

[Shri Raghunatha Reddy]

the hon. Member. We are considering this matter. I have never said that we are not going to recognise the Union.

The second point that he has raised is about beedi industry. This will have to be studied in what manner the provisions will be made applicable, in what manner they will have to be implemented because the organisation of this industry is rather amorphous.

The third point which the hon. Member has raised is about punishment. For the first time, in the provisions of the Provident Fund Act, imprisonment is being provided; not only is it being provided but it is compulsory in certain cases. The question has been raised why the proviso under that has been provided, about courts imposing a sentence for a lesser term. In your experience, Sir, you must have come across cases where the minimum punishment of imprisonment for three months is provided and where the offence is not serious—suppose, a contribution of Rs 2 or 3 has not been paid by the employer—in such cases what are the courts likely to do—when they feel that it is not a big case for such a punishment? Where the courts feel that a smaller punishment will have to be given in cases where the minimum punishment of three months' imprisonment has been provided under the Statute, the courts, instead of giving the minimum punishment of three months' imprisonment, are likely to acquit the accused because they may feel that it is unconscionable to give the minimum punishment contemplated by the Statute. In order to free the courts from such a moral dilemma, we have provided that in cases where the court comes to the conclusion that the punishment can be lesser, then it may impose such lesser punishment but adequate and special reasons have to be recorded for that, so that the higher courts may be in a position to review the reasons recorded. It is the intention of Parliament, and I have no doubt that it is the intention of the Government, that the three months' imprisonment provided is the rule and whatever exception is made, it is only an

exception for which the courts will have to record their reasons. I have no doubt in my mind that the courts would take into account the expression of opinion by the hon. members here, in construing the intention behind this, and also the opinion of the Government.

MR. SPEAKER: The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

13.40 hrs.

STATUTORY RESOLUTION RE. CONTINUANCE OF PROCLAMATION IN RESPECT OF ANDHRA PRADESH

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT) I beg to move the following Resolution:

"That this House approves the continuance in force of the Proclamation, dated the 18th January, 1973, in respect of Andhra Pradesh, issued under article 356 of the Constitution by the President, for a further period of six months with effect from the 1st September, 1973"

13.40½ hrs.

[MR DEPUTY-SPEAKER in the Chair]

The House is fully aware of the background which necessitated the imposition of President's Rule in Andhra Pradesh. There is normalcy in the State and the Government of the State have been able during the last few months to concentrate on the more enduring tasks facing that State. There was recently an occasion for members of this House as well of the other House to discuss important legislative proposals as well as the developmental problems at some length. The impression one got was that the administration during President's Rule had not spared any effort and had seriously applied itself to the problems of the State with a sense of dynamism. But we are aware

and the administration at all levels in Andhra Pradesh is also aware that there are serious constraints to what President's rule can achieve. We are equally conscious that it can never be a substitute for the ordinary constitutional form of Government in any State. We are, therefore, anxious that President's rule should not continue a day longer than is necessary.

On the other hand, we have to face, realistically, the complex problems that agitate the minds of the people of Andhra Pradesh. Revocation of the Proclamation without an enduring settlement of those complex issues may not take us anywhere. Therefore, we have been engaged in efforts to help the evolution of a consensus, a solution which would provide maximum satisfaction to various sections of the people. We are hopeful that such a solution would emerge soon, that such a solution will not be beyond the capacity of the different leaders of Andhra Pradesh. While our efforts are thus continuing we cannot allow any vacuum to emerge. The House had earlier approved the continuance of the Proclamation for a period of six months and the six months period would come to an end when the House may not be in session. Therefore, as a measure of abundant caution, we have come to this House to approve the continuance for a further period of six months. We would indeed be most happy if long before the expiry of the extended term of six months it would be possible to revoke the Proclamation. So, I am requesting the House to approve the continuance of the Proclamation made by the President on 18th January, 1973 for a further period of six months with every hope that the Proclamation may be revoked much earlier than the expiry of that period.

I move the resolution.

MR. DEPUTY-SPEAKER: Motion moved:

"That this House approves the continuance in force of the Proclamation,

dated the 18th January, 1973, in respect of Andhra Pradesh, issued under article 356 of the Constitution by the President, for a further period of six months with effect from the 1st September, 1973."

Mr. M. K. Krishnan.

\*SHRI M. K. KRISHNAN (Ponnani): Sir, by this Resolution the Government is trying to extend President's Rule in Andhra Pradesh. Before passing the Resolution we have to consider why it is necessary. Members of the Legislative Assembly of Andhra Pradesh are there. Majority of the members belong to the ruling party. Even then why has it become necessary to extend the President's rule there?

There are different factions inside the ruling party holding different views. The Government has not been able to bring a compromise between them and that is why President's rule has become necessary.

On this occasion I would like to point out that the trouble in Andhra Pradesh started with the Mulki Rules. The Government at the Centre and the State Government could not remove the difficulties created by the Mulki Rules. If the Government is serious to remove suspicion of the people in both the regions—whether they are in Andhra or in Telengana—whether they are non-gazetted officers, whether they are students or they are unemployed persons, they will have to categorically state here and now that Andhra Pradesh will not be divided. Secondly, in the matter of giving employment to the people in these two regions the policy of proportional representation according to population should be followed. If that is made clear in this House my own feeling is it will go a long way in removing the doubts and suspicions in the minds of the people of both regions. The same policy should be followed in giving admission to students in the colleges. This can only be considered as a democratic

\*The original speech was delivered in Malayalam.

[Shri M. K. Krishnan]

remedy to solve the present problem in Andhra Pradesh.

As I said earlier, the Central Government should make a categorical declaration here in this House that Andhra Pradesh will not be divided. Then the people of both the areas should be brought together. The Government is not doing anything in this direction. Our country is faced with different problems. Unemployment is a growing problem. In all States people are suffering due to increase in unemployment. The problems in Andhra Pradesh are also related to this. If the Central Government do not change its policy there will be no meaning in continuing President's Rule in Andhra. Today the Central Government should state clearly that Andhra will not be divided and in the matter of employment and education the people of Andhra and Telengana will be treated alike on the basis of proportional representation. Then only the suspicion in the minds of the people will be removed. Along with that some way should be found out to call the Assembly that is under suspension there. The President's Rule should not be extended, the Assembly should be called and steps should be taken to bring the people of both the regions together.

**SHRI K. SURYANARAYANA (Eluru):**  
Mr. Deputy-Speaker, Sir, I support this move to extend the term of President's rule in Andhra Pradesh in view of the agreed settlement between the two regional people.

Sir, we waited for nearly nine to ten months. People are coming and going. Several suggestions have been made.

Before I go to all the details of the separation and integration, I want to bring to the notice of the Government as well as the House the working details of the development activities undertaken in Andhra Pradesh during President's Rule. A brief Report on the same has been circulated. During President's Rule, in regard to procurement of foodgrains, suggestion was made in 1973 March or so

The same was done. (But, the impression given in those days was this. The big farms and landlords were not giving co-operation in procurement of foodgrains which would be beneficial to the poor people. Not only that. Even in the matter of land-reforms, the people had never agitated as was propagated against them by some in the Parliament. We all realised the feelings of the people then and we have also represented to the Government. With regard to procurement, if you will kindly go through the figures, you will find that the Government of India fixed the procurement target for the State and the State Government in turn fixed the target for the districts. The procurement year does not coincide with the financial year as the crop year is adopted for the purposes of procurement. Crop year begins in November and ends in October next year. For the crop year 1971-72 the procurement target fixed by the Government of India is 3.5 lakh tonnes against which the actual procurement was 2.62 lakh tonnes. The target fixed for 1972-73 crop-year is 3.5 lakh tonnes against which the procurement made till the end of March 1973 is 1.09 lakh tonnes. If the financial year 1972-73 is taken the procurement from April 1972 to March 1973 works out as 2.14 lakh tonnes. It is hoped that the procurement target for 1972-73 fixed by Government of India may be achieved and if at all there is any shortfall, the shortfall may not be very substantial. It will be only marginal.

Sir, I may state that even during the agitation, they never agitated as was propagated. In other parts of India also, the farmers cooperated. Sir, I come from the West Godavari, near Krishna District. There too the people are even now helping the procurement agents. Even a small farmer is keeping this thing in view that foodgrains are not grown only for big business but for the betterment of the country and for the betterment of the people. You know that in the year 1932 we had sold our rice at Rs. 8 a quintal. Now we are getting it at Rs. 83 per quintal. We are not happy about this as we were in the year 1932. The complications are there. The target fixed for the

year 1972-73 was 3.5 lakh tonnes against which the procurement made till the end of March, 1973 is 1.09 lakh tonnes. The latest figure of procurement upto 15th June, 1973 is 1,92,155 tonnes of rice. This has been procured. Also we have procured 14,700 tonnes of jowar. This is not an appreciable thing. I say that the farmers in A.P. are helping the Government to grow the foodgrains. Take for example the new projects like Nagarjuna Sagar, Tungbhadra Canal or even Pochampad. These are meant for the benefit of the entire nation and not only for the Andhra.

Sir, whenever we approach the Government of India for any project, they are thinking in terms of development of Andhra region. I say that is not so. So far as development of irrigation and hydro-electric schemes are concerned, under the President's Rule, even the advisers have themselves suggested at the meeting of the Consultative Committee on 13th July that the Nagarjuna Sagar Project should be taken up by the Centre. Not only that. They even went to the extent of saying that the power projects should also be taken up by the Central Government in the national interest.

In future, the big river projects also should be taken up by the Centre. Shri Sarin has suggested this to the Central Government for their consideration.

In Andhra Pradesh, fair price shops have been organised by Government. Due to large scale drought conditions, coarse rice was being supplied at the subsidised rate of Re. 1 a kilo to the weaker sections of the population since August 1971. This was, however, withdrawn from 1st December, 1972. For one year, it was maintained but due to other expenditure and transport charges, now Government have revised the price to Rs. 1.15 a kilo. An agitation has been started in my State with a political motive against this. Shri Gupta of the Communist Party is not here, but I am sorry to say that the Communist party has started this agitation. They must know that such agitations will not pay. According to a *Hindu*

report, the CPI led an agitation against the fair price shops in Vijaywada and they looted the Vijaywada Super Bazaar. They may deny this. But the *Hindu* is a newspaper with a world-wide circulation and is very reliable. This was on the 5th and 6th. On the 6th evening I went there after knowing about this from my place Eluru. Even earlier, for the last one month, the CPI particularly organised groups to go to the fair price shops and compel them to sell rice at Re. 1 a kilo. Instead of going to the fair price shops organised by Government and trying to interfere with their functioning, they could have approached the Collector or Shri Sarin.

SHRI SARJOO PANDEY (Ghazipur):  
What is the harm in it?

SHRI K. SURYANARAYANA: The agitation has been started for the sake of party objectives. Where is the necessity for it? Government are selling rice at Rs. 1.15 per kilo. You want rice at Re. 1 a kilo. But look at your Kerala now. What is the price of rice there? Rs. 3.50 a kilo. Yesterday I met Shri Achutha Menon....

MR. DEPUTY-SPEAKER: His time is up.

SHRI K. SURYANARAYANA: I require more time. I have to deal with many points and give the background. I can continue tomorrow.

Bifurcation is not the only issue there. There are certain other things going on there. I was speaking about the fair price shops. These are not organised by any private people. Even the so-called Communist supporters were fair price shop-wallas. These fair price shops are meant for the poor people. But they are not getting rice from these shops on account of the agitation, because of the looting of the fair price shops. It is the people's money they have looted. They had gone there with flags. Do they know that once they start this agitation, it goes out of control? They had gone to the bazaar.

[Shri K Suryanarayana]

I saw their flags I belong to West Godavari, but I am closely associated with Krishna politics also—it is only 30-40 miles from there

MR DEPUTY-SPEAKER I am afraid we shall have to interrupt the debate now This will continue the next day

14.00 hrs.

#### DISCUSSION ON THE REPORT OF THIRD CENTRAL PAY COMMISSION

MR DEPUTY-SPEAKER We take up the Discussion under rule 193—on the Report of the Third Central Pay Commission (Volumes I to IV) laid on the Table of the House on the 2nd April 1973 Shri Madhu Limaye

SHRI P G MAVALANKAR (Ahmedabad) On a point of order There is no quorum in the House

MR DEPUTY-SPEAKER Let the Bell be rung—Now there is quorum

श्री मधु लिमये (बाका) : उपाध्यक्ष महोदय इस बहस में मेरा दृष्टिकोण पेशवर ट्रेड यूनियन कार्यकर्ता का नहीं रहेगा । सामाजिक न्याय और राष्ट्रीय कल्याण चाहने वाले व्यक्ति का यह दृष्टिकोण रहेगा ।

यह जो बतन आयोग गठित किया गया था वह कोई निष्पक्ष बतन आयोग नहीं था । इसके अध्यक्ष और सैक्रेट्री आई सी एम के दो सदस्य थे और श्री रघुवर दयाल का जहाँ तक सवाल है व तो हमेशा कमिटेड जज रहे है । व्यक्तिगत स्वतंत्रता बनाम राज्य का भी मामला सुप्रीम कोर्ट के सामने आया । मैंने देखा कि हमेशा उन्होंने सरकार का पक्ष लिया । इसलिए मैं कहता हू कि यह बतन आयोग एक भोखा भाल था । 1970 में इस

सदन में सत्ता कांभिस का बहुमत समाप्त हो गया था और उनको किसी तरह से समय काटना था । समय काटने के लिए उस समय यह बतन आयोग गठित किया गया था । इसलिए मैं कहता हू कि यह कमीशन भी एक कमिटेड कमीशन था और अगर बोलचाल की भाषा में बोलना है तो एन चमचा कमीशन था । इस कमीशन से न्याय, निष्पक्षता और प्रगतिशीलता आदि गुणों की कम से कम मैं अपेक्षा नहीं करता था । उनके ऊपर एक दायित्व दे दिया गया था कि सरकार की बे अच्छी तरह बखालत करे और उन्होंने अपनी रपट में उच्च वर्गीय और उच्च वर्गीय स्वाधों का अच्छा परिचय दिया है । कमीशन के ऊपर जो जिम्मेदारियाँ सौंपी गई थी मेरी राय में उन्होंने बहुत बढ़िया ढंग में अपनी जिम्मेदारियों को निभाया और उनकी जिम्मेदारी कर्मचारियों का कल्याण करना या राष्ट्रीय हित में कोई बतन नीति बनाना तो था हू नहीं, सगवारी हितों की रक्षा करना यह उनका नियत काम था और उन्होंने उसको अच्छी तरह से पूरा किया । बतन कमीशन को वस्तुस्थिति से सामन्य और आकडों के सामने झुकना पडा है और इन्होंने यह कहा है कि सरकारी खर्च में बतन का हिस्सा घटना जा रहा है । उन्होंने इस बात को भी माना है कि सरकारी आमदनी और खर्च के अनुपात में सरकार का बतन बिल नहीं बढ़ा है । आगे चल कर उन्होंने यह भी कबूल किया है कि बढी हुई राष्ट्रीय आमदनी में सरकारी कर्मचारियों को समुचित हिस्सा नहीं मिला है । कमीशन इस बात को भी मजूर करता है कि सार्वजनिक और निजी