

LOK SABHA DEBATES

I

LOK SABHA

Monday, June 20, 1977/Jyaistha 30,
1899 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

MEMBER SWORN

SHRI RUDOLF RODRIGUES
(Anglo-Indian—Nominated)

INTRODUCTION OF MINISTER

THE PRIME MINISTER (SHRI MORARJI DESAI): Sir, may I introduce Shri Surjit Singh Barnala, the new Minister of Agriculture.

ORAL ANSWERS TO QUESTIONS

Review of cases of Victimization of Teachers/Principals/Professors

*104. DR. VASANT KUMAR PANDIT: Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether Government have issued instructions to all the educational institutions to review cases of victimisations of teachers, principals and professors during the period of Emergency;

(b) if so, how far has the policy been implemented;

(c) whether the Government School Principals Association, Delhi and many other organisations of teachers in India have complained about the non-fulfilment of the policy; and

2

(d) what further steps Government propose to take to review cases of victimisation?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) and (b). Instructions have been issued to state Governments and Union Territory Administrations to review cases of excesses and improprieties committed during the period of Emergency on grounds other than academic and take immediate action to remedy them, before the educational institutions are reopened after summer vacation.

(c) The Delhi School Principals Association have made a general complaint alleging victimisation in some cases. Similar general complaints have also appear to have been received from other organisations.

(d) The State Governments and Union Territory Administrations are expected to review any specific cases that may be brought to their notice.

डा० वसन्त कुमार पंडित : केन्द्र सरकार ने जो राज्य सरकारों को लिखा है क्या उस में कुछ स्पेसिफिक कैंसेज दिये हैं ? विक्तिमा-ईजेगन कई तरह से हुआ है, कई जगहों पर सस्पेन्शन हुआ है, कई जगहों पर रिट्रेन्चमेंट हुआ है, कई जगहों पर फाईन किया गया है, प्रीमेच्योर रिटायरमेन्ट किया गया है, सी० ग्रार० खराब की गई है। इसलिये मैं जानना चाहता हूँ कि शासन के ध्यान में किस-किस प्रकार के विक्तिमाइजेगन है और किस प्रकार की स्पेसिफिक डाइरैक्शन शासन की ओर से स्टेट गवर्नमेन्टस को दी गई है ?

**DR. PRATAP CHANDRA CHUN-
DER:** In respect of the educational institutions, general observations and instructions have been sent to the State Governments. We are not in possession of these specific cases and in answer to part (d) of the Question, I have already stated that the State Governments are expected to review any specific cases that may be brought to their notice.

In case of UP, as the hon. Members knows, the new State Government has not yet been formed and as soon as it is formed, the Ministry might take it up with them.

DR. VASANT KUMAR PANDIT: What is the progressive report of the action taken by the State Governments? Will that be placed on the Table of the House?

**DR. PRATAP CHANDRA CHUN-
DER:** We have asked for the progressive report and wanted a reply in due course of the action taken, but we have not received any reply.

DR. SUBRAMANIAM SWAMY: Where there have been reinstatements or undoing of victimization—thanks to the Ministry's efforts—the institutions have, however, not fully accommodated these reinstated professors or principals, where they were. In many cases, I find that they have not been given their back salaries, proper seniority or their position and the victimization in some form or the other continues. What is the Government's specific policy on the question of back salary of these reinstated professors, or seniority and all other positions they held before they were victimised?

**DR. PRATAP CHANDRA CHUN-
DER:** In cases where these officers are connected with Central Universities and educational institutions under the control of the Ministry, we have not only directed that the officers who were politically victimised, should be taken back, but as soon as they are taken back, it is expected that the penalties imposed on

them will be taken away altogether so that they will be placed in the same position as if there was no victimization.

As regards their back salaries, these will certainly have to be paid because the intervening disqualification will be condoned.

श्री तेज प्रताप सिंह : क्या शिक्षा मंत्री जी यह बताने की कृपा करेंगे कि प्रादेशिक सरकारों को जो आदेश भेजे गये हैं वे अभी तक जिला स्तर पर पहुंचे हैं या नहीं? हमारी यह जानकारी है कि वे जिला स्तर पर नहीं पहुंचे हैं और बहुत से विक्टेमाइजेशन के जो केसेज हैं, उन में कुछ नहीं हुआ है और कुछ लोगों को तन्ख्वाहें नहीं मिली हैं। वहां आदेश पहुंचने में बड़ी देरी हो रही है। क्या शिक्षा मंत्रालय ऐसे आदेश पुनः जारी करेगा कि वे आदेश डिस्ट्रिक्ट लेवल पर एफिसर्स को शीघ्र पहुंच सकें।

**DR. PRATAP CHANDRA CHUN-
DER:** The last letter was written on April 16, 1977 by the then Education Secretary. Again, the matter was taken up by the present Education Secretary on June 10, 1977 and there we have asked for the details about the course of action taken.

श्रीधरी बलबीर सिंह : क्या शिक्षा मंत्री जी यह बताने की कृपा करेंगे कि स्टेट्स में जिन टीचर्स को या प्रिंसिपल्स को गिरफ्तार किया गया था या जो ग्रन्डर ग्राउन्ड रहे थे, उन अर्थों की उन को तनख्वाह देने के बारे में स्टेट गवर्नमेन्ट्स ऐक्शन लेगी या सेन्टर की सरकार उन को इस बारे में लिखेगी कि उन को उस अर्थों की तनख्वाह दी जाये और वे इस बारे में क्या पालिसी अख्तियार करें।

**DR. PRATAP CHANDRA CHUN-
DER:** As you are aware, Sir, and I believe, the hon. Member is also aware that under our Constitution, the federal structure remains and the Central Government in matters which fall

within the jurisdiction of the State Government cannot take any action directly. More than the request or persuasion, we cannot do at any stage whatsoever.

बीधरी बलबीर सिंह : केन्द्रीय सरकार उन स्टेट्स को एडवाइस दे कि इस मिलसिले में उन को क्या करना चाहिये। अगर सरकार आर्डर नहीं दे सकती है, तो एडवाइस तो दे।

**DR. PRATAP CHANDRA CHUN-
DER:** I have already stated that twice the advice was sent to the Chief Secretary—once on the 16th April, 1977 and then again on 10th June 1977.

SHRI R. K. MHALGI: Has there been any response from the Maharashtra Government regarding the instructions issued by the Central Government?

**DR. PRATAP CHANDRA CHUN-
DER:** We have not yet got any response.

श्री किरंगी प्रसाद : मैं माननीय मंत्री जी से जानना चाहता हूँ कि प्रमिसियों और टीचरों के अलावा गैर शिक्षकों को जो पकड़ा गया, उन्हें सजाएँ हुईं, उनको बहाल करने एवं अन्य मुविजाएँ देने के बारे में सरकार ने कोई पग उठाएँ हैं या नहीं? यदि नहीं, तो कब तक उनके मामले पर विचार किया जायेगा?

**DR. PRATAP CHANDRA CHUN-
DER:** If the employees were not teachers, they also come within the scope of the Education Department. Now their cases also have been covered by the instructions which have been issued.

श्री श्रीम प्रकाश त्यागी : अध्यक्ष महोदय मैं मंत्री महोदय से जानना चाहता हूँ कि आपात्कालीन स्थिति के दौरान यूनियन टैरीटरीज के अध्यापक अध्यापिकाओं को जो

ये आदेश दिये गये थे कि पाँच-पाँच स्टैरेलाइजेशन के केस लाभों, अन्यथा उनको तब्बाहूँ नहीं दो जायेंगी, उनको सस्पेण्ड कर दिया जायेगा, क्या ये आदेश केन्द्रीय सरकार की ओर से भेजे गये थे या किसी एजुकेशन अफसर ने मनमाने ढंग से इस प्रकार के आदेश जारी कर दिये थे? यदि ये आदेश किसी एजुकेशन अफसर द्वारा दिये गये थे तो क्या उसके खिलाफ कार्रवाही की जायेगी?

**DR. PRATAP CHANDRA CHUN-
DER:** The hon. Member must be aware that a high power commission has been set up for the purpose of inquiring into the excesses in the matter of implementation of the family planning programme and I respectfully submit.

MR. SPEAKER: He is asking about the salaries of teachers and about the quota for teachers.

**DR. PRATAP CHANDRA CHUN-
DER:** I understand that as the high-power commission has a very comprehensive scope of inquiry.

श्री श्रीम प्रकाश त्यागी : अध्यक्ष महोदय मेरा प्रश्न यह था कि क्या आपकी एजुकेशन मिनिस्ट्री की तरफ से यूनियन टैरीटरीज को इस प्रकार के आदेश दिये गये थे कि अध्यापक अध्यापिकाओं को कहा जाये कि स्टैरेलाइजेशन के पाँच-पाँच केस दीजिये या एजुकेशन अफसरों ने स्वयं इस प्रकार के आदेश जारी कर दिये? ज्ञात हो कि एजुकेशन डिपार्टमेंट्स द्वारा अध्यापक अध्यापिकाओं को सस्पेण्ड तक कर दिया गया। क्या ऐसे अफसरों के खिलाफ आप कार्रवाही करेंगे?

**DR. PRATAP CHANDRA CHUN-
DER:** I will require notice for that.

श्री मनोहर लाल : मैं मंत्री महोदय से जानना चाहता हूँ कि आपात्काल के दौरान स्टैरेलाइजेशन के मामले में जो अध्यापक अध्यापिकाओं को परेशान किया गया, यह

केवल यूनियन टेरेटरीज तक ही सीमित नहीं बा बल्कि गांवों तक भी यह चीज गयी थी, जब यह बात हुई तो क्या आप इसके सम्बन्ध में मालूम करके जिन अध्यापक-अध्यापिकाओं के साथ ज्यादतियां हुई हैं उनकी ज्यादतियां दूर करने के लिये तुरन्त कोई कदम उठायेगे ? क्या आप जल्दी ही ऐसे कोई पग उठाने जा रहे हैं जिससे इस सम्बन्ध में तुरन्त कार्रवाई हो सके ?

DR. PRATAP CHANDRA CHUNDER: I have already indicated that we have made two requests. Now in many States new popular governments will be taking office and if any specific cases are brought to our notice we will take them up with the appropriate authorities of the new popular governments.

श्रीमन्मन्त दबे : अध्यक्ष महोदय क्या मंत्री महोदय बनायेंगे कि टीचर्स के साथ जो विक्रिमाइजेशन हुआ है उसकी राज्यवार क्या स्थिति है ?

DR. PRATAP CHANDRA CHUNDER: We have no such information.

Storage and Distribution of Imported Fertilisers

*105. **SHRIMATI PARVATHI KRISHNAN:** Will the Minister of AGRICULTURE AND IRRIGATION be pleased to state:

(a) the terms and conditions under which the work regarding storage and distribution of imported fertilisers was entrusted to Fertiliser Corporation of India; and

(b) the quantity and value of fertilisers handled by Fertiliser Corporation of India during the last 3 years?

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI SURJIT SINGH BARNALA): (a) The work relating to storage and distribution of imported fertilisers has

not been entrusted to Fertiliser Corporation of India.

(b) In view of (a) above, the question does not arise.

SHRIMATI PARVATHI KRISHNAN: The Minister has stated in his reply that the storage and distribution of the imported fertilisers has not been entrusted to the Fertiliser Corporation of India. Now, there have been serious complaints from all over the country with regard to distribution and sale of these fertilisers which have been imported and on which very valuable foreign exchange has also been spent. So, I would like to know from the Minister why it is that the Fertiliser Corporation of India which is a government organization is not in the picture and whether the government is considering that the Fertiliser Corporation should enter into the picture so that they can help to remove these distortions and impediments that are there to-day and also prevent black-marketing and racketeering in prices that is taking place.

SHRI SURJIT SINGH BARNALA: In 1976 the work was transferred to the FCI. Since then FCI has been distributing all the imported fertilizers. There is no proposal with the Government to transfer the work to the FCI.

SHRIMATI PARVATHI KRISHNAN: Will the Government consider now to do so?

SHRI SURJIT SINGH BARNALA: The matter has not been looked into from that angle.

SHRI K. GOPOL: Is the Minister aware of the fact that the distribution at present is rather un-even. It is not based on the actual need and requirements. There is a glut in some States and shortage in some States. Will the Minister consider distribution of fertilizers on the basis of the needs and not on other basis?