

इंस्टीट्यूशन्स को और बढ़ान की भी बात है और हमें आशा है कि यह काम करते हुए सारे देश के जिलों को इस के अन्तर्गत लाने में किसी भी प्रकार की दिक्कत नहीं होनी चाहिए ।

**SHRIMATI V. JEYALAKSHMI:** Whether the hon. Minister is aware that under the Khadi and Village Industries Commission some small scale industries and some big manufacturing units have fragmented their factories into small units and they had applied for registration under the Khadi and Village Industries Commission to enjoy concessions in central excise? If so, what steps are being taken against them?

**SHRI GEORGE FERNANDES:** I am not aware of any such activities on the part of any small scale industrialist. If they are brought to my notice we will take immediate action. . . (Interruptions)

**MR. SPEAKER:** He says he does not know. You can bring them to his notice; you can write to him and he will look into the matter.

**श्री महीलाल :** क्या माननीय मंत्री जी को यह जानकारी है कि खादी कमीशन के जो कर्मचारी हैं उनकी हड़ताल वहां के पदाधिकारियों के खिलाफ चल रही है और वहां पर बहुत गोलमाल हो रहा है ? खादी कमीशन के द्वारा संचालित दुकान जो कनाट प्लेस में है, वहां पर मिल का कपड़ा ला कर बेचा जा रहा है, इस की भी जानकारी क्या मंत्री जी को है ?

**श्री जार्ज फर्नान्डिस :** अध्यक्ष जी, वहां हड़ताल चल रही है, उस की जानकारी मुझे नहीं है और मिल का कपड़ा खादी भंडार में बेचा जाता है, यह बात जंचती नहीं है लेकिन अगर किसी भी एक भण्डार के बारे में यह आरोप है, तो हम उसकी जांच करेंगे ।

**SHRI HITENDRA DESAI:** I would like to know the statewise break up of employment of persons and I would also like to know, what are the daily earnings of persons employed in Khadi and Village Industries.

**SHRI GEORGE FERNANDES:** The daily earnings vary from one type of khadi to another, from one type of charka to another and from one type of loom to another. It varies from Rs. 2.50 to Rs. 10 per day. In the Village industries also, it varies from Rs. 2.50 to Rs 10 per day.

#### Substitute for MISA

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\*308. DR. HENRY AUSTIN:

SHRI HUKAM CHAND  
KACHWAI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that Government are considering to have a softer substitute for MISA;

(b) if so, the main details of the proposed new MISA;

(c) whether the States will be asked to replace the Ordinances which they have recently issued.

(d) whether it is also a fact that some States have written to the Union Government that in the absence of MISA, it is very difficult to control the law and order situation in those States; and

(e) if so, which are the States that have asked and measures suggested to them?

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):** (a) and (b). The repeal of MISA and other related matters are under examination in the light of the policy enunciated in the address of the Vice President acting as President to both Houses of Parliament on 28th March, 1977 and Government would bring

forward necessary legislative proposals during the current session.

(c) No such proposal is under consideration of the Government.

(d) No Sir.

(e) Does not arise.

DR. HENRY AUSTIN: In recent weeks, reports have appeared in the press and there are also strong rumours to the effect that the Government or the Home Ministry is proposing to introduce legislation similar to MISA. These reports are strengthened and people are tempted to believe that because of the recent happenings in Madhya Pradesh and perhaps, Kashmir also. The Jammu & Kashmir Ordinance, for instance, stipulates that people could be detained for two years at a stretch without any process of law and they could be rearrested also after release for another two years. In Madhya Pradesh the position is well known, that to suppress a legitimate strike by the Electricity Workers, a mini-MISA was introduced and the Union Leaders have been put in jail. And the reports say that to meet the growing deterioration in the law and order situation in various States, these new, MISA sort of legislations incorporating the provisions of MISA are going to be introduced. It is creating an alarm in the country.

May I know from the Home Minister whether he has stated that a Commission is looking into the matter and whether, during the pendency of this Commission, you are going to propose some kind of legislation. I would like to ask whether the Home Minister will give a categorical assurance that no such idea is being contemplated and that MISA is going to be scrapped.

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): A very clear reply has already been given. I do not think a new question has been put by the Member. It is not a supplementary at all. He wants to raise a debate. That is a different

matter. I find no question which requires an answer.

(Interruptions)

DR. HENRY AUSTIN: If we want to raise a debate, we know the procedure to be followed. My effort was only to get an assurance from you that no such idea is being contemplated by the Government. I am glad that you are giving the assurance. I take it that an assurance has been given. I would like to know, whether in view of the assurance that the Home Minister has given the Home Ministry will initiate steps to redress the situation prevailing in Madhya Pradesh and Kashmir and direct the State Governments to withdraw the ordinances, which are repugnant to the spirit of this age.

SHRI CHARAN SINGH: I will say with respect to the Member that the question does not arise out of it. Yet, I have no such intention of advising the State Governments. They are within their rules to issue the ordinances. They have Constitutional rights to do so. In some States, there is already a Preventive Detention Act in existence for some time past. So, it will require an amendment of the Constitution to deprive the States of their rights.

SHRI C. N. VISVANATHAN: The hon. Home Minister stated that it is the right of the State Governments to have MISA in their own State. I would like to know whether this reply will be applicable to all the States in India or only to the States which are ruled by Janata Party.

MR. SPEAKER: No. He stated that the States have Constitutional rights to have their own law and that therefore, he cannot therefore. That is what he said.

SHRI C. N. VISVANATHAN: Whether it will be applicable to all the States, that is what I am asking.

SHRI VAYALAR RAVI: This is not a purely legal matter, but a political matter also. Last week, in answer to

my unstarred question, the minister said that they are seriously considering to introduce a new legislation on the pattern of DIR. In view of this answer, will he give a categorical assurance that the policy of having MISA or mini-MISA will not be encouraged either in the Centre or in the States?

**SHRI CHARAN SINGH:** I have already said that in pursuance of the statement made by the Vice-President in his address before the House, we have examined the law for all these months and we have arrived at some tentative conclusions. As soon as final decisions have been taken by the government we will come before the House with certain legislative measures during this current session.

**श्री कंबर लाल गुप्त :** मैं मंत्री महोदय को बधाई देता हूँ कि उन्होंने कहा है कि केन्द्रीय सरकार मीसा नहीं लगायेगी। लेकिन फंडामेंटल राइट्स एक्सोयूट राइट नहीं है, उसमें भी कब्ज़ा लगाई जा सकती है। जो सेबोटियरिंग के केसिस हो रहे हैं, इन-फल्पटेशन के केसिस हो रहे हैं या और इस तरह की गड़बड़ियां हो रही हैं जिनमें इंटेरेस्टिड पार्टीज गड़बड़ी करना चाहती हैं उनको देखते हुए क्या मंत्री महोदय मीसा नहीं लेकिन कोई और लेजिस्लेशन लाएंगे ताकि इस प्रकार की गतिविधियों में जिनमें पोलिटिकल पार्टीज के लोग लगे होने का सन्देह हो उन पर रोक लग सके ?

दूसरी बात मैं यह पूछना चाहता हूँ कि आपने जो पत्र काश्मीर सरकार को लिखा है मीसा के बारे में कि उसमें सरकार ये ये चीजें ठीक नहीं समझती है, उस पर काश्मीर सरकार का आपके पास कोई रिप्लेशन आया है ?

**श्री चरण सिंह :** जहां तक काश्मीर के आर्डिनेंस का प्रश्न है वह सवाल यहां उठा था और यह तय हुआ था कि उस पर किसी रोज दो घंटों के लिए बहस हो। दिन तो

मुकरर नहीं हुआ लेकिन यह तय हो चुका है कि उस पर दो घंटों के लिए डिबेट होगी।

मीसा के आल्टरनेटिव के सिलसिले में या रिपील होने पर किसी और प्रकार के कानून के लाने के सिलसिले में मैं पहले अर्ज कर चुका हूँ कि माननीय सदस्यों को कुछ इंतजार करना चाहिये। सरकार अपने मैशर को इसी सेशन के अन्दर ले कर आने वाली है।

**SHRI K. LAKKAPPA:** The Home Minister was tottering in giving out the correct answer because of the reason that there is an inner contradiction in the party itself. One section of the Janata Party is advocating the retention of mini-MISA while another section is for scrapping it. In a recent letter addressed by the Janata Party President, Shri Chandrasekhar, to the M.P. Government, he has asked them to withdraw it.

**MR. SPEAKER:** What is your question?

**SHRI K. LAKKAPPA:** The question is, there is an inner contradiction.

**MR. SPEAKER:** That is not a question.

**SHRI K. LAKKAPPA:** Therefore, they are allowing the State Governments to have the mini-MISA. I put it to you whether it is not a fact that your Government itself has got divergent views on retention of mini-MISA and therefore you are allowing the operation of mini-MISA in Madhya Pradesh and also in Jammu and Kashmir and not taking any action. What is the reaction of the Government regarding scrapping of all sorts of black laws which are operating in the country?

**MR. SPEAKER:** He has already given that answer. He need not answer the other part.

**SHRI K. LAKKAPPA:** No, he has not answered. It is a relevant question. The Government is having divergent views. Let him say 'No'.

MR. SPEAKER: No, no.

SHRI K. LAKKAPPA: Sir, I raise a point of order. I put a question to the Government.

MR. SPEAKER: You have raised two questions. One is about the policy which he has already answered. The second is about the divergence of the party which has no relevance to the question.

SHRI K. LAKKAPPA: My question is on divergent views in the government.

MR. SPEAKER: No, Government cannot have divergent views.

SHRI K. LAKKAPPA: I am asking about divergence in the Government. He has not answered this.

(Interruptions)

श्री लक्ष्मी नारायण नायक: माननीय अध्यक्ष महोदय, मैं गृह मंत्री महोदय से जानना चाहता हूँ अभी उन्होंने बताया कि प्रांतीय सरकार अपने यहां कानून बनाने के लिए स्वतंत्र है, लेकिन मैं आपसे निवेदन करना चाहता हूँ कि जनता पार्टी ने, हम सभी ने, एम० आई० एम०ए० का विरोध किया है चाहे वह लम्बे समय के लिए हो या थोड़े समय के लिए हो। तो मैं मंत्र: महोदय से कहूंगा कि मध्य प्रदेश सरकार को आप अपनी तरफ से यह राय देंगे कि वह इसे समाप्त कर दें ? क्या मैं ऐसी आशा करूँ ?

MR. SPEAKER: He has already answered that question.

SHRI K. LAKKAPPA: Let the Prime Minister answer that.

MR. SPEAKER: Mr. Nayak, he has mentioned his view and he has said that so far as the State Governments are concerned, they have their constitutional right.

SHRI K. LAKKAPPA: Why are you answering? He should answer

that. What is the mind of the Government? Let them answer that. I am requesting the Prime Minister to answer that question.

श्री लक्ष्मी नारायण नायक : प्रांतीय सरकारें स्वतंत्र हैं, ऐसा गृह मंत्री जी ने बताया। लेकिन प्रांतीय सरकार केन्द्रीय सरकार के अधीन भी हैं। अगर प्रांतीय सरकार गलत काम कर रही है तो केन्द्रीय सरकार अपना सुभाव दे सकती है। इसलिये मेरा कहना है कि क्या गृह मंत्री महोदय इस मामले में अपनी तरफ से ऐसी राय देंगे कि वहां जो एम०आई० एम०ए० लगाया गया है वह समाप्त कर दिया जाये ?

THE PRIME MINISTER (SHRI MORARJI DESAI): Raising voices does not amount to an argument. The Home Minister has already stated that MISA is not going to be utilised. But that does not mean that a legislation requiring the detention of elements responsible for violent acts and such other things will not be needed by States other than the Centre for the safety of the citizens of the country.

**Raman Hydel Project in North Bengal**

\*309. SHRI AMAR ROY PRADHAN: Will the Minister of ENERGY be pleased to state:

(a) whether the infrastructure of Raman Hydel Project of North Bengal is underway; and

(b) if so, the time by which it is expected to be completed?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). The West Bengal State Electricity Board have intimated that infrastructure works like construction of temporary roads, residential buildings and arrangements for construction power have been taken in hand. The Raman Hydro Electric Project Stage II, of which infrastructure works form a part, was sanctioned in April