

**SHRI S. M. BANERJEE:** Sir, in this House, we pleaded before the hon. Railway Minister and the Prime Minister that those employees who merely participated in the railway strike should be taken back immediately and those who were said to be involved in violence and sabotage may be placed under suspension and not dismissed. Unfortunately, this assurance has not been met. The second thing is, pilots of Air India are prepared for a settlement. The Minister said 'doors are open'. But, the doors are closed. I would request you to kindly see that these promises are fulfilled.

**COAL MINES LABOUR HOUSING AND GENERAL WELFARE FUND (RECRUITMENT TO CLASS III AND CLASS IV POSTS) AMENDMENT RULES,**

**THE DEPUTY-MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA):** I beg to lay on the Table—

- (1) A copy of the Coal Mines Labour Housing and General Welfare Fund (Recruitment to Class III and Class IV posts) Amendment Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 872 in Gazette of India dated the 10th August, 1974, issued under article 309 of the Constitution.

- (2) A statement (Hindi and English versions) showing reasons for delay in laying the above Notification. [Placed in Library. See No. LT-8413/74.]

**INDIAN TELEGRAPH (SEVENTH AMENDMENT) RULES,**

**THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (PROF. SHER SINGH):** On behalf of Shri Jagannath Pahadia, I beg to lay on the Table a copy of the Indian Telegraph (Seventh Amendment)

Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 935 in Gazette of India dated the 31st August, 1974, under sub-section (5) of section 7 of the Indian Telegraph Act, 1885. [Placed in Library. See No. LT-8414/74].

**AMENDMENTS TO DIRECTIONS BY THE SPEAKER**

**SECRETARY-GENERAL:** I beg to lay on the Table a copy of the amendments to Directors 55 and 115 issued by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha.

**MESSAGE FROM RAJYA SABHA**

**SECRETARY-GENERAL:** Sir, I have to report the following message received from the Secretary-General of Rajya-Sabha:—

"In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the National Cadet Corps (Amendment) Bill, 1974, which has passed by the Rajya Sabha at its sitting held on the 4th September, 1974."

**NATIONAL CADET CORPS (AMENDMENT) BILL**

**AS PASSED BY RAJYA SABHA**

**SECRETARY-GENERAL:** Sir, I lay on the Table of the House the National Cadet Corps (Amendment) Bill, 1974, as passed by Rajya Sabha.

**RAILWAY CONVENTION COMMITTEE**

**SECOND REPORT**

**SHRI S. A. KADER (Bombay—Central-South):** I beg to present the Second Report of the Railway Convention Committee, 1973 regarding action taken by Government on the recommendations contained in the First Report of the Railway Conven-

tion Committee, 1971 on "Accounting Matters".

11 15 hrs.

STATEMENT RE-CONTINUANCE IN FORCE OF THE PROCLAMATION OF EMERGENCY

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIKSHIT). Sir, Article 352 of the Constitution provides that if the President is satisfied that a grave emergency exists whereby the security of India or of any part of the territory thereof is threatened, whether by war or external aggression or internal disturbance, he may by Proclamation, make a declaration to that effect. The House is fully aware of the circumstances under which the Proclamation of Emergency had to be made on 3-12-1971. By virtue of the provisions of clause (2) of article 352, the Proclamation will continue to be in force until it is revoked by a subsequent Proclamation.

Unstarred question No 3066, answered on 21st August, 1974, sought to ascertain *inter alia* the reasons for the continuance of the Proclamation of Emergency. While considering the question of the continuance of the Proclamation of Emergency, security requirements of the country have been the most decisive. Accordingly, in the answer furnished, the first place of importance was given to the relevant considerations of security and progress of the process of normalisation of relations with Pakistan. The House had been informed from time to time of the recourse taken by the Government to the provisions of DIR for dealing with anti-social elements, whose activities are prejudicial to the larger economic interests of the nation. In fact, the use of DIR for dealing with the over-all economic situation in the country had been advocated by several quarters, including Members of Parliament. Since

the concrete effect of the Proclamation of Emergency is the continuance in force of the Defence of India Act and Rules, it was thought necessary that the use made thereof to meet the serious economic situation in the country should also be reflected in the answer furnished to the unstarred question. Thus, the reference in the answer to the over-all economic situation in the country was designed only to indicate the totality of the situation in the country.

Sir, I have removed the words 'taken into account by the Government' at the end of the statement supplied.

SHRI S. M. BANERJEE (Kanpur): Why should the emergency continue?

SHRI SHYAMNANDAN MISHRA (Begusarai): The points raised by me have not been answered at all. The point is whether any other reasons could be added to the reasons on the basis of which Parliament had agreed to the Proclamation of Emergency. Now, they have added another reason. Does not that vitiate the Proclamation altogether?

Then, he has not also referred to the statement made by the hon. Prime Minister that there is no war emergency. I had referred to that in my statement and drawn attention to the view of the Prime Minister that there was no war emergency but only an economic emergency. There is nothing like economic emergency in our Constitution. But if what is meant is financial emergency, then on that account, a further Proclamation of Emergency under article 360 is called for. The emergency cannot continue on the basis of article 352 now. The original emergency was proclaimed under article 352. All these points have not been met.

श्री अटल बिहारी वाजपेयी (ग्वालियर) :  
अध्यक्ष महोदय मेरा यह एक व्यवस्था का प्रश्न है।