, आप इसमें जरूर तेज होंगे कि जेल से पत्र बाहर कैसे भेजे जाते हैं, और मैं भी तेज हूँ। मैंने कहा कि लाइयर्स को और उन की पत्नी श्रीमती लैला फरनान्डीज को इजाजत नहीं है। इस मामले में वकीलों को और उन की पत्नी को अधिकारी नहीं मिलन दे रहे हैं। फिर भी कल एक पत्र आया और उस की नकल मैंने गृह मंत्री को उन की जानकारी के लिये भेजी। मेरी समझ में नहीं आता कि इन पुराने कांग्रेसियों का दिमाग कैसे खराब हो गया। यह लोग जेल में रहे, हमेशा जेल से मैसेजें भेजते थे, हम लोग भी भेजते थे। तो वकीलों को और लैला फरनान्डीज को न मिलने देना . . .

(व्यवधान)

**MR. DEPUTY-SPEAKER:** Mr. Limaye, now I won't allow this. Please finish it. Otherwise it becomes difficult.

**श्री मधु लिमये:** मैं इसे छोड़ देता हूँ लेकिन उपाध्यक्ष महोदय, मेरा आरोप यह है कि क्या गृह मंत्री जी को यह शोभा देता है कि जो आफिसर्स का कोर्ट है—यहां श्री सोमनाथ चटर्जी बैठे हुए हैं—क्या लाइयर्स आफिसर्स आफ दि कोर्ट नहीं हैं? तो उन के ऊपर इस तरह लांछन लगाना कि वे लैटर्स स्मगल

[श्री मधु लिमये]

करते हैं, ठीक नहीं है और इसलिए क्या गृह मंत्री जी आदेश देंगे कि लाइसेंस को जो मिलना है तो उन को मिलने दें और मैं यह नहीं चाहता कि अधिकारी देवते रहें, क्योंकि कांकीडेंशियल होता है वकील और मुलाजिम के बीच में या नजरबन्द आयबी जो है उस के बीच में। अगर यह स्मगल करता है तो अधिकारी दूर से देख सकते हैं।

MR. DEPUTY-SPEAKER: Mr. Limaye, you have made the point.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): Sir, the position was checked up to-day on telephone with D.C., Delhi and the information furnished by him is as follows:

In accordance with the provisions of section 5 of MISA the conditions as to maintenance, etc. of detenus will be as the appropriate Government may by general order or special order specify. In accordance with the relevant order earlier in force in the Union Territory of Delhi, detenus were to be treated as under-trial prisoners. Provisions of Jail Manual for Delhi accordingly were thus applicable to them which permitted two interviews a week for an under-trial prisoner with friends and relatives. In pursuance of these provisions Mrs. Fernandes met Shri Fernandes in Jail soon after his detention and his lawyers also met him on more than one occasion. On the 8th May, last, an order was passed by Delhi Administration under the provisions of section 5 of MISA that the detaining authority would henceforth regulate interviews of the detenus, D.C., Delhi, in pursuance of this order directed that no detenu shall have an interview. Except with his prior permission. It was clarified by D.C., Delhi that the interviews were not prohibited but only prior permission was to be taken. He stated that Shri George Fernandes and others gave a notice of hunger strike yesterday. However, when the position was explained to them, they gave

it up and they had food last night. D.C., Delhi received a letter this morning from Shri George Fernandes conveying his request for interviews with friends and lawyers. D.C., Delhi has already communicated in Superintendent, Tihar Jail that Shri George Fernandes would be allowed to meet Mrs. Fernandes and four lawyers, as desired by him, this evening at 4-30 P.M.

श्री हुकम चन्द कछवाय (मुरै): मित्रों मे नहीं मिलने देंगे। . . . व्यवधान . . . कभी हमे मिलना ही, तो मिल सकते है।

SHRI F. H. MOHSIN: In four others, perhaps, Shri Luthra may be one of them—I do not know. As desired by him means this. He must have mentioned some lawyers and perhaps Shri Luthra may be one of them.

Shri George Fernandes has also been duly apprised. If the hon. Member wants to see him, he can take the permission of the D.C.

MR. DEPUTY-SPEAKER: You have said that he would meet him at 4.00 P.M.

श्री विभूति मिश्र : बे लोक सभा के मंत्रर रह चुके है, इस लिए उनका कलाम बढ़ा दीजिए। उनको 'ए' कलाम दीजिये।

MR. DEPUTY-SPEAKER: Now, I would like the House to help me out

I think that before the Speaker left the Chair, he mentioned that there were a large number of 377 notices.

SHRI JYOTIRMOY BOSU: Only two.

MR. DEPUTY-SPEAKER: I speak with a little more knowledge than you with regard to the proceedings of this House. He did use the expression 'Free for all' this being the last day of the Session. In what connection and whether he has agreed to it or not, I do not know.

But I think he also said that it would be one or two minutes each. I think I heard all these things. Now, I am not quite sure what should be done. Therefore, I will take the sense of the House. I cannot count the number of notices before me; at least there are 10 or 15 more. They are all important subjects. Even if I allow two minutes each, it means 30 minutes. I would like to know what the Minister of Parliamentary Affairs has to say about it.

**SHRI JYOTIRMOY BOSU:** He is such a fine person, always anxious to help everybody.

**THE MINISTER OF PARLIAMEN- TARY AFFAIRS (SHRI K. RAGHU- RAMAIAH):** I am anxious to help you. Thirty minutes may be allotted. Afterwards, Government business may be taken up.

**MR. DEPUTY-SPEAKER:** I will go by the order. But Shri Banerjee is very very impatient. He is hungry, I think. So I will take his first. I think it is No. 11 about this, Indefinite strike by Central Government employees from today in sympathy with the Railway workers and to high-light their own demands, arrest of some of the leaders of the All India Defence Employees Federation under DIR in Bombay.

**SHRI S. M. BANERJEE (Kanpur):** Yes. You are aware that yesterday we announced in this House that if there is not going to be a negotiated settlement after releasing the leaders of railway employees, there is bound to be a strike throughout the country with all the trade unions already having decided to observe a Bharat Bandh on 15th. I also say, on behalf of the Defence Employees' Federation, being their President, that defence employees throughout the country will observe a tools down strike on 15th may as a protest against the ruthless repression of railway employees and also detention of thousands of railway workers including their leaders.

I would like to mention here that even when the strike has not started at all, in Bombay Yashwant Kohli,

one of the active all-India defence employees' Federation workers was arrested under DIR. My information that active workers of this Federation are going to detained under DIR indiscriminately. I do not mind detention because we are used to it. I would request the Home Minister and Defence Minister through you not to precipitate matters by arresting the leaders of the Defence Employees' Federation and other Central Government employees who will also start a strike, because that will aggravate matters and a negotiated settlement will be difficult.

Another suggestion is this. The Finance Minister had promised to make a statement conveying the decision on certain recommendations of the Pay Commission about house rent and CCA before the Parliament session ended. But unfortunately, nothing has been decided. Even the unanimous recommendation of the Pay Commission has not been implemented.

I make an appeal to the Prime Minister. Let the Prime Minister find out a way by releasing the leaders and having a negotiated settlement. Otherwise, the Defence employees and the Central Government employees are going to have a complete Bharat Bandh which we do not want. We want a negotiated settlement. The leaders should be released. The DIR should not be used. All those workers who have been arrested are being treated as criminals.

Another point. A Harijan worker, Mr. Puri, an ordinary class IV railway employee of Kanpur has been arrested, handcuffed and taken round the railway colony. Kishorilal Puri was treated in this manner to terrorise Harijan workers in particular and others in general. But hats off to the Harijan boy who shouted 'Railway mazdoor zindabad'. But he was paraded like that for two hours. Is that the way to treat Harijans? I can tell you on behalf of the workers of Kanpur that they are bitter about the whole thing. If they go on precipitating matters like this, no amount of

[Shri S. M. Banerjee]

repression or suppression will deter the railway workers from going on with the strike and the other employees also going on strike.

श्री० लक्ष्मी नारायण पांडेय (मंदसौर) : सरकार ने रेल कर्मचारियों की हड़ताल को खुद आमंत्रित किया है। उसने कर्मचारियों को दवाने का उपक्रम शुरू कर दिया है। इससे जनता की कठिनाई बढ़ी है। जनता की कठिनाई को बढ़ाने के लिए सरकार ने कुछ और कदम जान बूझ कर उठाए हैं। जो सभाचार छपे हैं उनके अनुसार दिल्ली तथा अन्य राज्यों में भी पोस्ट आफिसों के अन्दर मनी गार्ड्स, रजिस्टर्ड लेटरज आदि लेना बन्द कर दिया गया है। यहाँ तक कि जनता का जो पैसा सेविंग बैंक एक अंदा में पोस्ट आफिस में जमा है उसको भी वह वापिस भ्रम नहीं ले सकती है। इस सब से पता चलता है कि सरकार जनता की कठिनाइयों को बढ़ाने के लिए जानबूझ कर कार्य कर रही है। एक तरफ रेल कर्मचारियों को उसने कठिनाई में डाला है, जान बूझ कर हड़ताल उनकी करवाई है और दूसरी तरफ डाकखानों में इस प्रकार के सफ्टों को खड़ा किया है। डायरेक्टर जनरल पोस्टम एंड टेलीग्राफ्स ने 9 मई, 1974 को एक परिपत्र जारी किया है जिस में कहा है कि सेविंग बैंक में लेन देन चालू न रखा जाए, इसको बन्द कर दिया जाए। इससे जनता की कठिनाइयाँ बढ़ेंगी। मैं चाहता हूँ कि इसके बारे में स्थिति स्पष्ट की जाए।

बिहार में आप देखें कि भयंकर खाद्य संकट है। लेकिन दूसरी तरफ बिहार राज्य में जो खाद्य निगम है या खाद्य भंडार है और भारतीय खाद्य निगम है इन दोनों के झगड़े के कारण वहाँ पर लगभग 85 0 बोरे गेहूँ के राजेन्द्र नगर गुड्रु शोड में पड़े सड़ रहे हैं, न इनको भारतीय खाद्य निगम उठाना चाहता है और न बिहार राज्य ही उठाना चाहता है, इनकी जबाबदारी कोई लेना नहीं चाह रहा है। यह खबर इंडियन एक्सप्रेस में 9-5-74 को छपी है। एक तरफ हज़ारों

बोरे सड़ रहे हैं इस तरह से और दूसरी तरफ जनता में असन्तोष बढ़ रहा है, लोग नारे लगा रहे हैं कि हमें खाद्यान्न दो और खाद्यान्नो की पूर्ति करने में सरकार असमर्थ रही है। जानबूझ कर वहाँ गेहूँ को सड़ाया जा रहा है आपसी झगड़े के कारण उनको उठाया नहीं जा रहा है मैं चाहता हूँ कि स्थिति को स्पष्ट किया जाए। वहाँ पर इस ढिलाई और अक्षमता को दूर करने के लिए आपने कौन से कदम उठाए हैं ?

श्री भारत सिंह चौहान (धार) : नियम 377 के अन्तर्गत मैं आपका ध्यान नव निमित्त शासकीय गो रक्षा समिति जो बनी है उसकी ओर खींचना चाहता हूँ। ऐसा लगता है कि एक नाटकीय समिति का निर्माण हुआ है। आपको तो मालूम ही है कि यहाँ संसद् भवन के पास बारह लाख मत्याग्रहियों पर जब गोली चली थी तब यह आश्वासन दिया गया था कि शासन तुरन्त ही गो रक्षा और गो हत्या निषेध के बारे में कोई निर्णय लेने वाला है और इस उद्देश्य से इस समिति का निर्माण किया गया था। इसका बने मात सात दिन हुए हैं। इसके एक सदस्य ने आक्षेप लगाया है जोकि शासकीय सदस्य है, अध्यक्ष पद पर है, कि वहाँ पर लालफीताशाही चल रही है और कोई भी निर्णय लेने के लिए तैयार नहीं है। स्वामी गोभ्रानन्द जिन को शासन ने नामिनेट किया है उस समिति में उनका सीधा आरोप है कि वहाँ पर एक षडयंत्र चल रहा है, धोखा दिया जा रहा है और समिति को इस उद्देश्य से बनाया गया है उस उद्देश्य की पूर्ति हाने वाली नहीं है। समय समय पर शासन ने लॉन सभा में ताराकित प्रश्नो का उत्तर देते हुए यह कह कर कि 31 मार्च तक उस समिति के निर्णय आने वाले हैं लेकिन अभी तक नहीं आए हैं, रिपोर्ट समिति की अभी तक नहीं आई है। समिति के एक सदस्य के आक्षेप को ध्यान में रखते हुए मैं जानना चाहता हूँ कि शासन क्या करने वाला है, कब समिति की



विद्योटे मान वाली हे और कब तक आप इस पर कोई फैसला लेने वाले हैं? कहीं ऐसा न हो कि जिस तरह से 1857 में इस च.ज. को ले कर क्रान्ति हुई था, वंसी ही क्रान्ति फिर हो जाए।

**SHRI SOMNATH CHATTERJEE** (Burdwan): Sir, I would like to draw the attention of the Government to the very serious power crisis in West Bengal, in Calcutta and the neighbouring areas affecting both industrial production as well as agricultural production. Even hospitals, schools, colleges and Courts of Law are not properly functioning because of massive power cuts. People are suffering untold miseries due to a whimsical system of load shedding which has been resorted to by the State Electricity Board and the Calcutta Electric Supply Corporation. In some areas, for 14-18 hours in a day, there is no power supply affecting even the functioning of the telephone system. Nothing is working.

Sir, so far as the power generation at Santaldih is concerned, it is negligible if not completely nil. The DVC power system as well as power generation by the State Electricity Board have been seriously affected. The loss of production has amounted to crores of rupees. Even in regard to diversion, what is happening? From rural area, power has been diverted to the city and the neighbouring areas. But, that is a mere pittance and it does not solve the problem. So, it is essential that Government should take up this matter very very seriously. I would request the Government 'Do not allow these things to go on like this'. The whole eastern region of the country is in tremendous trouble. There are bound to be lay offs and lock outs. There is bound to be legitimate industrial unrest because you cannot think that the workers will go on suffering after lock outs and layoffs for no fault on their part.

My second point is about the second Hooghly bridge. Like other promises,

this is one of the promises made by the Prime Minister during the election and after the election. Amazingly, from time to time, we find some foreign experts coming, some Minister from Calcutta coming to Delhi, but, nothing is being done. The foundation stone was laid in 1972. Now, we are in the middle of 1974 but, nothing has been done; not a brick has been laid. The foundation work has not started. It has become a farce and a hoax so far as the people of West Bengal are concerned. Sir, when the transport problem in Calcutta has become so acute—unless they want that Calcutta should die and life in Calcutta should come to a complete halt—it is essential that such an important project should be taken up immediately. I would request the Government that they should take this up earnestly instead of playing hoax on the people.

**SHRI P. G. MAVALANKAR** (Ahmedabad): Mr. Deputy-Speaker, Sir, press reports have been indicating that the question of Narmada waters is now being sought to be referred back to the Tribunal. Sir, as you know this particular dispute has been before the Prime Minister for her award, for the last nearly two years, but, nothing has happened. The Prime Minister's award has not yet come. Repeatedly, in this House, and outside, we have been requesting the Prime Minister to give her award, but, so far, the award has not come. Now, we get the news that the Minister of Irrigation and Power is holding discussions with the representatives of the Governments of Gujarat and Madhya Pradesh. He has had discussions with Mr. Sarin, Adviser to the Governor of Gujarat and he has also had discussions with Mr. Sethi, the Chief Minister of Madhya Pradesh. I would like to know, where exactly the matter stands and whether this dispute is now going to be referred back to the Tribunal. The point is, we are interested in having an immediate solution to the problem, this national

[Shri P. G. Mavalankar:]

problem. I hope Government will expedite it.

Sir, with your permission, I would like to refer to two more points about Gujarat. Because there is no Assembly and Government...

MR. DEPUTY-SPEAKER: No Government? There is a Government.

SHRI P. G. MAVALANKAR: There is no popular Government, I mean. The point is, 1200 junior engineers or supervisors in the Gujarat PWD have been on strike since 15th April. That strike has been joined by 357 overseers since 3rd May. They have been making certain demands. Because of the strike various important works in drought-affected areas have come to a standstill. I hope it will be solved soon.

Finally, there have been continuous reports about failure in Tarapore, resulting in power cuts. Only yesterday we had news of a further 15 per cent cut in Ahmedabad. These frequent cuts in power supply make it impossible for industries to run regularly and efficiently. I hope, these points will be considered.

SHRI KRISHNA CHANDRA HALDER (Ausgram): Under rule 377 I want to raise a matter, which does not deal with law and order but with steel production. I find that the Minister of Steel and Mines is present here and he should take note of this. I have received a telegram which reads

"Ruling Party plans killing leaders of CITU Union, Durgapur stop Attempts made to murder S Nag of Alloy Steels Works Committee on 6th May and Ajit Dey staying with Nag Murdered stop your immediate intervention required"

This was sent by Jibon Roy. This is a very serious matter which requires Government's immediate intervention. If this kind of sinister attacks on

trade union leaders is not stopped forthwith, this will create terrible repercussions among the thousands of worker of steel plant and affect production. Moreover, if this kind of gangsterism is allowed, it will destroy the trade union rights and the basic democratic rights of the people. That is why I am raising it under rule 377.

श्री ज्ञानि भूषण (दक्षिण दिल्ली):  
उपाध्यक्ष महोदय, 7 मार्च को डी०सी०एम० कैमिकल्स को उसके मैनेजमेंट ने इललीगल तरीके से लाक आउट कर दिया। वह कारखाना दो महीने से बन्द है और उस के 500 कर्मचारियों को बगैर कोई केस चलाये जेल में भेज दिया गया है। वे लोग एक महीने से जेल में हैं। दिल्ली में वनस्पति भी की बहुत कमी है, लेकिन उस कारखाने में उस का मैनुफैक्चर बन्द है। इसी तरह वहाँ क्लोरीन का बनाना भी बन्द है। हो सकता है कि कल बाटर सप्लाई के लिए क्लोरीन न मिले। या तो डी० सी० एम० कैमिकल्स के अधिकारी उस कारखाने को खोलें, या सरकार उस को टेक ओवर कर ले। मैं भारत सरकार की मार्फत दिल्ली एडमिनिस्ट्रेशन को कहना चाहता हूँ कि जिन कर्मचारियों को बगैर कोई केस चलाये जेल में बन्द किया हुआ है, उन को फौरन छोड़ दिया जाये और वहाँ नार्मल पोजीशन लाई जाये, ताकि वह कारखाना चल सके। यह बड़ी हैरानी की बात है कि गवर्नमेंट राजनैतिक नेताओं को एम० आई० एम० ए० और डी० आई० आर० के पहत पकड़ती है, लेकिन डी० सी० एम० के प्रोप्राइटर, श्री चरतराम, को वह नहीं पकड़ सकती है। इस कारखाने में कई एग्ग्रेगल आइडल बनती हैं, लेकिन वह बन्द पड़ा हुआ है। मैं चाहना हूँ कि उन के साथ सख्ती की जाये, इस कारखाने को दोबारा चलाया जाये और वहाँ के निर्दोष कर्मचारियों को रिहा कर के वापस काम पर लिया जाये।

**MR. DEPUTY-SPEAKER:** Urgency to pass the Constitution (Thirty-Fourth Amendment) Bill and victimisation of Bokaro Steel Workers.

Shri Bhogendra Jha.

**SHRI BHOGENDRA JHA** (Jainagar): First I would like to mention about the Bokaro Steel problem. About 1500 construction engineers have been almost on a strike there for the last 1½ months. Fortunately, the Minister of Steel Mines is present here. He has been repeatedly been told about the problem of Bokaro Steel Plant engineers...

**THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA):** That has been settled now.

**MR. DEPUTY-SPEAKER:** If you have any information, you can give afterwards. Let him raise it.

**SHRI BHOGENDRA JHA:** The trouble has spread and other workers engaged in construction work under the Hindustan Construction Company Ltd. have also gone on some sort of a strike, tool-down strike. That has affected the work of construction itself.

The problem there is that the Hindustan Construction Company Ltd. takes contracts for construction but does not do the job itself. It appoints another contractor, super-contractor. That contractor appoints another contractor and that contractor appoints another contractor who takes the work from the workers. There is the four-layer contractor system there. Apart from the looting of public money, that has affected the construction work also. I think something should be done about it. When we have got a full-fledged Company finance by the Central Government, what is the necessity of having the four-layer contractor system there. Why not the Company itself under the job directly?

Secondly, I would like to mention the problem with regard to HINDALCO

about which the hon. Minister had written to me that it was going to be settled. There, the Birlas, the management had declared a lock-out. The Chief Minister himself was very serious about it. I hope, the Minister of Steel and Mines is also very serious about it. But still I got a letter three days ago that the trouble is persisting and the trouble has simply engulfed the whole industrial area. I think, now, the way out is either the management abides by the wishes of the Government or the Governments will have the courage to take it over.

The third thing that I want to raise is this. I think, this should not be taken as under Rule 377. Yesterday also I raised this question....

**MR. DEPUTY-SPEAKER:** If it is not under Rule 377, I cannot allow you.

**SHRI BHOGENDRA JHA:** With regard to the Order Paper, yesterday I had raised this matter about the Constitution (Thirty-Fourth Amendment) Bill. The hon. Speaker emphasized this point and that was one of the reasons that we were ready to sit for the whole night so that that is not scuttled. I think, even now the Minister of Parliamentary Affairs will agree to it. That should not be left out because several State land reforms measures have been invalidated by various courts. The Constitution (Thirty-Fourth Amendment) Bill was on the Order Paper yesterday. So, I request that it should be taken up today. We forego our right to speak on it. 2 hours were allotted for it. It can be adopted in 15 to 20 minutes. I think the Government should do it. On the pretext of lack of time, it should not be postponed.

I know that the Minister of Agriculture and others have got a soft corner for the big landlords. Here, it is a question of national policy. This is not only for just mentioning it. I should get a reply to it. It should be taken up and adopted today.

MR. DEPUTY-SPEAKER: When the hon. Member was raising certain matter about Bokaro Steel Plant, you offered to give some information. You might do it now.

THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA): So far as my information goes, the disputes that were there from the side of the construction engineers were amicably settled. I also had an opportunity of meeting them. The management was advised to contact them. As a result of series of meetings, the problems there were settled.

So far as the point of four-layer contractor system is concerned, I entirely agree with the hon. Member that the practice of appointing contractors and sub-contractors is not a healthy practice. There has to be one or two-layer contractor system because of inevitability of certain technological imbalances and problems. We are looking into this problem and I hope that it will be possible for us to reduce all these layers. The fourth layer should, necessarily, be discouraged.

14.00 hrs.

The Hindalco disputes have been settled; they might have started production today; all the matters have been referred to arbitration.

MR. DEPUTY-SPEAKER: His next question was directed to the Minister of Parliamentary Affairs: what is he going to do with the Constitution (Thirty-fourth) Amendment Bill which was put in the order paper yesterday?

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Both the Constitution Amendment Bills were put on the agenda for 8th and 9th. In fact, I am obliged to my Party members. Since these Bills require a specific majority, they were here on the 8th and 9th.

As you know, the whole of 8th, till the early hours of 10th, was taken up by the no-confidence motion. Naturally I cannot mobilise that majority in a short time. So, it is not being taken up in this Session; it is being postponed to the next Session.

SHRI S. M. BANERJEE (Kanpur): Sir, on a point of order. At the time when we were discussing how much time should be allotted to the no-confidence motion, about 15 hours, then it was argued on behalf of the Government by the Minister of Parliamentary Affairs that the Session was not going to be extended, and all those motions for extension of the Session were negatived with their brute majority. They insisted that the no-confidence motion should be completed the same day. That is why, we, against our wishes and in deference to the wishes of the hon. Minister and the Prime Minister, sat in the night upto 1.30 to finish the no-confidence motion. And that was done on the clear understanding that the Constitutional (Thirty-fourth) Amendment Bill, which deals with land reforms, would be taken up and finished today... But now the Minister says that he cannot mobilise that majority. Nobody has gone. The members must be sleeping in their houses. I request you, Sir, to ascertain how many members have gone away. They cannot go because trains are not going. Also, Sir, they have to draw allowances for three more days. No Congress member would leave his three days' allowances like this. I am sure they are here, sleeping in their houses. They can be called. We are prepared to sit for two or three hours more.

SHRI SEZHIAN (Kumbakonam): I shall refer to the proceedings of the 8th May. These two Bills were slated for that day. On that day I raised the point that there was a Bill pending before the House and this is what the Minister of Parliamentary Affairs said:

"Nevertheless, I am in the hands of the Chair and if the Chair asks

me I shall move a motion. In view of the observations of the C. air, I request that further discussion on the partially discussed Bills be me I shall move a motion. In view of the observations of the Chair, I postponed until such time that the Constitutional Amendments are adopted, as put in the Order Paper today."

On that day's order paper, these two Constitutional Amendment Bills, Thirty-fourth and Thirty-fifth, had been put. Then the Speaker said:

"Does the House agree with the request made by Mr. Raghu Ramaiah that discussion in respect of items Nos. 17 and 19 may be postponed?"

"Hon. Members: Yes."

"Mr. Speaker: So, it is agreed to."

Therefore, a request was made to the House. It has been accepted that further discussion on these two Bills will be postponed till the Constitution (Amendment) Bills are passed. First Thirty-fourth and Thirty-fifth Bills should be passed before other business is taken up.

MR. DEPUTY-SPEAKER: You have made that point.

SHRI JYOTIRMOY BOSU: Sir, the Parliamentary Affairs Minister has committed a serious contempt of the House. It is number one. Number two is that in Government, we know, there are people who are anxious to protect the landlords—kulak lobby is here—and he is very active. I move this motion condemning the action of the Minister for Parliamentary Affairs. He has committed a gross contempt of the House and the House should take cognisance of it. (*Interruptions*).

MR. DEPUTY-SPEAKER: Mr. Ishaque, you are not helping Shri Raghu Ramaiah and you are not also helping your own party.

SHRI A. K. M. ISHAQUE (Basirhat): Sir, I rise on a point of order.

MR. DEPUTY-SPEAKER: I shall listen to your point of order. If you have a point of order, I shall hear you

afterwards—not now. I shall hear you later. Why do you want me to shout?

SHRI SOMNATH CHATTERJEE: Yesterday, in the List of Business item No. 16 of the Legislative Business was the Bill Constitution (Thirty-fourth Amendment) Bill followed by item No. 17, that is, further consideration of the Coal mines Bill. Now, Sir, this was done pursuant to a decision of the Business Advisory Committee that was approved here, namely, those two Bills would be taken up in this session.

But, surprisingly, in the List of Business, which was there even yesterday, this does not find a place—a very important item of legislative business namely Constitution (Thirty-Fourth Amendment) Bill. In to-day's order paper, it is not there. My point is how, after the decision of this House and after the time has been allotted for the purpose of this Constitution Bill by the B.A.C. and approved by this House accordingly, the important legislative business which appeared in the revised list of business yesterday is omitted suddenly from to-day's Order paper without any decision of the House and without any Direction from the House. This House has not taken any decision to delete that from that. How can it be done? It is deliberate fiddling with the order of business that had been decided by the House. Apart from that, as Shri Sezhlyan rightly pointed out, this is a very specific decision taken by this House only on 8th May—day before yesterday. Therefore, this tampering with the business which has been decided by the House is not valid. I submit that it is not proper. This should not be allowed to be done.

SHRI BHOGENDRA JHA: We will not allow any other business.

MR. DEPUTY-SPEAKER: What is going on here? I am seized of the matter; I am hearing everybody. Why you raised all these things? I shall hear everybody. We shall proceed

according to a certain order, I am paying all the seriousness to the question. Why do you want to complicate matters.

Now, Shri Kachwai. Be very brief.

श्री हुकमचन्द कछवाय (मुरेना) :  
उपाध्यक्ष महोदय, अभी संसद कार्य मन्त्री ने एक बात कही कि हमारे पास समय का अभाव था इस कारण मे यहाँ पर हम और कार्य लाने में असमर्थ हैं। मैं आपके माध्यम से कहना चाहूंगा कि यह विधेयक इतने अधिक महत्व का है तथा कुछ और विषय भी बहुत महत्वपूर्ण है जिस पर चर्चा होनी आवश्यक है। मैं मानता हूँ ममय नहीं है ऐसी दशा में क्या आप कल शनिवार को भी बैठने के लिए तैयार है ? इसके लिए यदि आप राजी हैं तो बहुत अच्छा है क्योंकि बहुत सी बातें जो पेंडिंग हैं उन पर चर्चा करने का समय मिल जायेगा।

डा० लक्ष्मी नारायण पांडे . उपाध्यक्ष महोदय, इस विधेयक के सम्बन्ध में 2 मई को लोक सभा में जो बातचीत हुई थी उसकी ओर मैं आपका ध्यान दिलाना चाहता हूँ। शिंदे साहब जोकि संबन्धित राज्य मंत्री हैं उन्होंने जब इस विधेयक को पेश करने की अनुमति मागी थी तो क्रम का कुछ झगडा चला था। तब विधि मन्त्री जी भी यहाँ उपस्थित थे और उन्होंने कहा था कि वे विधेयक पहले लाना चाहते हैं इसलिए उनको पहले अनुमति दी जाये। तब भी सरकार का आशय यह था कि सरकार उस विधेयक को पहले पारित कराना चाहती है और फिर बाद में दूसरा विधेयक लिया जायेगा। उस समय जो चर्चा चली थी और समय मागा गया था तो दोनों विधेयकों को साथ साथ पारित करने की बात कही गई थी। कोल माइन्स के ऊपर जो चर्चा चल रही थी उसके लिए भी कहा गया था कि इस विधेयक को पारित करना आवश्यक है लेकिन जो क्रम था उसमें जो परिवर्तन किया गया है वह उचित नहीं है।

SHRI A. K. M. ISHAQUE (Basirhat): On the 9th, the Constitution Amendment Bill, to which reference was made, was to be passed. Now they charge us with protecting the landlords and hence we are not bringing it for passage I make the same charge against them. If they had been sincere and had wanted to have this Bill passed, they would not have obstructed its passage yesterday. Therefore, they have done it with a political motivation.

THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I certainly meant no disrespect to the House. I can assure you about that.

SHRI JYOTIRMOY BOSU: (Diamond Harbour): I have given notice of a motion. You cannot ride roughshod like this.

MR. DEPUTY-SPEAKER: You have to give previous notice. I cannot consider it here just like that.

SHRI JYOTIRMOY BOSU: It has been done twenty times in the last three days.

SHRI K. RAGHU RAMAIAH: As I said, there was absolutely no intention to show any disrespect of the House. The only reason why the Bill was not put on the agenda today is that we do not want to take a risk. After all, it is a Constitution amendment Bill. Mobilisation of my Party had been done for the 8th and 9th.

SHRI JYOTIRMOY BOSU: Why did you not come before the House?

SHRI K. RAGHU RAMAIAH: It was on the order paper of the 8th and also on the 9th.

SHRI JYOTIRMOY BOSU: You are a fiddler.

SHRI K. RAGHU RAMAIAH: What are you?

SHRI JYOTIRMOY BOSU: Your predecessor had tampered with the record. The tape record proved it.

SHRI K. RAGHU RAMAIAH: With great respect, let us not indulge in anything to spoil the atmosphere. If there are any items, we can discuss them.

SHRI JYOTIRMOY BOSU: Bring the Bill and get it passed.

SHRI K. RAGHU RAMAIAH: It cannot be done like that, because in the case of a Constitution amendment Bill, we have to get the minimum number of votes. We cannot just produce the Bill and take a risk or anything like that. We want to ensure its passage. After all, the main responsibility is on us. Members were mobilised here for the 8th and 9th. If I bring it now and when the bell is rung, the minimum number is not present, it will be a risk we do not wish to take.

Certain passages were brought out. I would first like to say that there is no intention of committing any contempt of the House. I am grateful to Shri Sezhiyan for having brought to my notice certain things that happened. I am looking into them. I shall see what is to be done. But I can assure you that the only intention in not bringing it today is because we did not want to take a risk, because we are particular that it should be passed.

श्री हुबन-न्द कछराय : प्राप सारे लोग उम तरफ जमींदार बैठे हुए ह इम लिए इमको टालना चाहते ह ।

SHRI BHOGENDRA JHA: What will happen to the Ceiling Acts?

SHRI JYOTIRMOY BOSU: I have given a written notice.

MR. DEPUTY-SPEAKER: I am concerned at the moment with the procedure.

SHRI SEZHIYAN: We are not concerned with the point why he is not able to bring forth today the Constitution (Amendment) Bill. I am only concerned with the procedure. Earlier, in the House a motion has been moved by Shri Raghu Ramaiah himself. In that connection if he would see the earlier direction given by the Speaker he would find that what I say is correct. He said that he would normally accept the Business as it came from the Government. But in view of the peculiar situation he said that the Minister could move a motion and that the procedure might be set right if he asked for an adjournment of the debate under the relevant rule. There was some discussion and the Minister in deference to the wishes said:

"Nevertheless I am in the hands of the Chair. If the Chair asks me I shall move a motion".

That motion had been made and thereafter it was put to the vote of the House and the House agreed.

MR. DEPUTY-SPEAKER: Which motion?

SHRI SEZHIYAN: That further discussion on the partially discussed Bills be postponed until such time as the Constitutional amendments are adopted. It can come only after passing the Constitution (Amendment) Bill. That was the decision taken by the House. It is not a mere observation. It is a motion moved before the House and the House accepted that motion.

[Shri Sezhiyan]

Second thing is this. This happened on the 9th If you take the original List of Business circulated on the 9th it is stated:

"Consideration of any item of Government Business entered in the revised List of Business for Thursday".

The Constitution (Amendment) Bills is there. This is a commitment made to the House

MR. DEPUTY-SPEAKER: We have had enough discussion. The point is clear. If the House has adopted a motion, nobody has the right to go behind it or to do otherwise. The House itself cannot do it except by a motion rescinding its earlier decision. But I do not find from these proceedings that anywhere that motion had been moved. You have drawn my attention to it and, therefore, I have called for the proceedings and they are here with me. I do not find anywhere that such a motion had been moved. I only see certain observations made by the Minister of Parliamentary Affairs. You read them out. He only said this:

"Nevertheless, I am in the hands of the Chair. If the Chair asks me I shall move a motion. In view of the observations of the Chair, I request that further discussion on the partially discussed Bills be postponed until such time as the Constitutional Amendments are adopted."

I am reading everything faithfully and truthfully.

"..Until such time the Constitutional Amendments are adopted as put in the Order Paper today."

SHRI SEZHIYAN: You read the next page.

MR. DEPUTY-SPEAKER: The next page reads like this.

"SHRI S. M. BANERJEE: Where is the motion?"

MR. SPEAKER: Does the House agree with the request made by Mr. Raghu Ramaiah that discussion in respect of Items Nos. 17 and 19 may be postponed?

HON. MEMBERS: Yes.

MR. SPEAKER: So, it is agreed to

"There is no procedure or any rule on it. This is an uncertain position and you have expressed certain views. I tried to see whether the Minister can make a request. He has made a request and this has been agreed to by the majority of the House. If you go by rule, there is no rule. I will just ask the Minister to go ahead with his Bill. There is no rule on it."

Now, the Speaker himself has said 'There is no rule', no rule relating to this particular thing that happened in the House on that day. You know very well that no motion can be moved unless it is under some specific rule. I will come to Mr. Jyotirmoy Bosu's motion. Now, therefore, there has been no motion formally moved because the Speaker himself has said clearly 'There is no rule' and no motion has been moved under any rule. Therefore, I maintain what I said that there has been no formal motion before the House. But, there has been a certain request made by the Minister—that is very clear—and the request was conveyed to the House by the Speaker and it was agreed to by the House. I will go to that extent. I would make a fine distinction between a motion, a request and a commitment made by the Minister. It is the commitment by the Minister and the House agreed with that.

SHRI SOMNATH CHATTERJEE: The House has acted on that request.

MR. DEPUTY-SPEAKER: Now, we have to distinguish between a motion



and a request. Many of us, under certain circumstances, with all sincerity, with all honesty, do make certain promises and certain commitments. That is true. We do that.

**SHRI BHOGENDRA JHA:** The House has decided.

**MR. DEPUTY-SPEAKER:** It has only agreed to.

I would like to draw your attention to Rule 25. I hope you all go along with me that it is a request or a commitment made by the Minister, conveyed to the House by the Speaker and agreed to by the House, but not a motion.

**SHRI SOMNATH CHATTERJEE:** It is deemed to be a motion.

**MR. DEPUTY-SPEAKER:** There is no rule. I go by the rules.

(Interruptions)

I am concerned with the Rules of Procedure of the House. I would draw the attention of the House to Rule 25 relating to the arrangement of Business and List of Business. Rule 25 says:

"On days allotted for the transaction of Government business, such business shall have precedence and the Secretary-General shall arrange that business in such order as the Speaker may, after consultation with the Leader of the House, determine".

**SHRI S. M. BANERJEE:** This has not been done.

**MR. DEPUTY-SPEAKER:** Under this rule, from day to day the business of the House is arranged by the Secretary-General, under the direction of the Speaker, who does it after consultation with the Leader of the House. This is what the rule says.

**SHRI SOMNATH CHATTERJEE:** Before you give your final ruling, may I point out that this is with regard to the precedence of Government

business and not about the order of Government business?

**MR. DEPUTY-SPEAKER:** We are talking of Government business. It is well known that the business of the Government is, from day to day, made by the Secretary-General, under the direction of the Speaker, in consultation with the Leader of the House, who is represented in all these deliberations by the Minister of Parliamentary Affairs.

**SHRI SOMNATH CHATTERJEE:** Where is the delegation of powers?

**MR. DEPUTY-SPEAKER:** I am concerned with the procedure. Now, even when the Minister has made a commitment, even when the Minister has made a request to the House and made a commitment, if for some other reason—and he has given his reason; you are free to accept those reasons; I am talking of the procedure—if for some other reason he finds that it is not possible for him to keep up to that commitment which he has made,—all that he has made clear here—then he finds it necessary to go to the Speaker and say that "in view of the circumstances, we would like the order of business for this particular day to be changed". Now, you may take him to task; you may say that he has done it with this motive or that motive. You may say that they are friends of the kulaks. You can say all that and whatever you say is on record. But I am concerned with the point of order and the procedure. Procedurally I find there is nothing irregular in this and there is no violation of the decision of the House, because there was no motion put to the House. It was only a request and the Minister feels that because of certain change in circumstances the order of the business has to be changed.

**SHRI INDRAJIT GUPTA (Ali-propriety of the whole affair? There is a Constitution (Amendment) Bill dropped or pushed out. in the list of business and it is quietly**

**MR. DEPUTY-SPEAKER:** That is a matter for argument.

**SHRI JYOTIRMOY BOSU:** How wonderfully you have acted as an advocate.

**MR. DEPUTY-SPEAKER:** I have studied law in my life. All of you have made me a good advocate now. I advocate for you also, when it is necessary. You have all felt somehow necessary, or you thought it was a good thing to elect me to this office. As long as I remain in this Chair, I have only one client, and that client is this House, its Members and all of you. When I feel I should advocate for this, I shall advocate. When I feel I should not advocate, I shall not advocate that. I have only one loyalty, and that is to the House, to the rights of this House, to the duties of this House.

**SHRI SOMNATH CHATTERJEE:** Firstly, how could the business specifically mentioned in yesterday's Order Paper vanish from today's Order Paper? Secondly, I want to know whether the wishes of the House expressed through the means of a request or at the instance of a motion have got any value or not. You have to decide that. If the decision of the House is taken, it is not an informal decision.

**SHRI S. M. BANERJEE:** May I make a submission? You have come to the conclusion that there was no motion. I am inclined to agree with you....

**MR. DEPUTY SPEAKER:** I am happy that you agree with me.

**SHRI S. M. BANERJEE:** There are two options. Either you adjourn the House for two hours and give the Minister of Parliamentary Affairs time to collect his men—I can assure you that they are all here in Delhi—and pass the Bill or let the Leader of the House, Shrimati Indira Gandhi, come here and assure this House that even if the Bill is not passed, there will be an Ordinance issued and that the wrong done by the courts will be rectified.

**MR. DEPUTY SPEAKER:** That may be taken note of. I have given my ruling. No more on this.

**SHRI SEZHIYAN:** Just a clarification. He is going to set a very bad precedent. This is what the Speaker said the other day:

“Mr. Speaker: There is no rule on it. You have expressed a desire. I put it before the House and it has agreed to it. If you go by the rule, there is no rule. I have already allowed discussion on the Constitution Amendment Bill. The House has given its decision.”

That means, whatever may be the force you attach to a request, unless it is undone, how can he go against the decision of the House?

**MR. DEPUTY SPEAKER:** I must say that that day was a very unusual day and, without meaning anything, I think, we committed a mistake in even putting the question to the House. I think, it was a genuine mistake. According to the rules, a question can be put to the House only when a motion is moved. I do not know how it happened. Anybody who sits here is a human being and, under the pressure of certain circumstances, we say certain things. I do not think that we did a correct thing in putting it to the House. Also, because there was no motion, there could not be any decision taken.

I have given my ruling; I am not changing it. But I would say that the ruling I have given is technically relating only to the procedure. The Government is technically right; I am also technically right in my interpretation and you all have agreed that my interpretation is correct. (Interruptions). Mr. Banerjee has agreed to it; he has gone on record.

Now, I would say this again that all of us should treat this House, because it represents the country, with utmost respect. Any commitment that we make to the House we should try to

keep. That is the main thing Apart from that, I can say nothing more. It is for the Minister and the Government to take note of it in view of the fears expressed by the Members because all these laws are already before the courts and they may be upset. I think, these fears are very genuine Mr. Banerjee suggested that the Government might consider issuing an Ordinance. All these things have gone on record (*Interruptions*) You have made that request. It has gone on record, and the Minister and the Government will take note of it. Mr Jyotirmoy Bosu.

SHRI BHOGENDRA JHA: Some landlords from Punjab, Bihar and some other States have approached him. That is why he is postponing it.

SHRI K. RAGHU RAMAIAH: Mr. Deputy-Speaker, I am grateful to you for having clarified the situation. As a matter of fact, we were very anxious to have that passed yesterday. In fact, I had mobilised the majority for that. I had been issuing so many whips. That shows our anxiety. Just because they brought the no-confidence motion, this Bill could not come up Do not blame me. I am not blaming you either It is no use blaming each other

SHRI SEZHIYAN: Yesterday we were prepared to allow the Constitution Amendment Bill to be passed before the no-confidence motion was taken up.

SHRI INDRAJIT GUPTA (Alipore): Yesterday I had suggested that the no-confidence motion be taken up at 3 00 pm and the Constitution (Thirty-Fourth) Amendment Bill be passed before that But it was the Prime Minister who said, "No; the no-confidence motion must be taken up just now, 'immediately'."

SHRI K. RAGHU RAMAIAH: He is referring to yesterday's proceedings

I shall read it out. This was what I said:

"We should certainly welcome if the land ceiling Bill, Constitution Amendment Bill, could be passed and if the Opposition cooperate with us; it is most welcome and we could see that the Bill is passed. If it is their desire that the no-confidence motion should be taken up today, as it should be, we are prepared to forego this and naturally it shall have to be postponed to the next session."

SHRI BHOGENDRA JHA: That was a threat.

SHRI K. RAGHU RAMAIAH: There was no threat at all As I said, the primary intention was to pass the Bill. But you brought the no-confidence motion and ten hours had been allotted for it. It was a question of time. As I said, we were anxious to have that Bill passed. The other parties also might have mobilised their strength, but not as much as I would have done; I was issuing whips and I kept on telephoning every member all over India to get them here. Please do not blame us. I do not doubt your bona fides. Please do not doubt our bona fides also. We are anxious to pass this measure, and I can assure you—there is no doubt whatsoever—that it is our firm intention to bring it at the next Session I repudiate the charge that there has been any kulak influence on us

SHRI BHOGENDRA JHA Sir, I rise on a point of order There is no quorum in the House

MR DEPUTY-SPEAKER: Please sit down. I shall check up ... I have checked up There is quorum in the House

SHRI JYOTIRMOY BOSU: On the representation of Mr Raghu Ramaiah the House acted, and now if he does not go by that, does it not mean contempt of the House? If you submit a

[Shri Jyotirmoy Bosu]

plaint before a court of law and if it is accepted and then if you do not go by it, it amounts to contempt. This is what I wanted to keep on the record. In the next session of course we will take charge of this matter; it cannot be decided just now.

MR. DEPUTY-SPEAKER: You wanted to raise certain matters under Rule 377.

SHRI JYOTIRMOY BOSU (Diamond Harbour): I am glad that Mr. Malaviya is here at present. He knows about this. This relates to the Indian Aluminium Corporation owned by Jukey in Asansol. This company was given a letter of intent for which money was released. Foreign exchange was released.

SHRI PRIYA RANJAN DAS MUNSI (Calcutta-South): They are thieves.

SHRI INDRAJIT GUPTA (Alipore): Dacoits.

SHRI JYOTIRMOY BOSU: They have plundered, misappropriated the entire money. The point is this. Aluminium is such a scarce material that it is very much in short supply in the country. This company was given a letter of intent for expansion of their plant to produce aluminium 5,000 tonnes or something like that. They have not done that. They did something under the pretext that they are going to establish a plant in Orissa. We would have been happy if they had done at least that; but they have not done that. They have taken away some machinery from Asansol to their own establishment in Calcutta. They have taken recourse to serious blackmarketing, extensive blackmarketing and very many irregularities have been found. They have been caught red-handed. In Midnapore district two lorry loads of ingots were caught. Lot of Government money is involved in these industries. They are a bunch of thieves as my friend said. On 25th April Mr. Pai gave an assurance on the floor

of the House that taking over of the aluminium plant at Asansol is being seriously considered by the Government. Mr. Malaviya has done something in the past which has benefited the country. So, I would like to appeal to him in this regard. Here it is a question of survival of 2300 workers. The country's economic growth and production of scarce material is there on the other side. I want that the House may be assured in the matter that this will be taken up immediately and they will try to solve the problem without delay. This is my point number one.

Point number two is this. The Prime Minister had made a visit to Tehran. She had talks there, she had met groups of people, and also, I am told, number of American stalwarts including Mr. Kissinger. I would like to know about this. I have given a notice earlier. No statement has come forward. I shall be grateful if you would kindly request them to make a statement as to whom she met there, what were the talks held, things that have been discussed and the conclusions arrived at. Mr. Richard Helms the CIA Director and Ambassador of US Government in Tehran had met her before her departure to Iran. This is a very serious matter because they are going in a big way in allowing the American monopolists to come and plunder this country. History will repeat itself. Siraj-ud-Daula to Mossadique, Mossadique to Allende and Allende to Mrs. Indira Gandhi and we don't know how many millions of heads will be rolled.

I would like the hon. Prime Minister to come before the House and tell us what actually she did in Tehran and how she is wanting to benefit the country.

THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA): I am here in this House. I have heard what my hon. friend said about JK aluminium. The fact is that we are

very much concerned. JK Aluminium is closed—it is also a fact. They have not stuck to the schedule of expansion. There may be some genuine reasons or may not be. The power shortage was there. It was a matter between West Bengal Government and J.K. Aluminium to see whether they would get adequate power or not. I am not aware as to why they could not get the power. It is a fact that the rate of power that was offered to them was higher than what they would expect it. In the meantime, rapidly, prices of aluminium have increased. Then came the question of increasing the price of aluminium. I am not sure as to what has to be done. The intention of the Government is to see that aluminium production starts as quickly as possible. There are various proposals before Government including the contemplated aluminium work belonging to J.K. In this we have to consult West Bengal Government with regard to availability of power. If the availability of power is higher—unfortunately it is inadequate—then the matters become comparatively easy for us to sort out. So far as availability of power is concerned, I am able to formulate a picture as to whether, when we take it over, we shall get adequate power. Besides, a lot of money is taken as loan from the public institutions. How we should take over all the responsibilities. These matters are being sorted out. In the meantime there are certain suggestions made. I discussed the matter with my friend Shri Bosa and others belonging to his party. I am prepared to consider suggestions from other parties also as also from the other associations—private or public—and cooperatives. I am quite prepared to consider the proposal that is offered by them.

श्री परिपूर्णतन्व प्रेन्ची (टिहरी गढ़वाल).  
रूल 377 के अन्तर्गत मे एक गम्भीर मसले की तरफ सरकार का ध्यान दिलाना चाहता हूँ। कानिग एटेशन, शाट्ट नोटिस क्वेश्चन आदि के द्वारा भी मैने इस ओर ध्यान दिलाया

था कि श्रद्धापिकेश मे करीब 1 लाख तीर्थ यात्री रुके पडे है जिन मे से 25 हजार के करीब आदमियों ने पद्रह दिन पहले अपने नाम रजिस्टर करवाए थे और ये आदमी गरीब तबके है और देश के कोने कोने से आए हुए है। लाखों आदमी उनके परिवार के और उनके रिश्तेदार बहुत परेगान है। उनकी स्थिति यह है कि गाडियों के अभाव में न तो वे बद्रीनाथ, वेदारनाथ की यात्रा कर सकते और रेलों की हडनाल की वजह से न ही वापिस जा सकते है। उनके पाम पैसा नही है। अनाज का वहा अभाव हो गया है। अनहाइजीनिक कडीशन वहां पैदा हो गई है। समाचार पत्रों मे आपने पढा होगा कि पिछले पद्रह दिन के अंतर इस मार्ग पर तीन मोटर दुर्घटनाएं हो गई है जिन मे करीब 55-60 आदमी मारे गए है। यह पता नही हो पाया है कि किस की मृत्यु हुई, किस की नही हुई। यह एक गम्भीर मसला है। मारे देश का ध्यान इस ओर गया है। वे बेजुबान आदमी है जो कुछ कह नही सकते है। मैने मदन मे यह प्रश्न उठाना चाहा है लेकिन मुझे खेद के साथ कहना पडना है कि मुझे इसका अवसर नही दिया गया है।

जो गरीब आदमी तीर्थ यात्रा करना चाहते है उनमे वहा के मोटर मालिकान बेनहामा ब्लैक मे टिकट बेच कर पैसा वसूल करना चाहते है। टैक्सियों के किराए वहा कई गुना बढ़ चुके है। लेकिन अभी तक शासन का ध्यान इस ओर नहीं गया है।

जब हरिद्वार मे कुम्भ का मेला हुआ था तो लाखों आदमी वहा गये थे। उस के बाद जब वे बद्रीनाथ और वेदारनाथ की यात्रा पर गये तो उन के लिये आवश्यक सुख-सुविधाओं की व्यवस्था करने, उन के लिये अनाज पहुंचाने और उन के स्वस्थ की तरफ कोई ध्यान नही दिया गया। मैं ममझना हू कि केन्द्रीय सरकार को यह जिम्मेदारी लेनी पडेगी और मैं शासन मे अनुरोध करना चाहता हू कि इस बारे मे एक वक्तव्य दिया जाये।

(श्री परिपूर्णानन्द वैष्णवी)

मैं श्री मालवीय से निवेदन करना चाहता हूँ मैंने इस बारे में नोटिस भी दिया था-कि बेहरादून के पास मसूरी की पहाड़ियों में लड़ मस्टोन क्वैरी का जो काम हो रहा है, उस से गांव तबाह हो रहे हैं। गांवों के लोगों भाग रहे हैं और वहां पर सत्याग्रह शुरू हो चुका है। लोगों के पीने के पानी के स्रोत सूख गये हैं, उन के मकान और खेत बर्बाद हो गये हैं और जंगल से घास और लकड़ी लाना मुश्किल हो गया है। मैं चाहता हूँ कि प्राइवेट सेक्टर के द्वारा इस तरह गरीब किसानों के शोषण को बन्द करना चाहिए और एक विधेयक ला कर लाइमस्टोन क्वैरीज को सेंट्रल सबजेक्ट्स में शामिल करना चाहिए।

MR. DEPUTY-SPEAKER: I hope, Mr. Jyotirmoy Bosu and Mr. Chatterjee, would agree that a Motion in this House is taken up with all seriousness....

SHRI JYOTIRMOY BOSU: I withdraw my notice for the Motion.

MR. DEPUTY-SPEAKER: And you cannot expect that a Motion can just be flung at the Speaker at any moment or at any time. Under the rules notice of a Motion shall be given in writing addressed to the Secretary General. The whole purpose of giving it to the Secretary-General is it is his duty to examine all these things and then come before the Speaker with all the background.

SHRI SOMNATH CHATTERJEE (Burdwan): Will it also apply to Motion under 109?

MR. DEPUTY-SPEAKER: That is a separate thing. But even so it has to be considered by me carefully in all aspects.

SHRI RANABAHADUR SINGH (Sidhi): Sir, on 12th March I had raised an important point under rule 377. On 30th April I had again drawn the attention of the Speaker to the fact that the points I had raised under rule 377, regarding shortage of food-

stuffs in the area I come from, have not been taken up by the Minister of Agriculture and after six weeks Speaker gave me an assurance that he will ask the Minister to make a statement regarding this. Today is the last day of the Budget Session and the Minister has not so far made any statement regarding this. I only wish to draw your attention to this gross contempt of the House. In these circumstances it becomes very difficult for us to represent our constituency if this is the treatment which is sought to be meted out to us.

MR. DEPUTY-SPEAKER: Well I do not know. If the Speaker has assured you, in whatever form, that the Minister will come forward with a statement, then I should expect that the Minister should come forward with such a statement. But then without knowing what is the background and the record I cannot pronounce judgement on that. Your views have gone on record.

14.55 hrs.

COAL MINES (CONSERVATION AND DEVELOPMENT) BILL—Contd.

MR. DEPUTY SPEAKER: We resume further consideration of the Bill to provide for the conservation of coal and development of coal mines. Shri Damodar Pandey to continue his speech.

श्री दामोदर पांडे (हजारीबाग) उपाध्यक्ष महोदय, जैसा कि मैंने पहले कहा है, डम बिल में डम रुपये प्रति-टन के रैस की जो व्यवस्था रखी गई है, उस में काम चलने वाला नहीं है। कोल बोर्ड को खत्म करने के प्रावधान के सम्बन्ध में मैंने यह कहा था कि चकि अब उस की कोई आवश्यकता नहीं है, डम लिये वह खत्म होना ही चाहिए।

जब कोयला निकालना जरूरी है, और स्टोइंग के लिये बालू नजदीक में नहीं मिलेगा तो सरकार को विचार करना पड़ेगा कि इस