

Only the pre-ban commitments have been allowed to be honoured where irrevocable commitment had been made by the exporters with the foreign buyers before the imposition of the ban in accordance with the export trade control procedure.

(c) No. Sir.

Pillai Committee Report on Indian Information Officers Etc.

7427. SHRI S. KUNDU : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the recommendations of the N. R. Pillai Committee in respect of Services of Indian Information Officers and Public Relation Officers have been examined ; and

(b) if so, the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) :

(a) Yes, Sir.

(b) The IFS Committee recommended that such ISI officers as are found suitable should be taken into the IFS and the rest given the option of being absorbed in the appropriate grades of the IFS (B). The relevant statutory rules have been amended and steps are being taken to finalize the appointment of eligible and suitable officers to the IFS. The question of giving the remaining ISI officers the option of absorption into the IFS (B) is also under consideration.

12.00 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE.

KASHMIR BY-ELECTIONS

MR. SPEAKER : Shri Nath Pai.

SHRI H. N. MUKERJEE (Calcutta North-East) : I am constrained to rise on a point of order. I am sorry that you have permitted Mr. Nath Pai to call attention to this. I feel that basically the rules of procedure in this House do not permit this kind of a thing to come up, particularly when there are certain other points of propriety also involved. It is a matter of common knowledge that questions

asked in the House should not relate to matters which are not primarily the concern of the Government of India. I know that in regard to elections, there is concurrent jurisdiction, States as well as well as the Centre. According to our Constitution this country is a Union of States, Jammu and Kashmir is a State with a particular status added in the bargain and we are operating at a period of time when the relationship between the Centre and the States is being discussed in a very sensitive atmosphere. It is exactly the reason why I feel that if any questioning in the House, particularly of the sort to which we are getting accustomed—I am sorry to have to say that I am almost bewildered and sometimes unhappy at the way things take place—and answering on a sensitive matter relating to a particularly sensitive State in our country is allowed to go on, not only the spirit of the rules is to a certain extent violated but also proprieties demanded by the political exigencies of today are also likely to be disregarded. That is why I beg of you to consider this matter once over and give your ruling.

MR. SPEAKER : We have been discussing this for so long.

श्री मधु लिमये (मुंेर) : नाथपाई जी ने घ्यानाकर्षण का नोटिस दिया है, उसको आपने कबूल किया है। उन्होंने नोटिस दे कर बहुत अछ्छा किया है और आपने उसको कबूल किया वह भी अछ्छा काम किया। लेकिन साथ साथ...

श्री स० मो० बनर्जी (कानपुर) : मेरा नाम नहीं है।

श्री मधु लिमये : मैंने दूसरा दिया था।

चुनाव का जहाँ तक मामला है यह तो इलैक्शन कमिशन के और केन्द्र के अधीन है। इतना ही नहीं। एक और बात भी उठती है जिसके बारे में हम लोगों ने भी नोटिस दिया था। इलैक्शन कमिशन ने कुछ संगठनों के नेताओं से यह तलब किया है कि क्या आप संविधान के प्रति वफादारी

की शपथ लेने को तैयार हैं ? आप देखें कि यह संविधान में स्पष्ट लिखा हुआ है कि जो शपथ नहीं लेंगे उम्मीदवार नहीं बन पायेगा इसलिये इस तरह की बात किसी भी संगठन के प्रतिनिधियों से करना अच्छा नहीं है। अगर आप इसको मानते हैं तो नाथ पाई जी के साथ मेरा भी नाम जोड़ दीजिये ताकि मैं भी सवाल कर सकूँ।

SHRI H. N. MUKERJEE : If you permit me to add to my statement in view of what has been said just now, it is exactly because the Election Commission according to my friends here appears to be in touch with this matter and also exactly because it will after proper investigations give a report to the Government which would be available to the country and for discussion in Parliament, exactly because the whole question is still pending I say that waters should not be muddled by the kind of proceedings to which we are getting accustomed from day to day in the House.

MR. SPEAKER : No further discussion is necessary as I am clear in my mind on this point. I do not want any enlightenment on this from other hon. Members and I am to the point raised by Hiren Babu. We have been discussing it in this House a number of times. What Prof. Mukerjee said just now that it was distressing, etc. everybody knows ; we know the kind of things that are alleged here and are discussed also. That is a general question. Perhaps I shall request him to come to my Chamber ; I shall be enlightened by Prof. Mukerjee ; I want to correct the procedure if anything is wrong. But he refers to the general question. We have been discussing the question of the elections in this house. Even Kashmir elections were discussed on the floor of the House. It has come in the agenda after it had been admitted. The Minister will answer it. For the future, if anything else is there, I should like to be enlightened ; there is no doubt about it ; I should like to learn from the Leaders who can meet me in my Chamber and say what to admit and what not to admit. Now that it has been admitted. Mr. Nath Pai will ask the Minister and the hon. Minister will reply ; Mr. Limaye says he would like his name to be added ! but it came today.

श्री मधु लिमये : इसी समस्या से सम्बन्धित है।

अध्यक्ष महोदय : समस्या तो यही है लेकिन आपका तो आज आया है और उन्होंने कल दिया था।

SHRI INDER J. MALHOTRA (Jammu) : I have no objection if the role of the Election Commission or other things are discussed in this House. But it refers to the use of the official machinery by the Kashmir Government. How can that be raised ? What is the proof ?

MR. SPEAKER : Leave it to the Minister to deny that.

SHRI NATH PAI : (Rajapur) Mr. Speaker, when you are pleased to call Mr. Mukerjee for your enlightenment in your Chamber, please do not forget me ; I do not want to be deprived of the benefit of that enlightenment.

MR. SPEAKER : I say—leaders of all Parties—not only Mr. Mukerjee.

SHRI NATH PAI : I call the attention of the Minister of Law and Social Welfare to the following matter of urgent public importance and I request that he may make a statement thereon :

“Reported use of official machinery by the Kashmir Government in the forthcoming bye-elections in Kashmir, in the interest of the Congress candidates.”

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : Mr. Speaker, Sir, Apart from a telegram received by the Election Commission from Shri Shamlal Saraf, Chairman, National Conference, no complaint has been received regarding the use of the governmental machinery for the benefit of the Congress candidates in the ensuing bye-election in the Kashmir valley. No concrete or specific instances have been given in the telegram which is of a general nature.

[Shri Govinda Menon]

The Chief Election Commissioner has already spoken over the phone to the Chief Secretary to the Government of J. & K. and has requested him to look into the complaint. The Chief Electoral Officer of J. & K. also has been requested to inquire into the complaint and send a report thereon. The Chief Election Commissioner has also impressed upon the Chief Secretary that he should see that no governmental machinery is utilised in any shape or form in favour of any candidate. One senior officer of the Commission is also proceeding to Srinagar today and he will remain there till the bye-elections are over. It has also been impressed upon all the elections officers concerned in the bye-elections through the Chief Electoral Officer of the State that they should observe the strictest non-partisan attitude in the bye-elections; and that otherwise a very serious view will be taken and any delinquent officer severely dealt with.

SHRI NATH PAI : Normally call-attention takes about half an hour. Since I am the only one. I shall utilise only half that time. I welcome the last part of the statement where the Minister categorically assures this House :

"...and that otherwise a very serious view will be taken and any delinquent officer severely dealt with."

Before I ask a question, let me point out what is the complaint in this telegram and what are the contradictions in his own statement. Shri Shamlal Saraf was a distinguished Member of this House and a distinguished Minister of the Kashmir Ministry for a very long time. In his cable to me he says among other things :

"Bye-election polling dates 25th, 26th and 29th April/stop/Government machinery freely pressed into electioneering campaign in favour of the ruling party candidates/stop/transport and other departmental vehicles being openly used for electioneering purposes/stop/Government Information Department and FSO given charge of publicity and propaganda/stop/officers and officials transferred and removed to suit the choice of the Congress Party candidates/stop."

"Money being distributed, Construction contractors contracts allotted to win voters and all sorts of promises made by Government agencies and Ministers to secure support for Government party candidates, Kindly move in the matter,"

SOME HÓN MEMBERS : Shame, shame !

SHRI NATH PAI : The Minister first says, there is a contradiction here he says, there is no complaint and then he says, there is no concrete case. When they know the practice is so universal, where is the question of giving any concrete example ? In all the four bye-elections, it is the basic pattern, The important thing to be borne in mind is, as the House is familiar with the facts, how the same elections were rigged completely defying the sanctity of the Indian Constitution in 1967 by the present Government in Kashmir.

SHRI INDER J. MALHOTRA : I take very strong exception to this. If the elections have been rigged in Jammu and Kashmir, the elections have been rigged all over the country. (*Interruption*)

SHRI NATH PAI : 22 candidates out of 42 candidates in the Valley were rejected on the flimsiest grounds. The present elections have been caused because the High Court in Kashmir has invalidated those elections because they were rigged and, once again, we find, all those mal-practices are being resorted to. We are familiar with the pattern. Why have the bye-elections become necessary in Kashmir ? It is because the last elections were vitiated by this practice being resorted to by them.

What is the Minister saying ? Whom is he going to ask to take interest and look into these things ? It is the Chief Secretary to the Government of Jammu and Kashmir. I do not have to dilate upon this point. This is the authority to be depended upon. The Prime Minister here should take some interest. Whatever her personal relationship with the Chief Minister of Kashmir, howsoever highly she may be thinking of him—we have got some regard for him ; personally

he may be innocent—but the fact remains there. What is on trial is not the fortunes of the Congress Party. We know they are in doldrums. What is more important is this, Let not the interest of the party prevail against the interest of India. When the Kashmiri people chose to accede to India, it was because India was a democracy. If elections are not be free and fair in Kashmir, what is it that we are going to offer? Today, if in some sections of the Kashmiri people—I have mentioned it again and again—there is a kind of frustration and resentment, it is not against India. It is against this kind of practices that they resent because they are never allowed to enjoy the common heritage of fellow Indians.

Once again, this Government is going to commit the same mistake. The Kashmiri people, like the rest of India, must be given the same right, the same privileges and the same freedom to elect their Government, including the possibility of changing the Government. If the Kashmiri people realise that they can change an unwanted Government, no Pakistani pressure, no insinuation, can ever make a dent on their thinking about the accession to India.

The hon. Minister has given an assurance that the Chief Secretary has been asked to look into it. Why does he not prevail upon the Chief Election Commissioner to be present in Kashmir? It is not enough to say that a senior officer is going there. I do not know what is seniority here. These are very vague terms. A Section Officer is very often a senior officer. I do not know how senior he is, whether he refers to the status or the age of the officer. He may be a man approaching retirement and, therefore, senior. I want that the Chief Election Commissioner himself or somebody of that status should be there. Further, it is no use locking the stable after the horse has bolted away; it is no use taking care after the malpractices, after such practices, are resorted to. These complaints should be enquired into immediately and an assurance given to the electors that the elections will be fair as they are entitled to.

SHRI GOVINDA MENON : A senior officer is not an old man as has

been said. One of the Secretaries of the Election Commission, Mr. Rajgopalan, is going there to study the matter. After all, a telegram received is only an allegation. He has been asked to look into the matter and see that these things do not take place.

SHRI NATH PAI : Why not the Chief Election Commissioner? Since there is a history behind it, because 22 elections were rigged and you know how the High Court has said about it—I do not want to repeat it—let the Chief Election Commissioner go there. In the light of the serious allegations in the light of the fact that it is India that is on trial and the whole world sees what is happening in the Valley, why not persuade the Election Commissioner to go and inspire confidence? What will be lost?

SHRI GOVINDA MENON : The Chief Election Commissioner who is responsible for the conduct of elections has selected one of his senior-most officers to go there. It is not for me to direct the Chief Election Commissioner.

SHRI NATH PAI : I said, 'convey'; did not say 'direct'.

12.15½ hrs.

PAPER LAID ON THE TABLE
COAL MINES (AMENDMENT)
REGULATIONS 1969

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : I beg to lay on the Table a copy of the Coal Mines (Amendment) Regulations 1969, published in Notification No. G.S.R. 945 (English version) and G.S.R. 946 (Hindi version) in Gazette of India dated the 12th April, 1969, under sub-section (7) of section 59 of the Mines Act, 1952. [Placed in Library. See No. LT—859/69]

COMMITTEE ON PRIVATE MEMBER'S
BILLS AND RESOLUTIONS
(FORTY-EIGHT REPORT)

SHRI RAMAVATAR SHASTRI (Patna) : I present the Forty-eighth Rep-