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(Seventh Session)



सत्यमेव जयते

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LOK SABHA

Thursday, May 17, 1979 | Vaisakha 27,
1901 (Saka)

The Lok Sabha met at Half past-ten
of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Discussion with Bangla Desh Govern-
ment to end Border Crossing

+

*1153A. SHRI NIHAR LASKAR:
SHRI A. R. BADRI NARA-
YAN:

Will the Minister of EXTERNAL
AFFAIRS be pleased to state:

(a) whether implementation of the
agreement between the Prime Minister
and the Bangla Desh Government has
started;

(b) if so, the details thereof;

(c) whether in spite of the agree-
ment, border crossings is continued;
and

(d) how many people were arrested
while crossing the border after Prime
Minister's visit?

SHRI ATAL BIHARI VAJPAYEE:
This question was discussed yesterday.
(Interruptions) I am going to reply.

MR. SPEAKER: Much of it had
been discussed yesterday.

THE MINISTER OF EXTERNAL
AFFAIRS (SHRI ATAL BIHARI
VAJPAYEE): (a) and (b) There is no
specific Agreement between the Gov-
ernment of Bangladesh to end illegal
border crossings. However, it was
agreed during the Prime Minister's

recent visit to Bangladesh that both
Governments would cooperate with
each other to prevent illegal move-
ment across the border. The Bangla-
desh Government also assured us that
they would always be ready to take
back their nationals. The Bangladesh
Government has in fact recently ac-
cepted a group of over 2,500 Chakmas
who had earlier infiltrated into Mizo-
ram.

(c) Illegal movement across the
border into India has continued even
after the visit of the Prime Minister
to Bangladesh.

(d) 1809 people were intercepted at
the border by the BSF from 16th
April to 10th May, 1979.

SHRI NIHAR LASKAR: I really fail
to understand when the Minister says
that he had answered this question
yesterday.

MR. SPEAKER: A part of the ques-
tion came yesterday.

SHRI NIHAR LASKAR: I was told
that he is anxious to answer my ques-
tion today and not yesterday. It was
reported to me by the Table Office
people Regarding our Prime Minister's
latest visit to Bangla Desh, we were
told that it was a very fruitful visit
to Bangladesh. There you also dis-
cussed—both the Prime Minister and
the Minister of External Affairs—about
this influx of refugees from Bangla-
desh to India. This is also agree that
this is a one-sided affair, people come
from that country; this is because of
the unsettled situation in Bangladesh.
You also discussed some matters about
that. But this thing, I think, has not
found any place in your joint com-
munique. I would like to know—when
you had discussed these things with
the Bangla Desh Government—why it

has not found any place in your joint communique? Secondly, I would like to know from the Government. The Bangladesh President assured our Prime Minister that they will see that these refugees' flow to India from Bangladesh was stopped. But, in fact, what I have seen in the reply is that in one month alone there are 2000 people who have come to India, crossed over the border—what are the specific issues or matters to be discussed with the Bangla Desh Government or whether you have have left it to the administrative machinery alone to stop this illegal flow. Unless there is a political will at the highest level, you cannot stop this illegal thing. I would like to know what are the measures you have worked out in detail to stop this illegal thing.

SHRI ATAL BIHARI VAJPAYEE: This question was discussed with the leaders of Bangla Desh when our Prime Minister was there. In the statement which the Prime Minister made in the Lok Sabha and the other House, he did mention about this matter. The response of the Bangla Desh Government was positive. They agreed that those Bangla Deshi nationals who have crossed the border after 1971 should be asked by India to go back and Bangla Desh would be prepared to accept them. It was also agreed that the security measures on the border should be strengthened. In case of illegal migration, meetings between the District authorities, between the officials of the Border Security and Bangla Desh authorities should take place. As I have stated in my reply, Bangla Desh has taken back a few thousand chakmas who had crossed the border. I entirely agree with the hon. Member that if there is no will, no arrangement at the administrative level will solve this problem. But I do not doubt that there is such a will on the part of the Bangla Desh.

SHRI NIHAR LASKAR: I do not know about these 2,000 people of which you have mentioned here. Only recently we read that Chief Minister

Tripura rushed to Delhi. There is heavy influx from that country. Are you in touch with the Bangla Desh about what is happening there? What is the cause? Why are they coming? Refugees are coming in a large scale to India. There must be some unsettled situation.

MR. SPEAKER: It was mentioned yesterday in detail.

SHRI NIHAR LASKAR: I was not here in the House yesterday. Are you in touch with the Bangla Desh Government? In this regard can you suggest some thing to the Government so that they can take steps?

SHRI ATAL BIHARI VAJPAYEE: Hon. member is right that recently a few hundred...

SHRI NIHAR LASKAR: Not a few hundred, but thousands...

SHRI ATAL BIHARI VAJPAYEE: I know the figure.

SHRI NIHAR LASKAR: 11,000.

SHRI ATAL BIHARI VAJPAYEE: Recently a few hundred chakmas have come on our side. We are holding talks with the authorities of the Bangla Desh and we hope that they will go back to their respective place. So far as the reason for such a large scale migration is concerned, there are a variety of reasons—social, economic and also there might be so other reasons. But let us not go into the reasons. We make arrangements on our border which will not allow infiltrators to come in.

For making arrangements we are securing cooperation of the State Governments. But as I mentioned in my original reply, this is a continuous problem. In 1975, the number of those who had come from Bangla Desh was the highest but this year the figure has again gone up and it is causing anxiety and we have taken up this matter in all seriousness with the Government of Bangla Desh.

MR. SPEAKER: Shri Badri Narayan.

SHRI A. R. BADRI NARAYAN: Is there any sinister motive behind these immigration into this country? Is there any idea of spying and causing disturbance and things like that? If so, is it not the duty of the Government of India to stop them from entering into our country? On the other side, what is the total number of persons that have migrated from India to Bangladesh?

SHRI ATAL BIHARI VAJPAYEE: Whatever the motive, it is the duty of the Government to prevent illegal migration. (Interruptions) I thought Mr. Lakkappa was not present in the rally yesterday.

MR. SPEAKER: We should not rally to other questions.

SHRI ATAL BIHARI VAJPAYEE: From our side, though they go to Bangla Desh, they go to visit their relations or friends. There is no migration so far as India is concerned.

SHRI A. R. BADRI NARAYAN: What is the number?

SHRI ATAL BIHARI VAJPAYEE: I do not have the figure.

SHRI SAUGATA ROY: Whatever was the situation in Bangladesh, the visit of our Prime Minister to Bangladesh was a very welcome step. We found that a number of outstanding problems would be solved. So, I would like to know from the Minister whether during that visit, the problem of freedom fighters staying in Meghalaya was discussed? If so, what were the results? Had any further discussion on Farakka waters taken place? Whether the question of Bangladesh erecting spurs on the Khusiara river was taken up?

MR. SPEAKER: None of these arises from the question.

SHRI SAUGATA ROY: What was the agreement? Have you seen the agreement?

SHRI ATAL BIHARI VAJPAYEE: I have replied that there is no agreement.

श्री द्वारिका नाथ तिवारी : अध्यक्षजी, समय समय पर बंगला देश और पाकिस्तान के साथ कई मुद्दों पर एग्रीमेंट हुए हैं। शायद सब से महत्वपूर्ण नेहरू-लियाकत पैकेट था और उसके बाद शिमला पैकेट हुआ। पाकिस्तान में बंगलादेश के चलन होने से पहले जितने मुद्दों पर एग्रीमेंट हुए थे और जिनमें बंगलादेश भी शामिल था उनमें से जितने मुद्दों का कार्यान्वयन हुआ है और कितनों का नहीं हुआ है? बंगलादेश से जो नया एग्रीमेंट हुआ है उस में और इन एग्रीमेंट में क्या फर्क पड़ा है?

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, पुराने करारों में तो मैं नहीं जाना च हूँ। स्वतंत्र बंगलादेश के निर्माण के साथ एक नया अध्याय शुरू हुआ है। यद्यपि दोनों देशों के सम्बन्धों के बीच में महत्वपूर्ण मुद्दा यह है कि अल्पसंख्यकों के साथ बराबरी का व्यवहार होना चाहिए जिसे वे अपने को सुरक्षित अनुभव करें। ऐसा प्रबंध करना दोनों सरकारों का नैतिक दायित्व है। इसलिए जब हम ढाका में थे तो हमने यह मामला उठाया था और हम उम्मीद करते हैं कि यह समस्या भी संतोषजनक ढंग से हल हो जाएगी।

MR. SPEAKER: Question No. 1154.

PROF. SAMAR GUHA: Sir, I want to ask a question.

MR. SPEAKER: Yesterday we have discussed it. Now, Mr. Hari Vishnu Kamath. (Interruptions). There are a number of very important questions. I am not allowing.

PROF. SAMAR GUHA: At least I should be given a chance.

MR. SPEAKER: They have already taken 20 minutes on this question. (Interruptions).

PROF. SAMAR GUHA: He is well acquainted with the whole thing. I have given a 20-page note.... (Interruptions)

MR. SPEAKER: Yesterday I gave you full question. Mr. Hari Vishnu Kamath. (*Interruptions*). I have already called Mr. Hari Vishnu Kamath.

PROF. SAMAR GUHA: No, I don't get up for ordinary type of questions.

MR. SPEAKER: I don't say anything about it.

PROF. SAMAR GUHA: I have to obey you. But you have become very unkind to me.

MR. SPEAKER: Question No. 1154 Mr. Hari Vishnu Kamath.

SHRI HARI VISHNU KAMATH: Mr. Speaker, Sir, I had hoped to retain first place which I had got after two years but it was not to be किम्मत का खेत है।

MR. SPEAKER: At least you got the second place.

(*Interruptions*).

**Representation from Vidarbha
Maharogi Seva Mandal**

*1154. **SHRI HARI VISHNU KAMATH:** Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government have received any representation from Vidarbha Maharogi Seva Mandal (Leprosy Patients Home Vidarbha) Tapovan Amaravati, Maharashtra detailing their difficulties and asking for alleviation and relief;

(b) if so, whether Government have considered their representation in detail; and

(c) the outcome thereof?

**THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR:**
(**SHRI RAVINDRA VARMA:**) (a) No Sir. However, a letter dated 5th March, 1979 was written on behalf of Vidarbha Maharogi Seva Mandal by the Secretary, All India Advanced and Crippled Leprosy Patients Association, Amaravati to the President. This letter does not detail difficulties of the Seva Mandal or seek alleviation and relief from the Government of India.

(b) and (c) Do not arise.

SHRI HARI VISHNU KAMATH: Is it a fact, Sir, that as stated in this letter from the Maharogi Seva Mandal to the President of India with regard to leprosariums and leprosy eradication efforts that in spite of the concentrated efforts that are being made by the Government and private organisations to eradicate leprosy, in India today the incidence of leprosy is increasing and if so, what are the causes of this increasing incidence? Is it partly due to the fact that there is a social stigma attached to leprosy, rather leprosy patients—we should not call them 'leprosy' now that that word has been discontinued?

MR. SPEAKER: You cannot begin with it.

SHRI HARI VISHNU KAMATH: Is it a fact that they are treated as social outcasts? Are there other reasons or factors for the increase in leprosy incidents in India? Even in Wardha where Mahatma Gandhi started a concentrated effort, there are more leprosy patients there today, according to this letter to the President, than there were at that time. So, what are the reasons or factors for this unfortunate development in India?

SHRI RAVINDRA VARMA: Sir, the letter that the hon. Member refers to was not written by the Maharogi Seva Mandal, but by the All India Advanced and Crippled Leprosy Patients Association.

SHRI HARI VISHNU KAMATH: It is from Tapovan where the Secretary of the Association is based. He does not know perhaps that Tapovan was set up by a well-known freedom fighter, Dr. Shivajirao Patwardhan, and the Maharogi Seva Mandal is located there.

MR. SPEAKER: He is in the middle of his answer.

SHRI RAVINDRA VARMA: The hon. Member, is as aware as I am, that there may be common addresses for different persons living in the same address. Therefore, the indivi-

duality does not get merged just because the addresses are the same.

Sir, the hon. Member said that the incidence of leprosy is increasing in this country. I am not sure about the sources which have given him this information. As far as this country is concerned, the estimated number of cases is about 3.2 million. Of them, nearly 1.84 million have been brought under treatment and most of these patients are under domiciliary treatment. The suggestion that he has made that it is because there is a social stigma attached still in some minds that the number of patients is increasing or the incidence is increasing, is wrong. The social stigma has nothing to do with the prevalence or increase in incidence of a chronic or infectious disease of this kind. (*Interruptions*). But, Sir, as far as detection is concerned and the treatment that arises after detection is concerned, it is quite likely that if there is a desire to hide, then detection becomes more difficult and to that extent the coverage that has to be extended also is affected.

SHRI HARI VISHNU KAMATH: Has the Minister's attention been drawn to a statement in this letter to the President, at page 3, that at a Conference organised by the W.H.O. (The World Health Organisation) in Geneva in 1975, India was represented by the then Union Health Minister, once upon a time Health Minister, Dr. Karan Singh, who gave an assurance at the Conference.

I am reading from the printed letter to the President:

"that leprosy in India will be completely brought under control by the year 1984 and leprosy will be completely eradicated by the year 2000 AD."

Does the Minister think that this is a fairly good assessment of the problem and does the Government subscribe to the view that this will be done that is, controlled by 1984 and eradicated by the year 2000 AD?

SHRI RAVINDRA VARMA: It is true that our hon. and distinguished friend, Dr. Karan Singh, who was then the Health Minister did state in the World Health Assembly that was held in Geneva in 1975 that leprosy will be brought under control by the year 1984, and will be eradicated by the year 2000. When a statement of this kind is made, it should not be confused with an assurance. It is a statement and in any case the question of the hon. Minister giving an assurance to a World Health Assembly and not to this Parliament does not arise. After making that statement in the World Health Assembly, the Government of India did come to the conclusion that it would not be possible for us to bring leprosy under control by the year...

SHRI SHYAMNANDAN MISHRA: Are we not committed to what Mr. Vajpayee says in international conferences?

SHRI HARI VISHNU KAMATH: On a point of order. It is a very serious matter. (*Interruptions*).

SHRI SHYAMNANDAN MISHRA: How can the Minister get away with it? The hon. Minister for External Affairs makes so many statements in international conferences. Are we not committed to them? (*Interruptions*).

SHRI RAVINDRA VARMA: All that I said is that the question of an hon. Minister of one country giving an assurance and an assurance being demanded of him in an international forum does not arise. Therefore, what Dr. Karan Singh made was a statement and not an assurance to a body to which he was responsible. The idea is quite clear. Apart from the necessary expressions of indignation, the idea that I have stated is quite clear.

SHRI SHYAMNANDAN MISHRA: The idea is completely repulsive. We cannot lump any such statement from an hon. Minister that a statement made by a Minister in an international conference is not a commitment of the country. (*Interruptions*)

SHRI RAVINDRA VARMA: This is incorrect. (*Interruptions*). When I say that a statement was made and the statement is not necessarily an assurance, it does not mean that the Government of India or this Government does not believe that an effort must be made to see that it is brought under control by 1984 and eradicated by 2000.

SHRI SHYAMNANDAN MISHRA: It is a solemn commitment.

SHRI RAVINDRA VARMA: Therefore, every effort has been made by the Government of India and the Government of India does believe that it is possible to make progress in this direction only if specific state-wise targets are laid down. This was not the case before Dr. Karan Singh made the statement in the World Health Assembly. After that, the Government of India decided that State-wise targets must be laid down and therefore, the effort today is oriented towards reaching the state-wise targets. I agree with the hon. member that in spite of the fact that these targets have been laid down, the progress has not been uniform in all the States and the progress is not such that we are going at a pace that should be satisfactory in an effort of this kind.

SHRI HARI VISHNU KAMATH: Mr. Speaker, Sir, you should come to our rescue. Is there any yardstick by which you can judge whether statements made by Ministers in international conferences are assurances or mere *obiter dicta*?

MR. SPEAKER: That point does not arise.

SHRI HARI VISHNU KAMATH: You are the custodian of our rights. You are silent.

MR. SPEAKER: What is the legal implication—I am to decide that?

SHRI HARI VISHNU KAMATH: It has not legal but Parliamentary implications—not legal at all.

MR. SPEAKER: I am not a person to decide about legal implications; whether it should be enforced in a world court or not has legal implications.

डा० रामजी सिंह: सचमुच में यह बहुत ही विचित्र बात लगती है कि विश्व संस्था में दिये गये कथन को हम अत्यन्त माने और गलत ढंग से विचार करें। मैं संसदीय कार्य मंत्री से जानना चाहता हूँ, यद्यपि वह विश्व संस्था में दिये गये कथन को बातों को न भी मानें, लेकिन क्या इस मर्वॉल्च सदन में वह यह स्वीकार नहीं करेंगे कि यह कुष्ठ रोग एक बहुत बड़ा सामाजिक कलक है और देश के लिये बहुत दुर्दशा का चिह्न है? माननीय कर्ण सिंह जी ने जो स्वेच्छा प्रकट की थी, क्या उसके आधारे पर कोई पंचवर्षीय योजना इस कुष्ठ रोग के निर्मूलन का कार्यक्रम बनाने के लिये सरकार बनायेगी?

SHRI RAVINDRA VARMA: It is unfortunate that the Hon. Member should have concluded from what I have said that the Government of India does not want to pursue the same policy that Dr. Karan Singh referred to in his statement. We are as anxious to see that this dread disease is tackled in the least possible time, brought under control and completely eradicated as early as possible. But when you talk of target dates in this respect, one has to take into account many factors to which our Hon. friend, the Member from Hoshangabad, referred. There are social factors, economic factors—if you don't prompt me, I will use the same words 'social factors, economic factors and other factors' and it has also to be borne in mind that these programmes, even though they are drawn up at the national level, have to be implemented by the State Governments in many cases. That is why I said earlier that there has been no uniform level of achievement, as far as the targets are concerned. In the case of some States the performance has been good and in the case of some other States

the performance has not been quite satisfactory. But I can assure the Hon. Member and the House that every effort is being made by the Government, and will continue to be made, to expedite this programme so that detection may take place and treatment may take place, and the disease is brought under control and eventually eliminated as early as possible.

SHRI RUDOLPH RODRIGUES: We are dealing with the subject in a very cold, calculated and statistical manner—in a very casual manner. I would like to say this by way of introduction to my question. I had the privilege of being associated, in a small way, with fighting this social stigma. I would like to say that one reason why there has been a tremendous increase in the incidence of leprosy is because of a particular decision taken by our Government—of which I am not sure everybody is aware. I would like the Minister concerned to give some clarification in regard to this matter. Originally, when this disease was being fought, it was being fought with what we call a 'vertical' approach: people with a specialised intent, with a specialised concern, fought this in a specialised way. Today the Government's decision is that we shall treat this horizontally: in other words, as part of general disease when you go to a doctor. But any doctor cannot really handle this kind of a problem. Is the Minister aware that, because of the change in approach of the Government of India and their policy of treating this in a horizontal manner instead of a vertical manner, there has been a tremendous increase in the incidence of leprosy?

SHRI C. N. VISVANATHAN. Sir, where is the Health Minister? Last time also he was missing.

MR. SPEAKER: He has taken permission; he has gone to the Geneva Conference.

SHRI RAVINDRA VARMA: I am very sorry the Hon. Member should

have chosen to describe the manner in which the subject is being discussed in this House as casual and cold. It is not so. But when a question is asked, the answer is not merely in terms of sentiments but in terms of facts which are to be elucidated. That does not mean that the sentiments are not shared, but it is necessary for me to answer, giving facts and information to the extent it is possible. Government snares the sentiment that this is a disease which deserves much more attention and expedition in treatment: there is no question about it. The sufferings of the people who are afflicted by leprosy are very well known but I did not think this was the occasion to speak about the sufferings of the people—mental, physical and otherwise; I have tried to answer questions by giving facts. I share the sentiments of the hon. Member. Therefore, it has been highly unfair on the part of the hon. Member to say that the answers reveal casualness or coldness. Now, the hon. Member repeated the statement that the incidence is increasing. I know the hon. Member is a very intelligent person and therefore he should know the difference between increase in incidence and increase in detection. There are no statistics whatsoever to show that the incidence is increasing. But the detection is increasing, precisely because the effort to locate, to detect, has become more effective. That is why detection is increasing. I can give the figures again.

(Interruptions).

MR. SPEAKER: He said about horizontal approach instead of vertical approach.

SHRI RAVINDRA VARMA: Here again the hon. Member perhaps is not fully informed about the position. It is not that multi-purpose workers alone are concerned with the treatment of leprosy. It is because of the anxiety of the Government to see that the programme of treatment of leprosy is not adversely affected that the

Government has decided that in districts where incidence is high or moderate, the on-going programmes and the on-going methods of treatment must be continued, and it should not be confused with the general treatment which might adversely affect the efficacy of the programme and therefore it is only in the case of areas where the incidence or endemic nature of the disease is low that there is the attempt to use other services that he specialised services.

SHRI JYOTIRMOY BOSU: I do not know whether the hon. Labour Minister is going to take over the Health portfolio.

SHRI RAVINDRA VARMA: I do not know why the hon. Member feels like that. If it is his feeling, I can say his physical and mental health will receive better treatment from me. (*Interruptions*). Some are described as stepneys and some are described as 'shirt-knees'. (*Interruptions*).

हृदय रोग

* 1155. श्री बलपत सिंह परस्ते : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश में हाल ही में हृदय रोग के बारे में किये गये सर्वेक्षण के अनुसार यह पाया गया है कि हृदय रोग के मामलों की संख्या बढ़ रही है ;

(ख) यदि हां, तो इसकी रोकथाम के लिये सरकार ने क्या कार्यवाही की है ;

(ग) क्या ये प्रमाणित हो गया है कि इस रोग का योग द्वारा इलाज किया जा सकता है ; और

(घ) यदि हां, तो हृदय रोग के इलाज के लिये योग का प्रचार एवं प्रसार करने के लिये सरकार का क्या कार्यवाही करने का विचार है ?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) No country-wide survey regarding the incidence of heart diseases has been conducted. There is however a clinical impression that heart diseases are on increase in most of the developing countries including our country. The number of cases seen in the intensive care units, cardiology departments and nursing homes are many more than seen a decade earlier. This could be due to increased awareness, extended and better diagnostic facilities as well as an increase in the life span of our population. A study was conducted by the All India Heart Foundation among business executives. This showed a high percentage of Ischaemic Heart Disease and Hypertension.

(b) Better diagnostic and curative facilities are being provided by the Hospitals.

(c) No, Sir.

(d) Does not arise.

श्री बलपत सिंह परस्ते : अध्यक्ष महोदय, मैं आपके माध्यम से मंत्री महोदय से यह जानना चाहता हूँ कि गत पांच वर्षों में इस रोग द्वारा शिकतनी मृत्युएँ हुई हैं। क्या हमारे देशों की तुलना में भारत में इसके केमिज की संख्या कहीं अधिक है ? क्या अनुसंधान के परिणामों से यह पता चला है कि किन विशेष कारणों से इस रोग की बढ़ोत्तरी हो रही है और किस-किस प्रकार के व्यक्ति—मोटे व्यक्ति, अथवा मामाहारी, अथवा किसी जलवायु के कारण कुछ व्यक्ति—इस रोग से पीड़ित होते हैं ?

SHRI RAVINDRA VARMA: Sir, the comparative figures that are available of the incidence of heart attacks and heart conditions show that the incidence is much less in countries like India than in the countries in the West. The particular survey that was referred to, for instance of the con-

ditions of businessmen showed that nearly 1.4 per cent are susceptible to hypertension and ischaemic diseases. This is a far lower figure than the figure one finds in western countries. My hon. friend asked about the causes of heart disease. This is a very wide subject, but to be very brief, one can say that there are many causes depending upon age, etc.

(Interruptions)

You know what I mean. Each Member will understand words as he wants to understand and according to his affliction. I see many hands shooting across their chest. This is a very serious matter. Heart disease is not a light matter or a laughing matter. The main causes can be classified as congenital causes and acquired causes. Among the acquired causes, the most notable are rheumatic, ischaemic, neo-plastic and degenerative. There are other things also like saturated drugs, smoking habits, sedentary habits, lack of physical exercise, etc. which are also responsible for heart conditions.

श्री बलपत सिंह परस्ते : मंत्री महोदय ने यह नहीं बताया है कि कितने ब्राह्मणी मेरे हैं ?

SHRI RAVINDRA VARMA: The current head under which information is collected in the sense does not include this item; and since in the case of this country, death certificates do not always make references to such causes, it is not possible at this moment to give any figure.

श्री बलपति सिंह परस्ते : क्या प्राचीन भारतीय आयुर्वेदिक पद्धति का सहारा ले कर भी इस रोग के बारे में कोई खोज की गई है, यदि हां, तो इस विषय में सरकार द्वारा इस रोग के निदान हेतु क्या कदम उठाये जा रहे हैं ? क्या योग द्वारा भी इस रोग से छुटकारा पाने हेतु कोई प्रयास किये जा रहे हैं ? क्या सरकार इस बात से अवगत है कि बड़े ब्राह्मणियों के लिए तो इस रोग का इलाज संभव है, क्योंकि उन्हें जैसे से अच्छी औषधियां तथा डाक्टर

मिल जाते हैं, किन्तु गरीब लोगों, और उनमें भी दलित वर्गों और पिछड़े वर्गों को विशेष-तया इसका शिकार होना पड़ता है ? क्या सरकार रेडियो के माध्यम से भी यदा-कदा इस विषय में उपचार हेतु प्रसारण का कोई कोई कार्यक्रम बनाने जा रही है ?

MR. SPEAKER: Questions must have an end.

SHRI RAVINDRA VARMA: It is well known that the system of Ayurveda also is capable of dealing with this disease and the knowledge and facilities available for treatment through the system of Ayurveda are also being used. The House knows after this Government came into power, there has been a deliberate attempt on the part of the Government to increase . . .

SHRI K. LAKKAPPA: I do not agree. I protest.

MR. SPEAKER: Please.

SHRI RAVINDRA VARMA: I do not know what he is protesting against.

MR. SPEAKER: Against himself. Please, Mr. Lakkappa.

(Interruptions)

MR. SPEAKER: Any excitement is one of the causes of heart disease. Do not get excited.

(Interruptions)

SHRI RAVINDRA VARMA: As far as my friend . . .

MR. SPEAKER: No, no, do not reply that. These are all side issues.

SHRI RAVINDRA VARMA: It is a surviving postscript of his protest of yesterday.

The Government is aware of the potentiality of the system of Ayurveda in treating such diseases and the policy of the Government is to maximise the utilisation of the potentiality of indigenous systems of medicine and that applies to this disease also. It is somewhat difficult to remember the second question.

MR. SPEAKER: The second question was about yoga.

SHRI RAVINDRA VARMA: In fact the main question was about Yoga. (Interruptions) I do not know whether hon. Members are not..

(Interruptions)

MR. SPEAKER: There seems to be a lot of excitement about the heart disease.

SHRI RAVINDRA VARMA: Yoga is also a system which enables one to deal with hypertension and it can be prescribed to many men in this country including those who suffer from hypertension in whatever high circle they may be.

MR. SPEAKER: The poor people are not able to get medical . . .

SHRI RAVINDRA VARMA: The limited observations that have been made which are not exhaustive observations or exhaustive research of the utility of yoga in controlling hypertension has led to the conclusion that there are many cases in which yogic exercises and yoga can be successfully used for reducing tension. Therefore, this is a contributory factor for treatment of conditions which may result in cardiac ailment.

He asked whether facilities for treatment are available only to the rich and not to the poor. In a sense, it is so of all medical assistance and it applies to this as well. As far as the number of hospitals and the number of beds are concerned, the State Governments and the Central Government together have about 103 hospitals which provide treatment for cardiac conditions and about 1177 beds specially meant for people who suffer from this kind of diseases.

The fourth question was whether....

(Interruptions)

SHRI DINEN BHATTACHARYA: How many beds are in Bangalore and what about...

SHRI RAVINDRA VARMA: I do not know whether you are asking about the bed fellows or the number of beds.

(Interruptions)

SHRI JYOTIRMOY BOSU: About Bangalore.

MR. SPEAKER: This is not a supplementary. I have not called you.

SHRI RAVINDRA VARMA: The last one was about a campaign of public education to make people understand the conditions which result in cardiac ailments. This is part of the national health education campaign and will be carried on.

MR. SPEAKER: I do not want to disturb heart patients.

SHRI S. R. RAMANI: I may draw the attention of the hon. Minister to part (c) of the question where it is said 'whether it has been proved that this disease can be cured by Yoga'. In this connection just now the minister has said that yoga is useful and it can also cure the disease. As the number of persons suffering from heart disease is increasing, may I know what kind of assistance you are giving to yoga institutions so that the poor and middle class people get the advantage because yoga is cheap and it can cure the heart disease? My own experience is that yoga can cure disease.

SHRI RAVINDRA VARMA: What has been stated in answer to the question is that yoga is helpful in the reduction of hypertension. Part (c) of the question specifically asked whether it has been proved that this disease can be cured by yoga. This is going much further than saying that hypertension can be lessened or reduced by yoga. No experiments that have been conducted have conclusively proved that the disease can be conclusively tackled by yoga alone.

The hon. Member asked a question about promoting yoga. In answer to that I must say that the recently established Central Council for Research in Yoga and Naturopathy is expected to undertake research, over a period of time, regarding the efficacy of yogic exercises/practices in the prevention and control of various diseases including heart diseases.

Normal Tenure of Foreign Postings in Indian Foreign Service

*1157. SHRI K. P. UNNIKRISHNAN: Will the Minister of EXTERNAL AFFAIRS be pleased to lay a statement showing:

(a) the normal tenure of foreign postings in the Indian Foreign Service;

(b) how many officers of the rank of Heads of Missions have been transferred before completing two years, since March, 1977, with their names and details of posting;

(c) how many of such officers are at present under orders of transfer;

(d) what, according to the Ministry, is the average cost involved in the transfer of a Head of a Mission, departmental as well as likely personal expenditure; and

(e) whether any rational policy is being evolved by the Ministry for such foreign postings?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) The normal tenure of foreign postings in the Indian Foreign Service is two years in respect of certain stations where living conditions are difficult, and three years in all other stations, although for administrative reasons or in public

interest this normal tenure may be extended or curtailed.

(b) Since March, 1977, fifteen Heads of Missions have been transferred, 9 of them on account of retirement, before completing two years. A list (No.I) showing their names and stations of posting is placed on the Table of the House.

(c) No officer of the rank of Head of Mission falling under the above category is at present under orders of transfer. A list (No. II) of 6 Heads of Missions who will retire before completing two years at their station of posting is placed below.

(d) It is not possible to work out the average cost involved in the transfer of a Head of Mission as the expenditure varies considerably depending on the distance between the two posts involved, the cost of living in the country from which the officer has been posted, the size of the officer's family on also the approved mode of travel and class. Ministry does not maintain records of the personal expenditure incurred by a Head of Mission himself when moving on transfer. Government pays, by way of transfer Grant, an amount equivalent to a month's basic salary, subject to a maximum of Rs. 2250/- which is intended to cover such expenditure.

(e) Heads of Missions are chosen from among career officers and eminent persons from public life on the basis of their qualifications, experience and suitability for the particular assignment. In deciding upon foreign postings of Heads of Missions and of other categories both qualifications and experience and the suitability for the assignment in terms of India's national interest are invariably the main guiding factors in taking a decision.

LIST NO. I

List of Heads of Mission who have been transferred before completing two years at the Station of their posting, since March, 1977

S.No.	Name	Station	From	To	Remarks
1	Shri Mahboob Ahmad	Ottawa	13-4-77	30-9-78	Retired.
2	Shri U.S. Bajpai	Berne	30-5-77	31-5-78	Transferred to Headquarters.
3	Shri B.K. Basu	Havana	16-3-77	17-1-79	Transferred to Santiago Chile.
4	Shri J.R. Hiremath	Sofia	1-11-75	24-8-77	Transferred to Thimpu.
5	Shri R. Axel Khan	Berlin (GDR)	2-3-77	31-1-79	Retired.
6	Shri Chhedi Lal	Panama	5-10-76	31-3-78	Retired.
7	Shri D.C. Manners	Baharain	5-8-76	4-7-78	Transferred to Headquarters.
8	Shri M.S. Nair	Malawi	23-8-76	31-12-78	Retired.
9	Shri M.A. Quraishi	Jeddah	12-4-76	11-1-78	Retired.
10	Shri Samar Sen	Stockholm	13-12-76	31-12-77	Retired.
11	Shri Avtar Singh	Lagos	19-4-77	25-6-78	Transferred to Tokyo
12	Shri Kewal Singh	Washington	8-10-76	23-9-77	Retired.
13	Shri K.R.P. Singh	Tehran	3-9-76	24-4-78	Transferred to Vienna.
14	Shri Nirmaljeet Singh	Caracas	24-3-77	Dec., 78	Retired.
15	Dr. S. Sinha	Beirut	20-5-77	31-12-78	Retired.

LIST NO. II

List of Head of Missions who retire before completing two years at their stations of postings

S.No.	Name	Station	From	Date of retirement
1	Shri G.J. Malik	Madrid	3-11-1977	Retiring on 31-5-1979.
2	Shri Avtar Singh	Tokyo	25-6-1978	Retiring on 31-10-1979.
3	Shri A.K. Damodaran	Rome	10-6-1978	Retiring on 31-12-1979.
4	Shri P.K. Guha	Lisbon	14-10-1977	Retiring on 31-8-1979.
5	Shri T. Srinivasan	Mogadishu	27-1-1978	Retiring on 30-11-1979.
6	Smt. Usha Nath	Conakry	7-10-1977	Retiring on 31-7-1979.

SHRI K. P. UNNIKRISHNAN: The long answer that the Minister has provided conceals the fact that there has been lot of discontent and heart-burning in the Indian Foreign Service as a result of absence of any postings policy. I would like to invite your attention and the attention of the House that this has been commented upon adversely even by the Estimates Committee of the Parliament. Now, the hon. Minister has given part of the answer. Part of the answer he has cleverly kept out. Part (b) of my question is: How many officers of the rank of Heads of Missions have been transferred? My understanding of Indian Foreign Service is that it is a composite service. Now he has given us the particulars of how many people have been transferred to headquarters, but not of how many people who have been transferred from headquarters within a period of two years. My question is very clear because of my understanding of the nature of the Foreign Service. Now he conceals that part so that a reasonable statement is made and placed on the Table of this House. So, Sir, it is our right to know also that if it is a composite service, how many people have been transferred during this tenure I have mentioned from headquarters to various other places of posting. Now, that is the question I would like the Minister to answer.

SHRI ATAL BIHARI VAJPAYEE: Sir, I would like to assure the hon. Member that I have no desire to conceal anything from him or from the House. I am inclined to agree with him . . .

SHRI SHYAMANANDAN MISHRA: You cannot be a successful Foreign Minister.

SHRI ATAL BIHARI VAJPAYEE: Success or unsuccess apart, I am inclined to agree with the hon. Member that the policy regarding transfers of Foreign Service officials requires a

second look. I have seen the recommendation made by the Estimates Committee, the recommendation is under consideration, but, Sir, he has asked for some information which is not available with me at the moment.

MR. SPEAKER: It should have been. It is implied.

SHRI ATAL BIHARI VAJPAYEE: Sir, part (b) of his question is: "How many officers of the rank of Heads of Missions . . ." Sir, I seek your protection. Without going into part (b) of the question, you have said something which goes against me.

MR. SPEAKER: No, no, Mr. Minister, this is by way of a supplementary question for which you should be prepared. You are not merely answering the question. What arises out of the question also, you should have to answer.

SHRI ATAL BIHARI VAJPAYEE: Sir, anything can arise. (*Interruptions*). Sir, may I draw your attention to part (b) of the question? The hon. Member is very meticulous. He has tabled such a big question. He could have asked for that information also.

(*Interruptions*)

MR. SPEAKER: Now that you don't have the answer . . .

SHRI ATAL BIHARI VAJPAYEE: Sir, I will collect the information and lay it on the Table of this House.

SHRI K. P. UNNIKRISHNAN: Now, Sir, he has refused to give the average cost by saying that he does not know and it cannot be consolidated. But I am sure the Ministry has some figures on this which are very vital because it is a very important thing for Parliament to be enlightened about how much money the Ministry is spending on transfers alone. So, to say that it is very difficult—I understand the difficulty because if it is a transfer from Colombo to Maldives it will cost Rs. 150 or Rs. 200, but if it is from Zurich to Tokyo it will cost more. So, that information is vital. Above all, I want to know . . .

MR. SPEAKER: You have not asked for the total cost, average cost you have asked.

SHRI K. P. UNNIKRISHNAN: Sir, I want to know what specifically he intends to do about the rational policy for his Ministry regarding the postings etc.

SHRI ATAL BIHARI VAJPAYEE: Sir, I have already said that the matter is under consideration. Before taking a decision, I will consult Members of Parliament, particularly those who belong to the Consultative Committee attached to my Ministry.

MR. SPEAKER: Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

Move to Debar Egypt from Attending Non-Aligned Summit

†*1156. SHRI K. S. VEERABHADRAPPA:

SHRI MADHAVRAO SCINDIA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) what are the names of the countries who have sought the support for their move to debar Egypt from attending the non-aligned summit at Havana in September this year; and

(b) what are the details regarding India's stand in this regard?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) The Council of the League of Arab States held a meeting at Baghdad at the level of Arab Ministers for Foreign Affairs, Economy and Finance in the last week of March. The meeting was attended by all the Arab League States excepting Egypt, Sudan, Oman and Somalia. At the end of this meeting, certain resolutions were adopted, one of which was "to work towards the suspension of Egypt's membership from the non-aligned

movement." The recommendation flowed from intra-Arab differences on Egypt-Israel Treaties and the solution of West Asian problems.

(b) In our view, the united focus of the non-aligned movement must concentrate on a comprehensive and durable settlement by demanding the fulfilment of Palestine national rights and total vacation of Arab lands by Israel.

ललितपुर-सिगरौली लाइन

*1158. श्री लक्ष्मी नारायण नायक :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) उन स्थानों के नाम क्या हैं जहाँ पर ललितपुर-सिगरौली रेलवे लाइन का सर्वेक्षण करने के लिये सर्वेक्षण कार्यालय स्थापित किये गये हैं ;

(ख) झांसी में सर्वेक्षण कार्यालय द्वारा सर्वेक्षण का कितना काम आरम्भ किया गया है और क्या सर्वेक्षण दल ने ललितपुर से टीकमगढ़ की ओर सर्वेक्षण आरम्भ किया है,

(ग) क्या छतरपुर और टीकमगढ़ में भी सर्वेक्षण कार्यालय स्थापित किये जा रहे हैं ; और

(घ) ललितपुर-सिगरौली रेलवे लाइन के सर्वेक्षण के लिये वर्ष 1979-80 के बजट में कितनी धनराशि रखी गई है और वर्ष 1978-79 के बजट में कितनी राशि रखी गई थी और उसमें से कितनी धनराशि का उपयोग किया गया था ?

रेल मंत्री (श्री० मधु दंडवते) :

(क) इस समय सर्वेक्षण शिविर निम्नलिखित स्थानों पर लगे हुए हैं :

- (1) ललितपुर
- (2) टीकमगढ़
- (3) माडला (के। नदी के समीप), और
- (4) रामपुर

इससे पूर्व सर्वेक्षण शिविर सतना, नागोद, देवेन्द्रनगर और रीवा में खोले गये थे जिन्हें इन स्थलों पर क्षेत्र-कार्य समाप्त हो जाने पर बन्द कर दिया।

(ख) झांसी में अभी तक कोई सर्वेक्षण कार्यालय स्थापित नहीं किया गया है। लेकिन, प्रशासी अभियन्ता (सर्वेक्षण) जबलपुर के समग्र पर्यवेक्षण के अधीन ललितपुर और टीकमगढ़ के बीच सर्वेक्षण कार्य ललितपुर और टीकमगढ़ में स्थित पार्टियों द्वारा शुरू कर दिया गया है और यह काम जोगों से चल रहा है।

पन्ना और रीवा के बीच के 90 किलोमीटर में क्षेत्र-कार्य उन क्षेत्रों में स्थित पार्टियों ने पूरा कर लिया है।

(ग) टीकमगढ़ में सर्वेक्षण कार्यालय पहले ही स्थापित कर दिया गया है। इस समय, माडला में जिस सर्वेक्षण पार्टी ने शिबर लगाया हुआ है, वही पार्टी आगे छतरपुर में चली जायेगी।

(घ) ललितपुर-सिगरोली रेल लाइन के सर्वेक्षण के लिए 1978-79 बजट में मूलतः 3.12 लाख रुपये का प्रावधान किया गया था जिसे संशोधित बजट में 2.30 लाख रुपये कर दिया गया। यह सारी रकम खर्च कर ली गयी है। इसकी तुलना में 1979-80 के बजट में 10 लाख रुपये की रकम की व्यवस्था की गयी है।

National T. B. Scheme

*1159. SHRI BALASAHEB VIKHE PATIL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether his attention has been drawn to the news item captioned "National T. B. Scheme has yet to make impact" which appeared in the 'Times of India' (New Delhi Edition) of 21st April, 1979;

(b) if so, the causes on account of which the impact of this public health programme in the country has not been felt; and

(c) the reaction of Government to the recommendation of the Tuberculosis Association of India that T. B. control should again be a centrally sponsored programme as it was upto the Fourth Five Year Plan?

THE MINISTER OF PARLIAMEN- TARY AFFAIRS AND LABOUR. (SHRI RAVINDRA VARMA): (a) Yes, sir.

(b) The National T.B. Programme was assessed by a special Expert Group of the ICMR in 1976 and in their opinion monitoring and supervision at the State level and implementation at the peripheral level has been lacking.

(c) The recommendation of the T.B. Association of India was considered but could not be accepted. However, the BCG Vaccination Programme as a part of Expanded Programme of Immunization will be a Centrally Sponsored Programme during the 6th Plan.

Opening More Cultural Centres Abroad

*1160. SHRI ISHWAR CHAUDHRY: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether there is any proposal under Government's consideration to open more cultural centres abroad;

(b) if so, the names of countries where these centres are proposed to be opened; and

(c) the names of the countries where such centres are already functioning and the names under which they are functioning?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJ- PAYEE): (a) Yes, Sir.

(b) Proposals are under considera- tion for opening of a Cultural Centre in South-East Asia and another in Trinidad and Tobago.

(c) Such Cultural Centres are already functioning in Suva (Fiji), Georgetown (Guyana) and Paramaribo (Surinam) and their nomenclature is "Indian Cultural Centre".

Complaints against Doctors of Ram Manohar Lohia Hospital

*1161. CH. HARI RAM MUKKASAR GODARA): Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether he has received complaints in the recent past about the callousness of doctors in Ram Manohar Lohia Hospital, New Delhi as they do not attend to the patients for very long periods in Emergency wards and thus has proved fatal in many cases including even Members of Parliament;

(b) if so, what positive and immediate steps are being taken to improve the situation;

(c) whether it is also a fact that there are no doctors available on Sundays and other holidays in the wards; and

(d) if so, the reasons for the same, when there is no dearth of doctors in the country?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Yes, Sir.

(b) Complaints when received are enquired into and necessary steps taken. Every possible effort is being made to constantly improve medical care provided to patients admitted to the Emergency ward or shifted to the regular wards thereafter. Additional posts of doctors have been recently sanctioned to improve emergency services.

(c) and (d) Doctors are available round the clock. Specialists are on call. Position will further improve when the recently sanctioned specialist staff are appointed.

Collecting Material Relating to Netaji

*1162. PROF. SAMAR GUHA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) facts about the steps taken and materials collected so far for collection of all historical materials and documents connected with the activities of Netaji Subhas Chandra Bose in European and Asian countries during the last World War;

(b) whether the Government have made efforts to collect such materials including writings and speeches of Netaji, from the Government Archives of East and West Germany, Italy, U. K., U.S.S.R., and other European countries and Burma, Malaysia, Singapore, Indonesia, Thailand, Cambodia; Vietnam; China; Philippines, Aiiwan and Japan.

(c) whether efforts have been made to collect such materials from people of Indian origin living in these countries as well; and

(d) if so, facts, thereabout and the materials collected so far?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) to (d) The Ministry of External Affairs and Indian Missions abroad have always responded to specific requests regarding the collection of information and historical materials connected with Netaji's stay abroad during the Second World War. The work of organising a systematic collection must be left to private organisations, individuals and memorial committees.

It will be recalled that we facilitated the work of both the Shah Nawaz Commission (1956) and Khosla Commission (1971), enabling them to obtain as much material and information on Netaji as was possible. We also invite attention to the several replies given to Hon'ble Member in the Lok Sabha recently: Unstarred Question No. 3567 answered on 14

December 1978 and No. 9488 answered on 3rd May 1979 are relevant.

Guidelines for Allotment of Accommodation to Medical Officers of C.G.H.S. Dispensaries

*1163. SHRI K. LAKKAPPA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether any guidelines have been laid down for the allotment of accommodation, wherever it exists, in the premises of C.G.H.S. Dispensaries, to Medical Officers working in that particular Dispensary or in some other Dispensary and whether even on transfer such Medical Officers are allowed to retain their accommodation to the disadvantage of their successors;

(b) if so, the details thereof and why this is being allowed;

(c) the number of Medical Officers in the South Delhi Zone who are allowed to continue living in the accommodation in Dispensaries even though they had been transferred to Dispensaries in other zones, for more than two years or so;

(d) whether some Medical Officers presently occupying such Dispensary accommodation are having their own houses in Delhi; and

(e) steps proposed to be taken to stop such malpractices?

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA) (a) and
(b). The principle followed for allotment of CGHS pool of accommodation in Delhi including quarters attached to the dispensaries is allotment of quarters to the senior-most doctor under any system of medicine working in the CGHS, Delhi. The dispensary or zone in which the allottee works is not a criterion for such allotment. This principle has to be followed in view of the limited accommodation available for allotment to the doctors under the CGHS, Delhi. Unless it is possible to accommodate a doctor in a zone

to which he is transferred, he is allowed to retain the accommodation earlier allotted to him and situated in another zone.

(c) There is one case of medical officer transferred from South zone to Central zone but continuing to live in accommodation allotted to him in South zone.

(d) There are cases of doctors having their own houses in Delhi occupying CGHS pool accommodation.

(e) Occupation of Government accommodation while having own houses in Delhi is not considered a mal-practice.

Casual Workers in Shipping Industry

*1164. SHRI DILIP CHAKRAVARTY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have any consistent policy regarding the abolition of casual employment in organised industries with particular reference to the shipping industry;

(b) if so, has it got any policy for providing relief to those amongst the casual workers during the period of compulsory unemployment who have worked for long period without any break;

(c) is it a fact that there are more than 45 thousand casual workers in the shipping industry; and

(d) if so, whether Government will impress upon the ship owners the need for taking ameliorative steps?

THE MINISTER OF STATE IN-
CHARGE OF THE MINISTRY OF
SHIPPING AND TRANSPORT (SHRI
CHAND RAM): (a) and (b): There are model standing orders for Casual Labour working in various Central Government Undertakings under the Ministries/Departments of the Government of India. These orders *inter alia* provide for regularisation of Casual Workmen who have completed six months of continuous service in the same establishment or under the

same employer within the meaning of sub-clause (b) of clause (2) of Section 25 B of the Industrial Disputes Act 1947. The orders also provide that on regularisation the pay of the workman shall be fixed at the minimum in the time scale of pay applicable to the work he has been doing as a casual workman.

A Casual Workman who has completed 90 days of continuous service in the same establishment or under the same employer shall be given preference for such casual employment in that establishment or under the same employer over a workman who has not completed his period of 90 days.

So far as the shipping industry is concerned, presently employment of seamen is on voyage to voyage basis. Considerable number of Indian seafarers also find employment on foreign flag vessels. Their employment is regulated by the Seamen's Employment Offices set up by Government of India at Bombay and Calcutta. A scheme to provide relief to those seamen who remain compulsorily unemployed for long periods has been introduced. Under this scheme unemployed seamen waiting for employment are considered as 'Needy Seamen' during the period of involuntary unemployment. The involuntary unemployment commences after the off entitlement period which is calculated @ 10 days for every month of the previous engagement. The 'Needy Seamen' are paid *ex-gratia* assistance by the Seafarers Welfare Fund Society at Rs. 10/- per day till he gets an assignment. This payment is subject to a maximum of 90 days payment.

(c) There are only 39347 registered seamen with Seamen's Employment Office, Bombay/Calcutta as on 1-4-1979.

(d) The wages of Seafarers and their service conditions are settled by bipartite organisation of shipowners (Indian and Foreign) and seafarers namely National Maritime Board. This forum provides joint negotiating ma-

chinery between Foreign and Indian shipowners and Indian seafarers (Through their unions) for the purpose of:—

- (i) the prevention and adjustment of differences between shipowners and seafarers.
- (ii) the establishment, revision and maintenance of suitable rate (or rates) of wages and approved conditions of service.
- (iii) the consideration of such other matters of common interest as may be mutually agreed upon from time to time.

It would be observed from the foregoing that adequate machinery exists for ameliorating the hardship of the seafarers.

Appointment of Ayurvedic/Homoeopathy or Siddha Doctors in Primary Health Centres

*1185 SHRI GANGA SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is the policy of the Government of India to appoint one Ayurvedic/Homoeopathy or Siddha Doctors in each of the Primary Health Centres in the country;

(b) if so, how many of such doctors have so far been appointed; and

(c) when this scheme is likely to be completed and at what cost?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Under the Community Health Workers Scheme, an additional post of Medical Officer has been sanctioned at each Primary Health Centre covered under the Scheme. The choice of the system from which these doctors should be appointed against these posts has been left to the discretion of the States/Union Territory Governments.

(b) 1789 additional posts have been sanctioned so far. The details of the total number of doctors appointed or break-up of the number system-wise are not yet available from the States/ Union Territories.

(c) The scheme is likely to be fully implemented in the States/Union Territories accepting the scheme by March, 1983. The proposed allocation for Community Health Workers for the Plan period 1978-83 is Rs. 200 crores. This is likely to undergo some changes in view of the decision of the National Development Council regarding transfer of Centrally sponsored scheme to the Centrally aided schemes.

रेलवे पेंशनर्स एसोसिएशन, मद्रास

*1166. श्री चन्द्र शेखर सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे पेंशनर्स एसोसिएशन, मद्रास-30 ने मूल्यों में वृद्धि होने के कारण उन्हें हो रही कठिनाइयों के बारे में कोई ज्ञापन दिया है,

(ख) यदि हां, तो इस संबंध में व्यौरा क्या है,

(ग) क्या सरकार मूल्यों में वृद्धि को देखते हुए पेंशन आयोग बनाने के प्रश्न पर विचार करेगी, और

(घ) यदि हां, तो कब तक ?

रेल मंत्री (प्रो० मधु बंडवते) : (क) और (ख). ऐसा कोई औपचारिक ज्ञापन प्राप्त नहीं हुआ है। लेकिन, कुछ पेंशनरों ने व्यक्तिगत रूप से अपनी तकलीफें मुझे बतलायी और मूल्य-वृद्धि को देखते हुए पेंशन की मात्रा में वृद्धि करने के बारे में उन्होंने अनुरोध किया था।

(ग) और (घ). रेल कर्मचारियों के लिए अप्रत्याशित नयी पेंशन योजना बही है जो वित्त मंत्रालय द्वारा सभी केन्द्रीय सरकारी कर्मचारियों के लिए बनायी गयी है। जब

समग्र रूप से केन्द्रीय सरकारी कर्मचारियों के संबंध में पेंशनीय लाभों के उदारीकरण के संबंध में कोई निर्णय लिया जाता है तो वह रेल कर्मचारियों के लिए भी लागू होता है। अतः रेल कर्मचारियों के लिए अलग से पेंशन आयोग गठित करने का प्रश्न नहीं उठता है।

Garbage at Railway Yards

*1167. PROF. P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that at many places of Railway yards, properties, lands, etc., particularly in and around major railway stations in the country, including at Ahmedabad, there are lying heaps of garbage and dirt of all kinds causing health hazards and providing ugly sites; and

(b) if so, what effective urgent steps are being taken by Government to remedy the said situation?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) and (b). Effective steps are taken by the railway authorities to see that accumulated garbage and refuse is removed and disposed of thereby preventing possible health-hazards. Liaison is maintained with the civic authorities concerned to ensure timely disposal of waste matter from the railway premises.

Indo-Pak Relations

*1168. SHRI SHANKERSINHJI VAGHELA:
SHRI CHIMANBHAI H. SHUKLA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the news item appearing in *Sunday Standard* dated the 22nd April, 1979 regarding Pakistan President's statement "the relation between India and Pakistan are very delicate"; and

(b) if so, what is the reaction of the Government of India thereto?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) Government have seen press and radio reports regarding Pakistan President's statement to this effect. The statement appears to have been made in the context of Pakistan President's desire "not to be misunderstood" in his reaction to the Jamshedpur riots.

(b) Government have throughout followed the principle of strict non-interference in the internal affairs of Pakistan and the Pakistan President's statement is a welcome indication of a similar attitude.

Report of Committee on Workers' Participation in Management

*1169. SHRI SAUGATA ROY:
SHRI NIHAR LASKAR.

Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to lay a statement showing:

(a) whether the Committee on Workers' participation in Management has presented its report;

(b) if so, what are its recommendations;

(c) whether these recommendations have been considered by Government and decisions taken on them; and

(d) if so, details thereof?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). A Statement giving the main recommendations of the Committee is laid on the Table of the House.

(c) and (d). Government is giving due consideration to the Report.

STATEMENT

***MAIN RECOMMENDATIONS OF THE COMMITTEE ON WORKERS' PARTICIPATION IN MANAGEMENT AND EQUITY**

(i) It was generally agreed that the scheme should be introduced in

undertakings employing 500 or more workers with an enabling provision to extend it to others employing at least 100 workers.

(ii) No distinction need be made between private, public or cooperative sectors in the matter of introducing the scheme.

(iii) The majority of the members favoured the adoption of a three-tier system of participation, namely at the corporate level, plant level and shop-floor level; the employers' representatives did not favour representation at the Board level. It was suggested that in public sector wherein there was a practice of collective bargaining at the industry level, the question of setting up a participative forum at the industry level should also be considered.

(iv) It was considered desirable that the representatives at the participative forums should, as far as possible, be from amongst the workers employed in the shop or the plant, as the case may be, and there should be parity between the representatives of employers and workers on these forums. There was, however, no unanimity regarding the number of workers' representatives at the corporate level.

(v) It was agreed that the representatives of workers at the participative forums should be selected through secret ballot.

(vi) It was generally felt that supervisors and the middle management should have representation in the participative forums so that they could be fully involved in the decision-making processes.

(vii) There was general agreement among the members regarding the functions and levels that the participative arrangements might cover. The functions of the participative forums at shop level, plant level and corporate /Board level were spelt out in detail.

(viii) It was generally agreed that there should be an organisation, both at the Centre and in the States, to monitor the implementation of the scheme of workers' participation in management and also to review its working.

(ix) As regards equity participation, it was strongly expressed by the workers' representatives that the concept of equity participation should not be applicable to the public sector as it would only dilute the character of state ownership and that this concept was relevant only in the context of the private sector. The majority view was that participation in equity should be optional and should not be looked upon as a legal means to ensure participation in management. It was generally agreed that not less than 10 per cent of all new shares issued in future by a company should be reserved exclusively as workers' shares and should be offered first to the workers of that company; where

they do not purchase the shares, these may be offered to others.

Pending Proposals of Dock Expansion

*1170. SHRI S. R. REDDY: Will the Minister of SHIPPING & TRANSPORT be pleased to state:

(a) whether it is a fact that many proposals for expanding work in the docks are lying pending with the Ministry for more than 6 to 9 months; and

(b) if so, the details of the proposals and reasons for delay in clearing these?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). It is presumed that the Honourable Member is referring to the sanction of major proposals relating to Port expansion works in the Major Ports. A statement furnishing the details of such proposals along with reasons for pendency is laid on the table of the Sabha.

Statement

The following proposals relating to port expansion works in the Major Ports are pending with the Ministry of Shipping and Transport for more than 6 months and the reasons for their pendency are indicated against each proposal:—

S.No.	Name of Port	Name of the proposal	Reasons for Pendency
1	Madras	Sanction of an estimate for the construction of a Dry Dock at Madras Port.	Additional information on certain points has been called for from the Port Trust. This is awaited.
2	Madras	Sanction of an estimate for the re-modelling of Boat Basin at Madras Port.	Additional information on certain points is awaited from the Port.
3	Cochin	Sanction of an estimate for the construction of an integrated development scheme at Cochin Port.	After the receipt of the proposal from the Port, detailed discussions had to be held with various users and connected agencies. With reference to the discussions, a Supplementary Report on the Project was furnished by the Port in March 1979. The Scheme is being processed further.

1 Members have signed the Report without any observation.

जनता भोजन की सप्लाई

*1171. श्री सुखेन्द्र सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेल विभाग ने सभी मुख्य स्टेशनों पर तथा रेलगाड़ियों में जनता भोजन सप्लाई करने की व्यवस्था की है,

(ख) यदि नहीं, तो इसके क्या कारण हैं, और

(ग) सभी मुख्य स्टेशनों पर तथा रेलगाड़ियों में जनता भोजन सप्लाई किये जाने की व्यवस्था कब तक कर दी जायेगी ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) से (ग). दो राजधानी एक्सप्रेस गाड़ियों को छोड़कर, भोजन/पैट्री यानों से सज्जित सभी गाड़ियों में "जनता खाना" के पैकेट देने की प्रणाली प्रारम्भ की गयी है। यह प्रणाली सभी भारतीय रेलों के महत्वपूर्ण स्टेशनों पर कम मूल्य के भोजन पैकेटों के अलावा प्रारम्भ की गयी है। "जनता खाना" की लोकप्रियता को देखते हुए, क्षेत्रीय रेलों द्वारा "जनता खाना" की विक्री की व्यवस्था और अधिक गाड़ियों में तथा सभी महत्वपूर्ण स्टेशनों पर धीरे-धीरे की जा रही है।

Proposal to Sanction by Passes of National Highway No. 5

1172. SHRI P. RAJAGOPAL NAIDU: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the Andhra Pradesh State Government sent up proposals to sanction by-passes near Rajangaram and Pattipadu of Vijayawada-Visakhapatnam section of National Highway 5; and

(b) if so, the action taken thereon?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) The Government of Andhra Pradesh has forwarded a

list of works for inclusion in the 6th Five Year Plan. The works for re-alignment of the National Highway at Rajangaram and Pattipadu are also included therein. Detailed proposals supported by field data plans and estimates have, however, not been received from the PWD.

(b) These works are being considered for inclusion in the current five' Year Plan programme which, however, will be subject to available plan outlay and inter-se priority for various improvement work requirements on National Highways for the country, as a whole.

Complaints Regarding Scooter Meters

*1173. SHRI AMARSINH V. RATHAWA:
SHRI S. S. LAL:

Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that complaints of scooter meters showing different reading for the same distance are increasing day by day in Delhi;

(b) if so, the number of such complaints received during the last three months, (month-wise); and

(c) the steps taken by the Government in this regard?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Yes Sir, of late such complaints are on the increase.

(b) The number of complaints received during the last three months by Director of Transport, Delhi Administration and Delhi Traffic Police are as under:—

	Directorate of Transport.	Traffic Police
February, 1979	2	22
March, 1979	3	8
April, 1979	Nil	254
	5	284

(c) Delhi Administration, which is the executive authority in this matter, has intimated the following steps taken by them:—

(i) While revising fares, State Transport Authority stipulated that autorickshaws and taxi meters shall be recalibrated within three months. In pursuance of the aforesaid decision all operators of autorickshaws/taxis have been directed to get the fare meters recalibrated through the Controller, Weights & Measures of the Directorate of Industries.

(ii) Special drives have been undertaken jointly by the Enforcement staff of the Directorate of Transport, Delhi Administration and the Controller of Weights & Measures, against the operators and the operators with defective meters have been challaned.

यूनियन टैक्सटाइल कलकत्ता की और भविष्य निर्ध और कर्मचारी राज्य बीमा निगम योजना का बकाया

11074. श्री हुकमचन्द कछवाय : क्या संसदीय कार्य तथा श्रम मंत्री यह बताने की कृपा करेंगे कि क्या यूनियन टैक्सटाइल्स, कलकत्ता ने अपने कर्मचारियों के संबंध में गत तीन वर्षों की भविष्य निर्धि तथा कर्मचारी राज्य बीमा योजना निधियां जमा नहीं कराई हैं और यदि हां, तो टैक्सटाइल मिल की और कितनी धनराशि बकाया है और उसको बसूल करने के लिए अब तक क्या कार्रवाई की गई है ?

श्रम तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (डा० राम कृपाल सिंह) : भविष्य निर्धि प्राधिकारियों ने सूचित किया है कि 16-2-1979 की स्थिति के अनुसार, मैसर्स यूनियन टैक्सटाइल्स, 16, नूरमल लेन कलकत्ता, कर्मचारी भविष्य

निधि और प्रकीर्ण उपबंध अधिनियम, 1952 के अधीन नहीं आता है, क्योंकि इसमें बीस से कम व्यक्ति नियोजित हैं ।

कर्मचारी राज्य बीमा निगम ने सूचित किया है कि मैसर्स यूनियन टैक्सटाइल्स, लोहिया नूरमल, लेन, कलकत्ता एक "दुकान" है और कर्मचारी राज्य बीमा अधिनियम 1948 के उपबंधों को पश्चिम बंगाल राज्य में दुकानों पर लागू नहीं किया गया है ।

क्षेत्रीय भविष्य निर्धि आयुक्त, उत्तर प्रदेश द्वारा लगाये गये दौरे

11075. श्री अर्जुन सिंह भदौरिया : क्या संसदीय कार्य तथा श्रम मंत्री यह बता की कृपा करेंगे कि :

(क) मार्च, 1978 से मार्च, 1979 की अवधि के दौरान क्षेत्रीय भविष्य निर्धि आयुक्त, उत्तर प्रदेश ने कितने दिन अपने कार्यालय में काम किया और कितने दिन वह सरकारी दौरे पर बाहर रहे ; और

(ख) इन दौरों की वजह से उन्हें कुल कितनी धनराशि की प्रतिपूर्ति की गई ?

श्रम तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (डा० राम कृपाल सिंह) : कर्मचारी भविष्य निर्धि प्राधिकारियों ने सूचित किया है कि—

(क) और (ख) मार्च, 1978 से मार्च, 1979 की अवधि के दौरान, क्षेत्रीय भविष्य निर्धि आयुक्त, उत्तर प्रदेश सतानवें दिनों के लिए सरकारी दौरे पर रहे और इन दौरों के संबंध में उन्हें यात्रा भत्ते के रूप में 8315.60 रुपए की राशि का भुगतान किया गया ।

**राष्ट्रीय संयुक्त सलाहकार मशीनरी की
राष्ट्रीय परिषद में कर्मचारियों का
प्रतिनिधित्व**

11076. श्री इयाराम शाक्य : क्या संसदीय कार्य तथा भ्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सरकार के प्रत्येक मंत्रालय में (रखा मंत्रालय को छोड़कर) श्रेणी-3 और 4 के कर्मचारियों की संख्या कितनी है। और

(ख) क्या प्रत्येक मंत्रालय में कर्मचारियों का पर्याप्त प्रतिनिधित्व सुनिश्चित करने के लिए कर्मचारियों की वर्तमान संख्या के अनुपात में संयुक्त सलाहकार मशीनरी की राष्ट्रीय परिषद में सीटों को फिर से आवंटन करने का मामला विचारधीन है ?

संसदीय कार्य तथा भ्रम मंत्री (श्री रवीन्द्र बर्मा) : गृह मंत्रालय ने सूचित किया है कि केन्द्रीय सरकार के उन ग्रुप "ग" और "घ" कर्मचारियों की वर्तमान संख्या के संबंध में सूचना सहज उपलब्ध नहीं है, जो संयुक्त सलाहकार मशीनरी की योजना के अन्तर्गत आते हैं।

(ख) संयुक्त सलाहकार मशीनरी की योजना के अनुसार राष्ट्रीय परिषद् में, जो एक शीर्ष निकाय है, कर्मचारियों की सीटों की संख्या 60 निर्धारित की गई है। 1966 में संयुक्त सलाहकार मशीनरी की योजना को प्रारम्भ करते समय राष्ट्रीय परिषद् में कर्मचारियों की सीटों को विभिन्न मंत्रालयों/विभागों के बीच ग्रुप "ग" और ग्रुप "घ" कर्मचारियों की कुल संख्या के आधार पर वितरित किया गया था। मंत्रालयों/विभागों ने आवंटित की गई सीटों को विभिन्न मान्यता-प्राप्त संघों/यूनियनों/संस्थाओं के बीच वितरित किया। इन सीटों का बंटवारा प्रत्येक ग्रुप की अलग अलग सवस्य संख्या को ध्यान में रख कर किया गया। गृह मंत्रालय ने यह बताया है कि तमाम सीटों को मंत्रालयों/विभागों

को पहले से ही आवंटित किया जा चुका है और पात्र कर्मचारियों की वर्तमान संख्या जो कि अब प्रत्येक मंत्रालय/विभाग में बढ़ गई है, के आधार पर इन सीटों का फिर से आवंटन करने की कोई गुंजाइश नहीं है

पोरबन्दर वाणिज्य मंडल से अभ्यावेदन

11077. श्री धर्म सिंह भाई पटेल : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गुजरात के सौराष्ट्र क्षेत्र में पोरबन्दर उद्योग तथा वाणिज्य मंडल, पोरबन्दर ने उन्हें 9 अगस्त, 1978 को इस स्थान पर उनके दौरे के समय रेल सुविधाओं के बारे में एक अभ्यावेदन दिया था

(ख) यदि हां, तो उसमें उल्लिखित मांगों का स्वरूप क्या है और इन में कौन सी मांग स्वीकार कर ली गई है और कब तथा इस बारे में विवरण क्या है ;

(ग) अब तक कौन सी मांग स्वीकार नहीं की गई है और इसके क्या कारण हैं ; और

(घ) शेष मांग कब तक और किस प्रकार स्वीकार की जायेगी।

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) (क) जी हां।

(ख) से (घ) : एक विवरण संलग्न है।

विवरण

अभ्यावेदन में की गयी विभिन्न मांगों के संबंध में स्थिति नीचे स्पष्ट की गयी है :—

1. 45 अप/46 डाउन पोरबन्दर—
अहमदाबाद गांधीग्राम एक्सप्रेस को अहमदाबाद तक/से चलाने की बजाय दिल्ली तक/से बढ़ाना।

अहमदाबाद और रेवाड़ी के बीच ट्रंक मार्ग के कुछ भागों पर अतिरिक्त लाइन क्षमता

उपलब्ध न होने के कारण, पोरबन्दर-अहमदाबाद एक्सप्रेस को दिल्ली तक बढ़ाना सम्भव नहीं है।

इसके अलावा, किसी अतिरिक्त गाड़ी को सम्हालने के लिए दिल्ली क्षेत्र के मीटर लाइन स्टेशनों पर अनुरक्षण की फालतू सुविधाएं उपलब्ध नहीं हैं।

2. वीरमगाम श्रोखा-पोरबन्दर परियोजना का शीघ्र आमान-परिवर्तन।

वीरमगाम-श्रोखा-पोरबन्दर परियोजना के आमान-परिवर्तन का कम दो चरणों में होगा।

चरण i : वीरमगाम से हापा-न्यू जामनगर तक का आमान-परिवर्तन तथा विंडमिल तक स्पर लाइन—1980 तक पूरा करने का लक्ष्य है।

चरण ii : न्यू जामनगर से श्रोखा-कानालुस और पोरबन्दर तक के शेष भाग का आमान-परिवर्तन 1982 तक पूरा करने का लक्ष्य है।

3. पोरबन्दर में एक रेल मंडल का सृजन।

भारतीय रेलों पर मंडलों का गठन प्रशासनिक और परिचालनक आवश्यकताओं के आधार पर और कार्य-कुशलता तथा अर्थ-व्यवस्था की आवश्यकता को ध्यान में रख कर किया जाता है। किसी नये मंडल के गठन पर भारी खर्च करना पड़ता है और उस नये मंडल में काम करने के लिए कर्मचारियों का 'सामूहिक' स्थानान्तरण भी करना पड़ता है जिससे कर्मचारियों को असुविधा होती है। इसलिए, नये मंडलों के गठन के बारे में केवल तभी विचार किया जाता है जब उपर्युक्त मानदंड के आधार पर ऐसा करना नितांत अपरिहार्य समझा जाये। इस आधार पर, पोरबन्दर में नये मंडल के गठन का कोई प्रीक्षित्य नहीं है। पोरबन्दर और इसके निकटवर्ती क्षेत्रों में रेल उपयोगकर्ताओं की जरूरतें मौजूदा भावनगर मंडल, पोरबन्दर जिसका इस समय एक भाग है, द्वारा समुचित रूप से पूरी की जा रही हैं।

4. पोरबन्दर पौटें भ' एक अलग रेलवे स्टेशन की व्यवस्था और वर्ष भर कुला रहने वाले नये पसन के लिए रेल भाड़े में रियायत।

इस मामले की रेल प्रशासन द्वारा जांच की जा रही है।

5. खनिज पदार्थों पर आधारित उद्योगों का विकास।

उद्योगों के इस्तेमाल के लिए कच्चे माल को पहले ही निम्नतर दरों पर वर्गीकृत किया गया गया है, इसलिए पण्य-पदार्थों के भाड़ा प्रभारों में कोई ग्राम कमी करने की गुंजाइश नहीं है। यदि इन में कोई कमी कर दी जाती है, तो ऐसे पण्य पदार्थों के परिवहन में होने वाली हानि बढ़ जायेगी।

बौक्साइट कौलसाइड को माल-डिब्बा भार में श्रेणी 65 पर वर्गीकृत किया गया है और इसकी भाड़ा दरों में यदि कोई कमी कर दी गयी, तो इस यातायात की ढलाई में होनी होगी। अतः इस पण्य-पदार्थ की भाड़ा दरों में कोई कमी करना सम्भव नहीं होगा।

6. माल डिब्बे की अपर्याप्त सप्लाई।

वर्ष 1978-79 के दौरान भावनगर मंडल के कुल दैनिक लदान का औसत 401 माल-डिब्बे रहा जिस में मद 'ई' के 28 माल डिब्बे शामिल हैं, जबकि 1977-78 के दौरान कुल दैनिक लदान का औसत 414 माल-डिब्बे था जिस में मद 'ई' के 33 माल-डिब्बे शामिल हैं। स्टाक की कमी के कारण लदान में मामूली कमी आयी और रेल इंजन के कोयले की कमी के कारण संचलन में शिथिलता आयी। प्राथमिकता 'ई' के अंतर्गत लदान पर स्टाक की कमी और सीमेंट यातायात की भारी मांगों के कारण प्रभाव पड़ा।

7. निजी रेलवे साइडिंगों के लिए अनुरक्षण और निरीक्षण प्रभारों की दरों में वृद्धि।

अभिकों की मजदूरी और तमान की कीमतें बढ़ जाने के कारण, साइडिंगों के अनु-

रक्षण की लागत में अत्यधिक वृद्धि हो गयी है। इसलिए, ऐसे प्रभारों का वास्तविक अनुमान लगाने के लिए, रेलों को लागत समय-समय पर अद्यतन करनी पड़ता है। लेकिन, पार्टियों को यह विकल्प है कि निजी साइडिंगों का अनु-रक्षण वे स्वयं कर सकती हैं। उस दशा में, उन्हें केवल निरीक्षण प्रभार भ्रदा करने होते हैं जो अपेक्षाकृत कम होते हैं और यह सुनि-श्चित करने के लिए कि इन साइडिंगों का अनु-रक्षण अपेक्षित स्तर का हो, रेल कर्मचारियों द्वारा इन साइडिंगों के अत्यधिक निरीक्षणों की लागत को पूरा करने के लिए ये प्रभार लगाये जाते हैं। निरीक्षण प्रभारों में समय-समय पर संशोधन भी करना पड़ता है, ताकि रेल कर्म-चारियों के वेतन में वृद्धि का तत्व भी उन में आ जाये।

8. दावों का शीघ्र निपटारा।

अप्रैल, से जून 1978-79 की अवधि में, कुल दावों में से 68 प्रतिशत दावे 42 दिन की निर्धारित अवधि, जो 1977 के बजट भाषण में निर्धारित की गयी थी, के भीतर निपटा दिये गये थे। अप्रैल से जून, 1978 की अवधि में पश्चिम रेलवे पर दावों के निपटारे का औसत समय 29 दिन था और जुलाई 1978 में यह समय केवल 30 दिन था।

अधिक मूल्य के, विशेष रूप से कोयले के परेशनों से संबंधित, दावों के निपटारे के संबंध में अधिक समय लगता है। इस संदर्भ में, यह उल्लेख करना उपयुक्त होगा कि अप्रैल से जून, 1978 तक की अवधि के दौरान पश्चिम रेलवे को प्राप्त हुए दावों की कुल संख्या में से, लगभग 68 प्रतिशत दावे ऐसे थे जो अन्य क्षेत्रीय रेलों को बुक किये गये परेशनों के संबंध में थे और शेष 32 प्रतिशत स्थानीय बुकिंग के संदर्भ में थे। अन्य क्षेत्रीय रेलों से बुक किये गये यातायात से संबंधित दावों के निपटारे में अपेक्षाकृत अधिक समय लग जाता है क्योंकि एक स्थान से दूसरे स्थान तक

दुलाई और अन्य सम्बद्ध धाकड़ों के संबंध में छान-बीन करने के काम में दो या अधिक रेलें सम्मिलित होती हैं।

Amount paid to Niramony Polyclinic, Calcutta

11078. SHRI SARADISH ROY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) how much amount of money was sanctioned and paid till now to Niramony polyclinic at Gariahata, Calcutta for construction of buildings, purchase of equipments etc.,

(b) what are the terms and conditions of such payment and whether it fulfilled; and

(c) whether this polyclinic is recognised under CGHS and under what conditions,

(d) whether conditions have been fulfilled; and

(e) if not, steps taken for such failure?

THE MINISTER OF PARLIAMEN-TARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) The following amounts were sanctioned and paid to Niramoy Polyclinic, Calcutta for purchase of hospital equipments:—

Year	Amount
1976-67	Rs. 40,000.00
1967-68	Rs. 80,000.00
1977-78	Rs. 67,178.68

(b) A copy of the conditions of eligibility for assistance is laid on the Table of the House. [Placed in Library. See No. LT-4533-79]: Payment of the sanctioned amount of grants are made after receipt of requisite documents such as Undertaking, Bond, etc. from the institution accepting all the terms and conditions of grants. A copy of those conditions is enclosed as Annexure II. The conditions of eligibility

of grant were fulfilled by the institution and so the grants were released. However, on an inspection of the hospital on the 30th May, 1978 by an officer of the Directorate General of Health Services, it was found that there was a provision to accommodate 60 beds but the institution was running only out patients clinics. As the institution had secured the grant of Rs. 67,178.68 on the ground that their polyclinic had a total of 60 beds out of which 5 beds in the General Wards and 2 beds in O.P.D. had been provided free to indigent patients etc., (i.e. 10 per cent of the total bed strength), the question of the refund of the grant has been taken up with the institution directly and also through the Government of West Bengal.

(c) and (d) The Polyclinic is recognised for treatment of C.G.H.S. beneficiaries as per the schedule of charges laid down in O.M. No. D.12014/9/76-CGHS dated 3-7-1976 (copy enclosed—Annexure III): The charges levied by the said Polyclinic according to the approved schedule of charges are to be paid direct by the Chief Medical Officer, C.G.H.S., Calcutta on presentation of the bill by the concerned clinic. The said polyclinic is providing the medical facilities to the beneficiaries as per the accepted schedule of charges.

(e) Does not arise.

Widening of Chandra Shekhara Azad Marg near Vivekanand Puri

11079. CHAUDHARY BALBIR SINGH: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether there is a heavy rush of traffic on the Chandra Shekhara Azad Marg near Vivekanand Puri, New Delhi;

(b) if so, the steps taken to widen the road to avoid the possibility of accidents in the thickly populated area; and

(c) the time by which the work will be taken up and completed and

if not, the reasons therefor and the necessary steps being taken in this regard?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) to (c) There is heavy traffic on the road in question between Sarai Rohilla over-bridge and the diversion road connecting Old Rohtak Road. The Municipal Corporation of Delhi who are incharge of the road, have reported that this portion is being widened to divert the traffic towards Old Rohtak Road. Most of the work is already complete and the entire work is likely to be completed in about 3 months. In addition, speed breakers and rumblings have also been provided to avoid accidents.

Assistance to Sri Lanka in Developing Transport Sector

11080. SHRI JANARDHANA POOJARY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Sri Lanka has asked for assistance in developing the transport sector; and

(b) if so, the reaction of the Government thereon?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Ministry of Shipping and Transport has not received any request from the Government of Sri Lanka for assistance in developing their Transport Sector.

(b) Does not arise.

Railway Wagons supplied to Nizamabad

11081. SHRI ABDUL LATEEF: Will the Minister of RAILWAYS be pleased to state:

(a) the number of wagons supplied by the S.C. Railway to Nizamabad from the 1st January, 1979 to 20th April, 1979 on each day and the priority accorded *inter se* difference users and claimants;

(b) Is he aware about the closure of markets in Nizamabad (Andhra Pradesh) from 9th April, 1979 onwards for want of wagons and the resultant hardship to farmers in the area;

(c) whether any representations were received from M.P.s and others in this behalf; and

(d) if so, the action taken thereon to mitigate the hardship?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAYAN): (a) Wagons are supplied according to the seniority and

priority of indents. During the period from 1st January, 1979 to 20th April, 1979, wagons were supplied accordingly at Nizamabad, date-wise particulars of which are given in the statement attached.

(b) The Railway is not aware of the closure of the markets.

(c) Yes.

(d) Efforts are being made to step up supplies of wagons. In order to step up loading of lower priority traffic, Nizamabad station has been permitted to load lower priority traffic on 3 days in a week.

Statement

Number of Wagons supplied at Nizamabad.

Date	January	February	March	April
1	21	19	8	22
2	28	40	25	10
3	21	10	9	11
4	30	20	6	24
5	21	30	14	38
6	15	35	13	22
7	24	20	29	31
8	17	25	18	38
9	11	28	42	16
10	20	13	8	29
11	29	37	22	7
12	32	22	36	2
13	26	29	7	20
14	11	30	15	32
15	6	8	9	30
16	27	30	9	12
17	21	13	34	26
18	13	17	14	18
19	19	28	11	..
20	23	15	40	15

Date	January	February	March	April
21	26	18	23	
22	41	21	26	..
23	29	29	42	..
24	50	32	5	..
25	30	5	26	..
26	33	18	27	..
27	38	11	35	..
8	21	21	8	..
29	22	..	14	..
30	30	..	13	..
31	26	..	25	..
TOTAL	761	624	613	403

Decline in the income from Bombay Port

11082: SHRI VIJAY KUMAR N. PATIL: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the income from the Bombay-Port is declining over the last two years;

(b) if so, the reasons therefor; and

(c) the steps proposed by the Government to increase the income?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) No. Sir. In fact it has shown progressive increase.

(b) and (c) Do not arise.

Number of posts in each Grade in the Two Services of the Roads Wing

11083. SHRI YUVRAJ: Will the Minister of SHIPPING AND TRANSPORT be pleased to state the number

of posts in each grade and the number of officers on Rolls, at the time of formation of the two Services, in the Central Engineering Service (Roads) and the Central Engineering pool respectively, of the Roads Wing of the Ministry?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): Two Services viz., Central Engineering Service (Roads) Group 'A' and Central Engineering Pool Group 'A' were formed in February, 1976. The allocation of posts in different grades between the two Services was notified vide Ministry of Shipping and Transport (Roads Wing)'s two notifications bearing No. A-23(14)/76, dated the 21st April, 1976. A copy each of the two notifications is laid on the Table of the House. [Placed in Library: See No. LT-4534/79].

2. The number of officers (Roads & Bridges) on rolls holding posts on regular basis in different grades at the time of formation of two Services was as under:—

S. No.	Designation of post	No. of Officers		
		Service	Pool	
1	Director Genral (Road Development) & Additional Secretary	1	..	
2	Additional Director Generals	2	..	
3	Chief Engineer	1	..	(other posts in the grade were however held by Officer appointed on ad hoc basis).
4	Superintending Engineers	13	8	
5	Executive Engineers	11	61	
6	Assistant Executive Engineers	28	69	(Some of the Asstt Executive Engineers were officiating in the higher posts on ad-hoc basis).

DTC Bus Services on Route No. 73

11084. SHRI BALAK RAM: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the buses provided by DTC on Route No. 73 between Hari Nagar Clock Tower and Central Secretariat are all double deckers;

(b) whether because of this, breakdown rate is very high and many trips are missed daily;

(c) if so, the steps being taken to improve the bus service on this route by providing new and single decker buses; and

(d) the total number of missing trips during the months of March and April, 1979 separately?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY

OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Five buses comprising of four double deckers and one single decker have been deployed on route No. 73.

(b) and (c) The rate of breakdowns is not very high but there has been a slight increase in the number of trip missing on this route in April, 1979 as compared to the position in March, 1979. This is largely due to the fact that quite a large number of drivers in the Corporation belonging to farmers' families in the neighbouring States have proceeded on leave to help their families in harvesting work. Extreme weather conditions also tell upon the maintenance of the vehicles. The DTC is making all out efforts to improve the position.

(d) The information is given below:

Month	No. of trips		Missed	Operational efficiency
	Scheduled	Operated		
March, 1979	2128	1734	394(19%)	81%
April, 1979.	2100	1637	463(22%)	78%

Kalyan Municipal Council

11085. SHRI LAXMAN RAO MANKAR: Will the Minister of RAILWAYS be pleased to refer to reply given to Unstarred Question No. 4314 on the 22nd March, 1979 regarding Kalyan Municipal Council and state:

(a) whether the Kalyan Municipal Council (District Thana, Maharashtra) have scrutinised and reported to Railway Administration the counter-claim lodged by Railway;

(b) if so, when and the details thereof; and

(c) what actions have been taken by the Railway Administration on the decision by Kalyan Municipal Council?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c) On 26-3-79 the Kalyan Municipal Council intimated that out of 7 items claimed by the Railway 5 are not acceptable to the Municipal Council. The Railway is examining the points raised by the Municipal Council on these 5 items. The remaining two items are still under examination of the Municipal Council.

Selection Grade Scheme for Grade II Stenographers

11086. SHRI C. K. CHANDRAPPAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether a selection Grade scheme to remove stagnation in the Grade II Stenographers Cadre of I.F.S. (B) has actually been introduced in his Ministry;

(b) if so, from what date;

(c) if not, the reasons thereof; and

(d) the number of Grade II Stenographers still working in the same grade in the Ministry since 1956?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) Yes, Sir.

(b) From 1-6-1978.

(c) Does not arise.

(d) 19.

Satara Road Railway Station

11087. SHRI P. H. DANWE:
SHRI R. K. MHALGI:

Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 2507 on the 8th March, 1979 regarding Satara Road Railway Station and state:

(a) whether the Railway Administration have received a report of the survey organisation of South Central Railway with regard to bring old Satara Road Station (Maharashtra) on mail line;

(b) if so, when and the details thereof;

(c) what action Railway Administration have taken on the said report or propose to take; and

(d) if no report has so far been received, the reasons of the delay?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d) The survey party have completed the field work, but the report has not yet been finalised, as discussions are yet to be held with the District Planning Board, Satara. The Collector has been requested in January, 1979 to have a meeting of the District Planning Board for a discussion of the details. The report will be finalised by the Railway Administration as soon as the details are discussed with District Planning Board, Satara Road.

Rate of Honorarium

11088. SHRI SAMAR MUKHERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the rates of honorarium paid to the staff in the Accounts Department are different on the zonal Railways; and

(b) if so, the rates of honorarium on each zonal Railway, separately and steps taken by Government to bring uniformity in the rates?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes. On each Zonal Railway, the rates of honoraria paid to the staff in the Accounts Department are fixed in accordance with the nature and quantum of work involved and allied considerations including local conditions and therefore vary from Zonal Railway to another.

(b) The rates of honorarium on each Zonal Railway are being ascertained and will be placed on the Table of the Sabha. However, in view of the fact that the General Managers of Zonal Railways are empowered to sanction such honoraria in consultation with their Financial Adviser and Chief Accounts Officers, there is no proposal to introduce any uniform rates throughout the Railways as a whole.

Passes to Railway Employees

11089. SHRI DINEN BHATTACHARYYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that on certain Zonal Railways there are restrictions for issuing passes outside the jurisdiction of Head Quarters of the employees; and

(b) if so, the names of the zonal Railways, where such restrictions exist and steps taken by Government to remove such restrictions and bring uniformity in the Rules?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b) The information is being collected and will be laid on the Table of the Sabha.

Prizes for Apprentices

11090. SHRI R. K. MHALGI: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether the prizes declared for winner apprentices of the 18th All India Skill Competition for apprentices held in January, 1977 have not been distributed as yet;

(b) if so, the reasons for such an abnormal delay; and

(c) when the prizes will be distributed and what steps Government propose to take to avoid such delay in future?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Yes, Sir.

(b) and (c) The All India Skill Competition for apprentices is held under the aegis of National Council for Training in Vocational Trades. By convention the function for the prize distribution to winners is held along with the meeting of the National Council for Training in Vocational Trades to facilitate the participation of the representatives of the State Governments, Union Ministries, Employers and Workers Organisation etc. who attend the same (NCTVT meeting) as its members. The prize distribution function for distributing the prize for the 18th All India Skill Competition for Apprentices could not be organised so far, as the Council, the term of which has expired, is under reconstitution. Measures will be taken to give away the prizes as early as possible.

Rail-Road Coordination Policy

11091. CH. HARI RAM MAKKASAR GODARA: Will the Minister of RAILWAYS be pleased to state:

(a) whether he proposes to hold talks with the Minister of Transport to work out a clear, effective and urgent rail-road coordination policy especially in the face of acute short-

age of wagons for lifting coal, cement and grains, etc., and also to avoid complaints in this respect;

(b) if so, the details of the proposals they intend to discuss; and

(c) if not, the reasons for the same when there is a dire need to increase transport potential?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) to (c) Shortage of wagons for coal, cement and grains etc is a temporary phase. Railways and Roadways are already complementing efforts of each other to meet the growing transport requirements in the country. Besides, a National Transport Policy Committee (Pande Committee) has already been constituted by the Planning Commission to study the transport requirements of the country and to formulate a national transport policy covering all modes of transport.

Blood Centres

11092. SHRIMATI MOHSINA KIDWAI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether a new blood centre has been opened in Delhi to cater to the needs of various units of medical aid in the Capital;

(b) if so, where and at what cost; and

(c) what care has been taken to see that poor villagers and middle-class people who come to Delhi Hospitals from adjoining States get blood when needed?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) (a) and (b) The information is being collected and will be placed on the Table of the Sabha in due course.

(c) Blood is made available free to needy patients without distinction generally against replacement donors and in emergent cases without even replacement donors.

1144 LS-3.

Ships in Operation and required in our Country

11093. SHRI SUKENDRA BIKRAM: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) how many ships are presently in operating condition in the possession of our country;

(b) how much more ships of different capacities will be required by the country during the next five years, and

(c) what steps are being taken by Government to meet this growing demand of ships?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM) (a) 378 ships as on 1st April, 1979.

(b) and (c) The tonnage targets for shipping are fixed by Government in the successive Plans taking into account the trade requirements of the country. The tonnage targets for the next five years have not yet been drawn up.

Reimbursement of Medical Expenses

11094. SHRI P. M. SAYEED: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of cases of Members of Lok Sabha as well as those of Government employees for reimbursement of medical expenses incurred by them on their own treatment and/or Members of their families under C.G.H.S. Scheme received in his Ministry since December, 1978;

(b) the number of such cases where reimbursement has been made indicating the time taken to settle each case of reimbursement, with dates of receipt of each claim and issue of cheques in settlement thereof;

(c) the number of days taken to deliver a cheque to a Member after the date of its issue; and

(d) the measures proposed to be taken to streamline the present procedure of settlement of simple reimbursement claims of Members, and Government employees if it is found that such procedure takes more than a week?

**THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA)** (a) and
(b) The information is being collect-
ed and will be laid on the Table of
the House.

(c) As soon as a cheque for reim-
bursement is received in the CGHS
Office from the Pay and Accounts
Office CGHS, intimation is sent to the
beneficiary about the receipt of the
cheque. He is advised to come to the
CGHS Office personally or send his
authorised representative to collect
the cheque during the specified hours.

(d) Efforts are being continuously
made to keep the procedure stream-
lined. However, adequate time is
necessary for proper scrutiny of the
claims for reimbursement, sometimes
involving further reference for clari-
fications etc.

High Occupancy in Haldia Oil Jetty

**11095. SHRI PABITRA MOHAN
PRADHAN:** Will the Minister of
SHIPPING AND TRANSPORT be
pleased to state:

(a) whether in shipping parlance
60 per cent occupancy i.e. 18 days in
a month on average is considered
fairly busy for every Jetty;

(b) whether in the case of Haldia
Oil Jetty the figure is as high as 24-25
days in a month and because of this
high occupancy tankers get delayed
involving huge cost; and

(c) the reasons for such extraordi-
nary delays?

**THE MINISTER OF STATE IN
CHARGE OF THE MINISTRY OF
SHIPPING AND TRANSPORT
(SHRI CHAND RAM):** (a) Berth oc-
cupancy depends on several factors

such as number of berth available,
arrival pattern of ships, maintenance
dredging required to keep the des-
igned depths, etc. In certain cases,
60 per cent berth occupancy can be
considered as fair.

(b) and (c) Average berth occu-
pancy at Haldia Oil Jetty was 23
days per month during 1978-79. Cer-
tain tankers suffered detentions due
to various reasons such as non-avail-
ability of berths, navigational constr-
aints, irregular availability of tankers,
etc. Besides the product tankers call-
ing at Haldia have a much lower
pumping rate as compared to crude
tankers and remain at the berth for
longer periods thereby reducing the
availability for berth to other vessels.

Free Suburban Card Passes

**11096. SHRI KRISHNA CHANDRA
HALDER:** Will the Minister of RAIL-
WAYS be pleased to state:

(a) whether it is a fact that the
staff working in Baroda House, New
Delhi (H.Q. of the Northern Railway)
and residing in Delhi Kishanganj
have been allowed the facility of free
suburban card passes;

(b) whether it is also a fact that
the staff working in the Traffic Ac-
counts Office of the Northern and
Western Railway at Delhi-1 Kishan-
ganj but residing in New Delhi area
are denied the same facility; and

(c) if so, the reasons thereof and
taken by the Government to end
this discrimination?

**THE MINISTER OF STATE IN
THE MINISTRY OF RAILWAYS
(SHRI SHEO NARAIN):** (a) to (c)
The question of grant of free resi-
dential card passes to railway emp-
loyees was reviewed in 1963 and it
was decided that the existing prac-
tice on each railway, as on 14-12-53,
might continue. As the employees of
Traffic Accounts Offices of Northern
and Western Railways residing at
Delhi did not enjoy this facility prior
to 14-12-1953, the question of granting
them free residential card passes did
not arise. However, a special dispen-

sation was made in favour of the employees of the Baroda House, Northern Railway, between Delhi Kishanganj and New Delhi/Tilak Bridge.

This question has again been reviewed very recently; the present policy of the Government is not to widen the scope of free travel facility.

Steps taken by the Government to end Catering Department

11097. SHRIMATI AHILYA P. RANGNEKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that no uniform policy is being adopted for deputing staff to Catering Department by the Senior Accounts Officers Foreign Traffic Accounts Office, Western Railway at Delhi;

(b) whether any representation in this regard has been received by the F.A. and C.A.O. Church Gate, Bombay; and

(c) if so, steps taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Information is being collected from the Railway and will be laid on the Table of the Sabha.

Dacoity in Gorakhpur Milani Train

11098. SHRI HARIKESH BAHADUR: Will the Minister of RAILWAYS be pleased to state:

(a) whether he is aware of a dacoity in the Gorakhpur Milani train between Kharhata and Tikonia on the night of 5th and 6th January, 1979;

(b) how much cash and valuables have been looted from the passengers by the decoits;

(c) the names of passengers and the amount looted from each of them;

(d) whether Government propose to give them any compensation; and

(e) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) Cash and valuables amounting to Rs. 24,148 were looted from the passengers.

(c) 1. Shri Rajendra Prasad, Cash Rs. 13,830/- and valuables amounting to Rs. 225/-.

2. Shri S. K. Arora, Cash Rs. 1,120/- and valuables amounting to Rs. 300/-

3. Shri Safi, Cash Rs. 30/-

4. Shri Mohd. Imam, Cash Rs. 300/- and valuables amounting to Rs. 200/-.

5. Shri Parmanand, Cash Rs. 4,200/- and valuables amounting to Rs. 200/-.

6. Shri Safarazali, Cash Rs. 1,507/- and valuables amounting to Rs. 350/-.

7. Shri Kailash Nath, Cash Rs. 104/-.

8. Shri Iqbal Ahmed, Cash Rs. 152/-.

9. Shri Amrej Bahadur, Cash Rs. 30/-.

10. Shri Bipin Kumar, Cash Rs. 500/- and valuables amounting to Rs. 600/-.

11. Shri Mohan, Cash Rs. 205/-.

12. Shri Ayodhya, Cash Rs. 15/- and valuables amounting to Rs. 200/-.

13. Shri Ram Chandra, Cash Rs. 10/-.

14. Shri Kanhaiya Lal, Cash Rs. 20/-.

(d) No.

(e) As per existing rules, no compensation is admissible to victims of such crimes.

Income from Dhanbad Patherdih Bokaro line

11099. SHRI A. K. ROY: Will the Minister of RAILWAYS be pleased to state:

(a) average daily income from the Dhanbad-Patherdih and Dhanbad-

Bokaro (Chandrapora) line in last three years;

(b) average total daily expenditure on running these two trains for the same period;

(c) number of checking conducted against free trippers in 1978 and the amount collected from them;

(d) percentage of fan, light and water taps kept in order as on 1st January, 1979 and the average speed kept from their over all timing; and

(e) whether these two local trains could be easily improved on the major transport in the coalfield and if so, steps taken on that?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (e) Information is being collected and will be laid on the Table of the House.

P. F. outstanding against M/s. Jindal Aluminium Ltd., New Delhi

11100. SHRI R. L. P. VERMA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether M/s. Jindal Aluminium Limited, 1/6B, Asaf Ali Road, New Delhi are regular defaulters in the matter of depositing provident fund in respect of their employees to the Employees Provident Fund Commissioner;

(b) if so, since when they have not deposited the provident fund and full details thereof; and

(c) the action taker/proposed to be taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KRIPAL SINHA): (a) The Employees' Provident Fund authorities have reported that M/s. Jindal Aluminium Limited, 1/6B, Asaf Ali Road, New Delhi have deposited the provident fund contributions upto March, 1979 in respect of their eligible

employees with the Regional Commissioner, Delhi.

(b) and (c) Do not arise

Applicability of Provident Fund Act to Journalists

11101. SHRI SACHINDRA LAL SINGHIA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether Employees Provident Fund Act is applicable to the journalists;

(b) if so, whether the Delhi based accredited correspondents are getting benefit under the said Act;

(c) if so, the details thereof news paper wise; and

(d) the details of the action taken against the news paper management who have not implemented the Act for their correspondents?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KRIPAL SINHA): (a) The Act is applicable to newspaper establishments employing twenty or more persons.

(b) to (d) Information is being collected.

Ad-hoc Executive Engineers of Roads Wing

11102. SHRI AGHAN SINGH THAKUR: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether a number of officers of the Roads Wing promoted seven years ago as Executive Engineers are still continuing on ad-hoc basis; and

(b) if so, their number and reasons for not regularising them so far?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b) Appointments on ad-hoc basis were mostly

made on account of inter-se seniority dispute. After formation of two Services in February, 1976, viz. Central Engineering Service (Roads) Group 'A' and Central Engineering Pool Group 'A', action has already been initiated for regularisation of the ad-hoc appointments. At present twenty such officers are holding the appointment in the grade of Executive Engineer on ad-hoc basis and action is being taken to regularise them according to the availability of posts and in accordance with the provisions of Recruitment Rules.

Demonstration and Agitation on Moradabad Division

11103. SHRI BRIJ RAJ SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether large scale demonstrations and agitation took place on Moradabad Division of Northern Railway against the high handedness and prejudicial behaviour of the Divisional Superintendent and Divisional Personnel Officer, Moradabad;

(b) what action was taken by the General Manager against the officers; and

(c) what remedy, if any was found out to solve the problems of the staff by the higher authorities?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c) In 1978, one of the recognised unions demonstrated against certain local decisions. Issues raised were taken up at informal meetings and also through the Permanent Negotiating Machinery. Many issues have already been sorted out. Formal and informal discussions is a continuous process where issues are discussed and sorted out across the Table.

Inter-Regional Transfer in P. F. Organisation

11104. SHRI SHIV NARAIN SARSONIA: Will the Minister of PARLIA-

MENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether the policy of inter-regional transfer on completion of 3 years at a station is not being implemented in the Employees' Provident Fund Organisation and specially in the Central Office where the stay of the officers is more than 10 years and 15 years;

(b) whether one scheduled caste Assistant Commissioner has been transferred at 3 places within two years from Punjab to Delhi Region to Central Office; and

(c) how many other officers who have completed three years at one station but not transferred so far?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KRIPAL SINHA): (a) The Employees' Provident Fund Organisation has already been asked to furnish information regarding the Assistant Provident Fund Commissioners who have stayed at Delhi for more than 3 years in different capacities. The information is awaited.

(b) One Assistant Provident Fund Commissioner (S.C.) was transferred from the Regional Office, Punjab, Chandigarh to the Regional Office, Delhi in November, 1977. His subsequent postings (from Regional to Central Office and back) were in the same station i.e. Delhi.

(c) There are eighty officers who have completed three years' stay at their respective stations and can be considered for transfer.

Giving of Rakes in Railways

11105. SHRI SURAJ BHAN: Will the Minister of RAILWAYS be pleased to state:

(a) what is the total number of rakes being given Primary and Secondary maintenance on Indian Railways, daily, Railway-wise giving details of passenger, express and mail trains separately; and

(b) how many of the above are being maintained on washing lines having pits, on washing lines having no pits, on platforms, in yards rail-

way wise, for passenger, express and mail trains separately?

THE MINISTER OF STATE IN
THE MINISTRY OF RAILWAYS
(SHRI SHEO NARAIN):

^{ms} (a) Total number of Rakes given primary and Secondary Maintenance on Indian Railways daily Railway-wise B.G. and M. G.

Railway	Passenger Trains	Express and Mail Trains
Central	74	100
Eastern	122	38
Northern	215	107
North Eastern	47	20
Northeast Frontier	56	23
Southern	79	60
South Central	144	47
South Eastern	52	62
Western	159	66

(b) Number of Rakes maintained on Washing Lines having pits on, Washing Line having No pits and on platforms and yards, Railwaywise—B.G. and M.G.

Railway		Rakes maintained on		
		Washing Line with Pit	Washing Line without Pit	Platforms and Yards
Central	Passenger	57	3	14
	Express & Mail	95	2	3
Eastern	Passenger	1	49	72
	Express & Mail	23	14	1
Northern	Passenger	105	72	38
	Express & Mail	73	28	6
North-Eastern	Passenger	42	..	3
	Express & Mail	20
N.F.	Passenger	49	..	7
	Express & Mail	21	..	2

<i>Southern</i>	Passenger	71	..	8
	Express & Mail	60
<i>S.C.</i>	Passenger	62	16	66
	Express & Mail	46	1	..
<i>South-Eastern</i>	Passenger	15	17	20
	Express & Mail	53	9	..
<i>Western</i>	Passenger	74	38	47
	Express & Mail	38	24	4

Provision of Amenities in Station in Kottayam—Quilon Sector

11106. SHRI B. K. NAYAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether he is aware that nearly all the railway stations in the Kottayam-Quilon sector of the Southern Railway are in a poor state that hardly any amenities are provided for the passengers with very small station buildings, low-level platforms, no waiting rooms not even drinking water or toilet facilities;

(b) even the staff provided is too inadequate to meet the needs of hundreds of passengers;

(c) if so, whether he has any proposal to remedy the situation; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d). There are 13 stations on Kottayam-Quilon Section. The station buildings at these stations are adequate to serve the needs of traffic at present handled at the stations. High level platforms are provided at Kottayam and Quilon and low-level platforms have been provided at other stations. Only at Chingavanam, Kayankulam and Karunagapalli the second platform provided is of rail-level. Waiting halls have

been provided at all the stations and waiting rooms for Upper Class passengers are provided at 7 stations. Drinking water is available at all the stations. Piped water supply is available at Kottayam, Chengannur, Karunagapalli and Quilon stations. Lavatories have been provided at all the stations. Improvement|augmentation of existing passenger facilities is a continuing process and is carried out on a programmed basis considering the needs of passenger traffic offering and in accordance with the approval of Railway Users Amenities Committee and availability of funds.

Required strength of staff is provided at all the stations. At present remodelling of Kottayam and Chengannur station buildings with requisite additional facilities has been taken up and the works are in progress.

D.T.C. Bus Route No 91

11107. SHRI PIUS TIRKEY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Route No. 91 has temporarily been diverted from Old Rohtak Road to New Rohtak Road;

(b) whether Delhi Transport Corporation authorities are facing any difficulty in operation of the new route; if so, the reasons in details;

(c) whether keeping in view the heavy rush of traffic on Old Rohtak Road and a long standing demand of Welfare Association of Tri Nagar Colony, Government propose to regulate this route via New Rohtak Road permanently; and

(d) if so, the time by which orders are likely to be issued; and if not, the reasons therefor?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING & TRANSPORT (SHRI CHAND RAM): (a) Yes, Sir.

(b) to (d). Services of route 91 operate between Tri Nagar and Kendriya Terminal. The original route runs from Tri Nagar via Daya Basti, Kishan Ganj Market, Model Basti, Jhandewalan, Gole Market and Baba Kharak Singh Market. Since Old Rohtak Road under the Railway Bridge near Kishan Ganj is partly closed for re-modelling, the road is open for one way traffic only. This has necessitated the DTC to divert all its services operating on Old Rohtak Road from Zakhira side via Serai Rohilla over bridge. This is a temporary diversion and to take it permanent would deprive a large number of residents living in Kishan Ganj area, of the services of the route. Diversion of the entire route on New Rohtak Road right from Zakhira is also not advisable as the road is intercepted by two railway level crossings which are closed frequently holding up the traffic for considerable time.

D. T. C. Bus Service from Lampur Border Delhi to Central Secretariat

11108. **SHRI HARI SHANKER MAHALE:** Will the MINISTER OF SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that DTC has provided direct bus service from the Tikri Border Delhi to Central Secretariat Terminal and from Dhansa Border to Central Secretariat Terminal;

(b) if so, what are the reasons that DTC is not operating a direct DTC

bus service from Lampur Border Delhi to the Central Secretariat Terminal despite repeated representations from the Daily Passenger Association; and

(c) by when DTC propose to start a direct DTC bus service from Lampur Border Delhi to Central Secretariat?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF TRANSPORT (SHRI CHAND RAM):

(a) Yes, Sir.

(b) It is not feasible to connect all the places in the Union Territory of Delhi with Central Terminal by direct services when convenient change over facilities are available.

(c) No such proposal is under consideration of the D. T. C.

हावड़ा से ग्रहमदाबाद तक सीधी रेलगाड़ी

11109. श्री राघवजी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश के पश्चिमी भाग को पूर्वी भाग से मिलाने के लिए मंत्रालय का विचार पटना, इलाहाबाद, बीना, भोपाल, उज्जैन होते हुए हावड़ा से ग्रहमदाबाद तक सीधी रेलगाड़ी चलाने का है और यदि हां, तो उसका ब्यौरा क्या है ;

(ख) क्या निकट भविष्य में इस प्रस्ताव पर विचार किया जायेगा और यदि नहीं तो इसके क्या कारण हैं ; और

(ग) क्या इस रेलगाड़ी को चलाये जाने से चार राज्यों की राजधानियों का सम्पर्क एक रेलगाड़ी के कारण जुड़ जायेगा जो अब तक एक दूसरे से न जुड़ सका ?

रेल मंत्रालय में राज्य मंत्री (श्री जिव नारायण) : (क) से (ग) हावड़ा से ग्रहमदाबाद तक पटना, इलाहाबाद, बीना, भोपाल और उज्जैन होकर सीधी गाड़ी चलाने का कोई प्रस्ताव नहीं है। सप्ताह में चार दिन चलने वाली एक सीधी गाड़ी 133/134 एक्सप्रेस हावड़ा और ग्रहमदाबाद के बीच, प्रान्तपुर होकर

बलती है जो कि एक छोटा रास्ता है। एक गाड़ी 165/166 साबरमती एक्सप्रेस भी है जो महामवादाह को लखनऊ से भोपाल के रास्ते जोड़ती है।

प्रस्तावित मार्ग अधिक चक्करदार होने की वजह से वाणिज्यिक दृष्टि से न्यायसंगत नहीं होगा। ये मार्ग पहले से ही अतिस्कुलित हैं और इन पर अतिरिक्त गाड़ी चलाने की मुजाबरा नहीं है।

Eradication of Bonded Labour in North East

11110. SHRI KIRIT BIKRAM DEB BURMAN: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the steps taken by Tripura and each of other State Governments and Union Territory-administrations in the North East for eradication of bonded labour and for rehabilitation of those relieved from bonded labour since the law for abolition of bonded labour was enacted in 1976;

(b) the number of persons and families freed from bonded labour in each of these States/Union Territories and the number of persons/families provided with regular means of livelihood; and

(c) the Central Assistance given to each State/Territory in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (SHRI LARANG SAI): (a) & (b) Information is being collected from the State Governments and the Union Territories concerned and will be laid on the Table of the Sabha as soon as collected.

(c) No Central assistance has been given to the States/Union Territories in the North East during 1978-79 in this regard.

Fair Charges in D.T.C. Bus Route No. 730

11111. SHRI RAM KANWAR BERWA: Will the Minister of SHIPPING AND TRANSPORT be pleased to refer to the reply given to Unstarred Question No. 9471 dated 3rd May 1979 regarding D.T.C. bus route No. 730 and state:

(a) whether it is a fact that the distance between Central Sectt. and A-I Block Janakpuri by D. T. C. Route No. 730 is less than 20 kms.;

(b) if not, what is the actual distance;

(c) whether the commuters on this route are charged 75 paise beyond 18.1 kms, C-2B bus stop, and for less than 20 kms.;

(d) if so, whether the Government propose to do away with this anomaly and charge 50 paise upto a bus stop touching 20 kms. limited; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) No, Sir.

(b) The distance is 20.8 Kms.

(c) It may happen so, if the commuter gets down beyond C-2B and before A-I Block. The fare is chargeable for these commuters will be upto the next fare stage viz. A-I Block which is more than 20 Kms.

(d) & (e). In a stage carriage, distance is calculated from stage point to stage point and not between actual bus stops travelled by a passenger. In a stage carriage system in city areas. It is not feasible to reckon the actual distance between every two stops on the route of a bus for the purpose of calculating the fare, Thus for the persons travelling to a point beyond C-2B Bus stop, the fare is charged upto the next fare stage viz. A-I Block.

Opening of Hospital and C.G.H.S. Dispensary in Mehrauli

11112. CHAUDHRY BRAHM PRAKASH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the medical facilities available to the people of Mehrauli, Delhi are far from satisfactory and doctor-patient ratio is extremely low;

(b) if so, the action Government purpose to take to provide adequate medical facilities like opening of a full-fledged Hospital there,

(c) whether Government have received any representation from the Mehrauli Residents Welfare Association (Regd.) for opening a C.G.H.S. dispensary in Mehrauli, if so, the reaction of Government thereto; and

(d) whether the Government have prepared the list of such Government employees who are covered under C. G. H. S. and are living in Mehrauli and adjoining villages if so, whether a copy of the same will be laid on the Table of the House and if not, whether such a list shall be prepared now?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) No, Sir.

(b) Does not arise.

(c) Yes, Sir. The proposal for opening a CGHS dispensary for the Central Government employees living in Mehrauli and its adjoining villages had been considered. A CGHS dispensary is opened in an area if it has a concentration of 2000-2500 Central Government employees within a radius of 3 KM. The Central Government employees living in the 32 villages as mentioned by the Mehrauli Residents Welfare Association are scattered over a vast area. None of the places mentioned fulfils the norms for opening a CGHS dispensary.

(d) Does not arise, as the Central Government servants living in Mehrauli and its adjoining villages are not covered by the CGHS at present.

Strike by E.S.I. Doctors

11113. SHRI BHAGAT RAM: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether he is aware that doctors in Employees' State Insurance Corporation have decided to go on a token strike on May 7, 1979 to press their demands;

(b) if so, what are their demands; and

(c) the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR RAM KIRPAL SINHA): (a) and (b). The Employees' State Insurance Corporation Medical Officers' Association who had taken a decision to go on strike on the 7th May, 1979 in connection with their demands for regularisation of *ad hoc* Medical Officers and payment of E.S.I. Allowance, have since decided to suspend the proposed action.

(c) Does not arise.

Alleged Misappropriation of Paradeep Trust Fund

11114. SHRI D. AMAT: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether attention of Government has been drawn to the news report appearing in the World News of 13th March, 1979 that a huge amount of money has been misappropriated from the Paradeep Trust Fund;

(b) if so, by whom and how much money has been misappropriated; and

(c) steps taken by Government for the recovery of the money?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) The news item, as it appeared in the 'World

News' of 13 March, 1979, has been seen.

(b) & (c). The allegation in the news item was that funds of the Paradip Port Trust had been misappropriated in connection with a 'Souvenir' brought out in 1972 on the occasion of a Seminar. The 'Souvenir' was not, however, brought out by or on behalf of the Port Trust, it was published by the Editor. Therefore, the question of misappropriation of Port Trust's funds does not arise.

जमालपुर कारखाने में श्रमिकों की संख्या

11115. डा० रामजी सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) स्वाधीनता से पूर्व और इस समय जमालपुर कारखाना में श्रमिकों की संख्या कितनी है और इसके क्या कारण हैं ।

(ख) घास-पास के क्षेत्रों से जमालपुर कारखाने में किस अनुपात में छोटे कल-युक्त सलाई किये जाते हैं ;

(ग) क्या जमालपुर को सहायक औद्योगिक नगर घोषित किया गया है, यदि हां, तो यहां से खरीदी गई वस्तुओं की मात्रा क्या है और यदि नहीं, तो इसे सहायक औद्योगिक नगर कब घोषित किया जायेगा, और

(घ) क्या जमालपुर कारखाने के मुख्यालय को जमालपुर ले जाने का प्रस्ताव है और यदि नहीं, तो उसके क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) स्वतंत्रता से पूर्व जमालपुर फैक्ट्री के कर्मचारियों की संख्या 12,742 थी । वर्तमान संख्या 13,431 है ।

(ख) सूचना इकट्ठी की जा रही है और सभ्य-स्टल पर रकब दी जायेगी ।

(ग) रेल कारखानों से सम्बद्ध सहायक एजेंटों के विकास की संकल्पना की गहराई

से जांच की गयी है और रेल कारखानों के निकट लघु उद्योगों के विकास को प्रोत्साहित करने का विनिश्चय किया गया है ।

(घ) जमालपुर कारखाना स्वतंत्र रूप से अधीनक यांत्रिक (कारखाना) के अधीन है, जिसका मुख्यालय जमालपुर में है । स्थानान्तरण का कोई प्रस्ताव नहीं है । जमालपुर और पूर्व रेलवे के अन्य सभी कारखाने मुख्य कारखाना इंजीनियर, पूर्व रेलवे के समग्र नियंत्रण के अधीन हैं, जिसका मुख्यालय कलकत्ता में है ।

जाबरा भूगर मिल के विरुद्ध भविष्य निधि की बकाया राशि

11116. डा० लक्ष्मीनारायण पांडेय : क्या संसदीय कार्य तथा धर्म मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कर्मचारियों की भविष्य निधि की जाबरा भूगर मिल के प्रबंधकों पर लगभग 5 लाख रुपये की राशि बकाया है ;

(ख) क्या क्षेत्रीय भविष्य निधि आयुक्त, इन्दौर ने भारतीय दंड संहिता की धारा 406 और 409 के अधीन पुलिस को रिपोर्ट दर्ज की है ;

(ग) क्या कर्मचारी भविष्य निधि तथा विविध उपबन्ध अधिनियम, 1952 की धारा 17 के अधीन उक्त मिल को छूट प्रदान की गई है ;

(घ) क्या छूट के बारे में उपबन्ध को समाप्त करने के लिए कोई कार्यवाही की गई है ; और

(ङ) यदि हां, तो तत्संबंधी ब्यौरा क्या है और मिल के विरुद्ध दापर किए गए भविष्य निधि के मामलों की संख्या कितनी है ?

धर्म तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (डा० राम कृपाल सिंह)

कर्मचारी भविष्य निधि प्राधिकारियों ने इस प्रकार सूचित किया है :—

(क) मार्च, 1979 के अन्त तक, मैसूर जावरा भुगर मिल्स लिमिटेड, जावरा, मध्य प्रदेश को भविष्य निधि प्रबंधनों के रूप में 3,47,259.21 रुपए की धनराशि न्यासी बोर्ड को हस्तांतरित करनी थी। जो उनके भविष्य निधि का संचालन करता है।

(ख) जी हां।

(ग) जी हां।

(घ) अभी नहीं।

(ङ) कर्मचारी भविष्य निधि प्रौढ प्रकीर्ण उपबन्ध अधिनियम, 1952 की धारा 14 (2क) के अधीन दस अधियोजन मामले न्यायालयों में दाखर किए गए हैं तथा भारतीय बंड संहिता की धारा 406 और 409 के अधीन पुलिस प्राधिकारियों के पास प्रथम सूचना रिपोर्ट दाखर की गई है।

Telephone Bill, of RPF, Karnataka

11117. SHRI RAM PRAKASH TRIPATHY: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) what is the telephone bills of the Regional Provident Fund Commissioner Karnataka, month-wise for the last one year and whether it does not cross all limits; and

(b) what action Government propose to take in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR & PARLIAMENTARY AFFAIRS (DR. RAM KIRPAL SINHA): (a) The Employees Provident Fund Organisation has reported as follows:

Telephone bills are received and paid quarterly. The amount of telephone bills of the Regional Provident Fund Commissioner, Karnataka dur-

ing the period from 1.2.1978 to 10.2.1979 are given below:—

Office telephone:—

- (1) 11.2.1978 to 10.5.1978 ... Rs.14,322/30
- (2) 11.5.1978 to 10.8.1978... Rs.15,224/25
- (3) 11.8.1978 to 10.11.1978 ... Rs.9,724/85
- (4) 11.11.1978 to 10.2.1979... Rs.10,506/35

Residential Telephone:

- (1) 21.11.1978 to 10.12.1978...Rs. 219/-
- (2) 11.12.1978 to 10.3.1979...Rs. 1,201/20

(b) Government have advised the Employees Provident Fund Organisation to take suitable measures to bring down the expenditure which appears to be on the high side.

Shipping Corporation of India's Plan to help the Shippers in the Northern Region

11118. SHRI M. RAM GOPAL REDDY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Shipping Corporation of India has a plan to help the shippers in the Northern region; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) & (b). The Shipping Corporation of India presently has a small liaison office in Delhi. This office is proposed to be developed into a Regional office equipped to give information regarding sailings, freight rates and other matters in order to help the shippers in the northern region.

Ballavpur-Surjagarh Railway Line

11119. SHRI RAJE VISHVESHWAR RAO: Will the Minister of RAILWAYS be pleased to state:

(a) whether he had promised the people of the Chandrapur District in Maharashtra State to lay a railway line to Surjagarh from Ballavpur when he last visited Chandrapur;

(b) why, then the Government are delaying in laying that line, when many

other new lines have been sanctioned in this Railway Budget; and

(c) when do Government propose to sanction that line to extract the iron ore from Surjagarh?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) and (c). Presumably the Hon'ble Member is referring to the Railway line from Balharshah to Surjagarh (115 Kms. long). A Reconnaissance Engineering Survey for the line was undertaken in December 1967 and was completed in September 1968. The cost of construction was estimated to be Rs. 16 crores on the basis of the prevailing costs. The project was found to be unremunerative, the anticipated financial return being 2.95 per cent. The proposal was, therefore, not pursued. The Railway is not aware of any proposal for a pig iron plant in the area.

Representations of Grievances by Doctors serving in Rural Areas

11120. SHRI RAJ KRISHNA DAWN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that few representations by the Doctors who served for considerable period in the rural areas regarding their seniority in service are still lying unattended debaring them in their due promotion;

(b) if so, how many of such cases are pending with the Government and when it will be decided; and

(c) what is the role of Union Public Service Commission for selecting the Doctors in higher post like GDMOI and other senior scales when a good number of Doctors seniority are not yet decided?

THE MINISTER OF PARLIAMEN-TARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) No representation of the doctors who served for considerable periods in the rural areas regarding their seniority

in service are lying unattended debaring them their due promotion.

(b) Does not arise.

(c) Under the Central Health Service, promotions to various grades are based on the recommendations of the Departmental Promotion Committee. In most of the cases a member of the U.P.S.C. is the Chairman of the Departmental Promotion Committee. The recommendations of the D.P.C. for promotion to higher grade is based on the existing seniority as already decided and the suitability of the officers as assessed by the D.P.C. As and when the seniority of an officer is changed in consultation with the Department of Personnel and A.R. and UPSC., he is allowed the benefit retrospectively. Incidentally, it may be added under the CHS Rules, there is no provision to allow some extra weightage towards seniority on account of service rendered in rural areas.

Loans to Shipping Companies for purchase of Ships

11121. SHRI BEDABRATA BARUA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government sanction loans at the interest of only 4.5 per cent to all Shipping Companies through the Shipping Development Fund Committee for the purchase of ships;

(b) whether Shipping Companies receiving such loans are bound down to return the loan as sufficient funds are available with the company;

(c) whether these loans are not being promptly returned by the companies leading to difficulty in issuing fresh loans to other companies for acquiring new ships; and

(d) whether it has been found that these Shipping Companies have built up multi storeyed buildings in Bombay and other places out of funds which should have been used in repaying the loan?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) The loans granted by the Shipping Development Fund Committee for acquisition of ships to Shipping Companies carry a concessional rate of interest of 4½ per cent per annum provided they fulfil the terms and conditions of the loan agreement.

(b) & (c) The terms of repayment are laid down in the loan agreements with the Shipping Companies. However, during the current recession in the shipping industry, there have been cases of defaults and one of the reliefs that Government have decided to grant to shipping companies relates to grant of moratorium upto three years for repayments which fell due upto 31 March, 1979. This has, however, not affected the grant of fresh loans to shipping companies where necessary.

(d) Some shipping companies have built office/residential accommodation. However, it has been ensured that the Shipping Development Fund Committee's funds intended for acquisition of ships are not diverted to non-shipping activities since under the procedure, the loan instalments are not released to the company but to the sellers and shipyards through a nationalised bank.

Cooperation between India and Portugal

11122. SHRI EDUARDO FALEIRO: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) what steps have been taken in furtherance of the treaty of friendship and cooperation between India and Portugal; and

(b) what further steps are contemplated in this regard?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAJEE): (a) & (b). Following

the signing of the Treaty of Friendship and Cooperation between India and Portugal in December, 1974, diplomatic relations between the two countries were established in the middle of 1975. Letters were exchanged between the Foreign Ministers of the two countries on 14th March, 1975 agreeing to the retention of archives, etc., in their respective countries. An agreement on trade and economic, industrial and technical cooperation was concluded between the two countries in April, 1977. A few cultural exchanges have taken place between the two countries. A cultural agreement between the two countries is under negotiation.

Reservation at Kanpur Railway Station

11123. SHRI RAM CHARAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that reservations of tickets for Gomti Express at window at Kanpur Railway Station are only for namesake and reservation for large number of tickets are made in black against bogus names; and

(b) if so, what steps Government are taking to check all this and the duration thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Out of 1,074 second class seats available on Gomti Express train after the attachment of 3 additional bogies from 1.3.1979, 492 have been allotted for booking at Kanpur. A large number of reservations are done on the day of the travel as it is a fully reserved train involving day journey only. The preparation of charts for Gomti Express has been simplified in as much as only ticket numbers are indicated against seat numbers, without giving the names of the passengers. Some unsocial elements may obtain reservation in fictitious names but this has been considerably reduced as a result of concentrated checks by Commercial and vigilance Depart-

ments. No specific case of black marketing has been reported.

**Comprehensive Plan for Ring Railway
Delhi**

11124. SHRI KANWAR LAL GUPTA: Will the Minister of RAILWAYS be pleased to state:

(a) is it a fact that the Deputy Chairman, Planning Commission wrote a letter dated the 31st March, 1979 to Government regarding a comprehensive plan about the Ring Railway Project in Delhi;

(b) if so, give the details thereof;

(c) why no comprehensive plan has been put up so far before the Planning Commission though the Committee of Ministries has been functioning since long;

(d) when this comprehensive plan will be submitted before the Planning Commission;

(e) give the details of the Ring Railway Project in Delhi;

(f) has Government received a letter from the Delhi Administration in this connection; and

(g) if yes, give its details and the action taken by Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) The Deputy Chairman, Planning Commission, in his letter dated 31-3-79 addressed to the Minister for Works and Housing, referred to the need for an integrated plan for Delhi in which the Ring Railway Project could be fitted for slowing down and ultimately reversing the growth of population in Delhi.

(c) and (d) The attention of the Planning Commission has been invited to the recommendations made by the Working Group, constituted by the Ministry of Works and Housing, defeating an integrated road and rail transport plan for Delhi, which also subserved the overall policy for

decongesting population from Delhi and decentralisation of activities from Delhi.

(e) The proposal relates to the provision of electrified rail commuter services along the Ring Railway line with spurs to Shakurbasti and Tughlakabad. 110 commuter trains are proposed to be run daily, out of which 18 will be in the morning peak hour and 20 in the evening peak hour.

The approximate cost of this project, which is likely to take three years to complete is Rs. 21.61 crores.

(f) and (g) In his letter dated 3.2.1979, the Chief Executive Councillor, Delhi Administration requested that some funds be allocated for the Ring Railway Project for Delhi Urban Area in the 1979-80 Budget. He was informed in reply that the Planning Commission had provisionally agreed to the inclusion of the Project in the Budget for 1979-80 subject to their final clearance being obtained before taking up the work. It was further stated that the Ministry of Railways were pursuing the matter with the Planning Commission and the Ministry of Finance.

Government Aided Hospitals in Orissa

11125. SHRI K. PRADHANI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of Government aided hospitals in the State of Orissa along with their capacity of beds;

(b) whether the State Government has approached the Central Government for more financial help and approval for more hospitals in the State during the Sixth Five Year Plan; and

(c) if so, the details regarding the plan and the reaction of the Central Government in this regard?

THE MINISTER OF PARLIAMENTARY AFFAIRS & LABOUR (SHRI

RAVINDRA VARMA: (a) As on 1-1-1978 there were 38 private hospitals having 1809 beds run by Voluntary Organisations, etc.

(b) and (c) The Government of Orissa submitted proposals for sixth (1978-83) for Rs. 5272.00 lakhs and for 1979-80 Rs 913 44 lakhs, for health programmes in Orissa State. The Planning Commission discussed the proposal on 11th and 12th January, 1979 and recommended Rs 385.00 lakhs for 1979-80 for health programmes in Orissa.

Teaching of Hindi to Staff of Ministry of External Affairs

11126. **SHRI BHANU KUMAR SHASTRI:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that steps have not yet been taken to arrange for the teaching of Hindi to the staff of Indian Council for Cultural Relations in collaboration with the Department of Official Language in the Ministry of External Affairs; and

(b) if so, what are the reasons therefor?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) No, Sir. Steps have been taken for the teaching of Hindi to the Staff of the Indian Council for Cultural Relations in collaboration with the Department of Official Language in the Ministry of Home Affairs. However, because of pre-occupations of the staff with the implementation of various programmes of the Council, specially in view of recent transfer of additional work from the Department of Culture to the I.C.C.R., it was not possible to depute any staff member for attending the Hindi classes. For the next course commencing in July,

1979, the Council intends to depute the staff for Hindi classes in batches so as to cover the entire staff required to be trained in the next coming years.

(b) Does not arise.

All India Working Class Consumers' Price Index

11127 **SHRI MOHAN LAL PIPIL:** Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state the figures of All India working class consumers' Price Index (base 1960-100) from June to December, 1978, month-wise as also the figures of twelve-monthly averages month-wise?

THE MINISTER OF LABOUR AND PARLIAMENTARY AFFAIR (SHRI RAVINDRA VARMA): A statement is attached.

Statement

ALL INDIA AVERAGE CONSUMER PRICE INDEX NUMBER (GENERAL) FOR INDUSTRIAL WORKERS AND TWELVE MONTHLY MOVING AVERAGE FROM JUNE 1978 TO DECEMBER 1978 - (Base 1960-100).

Month	Monthly Index Number	12 Monthly Moving Average
1978		
JUNE	327	325.92
JULY	330	326.33
AUGUST	331	326.67
SEPTEMBER	336	327.08
OCTOBER	340	327.92
NOVEMBER	340	328.75
DECEMBER	335	329.17

Co-ordination in Health Services

11128. SHRI VASANT SATHE:
Will the Minister of HEALTH & FAMILY WELFARE be pleased to state:

(a) whether Government are considering a proposal to co-ordinate the health services under different Ministries into a unified All India Medical Services and details thereof along with the reaction of the State Government Statewise and decision taken in this regard;

(b) if not, the reasons therefor;

(c) whether, the health services in Delhi are diversified with different organisational/administrative set up with deteriorating working conditions during the last two years, and

(d) if so, what steps have been taken during the last two years regarding structural changes in the multiplicity of organisation—improve co-ordination among various health services and agencies in the capital—along with the special campaign started, if any and results thereof?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) & (b) Government had considered the proposal to constitute the Indian Medical and Health Services in consultation with the State and Union Territory Governments and decided to drop it in view of the opposition of some of the State Governments to the proposal and heavy expenditure involved in its implementation.

(c) Yes, it is a fact that health services in Delhi are diversified with different organisational set up e.g. Ministry of Health & Family Welfare, Delhi Administration, Delhi Municipal Corporation, New Delhi Municipal Committee, Employees State Insurance Corporation, Ministry of Defence, etc. However, this Ministry have no knowledge about the deteriorating working conditions of the services.

(d) Does not arise.

1144 LS—4.

कम्पाउण्डरों की शिकायतें

11129. श्री वंशा भक्त सिंह : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार स्वास्थ्य योजना के कम्पाउण्डरों ने अपनी मांग के समर्थन में गत वर्ष हड़ताल की थी और सरकार ने यह आश्वासन दिया था कि उनकी मांगें पूरी की जायेंगी, परन्तु उनकी मांगें अब तक पूरी नहीं की गई है ;

(ख) यदि हां, तो इसके क्या कारण हैं और उनकी मांगें कब तक पूरी की जायेंगी ?

संशोधन कार्य तथा भ्रम मंत्री (श्री रवीन्द्र वर्मा) (क) केन्द्रीय सरकार स्वास्थ्य योजना के फार्मसिस्ट अपनी निम्नलिखित मुख्य मुख्य मांगों को लेकर 6-11-78 से 1-12-78 तक हड़ताल पर रहे :—

(i) वेतन मान को 330-560 रुपए से बढ़ा कर 425-700 रुपए किया जाये, और

(ii) संवर्ग के कुल पदों में से वर्तमान 10 प्रतिशत सलैक्शन ग्रेड पदों को बढ़ा कर 20 प्रतिशत करके पदोन्नति के अवसर बढ़ा दिये जायें । 'उनकी मांगें मानने के बारे में कोई विशिष्ट आश्वासन नहीं दिया गया था ।

(ख) फार्मसिस्टों का वेतन मान 330-560 रुपए से बढ़ा कर 425-700 रुपए करने के बारे में उनकी मांग पर विचार किया गया है और इसे मानना संभव नहीं पाया गया है । उनकी दूसरी मांग को, जो इस संवर्ग के सलैक्शन ग्रेड पदों को 10 प्रतिशत से बढ़ा कर 20 प्रतिशत करने के बारे में थी, मान लिया गया है इस विषय में आवश्यक आदेश पहले ही जारी किये जा चुके हैं ?

Medical amenities to MPs by C.G.H.S.

11130. SHI SARAT KAR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether any representation has been received from some Members of Parliament regarding the medical amenities given to them by C.G.H.S.; and

(b) if so, what action Government has taken in this regard?

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA): (a)
Yes, Sir.

(b) The issues raised are under consideration and a suitable reply will be sent to the Hon'ble members concerned.

बिलम्ब शुल्क रेलवे को प्राप्त हुआ
राजस्व

11131. श्री राम बिलास पारखान : क्या रेल मंत्री यह बताने की कृपा करेंगे कि ऐसे बैगनों की ठीकठीक संख्या कितनी है जिन पर बिलम्ब शुल्क लगाया जाता है और उससे रेलवे की कितना राजस्व प्राप्त हुआ ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) सूचना इकट्ठी की जा रही है और सभा-मटल पर रख दी जायेगी।

पर्वतीय (हिल स्टेशन भत्ता)

11132. श्री लहानूसिद्धकासम : क्या रेल मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या महाराष्ट्र सरकार ने हिल स्टेशन के रूप में इगतपुरी को मान्यता दी है;

(ख) यदि हा, तो क्या रेलवे कर्मचारियों को पर्वतीय भत्ता दिया जायेगा; और

(ग) यदि नहीं, तो उसके क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) के (ग) केन्द्रीय सरकार द्वारा अपनायी जा रही वर्तमान नीति के अनुसार, रेल कर्मचारियों सहित, केन्द्रीय सरकार के लिये ऐसे कर्मचारियों की पर्वत प्रतिकर भत्ता दिया जाता है जो 1000 मीटर अथवा इससे अधिक ऊँचाई पर स्थित स्थलों पर तैनात हो, चाहे सम्बन्धित राज्य सरकार ने उम स्थान को पर्वतीय स्थल माना हो अथवा न माना हो। केन्द्रीय सरकार के कर्मचारियों के नूतीय वेतन आयोग ने भी अपनी रिपोर्ट में इस मानदण्ड का पालन किया है और वित्त मंत्रालय द्वारा जारी किये गये आदेश रेलवे पर अपनाये गये हैं। चाँच इगतपुरी उम ऊँचाई में कम पर स्थित है जिस पर पर्वत प्रतिकर भत्ते का भगतान आई ही होता है, इसलिए वहाँ तैनात रेल कर्मचारी उम भत्ते के पात्र नहीं हैं।

केन्द्रीय सरकार स्वास्थ्य योजना के औष-
धालयों में डाक्टरों क. कर्म.

11133 श्री राजेंद्र कुमार शर्मा :

क्या स्वस्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि

(क) क्या केन्द्रीय सरकार स्वास्थ्य योजना के औषधालयों में डाक्टरों तथा अन्य कर्मचारियों की विमोषकर गम्भी के दिनों में, जब उनमें से अधिकांश छुट्टी पर चले जाते हैं, भारी कम रहनी है;

(ख) यदि हा, तो क्या इनको देखते हुए सरकार का विचार अतिरिक्त स्टाफ को उपलब्ध करने का है; और

(ग) इस सम्बन्ध में कार्यवाही कब तक की जायेगी ?

संबन्धीय कार्य तथा अन्य संबंधी (बंदी रद्दीकरण कार्य) : (क) केन्द्रीय सरकार स्वास्थ्य योजना के अधीन कुल मिला कर चिकित्सा अधिकारियों की कमी है। गरमी के मौसम में जब कुछ चिकित्सा अधिकारी छुट्टी पर चले जाते हैं तो यह स्थिति और भी खराब हो जाती है।

(ख) और (ग) खाली पदों को शीघ्र भरने के लिये पहले ही कदम उठाये जा चुके हैं। इस बीच उपयुक्त आन्तरिक व्यवस्था करके लाभाधिकारियों की अनुपस्थितियों को यथासम्भव दूर किया जा रहा है।

दिल्ली की छोट्टे का अन्य स्थानों के केन्द्रीय सरकार स्वास्थ्य योजनामंडलों के मुख्य चिकित्सा अधिकारियों को यह अधिकांश दे दिया गया है कि वे आवश्यकता पडने पर डाक्टरों को माफिक आधार पर तथा अन्य स्टाफ का तब आधार पर निरस्त कर सकते हैं।

Important vacant posts in major Ports

11134. SHRI MANORANJAN BHAKTA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) how many posts of Chairman and Deputy Chairman are lying vacant in major ports;

(b) whether it is true that post of Chief Conservator, Chief Engineer and General Manager are vacant in Bombay;

(c) whether it is true that congestion in Bombay is the cause of discontent amongst senior officers of Port Cadre whose services are not properly utilised, and

(d) what steps Government proposes to take to fill in the vacancies of important posts in major ports?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI

CHAND RAM): (a) The posts of Chairman of Madras Port Trust and Mormugao Port Trust are vacant. No post of Deputy Chairman is vacant.

(b) The posts of the Chief Engineer and Deputy Conservator are vacant. There is no post of General Manager on Bombay Port Trust's establishment.

(c) No, Sir.

(d) Necessary action to fill in the above vacancies is being taken.

Proposal of Andhra Pradesh Government for an Over-Bridge

11135. SHRI P. RAJAGOPAL NAIUU Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government received a proposal from the Andhra Pradesh Government for the sanction of a road over bridge at the other side of the railway crossing at Ramachandrapuram and Ratancherm at M. 19 of Hyderabad Sholapur road National Highway-9; and

(b) if so, the action taken thereon?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) No, Sir.

(b) Does not arise.

Admission of VIP's in Dr. Ram Manohar Lohia Hospital

11136. SHRI PURNA NARAYAN SINHA Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) how many VIP's had been admitted in Dr. Ram Manohar Lohia Hospital after 25th March 1977 and how many of them (i) expired therein and (ii) transferred to other hospital for further treatment;

(b) what was the complaint with which Shri H. L. Patwary, M.P. was admitted into Dr. Ram Manohar Lohia Hospital and for what he was treated, by which doctors and what was the total cause of his death; and

(c) was Shri H. L. Patwary, M.P. put on intensive care unit if so, at what time, on which date and detailed statement of his treatment with the names of attending doctors before he was declared dead?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a)

(a) Admitted	(from 25th May, 1977 to 31st March, 1979)	
i) MPs		193
ii) Ex-MPs		19
iii) Ministers		10

		222

Expired		
i) MPs		3
ii) Ex-MPs		1

		4

Transferred to other Hospitals—1 (because of non-availability of pacer-maker equipment at that time).

(b) (i) Shri H. L. Patwari was admitted with the complaint of vomiting, constricting chest pain, choking sensation and heart burn of two days duration. On close enquiry it appeared that the pain and choking sensation had become worse for about 14 hours. It seems he had been ill for two days before seeking admission to the hospital on 26-3-1979.

(ii) He was diagnosed and treated as case of acute Myocardial Infarction.

(iii) A team of doctors belonging to Dr. Ram Manohar Lohia Hospital and Nursing Home attended on him under the guidance of Dr. K. P. Mathur Senior Physician, Dr. P. D. Nigam, Heart Specialist, Dr. H. Lal and Dr. M. P. Gupta, Associate Professors of Cardiology, G. B. Pant Hospital were also called for consultation and advice.

(iv) Shri Patwari died of cardiogenic shock and serious dysarrhythmias arising out of acute myocardial infarction.

(c) (i) From the Casualty Department where Shri Patwari first attended on the morning of 26th March 1979, he was transferred to a room in the old Nursing Home at about 5.00 A.M. on the same day. He was put on cardiac monitor in that room and within about 15 minutes arrangements were made for Shri Patwari to be transferred to the Intensive Care Unit of the Nursing Home.

(ii) Shri H. L. Patwari was admitted with the complaint of vomiting heart burn and chest pain of two days duration. The pain in the chest was accompanied by a choking sensation which had become severe for about 14 hours. On examination, it was found that the pulse rate was slow and the blood pressure was low and he had signs of pulmonary congestion. The Electrocardiogram showed evidence of acute anterior-sptal myocardial infarction with occasional missing beats and slow conduction of the heart. This patient was, therefore, in a state of mild heart failure and irregular functioning of the heart as a result of myocardial infarction. He was given appropriate treatment, i.e. Oxygen, slow glucose drip injections of pathidine, lasix etc. He was continuously put on cardiac monitor in the intensive care unit of the Nursing Home. The patient was kept under continuous observation and supervision but despite sedation and other treatment, the chest pain continued and the electrocardiogram showed extension of the damage to the heart muscle. The cardiac function was also becoming irregular and unsystematic. It was, therefore, considered expedient to arrest the onrush of the disease and to put the patient on anti-coagulant therapy. However, the cardiac functioning became more and more irregular, sometimes very fast and sometimes slow, the patient showing varying degree of conduction defects, block patterns and A.V. dissociation. The blood pressure also

fell down considerably, resulting in urinary supereasion. The heart on its own was unable to beat in an orderly way and keep the optimum blood pressure to sustain life. He was first treated with medicines. Since he did not respond to medicinal treatment, the decision for artificial pace making was taken. An emergency pace maker was installed which sustained the patient till the next day. However, it was considered expedient that another pace maker may be introduced under the flourescopic control to give the patient the best chance for life. The same was done by Dr. M. P. Gupta, Consultant (Cardiology), Pant Hospital. Despite all this the patient could not be saved and was declared dead at 5.15 p.m. on 28-3-1979.

(iii) A team of doctors of the Dr. Ram Manohar Lohia Hospital and Nursing Home consisting of Dr. K. P. Mathur, Senior Physician, Dr. S. N. Verma, Dr. Jawa, Dr. S. S. Das were in attendance during the last hour of the late Shri Patwary.

Dialysis Machine

11137. SHRI C. K. JAFFER SHE-RIFE: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) what is the number of Hospitals in the country in which Dialysis machine are available to save the lives of the patients;

(b) whether Government propose to import some more Dialysis machines from some foreign countries; and

(c) if so, the names of such countries and the details regarding their cost?

THE MINISTER OF PARLIAMEN-TARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Till 1978 there were about 42 Hospi-tals and Nursing Homes in the coun-try in which Dialysis machines had been installed.

(b) and (c) Health care is a State subject and it would be for the concerned State Governments to devise suitable arrangements and facilities keeping in view their financial re-sources, needs etc.

Labour Agitations in Coal Fields of Shahdol District, M.P.

11138. SHRI SUBHASH AHUJA: Will the Minister of PARLIAMEN-TARY AFFAIRS AND LABOUR be pleased to state:

(a) the number of labour agitations in coal fields in Shahdol district of Madhya Pradesh during the last three years;

(b) the number of cases pending, and

(c) whether the post of Deputy Labour Commissioner has been lying vacant in Shahdol District for months together?

THE MINISTER OF PARLIAMEN-TARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) It is presumed in view of parts (b) and (c) of the Question that the Hon'ble Member is referring to the number of industrial disputes dealt with by the Assistant Labour Commissioner (Central), Shahdol for the past 3 years. A statement giving these figures is attached.

(b) 62 cases were pending on 1st January, 1979.

(c) The post of Assistant Labour Commissioner (Central) has been lying vacant since July, 1978.

Statement referred to in reply to part 'a' of the Lok Sabha Unstarred Question No. 11138, to be answered on 17-5-1979.

Year	Intake	Disposal	Pendency
1976	149	135	14
1977	132	124	8
1978	281	219	62

Railway Line from New Mainaguri to Sitai

11139. SHRI AMAR ROY PRADHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have decided to lay a new railway line from New Mainaguri to Sitai (North East Frontier Railway); and

(b) if so, the latest progress in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) A traffic-cum-Reconnaissance Engineering Survey for a new BG rail line from New Mainaguri to Sitai (84 Kms.) in Jalpaiguri and Cooch Behar Districts of West Bengal was carried out in 1976-77 and it was found that the project was unremunerative and the return on the capital investment was negative. In view of the severe constraint on availability of funds for construction of new lines, the proposal has been shelved for the present.

Goods Unclaimed at Shalimar Yard

11140. SHRI M. V. CHANDRASHEKHARA MURTHY:
SHRI NIHAR LASKAR:
SHRI A. R. BADRINARAYAN:

Will the Minister of RAILWAYS be pleased to state:

(a) whether in an unprecedented move South Eastern Railway had decided to confiscate goods lying unclaimed at Shalimar Yard at Calcutta and allow the West Bengal Government to undertake their distribution;

(b) if so, the main reasons for the same;

(c) whether this procedure will be followed everywhere in the country; and

(d) if so, whether it has been found that a section of the Trading Community has been detaining wagons in many places?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Does not arise.

(c) Railways do not confiscate goods lying undelivered at goods sheds. Whenever instances of detention to consignments by the trade come to the notice of the Railways and in order to ensure quick release of wagons, action is taken in accordance with the provisions of Section 56 of the Indian Railways Act whereby at Notified stations the consignments not taken delivery of within 7 days after termination of transit are disposed of either by auction or by handing over the essential commodities to the State Government concerned. After retaining a sum equal to the rate or charges due to the Railways and the expenses incurred in respect of the goods and the auction thereof, by the Railways the surplus if any out of the sale proceeds of goods by auction or the price paid by the State Government for essential commodities transferred to them, is made over to the person entitled thereto.

(d) There have been instances of detention to wagons at some stations. Action, as detailed in answer to part (c) of the question, is taken for expeditious clearance of unloaded consignments at 'notified stations', whenever found necessary.

Oil Consignments

11141. SHRI R. V. SWAMINATHAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) how many oil consignments were referred to the Ministry for opinion and release order by the Port Health Organisation Bombay, from 1st January, 1978 to 31st December, 1978;

(b) how much time the importers had to wait in obtaining clearance of their edible oil consignments from the authorities concerned;

(c) what was the longest period recorded for one consignment to get cleared of Health clearance;

(d) whether it is a fact that a number of consignments of edible oil which did not conform to P.F.A. standards, the authorities in Bombay did not give a second chance in an appellate laboratory; and

(e) how many consignments were not given a second opinion by the Authorities in Bombay and what happened to such consignments?

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA): (a) 247

(b) and (c). Where a consignment after analysis appears to conform to prescribed specifications, the Port Health Officers have been able to give clearance immediately. However, when consignments did not meet the specifications, the matter has had to be referred to the Ministry for advice. Wherever it has been found technically possible to rectify any deficiencies in the consignments by reprocessing/refining, advice has been given accordingly. The consequent reference to the Ministry and the process of refining and re-analysis of the consignment and final health clearance would necessarily take some time. The longest period taken for this process in one particular case was one year and four months.

(d) No.

(e) Does not arise.

"Myopia" Eye Disease

11142. SHRI CHITTA BASU: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that there is not treatment of high Myopia (eye disease) available in India; and

(b) if so, whether Government proposes to find out ways and means for the treatment of this eye disease

whose incidence is on increase in India?

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA): (a) No. The treatment of high Myopia is prescription of glasses, contact lenses and operation and the same is available in India.

(b) Does not arise.

Grants from Bidi Welfare Fund to West Bengal

11143. SHRI MUKUNDA MANDAL:
SHRI A. K. SAHA:

Will the Minister of PARLIAMEN-
TARY AFFAIRS AND LABOUR be
pleased to state:

(a) how much grants have been provided for the welfare of Bidi workers of West Bengal during the last three years from Bidi Welfare Fund (Year-wise) and share of West Bengal in terms of percentage in relation to the total Bidi Welfare Fund; and

(b) what measures have so far been taken by Government for the welfare of Bidi workers of West Bengal?

THE MINISTER OF STATE IN
THE MINISTRY OF LABOUR AND
PARLIAMEN- TARY AFFAIRS (SHRI
LARANG SAI): (a) Bidi Workers
Welfare Fund had been brought into
effect only from 15th February, 1977.
The amounts provided for different
activities in West Bengal during 1977-
78 and 1978-79 were as follows:—

	1977-78	1978-79
	Rs. (in lakhs)	
Medical	0.87	1.96
Housing	--	4.95
Scholarships	--	0.45

West Bengal contributed. approxi-
mately 15 per cent of the total fund.

(b) Schemes for providing medical
and health care, subsidy and loan for
housing, scholarships for dependents

etc. have been introduced. Two mobile medical units are functioning at Calcutta and Murshidabad. A chest clinic has also been set up at Nimtita. The State Government has been given an ad hoc grant of Rs. 4.95 lakhs for providing housing facilities. Educational scholarships have also been given at some places.

Lock-out in Hindustan Photo Films

11144. SHRI K. A. RAJAN: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether the management of the Public sector Hindustan Photo Films has declared a lock-out following the indefinite strike by the employees from April 21; and

(b) if so, the details of their demand and steps being taken to settle the matter?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). The management of the Hindustan Photo Films had declared a lockout with effect from the 23rd April, 1979 following an indefinite strike by their employees from the 21st April, 1979 in support of their demands, which inter alia included wage revision, neutralisation in the cost of living, fringe benefits and compensation for 2nd Saturday. According to the information available, the lockout was lifted on the 11th May 1979 as a result of a settlement between the management and the workers' representatives.

New Item Entitled 'Indian Monk being tried in Swiss Court'

11145. SHRI ANANT DAVE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether attention of Government has been drawn to a news item appeared in the 'Times of India' dated the 25th April, 1979, under the heading

'Indian Monk being tried in Swiss Court';

(b) if so, whether Government has taken up the issue with Swiss Government; and

(c) if not, the reasons therefor why not?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAJEE): (a) and (b). Yes, Sir.

(c) Does not arise.

Declaration of Certain Assistant Executive Engineers Service as Permanent by the Roads Wing

11146. SHRI S. B. PATIL: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that the Roads Wing of the Ministry has declared certain Assistant Executive Engineers with about five years temporary service as permanent Assistant Executive Engineers leaving others who have put in fifteen years' service as AEE/EE in the Department;

(b) does this not amount to unfair deal to officers who are senior by virtue of earlier recruitment and service; and

(c) is the Roads Wing not managing the career of engineers on 'first come-first served' basis?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) to (c). Two Services, viz. Central Engineering Service (Roads) Group 'A' and Central Engineering Pool Group 'A' were formed in February 1976. The then sanctioned posts including the permanent posts in various grades were allocated between the two Services vide notifications issued on 21-4-1976. Confirmation of officers against the permanent posts in different grades in the two Services are made according to the said allocation. The question of making any comparison in the matter of confirmation of officers belonging to two different services does not arise.

Introducing a New Train from New Jalpaiguri to New Delhi

11147. SHRI K. B. CHETTRI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received any representations from the public or the Members of Parliament demanding the introduction of a new train from New Jalpaiguri to New Delhi;

(b) if so, the details thereof;

(c) whether the introduction of a new train from New Jalpaiguri to New Delhi is under the active consideration of Government; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and

(b). A representation has been received from Members of Parliament against inconvenient timings of 155| 156 Tinsukia Mail at New Jalpaiguri and for introduction of a new fast train between New Delhi and New Jalpaiguri with convenient timings at New Jalpaiguri.

(c) and (d). It is not always possible to provide convenient timings of long distance trains like Tinsukia Mail at intermediate stations like New Jalpaiguri. Introduction of a new train between New Delhi and New Jalpaiguri is, at present, operationally not feasible for want to spare line capacity on sections enroute and terminal facilities in Delhi area.

Decision regarding Portraits of President and Prime Minister in Offices and Missions Abroad

11148. SHRI D. D. DESAI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government has taken or thinking to take any decision that the portraits of the President and the Prime Minister will not adorn the

walls of the Ministry, offices and also the missions abroad;

(b) if so, the reasons behind the same; and

(c) if not, what is the reaction of Government to the news item as appeared in the newspapers on 24th April, 1979 in this regard?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) There has been no change in Government's policy that appropriate prominence should be given to portraits of Mahatma Gandhi and the President of India, and portraits of important and respected leaders should continue to be displayed in Indian Missions. The Prime Minister does not desire his photographs to be displayed in Government offices and instructions to this effect were issued in 1977.

(b) Does not arise.

(c) The news item appearing in newspapers on 24th April, 1979 in this regard is inaccurate and the correct position is stated above.

P.F. against Mewat Press, Gurgaon

11149. DR. VASANT KUMAR PANDIT: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether Mewat Press, Gurgaon has not been depositing the amount of Provident Fund and Employees State Insurance Scheme of employees regularly with Government and if so, the amount outstanding on this account during the last three years;

(b) the newsprint quota and other financial assistance being given to this Press by Central/State Government; and

(c) what is its weekly/monthly circulation and how much profit it is earning annually by way of Government advertisements?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KIRPAL SINHA): (a) The Employees' Provident Fund authorities have reported that as per inspection carried out on the 4th May, 1979, M/s. Mewat Press, Gurgaon is not coverable under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 as the number of persons employed in the establishment is less than twenty.

According to the information furnished by the Employees' State Insurance Corporation, this establishment is not registered under the Employees' State Insurance Act, 1948.

(b) and (c). Information is not available with the Ministry of Labour.

मोटो पेनाली सर्वेंट्स एंजिनेयर्स, राजकोट से अन्यावेदन

11150. श्री धर्मसिंह भार्गव पटेल : क्या रेल मंत्री यह बताने की कृपा करेंगे कि.

(क) क्या यह सच है कि मोटी पेनाली सर्वेंट्स एंजिनेयर्स, पेनाली मोटी, जिला राजकोट, सौराष्ट्र, गुजरात ने दिनांक 24 फरवरी, 1979 को रेलवे के बारे में तीन मार्गों वाला एक आवेदन पत्र रेल मंत्री जी को, वे पश्चिम रेलवे के भावनगर मंडलीय कार्यालय तथा मंडलीय रेलवे प्रयोक्ता सहायकार समिति राजकोट विभाग, राजकोट को भेजा है;

(ख) यदि हा, तो इन तीन मार्गों का अलग अलग व्योम क्या है;

(ग) सरकार अथवा रेलवे बोर्ड द्वारा इन मार्गों पर अलग अलग क्या कार्यवाई की गई है और कौसी कार्यवाई की जायेगी; और

(घ) मोटी पेनाली सर्वेंट्स एंजिनेयर्स की वे माने किस प्रकार से और कब पूरी की जायेगी ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी हाँ ।

(ख) से (घ) एक विवरण संलग्न है ।

विवरण

उठाया गया मुद्दा

(i) पेनाली मोटी स्टेशन में डाक तार टेलीफोन की व्यवस्था ।

(ii) पेनाली मोटी स्टेशन में गांधीग्राम एक्सप्रेस से टिकट जारी करना ।

(iii) एक पहुँच मार्ग के लिए अनुरोध ।

वर्तमान स्थिति

(i) पेनाली मोटी स्टेशन में डाक तार टेलीफोन लगाने के लिए डाक एवं तार विभाग से माग की जा रही है ।

(ii) पेनाली मोटी स्टेशन में गांधीग्राम एक्सप्रेस के हॉल्ट की व्यवस्था करने के लिए यातायात सम्बन्धी प्रौचित्य नहीं है, इसलिए इस स्टेशन में टिकट जारी करने का प्रयत्न नहीं उठाया ।

(iii) पहुँच मार्ग की सम्मत 1979-80 के चालू वर्ष में करने का प्रस्ताव है ।

Hari Nagar Dispensary, Delhi

11151. SHRI YUVRAJ: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that though the number of beneficiaries registered with Hari Nagar Dispensary, Delhi is about 16,000, no specialist (eye, children, medicine) visits the dispensary with the result that patients are referred to Dr. Ram Manohar Lohia Hospital which is about 15 kms. from the dispensary;

(b) whether it is also a fact that with the shifting of the dispensary to a new venue which is more spacious, it is now possible to provide these services in this dispensary; and

(c) if so, whether he would look into the matter and direct the authorities concerned to provide Specialist services to the above dispensary so that 16,000 beneficiaries are benefited with this facility like other beneficiaries of different dispensaries?

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA): (a) to
(c): No specialists visit this dispen-
sary which covers about 16,000 bene-
ficiaries. Owing to shortage of Spe-
cialists it is not possible at present to
provide Specialists services at the dis-
pensary. However, the patients from
this Dispensary avail of Specialists
facilities at the C.G.H.S. Dispensary
Tilak Nagar, at a distance of about
3-4 kms., except in cases of emer-
gency when they are referred to the
Dr. Ram Manohar Loha Hospital.

Station at Chikloli

11152. SHRI LAXMAN RAO MAN-
KAR: Will the Minister of RAIL-
WAYS be pleased to refer to reply
given to Unstarred Question No. 3300
on the 15th March, 1979 regarding
station at Chikloli and state how much
capital investment is involved and
how much heavy recurring loss is con-
templated in a proposal of opening a
new Station at Chikloli between Am-
barnath and Badlapur on Kalyan-
Karjat line in District Thana (Maha-
rashtra)?

THE MINISTER OF STATE IN
THE MINISTRY OF RAILWAYS
(SHRI SHEO NARAIN): This propo-
sal is estimated to involve a capital
investment of about Rs. 5.81 lakhs and
the recurring loss is estimated to be
about Rs. 3.67 lakhs per annum.

Amendment to Payment of Gratuity .. Act, 1972

11153. SHRI LAXMAN RAO MAN-
KAR: Will the Minister of PARLIA-
MENTARY AFFAIRS AND LABOUR
be pleased to state how long Govern-
ment propose to wait for the proposals
from State Government/Union Terri-
tories and organizations of employees
and workers to take a decision to
amend the Payment of gratuity Act
1972?

THE MINISTER OF STATE IN THE
MINISTRY OF LABOUR AND PAR-
LAMENTARY AFFAIRS (DR. RAM
KIRPAL SINHA): The State Govern-
ments etc. are being requested to send
their proposals by the 31st May, 1979
positively.

Theft of Angles

11154. SHRI LAXMAN RAO MAN-
KAR: Will the Minister of RAILWAYS
be pleased to refer to reply given to
Unstarred Question No. 2509 on the
8th March, 1979 regarding theft of
Angles and state:

(a) whether investigation of the case
of theft of angles by Railway Em-
ployees at Miraj (Maharashtra) has
been completed; and

(b) if so, what action has been
taken with regard to the vigilance
department investigation report and
against whom, the names and their
posts in service.

THE MINISTER OF STATE IN THE
MINISTRY OF RAILWAYS (SHRI
SHEO NARAIN): (a) Yes.

(b) The investigation reports are
being further processed for fixation of
responsibility.

Bombay Suburban Trains Time Table

11155. SHRI LAXMAN RAO MAN-
KAR: Will the Minister of RAILWAYS
be pleased to refer to reply given to
Unstarred Question No. 1410 on the

1st March, 1979 regarding Bombay Suburban train time table and state:

(a) how many suggestions which do not affect the running of existing services and which do not clash with interest of different groups of passengers have been accepted and implemented;

(b) the detailed nature and scope of such suggestions;

(c) whether these suggestions which are pending with the Railway Administration over a period of one year or so, could have been accepted and implemented earlier; and

(d) if not, why not?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d) Information is being collected and will be laid on the table of the Sabha.

Buses allowed by DTC to SC/ST persons under the Self Employment Scheme

11156 SHRI R. KOLANTHAIVELU: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the reasons why only 47 buses have been allotted by DTC to Scheduled Caste/Scheduled Tribe persons out of 90 sanctioned under the Self Employment Scheme;

(b) the method of publicity given for calling for applications from candidates;

(c) whether advertisements are given in newspapers at regular intervals; and

(d) if not, reasons therefor?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Against 90 buses reserved for SC/ST by D.T.C., 39 buses as on 9-5-79 are actually operating. Additional 37 allotments have been already made and their buses are expected to be on road soon. For the remaining 14, the delay is on the part of persons,

whose offers were accepted long ago and who have not so far brought the buses for hiring by D.T.C.

(b) Newspapers advertisement in August 1977.

(c) & (d) Since as many as 260 SC/ST applicants had been enlisted on the waiting list against the 90 vacancies reserved for S.C./S.Ts, the question of re-advertising the scheme did not arise.

Overbridge near Shahad

11157. SHRI PUNDALIK HARI DANWE: Will the Minister of RAILWAYS be pleased to refer to reply given to the Unstarred Question No. 532 on the 29th March, 1979 regarding overbridge near Shahad and state:

(a) whether it is a fact that Government of Maharashtra have recently sent their acceptance of the proposal of construction of a road over-bridge at Shahad (in District Thana, Maharashtra); and

(b) if so, what action Railway Administration has taken?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) It is proposed to take up the work during the current financial year.

Apprentices in Commercial Trade Groups

11158. SHRI PUNDALIK HARI DANWE: Will the Minister of RAILWAYS be pleased to refer to reply given to the Unstarred Question No. 3299 on the 15th March, 1979 regarding Absorption of Apprentices in Commercial Trade Groups and state:

(a) whether Railway Service Commission, Bombay have called for an interview for oral test, the apprentices who made representations on the 19th October, 1978 and 16th January, 1979;

(b) if so, when and to how many; and

(c) if not, the reasons of delay?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) 46 apprentices were called for an oral test on the 19th March, 1979.

(c) Does not arise.

Construction of 200 Feet Wide Road Near Shastri Nagar

11159. **CHAUDHARY HALBIR SINGH:** Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether there is a proposal to construct a 200 feet wide road near Shastri Nagar;

(b) if so, the broad details of the plan as to where this road will be linked and why this road has not begun so far; and

(c) the time by which the road in question will begin and open to the general public for use?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) There is no such proposal according to the information received from the Local Authorities concerned.

(b) and (c) Do not arise.

Booking of Clerk Grade-I

11160. **SHRI SAMAR MUKHERJEE:** Will the Minister of RAILWAYS be pleased to state whether it is a fact that on the Western Railway only direct recruited graduates after 1st October, 1962, as Clerk Grade-I have been booked against shadow posts, whereas the Clerks Grade II recruited after 1st October, 1962 have been denied their promotion as Clerk Grade I against shadow posts even after qualifying Appendix IIA examination?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): Information is being collected and will be laid on the Table of the Sabha.

Recruitment of Staff for Accounts Department

11161. **SHRI SAMAR MUKHERJEE:** Will the Minister of RAILWAYS be pleased to state the total number of staff recruited during the last three years in the Accounts Department of each zonal Railway separately, against graduate vacancies as Clerk Grade I recruited as Clerk Grade II and since promoted as Clerk Grade I against shadow posts?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): Information is being collected from the Railways and will be laid on the Table of the Sabha.

Flood Advance

11162. **SHRI SAMAR MUKHERJEE:** Will the Minister of RAILWAYS be pleased to state:

(a) total number of staff in the Traffic Accounts Office, Northern Railway and Foreign Traffic Accounts Office, Western Railway at Delhi-Kisanganj who had applied for Flood Advance in the year 1978;

(b) whether payment has since been arranged to the staff, and

(c) if not, steps taken by Government to arrange payment to give relief to the affected staff?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) 395.

(b) Except in the case of one applicant, who did not meet the requirements of the Rules governing sanction of flood advance, payment has already been arranged in respect of all other employees.

(c) Does not arise.

Medical Store Depot, Hyderabad..

11168. SHRI A. MURUGESAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) is it a fact that reservation orders providing reservation for SC/ST officials at the time of appointments, promotions and confirmations are not being implemented at Government Medical Store Depot, Hyderabad if so, why and if implemented, the cadre wise details thereon from the date of issue of these orders;

(b) is it also a fact that representations have been presented by the Andhra Pradesh Central Government, SC/ST employees' Welfare Association, Hyderabad to the DG (MS) Government Medical Store Depot, Hyderabad, for redressing their grievances, if so, what action has been taken on the same, if taken, the details thereof, and

(c) is there any proposal to send an officer from Directorate General Health Services, New Delhi to study the grievances and set right the defects with retrospective effect?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) (a) to (c) The information is being collected and will be laid on the table of Sabha.

Allotment of Quarters to Staff of Accounts Department at Moghul Sarai

11164 SHRI DINEN BHATTACHARYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether certain quarters have been pooled for allotment to the staff of the Accounts Department at Moghul Sarai (Eastern Railway),

(b) whether it is also a fact that the quarters so meant for allotment to the Accounts Staff have been illegally

occupied by some unauthorized persons; and

(c) if so, the action taken to get the quarters vacated and for allotting the same to the Accounts Staff?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes

(b) & (c) Out of a total number of 26 quarters allotted, 18 quarters have been occupied by staff of other departments unauthorisedly. These staff were asked to vacate these quarters but they have not vacated so far. Action is being initiated under the Rules against such staff for their unauthorised occupation.

Scooter Advance

11165 SHRI DINEN BHATTACHARYA: Will the Minister of RAILWAYS be pleased to state

(a) whether it is a fact that some staff working in the Traffic Accounts Office Western Railway at Ajmer applied for Scooter Advance in the year 1977 and the payment has not so far been made to them,

(b) whether it is also a fact that applications of the staff are lying in the Headquarter Office of the Western Railway since August, 1978; and

(c) if so, the reasons for the delay and steps taken by Government to arrange payment before 31st March, 1979?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) Applications for sanction of scooter advance were received in August 1977 from some staff of the Traffic Accounts Office of Western Railway at Ajmer. After obtaining necessary budgetary provision, sanction was accorded and payments arranged within 1978-79.

(b) Applications received at the Headquarters' office in August 1978 were immediately returned to the Traffic Accounts Office, Ajmer for rectification as these were incomplete or defective.

(c) The duly completed applications, referred to in part (b) were received at the Headquarters' office and after scrutiny sanction was issued. Payment in respect of all applications was arranged before 31st March, 1970.

Refusal by Taxis and Scooters to go as the Commuter Desires

11166. SHRIMATI MOHSINA KIDWAI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether in spite of all the arrangements, the taxis and scooters in Delhi often refuse to go as the commuter desires but have their convenience in the matter; and

(b) if so, what effective and positive steps are being taken to save the passengers from this exploitation?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Yes, Sir. Complaints of this nature are sometimes received

(b) The following steps are being taken in the matter by Delhi Administration:—

(i) For the convenience of commuters complaints of refusal are received also on telephone in the complaint booths set-up by the Directorate of Transport Delhi and also at its New Delhi Office at Tilak Marg. Facility for lodging complaints on telephone are available round the clock at the Directorate (Telephone No. 224379).

(ii) All complaints received in writing are duly acknowledged and action initiated in accordance with the provisions of law in each case

(iii) Powers under Sections 15 and 60 of the Motor Vehicles Act, 1939 have been delegated to two officers of the Directorate for suspension of driving licences/permits of such erring drivers/operators of taxis and autorickshaws after summary enquiries.

(iv) Prosecution action is also taken by the Delhi Circle Traffic Police and the Enforcement staff of the Directorate of Transport, Delhi, through surprise drives. During January—April 1970, the traffic police have challaned 2011 cases, for refusal to take passengers to desired destinations.

(v) At the railway stations and I.S.B.T special buses for transport of passengers with luggage to and from residential colonies have been provided to reduce dependence on taxis and scooters

Punctuality of Trains on Kota-Bina Section

11167. SHRI MADHAVRAO SCINDIA: Will the Minister of RAILWAYS be pleased to state.

(a) whether most of the trains in Kota-Bina section of the Western Railways are running late resulting dislocation of passengers and goods traffic and leading to hardship to general public;

(b) whether inflow of passengers traffic in the section is increasing as a result demands for attachment of more compartments specially for ladies to all Ups and Dns trains passing through the section is being felt;

(c) whether representation to this effect has been received by Minister in recent times; and

(d) if so, what steps are being taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d) Information is being collected and will be laid on the table of the Sabha.

Ship Detention and Berthing Delays at Haldia Port

11168. SHRI PABITRA MOHAN PRADHAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether due to ship detention and berthing delays at Haldia Port, the Union Government had to pay over Rs. one crore as demurrage on the import of crude and petroleum products in the year 1978 alone,

(b) whether Arion, a foreign vessel carrying fertilizers arrived in August last year and moved out of the port in November of the same year; and

(c) whether the amount that had to be paid as demurrage in this connection will be such a colossal one so that a new vessel may be purchased with the demurrage amount?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) As per the information available, the demurrage paid by the Government on the import of crude and petroleum products due to ship detention during 1978 was around Rs 45 lakhs

(b) M V Arion carrying bulk fertilizers arrived at Haldia on 18th August, 1978 and finished work on 25 November, 1978

(c) The amount paid as demurrage was about S. 24 lakhs (ie about Rs 20 lakhs) to ship-owners. The demurrage paid would amount to only a very small percentage of the cost of a new vessel of that size

Irregularities in Compilation Branch

11169 SHRI KRISHNA CHANDRA HALDER Will the Minister of RAILWAYS be pleased to state:

(a) whether Western Railway Administration has received representation from the recognised union regarding irregularities in promoting Scheduled Caste employees in the Compilation Branch, Foreign Traffic Accounts Office, Western Railway, Delhi, and

(b) If so, the date of the representation and steps taken to give justice?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHYAM NARAIN): (a) Yes.

(b) 3-2-1979. The demand is not justified. The promotions have been made strictly according to the extent instructions.

Vacancies in Clerk Grade-II in Foreign Traffic Accounts Office, W Railway

11170. SHRI KRISHNA CHANDRA HALDER: Will the Minister of RAILWAYS be pleased to state:

(a) total number of vacancies occurred in Clerk Grade II, Clerk Grade I and Sub-Head from 1st January, 76 to date in the Foreign Traffic Accounts Office, Western Railway, Delhi and Traffic Accounts Office, Ajmer separately for each office and each year and

(b) total number of staff recruited to fill up the above vacancies?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHYAM NARAIN) (a) & (b) Information is being collected and will be laid on the Table of the Sabha.

माल-डिब्बों का आवंटन

11171. श्री धर्मसिंह भाई पटेल :

क्या रेल मंत्री यह बनाने की कृपा करेंगे कि

(क) गुजरात के सीगाद, अचल के धोंगजी, उपलेटा, भायावदर पानेरी मोटी, लाय-जोत्रपुर, बाम जालिया, बरावल, केशोद, चोरवाड, राणाबाव, घे, बरार, गाणावदर, बांटावा, जूनागढ प्रादि रेलवे स्टेशनों का 1 जनवरी, 1979 से 30 अप्रैल, 1979 के बीच खास तेलो प्याज, चाक पाउडर, खली, रूई की बंदी हुई गाओं, चूना पत्थर तथा सोर्सेंट के लिये प्रति मास अलग-अलग वस्तु के लिये कितने माल डिब्बों का आवंटन किया गया;

(ख) स्टेशन-बार तथा बस्तु-बार कितने माल डिब्बों के लिये 1 मई, 1979 को मांग लम्बित थी;

(ग) इन लम्बित मांगों को कब तथा किस प्रकार पूरा करने का विचार है;

(घ) क्या पश्चिम रेलवे के बम्बई तथा भावनगर स्थित दोनों कार्यालय उपरोक्त बस्तुओं के लिये अपेक्षित रेल डिब्बों की सप्लाई नहीं कर सके हैं; यदि हां, तो उसके क्या कारण हैं; और

(ङ) ये दोनों रेलवे कार्यालय नियमित रूप से और पूरे माल डिब्बे सप्लाई करने और माल डिब्बों की बकाया मांगों को पूरा करने के लिये आगे क्या कार्यवाई करेंगे ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) (क) और (ख) सूचना विवरण में दी गयी है, जो सभा पटल पर रखा गया है। [ग्रन्थालय में रखा गया। देखिये संख्या एल टी—4835 79]

(ग) से (ङ). पश्चिम रेलवे के भावनगर मंडल सहित सभी क्षेत्रीय रेलों में किसी भी प्रकार का प्रतिबन्ध लागू रहते हुए भी माल डिब्बों का आवंटन प्राथमिकता और मांग पत्र के पंजीकरण की बरीयता के आधार पर किया जाता है। जहां तक उल्लिखित पण्यों का सम्बन्ध है, खाद्य तेलों और प्याज के अनिर्णीत अधिकांश मांगपत्र पूर्वोक्त सीमा रेलवे के गंतव्य स्टेशनों के लिए हैं जिसके लिए दूसरे अधिक आवश्यक पण्यों, जैसे सरकारी खाद्यान्न चीनी, नमक सैनिक यातायात आदि के साथ-साथ इन पण्यों के लदान के लिए कोटा दिया गया है। जहां तक चाक के चूरे का सम्बन्ध है, पश्चिम रेल प्रशासन उपलब्ध संसाधनों के भीतर माल डिब्बों

का अधिक से अधिक सप्लाई करने का प्रयास करेगा।

Railway Facilities

11172. SHRI DHARAMASINHBHAI PATEL: Will the Minister of RAILWAYS be pleased to state:

(a) whether in February, 1979 a memorandum containing 8 demands about providing railway facilities was given to authorities at Bombay and Bhavnagar, Western Railway, by an M.L.A. Gujarat;

(b) if so, the nature of demands listed therein; and

(c) the demands conceded and the reasons for not conceding others?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No such memorandum is traceable as having been received by the Railway Administration.

(b) & (c) Do not arise.

Standing Committees on Unorganised Labour

11173. SHRI SACHINDRA LAL SINGHA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether at the first meeting of the Central Standing Committee on unorganised Labour it was decided to set up three Sub-Committees on (1) Central Legislation for Agricultural Labour, (2) Rural Workers Organisation and Education, and (3) Bonded Labour;

(b) if so, the details of the action taken up to date on the basis of the decision and names of the Members of each Sub-Committee; and

(c) when these Sub-Committees will submit their reports?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Yes, Sir.

(b) The three sub-committees have since been constituted and the first meeting of the sub-committees on Bonded Labour and Central Legislation for Agricultural Labour have already been held on 7th and 10th May 1979 respectively. The sub-committee on Rural Workers Organisation and Education will meet on 18th

May 1979. Names of the members of the three sub-committees are as in the Statement.

(c) The sub-committees have been requested to report in about three months.

Statement

SUB-COMMITTEE NO. 1

Central Legislation for Agricultural Labour

- | | |
|---|----------|
| 1. Shri N. M. Barot,
Labour Minister,
Govt. of Gujarat. | Chairman |
| 2. Harkishan Singh Surjeet, M.P. | } Member |
| 3. Shri M. G. Dongre | |
| 4. Shri Ramachandran Nair | |
| 5. Bharatiya Krishak Samaj, New Delhi | |
| 6. Shri H. L. Chawla | |
| 7. Shri Chitta Basu, M.P. | |
| 8. Shri M. T. Shukla | |
| 9. Prof. T. K. N. Unnithan. | |

SUB-COMMITTEE NO. 2

Rural Workers Organisation and Education

- | | |
|---|----------|
| 1. Shri Jagdish Gupta,
Minister of Labour,
Government of M.P. | Chairman |
| 2. Shri N. G. Ranga, M.P. | } Member |
| 3. Prof. Prayag Mehta | |
| 4. Shri Quader Nowaz | |
| 5. Shri A. C. Kulshrestha. | |
| 6. Shri P. S. Krishnan | |
| 7. Shri Sham Lal Gaur | |
| 8. Prof. Ashok Sen | |
| 9. Shri M. V. Rajasekharan | |

SUB-COMMITTEE NO. 3

Bonded Labour

- | | |
|----------------------|----------|
| 1. Shri B. Bhagwati | Chairman |
| 2. Shri M. V. S. Rao | Member |

3. Shri Sunderlal Bahuguna
4. Shri S. Jagannathan
5. Shri M. V. Bajra
6. Shri Bhupinder Singh
7. Pr. of Sachchidananda
8. Shri E. Balanandan
9. Shri Surendra Mohan, M.P.

Member

**Executive Committee of
National Labour**

11174. SHRI SACHINDRALAL SINGHA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether the executive council of the National Labour Institute has been reconstituted;

(b) if so, the details thereof;

(c) the details of the activity of the National Labour Institute and the amount sanctioned up to date; and

(d) the names of the research officer at present connected with the Institute and the subject dealt with, thereof?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Yes, Sir.

(b) The executive Council consists of 10 members, of which 7 are elected members, 2 Ex-Officio members and a Chairman appointed by the Government. Prof. D. T. Lakdawala, Deputy Chairman, Planning Commission has been appointed as the Chairman of the Executive Council.

(c) The Institute is an autonomous body and undertakes research including Action Research Education programmes, consultancy, publication and documentation work for the promotion of harmonious industrial relations and for promoting the organisation of rural poor. The amount sanctioned by

way of Grant-in-aid so far is as under:—

Year	Amount
	Rs.
1974-75 . . .	7,17,000
1975-76 . . .	17,30,500
1976-77 . . .	17,32,000
1977-78 . . .	20,31,000
1978-79 . . .	17,79,000
1979-80 . . .	20,00,000

(d) A list of officers connected with Research and Action Research programme is at Appendix I. These Research Officers are concerned with studies on various contemporary issues which is a continuous process. They also participate in other programmes like education, Rural Training Camps, consultancy, etc.

Appendix-I

List of Research officers in the National Labour Institute connected with Research Programmes:—

- Prof. Prayag Mehta
- Prof. B. Chattopadhyay
- Dr. K. G. Agarwal
- Shri R. N. Maharaj
- Shri T. K. Pachal
- Shri Syed Akhtar
- Shri Joseph Cherian
- Shri S. C. Baisaj

Shri V. K. Kulkarni

Shri M. P. Jain

Shri R. S. Joshi.

Statutory benefits to journalists

11175. SHRI SCHHINDRALAL SINGHA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether the Government of India are aware that the management of newspaper Industries are depriving the statutory benefits in the form of Bonus, dearness allowances etc., to the Journalist particularly out station Delhi based correspondents who are accredited to Press Information Bureau;

(b) if so, the details of the steps taken up to date to reduce the genuine grievances of the Journalists of these news dailies; and

(c) the details of the action taken up to date to regularise the casual workers force in this Industry?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). No complaint has been received by the Government of India about non-payment of bonus, dearness allowance etc., to the out station, Delhi-based correspondents accredited to Press Information Bureau. State Governments/Union Territories being the appropriate Governments, in respect of newspaper industry, are empowered to take appropriate action against the defaulting managements.

(c) Position is being ascertained from the State Governments.

Demurrage waived at Bareilly

11176. SHRI BRIJ RAJ SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) how much demurrage was waived from December, 1976 to February, 1978 in respect of M. G. Loco Coal wagons detained in meter gauge loco-shed, Northern Railway, Bareilly;

(b) was the procedure laid down by Railway Board followed; and

(c) action taken against the officer concerned?

THE MINISTER OF STATE IN THE Ministry of RAILWAYS (SHRI SHEO NARAIN): (a) to (c). The information is being collected and will be laid on the table of the House.

Cycle Stand Contract at Shahjehanpur

11177. SHRI BRIJ RAJ SINGH Will the Minister of RAILWAYS be pleased to state:

(a) is it a fact that cycle stand contract at Shahjehanpur Railway Station of Northern Railway was given for Rs. 2000 for two years this year;

(b) is it a fact that same contract in 1978 has been given for Rs. 32000 for same period;

(c) why was the contract given for Rs. 2000 only for two years and

(d) what action has been taken against officer who awarded the contract causing loss of Government revenues?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Tenders for award of cycle stand contract

at Shahjehanpur were, for the first time, invited through press and opened on 27-2-75 when only one tender offering Rs. 790 only was received. The Tender Committee decided to call for fresh tenders as the previous tender could not be finalised. In response to fresh notice for tenders only one offer which was opened on 12-10-76, was received. As there was acute necessity for cycle stand at this station and a commitment had been made in the Station Consultative Committee, to start the cycle stand early, the recommendation of the Tender Committee to award the contract to Shri Rakesh Sharma, the only tenderer for Rs. 2001 for a period of 2 years from 1-1-77 to 31-12-78 was accepted. This was the first allotment of cycle stand contract at this station.

In the year 1978, tenders were invited for the allotment of cycle stand contract for a period of two years from 1st January 1979. The Tender Committee recommended for award of the contract to the highest bidder for Rs. 40,000 but the party did not turn up and has been given a notice. The contract is being notified again. The contract for the cycle stand at this station is however, being run for the interim period by the second highest tenderer whose offer is Rs. 32,000.

(d) As the contracts were finalised on the basis of open tenders, the question of loss of railway revenue does not arise.

Recruitment of Train Examiners

11178. SHRI SURAJ BHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that no recruitment of Train Examiners has been done on some Railways for years together;

(b) whether there are good number of vacancies in the cadre of Train Examiners on Indian Railways;

(c) if so details of the same Railway-wise; and

(d) what steps are proposed to be taken by the administration to make good the same?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) and (c) The number of vacancies in the category of Train Examiners on the Railways is as under:

Railway	Number
Central	73
Eastern	75
Northern	76
North Eastern	Nil
Northeast Frontier	44
Southern	30
South Central	56
South Eastern	In-formation not readily available.
Western	33

(d) Under extent orders 40 per cent of the vacancies of TXR are to be filled by promotion, 20 per cent as Intermediate Apprentice Train examiners and 40 per cent by direct recruitment through the Railway Service Commissions. Candidates recommended by the Commissions are already under training. Railways have also initiated action to fill the promotional quota of vacancies.

Permanent posts of Train Examiners on Northern Railway

11179. SHRI SURAJ BHAN: Will the Minister of RAILWAYS be pleased to state:

(a) what is the total number of permanent posts of Train Examiners

in different grade on Northern Railway, division-wise;

(b) what is the number of Train Examiners confirmed against these posts.

(c) what are the reasons for not confirming the other Train Examiners; and

(d) by what time they are proposed to be confirmed?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) A statement is attached.

(b) Rs. 700-800	20
Rs. 550-750	65
Rs. 425-700	524

Total: 609

(c) (i) Staff promoted against up-graded posts have not yet completed

one year's service in these grades to make them eligible for confirmation.

(ii) On the Delhi Division, there is a dispute over the seniority of Train Examiners and their confirmation have been deferred till the decision of the High Court becomes available.

(iii) A number of Apprentice Mechanics/Intermediate Apprentices have been appointed as Train Examiners in scale Rs. 425-700 (RS) on completion of requisite period of training. They have either just completed one year or are about to complete the same, against the working posts.

(d) As soon as the conditions for eligibility for confirmation are satisfied.

Statement

No. of permanent posts division-wise on the Northern Railway:

Division	Posts in different grades			
	700-900	550-750	425-700	Total
Delhi	15	54	157	226
Ferozepore	6	22	73	101
Allahabad	8	45	123	176
Moradabad	6	27	68	101
Lucknow	6	24	48	78
Bikaner	3	20	81	104
Jodhpur	4	10	39	53
Hd. quarters	6	—	—	—
	54	202	589	845

Upgrading of Train Examiners

11180. SHRI SURAJ BHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether upgrading order in the cadre of Train Examiners, issued vide Railway Boards letters No. PC-III/78/

UPG/8 dated the 1st January, 1979, has been made applicable to the Train Examiners working in I.R.C.A. too

(b) if so, whether the same has been implemented;

(c) if not, the reasons therefor; and

(d) what steps are proposed to be taken to get the same implemented expeditiously?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No;

(b) Does not arise.

(c) The Organisation being an autonomous body, up-gradation scheme is not applicable to them.

(d) The I.R.C.A. has been advised that the Railway Ministry has no objection to application of revised percentages as applicable to TXRs-cum-CWIs on Zonal Railways for I.R.C.A. staff also.

Seniority position of employees

11181. SHRI SURAJ BHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Railway administration is supposed to issue seniority position of employees on yearly basis;

(b) if so, whether the seniority list of train examiners has been issued on Northern Railway regularly;

(c) whether it is also a fact that on Delhi division of Northern Railway people posted after 1963 have not yet been assigned their seniority even today; and

(d) if so, what remedial measures are proposed to be taken by the administration?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Does not arise.

(c) No.

(d) Does not arise.

Stoppage of Express Train in Alleppy District

11182. SHRI B. K. NAIR: Will the Minister of RAILWAYS be pleased to state:

(a) whether he is aware that there has been a long standing complaint

among the people of Alleppy District, Kerala State, that hardly any Express train stops at any of the 4 railway stations in the District, namely, Kayamkulam, Mavelikara, Thiruvallur and Chengannoor;

(b) whether hundreds of long-distance passengers are seriously inconvenienced because of the lack of booking arrangements at these stations; and

(c) if so, what steps he proposed to take to provide minimum convenience at these stations?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Out of 7 pairs of mail/express trains running on Quilon-Kottayam section, 6 pairs are scheduled to stop at Chengannoor, 5 pairs at Tiruvalla, 3 pairs at Mavelikara and 2 pairs at Kayamkulam. In addition, 3 pairs of passengers trains are also serving these stations. These services adequately cater to short and long distance traffic requirements. Stoppage of additional trains at these stations is not justified. Arrangements for booking of passengers and other amenities provided at all these stations are commensurate with the volume of traffic deal with.

डेनीडा स्कीम

11183. डा० लक्ष्मी नारायण नायक : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) कौन-कौन से जिलों में "डेनीडा स्कीम" लागू की जा रही है

(ख) योजना के प्रथम चरण का स्वीकार क्या है तथा यह योजना कब से लागू की जायेगी

(ग) क्या उपरोक्त योजना में आयु-बैधिक पद्धति भी लागू होगी ; और

(घ) टीकमगढ़, दतिया और सागर जिलों के लिए, अलग-अलग कितनी राशि स्वीकृत हुई है ?

संसदीय कार्य तथा अन्न मंत्री (श्री रवीन्द्र वर्मा (क) दो राज्यों के निम्नलिखित नौ जिलों में स्वास्थ्य और परिवार सेवाओं में सुधार लाने के लिए "डैनीडा" की सहायता से एक परियोजना चलाने का विचार है:—

मध्य प्रदेश	तमिलनाडु
1. सागर	1. सेलम
2. टीकमगढ़	2. दक्षिण अर्काट
3. ग्वालियर	
4. मुरैना	
5. शिवपुरी	
6. गुणा	
7. भिड	

(ख) से (घ) इस परियोजना के व्यौरे तैयार किए जा रहे हैं तथा इसके लिए दी जाने वाली वित्तीय सहायता और इसके अन्य पहलुओं का प्रश्न तभी पैदा होगा जब परियोजना के प्रस्ताव को अंतिम रूप दे दिया जाएगा।

Admission in Private Medical Colleges

11184. SHRI RAGHAVJI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of private medical colleges functioning in the country at present and the locations thereof;

(b) whether Government are aware that students are given admission thereafter taking huge amount from them in the form of donation; and

(c) whether Government will take over the management of those colleges with a view to check such wrong practice and if not, the reasons therefor?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA):

(a) There are nine medical colleges run by the private organisations. Their names/locations are as under:

1. The Kasturba Medical College, Manipal.
2. J. N. Medical College, Belgaum.
3. J. J. M. Medical College, Daven-gera.
4. M. R. Medical College, Gul-barga.
5. Dayanand Medical College, Ludhiana.
6. Christian Medical College, Ludhiana.
7. Christian Medical College, Vellore.
8. St. John's Medical College, Bangalore.
9. M. G. College of Medical Sciences, Sewagram, Wardha.

(b) Yes. It is understood that colleges mentioned at Sl. Nos. 1—4 in the reply to part (a) above charge capitation fees.

(c) The matter has to be considered by the concerned State Governments as 'Health' is a State subject.

Accident in Kunji Colliery

11185. SHRI A. K. ROY: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether there was an accident in a New Kunji Colliery on 22nd April, 1978 in Dhanbad District resulting in the death of a minor;

(b) whether it is a fact that that colliery was running illegally and if so, facts in details;

(c) whether any prosecution has been filed against the owner and compensation given to the dependant of the deceased workman; and

(d) if any steps taken thereof?

**THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA):** (a)

The Director General of Mines Safety, Dhanbad has not received any notice or intimation about the alleged accident at New Kunji Colliery on the 22nd April, 1978.

(b) to (d) The Director General of Mines Safety is making enquiries in the matter.

Executive functioning CIWTC

11186. **SHRI SACHINDRA LAL SINGHA:** Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the action taken so far to moderate the executive functioning of the Central Inland Water Transport Corporation; and

(b) the result achieved?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) To tone up the administration of the Corporation as also to improve its working, a new Chairman-cum-Managing Director was appointed. Steps are also being taken to appoint a few more competent officers at second level of management to strengthen it suitably.

(b) The river services which had earlier been discontinued have been restarted by the new management. Services on new routes have also been taken up. Sufficient cargo is now becoming available for the river services.

Staff in Engineering Department

11187. **SHRI DAYA RAM SHAKYA:** Will the Minister of RAILWAYS be pleased to state:

(a) the number of all categories of officers and inspectorial staff in all the four engineering departments namely civil, mechanical, electrical and signal engineering Railway-wise; Railway

Board controlled establishments-wise not possessing Engineering Qualifications but working against technical posts;

(b) whether bureaucracy by its under hand policy to favour their kith and kins is appointing them in class IV and lower Class III posts to elevate them in selections over the technically qualified personnel;

(c) will he place a list of such technically qualified staff/officers who have been superseded in all the four engineering Departments Railway-wise, Railway Board controlled units-wise in the last ten years by non-technical personnel; and

(d) whether he will lay rigid guidelines of possession of the academical technical qualification as a must for all technical posts to avoid frustration and enforce better functioning of the departments, if not the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d) In the Engineering Departments recruitment to the supervisory level is in the initial grade of Rs. 425—700 from holders of Diploma in Engineering disciplines, according to the percentages laid down for direct recruitment. Government have also to see that there are reasonable chances of advancement for staff working in lower grades. These staff in lower grades though not possessing technical qualification as prescribed for direct recruits, gain practical experience which cannot be ignored and have to be considered against promotional quota. They are also given promotional training and refresher training to make them suitable.

Congestion at Faridabad Railway Goods Shed

11188. **SHRI BALASAHEB VIKHE PATIL:** Will the Minister of RAILWAYS be pleased to state:

(a) whether his attention has been drawn to the news item captioned "Congestion hits Faridabad Railway

goods shed" appeared in Economic Times (New Delhi Edition) of 3rd April, 1979;

(b) if so, whether the alleged congestion at the shed is hampering loading, unloading and other facilities with the result that the honest owners are facing undue harassment and compelled to switch to road transport;

(c) if the said allegation is correct, how much estimated loss of revenue has the railway suffered on this account;

(d) whether recently a fire broke out, affecting the large quantity of jute, and the particular consignment is not being removed; and

(e) if so, what steps Government have taken or propose to take to rectify the position?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) There has been no reports to the effect that the congestion has caused difficulties in loading/unloading and other facilities resulting in the traffic getting diverted to road.

(c) Does not arise.

(d) Yes.

(e) Action is being taken for the disposal of the consignment involving in the fire accident.

The following steps are under consideration of the Railway administration in order to rectify the position:

(i) Provision of additional fire fighting facility at Faridabad Goods Shed.

(ii) Provision of additional covered accommodation at Faridabad Goods Shed.

(iii) Fixing up a quota of jute wagons to be booked from North Eastern and Northeast Frontier Railways to Faridabad Goods Shed.

Class II Assistant Engineer

11189. **SHRI DAYA RAM SHAKYA:** Will the Minister of RAILWAYS be pleased to state:

(a) the number of Class II Assistant Engineers selected in 1976-77 panel on

the North Eastern Railway having serious charges of misappropriation of stores or dereliction of duty promoted without clearance of the charges;

(b) whether it is a fact that a case of excess issue of 621 bags of cement was detected under one inspector of works under town engineer of the North Eastern Railway at Gorakhpur;

(c) the recovery effected either from the contractor/contractors or from the defaulting staff to whom this was issued or who issued it or action taken against the defaulting staff in excess issue of the material without conformity to the progress of work; and

(d) the reasons and authority ordering promotion of the staff without finalising this grave charge with the present position of the case?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Nil.

(b) It is a fact that 521 bags of cement (not 621 bags of cement) were detected to have been issued in excess to the contractor at the time of finalising the contractor's final bill by one Inspector of works serving under the Town Engineer of the North Eastern Railway.

(c) As against a total recovery of Rs. 22,390.20 a sum of Rs. 5,336.00 has already been recovered from the contractor's final bill and a further amount of Rs. 7,548.00 is available with the Railway towards security deposit and earnest money. The measure for recovery of the balance amount of Rs. 9,506.20 is under consideration of the Railway Administration. The defaulter who made excess issues to the contractor is being taken up with under Disciplinary and Appeal Rules.

(d) When the promotion of the staff concerned was considered by the then Chief Engineer, (since retired) no prime facie case had then been established against the defaulter and as per rules his promotion could not be withheld.

Refusal of MMTC to discharge Cargo

11190. SHRI R. K. MHALGI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that two ships carrying about 40,000 tonnes of sulphur for MMTC were held up in stream at Bombay Port for about 50 days since 22nd November, 1978 because of the adamant stance of the MMTC;

(b) whether it is also a fact that the consignees were willing to take delivery of the sulphur in stream, and the port authorities also had agreed to provide all facilities to unload the cargo in stream and enable speedy delivery to the consumption centres; and

(c) what were the reasons for refusal of MMTC to discharge the cargo in stream when Port authorities were also willing to provide help?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) to (c) Two ships, i.e. Artemis and Femca, carrying 19,273 tonnes and 7,300 tonnes of sulphur respectively, which were to be discharged by the MMTC, arrived at Bombay on 22 November, 1978 and 30 December, 1978. The latter vessel got berthed on 16 January, 1979 (i.e. within 16 days of its arrival at the Port), while the former vessel was berthed on 19 January, 1979. The MMTC received a request for mid-stream unloading of the former vessel in the first week of January, 1979, and they, after checking up the possibility of extra cost, allowed the parties to unload by barges mid-stream. The total quantity discharged mid-stream from ship 'Artemis' was 2,089 tonnes.

ईरान में भारतीयों की सुरक्षा

11191. श्री हुकूम खन्ड कदमाच : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 11 अप्रैल, 1979 के 'हिन्दु स्तान' में इस प्रायद्वीप का समाचार छपा है कि

ईरान में रहने वाले भारतीयों को 24 अप्रैल 1979 तक ईरान छोड़ कर चले जाने के आदेश दिये गये हैं जिसके फलस्वरूप वहाँ रहने वाले भारतीय नागरिकों का जीवन खतरे में है; और

(ख) यदि हाँ, तो ईरान में भारतीयों के जीवन तथा सम्पत्ति की रक्षा के लिए भारत सरकार ने क्या कदम उठाये हैं ?

विदेश मंत्री (श्री अटल बिहारी वाजपेयी):

(क) और (ख) सरकार ने यह प्रेस रिपोर्ट देखी है। ऐसी कोई घटना सरकार की जानकारी में नहीं आयी है।

Safety of Coal Mines in the Country

11192. SHRI DALPAT SINGH PARASTE: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether Government have conducted any survey regarding the percentage of the safety of coal mines in the country;

(b) whether some coal mines managements are also not in favour of taking the responsibility of safety;

(c) if so, the details regarding such coal mines; and

(d) the remedial measures Government propose to take in this regard?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) No, Sir. Inspections of mines are carried out by the Directorate General of Mines Safety to check the status of safety and state of compliance with safety provisions.

(b) Government is not aware of any unwillingness on the part of coal mines management to take on the responsibility of safety. Under Section 181 of the Mines Act, 1952, it is the responsibility of the Owner, Agent or Manager of the mine to ensure that all operations in the mines are conducted in accordance with the provisions of the Act and Regulations, Rules etc. framed thereunder.

(c) and (d) Do not arise.

Collection of revenue from stations

11193. SHRI YUVRAJ: Will the Minister of RAILWAYS be pleased to state what is the total revenue collected from Sonali, Barsoe-junction, Surajkamal and Harishchendrapur in North Frontier Railway for the year 1978-79 and what is the individual revenue turnover of each of these railway stations during the same period?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): Information is being collected and will be laid on the Table of the House.

दक्षिण में स्टेशनों के नाम हिन्दी में लिखा जाना

11194. श्री दलपत सिंह परस्ते : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मंत्रालय को इस बात की जानकारी है कि उत्तर भारत के यात्रियों को दक्षिण भारत की यात्रा में स्टेशनों के नाम और स्टेशनों पर बिकने वाली वस्तुओं के मूल्य आदि में हिन्दी में न लिखे होने के कारण भारी कठिनाई होती है ; और

(ख) यदि हां, तो इस बारे में सरकार द्वारा क्या कार्यवाही की जा रही है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख) वर्तमान प्रादेशों के अनुसार, अहिन्दी भाषी राज्यों में स्टेशनों के नाम-पट्टों पर स्टेशनों के नाम अंग्रेजी और प्रादेशिक भाषा के अतिरिक्त हिन्दी में भी लिखे जाते हैं। किन्तु तमिलनाडु में, केवल महत्वपूर्ण जंक्शनों तथा तीर्थयात्रा की दृष्टि से महत्वपूर्ण स्टेशनों पर ही स्टेशनों के नाम अंग्रेजी और प्रादेशिक भाषा के अलावा हिन्दी में प्रदर्शित किये जाते हैं। अतः इस कारण और कठिनाई नहीं होनी चाहिए।

सूची, बेची जाने वाली वस्तुओं की मूल्य-सूची, डर-सूची आदि हिन्दी में भी प्रदर्शित करना संभव नहीं है क्योंकि अहिन्दी-भाषी

राज्यों में अंग्रेजी और प्रादेशिक भाषा का प्रयोग से ही उपयोग किया जा रहा है। छोटे प्रकार के डर-सूची कार्डों, मूल्य-सूचियों तथा मूल्य-पट्टों आदि में तीसरी भाषा का प्रयोग करना कठिन होगा।

मध्य प्रदेश को दालों तथा अनाजों के निर्यात बंद

11195. श्री दलपत सिंह परस्ते : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान 16 अप्रैल, 1979 के 'टाइम्स ऑफ इंडिया' में प्रकाशित इस समाचार की ओर दिलाया गया है कि रेल बंद न मिलने के कारण मध्य प्रदेश के विभिन्न उत्पादन क्षेत्रों में भारी मात्रा में अनाज और दाले इकट्ठी हो गई है ; और

(ख) यदि हां, तो उस पर सरकार की क्या प्रतिक्रिया है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी हां।

(ख) सरकार के लेख में अनाज के संचालन को अति उच्च प्राथमिकता दी जाती है और उसकी निकासी प्राथमिकता 'ब' के अंतर्गत की जाती है। व्यापारियों के लेख में अनाज और दलहनों की निकासी प्राथमिकता अ/क में की जाती है इसलिए कार्यक्रमबद्ध और उच्चतर प्राथमिकता यातायात को इस पर तरजीह दी जाती है। लेकिन इस यातायात के लिए भी पंजीकरणों की प्राथमिकता और बरीयता के अनुसार बारी आने पर उपलब्ध स्रोतों के अंतर्गत अधिकारिक संख्या में शाल-बिजों सप्लाई करने के लिए हर प्रयास किया जाता है।

Victimisation of Union Leaders of Eastern Railway

11196. SHRI A. K. ROY: Will the Minister of RAILWAYS be pleased to state:

(a) whether he is aware of recent spate of victimisation of Union leaders

of Eastern Railway since the last week of March, 1979;

(b) whether services of all the active members of Purba Railway Engineering Kamgar Union have been terminated under rule 149/2 or transferred to different divisions, if so, facts in details;

(c) whether the Secretary of the Dhanbad Railway Employees Coordination Committee has also been suddenly transferred from Dhanbad to Sealdah Division;

(d) whether all these have created great resentment against Railway employees there; and

(e) if so, steps taken thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (e) There was a 'go slow' and 'work to rule' movement organised by a section of staff on the Eastern Railway which partially affected train operations from 29-3-79 to 11/12-4-79. Suitable action had to be taken against defaulting staff in the administrative interest to ensure early return of normalcy in train operations. Subsequently, however, their cases were reviewed and a sympathetic view was taken in the case of those employees who expressed regret for their action. There was no victimisation at all.

Bifurcation of Radiology Department of Lok Nayak Jayaprakash Narayan Hospital

11197. SHRI SOMJI BHAI DAMOR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Indian Medical Council had advised bifurcation of Radiology Department of Lok Nayak Jayaprakash Narayan Hospital;

(b) whether the Radiology Department has since been bifurcated; and

(c) if not, the reasons for flouting the rules and acting against the advice of Indian Medical Council?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) to (c) The Medical Council of India (M.C.I.) have recommended that the Departments of Radiology used for post-graduate teaching in all teaching hospitals in India should be bifurcated into two Departments, namely, Department of Radio-diagnosis and the Department of Radiotherapy. The Radiology Department of the Lok Nayak Jayaprakash Narain Hospital has not been bifurcated so far. The Delhi Administration has to take necessary action in the matter.

Retired Government servants serving as diplomats

11198. SHRI K. S. VEERABHADRAPPA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) what are the details regarding the number of persons who are serving as diplomats after their retirement from Government service during the last three years; and

(b) what are the details regarding their re-appointment in foreign services?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAJEE): (a) and (b) Two officers are at present serving as diplomats on re-employment after their retirement from Government service. During the last three years, 10 more officers had served as diplomats after their retirement from Government service. Details are provided in the statement attached.

Statement

Details of Officers serving/had Served as Diplomats after their Retirement from Government Service.

Sl. No.	Name and Designation	Period during which re-employed	Mission in which served/ serving
1.	Shri R. Jaipal, Permanent Representative of India to the United Nations Organisation, New York.	1-1-75 to date.	Permanent Mission of India, New York.
2.	General T.N. Rains, High Commissioner.	5-2-79 to date.	High Commission of India, Ottawa.
3.	Shri T.N. Kaul, Ambassador.	14-6-73 to 6-10-76	Embassy of India, Washington.
4.	Air Chief Marshal Arjan Singh, High Commissioner.	27-3-73 to 24-12-76	High Commission of India, Nairobi.
5.	Shri Imdad Ali, Ambassador.	7-7-74 to 3-8-77	Embassy of India, Sanaa.
6.	Shri K.B. Lal, Ambassador.	30-5-73 to 10-8-77	Embassy of India, Brussels
7.	Shri Kewal Singh, Ambassador.	30-11-76 to 23-9-77	Embassy of India, Washington.
8.	Shri B.K. Nehru, High Commissioner.	8-11-73 to 15-10-77	High Commission of India, London.
9.	Shri Samar Sen, High Commission Ambassador.	15-7-74 to 30-11-76	High Commission of India, Dacca.
		13-12-76 to 31-12-77	Embassy of India, Stockholm.
10.	Shri M.A. Quraishi, Ambassador.	23-1-76 to 11-1-78	Embassy of India, Jeddah.
11.	General G.G. Bewoor, Ambassador.	12-2-76 to 28-2-78	Embassy of India, Copenhagen.
12.	Shri Chhedi Lal, Ambassador.	5-10-76 to 31-5-78	Embassy of India, Panama.

Employment in Karnataka

11190. SHRI K. S. VEERABHADRAPPA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the percentage of share of Karnataka in the total employment in the public sector and the organised sector separately at present;

(b) how does this percentage compare with the shares of other Southern States in these sectors; and

(c) the details regarding the methods Government have adopted to rectify the imbalance, if any?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b) Under the Employment Market Information Programme, data on employment in the organised sector of economy covering the entire public sector and non-agricultural establishments in the private sector employing 10 or more persons are compiled quarterly. The table below gives such data in respect of the five Southern States and for India as a whole, for the quarter ending 31st March, 1978 (Provisional).

	Employment (in lakhs), as on 31-3-78 (P)	
	Organised (including public sector)	Public Sector
All-India	214.53 (100.0)	144.04 (100.0)
Southern States	50.96 (23.8)	33.28 (23.1)
1. Andhra Pradesh	13.11 (6.1)	9.90 (6.9)
2. Karnataka	10.68 (5.0)	7.36 (5.1)
3. Kerala	9.54 (4.4)	4.59 (3.2)
4. Pondicherry	0.39 (0.2)	0.23 (0.2)
5. Tamil Nadu	17.24 (8.0)	11.19 (7.8)

NOTE.—Figures in brackets indicate the percentages to all-India totals.

(c) There seems to be no appreciable imbalance as the above percentages are broadly in line with the population distribution in these States. However, it may be stated that one of the primary objectives of the Five Year Plan 1978—83, which has been finalised by the Planning Commission, is the creation of substantial employment opportunities in different sectors of the economy. The largest employment potential lies in intensive agriculture through expanded irrigation, allied activities like dairy development, horticulture and forestry, rural works and cottage and small scale industries. New jobs will also be created by investments in infrastructure, power generation and the provision of agricultural inputs as well as in the service sectors. The investment priorities in the Central and State Plans will be suitably revised in keeping with the over-all Plan objectives. The State Government of Karnataka will benefit as much as the other States, from such measures.

Detention of wagons

11200. SHRI A. K. ROY: Will the Minister of RAILWAYS be pleased to state:

(a) demurrage paid and payable to the Railway by the Bharat Coking Coal Ltd. and TISCO group of collieries, Dhanbad in the year 1977-78 and 1978-79 for the detention of Railway wagons;

(b) whether it is a fact that both for the non-availability of wagons and detention of the wagons, the present crisis in transport of coal to the industries has taken place; and

(c) if so, steps taken thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The information is being collected and will be laid on the Table of the House.

(b) Movement of coal by rail to various industries has been less than

the programme due to a variety of reasons, including changes in the pattern of movement of foodgrains, fertilisers, etc., floods and breaches in September-October 1976, public agitations in Bihar and other areas, some of which affected both production and availability of coal while others affected mobility on the railways and hence wagon availability.

(c) Various steps, including procurement of new wagons, better co-ordination between the Railways and the coal companies and rationalisation of pattern of freight movement, have been taken to improve the situation.

Unauthorised Employment Agencies

11201. SHRI BALASAHEB VIKHE PATIL: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether a number of illegal and unauthorised employment agencies are working in the country to dupe job seekers in the Gulf and Arab countries by charging huge amounts from the applicants as fee for obtaining passport or ticket etc.;

(b) whether he is also aware that police authorities in the country have recovered a number of passports from such employment agencies,

(c) what is the number of passport rackets unearthed by the police during the last two years indicating the names of the employment agencies involved in the rackets; and

(d) what strict measures have been taken to bring to book the management of these employment agencies to eradicate this evil?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) Some cases of

cheating and exploitation by unscrupulous persons offering fake appointments and sending people abroad on false promises have come to the notice of the Government.

(b) and (c) Reports from 13 State Governments and 8 Union Territories disclose that between 1976 and 1978, 26 arrests have been made and 784 passports which were either bogus, or carried fake endorsements, have been recovered. Reports from other States are being compiled and final position will be laid on the Table of the House, when ready.

(d) Cases of illegal emigration, when they come to Government's notice are promptly reported to State Governments for appropriate legal action. Constant liaison is maintained with the State Governments to ensure that the State authorities concerned keep vigil on the operations of unauthorised agents and take firm and prompt action against those who use fraudulent means to induce job seekers to emigrate abroad.

Reduction in detention time of wagons

11202. SHRI BALASAHEB VIKHE PATIL: Will the Minister of RAILWAYS be pleased to state:

(a) the tonnage of goods loaded by the Railways during each of the last three years 1976-77, 1977-78 and 1978-79 and the revenue earned therefrom; and

(b) the amount of demurrage and wharfage recovered during each of the said years separately from the Government agencies and the private agencies?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Revenue tonnes loaded and earnings therefrom for the last three years are as under:

	1976-77	1977-78	1978-79 (Provisional)
(i) Revenue Tonnes originating (in millions)	212.55	210.78	198.96
(ii) Earnings (in crores of rupees)	1275.6	1298.6	1251.0

(b) Information is being collected from the Railways and will be laid on the Table of the House.

खाई जाने वाली धातुबैद्धिक गर्भ निरोधक दवा

11203. श्री ईश्वर चौधरी : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि धातुबैद्धिक फार्मूले के आधारे पर खाई जाने वाली गर्भ निरोधक दवाई का विकास किया गया है;

(ख) यदि हां, तो तत्सम्बन्धी ध्यौरा क्या है; और

(ग) सरकार द्वारा इसे परिवार कल्याण प्रयोजनों से लोकप्रिय बनाने की दृष्टि से क्या कदम उठाये जाने का विचार है ?

संसदीय कार्य तथा श्रम मंत्री (श्री रवीन्द्र वर्मा) : (क) प्राकृतिक संसाधनों से एक मान्य नान-स्टेगयड गर्भ निरोधक दवा रखने के लिये प्रयत्न किये जा रहे हैं।

(ख) धातुबैद्धिक और सिद्ध की केन्द्रीय अनुसंधान परिषद के अधीन भिन्न-भिन्न केन्द्रों में अनेकऐसी दवाइयों पर परीक्षण किये जा रहे हैं जिनमें गर्भ निरोधक क्षमता पाई जाती है। उनकी प्रभावकारिता के बारे में किसी निश्चित परिणाम तक पहुंचने में कुछ समय लग जायेगा।

(ग) इस समय यह प्रश्न पैदा नहीं होता।

बक्सर और भागलपुर के बीच बिना टिकट यात्री

11204. श्री ईश्वर चौधरी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को मालूम है कि बिना टिकट यात्रा करने वाले यात्री मूबं रेलवे के बक्सर और भागलपुर स्टेशनों के बीच पहले और दूसरे दर्जों के डिब्बों में घुस

जाते हैं और जिसके कारण रेल और एक्सप्रेस गाड़ियों में लम्बी दूरी की यात्रा करने वाले वास्तविक यात्रियों को काफी असुविधा होती है ; और

(ख) यदि हां, तो इस स्थिति में सुधार करने के लिये सरकार का नया कदम उठाने का विचार है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) बक्सर और भागलपुर के बीच चलने वाली लम्बी दूरी की रेल और एक्सप्रेस गाड़ियों के आरक्षित यात्रियों में अनधिकृत यात्रियों के प्रवेश करने के मामले रेल प्रशासन के नोटिस में आये हैं।

(ख) पहले दर्जे के गलियारेदार यात्रियों और शयनयानों में चलने वाले कर्मचारियों को यह सुनिश्चित करने के निर्देश हैं कि अनधिकृत यात्री उन यात्रियों में प्रवेश न करने पायें। लेकिन, कभी-कभी ऐसे यात्रियों को नियंत्रित करना कठिन हो जाता है। रेलवे मजिस्ट्रेटों के साथ अधिक संख्या में चल टिकट निरीक्षक, रेलवे सुरक्षा बल और सरकारी रेलवे पुलिस के कर्मचारी तैनात करके गहन अचानक जांच की जाती है और इन यात्रियों में यात्रा करने वाले अनधिकृत यात्रियों पर नियमानुसार कार्रवाई की जाती है। कर्मचारियों की ओर से जानबूझकर होने वाले लापरवाही के मामले गम्भीरतापूर्वक लिये जाते हैं और उनके विरुद्ध उचित कार्रवाई की जाती है।

रेलवे में कैंटीनों में कमीशन के आधारे पर काम करने वाले व्यक्तियों का सपाया जाना

11205. श्री ईश्वर चौधरी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) भारतीय रेलों के सभी जोनों में विभिन्न रेलगाड़ियों के साथ लगी कैंटीनों में कितने व्यक्ति कमीशन के आधारे पर काम कर रहे हैं ; और

(ख) उनको विभागीय कर्मचारियों के रूप में खपाये जाने और कमीशन की प्रथा को समाप्त करने में कितनी प्रगति हुई है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख) रेलों से सूचना इकट्ठी की जा रही है और समाप्त पर रख दी जायेगी ।

Missing trips by D.T.C. in resettlement colony of Sultanpuri

11206. SHRI R. L. P. VERMA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Delhi Transport Corporation buses are not running on time in the resettlement colony Sultanpuri, Delhi-41, and the reasons why private buses under operation of D.T.C. do not miss trips whereas D.T.C. buses plying on routes No. 908, 903, 954, 937 are missing trips continuously and the reasons for which drivers of these buses take rest on both Up and Down trips by missing the trips; and

(b) whether Government will issue orders to the officer on duty to send other buses as soon as any trips are missed?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) The services of route Nos. 903 and 908 have been reasonably satisfactory. However, on other two route viz., 93 and 954, the percentage of trip missing is a little on the higher side. Except in case of route No. 908, no private bus has been deployed on any route operating from Sultanpuri. Route No. 908 is operated by deploying 10 buses out of which 3 are private buses. There is not much difference in trip missing between the DTC and private buses running on the route. The drivers of DTC as well as private buses are not allowed any rest in between the two trips. However, they are allowed some lay over time ranging between

2 to 5 minutes at the start of each trip to adjust the time taken by the passengers to board the buses and the conductors to issue the tickets in addition to half an hour lunch allowed in a day.

(b) In the case of breakdown of a bus, replacement is provided if a standby bus is readily available. Concerned Unit Officers are being asked by the Delhi Transport Corporation to take necessary steps to ensure regular operation of services. However, the position on routes 937 and 954 cannot be improved substantially in the near future as services of route No. 937 have been affected by road widening near Kishan Ganj necessitating diversion on temporary basis and services of route No. 954 are affected by frequent closures of two Railway Crossings on New Rohtak Road, which result in holding up of buses for considerable time.

Tata Consultancy Service engaged by D.T.C.

11207. CH. HARI RAM MAKKASAR GODARA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the Tata Consultancy Service engaged by Delhi Transport Corporation to review its working has since submitted its report;

(b) if so, what are the details of the findings; and

(c) the reaction of Government to these findings?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Yes, Sir.

(b) The Tata Consultancy Services have carried out a comprehensive study. Their main findings are summarised below:—

(1) There is a lack of professionalism in DTC at all levels. The organisational structure of DTC is

ineffective. Management suffers from lack of depth.

(2) Suitable management information in system for operational control, performance monitoring and for formulating policy decisions does not exist.

(3) The Personnel function is not adequately defined or formulated resulting in poor morale, among existing personnel, inter-union rivalries and other related problems.

(4) The capital structure of DTC in sub-optimal and has resulted in DTC accumulative heavy losses. Interest and repayment of loans constitutes more than 50 per cent of the total yearly loss.

(5) The fares at DTC are at unrealistically low levels. There is no clear and well defined subsidy policy formulated by the Government for DTC either to undertake capital expansion to meet the increasing travelling demand of Delhi citizens or to manage its day-to-day operations.

(6) The increase in population of the city, the growth of residential, commercial and industrial complexes have taken place without explicit consideration being given towards the development of an efficient road based mass transport system.

(7) The routing system in DTC is not based on travel demand of the passengers. The present schedules are supply oriented and are inefficient for handling uni-directional peak-time traffic problems prevalent in Delhi.

(8) The fleet maintenance system is inadequate. The Central workshop cannot sustain the existing fleet strength. The maintenance activities at the depots are not monitored for quality or quantity.

(9) The material planning function, purchase procedures, lay-

out of stores and its security are all inadequate and needs re-design.

(10) The financial controls are non-existent. No budgeting or costing systems exists to aid the management in improving the quality of decision-making.

(11) The depot organisation is inadequate. Formal operating procedures, functional responsibilities and reporting levels and arrangements are ill-defined.

(c) The report has only recently been received and is under examination.

Grievances of Employees of Medical Store Depot, Madras

11208. SHRI A. MURUGESAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Central Government Health Scheme Employees Scheduled Castes and Scheduled Tribes Welfare Association, Madras have presented a letter on 18th January, 1979 to the Chief Medical Officer, C.G.H.S. Madras; if so, the details thereof and the remedial action taken so far on the same; if not taken, why and when their demand will be fulfilled;

(b) whether permanency and quasi permanency orders have not been issued so far to the eligible employees at C.G.H.S. Madras; if so, the details thereof cadre-wise; if not done, why and when this will be completed; and

(c) whether the reservation orders providing Reservation at the time of appointments, promotions and confirmations are not followed in C.G.H.S., Madras office, if followed, the cadre-wise details from the inception of the office and if not, why?

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA): (a)
Yes, Sir. A statement showing the
details of the letter and the remedial
action taken is attached as Annexure
I

(b) The quasi-permanency orders have already been issued in respect of eligible employees. The temporary posts are being converted into permanent as per Government rules and orders for permanency in respect of

eligible employees will issue in due course.

(c) No, Sir. The reservation roster has been kept in view while making the appointments. A statement in this regard is placed at Annexure II.

Statement II

Various points raised by the CGHS Scheduled Castes/Scheduled Tribes Employees Welfare Association, Madras in the r letter dated 18-1-1979 and the remedial measures taken thereon.

Points raised by the Welfare Association	Remedial measures taken.
1. No. of Scheduled Castes/Scheduled Tribe vacancies reserved category-wise from the inception of the organisation and names of individuals appointed	A statement in this regard showing the particulars of employees appointed under CGHS, Madras against the reserved vacancies as per the 100 point roster has been placed on the Table of the Sabha in reply to part (c) of the Question.
2. No. of ad-hoc appointments made cadre wise against posts reserved for SC/ST and steps taken to fill them by SC/ST candidates	No remedial action is called for.
2. No. of ad-hoc appointments made cadre wise against posts reserved for SC/ST and steps taken to fill them by SC/ST candidates	One post of Pharmacist is now held by another candidate on ad-hoc basis against a post reserved for the ST due to non-availability certificate furnished by the Employment Exchange. The vacancy has again been notified to the Employment Exchange.
3. Appointment of Liaison Officer	A junior Class I Medical Officer has been nominated as Liaison Officer for work relating to Scheduled Castes and Scheduled Tribes.
4. Posting of SC/ST Clerical Staff in administrative office.	Proposals for the creation of additional staff under CGHS, Madras are under consideration in consultation with the Finance Division.
5. Seniority List	The list has been compiled.
6. Recruitment Rules	The recruitment rules for various categories of posts working under CGHS have been finalised.
7. SC/ST employees appointed at inception of Unit on deputation and action taken for their absorption in the Unit	The question of absorption of deputationists in the regular establishment of C.G.H.S. Scheme has not been found acceptable.
8. Issue of quasi-permanent certificates to employees	The Departmental Promotion Committee have given its approval for the issue of quasi-permanent certificates to the eligible employees who fulfil the conditions laid down for the issue of quasi-permanency Certificate.

Statement—II

Particulars of employees appointed under CGHS Madras against the reserved vacancies as per the 100 pointed roster.

S. No.	Name of post	Appointments Made from 1975-78	Reserved points for S.C/ST as per 100 point roster.		No actually filled in by SC/ST candidates	Whether quota reserved for SC/ST is complete	Remarks
			SC	ST			
GROUP III							
1	U.D. Clerk	7	Filled on deputation basis.	3	1		
1	L.D. Clerk	27	6	2	2	Ycs	More than the quota reserved.
2	Pharmacist	48	10	3	11	1	SC quota is complete. ST quota fails Short by 2. Employment exchange could not sponsor ST candidates.
3	(1) Store keeper (2) Store-keeper-cum-Clerk (Honnoco) (3) Pharmacist-cum-Clerk (Ayur). (4) Staff-Nurse. (5) Lab. Technician. (6) Dental Technician.	30 20	4	1	4	..	SC quota is complete ST quota falls short by 1. Candidates were not avail-able.
GROUP IV							
4	Female Attendant	12	3	1	4	1	Ycs
5	Dresser.	18	4	1	5	1	Ye. Do,
6	Lab. Attendant	3	1	..	2	..	Yse Do.
7	Packer	4	1	1	1	1	Ycs Do.
8	Nursing Orderly	8	2	1	3	1	Ycs Do.
9	Peons	17	4	1	7	1	Ycs Do.
10	Chowkidar	12	3	1	3	2	Ycs Do.
11	Safaiwala.	21	5	1	9	2	Ycs Do.

Proposed Survey for Kharagpur-Digha Line

11209. PROF. SAMAR GUHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the proposed survey for Kharagpur-Digha Railway Line has been initiated;

(b) if so, facts thereabout;

(c) if not, when the work for survey will begin; and

(d) the name of the officer who will be entrusted to conduct the proposed survey?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) A Preliminary Engineering- cum-Traffic Survey for a B.G. rail link between Kharagpur and Digha (40 KMs.) has been included in the budget 1979-80 at a cost of Rs. 1.20 lacs with an outlay of Rs. 1 lac in the current year.

(c) The survey work is expected to begin after the rainy season by which time, estimate for the survey is expected to be sanctioned.

(d) The survey will be undertaken by C.E./Con/Bilaspur assisted by Dy. C.E./Con. At present, these posts are held by Shri H. R. Satyanarayana and Shri A. Sattanathan respectively.

Cheating Offences in Leave Travel Concession

11210. SHRI K. LAKKAPPA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state;

(a) whether some officials were found guilty of offences of cheating the Government by producing fraudulent fare receipts from a transport company in connection with availing their leave travel concession;

(b) if so, whether the fare receipts produced by them pertained to one

of the receipt books said to have been reported to the police as stolen;

(c) whether the matter was referred to the Police or CBI for investigation and if not, reasons thereof;

(d) whether high officials of his Ministry let them off with only minor punishment for such serious offence of fraud; and

(e) whether the warning meets the ends of justice keeping in view of the seriousness of the charge and if not, further steps contemplated in the matter?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA (VARMA): (a) Only one official of this Ministry who had drawn an advance under the Leave Travel Concession for the block years 1974-77 (Carried forward to June 1979) submitted a receipt from a Private Transport Co., which, on departmental investigation was found to be not genuine.

(b) This Ministry has no information about it.

(c) As the matter was dealt with departmentally, no reference was made to the Police or the C.B.I.

(d) and (e) All the aspects of this case were considered in detail and it was decided at the level of the Head of the Deptt. that a recordable warning to the official concerned would meet the ends of justice. Action was taken accordingly, and the amount of advance drawn by the official was refunded in one lump-sum.

Service Conditions of Seamen

11211. SHRI DILIP CHAKRAVARTY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether none of the recommendations of the I.L.O. regarding service conditions of seamen has been accepted by the Indian shipowners though some of them have been conceded by foreign companies;

(b) whether Government is contemplating any steps for improving the conditions of service of these helpless workers; and

(c) if so, what are the proposed steps?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) It is not a fact that Indian shipowners have not accepted any ILO recommendations.

(b) and (c) The National Maritime Board consisting of representatives of both shipowners and seafarers discusses and decides service conditions through mutual consultations. Government also reviews the position from time to time in the light of recommendations of the National Welfare Board for Seafarers set up under the Indian Merchant Shipping Act, 1968.

Revision of Dearness Allowance formula for Industrial Workers

11212. **PROF. P. G. MAVALANKAR:** Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether it is a fact that Government formula first of 1961 and later the revised one of 1971 has remained unchanged so far in the matter of determining and paying dearness allowance to industrial workers in the country;

(b) if so, whether Government propose to revise the said formula with a view to bringing it up to date;

(c) if so, how and when; and

(d) if not, why not?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) to (d) There is no Government D.A. formula as such of 1961 or of 1971. However, there is a proposal to replace the current 1960-base Consumer Price Index series (which govern dearness allowance for industrial

workers) by 1971-base series. As there was a demand from various quarters that, before the release of new series of indices, the existing series should be revised in all respects, a Committee under the Chairmanship of Professor Nilakkara Rath was appointed in May 1977. The Committee submitted its report on 6-2-1978. A copy of the report, recommending inter alia introduction of new series with 1971-base, was placed on the Table of the House on 31-8-1978. The recommendations of the Committee are under Government's examination.

Medical College

11213. **SHRI VASANT SATHE:** Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of medical colleges—private and Government functioning in India, State-wise year-wise for the last three years along with the number of students who passed the M.B.B.S. course annually from these colleges and the number of proposals for opening the new colleges during 1979-80 State-wise received by the Ministry and the action/decision taken in this regard; and

(b) whether the educational standard of the M.B.B.S. degrees in different colleges in the country—private and Government is very much at variance and there is a need for establishing an effective monitoring agencies and make necessary changes in the Medical Council of India; and

(c) if so, furnish details of the steps—administrative, organisational and legal taken during the last two years are under consideration for effecting improvements in the standards of the M.B.B.S. degree of various universities in India?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) There has been a total number of 106 medical colleges functioning in India for the last three years. Of these 9

are private medical colleges and the rest are either the Government Medical Colleges or medical colleges in the public sector. The detailed information in regard to the number of medical colleges, State-wise and year-wise for the last three years, as also the number of students who have passed out the M.B.B.S. course annually from these colleges is given in the statement. During 1979, proposals were received from certain parties in Haryana and Madhya Pradesh for starting new medical colleges. The Government of India are not in favour of opening of new medical colleges in the country for the present on the annual out-turn of nearly 2,000 medical graduates passing out from the existing 208 medical colleges would be sufficient to meet the medical manpower requirements of the country.

(b) and (c) The Medical Council of India was established for the primary purpose of maintaining a uniform standard of medical education in the country which functions as a monitoring agency in the field of medical education. The Council ensures that the medical graduates passing out from the different medical colleges conform to the minimum standards laid down by it. In view of this, there had not been very significant difference in the standard of the M.B.B.S. degree in the private medical colleges and those run by the Government. There is already a proposal under consideration of the Government to amend the existing Indian Medical Council Act, 1956, to make the Council more effective in discharging its functions in the field of medical education.

Statement

Sl. No.	Name of the State/Union Territory	No. of students who passed the M.B.B.S. Course in		
		1974—75	1975—76	1976—77
1	2	3	4	5
1	Andhra Pradesh	1297	1039	1045
2	Assam	364	231	426
3	Bihar	690	526	664
4	Delhi	331	482	477
5	Gujarat	684	767	639
6	Jammu & Kashmir	112	153	157
7	Kerala	586	392*	611
8	Tamilnadu	1370	1005	1199
9	Madhya Pradesh	754	809	708
10	Maharashtra	1440	1461	1502
11	Karnataka	1172	1385	1639
12	Orissa	474	283	367
13	Punjab	365	410	373

NOTE :—*Information in respect of T.D. Medical College, Alleppey is not available.

1	2	3	4	5
14	Haryana	144	153	151
15	Himachal Pradesh	45	68	55
16	Pondicherry	61	65	65
17	Goa, Daman & Diu	80	62	66
18	Rajasthan	630	752	594
19	Uttar Pradesh	918	881**	938
20	West Bengal	671	1058	276***
TOTAL		11911	11982	11962

**Information in respect of the Institute of Medical Sciences, Varanasi, is not available.

***Information in respect of R.G. Kar Medical College, Calcutta is not available.

Public Transport system in Metropolitan Cities

11214. SHRI VASANT SATHE:
Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the Government have sanctioned some loans of grants/subsidy for improving public transport in the metropolitan cities in the country during 1977-78 and 1978-79;

(b) if so, furnish break-up of the figures city wise and actual utilisation and progress achieved alongwith the provisions made for 1979-80;

(c) how does the assistance provided compare with similar type of assistance provided earlier during the corresponding period; and

(d) details of steps taken on the recommendations of the working group experts committee/task force to make improvements on the management and operation of public transport system in metropolitan cities of the country and the proposals formulated/policy decisions taken for implementation during 1979-80?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) No, Sir.

(b) and (c) Do not arise. No provision has been made for 1979-80 also.

(d) Except in Delhi, the Public Road Transport Undertakings in metropolitan cities, are under the respective State Governments, who have to take steps for improving the public transport system there. Proposals for development of road transport systems, including those for metropolitan cities submitted by the State Governments to the Planning Commission are taken into account while finalising the State Plans.

As regard, Delhi, the Working Group on Road Transport has recommended a provision of Rs. 67.70 crores for the five year period 1-4-78-31-3-83. The DTC has initiated steps to increase the bus fleet, to set up second workshop for augmenting maintenance facilities and to set up additional depots required for the additional fleet.

Reservation Facilities at Rajkot

11215. DR. BIJOY MONDAL:
SHRI MUKHTIAR SINGH
MALIK:

Will the Minister of RAILWAYS be pleased to state:

(a) whether there is no provision at Rajkot for reservation for 2nd class passengers in Mail Trains from Rajkot to Viramgam eventhough such reservation facilities for 2nd class is available at Viramgam for train from Viramgam to Rajkot;

(b) if so, what are the reasons for such a discrimination;

(c) whether Government propose to extend this facility from Rajkot to Viramgam; and

(d) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d) The only Mail train running between Rajkot and Viramgam is 37 Up/38 Dn. Viramgab-Veraval Mail. The journey between Rajkot and Viramgam by these train, in both directions is during day time for which no sleeper accommodation is necessary. Reservataion of seats in second class is done only from train/coach starting stations an ordinary second class coaches are not manned and it is not feasible to bring them empty and guarded at intermediate stations like Rajkot. As Viramgam is a train starting station, the facility of seat reservation in second class is available ex Viramgam to stations upto Veraval including Rajkot by 38 Dn. Mail. Rajkot being an intermediate station, reservation of seat in second class is not done for journeys to Viramgam.

It will be possible to provide accommodation at Rajkot in second class after conversion of Veraval-Okha section into B.G. is completed.

Mosquito Nuisance in Delhi

11216. SHRI CHIMANBHAI H.
SHUKLA:
SHRI MUKHTIAR SINGH
MALIK:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether of late mosquito (both of Malarial and nuisance value) is assuming a serious proportion in Delhi;

(b) whether enough has not been done as yet to eradicate mosquito;

(c) whether one of the potential spots of mosquito breeding is a nullah between Lodi Colony and Kotla; and

(d) whether the Central Government have any proposal to cover the nullah with concrete drain pipe inserted within, at least at thickly populated places, this in turn will stop foul smell all around also?

THE MINISTER OF PARLIAMEN-TARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) While generally there is improvement in the malaria situation in Delhi, mosquito nuisance may be causing concern in some areas of Delhi. This is due to the unsatisfactory drainage system in those areas.

(b) Both Municipal Corporation of Delhi and New Delhi Municipal Committee are taking adequate measures to control mosquitoes in their respective areas.

(c) Yes, but anti-larval measures including biological control are being taken to control mosquito breeding in that nullah.

(d) The Ministry of Health and Family Welfare have no such proposal.

Discipline and Appeal Rules

11217. SHRI DAYA RAM SHAKYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether any guide lines have been made and given to the various

zonal railways and other units under the control of his Ministry regarding the nature of offences/shortcomings falling under the various penalties prescribed in the discipline and appeal rules;

(b) if so, will he place a copy of the same on the table of the Sabha;

(c) whether the various zonal railways adopt different standards to harass their staff to maintain the pride of the controlling officers by making simple charges under major penalty items and vice versa;

(d) will he get a study made into the various methods adopted in all the units under the Ministry's control and lay down rigid guide lines regarding labelling of offences under major or minor penalties; and

(e) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Does not arise.

(c) Controlling authorities, while functioning as disciplinary authorities act in a quasi-judicial capacity and award the penalties in that capacity on the merits of each case.

(d) and (e) Do not arise.

इगतपुरी रेलवे स्टेशन

11218. श्री लहानु सिडवा कोम : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) इगतपुरी रेलवे स्टेशन में श्रेणी दो, तीन और चार के कितने कर्मचारी काम कर रहे हैं ;

(ख) क्या इगतपुरी रेलवे स्टेशन पर कार्य कर रहे कर्मचारियों के लिए और क्वार्टर बनाने का प्रस्ताव है ; और

(ग) यदि हाँ, तो ये कब तक बन जायेंगे ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) से (ग) सूचना इकट्ठी की जा रही है और समा पत्र पर रख दी जायेगी ।

Hari Nagar C.G.H.S. Dispensary, Delhi

11219. SHRI BALAK RAM: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that Hari Nagar Dispensary, Delhi has on its roll some 16,000 beneficiaries;

(b) whether it is also a fact that the patients of this dispensary are referred for Specialists' treatment to Dr. Ram Manohar Lohia Hospital, which is about 15 Kms. away from the dispensary;

(c) whether it is also a fact that Deen Dayal Hospital is just at a distance of half a mile from the dispensary and basic infrastructure is available in that Hospital; and

(d) whether Government propose to improve the services of this Hospital and make available services like X-ray ECG, clinical tests set to the beneficiaries of this dispensary till the Hospital is developed into a full-fledged 500 beds-Hospital as proposed in 6th Five Year Plan?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Yes, sir.

(b) For specialists consultation, patients are referred to the CGHS dispensary Tilak Nagar where specialist's services are available and which is at distance of 3-4 kms. from the Hari Nagar dispensary. Only emergency cases are referred to the Dr. Ram Manohar Lohia Hospital.

(c) Yes, Sir.

(d) In view of the reasons stated in reply to part (b) of the question there is no immediate proposal to utilize the services of the Deen Dayal Upadhyaya Hospital for the CGHS beneficiaries.

Commercial Clerks

11220. DR. LAXMI NARYAN PANDEYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that better scale to commercial clerks as against the Ministerial category is given in all

grades or in initial grade only;

(b) whether it is also a fact that at the fifth stage category of commercial clerks is down trodden by one grade below when compared with the category of Ministerial staff; and

(c) if so, the action taken by Government and also action taken by Government on demands raised in memorandum to Railway Minister on

1st December, 1978 and if so, what are the details?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The comparative position of revised pay scales allotted to Commercial clerks and Ministerial categories as per recommendations of Third Pay Commission *vis-a-vis* preremvised scales is given below:—

Commercial Clerks		Ministerial Categories	
Pre-revised scale	Revised Scale	Pre-revised Scale	Revised Scale
110—200	260—430	110—180	260—400
150—240	330—560	130—300	330—560
205—280	425—640	210—380	425—700
250—380	455—700	335—425	425—700 (1/3)
335—425			550—750 (2/3)
370—475	550—750	350—475	550—750
450—575	700—900	450—575	700—900

(b) and (c). The revised scales of pay have been allotted to the Commercial Clerks and the Ministerial categories strictly on the basis of the recommendations of the Third Pay Commission. The Pay Commission while recommending the scales took all factors into consideration, viz. the duties and responsibilities, the source of recruitment, qualifications the avenues of promotion, the relativities both within and outside the department. They also considered the representations made to them by the Associations of various categories of staff and took oral evidence of their representatives. Any comparison between the revised scales allotted to the two categories of staff is therefore, not apt.

The Ministry have not received any memorandum dated 1st Dec. 1978.

दिल्ली और नई दिल्ली के स्टेशनों में
वाटर कूलर

11221. श्री सुखेन्द्र सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सभी रेलवे स्टेशनों में ठंडे पेय जल की सुविधायें उपलब्ध हैं ;

(ख) क्या दिल्ली और नई दिल्ली के रेलवे स्टेशनों में अधिकांश वाटर कूलरों में ठंडे जल की बजाए सामान्य पानी उपलब्ध है और कुछ स्थानों पर कूलर कार्य नहीं कर रहे हैं ; और

(ग) इस दिशा में सरकार द्वारा क्या कारगर कदम उठाये जा रहे हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी हाँ।

(ख) जी नहीं। दिल्ली और नयी दिल्ली रेलवे स्टेशनों पर लगे सभी जलशीतकों से ठंडा पानी मुलम होता है और सभी जल-शीतक सामान्यतः बालू हासत में रहते हैं।

(ग) जलशीतकों के कार्यसम्पादन पर निरन्तर निगाह रखी जाती है और जब कभी नुकस पैदा होते हैं, उन्हें ठीक करने के लिए तुरन्त कार्रवाई की जाती है। नयी दिल्ली रेलवे स्टेशन पर एक अधिक विश्वसनीय द्रुतशीतल संयंत्र लगा दिया गया है। शीघ्र ही इसी तरह का एक संयंत्र दिल्ली रेलवे स्टेशन पर भी लगा दिया जायेगा।

गाड़ियों तथा रेलवे स्टेशनों पर चोरी तथा छीन लेने की घटनायें

11222. श्री राजेन्द्र कुमार शर्मा : क्या रेल मंत्रा यह बताने की कृपा करेंगे कि :

(क) क्या सरकार गाड़ियों तथा रेलवे स्टेशनों पर चोरी तथा छीन लेने की घटनाओं की संख्या पर रोक लगाने के लिए कार्यवाही करेगी और गत दो वर्षों में रेलवे सुरक्षा केन्द्रों को ऐसे कितने मामले रिपोर्ट किये गये और सरकार ने कितने मामलों की सफलता पूर्वक जांच की ; और

(ख) क्या सरकार गाड़ियों तथा रेलवे स्टेशनों पर अधिक रेल सुरक्षा कर्मचारियों को नियुक्ति के लिए प्रश्न पर विचार करेगी और यदि हाँ, तो कब तक ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) (क) और (ख) : सूचना इकट्ठी की जा रही है और समा पटल पर रख दी जायेगी।

Crisis in Indian Shipyards

11223. SHRI MANORANJAN BHAKTA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state whether Indian Shipyards

are facing a lot of crisis due to lack of positive encouragement due to the Ship building Industry by Government which resulted in huge losses to the Indian Shipyards; state details about total capital investment in each shipyard and total accumulated losses of each shipyard separately and also state year-wise loss for the last 3 years and reasons for such loss if any?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): The current shipping crisis has affected the ship-building industry all over the world, including India. Of the two major shipyards under the administrative control of this Ministry manufacturing ocean going vessels, Hindustan Shipyard (HSL) has been earning profits, while the Cochin Shipyard (CSL) has yet to complete and deliver its first ship. The capital cost of CSL is being provided by Government on a debt equity ratio of 1:1. The servicing charges on the debt are being reckoned as losses for the Company. The total capital investment in HSL is Rs. 19.56 crores and that in CSL is Rs. 52.61 crores. The cumulative losses of CSL on the above basis work out to Rs 5.36 crores and losses during the three years 1975-76 to 1977-78 are Rs. 6.71 lakhs, 14.02 lakhs and Rs. 5.15 crores respectively.

Training to Industrial Workers

11224. SHRI P. RAJAGOPAL NAIDU: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the number of industrial workers trained under the Workers' Education Programme during 1978-79; and

(b) the number of agricultural workers trained under the above scheme during 1978-79?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KRIPAL SINHA): (a) and (b) During the year 1978-79 training was

given under the Workers' Education Programme as follows:—

Industrial workers	1,74,092
Plantation workers	38,666
Rural workers	7,386
Agricultural workers in large farms	713

Proposal for a By-Pass to Elum Town by Andhra Pradesh

11225. SHRI P. RAJAGOPAL NAIDU: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the Andhra Pradesh State Government sent up a proposal for a by-pass to Elum Town to the Government in 1973;

(b) whether the Government intimated to the Andhra Pradesh State Government that before finalisation of a major by-pass like Elum some Senior Officer of the Ministry of Shipping and Transport should inspect various alternatives at site; and

(c) if so, whether inspection has been made by the Senior Officer?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM) (a) to (c). Presumably, the Hon'ble Member is referring to alignment proposals to by-pass Elum Town on Vijayawada-Visakhapatnam Section of NH.5 in Andhra Pradesh. Proposals in this regard were received from the State Govt. in 1973. However, the same could not be approved due to constraints on financial resources and the low priority accorded to by-passes. The question of the site being inspected by Senior Officers of the Ministry of Shipping & Transport did not arise in these circumstances.

Staff under Amalgamated Clerical Establishment posted to Marine/Shipping Department for more than 15 years

11226. SHRI MANORANJAN BHAKTA: Will the Minister of SHIP-

PING AND TRANSPORT be pleased to state:

(a) how many staff under amalgamated Clerical Establishment Andaman and Nicobar Islands are posted in Marine and Shipping Department in Andaman and Nicobar Island under Harbour Master/Marine Engineers since last more than 15 years with transfer, state details;

(b) whether Government issued twice/thrice orders about some staffs under amalgamated clerical establishment posted to Marine/Shipping Department for more than 15 years continuously but could not materialise, state the details and reasons for such cancellation of transfer orders; and

(c) whether Government propose to transfer such staffs for being posted in one place for more than 15 years?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) to (c) The information is being collected and will be laid on the table of the Lok Sabha

केन्द्रीय सरकार स्वास्थ्य योजना के होम्योपैथिक और आयुर्वेदिक औषधालयों में प्रापात सेवा

11227. श्री एस० एस० सोमानी : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में केन्द्रीय सरकार स्वास्थ्य योजना के किन्हीं होम्योपैथिक और आयुर्वेदिक औषधालयों में प्रापात सेवा विद्यमान है ; और

(ख) यदि हां, तो तत्सम्बन्धी ब्यौरा क्या है ?

संसदीय कार्य तथा जन संत्री श्री रबीन्द्र वर्मा) (क) और (ख) : इस समय एमर्जेन्सी सेवायें केवल केन्द्रीय सरकार स्वास्थ्य योजना के गोल मार्किट, नई दिल्ली वाले

होम्योपैथिक औषधालय में ही हैं। यह औषधालय प्रतिदिन प्रातः 7 बजे से सायं 7.30 बजे तक खुला रहता है।

क्षतिपूर्ति की प्रवृत्ति

11228. श्री एस० एस० सोमानी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य रेलवे द्वारा माल की खेपों के रास्ते में खो जाने या क्षतिग्रस्त हो जाने के कारण गा तीन वर्षों में माल भेजने वालों एवं माल प्राप्त करने वालों को अलग-अलग कितनी क्षतिपूर्ति भ्रदा की ; और

(ख) सरकार द्वारा मध्य रेलवे को इस प्रकार हुई हानि को कम करने के लिये क्या कदम उठाने का विचार है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) पिछले तीन वर्षों के दौरान रेलों पर कु किये भय माल, पामंल और सामान की हानि, विनगिट, क्षति, तिगाड और मुपुदंगी न होने के कारण, मध्य रेलवे द्वारा किये गये भुगतान का विवरण इस प्रकार है . —

वर्ष	क्षतिपूर्ति की मद में भुगतान की गयी रकम
	(लाख रुपयों में)
1976-77	124.22
1977-78	133.03
1978-79	133.48

परिवहन में हानि और क्षति के सम्बद्ध परेशितियों और परेषकों को किये गये भुगतान के आंकड़े अलग-अलग नहीं रखे जाते हैं।

(ख) एक विवरण संलग्न है जिसमें हानियों को न्यूनतम रखने के लिए सरकार द्वारा

किये गये दावा निवारण के प्रमुख उपायों का उल्लेख किया गया है :—

विवरण

सरकार द्वारा दावों के रोकथाम के लिए अपनाये गये उपाय इस प्रकार है :—

(1) भेद्य खडों में लोहा और इस्पात, खाद्यान्न, चाना, तिलहन, आदि ले जाने वाली माल गाडियों की रेलवे सुरक्षा दल द्वारा मार्ग में अनुरक्षा।

(2) भेद्य याडों में सगस्त्र रेलवे सुरक्षा बल के कामियों द्वारा गश्त लगाये जाने की व्यवस्था।

(3) अग्रगणियों और चुरायी गयी भम्पति को लेने वाले लोगों का पता लगाने और छापे मारने की व्यवस्था करने के उद्देश्य से क्षत्रीय रेलों की अग्रगण आसूचना शाखाओं और रेलवे वांड की केन्द्रीय अग्रगण ब्यूरो के कर्मचारियों द्वारा अग्रगण सबध आसूचना इकाट्टी करने और अग्रगणक छापे मारने के लिए तैनात किया जाता है।

(4) परेषणों को होने वाली हानि और क्षति की रोकथाम की जरूरत के बागे मे कर्मचारियों को और अधिक जाग्रत करने के उद्देश्य से कर्मचारियों के लिए मार्गदर्शन और शिक्षण के लिए व्यवस्था।

(5) चीनी, अनाज, दाल, तिलहन आदि के डिब्बा भार वाले परेषणों के मामले में पल्लेदार दरवाजों की हिफाजत के लिए निभार की व्यवस्था करने पर बल दिया जाना।

(6) परेषणों के भटक जाने की रोकथाम के लिए उन पर सही अंकन, पता लेखन और लेबल चिपकाने की व्यवस्था।

(7) कीमती माल से लदे माल डिब्बों में रिबट लगाने के लिए डिब्बरियों और काबलों का उपयोग।

(8) माल डिब्बों का उपयुक्त प्र-
रक्षण, जिससे माल डिब्बों में चुराबी आ जाने
और परिणामतः बिलम्ब और यानान्तरण की
घटनाओं में कमी आ सके और दवाजों और
डिब्बों के खोलों में छेदों के द्वारा उठाईगिरी
की घटनाओं में कमी लाई जा सके।

(9) दोषमुक्त माल-डिब्बों के परि-
चालन में कमी लाने के लिए मरम्मत लाइनों,
यादों और गुड्स शीडों में ही माल-डिब्बों की
पैनल कांटों पर पैवन्द लगाने की व्यवस्था।

(10) बरसात के महीनों में सीलन से
होने वाली क्षति के निवारण के लिए विशिष्ट
पूर्वोपाय।

(11) माल लादने और उतारने के
समय पैकेजों का उचित पर्यवेक्षण और साव-
धानीपूर्वक मिलान।

(12) आमान परिवर्तन यानान्तरण
स्थलों और पुनः पैकिंग स्थलों पर पर्यवेक्षण
में तेजी लाना।

Container Service from the West Coast of India to Australia

11229. SHRI R. KOLANTHAI
VELU: Will the Minister of SHIP-
PING AND TRANSPORT be pleased
to state:

(a) what is the quantum of load
carried and the actual frequency of
monthly container service by Ship-
ping Corporation from the West
Coast of India to Australia; and

(b) the results of study of the
economics of the service?

THE MINISTER OF STATE IN-
CHARGE OF THE MINISTRY OF
SHIPPING AND TRANSPORT
(SHRI CHAND RAM): (a) The Ship-
ping Corporation of India commenced
its monthly container service from
the West Coast of India to Australia
in September, 1978 and has provided
until April, 1979 eight sailings, i.e.
one sailing per month. During this
period the Service has carried 420
containers from Bombay and 277
from Cochin.

(b) With the introduction of this
Service, the Shipping Corporation
has been able to reduce its losses on
this Sector as compared to the losses
sustained on the earlier break-bulk
Service. The present container ser-
vice has assisted the commercial ope-
rations in that the Shipping Corpora-
tion previously deployed three units
for providing monthly break bulk
Service to Australia but due to
berthing delays only eight sail-
ings could actually be achieved
in a year; it has now been possible
to provide a regular monthly ser-
vice by deploying only two units. The
average turn round time has been
brought down to 63 days in the pre-
sent service as against 150 days taken
in the earlier break-bulk service.

Financial Assistance to Ship Owners recommended by National Shipping Board

11230. SHRI R. KOLANTHAI
VELU: Will the Minister of SHIP-
PING AND TRANSPORT be pleased
to state:

(a) the particulars of financial
assistance to shipowners recommend-
ed by the National Shipping Board;

(b) the precise nature of the fin-
ancial difficulties of shipowners; and

(c) the number and names of
shipowners who have been granted
financial assistance and the improve-
ments in the industry noticed as a
result?

THE MINISTER OF STATE IN-
CHARGE OF THE MINISTRY OF
SHIPPING AND TRANSPORT
(SHRI CHAND RAM): (a) The
National Shipping Board recommend-
ed the following measures to assist
the Indian Shipping Companies:—

(i) Conversion of existing foreign
exchange loans into loans under
the foreign exchange ship acqui-
sition scheme known as SAFAUNS.

(ii) Rescheduling of existing
Shipping Development Fund Com-
mittee rupee loans by grant of sui-
table moratorium.

(b) As a result of acute depression in the freight market, the Indian Shipping Companies are facing problems of liquidity.

(c) The Shipping Corporation of India and the Mogul Line Limited have been granted financial assistance so far under the financial reliefs approved by the Government to meet the current shipping crisis. Assistance to other companies is also proposed. The assistance at present is restricted to the minimum amount required to tide over the immediate liquidity problems of the companies concerned for the period upto 31 March, 1979.

Training Establishments for Merchant Navy Officers

11231. SHRI R. KOLANTHAI VELU: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the reasons why the six training establishments for Merchant Navy Officers and ratings are located in Bombay/Calcutta only;

(b) whether Government propose to start such establishments at Madras, Tuticorin and Cochin etc.; and

(c) if so, the particulars thereof?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) All the six training establishments for Merchant Navy Officers and ratings are not located in Bombay/Calcutta only. These institutions are spread all over India as shown below:—

Officers:

1. Training Ship 'Rajendra' Bombay.
2. Directorate of Marine Engineering Training with Head Quarter at Calcutta and Branch in Bombay.
3. Lal Bahadur Shastri Nautical and Engineering College, Bombay.

Ratings.

1. Training Ship 'Bhadra' Calcutta.

2. Training Ship 'Mekhala' Visakhapatnam.

3. Training Ship 'Naulakshi' Navlakhi (Gujarat).

(b) No, Sir.

(c) Does not arise.

Construction of Major Bridges on National Highway No. 6

11232. SHRI VIJAY KUMAR N. PATIL: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether number of major bridges which are yet to be constructed on the National Highway No. 6 connecting Nagpur and Surat;

(b) if yes, what are the reasons for delay; and

(c) what steps are being taken to expedite the construction?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) 8 major bridges are yet to be constructed on National Highway No. 6 from Nagpur to Dhulia in replacement of the existing deficient bridges including some submersible bridges. The portion between Dhulia to Surat is a State Road.

(b) and (c). At one time there were in all 20 bridges existing on National Highway No. 6 between Nagpur and Dhulia requiring to be replaced by major bridges. Out of these 20 bridges, 10 have already been constructed. Two more are nearing completion. The construction of the remaining 8 bridges will depend upon considerations such as their present condition, plan priorities on a Country wide basis and availability of funds.

टिकट कलेक्टर आदि की नियुक्ति

11233. श्री जीतू भाई गामित : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार टिकट कलेक्टरों, स्टेशन मास्टरों, बुकिंग क्लर्कों जैसे रेल कर्मचारियों को उन राज्यों में नियुक्त करने की

आवश्यकता अनुभव करती है जिनकी वे सेवा प्राप्त है ; और

(ख) यदि हां, तो क्या रेल सेवा प्रयोग कर्मचारियों की भर्ती करते समय इस बात को ध्यान में रखते हैं ?

रेल मंत्रालय में राकेश भंडारी (जी लिख नाप्राप्त) : (क) और (ख) : श्रेणी III की कोटियों में भर्ती क्षेत्रीय रेलवे के माध्यम पर होती है। क्षेत्रीय रेलवे के अन्तर्गत पी, गैर तकनीकी लोकप्रिय कोटियों के लिए भर्ती संकलन-वार होती है और उम्मीदवारों को अपनी पसन्द का संकलन बताने के लिए कहा जाता है। जो उम्मीदवार चुन लिये जाते हैं, उन्हें यथा-संभव उनके ही पस व के मडलों से उनके विकल्प के अनुसार तैनात किया जाता है और अधिकांश मामलों से उस क्षेत्र की भाषा से परिचित होते हैं।

T.T.s and Train Attendants

11234. SHRI AMAR ROY PRADHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have considered the T.T.s and Train attendants as Running Staff;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) and (c). Only such categories of staff as are directly incharge of and responsible for the movement of trains viz. Drivers, Guards etc, are treated as Running Staff. Since the duties of the T.T.s and Train attendants (Coach attendants) are in no way directly connected with the movement of trains, they are not treated as Running Staff. Further, the issue went before the Board of Arbitration under the Joint Consultative Machinery and the Board gave its award on 30.6.72 rejecting their demand for treating the T.T.s as running staff. The proposal also did not find favour with any of the three Pay Commissions.

Complaints against Hospitals in Delhi

11235. SHRI KANWAR LAL GUPTA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) give the number of complaints received by Government about the Hospitals in Delhi during 1977 and 1978 alongwith the nature of complaints;

(b) number of such complaints in which patient died or had permanently handicapped on account of the negligence of the Hospitals staff in the last 22 years;

(c) what action has been taken by Government over these complaints,

(d) whether Government are aware of the fact that conditions in Dr Ram Manohar Lohia Hospital, Irwin Hospital, Safdarjung Hospital and other big Hospitals in Delhi are extremely bad;

(e) if so, the reasons and the steps taken by the Government in the last one year to improve the same; and

(f) what steps Government propose to take to improve the Emergency ward of these Hospitals?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) The information is being collected and will be laid on the table of the Sabha.

(b) It is not likely to be possible to collect information for the last 22 years.

(c) Enquiries are invariably conducted as and when such complaints are received and remedial action taken, wherever necessary.

(d) to (f). Despite continual additions of staff and funds, scope for further improvement in the functioning of Government Hospitals in Delhi continues to exist. The existing inadequacies are largely due to increasing number of patients visiting the Hospitals. Some improvements, the details of which are given in the statement attached, have been made in the Emergency and Casualty Wards of the four major Hospitals in Delhi.

Dr. Ram Manohar Lohia Hospital	Sefdarjung Hospital	Lok Nayak Jaiprakash Narayan Hospital	Lady Hardinge Medical College & Smt. Sathaba Kripalani Hospital
1	2	3	4
<ol style="list-style-type: none"> 1. In the Emergency Department construction of an annex consisting of 15 beds and a doctor's rest room has already been started. 2. 6 more beds for Paediatric emergency ward have been added. 3. A waiting room for the attendants has been provided in the Emergency Department. 4. Departmental Canteen facilities round the clock have been provided for the relatives attending on the patients in the Emergency Department. 	<ol style="list-style-type: none"> 1. Since the new building for Accident and Emergency Services Block constructed in July 1973 has been in occupation of the University College of Medical Sciences, it has not been possible to bring about any material improvement in this Department. A new small casualty block has been constructed with a provision of 8 observation beds. 2. Air-conditioners and water coolers, for various Departments including Emergency and Casualty been provided. 	<ol style="list-style-type: none"> 1. Senior doctors have been posted on duty in the Emergency Ward of the Hospital and surmise checks are conducted from time to time. 2. A Counter has been opened near the entrance gate of the Casualty Ward where information about the patient admitted and treated in the Casualty is kept and the relatives and friends of the patients are given information about the condition of the patients. 	<ol style="list-style-type: none"> 1. Two posts each of a Gynaecologist and Paediatrician have been sanctioned to provide Specialized cover in the Emergency Department. 2. To establish mobile coronary care unit, sanction has already been issued for the purchase of an ambulance at an estimated cost of Rs. 2.50 lakhs. Additional staff for the unit has also been sanctioned.
<ol style="list-style-type: none"> 5. Two posts each of Physician, Surgeon and Orth Surgeon have been sanctioned to provide specialist cover in the Emergency Department. 6. To establish mobile coronary care unit, sanction has already been issued for the purchase of an ambulance at an estimated cost of Rs. 2.50 lakhs. Additional staff for the unit has also been sanctioned. 	<ol style="list-style-type: none"> 3. To improve communication facilities in the various Departments of the hospital sanction for installation of an additional 100 line PABX has been given. 4. Two posts each of Physician, Surgeon and Orth. Surgeon have been sanctioned to provide specialist cover in the Emergency Department. 5. To establish mobile coronary care unit, sanction has already been issued for the purchase of an ambulance at an estimated cost of Rs. 2.50 lakhs. Additional staff for the unit has also been sanctioned. 	<ol style="list-style-type: none"> 3. Senior doctors in charge of the various units have been instructed to be available on call as and when an eventuality arises. 	

Complaints of shortage of Wagons

11236. SHRI KANWAR LAL GUPTA: Will the Minister of RAILWAYS be pleased to state:

(a) total number of complaints received by Government for the shortage of wagons and the corruption for getting wagons in the last one year;

(b) give the specific reasons why there was shortage of wagons in this year;

(c) is it a fact that labour dispute is one of the main causes for shortages;

(d) what is the estimated loss on account of shortage of wagons; and

(e) against how many persons action has been taken for this?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (e) A large number of complaints about shortage of wagons are being received. While there were vague complaints of corruption in the allotment of wagons, no specific charges were made against any individual officer of staff. Consequently, investigations did not produce any tangible results. However, vigilance machinery has been tightened.

(b) In the year 1978-79, there was some shortage of wagons for loading, due to the following reasons:—

(1) Severe dislocation of railway operations due to heavy rains and serious floods in the second half of 1978 and the aftermath thereof. Several vital rail routes were dislocated and about 35,000 wagons were immobilised for weeks in the Eastern Sector alone.

(2) Civil agitations in different States (e.g. anti-reservation agitation in Bihar/U.P. and Marathwada agitation in Maharashtra) during which railway property became the target of attack and rail operations were disrupted.

(4) Non-availability of steam coal for railways in the post-flood period, resulting in cancellation of a large number of steam-hauled trains—passenger trains as well as goods trains, pilots in yards, etc.

(4) Serious congestion at several ports due to port strikes resulting in heavy detention to wagons and diversion of traffic to smaller ports where adequate capacity was not available.

(5) Singareni Collieries' strike in April-May, 1978 because of which coal had to be moved all the way from Bengal/Bihar coalfields to the South.

(6) Jute strike in West Bengal which immobilised about 5000 wagons for nearly three months.

(7) Sporadic agitation by sections of railway staff, particularly in Eastern, South-Eastern and Northeast Frontier Railways, resulting in slowing down of rail operations in these sectors.

(8) Drastic changes in the pattern of traffic which resulted in irrational and long lead movements having to be undertaken and which in turn, resulted in increase in the overall lead of freight traffic. As a result of stoppage of foodgrains imports, all the grain movement is now from the extreme North to the South, West and East. Similarly, there have been large-scale imports of fertilizers, cement and coking coal. These were not provided for in the railways' usual movement plans. Increase in the lead in the case of some of the principal commodities was as under:

	Lead in Kilometers	
	1977-78	1978-79
Foodgrains . . .	1184	1257
Fertilizers . . .	992	1031
Cement . . .	662	717

The above increase resulted in increase of wagon turn-round time to 14.5 days during 1978-79 as against 13.3 days in 1977-78 on the Broad Gauge.

(c) Sporadic dislocations caused by unrecognised sections of labour in three out of nine Zonal Railways did have an adverse effect on the turn-round of wagons. There were some 'go slow', 'work-to-rule', and wild-cat strikes in the eastern sector which handles bulk of coal and steel traffic in the country. These sporadic actions were mostly resorted to by unrecognised category-wise unions.

(d) Due to various reasons listed in reply to part (b) the Railways could lift only 19893 million tonnes of originating revenue earning goods traffic in 1978-79 as against the original Budget target of 222 million tonnes.

Salaries and Allowances of Members of State Legislative Assemblies and Union Territories

11237. SHRI KANWAR LAL GUPTA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the details of salaries, allowances and other emoluments given to members of the Assemblies in each State, including the Union Territories;

(b) the number of days when these Assemblies met in the last one year;

(c) the names of the States where the emoluments and allowances etc. are proposed to be increased in this year; and

(d) what is the total expenditure incurred by each State in the last one year on the payment of the allowances and emoluments etc. of the members?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) latest information is being collected and will be laid on the Table of the House.

(b) The information regarding the number of sittings held by various

State/Union Territory Legislatures is available in the quarterly 'Journal of Parliamentary Information' brought out by the Lok Sabha Secretariat.

(c) and (d) The matter is not primarily the concern of the Govt. of India as the subject falls within the purview of the State Govts.

Rail Mishaps

11238. SHRI M. V. CHANDRA-SHEKHARA MURTHY:
SHRI A. R. BADRINARAYAN:
SHRI P. M. SAYEED:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that 60 per cent of rail mishaps are due to human failure;

(b) if so, whether this is due to the extra burden put on the rail drivers and staff connected with it; and

(c) if so, whether in view of this Government are considering the recommendations of the Kunzru Committee that sons and wards of the railwaymen should be given preference in recruitment of some categories of rails staff?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) About 50 per cent of the train accidents, which took place during 1978-79, were caused by the failure of railway staff.

(b) No.

(c) No. Preference in the matter of recruitment to sons/wards of railway employees will contravene constitutional provisions guaranteeing equality of opportunity.

Seeking of Indian Expertise for Development of Small Scale Industries by Mauritius

11239. SHRI JANARDHANA POOJARY: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Mauritius has sought Indians expertise for development of Small Scale Industries; and

(b) If so, reaction of Government to it?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAJEE): (a) Yes, Sir.

(b) In February 1978, a 3-member expert team led by National Industries Development Corporation visited Mauritius and submitted a report on the possibilities for setting up small scale industries in Mauritius. This report is now under examination by the Mauritian authorities. At the first Indo-Mauritian Joint Commission session held recently, India has also offered to cooperate in the promotion of certain rural industries like footwear manufacturing, fibre industry, bee-keeping industry, handmade paper industry and dying industries.

At present, two small scale industry experts i.e. one industrial economist and one mechanical engineer are on deputation to Government of Mauritius as experts.

Giving of Plot at Barakhamba Lane, New Delhi

11240. SHRI SHIV NARAIN SARSONIA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether the plot of land for office building has not been restored to the Employees Provident Fund Organisation at Barakhamba Lane as promised by him in Parliament in 1977 nor the loss of Rs 35 lakhs has been refunded with interest, ground rent and expenditure incurred to remove the structure; and

(b) if so, the reasons therefor and how much time Government will take to reallocate the plot?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR & PARLIAMENTARY AFFAIRS (DR. RAM KERPAL SINHA): (a) The Employees Provident Fund Organisation has reported that the allotment of a plot of land to them at Barakhamba lane was cancelled in March, 1973, and it has

not been restored. A claim made by the Organisation for reimbursement of Rs. 406,000/- by way of interest and other charges such as ground rent, expenditure on preparation of building plans by the Architects and cost of demolition of old bungalows on the plot was not accepted.

(b) The question of securing a suitable plot of land is being pursued with the Ministry of Works and Housing.

Sites for Building Shipyards

11241 PROF. P. G. MAVALANKAR: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether any progress has been noticeably recorded recently in the matter of location of sites for building shipyards in the western as well as the eastern coastal regions of the country;

(b) if so, full facts thereof; and

(c) if not, reasons for delay or inaction in this regard?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) & (b) Detailed Project Report for two sites—Hajira in Gujarat and Paradip in Orissa—which are under consideration for establishment of additional shipyard(s) was commissioned in September, 1978, by engaging a foreign consultancy firm, M/s. I.E.L., Japan. The report is expected to be received shortly.

(c) Does not arise.

बंकार जहाजों की बिक्री

11242. श्री. सुब्रह्मण्यम, तमिऴनाडु : क्या नौबहन और परिवहन बंदी यह बहानों की कृपा करेंगे कि .

(क) क्या उपरोक्त के लिए सर्वोच्च कोषित किये जा चुके पुराने जहाजों को बंगाल खाड़ी के नाम से बेना जाया है, यदि नहीं है.

तो क्या सरकार ने जंत संकेत पर 45 प्रतिशत सीमा शुल्क लगा रखा है जिसके फलस्वरूप भारतीय जल सीमा में बड़ी संख्या में जहाज एकत्रित हो गये हैं और यदि हां, तो उनकी संख्या कितनी है; और

(ख) क्या अतिरिक्त सीमा शुल्क के कारण ऐसे जहाजों की बिक्री घट गई है और क्या सरकार का विचार सीमा शुल्क में कमी करने का है ताकि नौवहन कंपनियों पुराने जहाज बेचकर आधुनिक जहाज खरीद सकें?

नौवहन और परिवहन मंत्रालय में प्रभारी राज्य मंत्री (श्री बाबू राम) : (क) जहाजों, नावों और तिरने निर्माणों पर मूल्यानुसार 45 प्रतिशत की दर से सीमा शुल्क लगाया जाता है। परन्तु तोड़े जाने वाले आयातित जहाजों को छोड़कर समुद्रगामी जहाजों के ड्यूटी से छूट दी जाती है बशर्त कि ऐसे जहाज को अन्ततः तोड़ दिया जाए या उन पर ड्यूटी ली जायेगी जो उन पर देय होगी और यदि उसे तोड़ जाने के लिए आयात किया गया है। यह कहना नहीं नहीं है कि सीमा शुल्क लगाये जाने के कारण भारत की सीमा के भीतर जहाजों की बड़ी संख्या में जमाव हो गया है।

(ख) 1978-79 के दौरान तोड़े जाने वाले जहाजों में कमी नहीं आई थी। 1977-78 की अपेक्षा इसमें वृद्धि हुई है। भारतीय राष्ट्रीय जहाज मालिक संघ ने सरकार को अभ्यावेदन दिया है कि तोड़े जाने वाले जहाजों पर सीमा शुल्क में कमी की जाये।

प्रांश प्रदेश में प्रति व्यक्ति चिकित्सा व्यय

11243. श्री हुकूम सिंह कांछवांस : क्या स्वास्थ्य और परिवार कल्याण मंत्री 6 अप्रैल, 1978 के तारकित प्रश्न संख्या 626 के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय तथा राज्य सरकारों ने 1974-75 के दौरान प्रांश प्रदेश में

प्रति व्यक्ति 7.85 रुपये का चिकित्सा व्यय किया था ;

(ख) यदि हां, तो क्या इस व्यय को 1976-77 और 1977-78 के दौरान बढ़ाने का प्रस्ताव किया गया था और यदि हां, तो किस सीमा तक ; और

(ग) क्या सरकार अब तक किसी भी प्रति व्यक्ति व्यय से संतुष्ट है और यदि नहीं, तो क्या सरकार अंत्य देरी से कुछ सहायता देने के पक्ष में है और ऐसी सहायता देने के लिये, इस समय किन किन देशों के साथ बातचीत चल रही है ?

संसदीय कार्य तथा श्रम मंत्री (श्री रवीन्द्र वर्मा) : (क) और (ख) राज्य और केन्द्रीय दोनों सरकारों द्वारा किए गए योजना तथा योजनाभिन्न खर्च संबंधी आंकड़ों के अनुसार प्रति व्यक्ति खर्च 7.85 रुपये था। और प्रदेश में स्वास्थ्य पर प्रति व्यक्ति खर्च 1975-76 में 8.86 रुपये बढ़कर 1976-77 में 10.61 रुपये हो गया। 1977-78 वर्ष के खर्च के आंकड़े अभी एकत्र किए जाये हैं।

(ग) केन्द्रीय तथा राज्य सरकार प्रांश प्रदेश में स्वास्थ्य सुविधाओं की स्थिति में सुधार लाने के लिए भरसक प्रयत्न कर रही है और राज्य सरकार को विभिन्न योजनाएं चलाने के लिए योजना प्रायोग द्वारा मंजूर किए गए खर्च के अनुसार सहायता दी जा रही है।

प्रांश प्रदेश में स्वास्थ्य संबंधी कार्यकर्मा पर प्लान खर्च 1976-77 में 307.98 लाख रुपये से बढ़कर 1977-78 में 308.58 लाख रुपये प्रत्यागित हो गया।

सरकार किसी विशेष राज्य के लिए विदेशी सहायता नहीं ले रही है। तथापि, विदेशों ने अमेरिया नियंत्रण, दुर्विहायता निर्धारण, चिकित्सा शिक्षा रिजोर्नसिडेशन प्रादि जैसी कुछ राष्ट्रीय योजनाओं के लिए सहायता प्रदान की है। राज्यों को स्वास्थ्य

क्षेत्र के कार्यकर्ताओं के सिद्ध तथ्य किए गए समस्त प्लान संबंधी खर्च में कुल मिलाकर दी गई देशी तथा विदेशी दोनों प्रकार की सहायता का पता चलता है।

News Item, entitled "A Racist Radio called Enoch"

11244. SHRI JYOTIRMOY BOSU: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether his attention has been drawn to a report published in the Hindustan Times, New Delhi dated 19.3.1979 page 1 under the caption "A RACIST RADIO CALLED ENOCH";

(b) if so, what are the facts thereof; and

(c) the Government's reaction thereon?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) to (c) The news item was based on an article in the British newspaper, "Observer", of 18th March, 1979. It related to an illegal radio station broadcasting extreme right wing views about once a month. Mr. Enoch Powell stated that he knew nothing about its operation. The British Government are investigating the matter for appropriate action.

The Government of India hope that racist propoganda will not be broadcast from any British radio station.

Indictment by European Human Rights Commission of British Procedures of Deporting People

11243: SHRI JYOTIRMOY BOSU: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it has been brought to his notice that European Human Rights Commission has made a scathing indictment of the arbitrary British procedures for detaining and deporting people on the charge that they are illegal immigrants; and

(b) if so Government's reaction thereon?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) & (b) According to a letter from Mr. Ian Martin General Secretary of the Joint Council for the Welfare of the immigrants, which was published in the "Guardian" dated 13th March, 1979 "Habeas Corpus has been destroyed by the Courts in their treatment of cases involving alleged illegal entrants." The European Convention for the Protection of Human Rights and Fundamental Freedom provides that "everyone who is deprived of this liberty by arrest or detention, shall be entitled to take proceedings by which the lawfulness of the detention shall be decided speedily by a court and his release ordered if the detention is not lawful? The letter mentions unlawful detention and demands public and independent inquiry into the conduct and control of immigration service. Apart from the powers of the Immigration Service at posts of entry, the letter says Immigration authorities have powers over persons who have been in Britain for many years.

The courts in Britain have so far declined to question or abridge powers of detention enjoyed by the Home Secretary and Immigration Officers under the Immigration Act and Rules.

It is hoped that the British authorities will settle the matter keeping in view the points made by the Joint Council for the Welfare of the Immigrants. The Government of India will continue to take up individual cases of hardship or discrimination with the British authorities.

Increase in congestion surcharge on Bombay Port

11246. SHRI JYOTIRMOY BOSU: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that the India-Pakistan-Bangladesh-Middle East

Shipping Conference has decided to increase its congestion surcharge on Bombay port and introduce a new surcharge on Calcutta port with effect from the 16th March, 1979;

(b) whether, these surcharges will adversely affect the export efforts of Indian shippers in respect of markets in the Middle-East; and

(c) if so, the facts thereof and action taken thereon?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Yes, Sir. The India - Pakistan - Bangladesh - Middle East Conference increased congestion surcharge on Bombay port from 80 per cent to 35 per cent and imposed a congestion surcharge on Calcutta port @ 10 per cent, effective from 16-3-1979.

(b) and (c) Since the surcharge is levied on freight, freight gets increased and therefore, affects the cost of exports. Several measures have been taken to ease the situation in the ports. The Conferences/Rate Agreements, which have imposed surcharges have also been requested from time to time to reduce/withdraw the surcharge according to the position in the ports.

Port Health and Airport Health Officers

11247. SHRI MUKUNDA MANDAL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that class III staff in all categories under the port Health and Airport Health Officers in India have not been declared permanent since 1959;

(b) if so, what are the reasons thereof;

(c) details of such employees working in the country and their tenure of services;

(d) whether Government is considering to absorb them against permanent vacancies and provide service

security and benefits such as gratuity, pension etc.;

(e) if so, the facts thereof; and

(f) if not, why not?

THE MINISTER OF PARLIAMEN-TARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Orders approving 27 temporary employees in the combined cadre of Sanitary Inspector, Malaria Inspector and Rat Inspector, class III (now Group 'C') staff at various port/Airport Health Organisations in India, for substantive appointment were issued on the 24th February, 1979.

(b) to (e). There are in all 75 employees belonging to class III (now Group 'C') with varying length of service who are yet to be confirmed. The service particulars of the persons concerned are being collected & verified from the heads of the Port/Airport Health Organisations concerned. Orders for substantive appointment of the remaining eligible employees are expected to be issued early.

(f) Does not arise.

Narrow escape from accidents by Howrah Delhi Rajdhani Express

11248. SHRI JYOTIRMOY BOSU:
SHRI DILIP CHAKRA
VARTY:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Howrah Delhi Rajdhani Express has narrowly escaped a number of serious accidents in the recent times;

(b) if so, details thereof; and

(c) the action taken to obviate such accidents?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN: (a) and (b). Presumably the reference is to the two cases of averted collisions which occurred on 10-4-79 and 28-4-79. In the first case, 101 Up Rajdhani Ex-

press stopped short of 71 Up Parcel Express on the Up loop line of Bhabua station of the Northern Railway and in the second case this train stopped short of a goods train on the up loop line of Bhabua Road station of the Eastern Railway. In the second case, however one Chair Car derailed as a result of severe jerk due to sudden application of brakes. There was no injury to any one in any of these two cases.

(c) Since failure of human element is the largest single factor responsible for train accidents, Safety Organisations on the Railways have been engaged in a relentless campaign to create greater safety consciousness amongst the staff connected with the running of trains and to ensure that staff do not violate rules or indulge in short-cut methods that may lead to accidents. In order to reduce dependence on the human element, various sophisticated aids like ultrasonic flaw detectors for wheels, axles and rails, axle counters, track circuiting, automatic warning system etc. are being introduced progressively.

उद्योग के रूप में राष्ट्रीय सरकार संस्थान

11249. श्री इयाराम शास्त्री : क्या संसदीय कार्य तथा श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बंगलौर वाटर सिवरज बराम एन० राजभण्डा के मामले में उच्चतम न्यायालय द्वारा दिये गये निर्णय में निर्धारित कानून के अनुसार, राष्ट्रीय सरकार संस्था कानपुर एक उद्योग है ;

(ख) यदि हाँ, तो उक्त संस्थान के एकमात्र श्रम संघठन राष्ट्रीय सरकार संस्थान कर्मचारी संघ को, इस तथ्य के बावजूद भी कि इस बारे में सभी आवश्यक औपचारिकतायें पूरी कर दी गयी हैं, मान्यता न दिये जाने के क्या कारण हैं ।

(ग) क्या औद्योगिक विवाद अधिनियम के उपबन्धों के अनुसार उक्त संघठन

के लिये कोई कर्मचारी समिति गठित की गई है और यदि नहीं तो इसके क्या कारण हैं ; और

(घ) क्या प्रयोगिक चीनी कारखाने, जो उक्त चीनी कारखाने की एकक है, के मजदूरों को कोई बोनस दिया जाता है यदि नहीं, तो इसके क्या कारण हैं ?

संसदीय कार्य तथा श्रम मंत्री (श्री रवीन्द्र वर्मा) : (क) इस प्रश्न की जांच की जा रही है कि उच्चतम न्यायालय के उल्लिखित निर्णय की ध्यान में रखते हुए क्या राष्ट्रीय सरकार, संस्थान, कानपुर औद्योगिक विवाद अधिनियम, 1947 के उपबन्धों के अधीन "उद्योग" है ।

(ख) से (घ) सूचना एकत्र की जा रही है और सभा की मेज पर रख दी जाएगी ।

Arrears of gratuity of Labourers at Pashoke Tea Garden, Darjeeling

11250. SHRI K. B. CHETTRI: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the action taken by Government to clear the arrears of gratuity of labourers at Pashoke Tea Garden, Darjeeling; and

(b) the profit and loss accounts for the year 1977-78 and 1978-79?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KIRPAL SINHA): (a) & (b). The State Government of West Bengal, who are the 'Appropriate Government' in relation to this establishment, have been requested to furnish the required information.

Deccan Queen 301/302

11251. SHRI PUNDALIK HARI DANWE:
SHRI R. K. MHALGI:

Will the Minister of RAILWAYS be pleased to refer to the reply given to

Unstarred Question No. 1511 dated 1st March, 1978 and state:

(a) whether the results of the trials to examine the feasibility of extending loads of 301/302 Deccan Queen by four Coaches are final and complete and if so, when and the details thereof;

(b) in pursuance of the results what action have Railway Administration taken or propose to take soon; and

(c) if the results of the said trials are not complete so far, the reasons for delay?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). The results of the trials conducted for increasing the loads of 301/302 Deccan Queen are still under examination. There are serious difficulties with regard to platform and maintenance arrangements, change of path, additional power generating capacity etc. etc. Central Railway is going into these technical problems with a view to increasing the load of 301/302 Deccan Queen. Final decision can only be taken after all these problems are sorted out.

Nuclear capability of Pakistan

11252. SHRI YADVENDRA DUTT:
SHRI NIRMAL CHANDRA
JAIN:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether his attention has been drawn to a news item of May 2nd from New York saying that Washington has confirmed that Pakistan is building a Plutonium plant so as to produce weapon grade Uranium and nuclear weapon; and

(b) if so, what action Government of India has taken in the matter?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE) (a) Government has seen press reports to the effect that United States officials have stated that Pakistan's nuclear programme is not

peaceful and includes the building of a plutonium (or reprocessing) plant and a uranium enrichment plant capable of producing weapons-grade nuclear material for making nuclear weapons.

(b) Government of India has publicly expressed its grave concern in the matter and has also taken it up bilaterally with the concerned authorities including those in Pakistan and the United States.

Movable and Immovable Property held by the Regional Provident Fund Commissioner, U.P.

11253. SHRI ARJUN SINGH BHADORIA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the details of the movable and immovable property held by the Regional Provident Fund Commissioner, Uttar Pradesh pertaining to the period from 1963 to 31st December 1978;

(b) whether Government have also received the property statement in respect of the dependents of the above Commissioner; and

(c) whether Government will reassess the value of this house built in Ahmedabad and conduct an enquiry into expenditure incurred on living in excess of his monthly income?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR & PARLIAMENTARY AFFAIRS. (DR. RAM KRIPAL SINHA) (a) and (b): Annual statements of immovable property in respect of the Regional Commissioners are furnished by them to the Central Provident Fund Commissioner.

(c) The Officer has been requested by the Central Provident Fund Commissioner to furnish a valuation report in respect of his house at Ahmedabad after completion of its construction. In the circumstances the question of reassessment does not arise. The Employees Provident Fund Orga-

nisation has also stated that there is nothing on their record to suspect that Shri Pandya has been living beyond his normal means.

Sub-standard Medicines in CGHS Dispensaries

11254. CHAUDHURY BRAHM PRAKASH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it has come to the notice of the Government that sub-standard medicines are supplied to patients at CGHS dispensaries except some VIP dispensaries;

(b) what is the authority to check the standard of medicines being supplied to the patients through CGHS dispensaries;

(c) whether it is also a fact that medical officers are not allowed to prescribe certain medicines and those medicines are prescribed only by the Medical Officers-in-Charge of the dispensaries and if so, the names of such medicines and reasons for the same;

(d) whether the Government considers the medical-officers incompetent to prescribe such medicines; and

(e) if not whether this distinction is proposed to be removed and if so, when?

THE MINISTER OF PARLIAM-
ENTARY AFFAIRS AND LABOUR:
(SHRI RAVINDRA VARMA):

(a) No, Sir. There are no V. I. P. dispensaries under the CGHS and there is no difference in the standard of medicines supplied to the patients in the various CGHS dispensaries.

(b) When a supply of medicine is received in the CGHS Medical Store Depot, random samples are sent for testing to the Government Drug Testing Laboratories and the supply is accepted only when it has passed the test.

(c) & (d): Certain medicines which are placed in the specialist List of the CGHS Formulary can only be prescribed by a Specialist or the Medical Officer Incharge. A list of such medicines is laid on the Table of the House. ([Placed in Library. See No. LT-4536/79])

Medicines in this category are costly and it is considered essential to keep some control on the expenditure. Therefore all the medical officer are not permitted to prescribe these medicines.

(e) There is no such proposal.

Action against RPF, Bihar

11255. SHRI SHIV NARAYAN SARSONIA: Will the Minister of PARLIAM-
ENTARY AFFAIRS AND LAB-
OUR be pleased to state:

(a) whether on receipt of complaints with specific instances and documentary evidence from the MPs against the Regional Provident Fund Commissioner, Bihar the then Central Provident Fund Commissioner and Deputy Central Provident Fund Commissioner, visited Patna and found him guilty and transferred him from Patna to Jaipur; and

(b) if so, what action Government have taken against him for misusing of his powers. What are the facts of the case and whether the Government will make fair enquiry and take necessary action immediately?

THE MINISTER OF STATE IN
THE MINISTRY OF LABOUR & PAR-
LIAM-ENTARY AFFAIRS. (DR. RAM
KRIPAL SINHA): The Employees
Provident Fund Authorities have re-
ported as follows:—

(a) Some complaints against the then Regional Provident Fund Commissioner, Bihar, were made by some Members of Parliament in 1974. These were looked into by the then Addi-

tional Central Provident Fund Commissioner who visited Patna in September, 1974. He reported that there had not been any serious lapses on the part of the Officer though there had been a certain amount of tactlessness and certain procedural irregularities. In December, 1974, the Central Provident Fund Commissioner made a number of proposals for transfers and these included the transfer of the officer from Patna to Jaipur. He was transferred accordingly.

(b) Does not arise.

Posts of Homoeopathic, Ayurvedic and Unani Physicians in CGHS

11256. SHRI K. LAKKAPPA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether there are posts of Homoeopathic, Ayurvedic and Unani Physicians in CGHS.

(b) whether there are officers holding the posts of Assistants, Advisor,

Deputy Adviser and Adviser in these systems in his Ministry;

(c) whether Annual Confidential Reports of ISM and Homoeopathic Physicians in CGHS are written and reviewed by officers belonging to Modern System of Medicine;

(d) whether all CGHS dispensaries in ISM and Homoeopathy are functioning under the administrative control of officers belonging to Allopathy;

(e) whether ISM and Homoeopathy are considered to be inferior to Allopathic systems of medicine; and

(f) if not, the action proposed to be taken by Government to remove these anomalies?

MINISTER FOR PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA: (a) Yes, Sir.

(b) The position in this regard is as under:—

Designation of the post	Sanctioned strength	Filled	Vacant
<i>ISM Division :</i>			
Adviser (ISM)	One	One	..
Deputy Adviser (Ay.)	Two	Two	..
Assistant Adviser (Ay.)	One	..	One
<i>Homoeopathy :</i>			
Honorary Adviser (Homoeo.)	One	One	..
Deputy Adviser (Homoeo.)	One	..	One
Assistant Adviser (Homoeo.)	One	One	..
<i>Unani :</i>			
Deputy Adviser (Unani)	One	One	..

Official whose CR is written	Official initiating CR	Official reviewing CR
<i>(a) Delhi area:</i>		
(1) Physicians in dispensaries	Physician-in-Charge	Respective Advisers of the systems.
(2) Physician-in-charge of dispensary	Adviser of the system	Director, C.G.H.S.
(3) Physicians in ISM units allotted to Allopathic dispensaries.	Out of 2 doctors senior one writes the report of the junior and report of senior doctor is written by Adviser, ISM	Director, C.G.H.S. *
<i>(b) Out-side Delhi Area.</i>		
All Physicians	Chief Medical Officer of the area*	A.D.G.H.Q. *
* denotes medical officers belonging to allopathic system.		

(d) Yes, Sir, under the administrative control of officers belonging to Allopathy in the headquarters.

(e) No, Sir.

(f) Does not arise.

Assault made on an official of Hospital on duty

11257. SHRI CHHITUBHAI GAMIT: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Prime Minister has received a letter dated the 28rd March, 1979 by a number of employees of Dr. Ram Manohar Lohia Hospital, New Delhi in connection with an assault made on one of the officials of the hospital with a knife by one miscreant while on duty on 22nd March, 1979;

(b) the details thereof; and

(c) whether it is also a fact that some former health officers of the same hospital are involved in the said plot of assault as mentioned in (a) above and if so, what action has been taken against assallant and plotters and to protect the life and pro-

perty of the said official on whom the said assault was made?

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA: (a)
Yes, Sir,

(b) On 22-3-1979 at 10-30 a.m. one Shri Teja Singh Rawat who had been working as a daily wages worker in Dr. Ram Manohar Lohia Hospital, New Delhi off and on for about two years (presently without a job for the last six months) came into the room of Shri D. N. Chauhan, Chief Administrative Officer, Dr. Ram Manohar Lohia Hospital, New Delhi and entered into an argument. His point was that as the Chief Administrative Officer, Shri Chauhan was responsible for his dismissal and he alone could give him a job of that very moment. When Shri Chauhan told him that in any Government service there was a method and he could not take him immediately without the formalities, Shri Rawat took out a folded knife from under his shirt. The other persons present shouted at Shri Rawat and Shri Rawat was disarmed.

(c) So far no conspiracy behind this attempt has been established.

However, the police are still investigating. Action has already been taken to provide protection to Shri Chauhan.

Permission of Atomic Energy Commission for installing X-ray Machines

11258. SHRI SOMJIBHAI DAMOR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether prior permission of the Atomic Energy Commission was obtained before installing the X-ray machines in the Lok Nayak Jayaprakash Narayan Hospital, Delhi;

(b) if not, the reasons therefor; and

(c) what prompted the officials concerned to purchase large quantities of X-ray equipments and instal the same at every nook and corner available?

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA): (a)
No, Sir.

(b) There are no definite instructions requiring prior sanction of the Atomic Energy Commission for installation of X-Ray plant. However, Bhabha Atomic Research Centre is consulted from time to time to take and enforce preventive measures to safeguard the health of X-Ray Department employees as well as patients in the hospital. Badges worn by the workers of Radiology Department of the hospital are sent every fortnight to Bhabha Atomic Research Centre to estimate the amount of Radiation received by a particular person so that corrective measures, if necessary, could be taken. For installation of cobalt plants in the hospital the architectural plans are being sent to the Bhabha Atomic Research Centre for advice regarding safety measures required for the protection of the staff and the patients from radiation effects.

(c) On an average about 3,000 patients avail of the OPD services daily in this hospital which has 1175 Beds. The X-Ray equipment installed is

commensurate with the requirements of the hospital.

Additional D. G. Health Services

11259. SHRI K. LAKKAPPA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that present Additional Director-General Health Services had been dealing with the CGHS as Director, then DDG and now as ADGHS for the last more than one decade or so;

(b) whether lot of patronage in the matter of transfers of thousands of persons, purchase of stores and medicines worth several crores of rupees is vested in this post of Additional DGHS and the person occupying it;

(c) the reasons for vesting all such powers in one officer at various stages and not rotating him; and

(d) the steps which he proposes to take to streamline the whole working at the top echelon of the CGHS?

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA): (a)
No, Sir. The present Additional D.G. was appointed as Director (CGHS) in April, 1971. This post was later treated at par with the post of D.D.G. and so he continued to hold the post of Director (CGHS) and *ex-officio* D.D.G.

He was promoted to the post of Addl. D.G. in April, 1973 and since then he is holding this post. The C.G.H.S. is only one of the several subjects allocated to him. The C.G.H. Scheme at present is under the overall charge of a full-fledged Director-cum-D.D.G. (CGHS) vested with the powers of a Head of the Department.

(b) No, Sir. The transfers of staff are conducted strictly in accordance with the rules and procedure laid down for the purpose, in the interest of smooth running of the organisation. Postings and transfers of doctors is

done by the C.H.S. Division which is functioning under a Joint Secretary in the Ministry of Health and Family Welfare. The cases of transfer of other staff from one city to another are handled by the Director (Adm. and Vig.) through the Deputy Directors (Admn.).

The purchase of stores and medicines is also done in accordance with the rules and regulations prescribed by the Government of India. The drugs are purchased with the approval of the Formulary Committee. Powers for purchases have mostly been delegated to Deputy Directors/C.M.Os(CGHS). Addl. D.G. deals mainly with matters relating to policy.

(c) Does not arise.

(d) No such steps are deemed necessary at present.

निर्यात वस्तुओं पर भाड़े में रियायत

11260. श्री छोट्टुभाई गामित :

बता दें कि यह बताने की कृपा करेंगे कि :

(क) क्या निर्यात वस्तुओं पर भाड़े में दी जाने वाली उन रियायतों को पुनः देने का कोई प्रस्ताव सरकार के विचाराधीन है जो अक्टूबर 1974 में समाप्त कर दी गई थी, श्री

(ख) यदि हां, तो तत्सम्बन्धी ब्यौरा क्या है ?

रेल मंत्रालय में राज्य मंत्री (श्री दिव्य नारायण) : (क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

Reduction of charges at Kandla Port

11261. SHRI ANANT DAVE: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have decided to reduce the charges at Kandla Port in order to attract the shippers

using this port instead of Bombay Port; and

(b) if so, to what extent the reduction will be in relation to the charges at Bombay Port?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). The Kandla Port Trust had made proposals for certain concessions, which have been approved, to attract larger traffic at Kandla. The salient features are:—

(i) 50 per cent concession in normal pilotage and berth hire to vessels loading/unloading general cargo up to 3000 tonnes as against 1500 tonnes earlier;

(ii) Exemption from payment of additional fees for pilotage and use of tugs on Sundays/Holidays and for night operations and shifting to vessels loading/unloading general cargo up to 3000 tonnes.

(iii) Increase of rebate on wharfrage on export cargo from 20 per cent to 25 per cent;

(iv) Extension of the free period for storage of export cargo from 7 days to 15 days;

(v) Reduction of berth and mooring charges for lash barges from Rs. 233/- to Rs. 100/- and Rs. 24/- per day respectively;

(vi) Reduction of the tug hire for towing lash barges by 50 per cent;

(vii) Cut in hire of cargo lifts in warehouses by 50 per cent;

(viii) Enhancement of rebate for occupation of the first floor covered space from 25 per cent to 50 per cent of the ground floor rate;

(ix) Allowing of rebate of 25 per cent on charges for covered space on export cargo;

(x) Increase of rebate on rent for open space and storage tanks from 20 per cent to 25 per cent;

(xi) Allowing of another rebate of 25 per cent on crantage charges for export cargo.

Export cargo includes the coastal cargo going to other Indian ports.

The rates at Kandla Port are now generally lower than those applicable at Bombay Port.

Timings of Kirti Express and Howrah Special at Ahmedabad

11262. DR. BIJOY MONDAL;
SHRI CHIMANBHAI H.
SHUKLA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the time between the arrival and departure of Kirti Express for Saurashtra and Howrah Special at Ahmedabad is only 20 minutes and because of that many a time misconnection take place and passengers are put in trouble; and

(b) if so, whether Government propose to increase the time gap between arrival and departure of these two trains and, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b) Information is being collected and will be laid on the table of the Sabha.

Benefit under E.P.F. and M.P. Act and Family Pension Scheme after Retirement

11263. SHRI P. RAJAGOPAL NAIDU: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether in the Employees' Provident Fund and Miscellaneous provisions Act, and Family Pension Scheme it is provided that full benefits will accrue only after retiring at 60 years of age; and

(b) whether it is not a disadvantage to the person working in the State and Central Government, undertak-

ings who have to retire at the age of 55 and 58 respectively?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KIRPAL SINHA): (a) The benefits available under the Employees' Family Pension Scheme, 1971 are:—

- (i) Family Pension;
- (ii) Life Assurance;
- (iii) Retirement benefit, and;
- (iv) Withdrawal benefit.

The retirement age is relevant only in the case of benefits at (iii) and (iv) above.

(b) This aspect of the matter is being looked into.

Kashmir

11264. SHRI KANWAR LAL GUPTA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) is Government aware of the fact that China, Soviet Union and USA has shown the Kashmir as disputed territory or Pakistan territory in their maps;

(b) is it also a fact that China treated Sikkim as an independent country even now and not a part of India;

(c) if the replies (a) and (b) are in affirmative, has Government written any letter to the aforesaid Governments; and

(d) if yes, give its dates in the last 2 years and what was the replies of these Governments?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) The Government are aware of the fact that China, the Soviet Union and the U.S.A. are showing Kashmir differently in their maps.

The Chinese maps show Kashmir separately from India and Pakistan and divided into 'Pakistan controlled

territory' and 'Indian controlled territory'. In addition, about 2000 square miles of territory west of Karakoram in Pakistan-occupied Kashmir are shown in Chinese maps as Chinese territory since the March 2, 1968 signing of the Sino-Pak Boundary Agreement.

The recent map of India published in the Soviet Atlas shows Kashmir as an integral part of India. The border with Pakistan is shown as the international border. Within the area of States of Jammu and Kashmir the line of actual control is also shown by means of a blue dotted line. In the north-eastern position of the State of Jammu and Kashmir the Soviet map shows the Aksai Chin area as part of China.

As regards official US maps, when depicting India only, these show only that portion of Jammu and Kashmir in India which is under actual Indian control. Accordingly, the uppermost boundary line is depicted by a dotted line along the line of actual control. If a map depicts both India and Pakistan, the entire State of Jammu and Kashmir is shown with the words JAMMU AND KASHMIR going right across the map and a dotted line to indicate the line of actual control. In the case of Aksai Chin, there is an uppermost line (corresponding to our boundary) with notation indicating "claimed by India" Below it is a broken line depicting line of actual control. The area in between has colours in stripes to indicate territory in regard to which there are differences between India and China.

(b) Chinese maps published in 1978 continue to show Sikkim-India boundary with the symbols used to denote international boundaries. Government are watching if latest editions of Chinese maps continue to take the same position.

(c) and (d) The matter has been taken up at appropriate occasions with the concerned Governments drawing their attention to the correct

depiction of India's international borders.

Economic Status of the Forest Labour

11265. SHRI M. V. CHANDRA-SHEKHARA MURTHY:

SHRI P. M. SAYEED:

SHRI A. R. BADRINARAYAN:

Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether Union Labour Minister has on the basis of a survey report come to the conclusion that economic status of the forest labour, particularly the tribal living around the forests can be promoted by their close involvement in the exploitation of forest wealth;

(b) if so, whether the Ministry have urged the State Governments that the intermediaries who exploit both the forest and local labour should be substituted by the departmental labour forces;

(c) what are the other suggestions made by the Union Ministry to the States; and

(d) to what extent State Governments have accepted their suggestions?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (SHRI LARANG SAI): (a) According to the information made available by the Department of Agriculture, who are primarily concerned in the matter, no survey on the economic status of forest labour has been carried out by them. Ministry of Labour have also not carried out any such survey. However, the Government policy is that close involvement of the people, particularly the tribals living around the forests in the matter of forestry works is essential for raising their economic status.

(b) The Department of Agriculture held a Conference on July 12, 1978 of Ministers incharge of Forests and Tri-

bal Welfare of the States of Andhra Pradesh, Bihar, Gujarat, Madhya Pradesh, Maharashtra, Orissa, Rajasthan and West Bengal which have large concentration of tribals population to discuss the role of forests in tribal economy. One of the recommendations of the Conference was that the Tribal Welfare Department of the State in consultation with Forest Department should organise Forest Labour Co-operative Societies within a time bound programme to undertake all forestry programmes in tribal areas replacing the contractors and intermediaries. The recommendation was accepted by the Government and communicated to States for implementation.

(c) The other suggestions made by the Union Agriculture Ministry to the States are given in the statement attached.

(d) These suggestions have been accepted by the States in principle and Forest Labour Cooperative Societies Tribal Development Agencies etc., are associated in forest working in varying degrees in different States.

Suggestions made in the Conference of Ministers incharges of Forests and Tribal Welfare of the States of Andhra Pradesh, Bihar, Gujarat, Madhya Pradesh, Maharashtra, Orissa, Rajasthan and West Bengal, held on July 12, 1978.

1. Full rights of tribals to minor forest produce should be recognised wherever this has not been done. Instead of considering the tribals as mere wage earners or contract labour a reasonable price based on market price of the minor forest produce collected by the tribals should be fixed.

2. Marketing of the minor forest produce should be organised exclusively through cooperatives such as Large size Multi-purpose Cooperative Societies. A time bound programme should be evolved by the States in this regard. Forest Department should commence or continue direct purchase in areas where formation of

3. Region-wise plan for the development, processing and marketing of lac and tassar in tribal areas should be taken up, and for this purpose diverse uses of lac should be found out and planting of tassar host trees should be taken up.

4. The institution of forest villages should be abolished and steps should be taken to convert them to revenue villages.

5. Till such time the forest villages are converted to revenue villages, the obligation of forest villagers to provide compulsory labour by each family for forestry works should be replaced by specific contractual obligations.

6. Development of forests in tribal areas, instead of being planned in isolation, should form an integral part of the comprehensive plans of the integrated tribal development areas. The need of the local economy should get the highest priority in such forestry programmes.

7. In the plantation of species for industrial and commercial use, a mixture of species which may yield fodder fruit or minor forest produce should be introduced.

8. A cadre of forest officers, properly trained and wedded to the principle of tribal development, should be built up in the Forest Departments and deployed in tribal areas.

9. Selected forest officers should be appointed as Project Administrators in selected Integrated Tribal Development Projects, where it is envisaged to plan for forestry oriented economy.

10. Specific organisation should be created in the Department of Agriculture at the Centre and Department of Forests in the States to plan and monitor forestry development projects in line with decisions indicated earlier and to keep close and constant liaison with other Central Ministries and State Departments.

Curbs on Indian Staff in Islamabad

11266. SHRI P. M. SAYEED:
SHRI A. R. BADRINARAIN:
SHRI M. V. CHANDRASE-
KHARA MURTHY:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Indian Embassy at Islamabad is unable to issue press releases and curbs on Indian staff has been introduced by the Pakistan Government;

(b) if so, whether India has also put curbs on the Pakistan Mission in New Delhi;

(c) if not, the main reasons thereof;

(d) whether India has protested to Pakistan Government on this issue;

(e) what are the reasons put forward by the Pakistan Government for this action; and

(f) whether this will further deteriorate the relations between the two countries?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJ-PAYEE): (a) The Indian Embassy at Islamabad is not subjected to any discriminatory treatment with regard to the issue of press releases, nor are there any special curbs on the movement or functioning of the Indian Embassy staff.

(b) to (f). Do not arise.

पूर्वोत्तर रेलवे की अनुसूचित जाति तथा अनुसूचित जनजाति कर्मचारी यूनियन द्वारा पारित संकल्प

11267. श्री अर्जुन सिंह भवैरिया : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वोत्तर रेलवे, इज्जतनगर डिविजन के रेलवे सुरक्षा बल सहायक सुरक्षा अधिकारी द्वारा अनुसूचित जातियों और अनुसूचित जनजातियों के कर्मचारियों की बेइज्जती करने और उन्हें परेशान किये जाने तथा उन्हें

अकारण ही झूठे मुकदमों में फँसाने के संबंध में अनुसूचित जाति तथा अनुसूचित जनजाति कर्मचारी यूनियन द्वारा पारित संकल्प के संबंध में जांच के आदेश न दिये जाने के क्या कारण हैं:

(ख) क्या सरकार का विचार कथित मामले में केन्द्रीय जांच ब्यूरो द्वारा जांच कराने का है : और

(ग) क्या सरकार का विचार उस मामले की जांच कराने का है जिसमें उक्त सुरक्षा अधिकारी ने 721 रुपये का एक नकली बिल पास कराकर यह राशि घोखाघड़ी से प्राप्त की थी ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) अखिल भारतीय अनुसूचित जाति तथा अनुसूचित जन जाति रेल कर्मचारी एसोसिएशन इज्जतनगर द्वारा की गयी शिकायत संकल्प की जांच करने के आदेश दिये गये थे। जांच सुरक्षा अधिकारी, लखनऊ ने की थी। आरंभ सिद्ध नहीं हुआ था।

(ख) 8-3-79 को सहायक सुरक्षा अधिकारी, इज्जतनगर और सहायक लेखा अधिकारी के बीच गर्मा गर्मी हो गयी थी। चूंकि यह घटना केवल मौखिक गर्मा-गर्मी तक ही सीमित है, अतः इस मामले की केन्द्रीय जांच ब्यूरो द्वारा जांच कराना आवश्यक नहीं समझा गया।

(ग) सहायक सुरक्षा अधिकार, इज्जतनगर वरिष्ठ अधीनस्थों के टाइप 4 के क्वार्टर में रहते थे तथा मंडल अधीक्षक (इंजीनियरी) इज्जतनगर द्वारा निर्धारित किराया उनके वेतन से काटा गया था। महा-प्रबन्धक (इंजीनियरी) ने किराये में संशोधन करके उसे कम कर दिया था। संशोधित किराया करके निर्धारित होने पर सहायक सुरक्षा अधिकारी ने 721 रुपये की बापसी की मांग प्रस्तुत की थी किन्तु मंडल लेखा अधिकारी, इज्जतनगर ने उसे स्वीकार नहीं किया था। अतः जाली

भुगतान आदेश द्वारा घोषे से रुपया प्राप्त करने का कोई मामला नहीं है।

Cycle Stand

11268. SHRI YADVENDRA DUTT:
SHRI A. SUNNA SAHIB:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether he is aware that in all Ministries/Departments and Government institutions cycle stands are being run at subsidised rates for the benefit of the staff working there to enable them to park their vehicles—cars/scooters/cycles by paying nominal charges;

(b) whether no such cycle stand is being run by the Safdarjang Hospital, New Delhi for the benefit of its staff;

(c) if so, the reasons therefor; and

(d) the time by which a cycle stand for the benefit of the staff of the Safdarjang Hospital is likely to be provided?

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA): (a)
Yes.

(b) While there is no separate cycle stand for the benefit of the Safdarjang Hospital staff, they are being charged at subsidised rates at the existing stand.

(c) and (d). For want of adequate space, it is not possible to provide a separate cycle stand for the staff. The existing facilities are, however, considered adequate.

O.G.H.S. Dispensary, Dev Nagar

11269. SHRI SUBHASH CHANDRA BOSE ALLURI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether he has received some complaints in the recent past about the callousness of doctors in Dev Nagar C.G.H.S. Dispensary, that they

do not attend to the patients for very long periods and that the Incharge himself does not pay attention to the local complaints, but rebukes the patients who come there for complaint;

(b) whether costly medicines are not issued to the patients despite prescription from the higher doctors and these are issued to their friends and relations;

(c) if so, what positive and immediate steps are being taken to improve the situation in the dispensary; and

(d) whether Government will take action against the doctors found guilty?

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA): (a)
Yes, Sir.

(b) No, Sir. However complaints in this regard have been received.

(c) and (d). Investigations into the complaints have been initiated. If some one is found guilty after investigation, the required administrative action will be taken against him together with such corrective measures as may be deemed necessary to improve the working of the dispensary.

Indian Technical Know-How to Syria

11279. SHRI K. MALLANA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Syrian Government has sought the assistance of Indian technical know-how for the construction of railway in its country;

(b) if so, whether any team has recently visited India in this regard; and

(c) if so, the details regarding the agreement arrived at between the two countries in this regard?

THE MINISTER OF STATE IN THE
MINISTRY OF RAILWAYS (SHRI
SHEO NARAIN): (a) to (c). In
1976, the Rail India Technical and
Economic Services Ltd. (RITES) had
submitted the feasibility study report
for Dier ez-zor-Abu Kamal rail line

and two other lines in Syria. Since then the matter has been pursued with Syria from time to time. During his visit to India in April 1979, the Syrian Minister of Transport had indicated that India could give its offer for the turn-key construction of the railway lines in Syria, which would be considered along with other offers. Accordingly a team of Indian Railway experts has recently left for Syria for the collection of cost data and other particulars to enable preparation of an offer.

New Jalpaiguri to Gangtok Line

11271. SHRI AMAR ROY PRADHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have decided to lay a new railway line from New Jalpaiguri to Gangtok (Sikkim); and

(b) if so, the latest progress in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Does not arise.

Blood Robbery at AIIMS

11272. SHRI PRADYUMNA BAL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether his attention has been invited to a news item which appeared in the *Hindustan Times* dated the 2nd May, 1979 under the heading 'Blood robbery' at Medical Institute;

(b) if so, the details thereof; and

(c) what remedial measures have been taken or are proposed to be taken to improve the image of the Institute?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Yes.

(b) A statement is attached,

(c) The Institute have already taken steps to streamline the Hospital administration and to provide maximum satisfaction to the suffering patients by increasing the number of emergency beds in the casualty and doing away of levying charges on the basis of income of the patients treated in O.P.D. The following additional facilities for the patients and their attendants have been provided;

(i) No. of stretchers and wheel chairs with stretcher bearers have been augmented at various places in the Hospital.

(ii) The Rajgarhia Vishram Sadan is being extended to accommodate more attendants. Besides an additional night shelter for attendants is under construction in the Hospital.

Statement

Shrimati Urmila Devi, W/o. Shri T. C. Raina reported to the Neuro-Surgery OPD of AIIMS Hospital on 22-3-1979. After preliminary examination she was suspected to have a brain tumor and she was advised admission. For brain tumor surgery, 6-8 units of blood are required. The patient's relatives were requested to deposit four units of blood. It has been the experience of the Neuro-Surgery Department that if the patients are admitted prior to donation of blood by the family, the family members are reluctant to donate blood subsequently. The patient has then to wait unduly in the ward before surgery can be undertaken. The blood bank cannot provide the blood required for all the patients requiring surgery from its Voluntary donors. Even when the family members donate blood, the AIIMS Hospital Blood Bank has to supply nearly 60-70 per cent from Voluntary donations through Red Cross. The use of blood from professional donors is not recommended because this is potentially dangerous for patients specifically requiring large number of blood transfusions, as many of the patients with brain tumor do. As soon as the doctors were informed about the donation of blood, the patient

was admitted. The patient was fully investigated. Unfortunately, she turned out to have multiple secondaries involving not only brain but also her spine, hip, pelvis, sacrum and the shoulder. Under these circumstances, a definitive surgery was not possible. This was explained to the patient's husband by the doctors.

There is no authorised agent of the Blood Bank of the AIIMS. However, a motivator is paid Re. 1/- for every donor brought to the Hospital. The Hospital authorities did not advise the husband of the patient to approach any agent for procurement of blood.

A fact Finding Enquiry has been ordered by the Director of All India Institute of Medical Sciences.

Statement correcting answer given to Unstarred Question No. 2734 dated 7-12-78 re. Recommendations of Technical Evaluation Committee of Central Research Institute for Yoga and Vishwayatan Yogashram

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDAR VERMA): In parts (d) & (e) of Lok Sabha Unstarred Question No. 2734 put down in Lok Sabha on 7-12-1978, it was asked as to whether Government propose to accept and implement the recommendation of the Technical Evaluation Committee of Central Research Institute for Yoga and Vishwayatan Yogashram. In reply it was stated *inter-alia* that the report of the Committee along with the suggestion thereon of this Ministry are being forwarded to the Administrator of the Central Research Institute for Yoga and Vishwayatan Yogashram for taking necessary action to implement them.

It has now come to notice that the facts given in the above reply were not correct. The report of the Committee had actually been forwarded to the Administrator of Central Research Institute for Yoga and Vishwayatan Yogashram for his comments on 1-11-1978 and his comments were awaited when this question was

replied. These comments have been received on 17th April, 1979 and are under examination. There has thus been no occasion so far to send any Government directives/suggestions to the Administrator for implementation action. This mistake came to notice while framing a reply to Lok Sabha Unstarred Question No. 8644 answered on 26-4-1979.

The reply to parts (d) and (e) of the question may now be corrected to read as follows:

(d) and (e) "Most of the suggestions made by the Committee in its report are acceptable. The report of the Committee has been forwarded to the Administrator of the Central Research Institute for Yoga and Vishwayatan Yogashram for his comments".

11.30 hrs.

श्री राम बिलस पासवान (हाजीपुर):
अध्यक्ष महोदय, एक हरिजन महिला के बलात्कार का मामला मैं उठाना चाहता हूँ... (इश्वरान)...

श्री मोहन लाल विप्ल (बुर्जा): एक हरिजन महिला के साथ रेप किया गया है। दो बार रेप किया है और पार्लियामेंट से मुश्किल से एक फरलांग के फासले पर यह हुआ है। जब रिपोर्ट लिखाने के लिए वह जाती है तो उस को भगा दिया जाता है।

.. (इश्वरान) ..

MR. SPEAKER: Order, order. This is a very important matter. I have also read in the papers. I shall certainly ask the Home Minister to go into the matter. (Interruptions) I shall certainly direct the Home Minister to go into the matter.

Now, papers laid.

Don't record (Interruptions) * *

SHRI JOYTIRMOY BOSU (Diamond Harbour): I shall take a min-

**Not recorded.

ute. This is about the election of Speaker in Himachal Pradesh.

MR. SPEAKER: You must first realise that this is questioning the executive action. This can be decided by the Court.

SHRI JYOTIRMOY BOSU: Sir, you are the Chairman of Presiding Officers. This is a very important matter.

MR. SPEAKER: I cannot answer this. This is not the method. Now, Papers to be laid.

11.22 hrs. ..

PAPERS LAID ON THE TABLE

NOTIFICATION UNDER DELHI URBAN ART COMMISSION

THE MINISTER OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT): I beg to lay on the Table a copy of the Delhi Urban Art Commission (Terms and Conditions of Service) Amendment Rules, 1979 (Hindi and English versions) published in Notification No. G.S.R. 614 in Gazette of India dated the 21st April, 1979, under sub-section (3) of section 26 of the Delhi Urban Art Commission Act, 1973. [Placed in Library. See No. LT-4486/79.]

ANNUAL REPORT OF INDIAN COUNCIL OF AGRICULTURAL RESEARCH, NEW DELHI FOR 1976-77 (PART II.)

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI SURJIT SINGH BARNALA): I beg to lay on the Table:—

(1) A copy of the Annual Report (Hindi and English versions) of the Indian Council of Agricultural Research, New Delhi, for the year 1976-77—Part II (Administration and Finance).

(2) A statement (Hindi and English versions) showing reasons for delay in laying above Report. [Placed in Library. See No. LT-4487/79].

ANNUAL REPORT ETC. OF REGIONAL ENGINEER COLLEGE, KURUKSHETRA FOR 1977-78 ANNUAL ACCOUNTS ETC. OF NORTH-EASTERN HILL UNIVERSITY SHILLONG

THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION, SOCIAL WELFARE AND CULTURE (SHRI DHANNA SINGH GULSHAN): On behalf of DR. PRATAP CHANDRA CHUNDER, I beg to lay on the Table:

(1) (i) A copy of the Annual Report (Hindi and English versions) of the Regional Engineering College, Kurukshetra, for the year 1977-78 along with the Accounts and the Audit Report thereon.

(ii) A copy of the Review (Hindi and English versions) on the working of the Regional Engineering College, Kurukshetra for the year 1977-78.

[Placed in Library. See No. LT-4488/79].

(2) (i) A copy of the Annual Accounts of the North-Eastern Hill University, Shillong for the year 1975-76 together with the Audit Report thereon.

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the Annual Accounts of the North-Eastern Hill University, Shillong for the year 1975-76.

(iii) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi version of the Annual Accounts of the North-Eastern Hill University, Shillong for the year 1975-76.

[Placed in Library. See No. LT-4489/79.]

(3) (1) A copy of the Annual Report of the North-Eastern Hill University, Shillong, for the year 1977-78.

(ii) A copy of the Review (Hindi and English versions) on the working of the North Eastern Hill University, Shillong, for the year 1977-78.

(iii) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi version of the Annual Report of the North Eastern Hill University, Shillong, for the year 1977-78.

[Placed in Library. See No. LT-4490/79.]

ANNUAL REPORT ETC. OF REGIONAL ENGINEERING COLLEGE, CALICUT, AND MOTILAL NEHRU REGIONAL ENGINEERING COLLEGE, ALLAHABAD AND ANNUAL ACCOUNTS ETC. OF VISVA BHARATI UNIVERSITY, SANTINIKETAN, FOR 1977-78

SHRI DHANNNA SINGH GULSHAN: I beg to lay on the Table:—

(1) A copy each of the following papers (Hindi and English versions):—

(a) (i) Annual Report of the Regional Engineering College, Calicut, for the year 1977-78.

(ii) Review by the Government on the working of the Regional English College, Calicut, for the year 1977-78.

[Placed in Library. See No. LT-4491/79.]

(b) (i) Annual Report of the Motilal Nehru Regional Engineering College, Allahabad, for the year 1977-78 along with the Accounts and the Audit Report thereon.

(ii) Review by the Government on the working of the Motilal Nehru Regional Engineering College, Allahabad for the year 1977-78.

[Placed in Library. See No. LT-4492/79.]

(c) (i) Annual Accounts of Visva-Bharati University, Santiniketan, for the year 1977-78 along with the Audit Report thereon.

(iii) Statement showing reasons for delay in laying the Annual Accounts of Visva-Bharati University, Santiniketan for the year 1977-78.

[Placed in Library. See No. LT-4493/79.]

STATEMENT CORRECTING REPLY TO USQ No. 8732 DATED 26TH APRIL, 1979 re. ENTRY OF INDIANS INTO COMMONWEALTH COUNTRIES

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): Sir, On behalf of Shri Atal Bihari Vajpayee, I beg to lay on the Table a statement correcting the reply given on the 26th April, 1979 to Unstarred Question No. 8732 regarding entry of Indians into Commonwealth countries.

Statement

With reference to Unstarred Question No. 8732, tabled by Shri Eduardo Faleiro, and answered on 26th April 1979, on the subject of entry of Indians into Commonwealth countries, it had been stated that Indian visitors to Australia do not require a visa. Actually no visa is required for Commonwealth citizens simply transiting Australia for not more than three days, if they hold onward bookings such visitors holding ordinary passports are required to take out a visa.

As our attention has just been drawn to this inaccuracy, it was not possible to correct it earlier.

STATEMENTS SHOWING ACTION TAKEN BY GOVERNMENT ON VARIOUS ASSURANCES, ETC. GIVEN BY MINISTERS, AND ANNUAL REPORTS ETC. OF NATIONAL LABOUR INSTITUTE, NEW DELHI FOR 1977-78

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): I beg to lay on the Table:—

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:

(i) Review by the Government on the working of the Dredging Corporation of India Limited, New Delhi, for the year 1977-78.

(ii) Annual Report of the Dredging Corporation of India Limited, New Delhi, for the year 1977-78 along with the Audited Accounts

and the comments of the Comptroller and Auditor General thereon.
[Placed in Library. See No. LT-4495/79.]

STATEMENTS SHOWING ACTION TAKEN BY GOVERNMENT ON VARIOUS ASSURANCES, ETC. GIVEN BY MINISTERS, AND ANNUAL REPORTS ETC. OF NATIONAL LABOUR INSTITUTE, NEW DELHI FOR 1977/78

Statements showing action taken by Government on various assurances, etc. giving by Ministers, and Annual Reports etc. of National Labour Institute, New Delhi for 1977-78.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (SHRI Larang Sai): I beg to lay in the Table:—

(1) The following statements (Hindi and English versions) showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers during various sessions of Lok Sabha:

- (i) Statement No. XIII—
Sixteenth Session, 1976 Fifth Lok Sabha
- (ii) Statement No. XVI—
Second Session, 1977
- (iii) Statement No. XIV—
Fourth Session, 1978.
- (iv) Statement No. VII—
Fifth Session, 1978. Sixth Lok Sabha
- (v) Statement No. IV—
Sixth Session, 1978.
- (vi) Statement No. II—
Seventh Session, 1979.

[Placed in Library. See No. LT-4498/79.]

(2) A copy of the Annual Report (Hindi and English versions) of the National Labour Institute, New Delhi for the year 1977-78 along with the Accounts and the Audit Report thereon.

[Placed in Library. See No. LT-4499/79.]

NOTIFICATION UNDER METRO RAILWAYS (CONSTRUCTION OF WORKS) ACT

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): I beg to lay on the Table a copy of the Metro Railways (Construction of Works) Rules, 1978 (Hindi and English versions) published in Notification No. G.S.R. 172 in Gazette of India dated the 3rd February, 1979, under sub-section (3) of section 44 of the Metro Railways (Construction of Works) Act, 1978. [Placed in Library. See No. LT-4500/79.]

11.35

MESSAGES FROM RAJYA SABHA

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

- (i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 15th May, 1979, agreed without any amendment to the Kosangas Company (Acquisition of Undertaking) Bill, 1979, which was passed by the Lok Sabha at its sitting held on the 30th April, 1979."
- (ii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 15th May, 1979, agreed without any amendment to the Parel Investments and Trading Private Limited and Domestic Gas Private Limited (Taking Over of Management) Bill, 1979, which was passed by the Lok Sabha at its sitting held on the 30th April, 1979."
- (iii) "In accordance with the provisions of rule 127 of

Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 15th May, 1979, agreed without any amendment to the Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1979, which was passed by the Lok Sabha at its sitting held on the 9th May, 1979."

- (iv) "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 Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum, Bill, 1979, which has been passed by the Rajya Sabha at its sitting held on the 15th May, 1979."

SREE CHITRA TIRUNAL INSTITUTE FOR MEDICAL SCIENCES AND TECHNOLOGY, TRIVANDRUM BILL

AS PASSED BY RAJYA SABHA

SECRETARY: Sir, I lay on the Table of the House the Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum Bill, 1979, as passed by Rajya Sabha.

SHRI JYOTIRMOY BOSU (Diamond Harbour): I rise a point of order. (Interruptions)

MR. SPEAKER: One by one please.

श्री विनायक प्रसाद यादव (सहरसा): मेरा प्वाइन्ट ऑफ ऑर्डर है। . . (अवधान)

MR. SPEAKER: This is not a point of order.

श्री विनायक प्रसाद यादव: मेरा प्वाइन्ट ऑफ ऑर्डर यह है कि बिहार के मुंगेर जिले के बिलसकारी गांव के हरिजनों पर ऊंचे बर्ण के लोगों ने हमला किया है। समुचे हरिजन के गांव को बाल लगा कर स्वात: कर

दिया गया है। कल आपने कहा था कि इस पर ध्यानाकर्षण मंजूर किया जायगा (अवधान)

MR. SPEAKER: am allowing 377. Calling attention is not possible. Ther is no time at all.

Mr. Bosu what is your point of order?

SHRI JYOTIRMOY BOSU: Sir, you are the Speaker of the Lok Sabha and an ex-officio Chairman of the Presiding Officers Conference in India.

(Interruptions)

MR. SPEAKER: There is no time available.

श्री विनायक प्रसाद यादव: अध्यक्ष महोदय, बिहार के मुंगेर जिले में इतनी भयानक घटना घटी है, उस पर यहां चर्चा होनी चाहिए। (अवधान)

श्री हुकम देव नारायण यादव (मधुबनी): अध्यक्ष महोदय, इस पर यहां अवश्य चर्चा होनी चाहिए। (अवधान)

MR. SPEAKER: There is only one day more. There is no time at all. It is not possible. I will allow you to raise the matter under Rule 377. You can make statement under Rule 377.

SHRI JYOTIRMOY BOSU: What I want to submit is this. You are the Speaker of the Lok Sabha and you are also the Chairman of the Presiding Officers' Conference of this country. Here in Himachal Pradesh, a handful of henchmen of the Chief Minister...

MR. SPEAKER: No, I am not allowing him. Don't record.

(Interruption)

MR. SPEAKER: I have told them it is not possible. Don't record.

(Interruption)

MR. SPEAKER: Now, Mr. Kamath.

SHRI KANWAR LAL GUPTA (Dehri Sadar): I want to say one thing.

MR. SPEAKER: I have called Mr. Kamath. I will hear you after him.

SHRI HARI VISHNU KAMATH (Hoshangabad): I rise on a point of order. This is regarding today's List of Business. I am glad that the Lok pal Bill has got an 'upping'—that is to say, it has been brought up in the List of Business. I hope that it will be passed in this session but unfortunately we are not aware—we are in the dark—as to how much time has been allotted to it. The Business Advisory Committee has not considered it. We should know beforehand how much time is allotted to it.

MR. SPEAKER: 8 Hours—if I am not mistaken. Mr. Kamath, it is there in the Bulletin. How can it be passed in this session—only next session. It is introduced. It is listed.

SHRI HARI VISHNU KAMATH: My prediction has come true.

MR. SPEAKER: Look at the realities. How can it be done?

SHRI HARI VISHNU KAMATH: The situation has arisen because you are not exercising the powers and authority vested in you under Rule 13. Under Rule 13 you are vested with the authority as regards regulation of the business of the whole session. Please see rule 13. (*Interruptions*)

MR. SPEAKER: Order please. Session is coming to an end tomorrow.

SHRI HARI VISHNU KAMATH: At least for the next session we can learn a lesson.

MR. SPEAKER: There is enough time for it and I think the atmosphere will be cooler then.

SHRI HARI VISHNU KAMATH: Rule 13 clearly says about this. You are not exercising the authority vested in you. You have said many times that you want to make Parliament more effective. You have said that not once or twice, but umpteen times you have said so.

MR. SPEAKER: Quite right. Under this rule, the Speaker has the power

to arrange the business of the House, but the difficulty is that there are certain things which have got to be given priority like the Finance Bill, Constitution Amendment Bills etc.

SHRI HARI VISHNU KAMATH: I am not talking about that.

MR. SPEAKER: If we follow the rules and avoid wasting time, we can do much more.

SHRI HARI VISHNU KAMATH: What I am saying is for saving time in the long run. You have been anxious since you assumed this august office...

MR. SPEAKER: But I have not been able to persuade others.

SHRI JYOTIRMOY BASU: Except me.

MR. SPEAKER: I wish so.

Now, we are at the fag end; discussion can take place only next session. Why not utilise the remaining time today and tomorrow usefully?

PROF. P. G. MAVALANKAR (Gandhinagar): What would be the priority of this Bill next session?

MR. SPEAKER: It will be given proper priority.

PROF. P. G. MAVALANKAR: Proper means what?

MR. SPEAKER: In arranging the business, this will be given top priority.

SHRI HARI VISHNU KAMATH: Topmost.

MR. SPEAKER: I did not say that.

SHRI KANWAR LAL GUPTA: Sir, what happened in Andhra Pradesh and Tamil Nadu is a national calamity and you must say some words of sympathy on behalf of the House before taking up the calling attention. A number of persons have been uprooted and died. We must express our sympathy towards them and you are the proper person

from cyclone in

to say some words on behalf of the whole House.

MR. SPEAKER: I have understood your point.

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, on many occasions when the Select Committees are not able to submit their reports in time, the House pulls them up for that. And when the Government comes up before the House and dangles the hope that the Select Committee report will be discussed and when for months and months, the report is not discussed, you do not put in any word of stricture about it.

SHRI HARI VISHNU KAMATH: Warning.

SHRI SHYAMNANDAN MISHRA: Yes, warning... and, therefore, I completely agree with Shri Kamath that the Government should have been more prompt in bringing up this measure and going through it. The House and the party to which we belong, the ruling party, are all committed to passing this Bill as soon as possible, but that is not being done. I am putting in this word because I happened to be the Chairman of the Select Committee. I would request you to ask the Government to be careful in future, and not to be slack about it.

MR. SPEAKER: My role is that of the Speaker and not of the Headmaster.

SHRI HARI VISHNU KAMATH: Far more than a Headmaster; what is a Headmaster? There is no comparison at all. That is why...

SHRI JYOTIRMOY BOSU rose

MR. SPEAKER: I am not allowing you; no, no.

SHRI JYOTIRMOY BASU: I have not said a single word...

MR. SPEAKER: Not single word but torrential words.

SHRI KANWAR LAL GUPTA: What about my request?

MR. SPEAKER: During the discussion on the calling attention, I will

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come to know of more facts and at that time I will do that.

SHRI JYOTIRMOY BOSU: Sir, you are the Chairman of the Conference of Presiding Officers. If something has gone wrong, I am bringing it to your notice and to the notice of the House.

MR. SPEAKER: No; I am not allowing it...

PROF. P. G. MAVALANKAR: Kindly hear him... (Interruptions).

MR. SPEAKER: I know his point. He wants to say something about the validity of the election of Speaker in Himachal Pradesh. This is a matter for courts, not for me. It is not a question for us.

(Interruptions)

MR. SPEAKER: I am not allowing.

(Interruption)**

MR. SPEAKER: Don't record anything. Now Calling Attention.

11.45 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED DEVASTATION CAUSED BY CYCLONE IN COASTAL DISTRICTS OF ANDHRA PRADESH AND TAMIL NADU

SHRI K. SURYANARAYANA (Eluru): I call the attention of the Minister of Agriculture and Irrigation to the following matter of urgent public importance and request that he may make a statement thereon:

"The reported serious devastation caused by cyclone in the coastal districts of Andhra Pradesh and Tamil Nadu resulting in heavy loss of life, property and standing crops and the relief rendered to the cyclone victims."

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI SURJIT SINGH BARNALA): A depression was first located on the evening of the 5th May, 1979 near 7° N and 90° E (about 450 km south-west of Car Nicobar). Moving west-

**Not recorded.

ward, it intensified into a cyclonic storm by the 7th morning. On the 11th morning it further intensified into a hurricane, when it was centred near 13.5° N and 83° E (about 400 km SE of Ongole). Moving in a north-westerly direction it crossed South Andhra Coast between Nallore and Ongole near Kavali in the afternoon at 1430 hours IST of the 12th. After crossing the coast the hurricane weakened into a cyclonic storm and moved generally in a northerly direction when it weakened further thereafter into a deep depression and lay on the morning of the 14th as a deep depression near Ramagundam. By the morning of the 15th it had moved northward and abated. The storm was tracked by the satellite and conventional data till it came under the range of Madras Cyclone Warning Radar by the midnight of 10th. Thereafter the storm was tracked by this radar giving hourly positions.

Information regarding the formation of depression was broadcast as early as 7th morning through AIR. Thereafter, the warnings were broadcast repeatedly through AIR.

In association with this storm rainfall was widespread in coastal Tamil Nadu and Andhra Pradesh. Sea water also reportedly entered in some parts of Nellore district, Soralgondi-in-Divi Taluka of Krishna district and low lying areas of Masulipatnam.

Warnings regarding formation of the storm was given on the 7th; Warnings regarding tidal wave of 3-4 metres above normal tide level and wind speed of 180 kmph over coastal districts of Andhra Pradesh were given on the 10th and repeated at frequent intervals thereafter. Specific landfall point was indicated 24 hours early. Thus warnings issued in this connection were timely and adequate.

The Officers of my Ministry have been in close touch with the India Meteorological Department and the State Government all along. The Relief Commissioner, Andhra Pra-

desh was contacted over phone on the afternoon of 11th May, 1979 and the Andhra Pradesh Government indicated that they were fully seized of the matter; the situation was being watched, the District Magistrate and Army authorities had been alerted, and evacuation of people from low lying areas was in progress. The Officers of my Ministry also contacted the Ministry of Health and Ministry of Defence on the 11th May, 1979 to take up all precautionary measures.

On the morning of 13-5-79 the State Government of Andhra Pradesh reported that more than one lakh people have been given shelters in cyclone affected areas and requested allocation of foodgrains for gratuitous relief. Accordingly the Food Corporation of India have released 2000 MT rice. The State Government was given 50,000 MT foodgrains under the Food for Work Programme only last month. After the cyclone, another 14,000 MT are being released.

The Ministry of Health have till 16-5-79 supplied medicines, disinfectants and water purifying tablets worth Rs. 3.34 lakhs from the Central Government Medical Stores Depot, Hyderabad as and when required by the State Government. Two medical Teams equipped with Peto-Jet machines for mass immunisation have also left for Vijayawada. Ten lakh anti-cholera vaccines from Medical Store Depot, Calcutta has been sent by air for use in the cyclone affected areas. In addition, veterinary drugs worth Rs. 26,000/- for the afflicted livestock has been supplied from the Central medical stock.

The Ministry of Defence have already pressed into service the Indian Air Force aircrafts and helicopters. Two Indian Air Force aircrafts and four helicopters have been at work since the morning of the 13th instant operating from Nellore and Vijayawada for reconnaissance and airdropping of food and relief articles.

The State Government received warning message from the cyclone warning centre Visakhapatnam on the 10th May and started taking all preventive action including evacuation of people from low lying areas, warning to fishermen, establishing joint control room to work round the clock, mass immunisation in flood prone areas, advance action for deployment of senior officers and staff from neighbouring districts, air-dropping of food etc.

The State Government, because of the early warning and disaster preparedness measures initiated by it were able to minimise the loss to human life and cattle population. Before the cyclone struck, 1,50,000 people had been evacuated to safe places in pucca buildings from vulnerable areas in Krishna, Guntur, Prakasam and Nellore and East Godavari and West Godavari. Block Development Officers and Tehsildars from neighbouring districts have been deployed in the affected areas for assistance in relief operations. The Chief Minister himself undertook extensive aerial survey of the cyclone affected areas in Nellore, Prakasam, Guntur and Krishna districts on the 13th, 14th and 15th May.

The latest report received on the 16th afternoon from the State Government indicates that relief operations are going on in full swing under the supervision of senior officers. 233 deaths have been officially confirmed till the 16th afternoon from the State Headquarters—200 in Ongole, 14 in Guntur, 2 in Cuddapah, 3 in Chittoor, 9 in Nellore, 4 in Kurnool, 1 in East Godavari. Before coming to the House, I again contacted the Andhra Pradesh Government; the latest information is that the deaths have gone up to 360.

Nellore and Prakasam districts are the worst affected. Krishna and Guntur districts are partially affected. In East and West Godavari districts, there has been heavy rainfall but not much damage. In Ongole some pockets are still inaccessible and Army boats

have been deployed to reach the marooned villages. Air dropping of foodstuff have also been arranged.

Mostly crops like chilli, paddy, groundnut, banana, tobacco, sugarcane and pulses have been damaged. In Nellore alone crops over 52,000 acres are reported to have been damaged. In Krishna, 26,000 acres of cultivable land has been affected by sea water. About 16,650 acres of mango gardens have been damaged.

The maximum damage is apprehended to houses, hutments, public buildings, electrical installations and Railway property. No precise estimate is yet possible but in Nellore alone 8 lakh people have been badly affected. Over 2 lakh houses in Prakasam district are reported to have been destroyed completely. The total loss to crops and property is estimated at Rs 411 crores in Guntur district alone.

It has been decided to send a Central Team to Andhra Pradesh to make an on the spot assessment of the situation and recommend Central assistance. The Team will proceed to Andhra Pradesh on the 21st instant.

The Government of India Officers are maintaining close and continuous contact with the State Government to know the latest situation.

SHRI K. SURYANARAYANA (Eluru): I am thankful to the Government of India for the immediate action taken by the government to come to the rescue of the government of Andhra Pradesh and Andhra people. I am also happy that the Andhra government also moved very quickly after receiving information from the meteorological department from 10th onwards. Last time in the tidal wave about 10,000 persons died; this time according to my information losses to cattle, crop are heavier than last time. The Government of India have helped us. Even though the government and the people of Andhra Pradesh had lost Rs. 500 crores last time, the Government of India came to our rescue only to the extent of Rs. 70—80 crores and there

[Shri K. Suryanarayana]

was a rule last time according to the earlier Finance Commission that whatever they gave would be adjusted against future plan assistance. This time there is no such rule and the 7th Finance Commission has recommended—it has been accepted by the Government of India and the state governments also—that it could not be done like this; it should be treated as a national calamity and the Government of India should bear the entire cost or at least 75 per cent and only 25 per cent could be left to be done at the cost of the State government. Our Minister of Agriculture has given a full picture of what happened from 7th onwards in Madras State and 10th onwards in Andhra Pradesh. The death toll according to our information and according to press reports today is 500. Several crores of rupees worth of crop have been destroyed. Several lakh acres have been affected. Several lakh tonnes of rice have been destroyed in Nellore district. Besides that, FCI had stored rice and paddy outside from West Godavari to Nellore because there is no storing capacity with them. These have been destroyed and the FCI might have lost several crores of rupees worth of rice and paddy. Instead of spending money on construction of godowns, we are losing like this heavily in the coastal districts on account of natural calamities like cyclones and floods.

I want to give to the Government the full picture which the Andhra Pradesh Government have sent to me this morning. Our Chief Minister also has said in a press conference that besides food supply, he wanted from the Central Government 10,000 tonnes of steel and 10,000 tonnes of cement for relief work, in addition to the normal quota for the State. I request the Government that in addition to foodstuffs and financial assistance, this quantity of cement and steel may be sanctioned by the Government of India. Our Chief Minister is sending daily reports to the President, Finance Minister, Prime Minis-

ter and Agriculture Minister about the position hour by hour. He has said that in Kandukuru village in Prakasam district, about 6000 putties of rice (6 lakh tonnes estimated to cost about Rs. 40 lakhs) have been washed away. So many villages have been washed away and you can calculate the damage. The loss of betel leaves in one village in Nellore itself came to Rs. 30 lakhs. In Repalle and Guntur taluks, hundred of acres of betel leaves crop were lost in 1977 and again they have lost now also. The loss is colossal on account of the God-sent cyclone and natural calamities. Such natural calamities must be occurring in foreign countries also. Let the Government find out what technical measures the foreign countries are adopting in such cases and let us get the foreign technical know-how in this regard. Apart from giving immediate relief to the people, the Government should get this know-how from foreign countries. This is not the first time that cyclones are hitting the coastal areas. Of course, cyclone in May is rare. According to press reports, the cyclone which hit Andhra Pradesh on Saturday is a rare phenomenon that occurred only six times in the past 85 years. This is May. Usually in January-February or October-November, cyclone comes. This is not the time for cyclones. I have received some more information. Government might have also received that information. The number of lives lost is 360; homes lost is 30 lakhs; the houses damaged come to 452 lakhs. Crops damaged is 1 lakh hectares in Prakasam district alone and 30,000 acres in Nellore. Tobacco crop lost in Prakasam is 76,000 tonnes. At the rate of Rs. 100 it comes to Rs. 7½ lakhs in Prakasam. These people are not capitalists; they are small landholders. Whenever any calamity like cyclone comes, the first victims will be the rural people, the agriculturists and the agricultural labour. I say that the Government of India, be it the previous Government or the present Government, are not taking any permanent measures.

They no doubt give some immediate help but they do not give any permanent solutions. No permanent protective measures are taken. Last time, for example, in one area one protective bund was constructed. Even though the water entered, it was not washed away this time. But, at the same time, the other villages have been washed away. So, more bunds should be constructed.

12 hrs.

Since the flood victims are agriculturists and the damage is mostly to agricultural produce, Government should devise measures to help them. If necessary, they should seek assistance even from other countries for the benefit of the small farmers. There should be a permanent wing in the Ministry to deal with flood victims and render them relief. In fact, it should be treated not only as a national but international responsibility.

I am very happy to say that the Andhra Pradesh Government acted very promptly under the leadership of the Chief Minister. He flew over the area, surveyed the situation and took necessary action. He has asked the legislators and the Government to render all help that they can. I would end by saying that the Government should implement fully the recommendations of the Seventh Finance Commission.

SHRI SURJIT SINGH BARNALA: I agree with the hon. Member when he says that necessary precautions were taken in time, which is something good. Probably in 1977 there was some defect; in the warning system. They were not properly given, received or executed. So, there was very great loss of life. This year, fortunately, the warning was given in time, it was adequate and sufficient and the State Government acted immediately. They made arrangements for large-scale evacuations from the flood-affected area and a good work was done.

This was possible this time because the flood warning system has been improved upon by providing more radars in that area. For example, in that area we have two cyclone-warning systems at Visakhapatnam and Madras. One more at Karaikkal is to be commissioned probably next month or in two month's time. Similarly, one in Masulipatnam is also coming up. That would be ready by 1981. We have one in Calcutta and one in Pradadeep also on this coast. So, we have a continuous radar system of early warnings, and this time the warnings were given in time, received properly and executed also properly.

So far as assistance is concerned, a new method has been evolved by the Seventh Finance Commission, and assistance will be provided to the State Government according to the recommendation of the Commission.

I shall recommend that cement and steel also should be provided to the extent they are needed.

SHRI RAJSHEKHAR KOLUR (Raichur): This time the performance has been better than last time from both the Central and the State Governments. They have taken prompt action, which is really appreciated. But the statement of the hon. Minister contains information contradicting press reports. He has stated that according to the information that he has received, 860 deaths have taken place, but the Chief Minister of Andhra Pradesh, while addressing a press conference on the 15th, had said that already 350 deaths had taken place in Prakasam District alone. The press has also reported like that. So, I do not know the reason why this Government is not giving correct information to the nation regarding deaths and other losses. In some places the Government has said that there was death of only one person. It is not fair on the part of the officers concerned to give this kind of report.

The relief by way of food for work which has been mentioned here is not

adequate because very shortly in that area monsoon will start. That is why I request the hon. Minister to increase the quota.

I also want to know whether the Central Government is going to create a permanent fund for providing quick relief in times of national calamities by having a Distress Relief Authority created under parliamentary legislation which will administer this fund and command the necessary services and provide relief and rehabilitation to the affected people in a co-ordinated manner. It must have full powers including power to grant compensation. May I know whether the Government is going to consider creating such a permanent fund?

The Minister has stated that the people in the low-lying areas have been vacated. May I know whether such persons who were living in villages and towns will be shifted to higher places, providing them with all modern facilities?

SHRI SURJIT SINGH BARNALA:
We learn by mistakes. As I said earlier, last year there had been some mistakes, and this year an effort has been made to see that the mistakes were not repeated. So, we are glad that better performance has been possible this year.

The hon. Member has stated that we are trying to conceal information. This is not so, because we receive the information from the State Government. The information received by me yesterday was that the number of deaths was 233, but this morning before coming here I was informed that it was now 360, and that is why I mentioned that to the House.

So far as the constitution of a permanent fund is concerned, this matter was examined earlier. The Sixth Finance Commission went into the matter and consulted the State Governments, but they did not favour the establishment of a national fund. The State Governments were not willing to contribute to such a fund

and wanted that everything should be provided by the Central Government. The scheme was that funds should be contributed by both the Centre and the States, but that was not agreed to by them, and so it was dropped.

श्री सुब्रह्मण्य (कटिहार) : अध्यक्ष महोदय, आन्ध्र प्रदेश और तमिलनाडु में तूफान से अक्षणीय क्षति हुई—सैकड़ों लोग मरे हैं, करोड़ों रुपये की फसल की बरबादी हुई है, इतना ही नहीं आप को यह जानकर भी आश्चर्य होगा कि 1977 के नवम्बर में जो साइक्लोन आया था उस में "सोरलागुण्डी" और उस के बगल का जो गांव था — "नागा-यलका" दोनों बुरी तरह से प्रभावित हुए थे—इन दोनों गांवों में इस बार भी तूफान आया। 1977 के तूफान के समय वहां की पुलिस ने अपनी ओर से 5 लाख रुपये का दान देकर अपनी एक दिन की मजदूरी दे कर, वह के पीड़ित लोगों को बसाने के लिये मकान बनवाये थे और अभी तूफान आने के सिर्फ तीन दिन पहले वहां के 336 परिवारों को वहां जो मकान बनाये गये थे उन को पूजा बाटी गई थी। इस काम में वहां के चीफ मिनिस्टर ने 5 लाख रुपये अपने "चीफ मिनिस्टरजें साइक्लोन रिलीफ फण्ड, से दिये थे, टाटा ट्रस्ट की तरफ से वह एक बड़ा कम्प्यूनिटी सेन्टर बना कर दिया गया था—इस बार के तूफान से बे सारे मकान ध्वस्त हो गये।

अध्यक्ष महोदय, यह एक राष्ट्रीय समस्या है। केवल आन्ध्र और तमिलनाडु की सरकारें अपने बलबते पर इस काम को नहीं कर सकती। इस राष्ट्रीय समस्या को राष्ट्रीय परिषद से देखने की आवश्यकता है। यह नितान्त आवश्यक है कि इस देश की जनता से भी सरकार को अपील करनी चाहिये। पिछली दफा नवम्बर, 1977 के तूफान के समय जिस तरह सम्पूर्ण देश की विदेशी ने दान देकर पुनर्रचना का काम किया था, इस बार भी उसी तरह से काम करने की आवश्यकता है।

प्रकेल नकोर खिले में 3 लाख लोग बेखरबार हो गये हैं, करोड़ों रुपये की फसल बरबाद हुई है, संकड़ों लोग मर गये हैं। हम देख रहे हैं—हर साल यह घटना घटती है, दक्षिण भारत हर साल तूफान से पीड़ित होता रहता है। मैं सरकार से जानना चाहता हूँ कि इस दिशा में जो मेगनीट्यूड—आफ—वि—प्राबलम है, उस को रिड्यूस करने के लिये सरकार ने कौन सी कार्यवाही की है? इस बारे में दूसरे देशों में जो एक्सपैरिमेंट्स हुए हैं, उनको दृष्टि में रखते हुए साइक्लोन को ब्रेक अप करने के लिये उसको टेम करने के लिये हमारी सरकार ने कौन से कवम उठाये हैं या कौन सी प्रगति की है?

प्रध्यक्ष महोदय, जब यह साइक्लोन आता है तो सम्पूर्ण इलाके में पीने के पानी के जो स्त्रोत होते हैं—चाहे नदी का पानी हो ट्यूबवेल का पानी या फिल्टर्ड—वाटर लेने का स्त्रोत हो—वे सब दूषित हो जाते हैं—सब पानी नमकीन हो जाता है। लोगों को पेयजल मिल सके, वहाँ पर संक्रामक रोगों के फैल जाने से लोगों को मरने से बचाया जा सके—इस दिशा में सरकार ने कौन सी कार्यवाही की है?

पुनर्वास का काम लम्बे दिनों तक चलता है—इस लिए इस को शीघ्र प्रारम्भ कर दिया जाना चाहिये, ताकि बरसात के पूर्व उन पीड़ित लोगों को, जो बेखरबार हो गये हैं, कुछ छाया मिल सके, शरण मिल सके—इस दिशा में सरकार ने युद्धस्तर पर कौन से प्रयास किये हैं?

श्रीमन् यह काम केबल आन्ध्र या तमिल-नाडू का नहीं है, यह राष्ट्रीय समस्या है। इस लिये मैं जानना चाहता हूँ—आन्ध्र के मुख्य मंत्री डा० चन्ना रेड्डी ने जो एक लाख टन अनाज की भाँज “काम के बदले अनाज” योजना के अन्तर्गत की है—उनको वह सहायता सुरक्षित की जाय—इस सम्बन्ध में आप ने क्या

कार्यवाही की है? हमारे प्रधान मंत्री ने भी इस बात का आश्वासन दिया है कि जिन चीजों की जरूरत होगी वह सहायता उन को दी जायेगी। मैं यह कहना चाहता हूँ कि अब तक इन की टीम बह नहीं गई है और 21 तारीख को इन की टीम वहाँ जाएगी। संचार साधन अस्तव्यस्त हैं और अभी तक हमारे माननीय सिंचाई मंत्री जी ने उन क्षेत्रों का दौरा नहीं किया है। तो मैं यह जानना चाहता हूँ कि क्या सिंचाई मंत्री जी स्वयं जा कर स्थिति का प्रबलोकन करेंगे और मेगनीट्यूड आफ वि प्राबलम को रिड्यूस करेंगे और साइक्लोन को ब्रेक अप करने के लिए और उसको टेम करने के लिये जो हमारे बैज्ञानिक अनुसन्धान चल रहे हैं उस दिशा में कारगर कार्यवाही करने का आश्वासन देंगे?

श्री सुरजीत सिंह बरनाला : पहले तो माननीय सदस्य ने यह पूछा है कि साइक्लोन को ब्रेक अप करने या उसको टेम करने का कोई तरीका निकला है या नहीं और कोई इस बारे में रिसर्च हुआ या नहीं जैसा कि दूसरे देशों में हुआ है। मैं यह कहना चाहूँगा कि किसी देश में साइक्लोन को टेम नहीं किया है, किसी देश के पास साइक्लोन को ब्रेक अप करने का पक्का तरीका नहीं है। मैं यह भी बताना चाहूँगा कि जो कुछ भी इस सम्बन्ध में दूसरे देशों के पास ज्ञान है, वैसा ही ज्ञान हमारे पास है। रिसर्च सेंटर मद्रास में बना हुआ है, जो सारी इन्फार्मेशन इकट्ठी करता है और इकट्ठी कर के उस से लाभ उठाने की कोशिश करता है। सब से ज्यादा काम जो इस में हो सकता है, वह यह है कि इसकी वार्निंग दे दी जाए और वार्निंग के आते ही ठीक समय पर प्रबन्ध कर लिया जाए। यह सब कुछ काम ठीक तरह से हो रहा है लेकिन अभी तक साइक्लोन को ब्रेक अप या टेम करने का प्रबन्ध नहीं हो सका है।

माननीय सदस्य ने यह भी कहा कि इस के

किन्तु कोई पक्का प्रमाण हीना परिहित । मैं समझता हूँ कि पक्का प्रमाण ब्रह्म हो सकता है जहाँ साइकलोन कमलसरीलीबो, बार साल में आते हैं और हिस्ट्री से मालूम होता है कि वे वहाँ आते रहते हैं । हिस्ट्री से यह पता चलता है कि कभी नवम्बर में साइकलोन आया और कभी दिसम्बर, में लेकिन कई के महीने में बहुत कम आते हैं । पिछली सौ साल में 5 या 6 बरसा वर्ष, के महीने में साइकलोन आया है लेकिन दिसम्बर नवम्बर के महीने में साइकलोन आते हैं । पक्का प्रमाण करने की जो बात कही गई है, तो मैं आप को बता दूँ कि इस के लिए पक्के शेल्टर बनाए गये हैं और अनेक शान्ति में लगभग 1300 शेल्टर कोस्टरम बेल्ट पर बनाए हैं, जहाँ पर ऐसे भौके पर लोग जा कर छहर सकें । ऊंची जगहों पर पक्के शेल्टर बनाए हैं और एक शेल्टर में करीब सौ, डेढ़ सौ आदमी इकट्ठे हो सकते हैं । एक शेल्टर पर एक लाख रुपया खर्च आता है और इस के लिए बहुत सी संस्थाओं ने और स्टेट गवर्नमेंट ने मदद की है । इस के लिए ६० ६० सी से भी एक करोड़ रुपया मिला है । इस तरह से यह काम चल रहा है ।

आप ने कहा कि सेन्ट्रल टीम अभी तक नहीं गई और 21 तारीख को इस के जाने की बात है । अभी तक वहाँ पर जाने आने के साधन नहीं हैं । इसलिए सेन्ट्रल टीम के पहले जाने से कोई फायदा नहीं है क्योंकि वहाँ से कम्युनिनेशनस नहीं मिल रही हैं । सेन्ट्रल टीम उस वक्त जाती है जबकि वहाँ जा कर वह कुछ अन्दाजा लगा सके कि कितना नुकसान हो गया है । अगर वह, पहुंच नहीं सकते, तो नुकसान का सही अन्दाजा नहीं हो सकता है । आन्ध्र प्रदेश की सरकार से बात कर के वहाँ 21 तारीख को सेन्ट्रल टीम भेजने का तय किया है । मेरे बारे में यह कहा कि मैं वहाँ नहीं पहुँचा। यहाँ पर कालिग एडमन का जवाब देना जरूरी था और परसों राज्य सभा में इसका जवाब दिया था । आज

यहाँ इसका जवाब दे रहा हूँ । मुझे कुल्लस सिने तो मैं जानूँ । मेरी अपनी जवाहीत से यह है कि मैं जल्दी से जल्दी वहाँ जा कर कुछ करूँ ।

SHRI K. RAMAMURTHY (Dharmapuri): Mr. Speaker, Sir, I am glad that, at last, the Lok Sabha Secretariat has admitted, after two or three days' wrangle in the House, in the Zero Hour, this Call Attention to discuss this matter, in this House...

MR. SPEAKER: Lest there should be any misconception in your mind, I may say that we delayed it because we wanted him to get the material? I had discussed the matter with the Minister, so that he could get the material for discussion

SHRI KRAMAMURTHY: I would beg to differ from you, Sir. The statement which has been submitted by the hon. Minister is also not full or complete. If they had treated the matter seriously, we would have discussed the matter immediately, the next day.

However, my hon. friends who have already participated in this Call Attention have expressed their satisfaction that the Central Government is viewing this situation very seriously and rushing all help to the affected areas of Andhra Pradesh and Tamil Nadu.

I would like to say as my hon. friend, Shri Yuvaraj has said, neither the Agriculture Minister nor any responsible Minister of the Central Government has even visited so far the cyclone-affected areas of Andhra Pradesh and Tamil Nadu. I would like to remind this House that not only this time but last time also when in the Divi taluk alone 10,000 people lost their lives due to cyclone, no responsible Minister from the Central Government had visited. This has become a routine and regular practice of the Central Government Ministers including the Prime Minister—I would like to say. The hon. Rashtrapati in 1977 visited the cyclone-affected areas

by land and not by air. I do not know how our Prime Minister is functioning. Such a vast calamity, a national calamity has occurred and he has not paid even a single visit. At the same time, if anything happens in Bengal or in any of the northern States, he immediately flies.....

SHRI SOMNATH CHATTERJEE (Jadavpur): He went there a month after.

SHRI K. RAMAMURTHY: I agree with Mr Somnath Chatterjee. Sir, this creates even in a nationalistic-minded man like me this sort of north-south feeling. I am afraid to say that sort of treatment by the centre is responsible for creating the north-south feeling . . .

SHRI JYOTIRMOY BOSU (Diamond Harbour): That is the Congress (I) slogan.

SHRI K. RAMAMURTHY: I know your sympathies are with the Janata Party even if it neglects you.

The hon. Minister has stated about damages to life and property due to cyclone only in regard to Andhra Pradesh. I do not know what happened to Tamil Nadu. From the newspapers I find nearly some 20 persons have lost their lives in Madras alone. Also I find that the team will proceed to Andhra Pradesh by the 21st. I would like to know from the hon. Minister whether the team will visit Tamil Nadu also because all along this has been neglected by the Central Government and the State Government there is struggling alone. So, I would request the hon. Minister to tell us whether this team will proceed to Tamil Nadu also to assess the damages for all assistance necessary for Tamil Nadu also.

SHRI SURJIT SINGH BARNALA: Regarding the late taking up of the calling attention, I would only submit that if it had been brought 2 or 3 days earlier the information with us would have been much less. This was brought in the other House, the

Rajya Sabha, day before yesterday and the information I supplied was much less than what I am supplying to-day because I was able to collect more information.

Then, the hon. Member has stated that none from the Central Government goes there and that they do not take any action on this. I may inform the hon. Member—perhaps he is not aware—that last time in November when a cyclone hit Andhra Pradesh, I was in Rome attending an FAO meeting. I immediately cancelled my programme, rushed from Rome and went straight to that area. Fortunately, the hon. President was also there. We both went to the Divi Taluk by road and we visited the area on the third day of the cyclone. So, it is wrong to say that nobody goes there. I went on the third day to that area . . .

SHRI K. RAMAMURTHY: I am only telling about the Prime Minister.

SHRI SURJIT SINGH BARNALA: Even now it is only because of the House that I have to remain here. Otherwise, I might have gone there. So, our effort is always to visit the area at the earliest possible. Of course, it is our endeavour to find out what is the loss and how best we can help. It is asked why the team is not visiting Tamil Nadu. The normal procedure is that the State Governments ask us to send the Central Team. This time we contacted the Andhra Pradesh government and they stated that it will be possible to have the team there by the 20th or 21st—any day that suits us.

So, we decided the date as 21st.

Similarly, we will contact the Tamilnadu Government also and, if they want a Central Team, we shall send it.

SHRI K. RAMAMURTHY: He has not even contacted the Tamilnadu Government. Why? That is my question.

SHRI SURJIT SINGH BARNALA: That is what we have to do. Andhra Pradesh Chief Minister has written to me before. So, immediately we conferred with them and we decided on the date. Similarly for Tamilnadu... (Interruptions). I have not received any letter from the Tamilnadu Chief Minister so far. When they ask for it, we will send it. We will contact them and if they want a Central Team, we shall send it to Tamilnadu also.

12.26 hrs

REFERENCE BY SPEAKER TO LOSS OF LIFE AND PROPERTY CAUSE BY RECENT CYCLONE IN ANDHRA PRADESH AND TAMIL NADU

MR. SPEAKER: Before we move on to the business, may I, on behalf of the House express the deep sense of sorrow at the serious loss of life and property suffered by our brethren and sisters living in Andhra Pradesh and Tamilnadu as a result of the recent cyclone?

We feel all the more concerned at this tragic loss of lives, agricultural crops and houses, for it was only a few months earlier when these areas were ravaged by a cyclone of unprecedented fury.

The House has no doubt that the authorities concerned would do their best to alleviate the suffering of our people and assist them in rehabilitation.

Now, we come to the business. Mr. Gupta.

12.32 hrs.

COMMITTEE ON PAPERS LAID ON THE TABLE

TWENTIETH REPORT

SHRI KANWAR LAL GUPTA: (Delhi Sadar): I present the Twentieth Report of the Committee on Papers Laid on the Table.

**COMMITTEE ON SUBORDINATE LEGISLATION
TWENTY-FIRST REPORT**

SHRI SOMNATH CHATTERJEE (Jadavpur): I present the twenty-first Report (Hindi and English versions) of the Committee on Subordinate Legislation.

12.30 hrs.

SCHEDULED CASTES AND SCHEDULED TRIBES ORDERS (AMENDMENT) BILL

APPOINTMENT OF MEMBER TO JOINT COMMITTEE

SHRI SURAJ BHAN (Ambala): I move the following:—

"That this House do appoint Shri A Sunna Sahib to the Joint Committee on Bill to provide for the inclusion in, and the exclusion from, the lists of Scheduled Castes and Scheduled Tribes, of certain castes and tribes, in the vacancy caused by the resignation of Shri T. S. Shrangare."

MR. SPEAKER: The question is:

"That this House do appoint Shri A Sunna Sahib to the Joint Committee on the Bill to provide for the inclusion in, and the exclusion from, the lists of Scheduled Castes and Scheduled Tribes, of certain castes and tribes, in the vacancy caused by the resignation of Shri T. S. Shrangare."

The motion was adopted.

MR. SPEAKER: Now we come to Matters under 377. Shri Lakkappa.

12 32 hrs

MATTERS UNDER RULE 377

(i) REPORTED ILLEGAL MINING IN SEVERAL VILLAGES OF TUMKUR DISTRICT IN KARNATAKA

SHRI K. LAKKAPPA (Tumkur): I wish to bring to the notice of the House and the Government reports of illegal mining activity being carried in several villages of Tumkur District in Karnataka. It is believed that there are huge deposits of "ruby" or "ruby indium" in these villages and

traders and smugglers from the neighbouring States and also from Rajasthan rushed into the area and started their operations with the object of securing the precious material and becoming rich quickly.

Real 'ruby' may or may not be available in the Tumkur villages but 'ruby corundum' which is also semi-precious and valuable as an industrial abrasive is reported to have been obtained in considerable quantities as a result of feverish digging operations financed by the smugglers. It is also reported that in these villages, land owners struck deals with these traders and allowed the illegal mining to go on in their lands. In this process several middlemen also got rich and the State has been deprived of huge and unestimated amounts of royalties.

As usual, in all such illegal operations, this trade has been thriving without being noticed by the police. It is only after the nefarious trade went on for quite sometime, the department of mines and geology woke up and informed the police for checking the illegal trade. But, by then, the smugglers with their rich booties crossed over to other states. Raids conducted on the premises of the illegal miners revealed traces of excavated corundum, besides huge stock of mining implements.

The Minister of Steel and Mines is requested to take urgent action to depute teams of geologists and other mining specialists to conduct surveys in the Tumkur villages regarding the availability of 'ruby' or 'ruby' corundum' and take necessary steps for the excavation of the mines there if traces of the precious material are found. Also investigations should be carried out into the illegal mining activities of traders and land owners in these villages and penal action should be taken against those found guilty.

(1) PROBLEMS OF SMALL SCALE UNITS IN WEST BENGAL ENGAGED IN MANUFACTURE OF UTENSILS AND SURGICAL INSTRUMENT

SHRI SOMNATH CHATTERJEE (Jadavpur); Sir, various small scale units in West Bengal which are engaged in the manufacture of utensils, surgical instruments and also in fabrication are suffering from considerable problems in obtaining supply of stainless steel rolled sheets as a result of which production of such small scale plates are manufactured by Durgapur Alloy Steel Project which are sent to other parts of the country for re-rolling purposes and the rolled sheets are thereafter re-transported to West Bengal which, amongst other things, means extra cost as well as delay in supply apart from inadequate availability.

To meet the situation an application for industrial licence for the manufacture of stainless steel and cold rolled sheets in the joint sector has been made by the West Bengal Industrial Development Corporation in February 1979. The Ministry of Industry, Government of India, has acknowledged the receipt of this application and is reported to have forwarded the same to the Ministry of Steel for examination. The cost of the project has been estimated at Rs. 65 lakhs for a capacity of 1800 tonnes per year. The project is proposed to be set up at Kharagpur in the district of Midnapur, West Bengal, which is an industrially backward area. In view of the great importance of the project, I urge upon the Government of India, and particularly, on the Minister of Steel and Mines, for early clearance of the project so that it may be immediately taken up at hand for meeting the urgent requirements for raw materials of several small scale units including those in joint sector.

(iii) LAVISH EXPENDITURE ON SYMPOGIA ORGANISED IN DELHI AT VARIOUS HOTELS

डा० रामजी सिंह : (भागलपुर): यह देश के लिये गम्भीर चिन्ता का विषय है कि अभी हाल में राजधानी में "जूबे विचार" के नाम पर संगोष्ठीद्वारा विदेशी वैसे का बीभत्स प्रदर्शन हुआ। प्रखबारी रिपोर्ट

के अनुसार इस विचार की एक संघोष्ठी दिल्ली के पंचतारक प्रतिष्ठा होटल मीया में आयोजित हुई जिसमें लगभग 600 लोगों की शानदार मेहमाननवाजी की गयी एवं रात्रि भोज आयोजित हुआ जिस पर लगभग 50,000 रु० खर्च हुए होंगे; इसको मात देने के लिए ग्रामीक होटल में 500 लोगों के शानदार प्रीतिभोज का आयोजन हुआ और शायद तीमरा आयोजन ताजमहल होटल में हुआ जिसमें भी उतनी ही संख्या में लोग पधारे।

मे किसी भी विदेशी देश से मंत्री की बात समझ सकता हूँ किन्तु मुझे समझ में नहीं आता कि एक एक प्रीतिभोज पर 50-60 हजार रु० कहां से खर्च किए गये? जिन्होंने भोज निमंत्रित किया था क्या उनके पास इसकी हैसियत है? क्या उन्हें किसी विदेशी राष्ट्र से खर्च करने को मिला और उनका प्रचार हो? यदि ऐसी बात है तो इस से अधिक शर्मनाक और खतरनाक बात कुछ नहीं हो सकती? विदेशी दूतावास की राजनीति में गिरफ्त कुछ लोग इसे व्यापार समझ कर भी करेंगे भी यह खतरनाक है? बुद्ध, महावीर, गांधी के विचारों पर संगोष्ठी करने के लिए इन आयोजकों के पास न पैसे हैं न समय। इसी लिये यह स्पष्ट है कि शैली किसी की, और खर्च करने वाले कोई दूसरे हैं।

मैं प्रधान मंत्री जी से इसकी अबिलम्ब जांच करने की प्रार्थना करता हूँ। विदेशी धन का प्रवाह जितने ही जोरों से होगा, भारत की राजनैतिक अस्थिरता उसी अनुपात में बढ़ेगी। मध्य युग के मुगलकालीन शानशाहीत को मात देने वाले इन भव्य भोजों के आयोजकों पर कड़ी निगाह रखनी चाहिये और आयकर विभाग की जांच तुरन्त शुरू कर देनी चाहिये। तथा क्रूरक ऐन्सॉज एक्ट के तहत भी इसकी जांच जरूरी है।

(iv) RELAXATION OF AGE LIMIT FOR
COMMERCIAL PILOTS

DR. VASANT KUMAR PANDIT (Rajgarh): Sir, having been allowed under Rule 377, I wish to raise the following matter of urgent public importance:

The unemployed Commercial pilots numbering about 500 are facing great hardship and utter frustration since the last five to seven years. These young pilots trained at Government cost are unable to get employment due to the faulty policy of the Government

The Indian Airlines has clamped limit due to which many commercial pilots waiting in the queue for several years will become time-barred and remain unemployed for the whole of their lives. But since 1972 the age limit was 33 years and in respect of scheduled castes 35 years. If this age limit is not relaxed to age 35 and 38 for S/C and S/T, the unemployed Commercial pilots stand to suffer while the Government stands to loose trained personnel as well as crores of rupees spent on their training.

One fails to understand why these unemployed pilots who are like the second line of defence, are being prevented from employment while the Indian Airlines and Air India are inducting pilots from Defence Forces.

The International Federation of Pilots Association has emphasised the need of putting a third pilot in each flight for reasons of safety. Besides, it is common knowledge that the Boeing Pilots are being overworked and several times suffer from fatigue. The Indian Airlines is paying more than a lakh of rupees per month as Overtime Charges and special two-pilot allowance to the pilots, who are over-worked, while in this very amount, more than 100 pilots could be employed.

The unemployed Commercial Pilots are trained for specialised job, hence there is no other avenue of employment open for them. In view of this,

It is very essential that Indian Airlines makes a suitable relaxation in the age limit and employ pilots within the age limit between 35 to 38 years. Even here they will be able to give more than 15 years service to the country.

In recent years, the Indian Pilots Guild and Indian Commercial Pilots Association have appealed to Government to review their policy so as to prevent the hardships and frustrations being suffered by the unemployed Commercial pilots.

I call upon the Government to take a more positive practical and broad-based view on employment of pilots and remove the injustice on the unemployed Commercial Pilots for no fault on their part.

(v) Agreement for purchase of seven Boeing 737 aircraft by Indian Airlines

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, under rule 377, I wish to raise the following.

Every right-thinking person will be shocked to note that the Indian Airlines have signed a agreement with the Boeing Aircraft Company USA for the purchase of seven more Boeing 737 on 11-3-1979. The cost of the Boeing including spares would amount to Rs. 91.42 crores.

Quite some days ago the Public Undertakings Committee after an in-depth study in its 52nd Report made the following recommendations/observations:—

4.28. The break-even load factor in respect of B. 747 aircraft was estimated to be 32.2 at the time decision was taken to purchase these aircraft (July 1967). The actual break-even load factor of these aircraft was, however, as high as 592 in 1977-78.

4.29. In 1971-72 which was the first year of introduction of B. 747 aircraft, it was observed that the indicated operating cost amounted to 140 per cent of the direct operating cost as compared to 75 per cent

assumed in the feasibility study. This increase is stated to be "the result of combined effect of escalation in costs during the intervening years as well as some under-estimation in the indirect operating costs." It has been further mentioned that another factor has shown adverse position is that 747 operations are largely on low yield routes. However, the fact remains that the basis for justifying the purchase of the aircraft has been materially altered.

4.30. The Committee find it hard to believe that this wide variation in the estimated and actual break-even load factor caused by under-estimation of expenditure and over-estimation of revenue in respect of B. 747 aircraft has not come to the notice of government and the matter is only now being looked into. If true, it would amount to a callous disregard of the country's interests in such vital a field as purchase of passenger aircraft from foreign firms which would always be waiting in the wings to take the airlines and the Government for a ride. This gives rise to serious suspicion about the bona fides of the purchase.

4.31. The Committee note with concern that the system-wise yield on the routes of which B. 747 aircraft are operating was Rs. 3,298 per RTKM in 1977-78 as against Rs. 4,489 per RTKM on routes of which B. 707 aircraft are operating. For instance, on the India-Australia route where B. 747 has been employed the break-even load factor was 52.8 in 1978-79. Air India and 59.4 in 1978-79. Air India sustained losses on this route to the tune of Rs. 2.53 crores in 1976-77, Rs. 2.50 crores in 1977-78 and Rs. 0.73 crores in 1977-78.

4.32. The committee note that the desirability of smaller wide bodied aircraft as replacement aircraft for the ageing B. 707 fleet is engaging government's attention. The Committee require that further deals

with the Boeing Company should be stopped immediately till a study is made in depth honestly and dispassionately of the economics of various proposals already pending with government.

4.33. The Committee find that with the same methodology as was followed in the earlier study, the current level of indirect operating costs would be 99 per cent of the direct operating costs (as against 75 per cent then estimated). These are expected to come down gradually with the increase in the fleet size and increased operations. The Committee urge that speedy and effective steps should be taken forthwith to bring down the incidence of indirect costs through stricter supervision and control over expenditure.

The Indian Airlines and Air India are commanded by the same controlling authority, namely the Ministry of Civil Aviation and Tourism, and inspite of this revelation on the part of Boeing aircraft's uneconomic operational results, they have chosen bye-passing of the clear and specific recommendations of the P.U.C., a financial committee of the House to make such a huge purchase involving about 100 crores of rupees. This is a very serious matter for the House to know. In fact by taking this decision the Ministry has shown utter disregard to the findings of the Committee of this House. I would request you to direct the Government to explain their conduct in this regard.

(vi) Reported Railway accident on 12th May, 1979 between Talara and Javanwalla Shehr Railway Stations in Kangra district of H. P.

SHRI DURGA CHAND (Kangra): Mr. Speaker, Sir, a tragic railway accident took place on 12-5-1979 between Talara and Javanwalla Shehr railway station in sub-division Narpur district Kangra, Himachal Pradesh on a Pathankot-Joginder Nagar narrow gauge track. As reported, two bogies had been derailed, the cause of the

accident has not yet been disclosed. According to the latest reports, six persons have died and sixty persons have received severe injuries. It is also stated that the injured persons have been admitted at Civil Hospital, Pathankot and Amristar and some of them are in district Kangra hospitals. It is also revealed that Mr. K. G. Uppal, Divisional Manager, Northern Railway has given Rs 750/- to 31 injured persons and Rs. 1000/- each to the dependents of the 6 deceased persons as relief. It shows that such a tragic accident has never previously happened on this railway line. As a matter of fact, Railway Minister should take serious view of this accident and order to hold an immediate enquiry about this sad mishap and thereupon take appropriate action against those whose negligence has brought such a big disaster.

I also request you to advise the hon. Railway Minister to issue a detailed statement about this accident and the relief which has been provided to the victims of this accident. The amount which has been reported to be given as a relief to the injured persons as well as to the dependents of the deceased is very meagre. The injured persons should be provided free medical and diet facilities and be given Rs. 5000/- minimum as a relief and the dependents of the deceased persons be given according to the new Railway Rules which amounts to many thousands.

I expect that the Railway Minister would come forward to provide maximum assistance to the victims of this tragic mishap.

(vii) Government's decision to set up a unit in Punjab for production of electronic equipment of Jaguar aircraft.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): Sir, the Government of India has recently taken a decision to manufacture Jaguar aircraft in India in collaboration with a British firm. Shri Sher Singh, Minister for Defence Production had stated

in Parliament that the airframe and engine of Jaguar aircraft would be produced by the Hindustan Aeronautics, Bangalore and a new division would be opened for the manufacture of avionics. It is strange that there should be talk of this new division when there is already a division of HAL situated in Hyderabad. The Hindustan Aeronautics, Hyderabad division (Electronics) employing about 3188 persons including managers, engineers, direct and indirect workers is responsible for manufacturing electronic equipment of a very wide range. The division is producing highly sophisticated equipment and has attained international standards and even secured export orders to Yugoslavia. The excuse being put forward for not entrusting this work to the Hyderabad Division of HAL is that the technologies and product mix in Hyderabad have already grown very wide and instead of further diversifying their product range, this division should consolidate existing skills and capabilities in areas of existing technology to allow further exploitation of their potentialities. This is an erroneous policy. Most of the existing products are phasing out in one or two years without successor models. Hence Jaguar Avions could go into production initially by assembling the imported items as per the contract and later by indigenisation. There is plenty of land available at HAL, Hyderabad, which has been allotted free of cost by the Government of Andhra Pradesh. A newly constructed hanger costing Rs. 55 lakhs will go unutilised if more work is not given to this unit. Already available assembly buildings are kept unused since the last three years. It is learnt also that Rs. 3 crores originally sanctioned to this unit is now going to be diverted elsewhere. It will, therefore, be cheaper and quicker to expand these existing facilities.

One important point I should like to mention is that the place now being talked of for a further unit for the production of electronic equipment for Jaguar aircraft is Chitapur in the

Punjab. This would be dangerously near the frontiers for the setting up of such a vital defence industry and hence should not be thought of at all. The most economical and viable proposition, in the interest of national security and national economy would be to undertake the production of the electronic equipment for the Jaguar aircraft at the Hyderabad Division and Lucknow divisions of HAL.

PROF. P. G. MAVALANKAR (Gandhinagar): I rise on a point of order. This is penultimate day of the Current budget session.

MR. SPEAKER: Not for the point of order.

PROF. P. G. MAVALANKAR: I rise on a point of order because I need your assistance to make rule 377, particularly the implementation part of it, more effective and purposeful.

MR. SPEAKER: It is under consideration by the Rules Committee. If need be, we will invite you to the Rules Committee meeting.

PROF. P. G. MAVALANKAR: To strengthen and fortify the practice which you have been good enough to follow, namely, a number of points of variety of urging and importance are being brought here. For example Shrimati Parvathi Krishnan and Shri Jyotirmoy Bosu raised matters of great importance much more important than some of the other matters raised today under rule 377 by other colleagues. But Ministers are not able to reply; that should not happen. Moreover, Sir, please see rule 31(2):

“Save as otherwise provided in these rules, no business not included in the list of business for the day shall be transacted at any sitting without the permission of the Speaker.”

It is now an established practice and convention, it comes always before the legislative business.

MR. SPEAKER: This has been raised a number of times.

PROF. P. G. MAVALANKAR: When you begin the next session, kindly see

[Prof. P. G. Mavalankar]

that at least two things happened; let us print in the order paper every day the subjects of 877 permitted and also let us print the names of the people so that proper importance is given to that; the Press may know; we may know. Please ensure, moreover, that Ministers answer wherever important answers are called for; it should come within a week or so, of the statement made.

MR. SPEAKER: There is no point of order; this matter is being discussed in the Rules Committee. Mr. Kadiyan.

12.50 hrs

[MR DEPUTY-SPEAKER in the Chair]

SHRI JYOTIRMOY BOSU: I will take just half a minute.

MR. DEPUTY-SPEAKER: No; Mr. Kadiyan has already been called.

SHRI JYOTIRMOY BOSU: The Public Undertakings Committee had already made a recommendation for not having any dealing with the Boeing Company.

CONSTITUTION (FORTY-SIXTH AMENDMENT) BILL—Contd.

MR. DEPUTY-SPEAKER: Further consideration of the following motion moved by Shri Dhanik Lal Mandal on the 16th May, 1979, namely:—

“That the Bill further to amend the Constitution of India, be taken into consideration.”
and amendment moved thereon.

SHRI P. K. KODIYAN (Adoor): Mr. Deputy-Speaker, Sir, the proposed amendment of the Constitution to provide for the setting up of separate commissions for the Scheduled Castes and Scheduled Tribes and also for the linguistic and religious minorities are a welcome move. This has been brought forward with a view to creating a sense of confidence among the weaker sections and the minorities. But mere setting up of the commissions will not create the necessary confidence among the weaker sections and

the minorities unless the Government comes forward and expresses their readiness to act according to the recommendations of the commissions and unless the commissions are independent bodies and not functioning at the sweet will of the executive. This has to be made clear because in the past there had been experience of similar commissions functioning in some of the States. For example, in 1974 a Minority Commission was set up in Uttar Pradesh and the experience of that Minorities Commission in that State was very very unhappy. It was almost controlled by the Government, a nominated body of the State Government and it turned out to be a political eyewash rather than a serious attempt to come to the rescue of the minorities who were having genuine grievances and who were feeling a sense of insecurity in many respects. That is why, I am emphasising on this point that the commission should be independent. There must be a separate law providing for its authority modalities for its functioning and also the statutory backing of the commission's recommendations. If these commissions are appointed with an intention to add some more reports to the huge bunch of reports that the Government is having and which are rusting in various shelves of the Government offices, then I should say that this also would act as a political eye-wash. Government should realise the gravity of the situation, i.e. a sense of insecurity that is prevailing among the weaker sections, Scheduled Castes and Scheduled Tribes and also among the religious minorities and linguistic minorities particularly religious minorities. Unless the gravity of the situation is realised, proper steps cannot be taken in this respect. I request the Government to give up its smug attitude towards these problems, an attitude of complacency that whenever the question of atrocities is raised or the question of communal riots is raised, always the Government rush with statistics to show that there has been no increase in the incidence of com-

muzal riots or in the incidence of atrocities. That should not be the attitude. Let us realise the fact that powerful forces which want the disintegration of this great country are at work both outside and inside the country. Let us not work in a way, in a manner, that would go only to strengthen the forces that are working against the interests of the country, against the unity and integrity of the country. Unfortunately, I should say, some of the actions which the Government have been taking and some of the members of the ruling party have been taking have created a feeling that the ruling party is going on a path of collision with the minorities.

I want particularly to refer to the latest developments the Religious Conversion Bill, which has added the Christian community among the people who feel absolutely insecure and uncertain about their future. Here I may say that the weaker sections and the religious minorities together will constitute more than one-third of the total population of India. If the Scheduled Castes and Scheduled Tribes, the Muslims, the Christians and the backward classes, the poorer sections of the society, if there is insecurity among them, if they feel that they are not in a position to live in this country with honour and dignity, then I should say that it would be highly dangerous for the future of the country.

Let us also realise that the Scheduled Castes and Tribes are denied even the elementary human rights. They are not allowed to draw drinking water or draw their daily ration from the ration shops due to the social boycott against them. It is a very serious question. Even though we have been discussing this for the last several years, no tangible or effective steps have been taken so far. If the representatives of the Scheduled Castes and Scheduled Tribes go to the Human Rights Commission of the United Nations and raise this issue, it would be a very bad day for all of us.

Let us also realise that there is awakening and a sense of fighting for their rights among the weaker sections. You would have seen on the 20th of March this year how the poorer sections marched to the capital of India. That shows that the poor people are no longer pacified by slogans or more promises.

Further, if the religious minorities suffer in this country, it will have reaction beyond the borders because our neighbouring countries are inhabited by people belonging to Islam and other religions. So, it will have its repercussions on other countries. Therefore Government should realise the gravity of the situation. That is why I suggest: let all of us sit together, the Government and the opposition, Members of Parliament and leaders of political parties, and consider the problem and not behave in such a way that the forces of disintegration and disruption are encouraged.

I want to impress upon the Government that in order to create a sense of security among the people, the weaker sections and the minorities, in order to show that the Government are serious about eliminating the menace of Communal riots and atrocities on weaker sections, at least some preliminary steps should be taken by the Government without much delay. For example, it has been admitted by all sections that in the recent communal riots and in the series of incidents and atrocities on Scheduled Castes and Tribes, the behaviour of the armed constabulary and also the police in some States has been far from satisfactory. They have behaved in a partial way against particular sections. There has been a universal complaint. So, why can't the Government come forward and take steps in order to recruit Harijans, Scheduled Tribes and Muslims in large numbers to the police as well as the Armed Constabulary. This is a step which Government can take immediately without waiting for an amendment to the Constitution or setting up of the Commission. I would re-

quest the Government to take the steps immediately so that we can create a sense of security among the people.

13 hrs.

Then, I would also like the Government to consider the question of extending the facilities that are now provided for the Scheduled Castes and the Scheduled Tribes to those people who were converted to other religion, Buddhism or any other religion. Now, the neo-Buddhists and also the converted Christians and others who have embraced new religion are totally denied the rights and everybody knows and Government is also aware that mere conversion to another religion does not wipe out the social inequalities from which they suffer. Therefore, neo-Buddhists, converted Christians and other sections which have embraced other religions should also be brought under the purview of this Commission and the facilities that are now granted to the Scheduled Castes and Scheduled Tribes should be extended to them.

I would also request the Government to set up district-level committees so far as the Scheduled Castes and Scheduled Tribes are concerned, district-level committees consisting of representatives of Scheduled Castes and Scheduled Tribes and other progressive-minded parties and voluntary organisations in order to keep a watch on the developments in the district and also to go into the question of atrocities whenever they occur.

Similarly, I would also request the Government to consider that both the Commissions, the Minorities Commission as well as the Commission for Scheduled Castes and Scheduled Tribes, apart from submitting periodical reports, should be empowered to go into specific questions of complaints of atrocities and denial of fundamental rights to them, the rights which are granted to the minorities.

With these words, I conclude.

SHRI HARI VISHNU KAMATH (Hoshangabad): Sir, how many hours more are there?

MR. DEPUTY-SPEAKER: There are two hours and 25 minutes more.

श्री गोबिन्द राम मिरो (सारंगढ़) :
उपाध्यक्ष महोदय, हरिजन और आदिवासियों की विभिन्न समस्याओं से निपटने के लिए मानने में यत्न-अलग आयोग गठन करने हेतु यह यह संविधान संशोधन विधेयक लाया है और उस के लिए मैं सरकार को धन्यवाद देता हूँ।

उपाध्यक्ष महोदय, मैं यह कहना चाहता हूँ कि हरिजन और आदिवासियों की समस्याएँ इतनी विशाल हैं और इतनी गंभीर हैं कि वे आसानी से हल नहीं की जा सकेंगी। मैंने इस विधेयक को कनेटेंट्स देखी हैं किन्तु जब तक इस विधेयक का जो दायरा है, वह बढ़ाया नहीं जायगा और जब तक उसको व्यापक शक्तियाँ नहीं दी जाएंगी तब तक वह आयोग एक मूकदर्शक, असहाय, लंगड़ा रहेगा। मैं तो यहाँ तक भी कहूँगा कि वह मिट्टी के माघो की तरह बन कर रह जाएगा। इस संबंध में हमारा पिछला अनुभव है। संविधान की विभिन्न धाराओं में अनेक उपबंध रखने के बाद भी, मानवाधिकार और छुआछूत उन्मूलन अधिनियम बनाने के बाद भी इन लोगों को मानवाधिकारों से वंचित रखा गया है। चाहे नौकरियाँ हों, भूमि का सवाल हो, मकान देने के मामले हों, जितने भी सामाजिक समानता प्रदान करने वाले काम थे, किसी में उनको कुछ नहीं मिला है।

भारतीय संविधान की धारा 46 में कहा गया है—

“राज्य जनता के दुर्बलतर विभागों के, विशेषतया अनुसूचित जातियों तथा अनुसूचित आदिमजातियों के शिक्षा तथा अर्थ सम्बन्धी हितों की विशेष सावधानी से उन्नति करेगा तथा सामाजिक

अन्यास तथा सब प्रकारों के शोषण से उन का संरक्षण करेगा ।”

किन्तु आज संविधान को बने 32 साल हो गये, लागू हुए करीब करीब तीस साल हो गये लेकिन इन पिछड़े लोगों की कोई भाग पूरी नहीं हुई है। इनको गांवों में पीने का पानी नहीं मिलता है, नाई और घोड़ी की सुविधाएं नहीं मिलती हैं। पशुओं से भी बदतर इनकी हालत है और पशुओं जैसा ही। उनके साथ व्यवहार किया जाता है। इसलिए इस आयोग को व्यापक अधिकार देने होंगे तभी जा कर हम इस कार्य में सफल हो पायेंगे।

जनता सरकार ने अपने घोषणापत्र में कहा है कि काका कालेलकर आयोग की सिफारिशों को लागू किया जायेगा। किन्तु आज तक उन सिफारिशों को लागू नहीं किया गया। दो साल बीतने के बाद यह विधेयक लाया गया है। इस विधेयक को पहले ही लाया जाना चाहिए था और उन लोगों की समस्याओं को हल करने का प्रयास किया जाना चाहिए था।

उपाध्यक्ष महोदय, नौकरियों में, अयोग्यता के नाम पर हरिजनों और आदिवासियों का कोटा दूसरों से भरा जाता है। इसके अलावा जो विभाग हरिजन और आदिवासियों के लिए बनाये गये हैं उन में 95 प्रतिशत तक स्वर्ण लोग भर्ती किये जाते हैं। उनमें हरिजनों की संख्या नगण्य है। क्या ये लोग अपने घरों की रक्षा करने में भी असमर्थ हैं ?

इसलिए इन कमियों को दूर करने के लिए इस आयोग को व्यापक अधिकार देने होंगे। मेरा एक सुझाव है कि पार्लियामेंट एक कानून बनाये कि इस आयोग के क्या अधिकार होंगे। इस बिल में इस बात का कोई उल्लेख नहीं है कि इसकी क्या सीमा होगी, क्या कार्यकाल होगा। मेरी शासन से मांग है कि इसके लिए एक एक्ट बनाया जाए जिसमें यह उल्लिखित हो कि इस कमीशन

का क्या कार्यकाल होगा, क्या दायरा होगा। जब तक इस आयोग के उद्देश्य स्पष्ट नहीं होंगे तब तक इसको अपने उद्देश्यों की पूर्ति करने में काफी कठिनाई होगी।

इसी प्रकार से इसमें कोई भी ऐसा उपबन्ध नहीं है कि इस आयोग की जो सिफारिशें होंगी वे शासन पर बाइंडिंग होंगी। इसका भी उपबन्ध इस में होना चाहिए।

इसके साथ ही साथ आयोग की शाखाएं हरेक प्रान्त में हों। बरना इतने बड़े देश में जहां 21 प्रदेश हैं और 9 यूनियन टेरिटरीज हैं उनमें एक आयोग कहां तक काम कर पायेगा इसमें मुझे संदेह है। सारे देश में एक आयोग प्रभावशाली नहीं हो पायेगा।

उपाध्यक्ष महोदय, इस आयोग में चेयरमैन को मिला कर पांच सदस्य होंगे। मेरी मांग यह है कि आयोग में ऐसे व्यक्ति नियुक्त किये जाएं जो कि हरिजन और आदिवासी हों। मुझे खुशी है कि हरिजनों और आदिवासियों के लिए जो आयोग बनाया जा रहा है उसका चेयरमैन एक तजुर्बेकार आदमी बनाया गया है और इसके लिए मैं शासन को धन्यवाद देता हूं। मैं चाहता हूं कि जो सदस्य हो वे भी हरिजन और आदिवासी हों और फुन टाइम हों, पार्ट टाइम न हों। पार्ट टाइम होंगे तो वे काम कहां और भी करेंगे और उस अवस्था में इस बिल का जो उद्देश्य है वह पूरा नहीं होगा। चेयरमैन और सदस्य अनुभवी व्यक्ति होने चाहियें, इस काम में रुचि रखने वाले हों और ऐसे न हों कि अल्पसंख्यकों, हरिजनों और आदिवासियों का गला घोटने वाले हों। उनकी बैकग्राउंड रुचि एवं अनुभव को देख कर ही उनको इन पदों पर नियुक्त किया जाना चाहिये।

आयोग को जो एट्रासिटीज होती हैं उनसे नियटने के लिए ट्रिब्यूनल एम्पाइंट

करने का भी अधिकार होना चाहिये। मेरा अनुभव यह है कि कई शायदों ने सिफारिशों की हैं लेकिन दो तीन सिफारिशों को ही लागू किया गया है और सैकड़ों को अभी तक भी लागू नहीं किया गया है। आयोग को कमीशन आफ इनक्वायरी एक्ट 1952 के तहत ट्रिब्यूनल एप्पॉइंट करने का भी अधिकार मिलना चाहिये और यह भी अधिकार मिलना चाहिये कि हाई कोर्ट या सुप्रीम कोर्ट के जज को वह नियुक्त करा कर उन से किसी मामले को इनबैस्टीगेट करा सके और इनबैस्टीगेट करवा कर जो फाइंडिंग प्राएं उनको बाइंडिंग रूप से लागू करा सके।

आयोग को यह अधिकार भी होना चाहिये कि जो डाक्यूमेंट्स चाहे मंगा सके, जिस को भी एवीडेंस के लिए बुलाना चाहे बुला सके और जहां चाहे जा सके। व्यापक अधिकार आयोग को मिलने चाहियें।

कमीशन का जो स्टाफ होगा वह कितना होगा इसको भी स्पष्ट नहीं किया गया है। मेरी मांग है कि इसका जो भी स्टाफ हो उस से से नब्बे प्रतिशत कम से कम हरिजन, आदिवासी और अल्पसंख्यक हो।

आयोग का जो स्कोप है वह सेंट्रल गवर्नमेंट तक ही सीमित न हो कर पब्लिक अंडरटेकिंग्स, स्टेट गवर्नमेंट्स, यूनियन टैरिटरीज और यहां तक कि लोकल बाडीज भी उसके अधिकार क्षेत्र में आनी चाहियें और उन पर भी उसकी सिफारिशें लागू होनी चाहियें।

कमिश्नर जो इस वक्त है वह होम मिनिस्टर के अंडर है। शासन के पबाब की वजह से वह हरिजनों और आदिवासियों की समस्याओं को कड़ा तक हल कर पाया है, उसको कहा तक सफलता मिल पाई है इसमें मुझे सन्देह है और अब जो कमीशन बनाया जा रहा है यह भी अगर होम मिनिस्टर के अंडर ही रहेगा तो इसको भी सफलता

दिलना माएगी इसमें मुझे सन्देह है। मेरी मांग है कि इस कमीशन को होम मिनिस्टर से इन्डिपेन्डेंट होना चाहिये। उसके सिर पर मंत्री तलवार नहीं लटकती रहनी चाहिये कि गवर्नमेंट के खिलाफ उसने कुछ लिख दिया तो उसकी नौकरी चली जाएगी या उसके खिलाफ कोई कार्रवाई हो जाएगी। इस प्रकार का भय आयोग के सदस्यों को नहीं होना चाहिये, चेयरमैन को नहीं होना चाहिये।

जहां पर एट्रासिटीज होती हैं वहां पर सामूहिक जुमले करने का अधिकार भी इस आयोग को होना चाहिये।

मोबाइल कोर्ट्स की स्थापना करने का भी अधिकार इस आयोग को होना चाहिये ताकि यह छुआछूत के मामलों से निपट सके।

संविधान की धारा 335 में यह उपबन्ध है कि हरिजनों, आदिवासियों का जो कोटा है वह पूरा किया जाएगा सबजेक्ट टू मॅटेनेंस आफ एफिशेसी यह शर्त इन पर ही क्यों लागू होती है, जनरल पर क्यों लागू नहीं होती है। इसमें एमेडमेंट होना चाहिये। एफिशेसी वाली बात सब पर लागू होनी चाहिये केवल हरिजनों और आदिवासियों पर नहीं। इनका जो कोटा है इसको अनिवार्य रूप से भरा जाना चाहिये। जिस प्रकार से लोक सभा और विधान सभाओं आदि में जो इनके लिए स्थान सुरक्षित हैं वे अनिवार्य रूप से भरे जाते हैं उसी प्रकार से नौकरियों में भी जितने उनके वास्ते स्थान सुरक्षित हैं वे अनिवार्य रूप से भरे जाने चाहियें, अगर विशेष ट्रेनिंग देने की जरूरत हो तो वह भी उनको दी जानी चाहिये। इनको न विदेश भेजा जायत है और न ही विदेशी स्कास्टरशिप ही दिए जाते हैं।

इस प्रकार का भी प्रबंध है उसको बुर करने का सारा अधिकार कमीशन को मिलना चाहिये। वेस्ट बंगाल, मणिपुर, उड़ीसा और असम सरकार ने अनुच्छेद 335 के तहत नौकरियों की भर्ती के लिये कानून बनाया है और अनिवार्य कर दिया है। उसी प्रकार से सेंट्रल गवर्नमेंट को भी कानून बनाना चाहिये और भर्ती अनिवार्य करनी चाहिये और जिस प्रकार वेस्ट बंगाल सरकार ने पीनल क्लॉज रखा है उस प्रकार का क्लॉज केंद्रीय सरकार को भी रखना चाहिये।

उपाध्यक्ष महोदय, कल माननीय गृह रजय मंत्री श्री मण्डल ने कहा था कि ऐंट्रोसिटीज से निपटने के लिये हमने स्पेशल कोर्ट्स नियुक्त करने के लिये राज्य सरकारों को निर्देश दे दिये हैं। मेरा कहना है कि यह टकराने वाली बात हो जाती है क्योंकि राज्य सरकार उस बात को पूरा करती है कि नहीं यह उन पर निर्भर करना है। तो जिस प्रकार से इमजेंसी केसेज के लिये स्पेशल कोर्ट्स केन्द्र सरकार ने बनाये हैं, उसी प्रकार से सेंट्रल गवर्नमेंट इस मामले में भी लीड ले और इस काम को राज्यों पर न छोड़े। अन्यथा हमारा उद्देश्य विफल हो जायगा। इस बिल में है कि "There shall be a Commission for the Scheduled Castes and Scheduled Tribes." और 338 (ए) में है कि "There shall be a Commission for the minorities to be known as the Minorities Commission."

अब यह शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स कमीशन किस नाम से जाना जायगा सका भी उल्लेख इस बिल में होना चाहिये। आठे मानव अधिकार अध्याय के नाम में ही या जिस किसी भी नाम से ही, वह इस बिल में स्पष्ट हो जाना चाहिये।

इन शब्दों के साथ मेरी मांग है कि सरकार केरे कुझाकों पर गौर करे और आयोग को इतना शक्तिशाली बना दे ताकि जिन अधिकारियों से यह श्रेण्य संबंधित हैं उनको यह आयोग बिल्ला सके और सर्वत्र सजाज के साथ

बराबरी में यह लीज था जायें ऐस कोई कारगर उपाय करे। इतने व्यापक अधिकार इस कमीशन को दिये जायें। इन शब्दों के साथ मैं इसका समर्थन करता हूं।

*SHRI K. KUNHAMBU (Ottapalam): Mr. Deputy-Speaker, I wholeheartedly support the 46th Constitution Amendment Bill moved by the hon. Minister Shri Mandal. As we find from the statement of objects and reasons of this Bill, it seeks to set up a Commission for Scheduled Castes and Scheduled Tribes and also for linguistic and various minorities. Article 338 of the Constitution reads as follows:

"There shall be a Special Officer for the Scheduled Castes and Scheduled Tribes to be appointed by the President.

It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes under this Constitution and report to the President upon the working of those safeguards at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament."

The Hon. Minister Shri Mandal has in his opening speech said that in place of Special Officer a fullfledged Commission consisting of very eminent persons will be appointed to look after the matters relating to the welfare of the Scheduled Castes. This proposed Commission will investigate matters relating to safeguards provided for the Scheduled Castes & Scheduled Tribes and make such suitable recommendations which will enable the Government to tackle their problems more effectively than has been done so far. It is a very welcome measure and I extend my wholehearted support to these measures.

Sir, the Special Officers to look after the welfare of Scheduled Castes & Scheduled Tribes are appointed from

*The original speech was delivered in Malayalam.

time to time. But have we evaluated the performance of these Special Officers? My opinion is that these Special Officers are just as impotent as the castrated bulls in the country side. They can't just do anything. More than 25 reports have been submitted to the Government by these Special Officers. Each one of these reports must be containing hundreds of recommendations. How many of these recommendations have been implemented so far? I would say that not even 10 per cent of them have been implemented. During the 5th Five Year Plan out of the total amount allotted for the welfare of Scheduled Castes & Scheduled Tribes Rs. 5 crores had to be surrendered at the end of the Plan. This only shows how much interest the Government takes in this matter.

Scheduled Castes & Scheduled Tribes constitute 20 per cent of the population. Reservation to the extent of 18 per cent given to them in various services. This is what the Government claims. Our experience is that while the quota of reservation is filled in respect of posts of scavengers, peons, chowkidars etc. it is not done so in respect of higher posts. It is often said by the officers in various Government departments that suitable candidates are not available for filling the vacancies in the higher posts. This plea to say the least is absurd. It is the part of a conspiracy to keep the harijans out of important posts in Government service. This situation should change.

While we are discussing the Bill which seeks to set up a Commission for Scheduled Castes & Scheduled Tribes, I wish to mention one or two points about the changes that are made in the list of Scheduled Castes & Scheduled Tribes. I would particularly mention about certain communities in Kerala. The purpose behind amending the list from time to time is to include more backward people in the list so that they also get all the facilities that are available to the Scheduled Castes & Scheduled Tribes. There are many lakhs of people belonging to Peruvannan community in the Malabar area of Kerala. They are socially & economically very backward.

Similarly, there are the Kuzumbies and Christian converts who are also very backward. The Government of Kerala and Members of Parliament from Kerala have demanded on many occasions that these communities should be included in the list of Scheduled castes. But so far no step has been taken in this direction. The hon. Minister is a very kind hearted person and the cause of harijans is very dear to him. He can understand the problems of harijans better than anybody else. Therefore I plead with him to give sympathetic consideration to the demand which I have raised.

Sir, reservation and other facilities will end by 1980. 32 years have passed since we became independent. The purpose behind reservation was to bring harijans upto the level of socially and economically advanced communities. I don't say that nothing has been done during the last 32 years. In fact, many things have been done. But the reality is that it will take decades to bring them upto the level of the forward communities. Therefore my earnest demand is that the reservation and other benefits should be extended for a further period of at least 30 years. The Government should bring forward necessary constitutional amendments in the next session.

Sir, is it because there is no law to protect the harijans that many of their basic problems remained unsolved? Certainly not. For example there is a provision in the Constitution abolishing untouchability. But untouchability is being practised overtly or covertly in many parts of our country. Can anybody in the House point out a single village where there is no untouchability being practised. It is not because of any dearth of law that the problems of harijans have not been solved. It is mainly because of the criminal negligence and total indifference on the part of the bureaucracy in implementing the law that the harijans in our country have not been able to get their due share. We should not forget this fundamental fact. Therefore, while making legislation we should ensure that it is implemented effectively. I congratu-

tulate the hon. Minister Shri Mandal for bringing about this Bill to amend the Constitution. It is a very welcome step. At the same time we have to work honestly and dedicatedly for the welfare of harijans so that they get a place in the sun. In this connection, I have to make a suggestion and I hope that the hon. Minister will consider this. The Central and State Governments prepare many schemes to help the harijans. But they are simply not aware of what is being done for them by the Government. It is very necessary to make them conscious of their rights and also to make them aware of the various schemes that are formulated and implemented by the Government. Therefore my suggestion is that social workers should be appointed by the Government at the Centre as well as in the States to undertake this campaign. It is a sad reality that we could not do in this country in a long span of 32 years what the Negros in America could achieve within 15 years. Only recently I asked a question in Parliament. My question was how many officers are there in I.O.C. who are drawing more than 3000 rupees per month. I got a reply saying that there are 53 such officers in this pay range, out of whom there were only 3 officers who belong to Scheduled Castes and Scheduled Tribes. Whether it is in respect of IAS or IPS or ambassadorial posts, the representations of harijans is next to nothing. Same is the case about high courts and Supreme court. I hope the hon. Minister Shri Mandal will be able to do something for them. I wish him all success in his endeavour to do good to these hapless people. I wish him Godspeed. Once again I wholeheartedly support this Bill.

श्री एल० एन० सोमानी (चित्तौड़गढ़) :
उपाध्यक्ष महोदय, मैं 46वें संविधान (संशोधन) विधेयक का स्वागत करता हूँ और उसके समर्थन में खड़ा हुआ हूँ। परन्तु मैं इस सम्बन्ध में कुछ मौलिक बातें निवेदन करना चाहता हूँ।

हमारे देश में जातिवाद काफ़ी समय से चला आ रहा है और हर निष्ठावान् भारतीय चाहता है कि इस देश में जातिवाद समाप्त हो, सब लोग समान हों और सब को समान अवसर मिले। हम ने शिड्यूल्ड कास्ट्स और शिड्यूल्ड ट्राइब्ज के लिए जो व्यवस्था कर रखी है, उस व्यवस्था में यह प्रायोग बनाना तो ठीक है, परन्तु वैचारिक दृष्टि से मैं निवेदन करना चाहता हूँ कि देश में शिड्यूल्ड कास्ट्स और शिड्यूल्ड ट्राइब्ज का एक नया वर्ग खड़ा किया जा रहा है।

13.28 hrs.

[SHRI N. K. SHEJWALKAR in the Chair].

हम देख रहे हैं कि जहाँ पर भी कोई घटना होती है, या कोई प्रश्न खड़ा होता है, या किसी पर अन्याय होता है, तो सारा समूह खड़ा हो कर उसका विरोध करता है। मैं समझता हूँ कि शिड्यूल्ड कास्ट्स और शिड्यूल्ड ट्राइब्ज की व्यवस्था को समाप्त करना चाहिए। एक ऐसी व्यवस्था बनानी चाहिए, जिसमें सम्पन्न व्यक्ति, अर्द्ध सम्पन्न व्यक्ति और गरीब व्यक्ति हों, और यह निर्धारित किया जाये कि गरीब आदमियों को हमें क्या सुविधायें देनी चाहिए, अर्द्ध सम्पन्न लोगों को क्या सुविधायें देनी चाहिए और सम्पन्न लोगों को क्या सुविधायें देनी चाहिए, या नहीं देनी चाहिए।

हम देखते हैं कि जिन लोगों के पास दिल्ली, बम्बई तथा कलकत्ता में बड़ी बड़ी कोठियाँ हैं, जो कारों में सफर करते हैं, शिड्यूल्ड कास्ट्स और शिड्यूल्ड ट्राइब्ज के नाम पर उन्हें कई प्रकार की सुविधायें मिलती हैं, परन्तु सवर्ण जाति के जिस गरीब आदमी के पास खाने के लिए रोटी भी नहीं है, उसको कोई सुविधा नहीं मिल सकती है, क्योंकि वह शिड्यूल्ड कास्ट्स या शिड्यूल्ड ट्राइब्ज का नहीं है।

इस लिए हमें इस व्यवस्था पर फिर से विचार करना चाहिए। और यह विचार जो भी रहा है कि लोगों को उनकी आर्थिक स्थिति के अनुसार सुविधायें दी जायें। जो अभावग्रस्त व्यक्ति है, वह है वह किसी भी जाति का हो, उसे सुविधायें दी जायें।

हमने कुछ जातियों को शिड्यूल्ड कास्ट्स और शिड्यूल्ड ट्राइब्स ने रखा है। मेरे पास दबल और चारण जातियों के लोगों के रिप्रेजेंटेशन पड़े हुए हैं। वे कहते हैं कि वे शिड्यूल्ड कास्ट्स में नहीं रहना चाहते हैं। लेकिन सरकार ने उन्हें जबदन्ती अनुसूचित जातियों में रखा हुआ है।

तो जहाँ हम प्रकार की स्थिति पैदा होती है . . .

श्री सुरज भान : (अम्बाला) हमारे पास भेजा जो निकलना चाहते हैं। कमेटी बनी हुई है इस के लिए।

श्री एल० एल० सोमानी : धर भेजेंगे।

जहाँ एक ओर हम यह सोचते हैं कि हम यह भेद समाप्त करें, हम सब लोग भारतीय हैं चाहे हिन्दू हों, चाहे मुसलमान हों, चाहे और किसी भी जाति के हों, वहाँ इस तरह से भेद पैदा करना किम प्रकार उचित हो सकता है? भेद कर के काम करना है तो हम उनकी आर्थिक स्थिति के अनुसार और उन के अभावों के अनुसार इस प्रकार की व्यवस्था करनी चाहिए।

श्री सुरज भान : आप इक्वेड नहीं कर सकते हैं। गरीब बाह्य के साथ छुड़ाऊँ होता है क्या?

श्री एल० एल० सोमानी : आप जो बात कह रहे हैं कि बाह्य के साथ या सर्वत्र जातियों के साथ छुड़ाऊँ नहीं होता, तो जो परम्पराएं बनती हैं वे हैं उन पर प्रहार करिए . . .

श्री सुरज भान : हाँ, तो उन पर दोढ़ी प्रार पड़ती है कि वह गरीब भी हैं और अछूत भी हैं।

श्री एल० एल० सोमानी : संकराचार्य जी नलत बातें मांगते हैं तो उन पर प्रहार करिए। परन्तु उस के कारण एक प्रश्न खड़ा करके आप समाज की मूल धारा से अलग होकर चलना चाहते हैं तो मैं समझता हूँ कि यह उचित नहीं होगा। आज 41-4 शिड्यूल्ड कास्ट और शिड्यूल्ड ट्राइब्स कितने वर्षों के लिए बने रहना चाहते हैं? . . .

श्री सुरज भान : जब तक उन की हालत सुधरती नहीं है तब तक देना पड़ेगा।

श्री एल० एल० सोमानी : वह स्थिति तो कभी होने वाली नहीं है क्योंकि . . .

श्री सुरज भान : नहीं होगी तो बराबर चलना रहेगा।

श्री एल० एल० सोमानी : आज आप यह मांग कर रहे हैं, आगे दूसरी मांग बराबर चलती रहेगी।

श्री सुरज भान सिंह : यद्यपि (प्रश्न) आप यह कहिए कि समाज के ऊँच नीच का भाव है वह समाप्त हो, आरक्षण नहीं।

श्री एल० एल० सोमानी : हम बंजह में जो एक मानवैज्ञानिक बात है वह मैं कहने चाहता हूँ। माननीय सत्य नाराज न हों। मैं उन से अनुरोध करता हूँ कि जो विचार में मन में है उसे कहने का मुझे अधिकार है। आप को उसे सुनना चाहिए।

मैं यह कहना चाहता हूँ कि आज किसी व्यक्ति के सामने जब यह बात आती है, चाहे वह हमारे लोक समाज के सदस्य हों शिड्यूल्ड कास्ट और शिड्यूल्ड ट्राइब्स के, वह किसी समाज में जाकर खड़े होते हैं और कही उस में वह हुआ होता है कि यह शिड्यूल्ड कास्ट या शिड्यूल्ड ट्राइब्स के एल०पी० हैं तो एक मानवैज्ञानिक प्रभाव इसका पड़ता है और मैंने कई जगह इस बात का अनुभव किया है। मुझे कुछ हुआ इस बात का कि यह हमारे माननीय सदस्य हैं संसद के और इस के बावजूद यह सभी पैदा होती है, लोगों के अंदर एक दुरास पैदा

होता है। एक दूरी पैदा होती है, यह अनुचित बात है। इस प्रसंग में मैं यह कहना चाहता हूँ, हमारे माननीय सदस्य शायद इस में मुझ से सहमत नहीं होंगे, लेकिन मैं यह कहना चाहता हूँ कि आर० एस० एस० इस मामले में देश में एक बहुत बड़ा काम कर रहा है, इस दजह से कि वहाँ पर छः छ सौ, आठ आठ सौ और हजार आदमी इकट्ठे होते हैं, उन में कौन हरिजन है, कौन शेड्यूल्ड कास्ट का है, कौन शेड्यूल्ड ट्राइब का है या कौन ब्राह्मण है, कौन वैश्य है, कौन महाजन है, कुछ पता नहीं लगता। सब साथ बैठने है, साथ उठने हैं, साथ साथ सभी तरह के काम करते हैं। इस तरह से एक बहुत बड़ा काम आर० एस० एस० इस देश में कर रहा है। इसलिए मैं यह निवेदन करना चाहता हूँ कि यह जो एक मनोवैज्ञानिक प्रभाव पड़ता है, इस को मैं चाहता हूँ कि माननीय सदस्य सूरज मान जी भी समझें कि इस को दूर करना चाहिए।

आप ने जो आरक्षण की व्यवस्था की है, इस आरक्षण की व्यवस्था को देखने के लिए आप ने आयोग बनाया जो सारे उन के अधिनारों कि व्यवस्था करेगा, में उस का विरोध नहीं कर रहा हूँ। यह बहुत अच्छी बात है कि आप संवैधानिक संरक्षण सारे प्रबंधनों को दे रहे हैं परन्तु एक बात जो सरकारी कर्मचारियों से बात करने पर पता लगी है वह मैं कहना चाहता हूँ। हमारे कुछ मिला कह रहे थे कि नौकरियों में जो रिजर्वेशन है वह पूरा उन को नहीं दिया जाता। मैं चाहता हूँ कि उस की पूरी तरह से पाबन्दी होनी चाहिए और जो व्यवस्था आप ने कायम कर रखी है उस के अनुकूल उन लोगों को नौकरियों में प्राथमिकता मिलनी चाहिए। परन्तु इस प्राथमिकता के आक्षार पर क्या होता है, राजस्थान में भी कुछ लोगों ने मुझ से कहा कि शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब के जो लोक चार साल से नौकरियों में आए थे दस साल या ४ साल से जो उन नौकरियों में काम कर रहे थे, इस आरक्षण की पद्धति

के कारण, उन के ऊपर हो गए यानी जो एक अधिकारी के सर्वाडिनेशन में काम कर रहे थे वह उन के आफिसर बन जाते हैं और जो आफिसर थे वह उन के सर्वाडिनेट बन जाते हैं। इस कारण प्रशासनिक कार्य में एक फस्टेशन आता है। आज कई अधिकारी इस फस्टेशन के कारण प्रशासन को ठीक तरह से नहीं चला पा रहे हैं। एक नहीं सैकड़ों उदाहरण ऐसे मिल सकते हैं जहाँ पर कि इस प्रावधान के कारण वह लोग अधिकारी बन गए और जो अधिकारी थे वह सर्वाडिनेट बन गए। इसलिए मैं यह चाहूँगा कि इस आरक्षण के बाद जो प्रमोशन दिया जाता है वह सारा प्रमोशन मेरिट्स के आधार पर दिया जाये ताकि किसी प्रकार का फस्टेशन लोगों में पैदा न हो।

इसी दजह से मैं यह निवेदन कर रहा था कि यह देश को आगे बढ़ाने के लिए अच्छा कदम होगा यदि हम जाति के आधार पर विभाजन करने के बजाय बेचल अमीर और गरीब का विभाजन करें और गरीब आदमियों को सब सुविधाएं दे कर उस वर्ग को ममाप्त कर दें उन को भी सब को हम अमीर बना दें, एक वर्ग इस देश में अदर बना दें—अमीर। सारे लोगों को सुख-सुविधाएं दे दें। इस तरह से हम एक नये समाज का निर्माण देश में कर सकते हैं, वरना यह अल्पसंख्यकों की बात या शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब की बात, यह हमारे देश को आगे बढ़ाने में कभी सहायक नहीं हो सकती, ये देश से जातिवाद को समाप्त करने में कभी सहयक नहीं हो सकता। इसलिए मैं विनम्र शब्दों में निवेदन करना चाहता हूँ कि आज नहीं तो आने वाले कुछ वर्षों से हम इस बात के ऊपर विचार करें। अगर हम देश को आगे ले जाना है और सभी लोगों को समान अवसर देना है तो यह नहीं होना चाहिए कि इस देश में सबों जाति का भूखा व्यक्ति तो कोई सुविधाएं नहीं प्राप्त कर सकता परन्तु शेड्यूल्ड कास्ट और शेड्यूल्ड ट्राइब का सर्व-सम्पन्न व्यक्ति, मैंने जैसा निवेदन किया कौटियों और कारी वाला व्यक्ति इस नाम से सारी सुविधाएं प्राप्त कर सकता

३। यह उचित नहीं होगा।

इस सिलसिले में मैं एक उदाहरण राजस्थान का अल्पोदय योजना का देना चाहता हूँ। उस अल्पोदय योजना के अंदर अत्येक गाँव में से पाँच-पाँच गरीब परिवारों को छाँटा गया है। लोयस्ट परिवार, को छोटा गया है। वह ब्राह्मण है, हरिजन है, सर्वण हैं वैश्य हैं या किसी भी जाति के हैं इस बात को नहीं देखा गया है। जो गरीब परिवार, हैं उनको छोटकर आगे बढ़ाया जा रहा है। क्या सारे देश में आप इस प्रकार की व्यवस्था नहीं कर सकते हैं? आप कर सकते हैं।

आयोगों के खर्चों के लिए 25 लाख की राशि रखी है जो मैं भ्रमरता हूँ और भी बढ़ सकती है। प्रशासनिक आदेश से आपने जो कमीशन गठित किया है वही काम कर रहे हैं। उन पर इतनी घनराशि खर्च करके उसी अनुपात में लाभ भी ही भोगेगा इन्हीं मुझे शंका है।

आप देश में एक नया विचार चल रहा है कि गरीब और अमीर दोनों को एक स्तर पर लाया जाए। जो भी आर्थिक अभाव में अपना जीवन गुजार रहे हैं उनके लिए सारी सुविधायें जुटाई जायें कि वह चाहें किनी भी जाति के क्यों न हों। मैं समझता हूँ इसी प्रकार से इस देश को अधिक लाभ पहुंच सकता है।

इन शब्दों के साथ मैं आपको धन्यवाद देता हूँ कि आपने मुझे बोलने का अवसर प्रदान किया।

SHRI PURNANARAYAN SINHA (Tezpur): Mr. Chairman Sir, for the last two years some of us in this House have had the privilege of serving on a Committee appointed for the welfare of the Scheduled Castes and Scheduled Tribes. We had an opportunity to study the socio-economic and socio-political condition of the Scheduled Castes and Scheduled Tribes to some extent. It is expected that the Commissioner for Scheduled

Castes and Scheduled Tribes will act hand in glove with the Committee for the Welfare of Scheduled Castes and Scheduled Tribes. Still the findings of the Committee after non-official discussions and after visits to different areas in which the Scheduled Castes and Scheduled Tribes have gone in conflict with other communities or are living with their inherent, traditional beliefs and customs, are these; we have almost always felt that, perhaps, a stronger body, appointed by the Parliament or the Central Government, should go into the whole question of the lot of the Scheduled Castes and Scheduled Tribes after 32 years of our independence. There are traditions, there are superstitions, there are prejudices governing their lives. The three-fourth of the population who do not belong to the category of Scheduled Castes and Scheduled Tribes have still got people with equal amount of love and compassion towards the Scheduled Castes and Scheduled Tribes. Also the Scheduled Caste and Scheduled Tribe people should make efforts on their own to come up to the standard expected.

We have been to Burma, and we have seen the Burmese people. I may be permitted to observe that, if the Intelligence Quotient of the Burmese people where there are no Scheduled Castes/Tribes is compared to that of the people belonging to the Scheduled Castes and Scheduled Tribes in India, we will find that our people belonging to the Scheduled Castes/Tribes are more intelligent. They understand things much better than the general population of those countries, that is, Burma and other South East Asian countries. We say all of us are equals but there are more equals than equals. We have left out 15 to 20 crores of people unequalled. How were they neglected? We have experience in some matters like promotion from lower categories to higher categories. There are other things like area of consideration, zone of consideration, etc. There is still the most dangerous word for the Scheduled

Castes and Scheduled Tribes. That is suitability. If the people at the helm of affairs, i.e. the top executives do not consider a particular person aspiring for a higher post as suitable, he will, in spite of all your constitutional safeguards which protect his interests, not secure the promotion. This suitability clause is a dangerous clause for our people. If a section officer in the Central Secretariat is taken up, compared to a Secretary or a higher ranking officer in the Government of Burma, the standard of intelligence and efficiency prevailing in him will be better than his counterpart in other countries. If our people are considered to be unfit, these people who are considered inferior in intelligence, understanding, efficiency and the brain power compare to the Indian counterpart, are ruling the whole of South East Asia and other parts of Asia. If I may be permitted to say so, without casting any reflection, they are running their commerce, they are running their government as efficiently perhaps as our people who are on the higher ladders of the society calling themselves as born administrators and an inborn cultured people. They are running their administration perhaps much better. In Japan, the Japanese people are running an administration in which there is no poverty and no inflation but here we have not only poverty but also inflation.

Within the limited time I will say a few things about the Bill. The Bill which conceives replacing the Commissioner by a Commission is quite a good one in itself but it leaves many things. The Commissioner makes recommendations. We, the committee, go and inquire why a particular thing was not done, what is our recommendation and what is the action taken by the government on what the committee discuss. The Commissioner submits a report under the Constitution to the Parliament. It is discussed here. But what is happening? Simply expressions of feelings, sentiments and agonies and filling of records and creating some volumes but the

Scheduled Castes and the Scheduled Tribes remain where they were 25-30 years ago. Very little and significant improvement has come in their lives. This Commission will replace the Commissioner. "There shall be a Commission for Scheduled Castes and Scheduled Tribes." A one sentence law but the Commissions of Inquiry Act still governs the functions of the Commission. The Commission of Inquiry Act provides powers to the Commission as a civil court. But has the civil court got the power to compel the physical appearance of a person who is required to be examined? Has the civil court been able to conclude a case and pass a decree within six months or a year? The litigation goes on for years together. They never end. Take for example the Statements counter-statements, rejoinders, *per se* adjournments and taking down of evidence. Shrimati Gandhi went to Imphal to appear before the Trikha Commission. She appeared for one day after three or four times of futile attempts were made by the Commission to produce her before them. After hearing on the first day, she left. Why not give the powers to the Commission to get her back into the court or the Commission for the hearings to be completed?

This is the Commission of Inquiry Act. Provisions are there—they are like the snakes without poison or venom. The purpose for which these Commissions of Inquiry were appointed and the Commissions of Inquiry Act was brought runs counter to each other. Therefore, I would submit to the hon. Minister who is piloting this Bill to make provisions for another act in order to give the right or the purpose for amending the constitution of Minorities Commission and the Commission for Scheduled Castes and Scheduled Tribes. There should be a follow-up act. Sir, I have practised for quite some time. I would like to say that there must be another Act which will give the due powers necessary to the Commission for Scheduled Castes and Scheduled

Tribes and the Commission for the Minorities to enforce attendance of persons who are required by them for enquiries of different nature. Besides, there should be time limit also. Unless the Commission is given mandatory powers, there is no way of punishing the persons. Atrocities are prevailing against a particular community. I am of course in favour of this Bill; I am not opposing it; I support it. But this is incomplete. Some hon. friends have even suggested Special Courts Act. This Parliament has passed the Special Courts Bill.

MR. CHAIRMAN: You must now conclude.

SHRI PURNANARAYAN SINHA: Mr. Chairman, you denied me the time yesterday. You must give me time now.

MR. CHAIRMAN: That does not mean I should give you more. You have taken ten minutes. You try to finish it now.

SHRI PURNANARAYAN SINHA: I understand that the preamble in the Special Courts Bill is for dealing with the persons who have committed excesses after the proclamation of emergency, that is, during the emergency. This Special Court Bill is for that. There is no relationship with offences committed against the minorities. So, the Preamble runs counter to the provisions of the Special Courts Bill. You will please examine the Preamble again. The Special Courts Bill will not come into play at all after the passing of the Constitution Amendment Bill. So, my submission to the hon. Minister who is piloting the Bill or to the Government as a whole is that these two Commissions cannot do the functions of the Commissions because the Commissions of Inquiry Act provide for special occasions for which the Commission is appointed. This is a general Commission. This is a Commission for all times to come. There is no period fixed or particular subject assigned to it. Who will make a reference to

the Commission to enquire into? These provisions are to be followed by way of another Act. Therefore, I am insisting upon the practical proposition that by amending the Constitution which enables the Government to constitute Commissions, there should also be another act by which the Commission or Government will appoint a Tribunal.

Mr. Chairman, the Tribunals should be there in order to make the recommendations to be applicable for taking action. Here only the recommendations will come before us—they will be placed before the House. And we will debate on them for five hours or fifteen hours or so. Thereafter, no action will take place. Another Special Courts Bill will have to come. Therefore, for following up the appointments of the Commissions, there should be an act also authorising the Commissions to send particular cases to try the people by the tribunals, after instituting complaints against particular individuals or associations or communities, even particular Government authorities. Without that there will be no relief. The attitude today is this. I have one experience which I will narrate to you. Our Committee went to Koraput. Some of our members of Parliament were deemed to stay in the Guest House there, of the Dandakaranya Project. At 10 O'clock in the night we went there. Professor Mavalankar will be interested to know this. You will be surprised to know that there was not even a dog to bark! When we went there at 10 O'clock this was the position, not even a dog to bark not to speak of anybody receiving the Hon'ble Members of our Parliament? There should have been some person to receive them. They are supposed to stay there. But there was not even a dog to bark. This is the sort of treatment meted out to Members...

PROF. P. G. MAVALANKAR (Gandhinagar): They would not have found entry, if a dog was there!

SHRI PURNANARAYAN SINHA: Dog is against burglars and thieves and so on. I meant to say that there was not even a dog to bark against burglars and so on. I am only saying this to show to you that this is the way in which Members of Parliament were received. In the morning the Chairman of the Dandakaranya Development Authority came to me in the Circuit House and he said he was very sorry. But is that enough? This is a betrayal of their lack of social responsibility and human responsibility towards the poor, naked, and half-naked scheduled caste and scheduled tribe people of this country.

Sir, somebody was speaking about the R.S.S. I am not against the RSS.

करागे वसति ल.मी
करमध्वे म स्त्री
रामूले च गोविन्दः
प्रवासे कर दर्शनम्

They speak about Saraswati; they speak about Lakshmi. In the Dumka District of Bihar, in Deoghar subdivision, the Adivasis are dying of starvation and of disease. Do you not expect the RSS to go there and to work among them? They should definitely go there. Some hon Members have recited the tales of woe of the people there. Of course RSS is a social organisation. If there is any meaning to call them social organisation, they should go there and work among them there. This is my plea. I am not at all criticising their programme. Let them go out and work among them. Let people understand that RSS is really doing good work as a social organisation. Let them work among the Harijans and Adivasis. For the RSS, let me say, they are also nationalists and sons of Mother India. RSS should uplift them and make them feel that RSS is a social organisation interested in helping them. I expect the RSS organisation to work for the welfare and for the upliftment of all the people. Let them take up the cause of the scheduled castes and scheduled tribes people. Sir, if we had taken all the necessary steps so

far, there would have been no need at all for having the discussion now on the reports of the Commissioner for Scheduled Castes and Scheduled Tribes with such agony and tension.

PROF. P. G. MAVALANKAR: You give so much importance to RSS?

SHRI PURNANARAYAN SINHA: Yes, I give so much importance to it. I have great regard for them, for their workers, as a body of selfless and dedicated workers. I want the RSS to lift up these people who are lying low. That is my submission.

Then I wish to point out that there should be another Act which should follow this,—after making these provisions by amending the Constitution, in order to make the Commission more effective. We should give real powers to the Commission in order that they may appoint tribunals and decide the cases and punish those found guilty. The other day, in Imphal, Mrs. Gandhi did not appear before the Commission on the second day and she flew back to Calcutta and made a statement against the Commission. Therefore, the Commission should be given real powers for ordering the Police to arrest such people without releasing them on bail and bring them before the Commission for giving evidence. Otherwise the report of the Commission will be submitted to the President and it will be referred to this House for discussion which may continue for a long period. Perhaps it may be debated again and again for five to fifteen times. But the sufferings of the Scheduled Castes and Scheduled Tribes will remain for ever.

SHRI G. M. BANATWALLA: I would like to make a humble request that there is no Cabinet Minister present at the moment. I want you to make an observation to that effect and then we shall proceed. Please make an observation. We are discussing the question of minorities.

SHRI PURNANARAYAN SINHA: It is sufficient that the Minister of State in the Ministry of Home Affairs is present.

PROF. P. G. MAVALANKAR: What Mr. Banatwalla has said is correct, but it is not just a question of minorities. The question is that the House is discussing the Constitution Amendment Bill. It is a serious matter. On such an occasion, there should be a Cabinet Minister present. I know that Mr. S. D. Patil is there. The point is that the Constitution Amendment Bill has to be passed by a special majority of 2/3 Members present and voting and there should be an absolute majority for passing the Bill. Then why is it that a Minister of Cabinet rank has not been present all along?

SHRI KANWAR LAL GUPTA (Delhi Sadar): It is a matter of propriety.

PROF. P. G. MAVALANKAR: It is a matter of constitutional obligation. I do not want to count the number of Members present now and then raise another point of order. But certainly, a Cabinet Minister must be present when the Constitution Amendment Bill is discussed. I would like you to make an observation on this.

MR. CHAIRMAN: I am very much thankful to Mr. Banatwalla. I have to make the observation that in spite of the clear-cut intention of the House, this has been pointed out several times, on several occasions, at least for the last 2 or 3 days it has been insisted upon. I do not know what is coming in the way of hon. Cabinet Ministers. Anyway this is the observation which I can make.

PROF. P. G. MAVALANKAR: I would again say that it is also the duty of all hon. Members to be serious in this matter. I would say that also.

MR. CHAIRMAN: Now, Mr. Barrow.

SHRI A. E. T. BARROW (Nominated Anglo-Indians): Sir, this 46th Amendment Bill by a process of conversion is sought to be made into 45th Amendment Bill. This Amendment Bill seeks to legitimise the birth of the Minorities Commission. It appears that this Minorities Commission was conceived in sin and was almost

stagnated unwittingly or deliberately by the Janata matriarch at birth. I referred to the resignation of Mr. Minoo Masani and the near-resignation of Professor V. V. John. Mr. Minoo Masani was my respected colleague in Parliament for many years. A man of outstanding intellectual ability, a man with a distinguished career in public life. His resignation has been responsible for compelling Government to give statutory character to the Minorities Commission. His resignation was a dignified protest against the Minorities Commission being considered an appendage of Government, I mere instrument of Government. I would ask Government that either in the Act, or by an executive order instruction, this Commission should be given functional autonomy. It is essential that it should not become a mere department of the Home Ministry. I would also request that the tenure of Members of this Commission should be clearly defined, whether it is three years or five years, so that they know that within a limited period they will have to produce results.

14.00 hrs.

My friend, Shri Rachaiah, said yesterday that the task of the Minorities Commission has been increased, because it will have to deal, not only with linguistic minorities, but also with religious minorities and, therefore, sufficient experienced personnel should be made available to this Commission.

If I might remind this House, India is a land of minorities. Apart from religious minorities, the Hindi speaking people are a linguistic minority in certain States, Bengalis are a linguistic minority in others, Tamilians are a linguistic minority in the north; the Anglo-Indians are the only linguistic minority in every State. Thus, we are a land of minorities.

The problems are going to be innumerable and, therefore, there must be functional autonomy for the Commission, the tenure must be laid

down and there must be sufficient experienced personnel.

It is not generally known that Article 338 of the Constitution also makes a reference to the Anglo-Indian community. If you read section 3 of this Article, it makes a reference to the Anglo-Indian community. The history of these Commissions has, in my view, been not only wholly uninspiring but also utterly frustrating, routine ritualistic and ineffective. There are two crucial infirmities. One is the infirmity of being antediluvian. The reports are presented several years late and by the time they are taken into consideration by Parliament, the grievances have lost all relevance. The reports are like stale fish; odour, unpleasant; substance unpalatable. The second infirmity is that these reports are merely and purely recommendatory. There is nothing mandatory about the recommendations. The result is that Government, whether unwittingly or deliberately, allow the efflux of time to make the recommendations irrelevant. If the Government is not going to make the recommendations mandatory, the Government must give in writing and lay it on the table of the House the reasons for rejecting the recommendations of the Minorities Commission and the other Commission.

I also make a plea to Government to call an annual conference of the Chief Ministers, Education Ministers and the Members of these Commissions to go into the action taken on the recommendations of the Commission. It is essential that this is done. I want Government to lay down policy as to the treatment of minorities. There are no guidelines given to administrators on how they should deal with difficulties and complaints of the minorities. I consider that there should be two basic concepts in the treatment of minorities: the first is the principle of equality in fact and the second is the principle of differential treatment. A fundamental right in theory is hollow and meaningless;

it must be a right in fact, a tangible result. It must establish equality with the majority in fact, not only in theory if it is to be a living reality. I will give you two examples of this. When I was a young man, I went and saw a comedy called: *Gentlemen Prefer Blondes*. I am trying to distinguish between the symbolic and the real. This is what one of the ladies said: "A kiss on the hand is all very fine; But a diamond bracelet will last a lifetime." That is the difference between symbolism and reality. But I am not taking up the cause of the lady....

MR. CHAIRMAN: Why do you want to deprive her?

SHRI A. E. T. BARROW: I do not. I say that Article 30 gives minorities the right to establish and administer educational institutions. The Muslim community set up the superstructure and the infrastructure of a university but Government by its obstinate, obdurate and illogical approach will not confer minority status on Aligarh Muslim University. Here in verity is an illustration of a fundamental right in theory, not in fact.

The other principle which I would like to emphasise is that if minorities are going to have equality with the majority in fact there must be differential treatment in certain cases and this differential treatment will be justified. These two principles, I am referring to, are internationally accepted principles and they have been accepted by the Supreme Court. One of the recommendations of the Sub-Commission to the Commission on Human Rights contains these words:

"Protection of minorities is the protection of non-dominant groups, which, while wishing in general for equality of treatment with the majority, wish for a measure of differential treatment in order to preserve basic characteristics which they possess and which distinguish them from the majority of the population. The protection applies

equally to individuals belonging to such groups and wishing the same protection..."

I am glad the hon. Education Minister is here because in the Draft National Policy on Education, I should like this to be put in.

"...It follows that differential treatment of such groups or of individuals belonging to such groups is justified when it is exercised in the interest of their contentment and the welfare of the community as a whole."

In 1933 Albania sought to justify certain measures on the ground that they applied equally to the majority as well as to the minority communities. The League of Nations referred this to the International Court of Justice, and this is what the International Court of Justice said:

"There must be equality in fact, as well as ostensible legal equality, in the sense of the absence of discrimination in the words of the law. Equality in law precludes discrimination of any kind, whereas equality in fact may involve the necessity of differential treatment in order to attain a result, which establishes an equilibrium between different situations"

The Supreme Court in the Ahmedabad St. Xaviers College Society Vs the State of Gujarat case in 1974 have paraphrased and reiterated these principles in these words:

"...The problem of the minorities is not really a problem of the establishment of equality, because, if taken literally, such equality would mean absolute identical treatment of both the minorities and the majority. This would result only in equality in law, but inequality in fact. The distinction need not be elaborated for it is obvious that equality in law precludes discrimination of any kind; whereas equality in fact may involve the necessity of differential treatment in order to attain a re-

sult which establishes an equilibrium between different situations."

"It may sound paradoxical, but it is nevertheless true that minorities can be protected, not only if they have equality but also, in certain circumstances, differential treatment."

These two principles must be accepted by Government. As I have said, I am glad the Education Minister is here and I hope when I get an opportunity to speak on the Draft National Education Policy he will accept certain amendments which I hope to move in this respect.

What is the purpose of this equality in fact and differential treatment? I wish to emphasize that it is not to have a pampered or privileged section in society, but to instil in the minorities a sense of security and a feeling of confidence.

I say this to the Janata Party members here. You are moving, within your own Party from one crisis to another and the country unfortunately is drifting and is drifting dangerously. The situation at present has been defused by referring everything to the hon Prime Minister. Let the Ministers now turn their attention to their primary duty, which is to minister; and the word "minister" has to be taken in the Biblical sense. You must minister to the people. I appeal to the Ministers to remember the words of Milton when England was in a chaotic state "The hungry sheep look and are not fed". This is what is happening to the country today. The minorities are suffering from a sense of insecurity. You have denied the Muslims the minority character to their University their confidence is shaken. The Christians, as never before are agitated and angry because of the so-called Freedom of Religions Bill.

Finally I say this to the Janata Party: As Wisdom is justified by her works, so will the Janata Government.

श्री कंबोदलास मुव्त (दिल्ली सदर) : सभापति जी, मैंने अपने मिस्र का भाषण अभी सुना, उनका भाषण सुनकर मुझे आश्चर्य भी हुआ और दुःख भी हुआ। मैं आशा करता था कि सरकार ने जो मंशोधन सदन के सामने प्रस्तुत किया है उसका वे हृदय से स्वागत करेंगे परन्तु जो विचार उन्होंने व्यक्त किए—उन्होंने कहा कि बच्चा पैदा तो हो गया लेकिन भर गया—बच्चा पैदा तो हुआ और यह विशेषक जो है वह अनतिरिक्तानिक है, बच्चे को और ज्यादा मजबूत बनाने के लिए यह लाया गया है। इस विशेषक के लिए मैं सरकार को हार्दिक नवायो देना चाहता ह।

सभापति जी, इस विषय में दो कमीशनो के निर्माण की बात कही गई है— एक ग्रेडयुल्ड काम्टस, तथा ग्रेडयुल्ड ट्राइब्स के लिये और दूसरा माइन रिटर्ज के लिये। जहां तक ग्रेडयुल्ड वारंटस और ग्रेडयुल्ड ट्रेड्स का ताल्लुक है— इस इस बात को स्वीकार करते हैं कि आज में नहीं, सैंडो मालो में यह हमारे समाज के माथे पर हमारे ही कारण से एक कलंक है। इन्मान इन्मान में भेद करना इन्मानियत नहीं है। दुख की बात यह है कि 30 सालों की आज की के बाद भी हम इस कलंक को मिटा नहीं पाये। यह एक अच्छी बात है और मैं सरकार को बधाई देना चाहता हूँ—हमारे संविधान के निर्माताओं ने ग्रेडयुल्ड काम्टस और ग्रेडयुल्ड ट्राइब्स के लिये संविधान में कुछ नेफगांड्स रखे थे और हमारी जनता पार्टी ने पावर में आने के बाद उन नेफगांड्स को पूरा करने के लिये कमिशनो के निर्माण के लिये संविधान में दोबारा मंशोधन करने का प्रयास किया है। इस में केवल नेफगांड्स की ही बात नहीं है, बल्कि कमीशन के फंक्शन को बहुत बाइड बनाया है, उनको पावर दी गई है। अब इस में ऐसी व्यवस्था की जा रही है कि राष्ट्रपति किसी भी मामले को उन्हें सौंप सकते हैं और कमीशन भी यदि स्वयं किसी मामले को लेना

चाहे तो ले सकता है। इसके लिये मैं सरकार का धन्यवाद करता हूँ और बधाई देता हूँ।

एक बात मैं जरूर कहूंगा कि पिछले तीस सालों में जो सरकार यहां पर रही—उन के सामने भी ये रिपोर्ट आती थी, लेकिन वे मूज की रीशनी नहीं देख पायी थी। मैं अपने उन मित्रों से पूछना चाहता हूँ। जो पहले यहां राजगद्दी पर बैठे थे—ग्रेडयुल्ड काम्टस और ग्रेडयुल्ड ट्रेड्स के लिये वे ग्रॉस तो जरूर बताते थे लेकिन रिपोर्ट में उन्होंने धूप में लाकर नहीं रखा, उन पर विचार करने का तो मवाल ही पदा नहीं होता। लेकिन जनता पार्टी के आने के बाद इन रिपोर्ट्स पर रूची हो रही है और इतना ही नहीं हमारा अपनी पार्टी के लोग इस बात को बहुत जोर में कहते हैं।

लेकिन एक बात मैं सरकार से जरूर कहना चाहूंगा—संविधान बनने के बाद पिछले तीस सालों में संविधान में जो सेफ गार्ड्स दिये गये हैं—उनके कोई माइनिटिक स्टैंडो होना चाहिये। पिछले तीस सालों में सरकार ने ग्रेडयुल्ड वारंटस और ग्रेडयुल्ड ट्राइब्स के लिये जो पग उठाये उनका समाज पर क्या इम्पैक्ट पड़ा—इसका माइनिटिक स्टैंडो होना चाहिये इस में कोई सन्देह नहीं कि आहिस्ता-आहिस्ता अगर जरूर हो रहा है और सब बड़ा अगर आज मैं यह मानता हूँ कि सैंडो मालो से जो लानता चली आ रही थी, पहली बार चार। शंकराचार्यों ने मिल कर यह कहा कि हम छुप्राठूत की बीमारी को देश से खत्म करना चाहते हैं। यह एक बहुत बड़ उपलब्धि है। अभी तक यह हुआ था—ये शंकराचार्य ऐसा करते थे कि इस मन्दिर में यह जायगा वह नहीं जायगा, लेकिन अब शंकराचार्यों ने, जो हिन्दू धर्म का धरिस्टी माने जाते हैं, पहली बार कुम्भ के मुले पर बिश्व हिन्दू परिषद के सम्मेलन में यह कहा कि हम अनबेबिलिटा के खिलाफ देश में एक जहूद खड़ा करना चाहते हैं। इस का मतलब यह है

है कि आहिस्ता आहिस्ता हम घबरे जा रहे हैं, लेकिन प्रगति जितनी होनी चाहिये थी, उतनी नहीं है, गति जितनी होनी चाहिये थी, उतनी नहीं है। यह गति कैसे धार्येगी— मेरे अपने विचारों में इस के लिये दो चीजें जरूर होनी चाहियें— एक तो यह कि जब तक इन लोगों की आर्थिक अवस्था ठीक नहीं होगी, तब तक यह बीमारी चलती रहेगी,। आज बाबू जगजीवनराम जी को कोई हरिजन नहीं कहता कोई नहीं कहता कि हम आप को खाना नहीं खिलाएंगे। इसलिए जरूरत इस बात की है कि हम इस पिछड़े हुए वर्ग, क गरीब पिछड़े हुए वर्ग जो सैकड़ों सालों से हमारी ब-ह से भ्रम बत में हैं, आर्थिक स्थिति ठीक करे। हमारा जो इकोनामिक मिनिस्ट्रीज है चाहे वह पेट्रोलियम की हो, चाहे वह फाइनेन्स की हो, चाहे वह इंडस्ट्रीज के ही या कोलममाइन्स की हो, जितन भी इकोनामिक मिनिस्ट्रीज हैं, वे इस प्रकार की योजना बनाएँ जिन में शेड्यूल्ड कास्टम और शेड्यूल्ड ट्राइब्स के लोगों को ज्यादा से ज्यादा लाभ मिले और उन को जो आर्थिक अवस्था है वह जो आज समाज में हमारे लोगों की आर्थिक अवस्था है, उस के बराबर आ जाए। इस के लिए एक व्यापक योजना बनाई जानी चाहिए। जब तक आर्थिक अवस्था ठीक नहीं होती है, तब तक दस, पांच मंत्री बना दिये या मेम्बर आफ पार्लियामेंट बना दिया उन को कुछ पदों पर बैठा दिया, इन से कोई लाभ होने वाला नहीं है। आर्थिक अवस्था साधारण लोगों की ठीक होनी चाहिए।

दूसरी बात जो मैं कहना चाहता हूँ वह यह है कि यह बीमारी तभी दूर होगी जब समाज के इस भंग में शिक्षा का ज्यादा भरपूर होगा। अर्थ शिक्षा का प्रभाव बहुत कम है। शिक्षा मंत्री जी भी यहाँ पर हैं। मैं उन से कहना चाहूँगा कि इन लोगों को शिक्षा के सुविधाएँ देने के लिए स्पेशल कोचिंग सेंटर हर एक राज्य में खोले जाएँ जहाँ पर वे कम्पीटिटिव एग्जामिनेशन्स के लिए तैयारी कर सकें। उन की यहाँ पर नपरीक्षाओं के लिए तैयारी

करवाई जानी चाहिए और वहाँ पर मुफ्त में कपड़े वैसे दिये उन लोगों की कॉचिंग का इतनाम होना चाहिए। जब तक ये दोनों चीजें ठीक नहीं होती हैं तब तक ये ऐसे हूँ बने रहूँगे और जितनी जल्दी इन चीजों को किया जाएगा, मैं समझता हूँ उतनी ही अच्छा होगा।

कन्वर्टम के बारे में कहा गया कि जिन्होंने धर्म परिवर्तन कर लिया है, उन को भी हरिजनों को दी जाने वाली सुविधाएँ देनी चाहिए। मैं इस के खिलाफ हूँ। मैं समझता हूँ कि जब एक आधमी ने अपना सोशल स्टेटम बदल लिया तो उस को कोई हक नहीं होना चाहिए कि वह उन सुविधाओं को ले। मैं इसके खिलाफ हूँ। ये सुविधाएँ केवल उन्हीं को मिलनी चाहिए जो शेड्यूल्ड कास्टम और शेड्यूल्ड ट्राइब्स के हैं। दूसरों के लिए यह नहीं होना चाहिए। एक बात मैं और कहना चाहता हूँ और वह यह है कि हम कमीशन का जो इस समय दायरा है, वह बढ़ाना चाहिए। कमीशन की जा रिपोर्ट आयागी, मैं नहीं चाहता, कि वह सरकार के ऊपर धाड़ेंगा हा। अगर सरकार पर वह बाइडिंग होगी तो वह ठीक बात नहीं होगी। किसी भी कमीशन की रिपोर्ट सरकार पर बाइडिंग नहीं हाती हूँ वह तो एडवाइजरी हाती है, रिक्मेण्डेटरी हाती है लेकिन मैं यह जरूर कहना कि सदन के सामने जो कमीशन की रिपोर्ट आए, उस के साथ एक्शन टेकन रिपोर्ट भी सदन के सामने आनी चाहिए। उस कमीशन की रिपोर्ट पर सरकार ने क्या कार्यवाही की है, वह एक्शन टेकन रिपोर्ट भी सदन के सामने जरूर लाई जाए। इस कमीशन के बारे में मेरा दूसरा सुझाव यह होगा कि इस कमीशन को कुछ आर्थिक पावस मिलनी चाहिए जैसे कमीशन आफ इन्वैस्टिगेशन के अन्दर कमीशन को यह अधिकार है कि किसी आधमी को वह बुला सकता है बिटमैक के रूप में तो इस के भी कुछ कमीशन आफ इन्वैस्टिगेशन की तरह

के अधिकार होने चाहिए ताकि वह एक जूडीसस डिसिजन ले सके अन्यथा जब तक वह जूडीसस डिसिजन नहीं ले सके, तब तक कोई कार्यवाही नहीं हो सकेगी।

तीसरी बात यह है कि इन्होंने माइनोरिटी कमीशन बैठाने की बात कही है। मैं समझता हूँ कि एक बहुत बड़ा कदम है और मैं तो यह कहूँगा इट इज ए फदर आन दि कैप आफ जनता गवर्नमेंट क्योंकि 30 वर्षों में यह पहली गवर्नमेंट है, जिम ने इस प्रकार का माइनोरिटी कमीशन बैठाया है, सेक्टर की तरफ से यह माइनोरिटी कमीशन बैठाया गया है। ये लोग इतने साल तक राज्य करते रहे आस भी इनके लिए बढाने रहे, गीत आज भी गाने है लेकिन इन्होंने कुछ नहीं किया। चव्हाण साहब ने परमो खूद कहा कि हमने गलती की अलीगढ़ मुस्लिम यनिवर्सिटी को माइनोरिटी कारेक्टर न दे कर। कांगी वाले भी कहते हैं कि हम ने गलती की थी। लेकिन यह सगोत्रन किम ने किया? हमने किया। हमने कोई गलती नहीं की। हम आज भी कहते हैं कि माइनोरिटी कारेक्टर या हिन्दू या मुस्लिम का मवाल नहीं होना चाहिये हम उसके खिलाफ है। अगर मुस्लिम कल्चर को आगे बढाने के लिए सरकार को कुछ इंतजाम करना है, क्रिश्चियन कल्चर के लिए कुछ करना है, हिन्दू कल्चर के लिए करना है तो उसके लिए सरकार अलग से मदद करे उसे मूलमानों के लिए देवदंड है।

That is, a cultural place where Muslim students come and read about their culture. I want that the Government should support it financially and otherwise. Similarly, there may be some centres for Christian culture; there may be some centres for Hindu culture, I am prepared to go to that extent that the Government should support all of them financially and

otherwise. But so far as the universities are concerned, you should improve the academic standard, not that this is a Muslim University or a Hindu University or a Christian University. I do not see any reason in that except the sentiments, nothing else. We should not be guided by the sentiments. Are we serving the Muslim minority by all this? I say, emphatically, no. You are not serving the Muslim minority; you are not serving the Christian minority. These are only sentimental things.

मेरा कहना यह है कि अलीगढ़ यनिवर्सिटी का जो किस्सा हुआ है क्या वह हिन्दू मुस्लिम रायट था? आज तो आगको पता चल गया है कि नहीं था। हमने यहाँ पर बहम की प्रींग उमको कम्पुनल क्लर दिया। अपने पोलिटिकल स्वार्थों के कारण हमने उसे इस तरह का बना दिया। बाद में जा कर कम्पुनल रायट इसको हम ने बना दिया पहले नहीं था यह कामिशन जो बैठे वह इस बात की तरह में भी जाए, गाड्डलाज भी दें पालिटिगियज के लिए भी दे कि उनको क्या बोलना है और क्या नहीं बोलना है। केवल पालिटिकल एड्स को पूरा करने के लिए, कुछ बोटम लेने के लिए हर चीज को पालिटिकल क्लर जो हम दे देते हैं यह बहुत दुख दायी है। मेरे पास दादरी से चालीस पचास लोग आए उन्होंने कहा कि हमने समाचार पत्रों में यह सब कुछ पढा है। क्या सारी की सारी पार्लियामेंट ऐसी है कि जिन को तथ्यों के बारे में बिल्कुल भी मालूम ही नहीं है? क्या यह कोई हिन्दू मुस्लिम झगडा था? नहीं था। क्या पार्लियामेंट में ऐसा कोई घादमी नहीं है जिस को यह सब मालूम हो? यहाँ क्या होता है? यहाँ एक सेवशन है जिम की कोशिश है—मैं कंसिप्रेसी कहूँगा—कि जनत पार्टी से माइनोरिटी को अलग कर दिया जाए और यह वातावरण पढा कर

[श्री कंवरलाल गुप्त]

दिया जाए कि जनता पार्टी के राज्य में माइनोरिटीज सुरक्षित नहीं है हालांकि जनता पार्टी ने ही पहली बार माइनोरिटीज में विश्वास पैदा करने के लिए, उनकी सिक्थोरिटी के लिए यह कमिशन एन्वाइट किया है। आपकी हमारी नीयत पर शुभह करने की जरूरत नहीं है। यह बहुत बड़ा कदम हमने धाये बढ़ाया है। मैं हिन्दू, मुस्लिम या क्रिश्चियन किसी भी कम्युनिज्म के खिलाफ हूँ मैं पूछना चाहता हूँ कि क्या यह सच नहीं है कि अलीगढ़ मुस्लिम यूनिवर्सिटी जो थी जिम् ने मुक्क का बटवारा करवाया? क्या आप इसमें इन्कार कर सकते हैं। कुछ लोग हैं जो कहते हैं देश में एक ही कम्युनिज्म है। जितने हम राजनीति में काम करने वाले हैं Let us have a political consensus Whether it is a Hindu communism . .

AN HON. MEMBER. Communalism, not communism.

SHRI KANWAR LAL GUPTA I mean, communalism Whether it is a Hindu communalism or a Muslim communalism or any other communalism, it should be condemned with all the force Not that one-sided communalism should be condemned Unfortunately, what is going on is just to get votes, just to catch votes (Interruptions)

SHRI C N VISVANATHAN (Tiruppur): He is a Communist.

SHRI KANWAR LAL GUPTA: I am sorry, but I equally condemn both. (Interruptions) Let us have a trial of strength, we don't mind; we are prepared for that. And about Communism, I prefer a good Muslim a good Christian and a good Hindu to a Communist.

SHRI C. N. VISWANATHAN: Mr. Banatwalla is a good Muslim.

SHRI KANWAR LAL GUPTA: Yes minus his communalism he is much better than a Communist.

मैं कहना हूँ कि हम जो राजनीति में काम करते हैं हम कोलते हैं कोई ऐसी बात न बोलें जिससे एक छर्म में बहुत ज्यादा खार्ड हो जाए जिसमें एक कास्ट की दूसरी कास्ट से लडाई हो जाये, एक राज्य की दूसरे राज्य से लडाई हो जाय। हमें राजनीति में समय से काम लेना चाहिये। इसलिये मैंने कहा कि पार्टी का सत्ता नहीं है, एक नेशनल काग्रेसनैस डेवलेप होनी चाहिये, उसके लिये कुछ गाइडलाइन्स तय होनी चाहिये और उनको सरकार को भी तथा अपोजीशन पार्टी को भी मानना चाहिये।

जिम विल का जित्र मेरे दोस्त ने किया मैं समझता हूँ उनको इनना आन्दोलन करने की जरूरत नहीं है। प्राइवेट मेम्बर विल यहा तो ऐसे भी धाये हैं कि क्रिकेट खेनने के लिये केवल डेढ घंटे ही होने चाहिये। उम पर पूरा शोर नहीं मचाया। मेरा नम्बर तीमरा है और उनके विल का नम्बर 14 वा है। लेकिन यह शोर भी पोलिटिकल है, उसमें कोई दम नहीं है। अगर कोई आब्रैक्शनबिल बात है तो आप हमें बताइये हमें उसको दूर करने के लिये तैयार हैं सरकार भी दूर करने के लिये तैयार है। हम कोई ऐसा कदम नहीं उठाये जिसमें माइनोरिटीज के ऊपर किसी प्रकार का अविश्वास हो, उनमें इनसेक्थोरिटी पैदा करे। लेकिन हूब चाहेंगे कि जो माइनोरिटीज के लीडर्स हैं मैं, माइनोरिटीज को खराब नहीं समझता, लेकिन लीडर्स उनको गुमराह करके कम्युनिज्म कर दे कर देश में इस तरह का अतावरण पैदा करना चाहते हैं जिससे वहां अस्थिरता हो और जनता पार्टी से दूर कर के माइनोरि-

रिटीय के लोच एक ऐसी जनह
 कर्तव्य यहाँ 19 नहीने पहले जेन में रहे
 इमरजेंसी में । उस समय श्री बनारस-
 माला की खदान नहीं खुलती थी ।
 प्रचार बोलनी हो तो अन्दर । उस समय
 सब बन्द थे ।

श्री जी अम बलत वाला : (युवा)

(नानी) : मेहनत और आशीर्वाद में
 बहुत लड़ना पड़ा - यहाँ पर मुसलमानों के
 सम्बन्ध में जिन सार्वजनिक स्थानों पर
 अज्ञान है - आप लोक सेवा की दृष्टि
 अज्ञान को दूर करें - मुसलमानों के
 सम्बन्ध में जिन सार्वजनिक स्थानों पर
 यह आप को पूरा करने दे दें - मेहनत
 सार्वजनिक स्थानों में आप को करना
 है - आप को आवाज देना और बन्द
 कराने के लिए - और लोक सेवा की दृष्टि
 में अज्ञान को दूर करना है -
 और न्याय वाला है -

†[श्री ज. ए. न. त. ब. ल. : (पी. ए. ए.)
 मैं महाराष्ट्र असेम्बली में बहुत लड़ता
 था । यहाँ पर मुसलमानों के सम्बन्ध
 में अज्ञान से 5 बराबर आवाज
 उठाते रहे हैं । आप लोक सेवा की
 दृष्टि उठा कर देखिये । मुसलमानों
 के सम्बन्ध में श्री सुलेमान सेठ कदम
 कदम पर उसको आपोज करते रहे हैं,
 मैं महाराष्ट्र असेम्बली में आपोज करता
 रहा हूँ । आपकी आवाज जरूर बन्द थी,
 और स्टैरेलाइजेशन के आप हारी बन कर
 आये हैं । अगर एक भी उसके मुख-
 निकट था तो मुसलमानों की भी और
 अज्ञानता था ।]

श्री कान्वर लाल गुप्ता : मैं कहना
 चाहता हूँ कि यहाँ इमरजेंसी के दिनों

में जो तुरन्तान गेट में हुआ, किसी ने
 एक शब्द नहीं बोला ।

श्री जी अम बलत वाला : (युवा)

जिन सार्वजनिक स्थानों पर
 अज्ञान है - आप लोक सेवा की दृष्टि
 अज्ञान को दूर करें - मुसलमानों के
 सम्बन्ध में जिन सार्वजनिक स्थानों पर
 यह आप को पूरा करने दे दें - मेहनत
 सार्वजनिक स्थानों में आप को करना
 है - आप को आवाज देना और बन्द
 कराने के लिए - और लोक सेवा की दृष्टि
 में अज्ञान को दूर करना है -

†[श्री ज. ए. न. त. ब. ल. : (पी. ए. ए.)
 तुरन्तान गेट की स्पीचिंग यहाँ रिकार्ड में
 मौजूद है आप उनको देख सकते हैं ।]

MR. CHAIRMAN: You are unneces-
 sarily raising all these questions
 which are not connected with the
 Bill. You have already taken more
 than twenty minutes.

SHRI KANWAR LAL GUPTA: This
 is very much relevant.

MR. CHAIRMAN: May be, but more
 time will not be allowed.

श्री कान्वर लाल गुप्ता : मैं समाप्त
 कर रहा हूँ । मैं कहना हूँ कि केवल
 कमीशन से काम होने वाला नहीं है ।
 हम एक गाइडलाइन बनाये जिससे सब
 पोलिटिकल पार्टियाँ, लीडर्स गाइड हों ।
 तब इस कमीशन का फायदा होगा,
 नहीं तो केवल कमीशन बनाने से सारी
 समस्याएँ हल हो जायें, यह तो हो नहीं
 सकता । लेकिन यह कमीशन अपनी
 जनह एक बहुत अच्छा कदम है । उसके
 लिए मैं सरकार को बधाई देता हूँ ।

श्री ए. ए. न. त. ब. ल. (सलेमपुर) :
 सभापति महोदय, अभी मैं अपने अच्छे
 हिन्दू मित्र का आग्रह सुन रहा था,
 और एक अच्छे मुसलमान के साथ उनकी
 नोक-झोंक भी सुन रहा था । अभी
 सार्वजनिक सदस्य ने कहा कि एक अच्छे
 हिन्दू और एक अच्छे मुसलमान को वह
 एक कम्युनिस्ट से अच्छा समझते हैं ।
 अभी एक अच्छे हिन्दू बोल रहे थे और

एक अच्छे मुसलमान उन्हें टोक रहे थे, और हम चुन रहे थे। हमको अपने मित्र, उत्तर प्रदेश जनता पार्टी के अध्यक्ष, श्री अम्बास अली की एक कहावत याद आ रही है: "हम तुम को कहें हाजी, तुम हम को कहो हाजी, पर है सचमुच दोनों पाजी।" चाहे कोई हिन्दू साम्प्रदायिक हो और चाहे कोई मुस्लिम साम्प्रदायिक हो, अगर वह साम्प्रदायिक है, तो वह पाजी है।

मैंने कल बताया था कि हमको सब से ज्यादा हैरत यह हो रही है कि अभी इस देश को हिन्दू राष्ट्र बनना है। जवाहरलाल नेहरू से लेकर मोरारजी देसाई तक कोई हिन्दू नहीं था। हम बहुमत के लोग हिन्दू नहीं थे। अब कोई नया लोकतंत्र बनेगा, कोई नया हिन्दू राष्ट्र और नया हिन्दूवाद बनेगा, और उसमें हम लोग नये हिन्दू बनेंगे और वही स्थिति होगी, जो पाकिस्तान में हुई है। पाकिस्तान में जुधफिकार अली भुट्टो मुसलमान नहीं थे। वह, अब नये मुसलमान बन रहे हैं। ईरान में भी नये और असली मुसलमान अब आये हैं, पहले वहाँ असली मुसलमान नहीं थे। यह बड़ी अचंकर बात है। मैं उसमें नहीं जाना चाहता हूँ। लेकिन मैं सिर्फ इतना ही कहना चाहता हूँ कि हमारे विभाग बहुत साफ रहने चाहिए, और जो कोई समस्या हो, उसको हम उसी प्रकार से देखें, उसमें हम बढ़ाये घटाये नहीं, और हर मामले को हिन्दू और मुसलमान की दृष्टि से न देखें।

यह जो संविधान (संशोधन) विधेयक आया है, उसमें आयुक्त के कर्तव्य तो सब जिनो विदे गये हैं। वह कौन कौन काम करेगा, यह सारा बोझ आयुक्त पर

डाल दिया गया है। आयुक्त पर कर्तव्यों का बोझ तो इतना डाल दिया गया है कि शायद वह बेचारा मर जाये। लेकिन उन कर्तव्यों का निर्वह करने के लिए उसके अधिकार क्या है, यह तो बताया जाये। अधिकार-रहित कर्तव्य नपुंसक बना देता है और कर्तव्यहीन अधिकार राक्षस बना देता है। जब इस विधेयक में आयुक्त को कोई अधिकार है ही नहीं, तो यह अक्षय-रदन है। हम स्वागत करते हैं एक सरकार एक कदम आगे बढ़ी है और वह "कमीशन" के आगे "ई प्रार" जोड़ कर उसको "कमिश्नर" बना देगी। लेकिन इस काम को पूरा करना चाहिए। संविधान-निर्माताओं की मशा थी, और संविधान के मूल आर्टिकल में हर एक स्टेट में भी यह अधिकारी नियुक्त करने की बात माफ साफ कहा गई थी, जिस को बाद में हटा दिया गया। मैं उम्मा कुछ उद्धरण सुना देना चाहता हूँ। —

"The original Article provided that there should be a Minority Officer both in the Centre and in each of the Provinces. It is now felt that, as the number of minorities has been considerably reduced, it is not desirable to have the cumbersome provision like that for having an officer in each Province. The purpose of the original Article will be carried out if the Centre appoints an officer and makes him report to the President."

मैं आपसे यह कहना चाहता हूँ कि मूल में ही यह भावना थी और यह प्रावधान था, किन्हीं कारणों से, उस समय काफी टेंशन था, हर जगह कलेशम हो रहा था, बहुत सी चीजें हो रही थीं, तत्काल देश का बंटवारा हुआ था, तरह तरह की भावनाएं थीं, इसलिए उसको हटा दिया गया और केवल केन्द्र में ही माजिस्ट्रेटरी प्राफीसर की नियुक्ति की बात आई लेकिन मैं आपसे के विशेष करके कहना चाहता हूँ कि

केन्द्र और राज्य दोनों में आप माइनारिटी कमिश्नर नियुक्त कीजिए और इससे आपको एक और फायदा होगा स्टेट में नियुक्त करने से कि जहां एक शिकायत होती है कि सारे देश में तो मुसलमान माइनारिटी में हैं लेकिन काश्मीर में वह मैजोरिटी में हैं, वहां हिन्दू माइनारिटी में हैं, तो उसका लाभ इनको नहीं मिलेगा अगर आप वहां नियुक्त नहीं करेंगे। इसलिए मेरा आप से कहना है कि इस को और ज्यादा प्रभावकारी ढंग से लागू करने के लिए आप सूबों में भी माइनारिटी कमिश्नर नियुक्त कीजिए और उन को कुछ अधिकार दीजिए कि वह खुद भी कुछ कर सकें। हर जगह वह रिपोर्ट ही करते जाएंगे और अगर कहीं शुद्ध हिन्दू या शुद्ध मुसलमान राष्ट्रपति हो गया या प्रधान मंत्री हो गया तो सब धो पोंछ कर बराबर कर देगा। यह रोज रिपोर्ट करते रहेंगे और वह सब का सब समाप्त करते जाएंगे।

यह मानवता का तकाजा है कि जो लोग भी अल्पसंख्यक हैं या दबे हुए हैं उन को जितनी भी सुविधा चाहिए वह दी जाय, यह जरूरी है और हम को आप को फराक दिली से यह काम करना चाहिए। मैं आप से यह कहना चाहता हूँ कि हिन्दू लोग और मुस्लिम लीग में से केवल हिन्दू और मुस्लिम शब्द हटा दिया जाय तो इसमें कोई फर्क नहीं पड़ेगा। दोनों के सारे सिद्धान्त एक हैं, दोनों के विचार एक हैं, दोनों के सारे दर्शक एक हैं। केवल हिन्दू और मुस्लिम शब्द हटा दिए जायं। उससे कोई फर्क नहीं पड़ेगा। इसलिए अगर इन सब चीजों पर यहां दोनों के विचारों में एकता प्रदर्शित होती है तो इसमें कोई आश्चर्यजनक बात नहीं है, यह तो स्वाभाविक है और यह होना ही चाहिए।

शुद्ध मन्त्री जी ने कुछ उसमें संकोचन पेश किया है, मैं उसके लिए भी उन को बधाई देना चाहता हूँ। थोड़ी सी उन्होंने उसमें प्रवृत्ति की है। लेकिन मैं आपसे कहना चाहता हूँ, आप रोज देखते हैं और यह हरिजनों के और अल्प-

संख्यकों पर अत्याचार होते हैं और यह सही है कि हम लोग राजनीति से प्रेरित होकर यहां पर गड़बड़-सड़बड़ करते हैं, अतिशयोक्ति से बोलते हैं, चाहे हिन्दू हों या मुसलमान हों। हम लोगों को सबसे पहले इस पर ध्यान देना चाहिए कि इस देश का क्या बनने वाला है अगर हम लोग इसी तरह से करेंगे। मैं निवेदन करना चाहता हूँ कि ऐसी बातों पर जिनसे हमारी और बहुत से लोगों की भावनाएं जुड़ी हुई हैं, उन भावनाओं का ध्यान में रख कर ही बात करनी चाहिए और ध्यान में रख कर ही कुछ करना चाहिए और बहुमत के लोगों की तथा सवर्ण लोगों की यह जिम्मेदारी है चाहे जिस तरह से हो अल्पसंख्यकों को और हरिजनों और आदिवासियों को यह विश्वास दिलाए कि चाहे जो कुछ भी होगा तुम्हारे ऊपर अत्याचार होगा तो हम उसको रोकेंगे, जो कुछ भी तुम्हारी रक्षा के लिए करना होगा वह हम करेंगे और मैं इन लोगों से भी कहना चाहता हूँ कि आखिर यह डर क्यों कि हमको मैजोरिटी के लोग खा जाएंगे और हम को सवर्ण खा जाएंगे? आप भी जरा तन जाइए, जरा खड़े हो जाइए। हिन्दुस्तान में यह थोड़ी गड़बड़ी जरूर है कि जहां के लोगों ने पाकिस्तान बनाने के लिए सबसे ज्यादा हल्ला किया वहां पाकिस्तान नहीं बना, पाकिस्तान बना वहां जहां किसी ने पाकिस्तान की मांग नहीं की। जब तक खुर्राद साहब की हत्या नहीं हो गई, सिन्ध में कभी मुस्लिम लीग की सरकार नहीं बनी, पूरे पाकिस्तान में मुस्लिम लीग की सरकार कभी नहीं बनी लेकिन पाकिस्तान वहां बन गया।

एक माननीय सदस्य : वहां के मुसलमान पाकिस्तान मांगते न थे।

श्री : राम नरेश कुमवार : बिल्कुल सही मैं कह रहा हूँ कि जहां के लोग पाकिस्तान नहीं मांगते थे वहां पाकिस्तान बना और जहां के लोग पाकिस्तान मांगते थे वहां पाकिस्तान नहीं बना। कोई चीज ऐसी है, कोई कमजोरी है जिससे डर लगता है लेकिन मैं विश्वास

जिजाता है कि कुछ हद तक तो किसी जायज काम के लिए प्रायः कर्मों को किसी की इस योजना में हिम्मत नहीं है कि साम्यवादीकता पैदा करके प्रायः को घसका सके। जनता पार्टी और सरकार की जिम्मेवारी है कि ईमानदारी से मुसलमान और हरिजनों की, अगर कोई उन पर उंगली भी उठाता है उससे उनकी रक्षा करे। इसलिए मैं चाहता हूँ कि मन्त्री जी सभ्यता के अधिकारों में कुछ बूटी करें, कुछ ऐसे अधिकार दें कि अगर इन पर प्रत्याय और प्रत्याचार होते हैं तो उनको वह रोक सकें।

साथ ही हर स्टेट में प्रायोग की स्थापना कराये ताकि सीधे सीधे असेम्बली में उसकी रिपोर्ट पर विचार हो सके। प्रायोग को प्रमवी बनाने के लिए कुछ अधिकार दिए जायें करना यह प्रायोग तो टालू मिकसचर है। जब भी किसी समस्या से दूर भागना हो, उसकी तरफ से आख मूदना हो, उस ओर से ध्यान हटना हो, माफिया सुंघा कर सुलाना हो तो उसके लिए एक प्रायोग बना दीजिए, वह प्रायोग दस साल काम करेगा लेकिन कोई काम नहीं होगा। अगर उमी तरह से टालू मिकसचर देना, केवल पीठ थपथपाना है, बिना अधिकार के कमीशन बनाना है तो यह बेकार है। आप अधिकार दे करके प्रायोग से अपने कर्तव्य का पालन करायें तो शायद वास्तव में हरिजन, आदिवासी एंड अल्पसंख्यकों का कुछ भला हो करना तीस वर्ष तक राज करने के पिछली सरकार ने घोषा दिया, केवल कागजों पर कहती रही कि दूध पूत मम कुछ देगे, तुम्हारे लिए स्वर्ग बना देंगे लेकिन नरक में भी रहने के लिए स्थान नहीं दिया, उसका फल वे आज भोग रहे हैं। उनकी दृष्टि से हसकों कुछ सबक सीखना चाहिए। केवल जबानी बर्माबाई नहीं, कुछ नक्दम इनको देना चाहिये।

इन कर्मों के साथ मैं इस विधेयक का समर्थन करता हूँ।

SHRI BHUSAHEB THORAT (Res-

dharnu): Mr. Chairman, Sir, this Fortysixth Constitution Amendment Bill pertains to the sixteenth part of the Constitution. It deals with the special provisions relating to certain classes.

By amending Article 338, it has been stated in the Statement of Objects and Reasons that it will inspire greater confidence among the scheduled castes and scheduled tribes people. Sir, the appointment of the Commissioner for Scheduled Castes and Scheduled Tribes had been made before years and years ago. If you see the functioning of the Commissioner for Scheduled Castes and Scheduled Tribes, it comes to nothing at all. The Commissioner has investigated and inquired into so many things. He makes some recommendations to Government. But, action on the report of the Commissioner has not been taken by Government. That means you only create more posts and appoint more persons to those posts. Appointment of a Commission only means appointment of more persons. This is nothing more than that. Look at the powers of the Commissioner. I say no power is given either to the Commission or to the Commissioner for Scheduled Castes and Scheduled Tribes. It has been stated in Art. 338 that the Commissioner is to be appointed to investigate all matters. Sir, how can the matters be investigated by him without giving him the necessary power? How can this be done? If the person investigating has got no power, how is it possible for him to complete the investigation and bring the culprits to book? This is very important. Article 338 makes certain special provisions relating to the scheduled castes and scheduled tribe persons. There is a provision made regarding the reservations in making appointments. Article 335 provides for certain claims of the members of the Scheduled Castes and Scheduled Tribes. These claims have got to be taken into consideration with the maintenance of the efficiency of the administration. Sir, this is a

really peculiar provision made in this constitution. Instead of appointing more commissions and more officers, I don't understand why the Government has not come forward to amend this Article 335 itself? I say, this is a mischievous clause which gives more power to the bureaucracy, to appoint persons according to their own sweet will. Why do you say, 'consistent with efficiency' in cases of SC and STs only. So, I say, this is a very dangerous clause. Nowhere in the Constitution will you find this thing except in this clause, with regard to the appointment of scheduled castes and scheduled tribes persons only. From this thing one derives two presumptions: (1) SC & ST persons are not efficient (2) All non SC & ST persons are always efficient. Article 335 applies only to the members of the scheduled castes and the scheduled tribes. While making appointment you want to ensure 'efficiency of administration' for SC & ST persons, not for others. There is no such provision made for non-SC and ST persons to see their efficiency while making appointments. In other words, non-SC, ST persons are supposed to be efficient! This is what it comes to. This is the mischief of this clause and this should have been amended long ago. And if you go to Article 310 you will find that there is no mention about the efficiency in regard to appointment of non-scheduled caste persons. Article 311 deals with dismissals. No person shall be 'dismissed or removed from service' unless certain conditions are fulfilled. So, Article 311 deals with the dismissal or removal of non-SC persons whereas Article 335 deals with the appointment of Scheduled Caste and Scheduled Tribe persons. I mean to say that constitution provides safeguards to non-SC and ST regarding their removal from service even though they may be inefficient whereas the SC/ST persons while being appointed are to be judged as to whether they are efficient. So, here is this discrimination and so I say that this is a mischievous clause which should have

been amended long ago. At least now why don't you amend this Article 335 and omit the words 'consistent with the maintenance of efficiency'? You want efficiency only from SC and ST persons and not from others. This is a thing which should be done now.

Then, Sir, regarding suitability clause, many of our hon. Members have spoken about this.

My hon. friend, Shri Sinha, just now pointed out that when we were in the Committee for the Welfare of Scheduled Castes and Scheduled Tribes and this Committee investigated matters relating to scheduled castes and scheduled tribes, a number of cases came to light where even though eligible persons were available for appointment to certain posts, yet they were neglected on the plea that they were not suitable. Therefore, instead of making appointment of more persons on the Commission, you should have come forward to amend Article 335 of the Constitution itself.

Further, if the Commission is appointed, it should be empowered to summon persons for investigation purpose. Unless powers under the Commission of Enquiry Act are given to this Commission, there would be no use of appointing such Commissions.

With these words, I conclude.

MR. CHAIRMAN: I had called Shri Sarsonia earlier, but he was not present. Later, on he informed me that he had intimated to the Deputy-Speaker and the Deputy-Speaker had allowed him to speak later. Unfortunately, he did not make a note on the list. I have verified it from him on the telephone and I, therefore, call Shri Sarsonia to speak.

श्री शिव नारायण सरसोनिया (करोल-बाग) : सभापति महोदय, अभी संविधान संशोधन विधेयक पर जो चर्चा चल रही है, उसके बारे में मैं यह कहना चाहता हूँ कि जब कोई विधेयक प्रयास है और फिर कानून बनता है, तो उसकी जो यथा होती

है, वह ठीक मंशा रहती है लेकिन उसके बाद इसका सारे का सारा काम यहीं पर समाप्त हो जाता है और कानून बनने के बाद वह उनके भाग नहीं चलता। लेजिस्लेटिव जूडिशियरी और एक्जीक्यूटिव, ये तीन प्रकार के ऐसे विंग हैं, जो किसी भी प्रकार के कानून के उद्देश्य को पूरा करने के लिए साझीदारी है लेकिन हिन्दुस्तान की कुछ ऐसी बढकिस्मती रही है कि इस उद्देश्य को पूरा करने के लिए ये तीनों अंग साझीदार नहीं रहे। यदि कानून बनाने वालों की मंशा ठीक रहती है, तो उसके बाद जो उसको कार्यान्वित करने वाले होते हैं, उनकी मंशा कुछ और होती है और यदि कार्यान्वित करने वालों की मंशा ठीक रहती है तो जूडिशियरी में उसके हाथ और मस्तिष्क और दिल, जो वहाँ पर बैठे होते हैं, वे उस कानून की सारी परंपरा को, जिस परंपरा के लिए कानून बनाया जाता है, उसको बिल्कुल चौपट कर देते हैं, खरम कर देते हैं।

मिसाल के तौर पर मैं यह बताना चाहता हूँ कि भूमि सुधार का हमारा आन्दोलन सन् 1954 से शुरू हुआ और 25 साल हो गये लेकिन अभी तक वह समस्या हल नहीं हो पायी। दूसरी ओर आप श्रमिकों को देखिए। उनके लिए कितने कानून बने हैं लेकिन वे सारे के सारे कानून बेसे हो बने पड़े रहते हैं और उन लोगों की गरीबी वैसे की वैसे कायम रखती है। इसी प्रकार से अनटबेबिलिटी का हाल है और इसी तरह से अनुसूचित जातियों और जनजातियों का हाल है। उनके लिए कानून तो बनने हैं लेकिन उनका कार्यान्वयन करने वाले जो हैं और उसके बाद जो जूडिशियरी हैं, वह इस तरह से काम करती है कि सर्वे में जाकर अन्ततोगत्वा कानून की जो मंशा है, वह इस तरह वह नष्टकरती ही रहती है। इसलिए मेरी

सबसे पहले प्रार्थना यह है कि जब इस तरह के कानून बनाये जायें, उनके साथ ही जो तीसरा विभाग है, इन सबका तालमेल और उन सबकी मंशा होना बहुत जरूरी है। यह संयोग की बात है कि कमिश्नर की रिपोर्ट्स पर कल विचार कर लेने के बाद यह विधेयक आया है। कमिश्नर की जो रिपोर्ट है उसको आपने देखा ही है। उसमें यह है कि 48 लोगों को ला कर खरम कर दिया गया और जितने मुल्जिम थे उन सबको इसलिए बरी कर दिया गया कि जूडिशियरी में जो लोग बैठे हुए थे वे उन्हीं की बिरादरी, उन्हीं के वर्गों के आदमी थे जिन्होंने उनको जलाया था। आज तक जिन लोगों के लिए ये कानून बने हैं, जिनके हित के वास्ते ये कानून बनते हैं उनको उनसे कोई लाभ नहीं पहुंचा है और वह इस वास्ते कि वहाँ पर वे नहीं होते हैं, वहाँ पर वे माय होते हैं जो पूजीपति होते हैं या दूसरे वर्गों के लोग होते हैं, शक्तिशाली लोग होते हैं। मैं आपको बधाई देता हूँ कि चेयरमैन और सभी मੈम्बर्स आपने इसी वर्ग से लेने की बात कही है। लेकिन आगे के लिए भी यही व्यवस्था रहनी चाहिये कि इन नामों के लिए उन्हीं के लोग होंगे।

15 hrs.

कल मंडल साहब ने एक बहुत अच्छा मुझाव दिया था? उन्होंने कहा था कि स्पेशल कोर्ट्स इनके केसस के लिए बननी चाहिये। लेकिन उन्होंने कह दिया कि स्टेट्स के लिए वह इस मुझाव को दे रहे हैं। मेरा कहना यह है कि केन्द्र इसके ऊपर प्रमल क्यों नहीं करता है, केन्द्र स्वयं इसकी व्यवस्था क्यों नहीं करता है? उसको इसकी व्यवस्था करनी चाहिये।

नौकरियों के बारे में जितने भी प्रावधान हैं उनके बारे में बार बार सर्वेक्षण

निकलते हैं। मैं जानना चाहता हूँ कि उस चोज को कानूनी तरीके से लागू क्यों नहीं किया जाता है। भूमि सुधारों को प्रायः नवें शेड्यूल में ला रहे हैं। इसी तरह से इन सब चीजों के बारे में कानूनी बंदिश होनी चाहिए।

आपने कहा है कि सब इंटरवल पर कमीशन अपनी रिपोर्ट देगा। यह बेग है। इससे परपज हल नहीं होता है। स्पेसिफिक टाइम होना चाहिये। निर्धारित समय में यह चोज होनी चाहिये।

जहाँ तक सिफारिशों का सम्बन्ध है, उनको लागू करने का जो मिलसिना है वह बड़ा लम्बा चलता है। जो भी मुझसे कह दे उनको पूरा सख्ती के साथ और अविलम्ब लागू आपको करना चाहिये, पूरी ताकत के साथ करना चाहिये। साथ ही उस को जो भी सिफारिशें हैं वे सरकार के ऊपर बाध्य हों। सरकार के लिए अनिवार्य रूप से वे मान्य हानो चाहिये। तभी कुछ लाभ इन लोगों का मिल सकता है।

यह भी कहा गया है कि जिन सिफारिशों का माना नहीं जाएगा उनके बारे में कारण दिए जायेंगे। कानून में जो कारण देने की मुविधा दी जा रही है उससे सारा जो इसका परपज है वह हाँ खत्म हो जाता है। आगे जा कर केवल कारण ही रह जायेंगे, किसी तरह का इम्प्लेमेंटेशन नहीं होगा जो वेगनैस है और जो नूपरोस है इनको खत्म किया जाना चाहिये।

कल मैंने समान शिक्षा की बात कही थी, समान अवसरों की बात कही थी। इसका उत्तर मंत्री महोदय ने यह दिया था कि वह बड़ा भारी नीति का सवाल है।

शिक्षा मंत्री जी बैठे हुये हैं। इनको मालूम है। विल्की में जितने भी केन्द्रीय स्कूल हैं और पब्लिक स्कूल हैं उन सबका एग्जामिनेशन एक महीना पहले होता है और रिजल्ट भी एक महीना पहले आता है जब कि बाकी जितने भी सरकारी स्कूल हैं उनके एग्जामिनेशन भी एक महीने बाद होते हैं और रिजल्ट भी एक महीने बाद आते हैं। किस नीति के आधार पर यह होता है? क्या गरीब लोगों के बच्चों को रही सही सोंठें भी आगे चल कर इस तरह से नहीं मिलती है? करो कुलम एकड़ होता है, पाठ्यक्रम एक होता है फिर यह धांधली क्यों चली आ रही है? इस तरह की चीजों से जो हमारा परपज है वही नष्ट हो जाता है। जो कमीशन बनाया जा रहा है इसके जितने भी मੈम्बर हों वे सभी इन्हीं वर्गों के होने चाहिये, ऐसे होने चाहिये जिनमें इन वर्गों का पूर्ण विश्वास हो जो इनके दुःख दर्द को जानते हों।

आपके सामने कई उदाहरण हैं। जैसे आज हो एक घटना अखबारों में आई है। कि अनुसूचित जाति की नारी के साथ बलात्कार हुआ और वह थाने में गयी लेकिन चूकि थानेदार उम धर्म का नहीं था बल्कि उच्च धर्म का था इसलिए उसकी रिपोर्ट नहीं लिखी गई। यही कारण है कि न्यायालयों में जो बड़े धर्म के लोग बैठे होते हैं वह गरीब के दर्द को नहीं समझते हैं। यहाँ तो इस तरह के संस्कार हैं कि जो कुछ उन के साथ होता है, वह उनकी किस्मत में लिखा हुआ है, ऐसा मानते हैं। उन के लिए यही है, ऐसा मानते हैं। और जब तक ऐसे लोग ऊपर बैठें रहेंगे उनके हाथों में कानून और व्यवस्था रहेगी तब तक लोगों को न्याय नहीं मिल सकता। इसलिए जरूरी है कि ऐसे स्थान पर जहाँ उन्हें न्याय मिलने की या उनके कार्यान्वयन की बात हो, वहाँ उन्हीं लोगों को नवाया

जब किन्तु उनमें प्रातः वाचदास ह आर वही है। अन्यथा होता यह है कि जुर्म इतना बड़ा होता है लेकिन उसका जुर्माना 1, 2 ह० कर दिया जाता है। गंव के गंव चूक दिए जाते हैं। यह इसीलिए होता है कि वह बड़े धर्म के लोग होते हैं और पूजि-पतियों से मिले होते हैं। यही कारण है कि बहुत से ऐसे कानून जो इन लोगों के लिए बनाये गये हैं उनका सारा परपत्र ही खरम हो जाता है। इसलिए मेरा अनुग्रह है कि भारतीय मण्डल जो इन बातों को झच्छी तरह से देखेंगे।

आज कमीशन की स्थिति, जिस तरह से पूर्ववक्तानों ने बताया डिपार्टमेंट के तौर पर चलने की कोशिश की जा रही है। पहले राष्ट्रपति के अधीन या उसी तरह से अब भी राष्ट्रपति के अधीन उसका स्टेट्स रखना चाहिये। कल यहाँ पर हमने जब श्री इयूल्ड कास्टस और ट्राइब्स मिनिस्ट्री की बात रखी तो मंत्री जी ने कहा कि गृह मंत्रालय से ज्यादा शक्तिशाली नहीं हो सकता। लेकिन एक उदाहरण देना चाहता हूँ कि लोक सभा के अन्दर जो स्टैचू है एक तरफ मोती लाल नेहरू इस ओर आ रहे हैं और दूसरी तरफ डा० साहब अम्बेडकर उन्हें सावधान कर रहे हैं कि संविधान के सभी प्रावधानों को देखना। लेकिन दूसरी तरफ भूतपूर्व गृह मंत्री, श्री गोविन्द बल्लभ पन्त लोक सभा से धाके आउट करके छड़ी ले करके दूसरी तरफ जा रहे हैं तो इससे आप समझ सकते हैं कि गृह मंत्रालय कैसा शक्तिशाली है, ऐसा नहीं है। उसमें पोछे मंशा और शक्ति से शक्ति आती है। उसमें साथ ही जो भावना होती है वह मुख्य चीज है। इसलिए इसमें अन्दर जित्त भावनाओं को लेकर इसको बनाया उनको कार्यान्वित करने वाले चलाने तो इन लोगों के लिए कुछ दितकारी ही संकेता,

जायगा रहा। आपका जो मुक्त समय उपलब्ध है उसमें लिए आपकी सन्देश देता हूँ।

MR. CHAIRMAN: We are short of time. I want that Members from the smaller groups should also get time to speak. So, I request every speaker to be very brief. They should take only five minutes.

SHRI B. C. KAMBLE (Bombay South-Central): Sir I would commence my speech with a humble request to the hon Minister Incharge of the Bill that he should refer this Bill to the Joint Committee for three reasons. The first reason is that it involves so much population, namely, SC & ST, other backward classes, Christian, Muslims, linguistic minorities and others. Secondly, this is re-opening of the settlement which was made by the Constituent Assembly. Thirdly, so far as this aspect is concerned, I do not know whether the Government is aware of the implications of the religious and other minorities. So, even if the Government is rushing through this Bill, I am afraid, Government will have its own risk. Therefore, I request the hon. Minister to refer this Bill, in his own interest, to the Joint Committee. Apart from what I have submitted, this Government should give us information about which is that law and which are those rules which are referred in clause 2 subject to which this Commission is going to be appointed. In clause 2, you say that the Commissions of the religious and other minority to law of Parliament and the rules. Which is that Act and which are those rules

Again, if you are keen about religious minorities, tell us who are those minorities. If you are keen about linguistic minorities, tell us who are those linguistic minorities. What are the safeguards, as distinct from the fundamental rights about which we are aware, let the Government

come forward and tell us which safeguards the Government intends to provide, so far as this Bill is concerned.

What is proposed to be done in this Bill is, that instead of a special officer, a commission is going to be appointed. Is that going to solve the problem? If we look at the statement of objects and reasons, there is no mention about implementation, no mention about economic advancement or welfare to be achieved. Merely with regard to reporting, there is mention in the statement of objects and Reasons. The function of the former special officers and the function of the proposed commission is going to be the same, namely, investigate, report and recommend. There is no difference whatsoever between the two agencies. One is called special officer and the other is called commission. At least I say: bestow this commission with some little more weight—I am not saying powers. I have tabled certain amendments. I would refer to article 344, and whatever weight is given to parliamentary official language committee, should be given to this Commission. The President is required under article 344 to give directions in accordance with the report, either in part or in whole. If you are merely giving recommendatory status to this commission, it is of no use at all.

What is the real intention of this Bill. The real intention is concealed. Really the constitutional status is being reduced to a status which could be done by a mere executive order. I am afraid the position of the commission under article 340 and the proposed commission would be the same. What is going to be the tenure of commission? Government has no reply. What is the tenure of the personnel of the commission, as compared with the office of the special officer who is appointed in accordance with the agreement in the Constituent Assembly? There was no limitation on the office or tenure. But so far as the tenure of this commission is concerned—I am not talking

about members— what is the period? The tenure is not decided. The tenure of the personnel, that is, Members, is not decided. What are the conditions of service—that is not decided. Who is going to decide it? Government is going to sit quietly in the secretariat room and it will be decided there according to the rules. It will not even come before the House: there will be no discussion, no law. Quietly everything will be done. The commission can be disbanded completely and the personnel will be nowhere. Therefore, constitutional status is being reduced. If you want to achieve something give some authority and some weight to them.

Finally I have two other points. As you have reopened questions, consider whether for scheduling the scheduled castes, the criteria should be untouchability. Criteria even today is: suffering from untouchability. I ask whether you want that criteria? And that criteria should be punishable, punishable by a court. Therefore, you come up with some other criteria. Our Constitution has been recently amended. The definition of secular State is given. That definition says that there shall be equal respect for all the religious. You tell us how untouchability will go. There is no escape for untouchables. Therefore, they have become Buddhists. If you withdraw whatever has been given to them, that will be unjust. Government should reconsider that decision. I humbly request that so far as consideration of the interpretation of the Secular State is concerned, the same safeguards should be made available to Buddhists, till they reach a particular stage, except the political safeguard.

With these words, I conclude.

DR. HENRY AUSTIN (Ernakulam): I wish to enter with a brief intervention. The founding fathers of our Constitution thought that some safeguards should be incorporated in the Constitution for the incorporated in the Constitution for the

[Dr. Henry Austin].

weaker sections of society, particularly the Scheduled Castes and the Scheduled Tribes. Of course, the linguistic minorities also were taken to be a segment of society which need special touch. I am afraid even those eminent men in the Constituent Assembly were not really aware of the magnitude of the problems then faced by the Schedule Castes and the Scheduled Tribes in particular. Few thought of realising the fact that one fourth or even more of our body was constituted by the Scheduled Castes and the Scheduled Tribes. It was a passing sympathy, lip sympathy that was shown. Thirty years of experimenting with this social transformation has revealed that we have not touched the fringe of the problem. Therefore, it has become a topical issue and, therefore, more concrete and effective steps should be taken to meet the problem and to accept the challenge. This suggestion to substitute a Commission consisting of more members in place of special officers for safeguarding the interests of the Scheduled Castes and Scheduled Tribes will not serve the purpose. It should be created in such a way that it should impose the confidence of these sections. For the Commission which you are proposing, no specific functions are assigned. If recommendations have only recommendatory rather than mandatory powers. You have to come forward with concrete suggestions which should give more confidence to the people who feel that earlier provisions had not really been effective enough in the Constitution. I am afraid, no such proposals have been put forward. My suggestion, therefore, would be that this Bill is sent to a Joint Select Committee. I know it is too late in the day to ask for a Select Committee to go into the whole matter. If that is possible, I would request for a Select Committee where we could discuss the problem, elicit opinion and come forward with concrete suggestions. We will have an opportunity to exchange views and collect all shades of opinion.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): On an earlier occasion, discussion went on. They agreed for a Select Committee without a formal amendment. He can bring

DR. HENRY AUSTIN: There are precedents. That is what I say. Recent evidence has shown that secular character of the State is under severe erosion and the concern for the Scheduled Castes and the Scheduled Tribes has become more widespread. When, such is the situation in the country, it is not enough that we shed some crocodile tears or touch the fringe of the problem and say instead of special officers we will have a statutory Commission. If you really want to win their confidence and want to convince the Scheduled Castes and the Scheduled Tribes that you are serious and that you really want to rectify the situation, come forward with better proposals or send this Bill to a Joint Select Committee.

Regarding the proposed Commission for minorities, I should say, if you follow the proceedings of the Constituent Assembly, responsible leaders coming from the minority sections, particularly the Christian minorities came forward to say that they did not need any protection any afeguards in the Constitution. I have read those proceedings. They said that they would trust the sagacity, wisdom and the goodwill of the leaders of national life. I do not want to be partisan, but please examine the experience of that particular minority community in the context of the incidents that have taken place recently. At that time Pandit Jawaharlal Nehru and other eminent men who adorned the Constituent Assembly were very gracious. They appreciated this gesture and certain assurances were given that the interests of the minorities will be safeguarded. Has your Government fulfilled those assurances and respected these gestures which the national leaders had shown? Don't

lose the confidence of the minorities stand taken?

I welcome the suggestion of having a commission, but it should be of such a character that it will be able to inspire confidence in the minorities. What is the tenure of the commission? Who are the persons you are going to recruit for that commission? If they are going to be nominees of the Government and if there is no fixed tenure, it will be just a superficial thing and it will not serve the purpose. There is the other single largest minority the Muslims. You know the agony and hardship they are passing through with regard to law and order problem, demand for minority status for AMU, etc. In all these respects they need something more than what you have envisaged under the present proposals. Taking all these matters into account, while I welcome this constructive step forward, I submit that you have to put more teeth into the whole thing in order to win the confidence of the minorities, both religious and linguistic, more so of the scheduled castes and scheduled tribes who constitute a substantial segment of our society and in whose liberation and advancement, the future of this country depends.

SHRI G. M. BANATWALLA (Ponnoni): Sir, the Constitution Forty-sixth Amendment Bill is before the House. The Bill seeks to give constitutional status to the Commission for Scheduled Castes and Scheduled Tribes and also to the Minorities Commission. I thank and congratulate the Government for coming out with this Bill. It is since long that we have been demanding the appointment of a Minorities Commission. Indeed, we are thankful to this Janata Government for the creation of the Minorities Commission. But there are certain aspects of the Bill which have to be taken into consideration. I do not rise in any spirit of confrontation against the Government with respect to this Bill. It is a welcome measure, but there are serious short-

comings which have resulted in discontentment among the minorities. I have moved an amendment that the Bill should be circulated to elicit opinion by 2nd August, 1979. I have moved this amendment with the object of pointing out that there is serious discontentment among minorities with respect to a few important aspects concerning the appointment of the Commission. For example, we have always been asking for a separate commission for religious minorities. What is envisaged in the Bill is one commission for both the linguistic and religious minorities. If the Bill is circulated to elicit public opinion, it will clearly reveal to the Government that the opinion of minorities is to have a separate commission for linguistic minorities and for the religious minorities. Similarly, we have been asking for mandatory powers for the Minorities Commission subject of course, to certain important provisions to which I will come later.

The Minorities Commission, I understand, has already submitted its annual report. I regret that the report has not yet been placed on the Table of the House. Otherwise, we would have benefited a lot especially at this time of offering our remarks. The Minorities Commission submitted its report on Aligarh riots. I am sure, it has already submitted its report on Jamshedpur riots and on riots in Perambet Tamil Nadu. But all these reports have not seen the light of the day. Despite our asking the Government umpteen times, they have not been placed on the Table of the House. I once again reiterate my demand that these reports should not be held back and there should not be further delay in placing them on the Table of the House.

When the Minorities Commission was set up by an executive order, the Government expressed very good sentiments about the Commission. I invite the attention of the House to the notification of the Ministry of Home

[Shri G. M. Banatwalla]

Affairs dated 12th January, 1978. The notification said:—

“In order to preserve secular tradition and to promote national integration the Government of India attaches the highest importance to the enforcement of the safeguards provided for the minorities.”

The notification further said and I quote:—

“The Government of India trusts that the State Governments and the Union Territories Administration and others concerned will extend their fullest cooperation and assistance to the Commission.”

I thank the Government for all these noble sentiments. However, I am constrained to remark that towards the Minorities Commission was treated by this Government in a most shabby manner. All this led even to the resignation of the first Chairman of the Minorities Commission, Shri Minoo Masani. I will not go into details because I had spoken about that several times in this House.

15.29 hrs.

[MR. SPEAKER *in the Chair.*]

The present Chairman of the Minorities Commission also had to say that he was prepared to quit. I have here the *Indian Express* dated November 13, 1978 with the major headline ‘Ansari wants to quit’. This is all because of the shabby treatment the Minorities Commission has received from the Government. The Minorities Commission made several recommendations. An important recommendation was with respect to the restoration of the minority character of the Aligarh Muslim University. It has not been accepted by the Government. The Minorities Commission made an important recommendation, namely, the withdrawal of the PAC from Aligarh at the time of the earlier Aligarh riots. In defiance of that, the PAC of ill repute, was deployed even now leading to very

tragic incidents. But I will not go into all these details. I was only trying to point out that unless and until a healthy attitude is taken towards the Minorities Commission, not much can be expected

I must emphasise that the Minorities' Commission is not to be a mere show-piece; it is not to be merely a piece of ornamental value for the purpose of window-dressing. It must have effective power; and I must say that the recommendations of the Minorities' Commission, the recommendations of the Commission for Scheduled Castes and Tribes, should be mandatory in nature, subject of course to certain provisions, to which I will refer when the amendment stage comes. This is not merely my idea. They forget what they have said. The press reports say:

“The Janata Party in its Working Committee meeting in August 1977 suggested appointment of two Commissions, the Minorities' Commission and the Commission for Scheduled Castes and Tribes.”

It says further:

“It also suggested that the recommendations of these Commission should be binding on the Government”

So, you have forgotten your own resolution in the Working Committee meeting in August 1977. These are matters that require to be considered.

Article 350-B provides for the appointment of an officer for the purpose of the Linguistic Minorities. We have here a proposal for a single Commission for both linguistic and religious minorities. In that case, the Problems of the religious minorities will be over-shadowed, will be eclipsed, by the stupendous problems faced by the linguistic minorities. I, therefore, appeal to the Government to have two separate Commissions for the purpose.

I must also refer to the functions of the Commission. The Government had a very uncertain, hesitant and oscillating stand with regard to the functions of the Commission. Nearly 8 functions were listed in the original notification appointing the Minorities Commission. Then this Bill was introduced and the functions were all curtailed to a mere eye-wash. But I am happy we gave amendments; I am happy that there was reconsideration on the part of this Government and the functions are sought to be restored.

SHRIMATI PARVATHI KRISHNAN: Sir, the Minister is surrounded by a halo!

MR. SPEAKER: It is a reflection of the light.

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR PRATAP CHANDRA CHUNDER): He is in the limelight.

SHRI G. M. BANATWALLA: This Minorities Commission has a great role to perform. Very high are the expectations. Many hopes are attached to the Minorities Commission. The very first task that it has to take up now is with respect to the growing feeling of insecurity among the minorities. I may mention here that the Minister for Social Welfare and Finance of the Government of Maharashtra, Shri Shanti Naik, is reported to have said that a number of fire arm licences have been issued to RSS volunteers in Maharashtra after the Progressive Democratic Front coalition came into office. This news appeared in the *Times of India* in its issue dated 13th May 1977. The Minorities Commission must look into it. But, more than that, I want the Government to look into such statements being made by the Ministers of the Government of Maharashtra.

Mr. Speaker, Sir, the Minorities Commission has also to look into various other aspects, for example

there is a deep-rooted, deplorable conspiracy to defame the Aligarh Muslim University and its students and to tarnish their fair image. I will not go into details with respect to it, but I have here the statement made by the Chief Minister of U.P., Shri Banarsi Das. This statement and the vacillating stand that he has taken show the great political pressure that is brought on him and the political motives with which he is concerned. When the Dadri incident first took place, he stated in the Vidhan Sabha, in the U.P. Legislative Assembly—and I quote from the *Times of India* dated 11th May 1979:

"The Chief Minister, Mr. Banarsi Das, said in the Vidhan Sabha today that he feared that people who were opposed to Aligarh Muslim University having a minority character were responsible for attacking AMU students at the Dadri railway station yesterday."

That was the first statement by the Chief Minister made at a responsible place, in the august House, the Vidhan Sabha of U.P. But there are such political pressures upon him that he had to change his statements. Sir, the Minorities Commission has to address itself to several tasks, as I said, the first being this growing unrest among the minorities, the growing feeling of insecurity among the minorities. I was referring to the statement by the U.P. Chief Minister. He has made such a malicious statement as—I may quote again from the *Times of India* dated 13th May 1979:

"Mr. Banarsi Das confirmed that the 31 shops burnt down by the violent AMU students belonged to one particular community. 'It appeared as if the objects for burning were selective', he said."

What a blatant untruth that has been said! I visited Aligarh. It is the duty of the Minorities Commission to visit Aligarh and to see that facts come out. I have seen over there that

shops belonging to both the communities have been destroyed and set ablaze. Take the case of Zakaria market, take the case of Minto Circle and any of those places. You will find that a cycle shop belonging to one Mr. Banne Khan was set ablaze, a hotel of Waris Ali was set ablaze, another cycle shop belonging to one Mumtaz was set ablaze and a timber shop of one Mr. Hafiz Khan was set ablaze. There are so many of them, and yet the Chief Minister of the State goes on record to make such provocative statements which are total untruth. It is a deplorable situation that we have here. Sir, he goes on further to say, and I quote again from the same report.

“What had happened in Sambha last year was, in fact, a butchery and a massacre of Hindus.”

When there is a tension in Aligarh, when Jamshedpur is burning, here comes a Chief Minister with scant respect to the facts and with most provocative statements adding fuel to fire. Certainly, as Mr. Kanwarlal Gupta said, the Minorities Commission should lay down certain guidelines for all of us as to how we should speak. But here is the Chief Minister of a State which has witnessed an increasing number of riots since the formation of the Janata Government, indulging in such statements and adding fuel to fire. Sir, the Chief Minister goes on to say, and I quote:

“Mr. Das asked how could Muslim Communalists talk of insecurity of minorities when they themselves are responsible for the Partition of India?”

The statement is most deplorable. This attitude of linking the question of the insecurity of the minorities today with the partition of the country is highly deplorable, and I condemn it. I am constrained to remark that this statement of the Chief Min-

ister is an unabashed exposure of the deep-seated prejudices of the head of a State, and goes to strengthen the impression getting current that the Government's policies are infested with partialities and consideration of political vengeance.

I wanted to say a lot more about all these aspects. The Minorities Commission has to address itself to several important tasks in the interests of national integration and to see that communal harmony is not only maintained, but promoted in our motherland. The Minorities Commission had submitted a report about the Aligarh Muslim University Bill. We have discussed it and I am not going into it, but now there is another Private Member's Bill called the Freedom of Religion Bill. Let the Minorities Commission come forward with its report with respect to that controversial Bill also. That Bill is not Freedom of Religion Bill, but it is Restriction on Freedom of Religion Bill, and it cuts at the root of article 25 which grants religious freedom not only to profess and practice but also to propagate religion.

I must, in deference to your being restless, conclude by drawing the attention of the Government to two more important things. The first is that there is some misunderstanding prevailing about the appointment of the staff of the Minorities Commission. The Chairman thinks that he has the power to appoint the staff, the Commission as a whole think that they have the power to appoint the staff, and the Secretary went ahead and appointed the staff without consulting anybody. What I mean to say is that these are matters which should not hang in the balance. I understand that Government are very busy with their internal quarrels. However, they must find time to expeditiously lay down certain guidelines to see that these matters are properly looked into, and that the Chairman and the Commission itself are in a position to function properly.

This Minorities Commission should also have regional offices in order to be more effective.

I conclude by saying that the present Bill is a welcome one. I have already thanked the Government. I have congratulated the Government, for coming forward to grant constitutional status to the Minorities Commission, but the purpose of having an effective Commission will not be served unless and until the shortcomings which I have pointed out are removed. I hope that they will receive the serious consideration of the Government and the House.

ग मंत्रालय में राज्य मंत्र. (श्र. शक्ति लाल मंडल) : श्रीमान्, मैं माननीय सदस्यों का अनुग्रह मानता हूँ कि उन्होंने इस आयोग के गठन का सभी तरफ से स्वागत किया है। मैं उस : लिए भी अनुग्रह मानता हूँ कि सभी माननीय सदस्यों ने इन कमीशनो का जो काम है उसकी सहायता की है। जो भी सुझाव दिए गए हैं और जो भी उपाय बताये गये हैं जिससे इस कमीशन को और भी असरदार बनाया जा सकता है, इस : काम को असरदार बनाया जा सकता है या इस : नाम : सम्बन्ध में, इस : फंक्शन और जूरिडिक्शन : सम्बन्ध में, इसकी रेकॉर्ड्स की इम्पोर्टें, के सम्बन्ध में, टेन्चोर ऐंड कंडीशंस और टर्म्स के सम्बन्ध में उन सब : बारे में मैं विस्तार से तो नहीं कह सकता लेकिन मैं इतना कहना चाहता हूँ कि माननीय सदस्यों ने जो चिन्ता व्यक्त की है, वह हमारी भी चिन्ता है। माननीय सदस्यों की तरह हम भी चाहते हैं कि यह बिल जल्दी से जल्दी स्वीकृत हो जाये, जिससे इस कमीशन को, जो अभी एक एक्सीक्यूटिव आर्डर के तहत काम कर रहा है, स्टैच्यूटरी बॉकिंग मिल जाये। माननीय सदस्य भी यह चाहते हैं कि इस कमीशन को स्टैच्यूटरी बॉकिंग मिल जाये, जिससे इसकी

महत्ता और गरिमा बढ़ेगी और केंद्रीय सरकार तथा राज्य सरकारों द्वारा सब पर इसका असर और प्रभाव बढ़ेगा।

मुझे यह कहते हुये थोड़ा दुःख हो रहा है कि इस बारे में थोड़ी देर हुई है। खुद कमीशन को भी एतराज है कि हम लोगों ने इस कमीशन को स्टैच्यूटरी बॉकिंग देने में थोड़ा विलम्ब किया है। हमारी कतई कोई मंशा नहीं है कि अब हम इसमें एक क्षण का भी विलम्ब करें। इसलिए माननीय सदस्य, श्री कांबले, ने जो सशोधन दिया है कि इस विधेयक को जॉयंट सिलेक्ट कमेटी में भेज दिया जाये, या माननीय सदस्य, श्री बनतवाला, ने जो संशोधन दिया है कि इसको पब्लिक प्रोपीटीयन जानने : लिए परिचालित किया जाये, मैं उनको मानने में असमर्थ हूँ।

इस : अतिरिक्त कुछ सुझाव दिए गये हैं। जैसे, माननीय सदस्य ने कहा है कि कमीशन का टेन्चुर क्या है। सबको यह विदित है—और अगर विदित नहीं है, तो मैं सूचना दे देना चाहता हूँ—कि यह कमीशन पर्मनेंट है और इस : चेयरमैन और मेम्बरों का टेन्चुर निश्चित किया जाएगा, जिस : लिए इस बिल में प्रावधान किया गया है।

"Subject to the provisions or any law made in this behalf by Parliament, the Commission shall consist of such person or persons as the President may appoint and the conditions of service and tenure of office of the person or persons so appointed shall be such as the President may by rule determine."

कमीशन खुद तो पर्मनेंट है, लेकिन कमीशन के जो चेयरमैन हैं, और होंगे, उन्हें जो सदस्य हैं, और होंगे, उनका टेन्चुर सरकार : विचाराधीन है और हम बहुत

जल्दी ही इस पर निर्णय लेने जा रहे हैं, और इसे बारे में रुक बन जाएगा।

माननीय सदस्य ने यह चिन्ता व्यक्त की है कि जब एक बार टेन्युर तय हो जाएगी और टर्म्स एंड कमीशन फिक्स हो जायेंगी, तो सरकार वमीशन से चेंजरमैन या सदस्यों के काम से खुशया नागज हो कर उनके कार्यालय में ही तो फेर बदल नहीं कर सकेगी। मैं माननीय सदस्यों को आश्वासन करना चाहता हू कि ऐसा कुछ भी नहीं किया जाएगा।

श्री सुरज भान पोछे होता रहा है।

श्री धनिक लाल मदन : माननीय सदस्य का कहना सही है, लेकिन मे यह आश्वासन देना चाहता हू कि उनके कार्यकाल में, जब कि वे दफ्तर में हैं, इस तरह का कोई भी काम नहीं किया जायेगा।

माननीय सदस्यों ने नाम के बारे में भी कुछ मुझसे दिए हैं। श्री सुरज भान ने सुझाव दिया है कि इस कमीशन को हम सिविल राइट्स कमीशन का नाम क्यों नहीं देते हैं। माननीय सदस्य को विदित है कि प्रारम्भ में सिविल राइट्स कमीशन बनाने का ही प्रस्ताव था, लेकिन स्वयं अनुसूचित जातियों और अनुसूचित जनजातियों के माननीय सदस्यों ने इसका विरोध किया। उन्होंने कहा कि "नहीं", इसके अनुसूचित जाति और अनुसूचित जनजातियों के हितों की रक्षा नहीं हो पायेगी। उनकी समस्याओं और उनके हितों के संबंधों के लिए पूरे समय का एक अलग कमीशन बनना पड़ेगा। सरकार ने उनकी बात को मान लिया और एक के अलावा दो कमीशन बना दिये। अब

जब कि दो कमीशन बन चुके हैं, तो कमीशन के सिविल राइट्स और इयूथन राइट्स कमीशन बनाना पड़ेगा—यह ठीक नहीं है और मैं माननीय सदस्यों से विवेचन करूँगा कि वे इस बात पर ध्यान दें।

मुझे खुशी है कि माननीय सदस्य श्री जनतवाला ने इस बात को स्वीकार किया कि उनके मनेजमेंट के बाद हम लोग ने ऐसा किया। बात ऐसी नहीं थी, फिर भी यदि वह ऐसा ही मानते हैं तो हमें इसमें भी कोई आपत्ति नहीं है। वास्तविकता यह थी कि अगस्त, 1978 में जब बिल पेश किया गया, उसके बाद प्रधान मंत्री जी को कमीशन के चेंजरमैन से बातचीत हुई और उन दोनों की इच्छा से इसको ऐसा बनाया गया है। यह कहना ठीक है कि पहले का बिल तब तक इस बिल में काफी सुधार हुआ है और उनको जो बातें थीं, वरिष्ठ-स्तरीय उनमें ठसमें ला दिया गया है।

अब बात रह जाना है - रि मनेजमेंट को। माननीय सदस्यों, खाम पर माननीय सदस्य बनतवाना जो वे यह बताना है कि कमीशन की जो रि मनेजमेंट हो, वे मनेजमेंट को हानो चाहिये। लेकिन आप भी इस बात से सहमत होंगे कि कोई भी सरकार अपने ऊपर कमीशन को नहीं बना सकती है। लेकिन इतना आश्वासन अवश्य दिया गया है और मैं इस अवसर पर भी माननीय सदस्यों को आश्वासन देना चाहता हूँ कि अज्ञात तक होगा कमीशन को सिकारियों को माना जायगा, बिरले ही कोई ऐसी रि मनेजमेंट होगी, जिसका नहीं माना जायेगा, लेकिन उस का कारण बतलाया जायगा कि उसको क्यों नहीं माना जा रहा है। सरकार की नीयत इस मामले में बिल्कुल साफ है, सरकार कमीशन की गरिमा को बनाये रखना चाहती है और जिस तरह के आश्वासनों को हम यहां रख रहे हैं। हम उनकी सलाह मान

कर लेंगे। इस सम्बन्ध में मन में कोई दुविधा या शंका रखना ठीक नहीं है।

दूसरी बात में यह कहना चाहता हूँ कि राष्ट्रपति भी उन ही सिफारिशों को सदन की टेबिल पर रखवायेंगे, इस से माननीय सदस्यों को उन पर बहस करने का मौका मिलेगा और जब बहस करने का मौका मिलेगा तो जैसा सदस्य चाहेंगे सरकार वैसा ही करेगी। सरकार सदन के ऊपर नहीं है, माननीय सदस्यों से ऊपर सरकार नहीं है। जब कारण बतलाते हुए वह बात सदन के सामने आयेगी तो माननीय सदस्यों को उस के बारे में अपने विचार प्रकट करने का अवसर मिलेगा। इस लिये इस के बारे में किसी प्रकार की कोई शंका नहीं करनी चाहिये।

श्री रत्नविज्ञान पासवान (हाजीपुर) : जिस समय जो सरकार रहेगी वह वैसा ही कानून बना लेगा।

श्री धनिक लाल मंडल : यह सरकार ही या कोई भी सरकार हो, वह सदन के ऊपर नहीं है।

महोदय, माननीय सदस्य बनातबाला साहब ने कहा कि धर्म के आधार पर, मजहब के आधार पर ही कमीशन का गठन होना चाहिए था। उन का ऐतराज यह है कि धर्म के आधार पर और बोली के आधार पर, भाषा के आधार पर दोनों को मिला कर कमीशन बना दिया गया है, जब कि दोनों के लिये अलग-अलग कमीशन होने चाहिए थे। जैसा मैंने शुरू में कहा था—एक कमीशन बनाने का इरादा था, लेकिन माननीय सदस्यों के ऐतराज करने पर, जोर डालने पर दो कमीशनों का गठन हुआ है।

अन्तिम बात मुझे यह कहनी है कि अब इस में कोई भी विलम्ब नहीं होना चाहिये। सुभार के लिये हमेशा गुंजाइश रहती है, कोई भी यह दावा नहीं कर सकता कि सारी अच्छी बातें कह दी गई हैं, अगर 1144 I.S.—12.

कोई ऐसा दावा करता है तो गलत है, सुभार के लिये बराबर गुंजाइश रहती है। लेकिन विलम्ब हो रहा है और विलम्ब से घबरेर होने का खतरा है। इस लिये मैं निवेदन करना चाहूंगा कि आप अपने संशोधनों को वापस कर लें और इस को स्वीकार कर लें।

श्री राम बिलास पासवान : अध्यक्ष महोदय, मैंने दो, तीन चीजें कही थीं, जिनका जवाब मंत्री महोदय से नहीं आया। एक चीज तो मैं ने कही थी कमीशन से परामर्श लेने के बारे में। कोई भी काम शेड्यूल्ड कास्ट्स और शेड्यूल्ड ट्राइब्स के हित में करें, तो कमीशन से परामर्श लेने को कहा जाए।

दूसरा मेरा प्वाइन्ट यह था कि एक ही आर्टिकिल में इन दोनों को क्यों जोड़ दिया गया है। पहले माइनोरिटीज कमीशन का अलग आर्टिकिल था और शेड्यूल्ड कास्ट्स और शेड्यूल्ड ट्राइब्स का अलग आर्टिकिल था। अब दोनों को एक ही आर्टिकिल में किया जा रहा है।

मेरा तीसरा प्वाइन्ट यह था कि कमीशन अगर किसी अपराधी को बुलाता है और वह नहीं आता है, तो उस के लिये कमीशन को शक्ति दी जाए। मैं चाहूंगा कि मंत्री जी सेरे इन प्रश्नों का जवाब दें।

श्री धनिक लाल मंडल : कमीशन किसी भी चीज की जांच करेगा तो कमीशन की जो इन्वेस्टिगेट करने की पावर है, जांच करने का जो उस का अधिकार है, उस जांच के क्रम में जिन को कमीशन बुलाएगा, वे नहीं आएंगे ऐसी माननीय सदस्य को शंका है। ... (ब्यबधान) व्यक्ति और सरकार में भेद कर लीजिए। जहां तक सरकार की बात है, सरकार की तरफ से सरकारी लोगों को आदेश है कि उन को उपस्थित होना ही है, उन को जाना ही है, उन को जो कुछ कमीशन द्वारा पूछा जाए, वह बताना ही है, तो वे उस का जवाब देंगे और अगर फाइल मांगी जाती है, तो वह भी दी जाएगी। अब जहां तक

नागरिकों का सवाल है, व्यक्ति का सवाल है, उस को कम्प्लेक्ट करने के लिए क्या किया जा सकता है ? इस तरह की बात तो कमीशन प्राकट्ट इन्क्वायरी एक्ट में भी नहीं है जैसा कि तिरखा साहब का उदाहरण दे कर बताया गया कि तिरखा साहब का जो कमीशन मनीपुर में है, उस में जब श्रीमती इन्दिरा गांधी को बुलाया गया, तो वे एक दिन गई और उसके बाद बिना बताए चली गई। अब उस में क्या कर सकते हैं ? इसलिए मैं ने यह बात कही है। . . . (अवधान)

MR. SPEAKER: I think, all of us are interested in passing this Bill.

Mr. Banatwalla, are you pressing your motion for circulation?

SHR. G. M. BANATWALLA: Yes, Sir.

MR. SPEAKER: I shall now put amendment No. 1, moved by Shri Banatwalla, for circulation of the Bill, to the vote of the House.

Amendment No. 1 was put and negatived.

MR. SPEAKER: Before I put the motion for consideration to the vote of the House, this being a Constitution Amendment Bill, voting has to be by division. Let the lobbies be cleared.

The question is:

"That the Bill further to amend the Constitution of India, be taken into consideration."

This being a Constitution Amendment Bill, voting has to be by Division.

Let the Lobby be cleared.

Lobbies have been cleared. Division.

The Lok Sabha divided:

[16.05 hrs

Division No. 28]

AYES

Abdul Lateef, Shri
Agarwal, Shri Satish
Ahuja, Shri Subhash
Alhaj, Shri M. A. Hannan
Alluri, Shri Subhash Chandra Bose
Amin, Prof. R. K.
Ansari, Shri Faquir Ali
Appalanaidu, Shri S. R. A. S.
Argal, Shri Chhabiram
Arif Baig, Shri
Austin, Dr. Henry
Bairagi, Shri Jena
Bal, Shri Pradvumna
Balak Ram, Shri
Baldev Prakash, Dr.
Banatwalla, Shri G. M.
Barakataki, Shrimati Renuka Devi
Barman, Shri Palas
Barrow, Shri A. E. T.
Basappa, Shri Kondajji
Basu, Shri Dhirendranath
Berwa, Shri Ram Kanwar
Bhadoria, Shri Arjun Singh
Bhagat Ram, Shri
Bharat Bhushan, Shri
Bhattacharya, Shri Dinen
Borole, Shri Yashwant
Chakravarty, Prof. Dilip
Chand Ram, Shri
Chandan Singh, Shri
Chaturbhuj, Shri
Chaturvedi, Shri Shambhu Nath
Chaudhary, Shri Motibhai R.
Chaudhry, Shri Ishwar
Chaudhury, Shri Rudra Sen
Chunder, Dr. Pratap Chandra
Danwe, Shri Fundalik Hari
Das, Shri R. P.

Das, Shri S. S.	Kushwaha, Shri Ram Naresh
Dave, Shri Anant	Lakshminarayana, Shri M. R.
Dawn Shri Raj Krishna	Mahala, Shri K. L.
Desai, Shri Morarji	Mahata, Shri C. R.
Deshmukh, Shri Nanaji	Mahi Lal, Shri
Deshmukh, Shri Ram Prasad	Malik, Shri Mukhtiar Singh
Dharia, Shri Mohan	Mallikarjun, Shri
Dhurve, Shri Shyam Lal	Mandal, Shri Dhanik Lal
Digvijoy Narain Singh, Shri	Mangal Deo, Shri
Durga Chand, Shri	Mathur, Shri Jagdish Prasad
Dutt, Shri Asoke Krishna	Mavalankar, Prof. P. G.
Fernandes, Shri George	Meerza, Shri Syed Kazim Ali
Ganga Singh, Shri	Mehta, Shri Ajit Kumar
Gattani, Shri R. D.	Mehta, Shri Parasannbhai
Ghosal, Shri Sudhir	Mhalgi, Shri R. K.
Gopal, Shri K.	Mirdha, Shri Nathu Ram
Gore, Shrimati Mrinal	Miri, Shri Govind Ram
Goswami, Shrimati Bibha Gosh	Mishra, Shri Janshwar
Guha, Prof. Samar	Mishra, Shri Shyammandan
Gupta, Shri Kanwar Lal	Mondal, Dr. Bijoy
Harikesh Bahadur, Shri	Mritunjay Prasad, Shri
Hukam Ram, Shri	Munda, Shri Govinda
Jain, Shri Kalyan	Munda, Shri Karia
Jasrotia, Shri Baldev Singh	Murmu, Father Anthony
Joarder, Shri Dmesh	Nahar, Shri Bijoy Singh
Joshi, Dr. Murli Manohar	Naidu, Shri P. Rajagopal
Kailash Prakash, Shri	Narendra Singh, Shri
Kaldate, Dr. Bapu	Nathu Singh, Shri
Kamble, Shri B. C.	Nathuni Ram, Shri
Kapoor, Shri L. L.	Nathwani, Shri Narendra P.
Kar, Shri Sarat	Nayak, Shri Laxmi Narain
Kaushik, Shri Purushottam	Onkar Singh, Shri
Kesharwani, Shri N. P.	Oraon, Shri Lalu
Khan, Shri Ghulam Mohammad	Paraste, Shri Dalpat Singh
Khan, Shri Kunwar Mahmud Ali	Parulekar, Shri Bapusahab
Khrime, Shri Rinching Khandu	Peswan, Shri Ram Vilas
Kidwai Shrimati Mohsina	Patel, Shri Dharmasinhbhai
Kodiyan, Shri P. K.	Patel, Shri H. M.
Kotrashetti, Shri A. K.	Patel, Km. Maniben Vallabhbhai
Krishan Kant, Shri	Patel, Shri Meetha Lal
Krishnan, Shrimati Parvathi	Patil, Shri Chandrakant
Kunhambu, Shri K.	Patil, Shri S. B.
Kureel, Shri Jwala Prasad	Patnaik, Shri Sivaji

Phirangi Prasad, Shri
 Pipil, Shri Mohan Lal
 Pradhan, Shri Pabitra Mohan
 Raghavendra Singh, Shri
 Raj, Shri Gauri Shankar
 Raj, Shri Shiv Ram
 Raj Keshar Singh, Shri
 Raju, Shri P. V. G.
 Rakesh, Shri R. N.
 *Ram Awadhesh Singh, Shri
 Ram Charan, Shri
 Ram Dhan, Shri
 Ram Kinkar, Shri
 Ram Sagar, Shri
 Ramachandran, Shri P.
 Ramapati Singh, Shri
 Ramjiwan Singh, Shri
 Rangnekar, Shrimati Ahilya P.
 Ranjit Singh, Shri
 Rao, Shri Jagannath
 Rao, Shri M. Satyanarayan
 Rasheed Masood, Shri
 Rathor, Dr. Bhagwan Dass
 Ravindra, Pratap Singh, Shri
 Reddi, Shri G. S.
 Rodrigues, Shri Rudolph
 Roy, Shri A. K.
 Roy, Dr. Saradish
 Sahoo, Shri Ainthu
 Sai, Shri Larang
 Sai, Shri Narhari Prasad Sukhdeo
 Saini, Shri Manohar Lal
 Samantasinha Shri Padmacharan
 Saran, Shri Daulat Ram
 Sarda, Shri S. K.
 Sarkar, Shri S. K.
 Sarsonia, Shri Shiv Narain
 Satapathy, Shri Devendra
 Satya Deo Singh, Shri
 Shah, Shri Surath Bahadur
 Shakya, Shri Daya Bam
 Shankar Dev, Shri
 Shankaranand, Shri B.
 Shastri, Shri Ram Dhari
 Shastri, Shri Y. P.
 Sher Singh, Prof.
 Sheth, Shri Vinodbhai B.
 Shiv Sampati Ram, Shri
 Shukla, Shri Madan Lal
 Sikandar Bakht, Shri
 Sinha, Shri Purnanarayan
 Sinha, Shri Satyendra Narayan
 Somani, Shri S. S.
 Suman, Shri Surendra Jha
 Suraj Bhan, Shri
 Surendra Bikram, Shri
 Suryanarayana, Shri K.
 Swamy, Dr. Subramaniam
 Talwandi, Shri Jagdev Singh
 Tan Singh, Shri
 Tej Pratap Singh, Shri
 Thakre, Shri Kushabhau
 Tiwari, Shri Brij Bhushan
 Tiwary, Shri D. N.
 Tohra, Shri G. S.
 Tripathi, Shri Madhav Prasad
 Tyagi, Shri Om Prakash
 Vajpayee, Shri Atal Bihari
 Varma, Shri Ravindra
 Verma, Shri Brij Lal
 Verma, Shri Hargovind
 Verma, Shri R. L. P.
 Verma, Shri Raghunath Singh
 Verma, Shri Sukhdeo Prasad
 Yadav, Shri Hukmdeo Narain
 Yadav, Shri Jagdambi Prasad
 Yadav, Shri Ramjibai
 Yadav, Shri Sharad
 Yadvendra Dutt, Shri
 Yellaiah, Shri Nandi
 Zulfikarullah, Shri

*He voted by mistake from a wrong seat and later informed the Speaker accordingly.

NOES

*Brij Raj Singh, Shri
*Negi, Shri T. S.
*Parmar, Shri Natwarlal B.
*Ram, Shri R. D.
*Shrikrishna Singh, Shri
Suman, Shri Ramji Lal
*Swatantra, Shri Jagannath Prasad

MR. SPEAKER: Subject to correction, the result of** the Division is: Ayes 205; Noes 7.

The Motion is not carried by the required majority.

(Interruptions)

PROF. P. G. MAVLANKAR (Gandhinagar): It will collapse!

AN HON. MEMBER: Shame.

PROF. P. G. MAVLANKAR: In spite of our support, you could not pass it.

MR. SPEAKER: Support by absence . . .

*Wrongly voted for NOES.

**The following Members also recorded their votes for AYES: Shri Dhanna Singh Gulshan, Shri Ram Sewak Hazari, Shri Yuvraj, Dr. Ramji Singh, Shri Chandradeo Prasad Verma, Shri K. N. Dasgupta, Shri Mahmud Hasan Khan, Shri Ram Deo Singh, Shri Manohar Lal, Shri Dharma Vir Vasisht, Shri Raghbir Singh Machand, Dr. Vasant Kumar Pandit, Shri D. P. Shah, Shri Madan Tiwary, Shri Narmada Prasad Rai, Shri Chatra Bahadur Chhetri, Shri M. P. Sinha, Shri Bharat Singh Chowhan, Shri R. L. Kureel, Shri Anant Ram Jaiswal, Shri Halimuddin Ahmed, Shri D. Amat, Shri Ajitsinh Dubhi, Shri Roop Nath Singh Yadav, Shri Natwarlal B. Parmar, Shri T. S. Negi, Shri Brij Raj Singh, Shri Jagannath Prasad Swatantra, Shri R. D. Ram, and Shri Shrikrishna Singh.

SHRIMATI PARVATHI KRISHNAN: The Railway Minister is not here. The Railway Minister is having a Consultative Committee meeting. What sort of a Minister is he? He does not care for the Minorities Commission.

(Interruptions)

SHRI G. M. BANATWALLA: It shows their attitude towards the Commission. It is a grand conspiracy. It shows their true colour. On the one hand they say that they want to give Constitutional powers. On the other hand they are not present in the House when the Motion is put to vote. It is a deception. It is a conspiracy. It shows their attitude of deception, which they have done to the nation, with respect to this particular Bill.

SHRI K. GOPAL (Karur): We would like to know this. How can this happen? Why are their members not present?

SHRI G. M. BANATWALLA: Please allow me to make a submission on this very thing. Their true colour is coming out. The RSS faction is not wishing any constitutional status to the Commission.

(Interruptions)

SHRI K. GOPAL: The absence of Members is deliberate.

(Interruptions)

SHRI G. M. BANATWALLA: It is nothing but a grand conspiracy.

SHRI B. SHANKARANAND (Chikkodi): It is shameful. Tender resignation.

PROF. P. G. MAVLANKAR: It was a very important Bill.

SHRI K. GOPAL: In the Railway Consultative Committee 40 Members are sitting. Why?

AN HON. MEMBER: Where is the Deputy Prime Minister? Where are the other Ministers?

(Interruptions)

SHRI K. GOPAL: RSS Members are absent. It is deliberate.

SHRI G. M. BANATWALLA: There is a grand conspiracy by the ruling party. It is a very deplorable situation. *(Interruptions)*

SHRI B. SHANKARANAND: Where are the two Deputy-Prime Ministers? Where are the other Ministers? They were not present during voting . . . *(Interruptions)*

SHRI G. M. BANATWALLA: Sir, you should be strong in your observation condemn this attitude of the ruling party. They talk so much for the protection of minorities.

(Interruptions)

PROF. P. G. MAVALANKAR: Sir, I am on a point of order.

SHRI G. M. BANATWALLA: Yesterday everybody was present . . .

(Interruptions)

SHRI K. GOPAL: Sir, I would like to know why the Consultative Committee meeting is going on now when there is a voting on the Constitution Amendment Bill?

SHRI B. SHANKARANAND: Where are the two Deputy-Prime Ministers and other Cabinet Ministers? *(Interruptions)*

**THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA):** Sir, more Members are present. They can count them . . . *(Interruptions)*

**THE MINISTER OF COMMERCE,
CIVIL SUPPLIES AND COOPERA-
TION (SHRI MOHAN DHARIA):** Sir, what can we do when there was some fault in the machine?

(Interruptions)

MR. SPEAKER: Is there anything wrong in the machine?

(Interruptions)

SHRI G. M. BANATWALLA: It is an intolerable fraud on the part of the ruling party. It is an intolerable situation. *(Interruptions)* A fraud on the nation. An intelorable situation. You must join us in our agony. This is a fraud on the entire nation.

MR. SPEAKER: Mr. Mavalankar, what is your point of order?

PROF. P. G. MAVALANKAR: My point of order is this. This was a Constitution Amendment Bill and therefore, the House knows that it required two majorities: (1) two-thirds of those present and voting and (2) an absolute majority. It was known to the House and known to all of us that the voting was going to take place any time after 3 p.m. Therefore, a large number of members should have been present in the House and not just in the Lobby or the Central Hall, but in the House itself . . .

AN HON. MEMBER: We did not even go for lunch.

PROF. P. G. MAVALANKAR: We did not go for lunch because there was no lunch break. The point is that some of us wanted to speak and participate and lend our support but at that time the Chair and the Minister of State for Home Affairs said 'No more speeches because we are eager to pass the consideration stage.' Therefore, we were deprived of our legitimate right to speak, but we accepted that as we wanted the Bill to be passed . . .

MR. SPEAKER: What is the point of order ?

PROF. P. G. MAVALANKAR: The point of order is this. Those of us who wanted to speak were denied the chance to speak on the precise understanding that there will be voting at

[Prof. P. G. Mavalankar]

a particular time. And, when the voting has taken place, I would like to know whether it was a pre-planned thing on the part of the Government to have the voting at a particular time and have the Bill collapse. In spite of the fact that all of us on this side have voted, many on their side are absent. They should be ashamed of it . . . (Interruptions) I am ashamed that my friends in the Janata Party who make all tall talks about the welfare of the Scheduled Castes and Scheduled Tribes and other minorities have chosen to remain absent at the crucial hour when all of us on this side have supported them. I want your guidance now.

MR. SPEAKER: There is no such point of order.

(Interruptions)

PROF. P. G. MAVALANKAR: They are not keen to have the Bill passed at all . . . (Interruptions)

DR. HENRY AUSTIN: As you know, Sir, the minorities and the Harijans were very much interested in the Bill. I want to know from the Prime Minister what happened to this Bill.

SHRI G. M. BANATWALLA: A fraud on the nation.

MR. SPEAKER: Mr. Banatwalla, you yourself pressed for circulation.

SHRI G. M. BANATWALLA: I did not ask for a vote.

MR. SPEAKER: You could have asked for a voice vote.

SHRI G. M. BANATWALLA: The Bill has collapsed here. That was not the situation at my amendment. You could have taken that attitude. You cannot take sides when there is a fraud on the nation.

I will say my point of order in one sentence and resume my seat.

My point of order is this. This is a government measure and the government through its own callousness

has not seen that it goes through. A government measure has fallen. It must submit its resignation immediately. A fraud has been perpetrated on the nation. Therefore, I seek a ruling and a direction from you that such a government should tender its resignation. It should be done *immediately and here and now*. A fraud on the nation has been played. Ask the Government to resign. It was a measure brought by the government. They shouted from house-tops that they were sincere that they wanted to pass this Bill. A direction is wanted from you. Give a direction. A government measure has fallen because of the callousness of the government. Let them resign. Let them tender resignation.

(Interruptions)

SHRI B. SHANKARANAND: This Constitutional Amendment Bill was a measure brought by the Government itself. The Government and the ruling party wanted to show that they are doing something for the scheduled castes and scheduled tribes. (Interruptions). Please see that not more than 10 Cabinet Ministers are present today. The two Deputy Prime Ministers are absent as also many Members of the ruling party. My point of order is that the Government has not succeeded in this measure and the Bill has fallen. The point is whether the Government is competent to remain in power or tender its resignation. *They have lost the confidence* of the scheduled castes and scheduled tribes and the minorities of this country. The Government should tender its resignation and I demand this immediately. They are unfit to rule the country. Though this measure was supported by us, this has fallen through.

SHRI K. GOPAL: Sir, it was stated that the Bill will be taken up at a certain point of time. I would like to tell you, Sir, how callous the Government has been. I was in a meeting convened by the Minister of Railways and there were about forty Members sitting in that meeting. How

do you allow a meeting like this when there is a Government measure of this nature? I would like the House to recall that when in the Rajya Sabha the Privy Purses Bill fell through, the Congress Party was then in power, we dissolved the Lok Sabha. I would join Shri Banatwalla and ask the Prime Minister to dissolve the Lok Sabha today. I would also like to ask him whether it was deliberate. Yesterday in the Janata Party elections, there were 300 Members present, even today they are sitting outside. You have raised high hopes among the public. Tomorrow, another Constitutional Amendment Bill on cow protection is coming; you will see everybody here. Sir, you have to pass strictures on the Government and they have to tender their resignation and dissolve the Lok Sabha . . . (Interruptions)

PROF. SAMAR GUHA (Contai): Sir, these sincere friends who are sincerely giving expression to their feelings were not sincerely present in the House at the time of voting. Now most of them have become very vocal after the doors were opened . . . (Interruptions). My point is whether it is the practice of the House that at the time of voting when the first vote is taken and the instrument does not sometimes correctly reflect the strength of the Members present in the House, then the physical verification . . . (Interruptions).

MR. SPEAKER: Mr. Samar Guha, this is not a point of order.

(Interruptions)

MR. SPEAKER: This is not a point of order. Please . . .

(Interruptions)

PROF. SAMAR GUHA: It is always the practice: first, the counting is made. After that, if anybody has failed to record his voting . . . (Interruptions) Why has it been done? It is absolutely a wrong procedure. (Interruptions) More than half the Members were present in the House. Before making the physical counting, why was the door opened? Why was

it done. It cannot be done. (Interruptions) The instrument does not reflect the strength of the House . . . (Interruptions)

SHRI B. SHANKARANAND: Don't support the Government so shamelessly. . . . (Interruptions)

PROF. SAMAR GUHA: If anybody failed, or if anybody's voting has not been properly recorded . . . (Interruptions) why was the door of the lobby opened before the physical counting was done? (Interruptions)

MR. SPEAKER: I now call Mrs. Ahilya Rangnekar.

श्रीमती अहिल्या रंगनेकर (बम्बई-उत्तर मध्य) : अध्यक्ष महोदय, यह बड़ा गम्भीर मामला है और जिस तरीके से इस को डिफेण्ड कर रहे हैं—हमें शर्म आती है। यह पहला चांस नहीं है, अभी कुछ दिन पहले दिल्ली के बारे में जो संविधान संशोधन विधेयक आया था, उस वक्त भी उस को पोस्टपोन करना पड़ा था। उस के बाद तो यह गवर्नमेन्ट बेन्चेज की रेस्पॉसिबिलिटी थी कि सब लोगों को इस के लिये मोबिलाइज करके। कन पार्टी का चुनाव था, सब यहाँ मौजूद थे। जमशेदपुर और झरखण्ड की घटनाओं को देखते हुए यह संशोधन बहुत महत्वपूर्ण था। लेकिन इस के बारे में सरकार में कोई सीरियस नहीं है। आप अपोजीशन को इस के लिये रेस्पॉसिबिलिटी नहीं ठहरा सकते, क्योंकि सब ने इस बिल को सपोर्ट किया है, लेकिन उसके बावजूद भी आप सब लोगों को मोबिलाइज नहीं कर सकते। यह कौनसी पार्टी की रेस्पॉसिबिलिटी थी। इस के लिये आप को स्टेटमेन्ट देना चाहिये कि यह जानबूझ कर हो रहा है या क्या हो रहा है — इस को बतलाना चाहिये।

(Interruptions)

MR. SPEAKER: This is not to be made into another debate. Now Mr. Roy.

SHRI KRISHNA CHANDRA HALDER (Durgapur): On a point of

[Shri Krishna Chandra Halder]
order. I have a right to raise a point
of order. (*Interruptions*).

MR. SPEAKER: I have called Mr.
Roy.

SHRI A. K. ROY (Dhanbad): I have
got an equally *bona fide* point of
order. My point is that the ruling
party has definitely failed, politically
and morally, on a very vital issue, and
the ruling party must be censured. I
suggest that you adjourn the House
sine die, and allow us to think
afresh politically about the whole situ-
ation. Similarly, I should say that
the Opposition who are valient fighters
for the minority cause have also fail-
ed. I can say that under 183 only
after sometime there will be some
discussion. Where is the Leader of
the Opposition? Not only the Leader
of the House has got the responsibi-
lity but the Leader of the Opposition
has also got an equal responsibility
on this matter. So, I say that both—
the Ruling Party and the Opposition
—of them have failed. (*Interrup-
tions*). This is my point of order.

SHRIMATI PARVATHI KRISH-
NAN (Coimbatore): I am really sor-
ry to say that things have come to
such a pass that an important issue
like this is being treated so lightly.
I am really surprised and amazed
that the Government can treat this
matter so lightly, because here is an
important Constitution Amendment
Bill. Since morning most of us have
been sitting here on both sides and
wanted to participate in the general
discussion. And you came, and in
your wisdom, your smile and your
pleasure called the Minister to reply.
Now we faught that the Minister
would at least agree to refer this mat-
ter to a Select Committee in which
case we would not have all these con-
clusions. But he, in his wisdom—
Laurel and Hardy of the Ministry of
Home Affairs were both sitting here—
is not accepting any amendment.
(*Interruptions*) Meanwhile, one of the
Professors of Physics thought that he
could go by remote control along
with all the other Members. So, he
had a meeting of the Consultative

Committee going on. At that pre-
cise moment, he was being brought
in. So, he thought that he should
continue there and operate by a re-
mote control. Is this the responsible
Government I ask you, because here
we are sitting in the background of
uncertainty in the country, in the
background of mutual recriminations.
And when the debate was going on,
Mr. Banatwalla pointed out how the
Chief Minister of Uttar Pradesh had
contravened an Article of the Consti-
tution.

MR. SPEAKER: Is this the point of
order.

SHRIMATI PARVATHI KRISH-
NAN: This is very important, Sir.
(*Interruptions*) Therefore, we have
failed to carry out one of the funda-
mental duties under the Constitution
which is that of creating more har-
mony and not disharmony. It is in
this background that we have had this
absolute tragic comic. I do not
know what to call it. (*Interruptions*)
It is a tragedy for the country. It
is a comedy for them, because they
are indulging in their acting, comedy
and other quarrels day after day. Dr.
Murli Manohar Joshi can come and
wave his shirt like this but he can-
not come and see that their people
vote for this amendment. This is the
kind of hypocrisy that they are play-
ing. We have to take a very serious
notice of it. I hope you will get be-
yond the word 'please' and throw
some light on this matter.

श्री गौरीशंकर राय (गाजीपुर) :
मान्यवर, यह बड़ी दुर्भाग्यपूर्ण स्थिति है।
इस के लिये किसी को गर्व नहीं है। यह बात
सही है कि सदन के नेता जो हैं, उन को अपनी
पार्टी के भीतर इस बात का इन्तजाम करना
चाहिए कि गैर-हाजिरी न हो। गैर-हाजिरी
क्यों हुई? (बदबखान) जरा ध्यान सुन
लीजिए। सब से दुर्भाग्यपूर्ण बात यह रही
कि सभी लोगों ने वोटिंग नहीं की। ध्यान
जरा परसेन्टेज ध्याक वोट्स डिफेन्ट पार्टीज
के देख लीजिए। हमारे मरोजीकन के लोग

जो यहाँ मौजूद थे, वे भी बाहर चले गये और फिर बाहर से घाए और वे कहते हैं कि हम एम्बुलिवेस्टीकली इस को सपोर्ट करते हैं। (इयबबान)

मान्यवर, मेरी जरूरत तो लीजिए। ये कितने लोग यहाँ बैठे थे और उनमें से कितने बाहर चले गये? (इयबबान)... मान्यवर, यह इस्तीफा देने का सवाल नहीं है। इस सवाल पर सरकार इस्तीफा दे कर बनतवाला जी और दूसरे लोगों के हाथ में हकूमत देने वाली नहीं है। (इयबबान)

THE PRIME MINISTER (SHRI MORARJI DESAI): May I say, what has happened is certainly not edifying for us. It is a lapse; I do recognise that....

SHRI DINEN BHATTACHARYA: Regrettable.

SHRI MORARJI DESAI: ...Regrettable, you may add as many adjectives as you want; I am prepared to accept them. It is a warning we will take certainly. But on that, to spend the time of the House just now, is it fair? It is all that I ask.

To say that the Government resign on this there is no meaning... (Interruptions).

It is not going to happen.. (Interruptions) I am very sorry. I personally feel that when we counted...

SHRI K. LAKKAPPA (Thunkur): Mr. Speaker... (Interruptions)

MR. SPEAKER: You have come just now; you were not even present here then.

SHRI MORARJI DESAI: Even after the voting took place, when I counted the Members here, upto here, they were at least 230, not counting the other people. There was something

wrong with the machine... (Interruptions).

SHRI B. SHANKARANAND: No,

SHRI MORARJI DESAI: I did not want to raise that point at that time because the doors were opened and I could not say so, that is why I did not speak about it. It is a matter of regret certainly, I cannot say that we are not responsible for something which has happened. But to say that this was a deliberate attempt to do this is something which does not befit the person who said that, it is not right... (Interruptions)

MR. SPEAKER: I have heard enough. Two points have been raised... (Interruptions)

SHRI KRISHNA CHANDRA HALDER: There should be a special session. The ruling party has failed to muster enough Members...

MR. SPEAKER: I have allowed your party Members to speak please resume your seat.

SHRI KRISHNA CHANDRA HALDER: I want to say**

MR. SPEAKER: No, I am not allowing. It is the same thing again and again. Don't record.

SHRI KRISHNA CHANDRA HALDER:**

MR. SPEAKER: Two Members from your party have already spoken.

SHRI DINEN BHATTACHARYA: On a previous occasion a special session was convened to pass a constitutional amendment.

MR. SPEAKER: You have made your suggestion... (Interruptions) I do not know whether there should be a debate on this: the motion is lost; there is nothing to that.

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, I have been trying to rise on a point of order; I wanted to request the Chair to proceed to the next item on the agenda... (Interruptions)

**Not recorded.

SHRI G. M. BANATWALLA: It cannot proceed; you decide and you give a ruling on that.

MR. SPEAKER: They have got the right to speak just as you have got; let him say.

SHRI SHYAMNANDAN MISHRA: It seems that after the game was lost, it has indeed been temporarily lost, about that there could be no doubt here could be no mechanical failure when the Members did not stand up in their seats and tell the Speaker that there had been mechanical failure and they had not been counted, but the point remains, there should have been a sincere expression of regret from the Minister of Parliamentary Affairs. The Prime Minister has indeed made up for the lack on the part of the Minister of Parliamentary Affairs and we indeed feel very much ashamed of the whole performance. There is no doubt, as the hon. lady Member said that yesterday we were present in no less a strength than 272 when we voted for party elections and we could have managed that much of strength to-day. We feel sincerely sorry and ashamed of it. But my submission to you is to lose no time, to create no second zero hour but to proceed to the next item.

SHRI HARI VISHNU KAMATH (Hoshangabad): I have a two fold requested to make. At the outset I express my sincere regret that I could not be present here. This is the first time in my parliamentary life that it has happened that I could not be present at the time of 'division'.

MR. SPEAKER: That should have been the reason.

SHRI HARI VISHNU KAMATH: I want to make this clear to the House And you, Sir. I would implore that the interval between the ringing of the Division Bell and the closing of the doors should be more than 3½ minutes. As soon as I heard the Bell in the room, tomorrow is the last day and I as Chairman of the Committee had to wind up...

SHRI G. M. BANATWALLA: To-day is the last day...

SHRI HARI VISHNU KAMATH: To-morrow is the last day of the Session.

SHRI G. M. BANATWALLA: It has fallen.

SHRI HARI VISHNU KAMATH: As soon as I heard the Bell, I came from the room. I was held up near the lift as the lift did not come up in time. I came down from the Third Floor. The lift stopped at the Second Floor, and then at the First Floor...

MR. SPEAKER: This is an explanation for your absence.

SHRI HARI VISHNU KAMATH: To my consternation I found the doors closed and I found my colleagues, two of them, were also sitting outside.

MR. SPEAKER: If I call for the explanation of every member....

(Interruptions)

MR. SPEAKER: Mr Kamath, you have made your suggestion already

SHRI HARI VISHNU KAMATH: My suggestion is that in 1964...

(Interruptions)

SHRI G. M. BANATWALLA: Please give the ruling.

(Interruptions)

MR. SPEAKER: I have heard you already

SHRI D. N. TIWARY (Gopalganj): I want to make one submission

अध्यक्ष महोदय यह पहली बात नहीं है जो यहां इस हाउस में हुई है। इसके पहले भी पंडित जवाहरलाल नेहरू के समय भी दो दो मर्तबा कांस्टीट्यूशन एमेंडमेंट फेल किया है पूरी उपस्थिति के अभाव में। श्रीमती इन्दिरा गांधी के समय भी दो दो मर्तबा फेल किया है। आज भी फेल हुआ है तो कोई नई बात नहीं है। इसका मतलब यह नहीं है कि लक्ष्मी ही उलट दिया जाए। यह कोई नई बात नहीं है। ऐसे होता रहा है। इसलिये हल्ला गुल्ला करने की जरूरत नहीं है।

MR. SPEAKER: Two points have been raised before me. One is that there has been a failure on the part of the voting machine. No such objection had been taken immediately after the voting took place and there is no reason to think that the voting machine has failed.

The second objection that has been taken is that because the Government could not command the requisite majority for passing the Bill, the Government must resign. I see no substance in this contention.

(Interruptions)

SHRI G. M. BANATWALLA: There is every substance. An important measure...

MR. SPEAKER: There is no substance in this contention. The Government must always command the confidence of the majority of the House. Even in this voting, the Government has come with much more than the majority of the House. Therefore, there is no question of my asking the Government to resign.

Now I go to the next item— The Lokpal Bill, 1977, as reported by the Joint Committee.

SHRI G. M. BANATWALLA: Mr. Speaker, Sir, there is one sentence...
(Interruptions)

MR. SPEAKER: I have heard you Mr. Banatwalla, no more one sentence 8 hours have been allotted for all the three stages of the Bill. If the House agrees, we may have 5 hours for general discussion, 2 hours for clause-by-clause consideration and 1 hour for third reading.

SHRI K. LAKKAPPA: We stage a walk out.

Shri K. Lakkappa and some other Members then left the House.

SHRI G. M. BANATWALLA: In protest....

MR. SPEAKER: No, Mr. Banatwalla I have heard you fully. I have heard you.

(Interruptions)

SHRI G. M. BANATWALLA: We want to stage a walk out in protest. Allow us to record our walk out in protest.

MR. SPEAKER: Mr. Banatwalla, I am not going to allow, no recording, nothing.

(Interruptions)

SHRI BANATWALLA:

SHRI G. M. BANATWALLA then left the House.

16.45 hrs.

LOKPAL BILL

MR. SPEAKER: I hope the House will agree. 8 hours have been allotted for all the three stages. If the House agrees, 5 hours may be given for general discussion, 2 hours for clause-by-clause consideration and 1 hour for the third reading. The Minister will move the Bill now.

16 45 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

SHRI HARI VISHNU KAMATH (Hoshangabad): On a point of order, Sir. The House would like to know whether the time has been fixed by Business Advisory Committee. Who has fixed the time? Under the rules, the Business Advisory Committee, has to meet and fix the time.

MR. DEPUTY SPEAKER: We are asking the House to agree.

SHRI HARI VISHNU KAMATH: We have not agreed. It has only been mentioned by the Speaker. It has not been agreed to by the House.

****Not recorded.**

Rule 288 says which refers to the Business Advisory Committee says:—

"It shall be the function of the Committee to recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills and other business as the Speaker, in consultation with the Leader of the House may direct for being referred to the Committee."

Now, we are not aware of the report of the Business Advisory Committee on this. I do not know whether you were there at that time. I had raised the question earlier whether the time allocation has been made for the Lokpal Bill and if I remember aright, the hon. Speaker said, there is no chance of the Bill coming up in this session and so, we shall see about it next session when it comes up. Then, I pointedly asked, what priority will be given to it. He said, top priority.

MR. DEPUTY-SPEAKER: Mr. Kamath, I am told that the Business Advisory Committee has allocated this time.

SHRI HARI VISHNU KAMATH: Where is the report of the Business Advisory Committee? When did it come before the House? (*Interruptions*).

MR. DEPUTY-SPEAKER: It can be altered, but it need not be said that the Business Advisory Committee has not allotted time. The Business Advisory Committee allotted time and that is why it was read out. You have not read that report probably. It is in the 21st report of the Business Advisory Committee dated 2nd August, 1978 (*Interruptions*).

PROF. P. G. MAVALANKAR (Gandhinagar): It was last year's report and you are telling us now about it. It has lapsed.

MR. DEPUTY-SPEAKER: Whether it was last year or this year, it is the same Bill. The Bill has not undergone any change and the Business Advisory Committee has allocated time for the discussion of that Bill. How does it alter the position? (*Interruptions*).

PROF. P. G. MAVALANKAR: Everything lapses when the session is over. For the next session, there has to be a fresh report.

MR. DEPUTY-SPEAKER: The only thing I can do is that I will put it to the House. Does the House agree to the suggestion that 8 hours be allotted for all the three stages of the Bill? If the House agrees we may have 5 hours for general discussion, 2 hours for clause by clause and one hour for third reading.

SEVERAL HON. MEMBERS: Yes.

SOME HON. MEMBERS: No.

MR. DEPUTY-SPEAKER: Ayes have it.

SOME HON. MEMBERS: Noes have it

MR. DEPUTY-SPEAKER: Then in that case, I will have to call for division.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): Mr. Deputy-Speaker, Sir, I want to know what exactly we are voting for. Is there any firm proposal from the hon. Member?

MR. DEPUTY-SPEAKER: I will tell you what we are voting. The Home Minister was about to move the Lokpal Bill and I read out a suggestion that 8 hours be allotted for three stages of the Bill and if the House agrees, we may have 5 hours for general discussion, 2 hours for clause-by-clause ~~discussion~~ and

[Mr. Deputy Speaker]

one hour for the third reading. This was what was proposed by the Business Advisory Committee. (*Interruptions*). It was proposed in August 1978 when the Lokpal Bill was first proposed to be discussed here. Therefore, the same time allocation was read out, but Mr. Kamath and Mr. Mavalankar objected to this and they said: "No, we don't agree with this." So, we have been forced to have a Division. But there is no other proposal I can tell you.

SHRI D. N. TIWARY (Gopalganj): Sir, I have given you a proposal. I have made a proposal, Sir.

SHRI RAVINDRA VERMA: As has been explained, the hon. Member from Hoshangabad has not made any definite proposal about increasing the time. As far as we are concerned, Sir, the Business Advisory Committee did make a proposal which the House has endorsed. Well, the House is sovereign. If it wants to increase the number of hours from 8 to 10 or 12, we have no objection, but there must be a specific proposal for increasing the hours from 8 to 10 or 12.

(*Interruptions*)

MR. DEPUTY-SPEAKER: Now we are at a stage when we are voting on this. First, you will have to vote it out. We have already cleared the lobbies.

SHRI RAVINDRA VARMA: I want to submit, Mr. Deputy Speaker, that the question of division on the time for the first and the second stage will arise only if you do have a ceiling of 8 hours. If you decide to remove the ceiling of 8 hours, the proposal to divide the time into 5 hours and 2 hours and 1 hour falls to ground. Therefore, I would suggest that we extend the time to 10 or 12 hours.

MR. DEPUTY-SPEAKER: If you are agreeable to 10 hours, it is all right. But there is a specific proposal by Mr. D. N. Tiwary.

SHRI G. M. BANATWALLA (Ponnani): Sir, I am on a point of order.

MR. DEPUTY-SPEAKER: There is no point of order till I read what I have got before me here. Point of order on what?

SHRI G. M. BANATWALLA: On submissions...

MR. DEPUTY-SPEAKER: On submissions there can't be points of order Mr. Banatwalla, please take your seat now. Let me read out the motion (*Interruptions*). Please take your seat. If you don't, then nothing will go on record. Please take your seat now.

There is a proposal from Mr. D. N. Tiwary that the Bill should be given at least 12 hours for consideration and passing—not 'at least', but you make it specific '12 hours'. So, there is one specific proposal. That is . . .

SHRI G. M. BANATWALLA: This is my point of order. After the lobbies are cleared, we are called to vote, and now proposals are coming (*Interruptions*). I raised this specific point of order on this but you are not allowing.

MR. DEPUTY-SPEAKER: Mr. Banatwalla, yes, there is a specific proposal which goes along with the announcement which is being voted. If this is voted out, there is nothing in the House. What do you do? That is why there is a specific proposal which follows what has been read out. If this is acceptable, then this has to be voted. Therefore, if there is a specific proposal, we vote on the specific motion and that is why I read out the motion. And now those who are in favour of Mr. D. N. Tiwary's motion may say 'Aye'. (*Interruptions*). He agreed to 12 hours.

शुद्धी कर्म देव नारायण याचक (सधुवनी):
यह कैसे होवा ? जब प्राप विभाजन की

बंदी बका दिए तो जिस प्रस्ताव पर बंदी बजी उसी प्रस्ताव पर वोटिंग होगी।

उपरोक्त महोदय : कोई प्रस्ताव नहीं था। प्रस्ताव तो अभी आया है।

It was only a proposal.
(Interruptions)

SHRI D. N. TIWARY: Sir, I move:

"That the time allotted for consideration and passing of the Lokpal Bill, 1977, as reported by the Joint Committee, be increased to 12 hours."

MR. DEPUTY-SPEAKER: The question is:

"That the time allotted for consideration and passing of the Lokpal Bill, 1977, as reported by the Joint Committee, be increased to 12 hours."

The motion was adopted.

MR. DEPUTY-SPEAKER: So, we allot 12 hours for this. Now, Mr. Patel.

17.00 hrs.

SHRI SOMNATH CHATTERJEE (Jadavpur): What I am very respectfully submitting to you and to the hon. House is that this is a very important Bill and a very controversial Bill also. We want a full and proper discussion, and not a truncated discussion of this Bill. Not even one and a half hours are available today, and tomorrow it is uncertain. Then there will be an interregnum of more than seven weeks. So, the effect of the whole discussion will be lost. Therefore, I am appealing that the discussion of this Bill be postponed to the next session, and let this be given the topmost priority in the next session, so that we can take up the other business today. This is my request and submission. Not that we want to delay the matter, but to take it up on

the penultimate day at 5 p.m. does not admit of a proper discussion of this important Bill.

SHRI KRISHNA CHANDRA HALDER (Durgapur): I endorse the appeal made by Mr. Chatterjee.

MR. DEPUTY-SPEAKER: There is a proposal by Mr. Chatterjee that the Bill be not moved today, but in the next session. What is your reaction?

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): It was these very hon. Members who were insistent upon the Lokpal Bill being moved in this session. We said we would do so, and I accordingly suggest that we go through with it.

SHRI SOMNATH CHATTERJEE: Twelve hours have been allotted, it cannot be passed.

MR. DEPUTY-SPEAKER: The House was good enough to allot 12 hours. So, we will have to find the 12 hours.

SHRI SOMNATH CHATTERJEE: This is a very reasonable proposal, I do not know why they do not agree.

MR. DEPUTY-SPEAKER: You cannot have the cake and eat it too

SHRI SOMNATH CHATTERJEE: He talks of priority, but priority over the Bill which has been lost. Government could not arrange to make the Members present.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): The Home Minister is bound to take one hour. In any case, we will have to read his speech to understand it. So, let him finish his speech today.

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): I beg to move:†

"That the Bill to provide for the appointment of a Lokpal to inquire

†Moved with the recommendation of the President.

[Shri H. M. Patel]

into allegations of misconduct against public men and for matters connected therewith as reported by the Joint Committee, be taken into consideration."

Before I speak on the Bill, I would request hon. Members to make a correction in the Bill as printed in the Report of the Joint Committee. Clause 26, which has been printed inadvertently in thin type, may please be deemed to have been printed in thick type, since this involves incurring of expenditure.

As the hon. members would be aware, it was the Administrative Reforms Commission which, in its report submitted in 1966, had recommended the setting up of the institution of Lokpal to receive from citizens complaints of mal-administration and allegations of corruption against Ministers and Secretaries and to inquire into them, with the ultimate aim of achieving highest standards of integrity in Administration and of making it responsive to the public. Although the then Government initiated legislative proposals following this recommendation of the ARC, for reasons known to them, they failed to bring these proposals on the Statute Book. The Janata Party had committed itself to bring forth this measure so that, through the institution of Lokpal, a clean Administration could be provided to the country. Accordingly, this Government introduced on the 28th July, 1977, the Lokpal Bill, 1977, for setting up of the institution of Lokpal, to inquire into allegations of misconduct against public men. The Bill was referred to a Joint Select Committee of both the Houses and the Committee submitted its report in July, 1978. The Committee has done a good deal of work on the Bill and has made several improvements thereon. There are two areas in respect of which we differ with the modifications made by the Committee.

The first is that the Committee has excluded the Chief Ministers of the States from the purview of the Lok Pal on the consideration that the Central Government should not ordinarily step in the area which falls within the limits of the States. On the other hand, some of the members, in their notes of dissent have urged that the Chief Ministers should not have been excluded. Let me inform the hon. members of the basis on which we had included the Chief Ministers in the Bill, as introduced in Parliament. Even before the idea of setting up of the institution of Lokpal was mooted by the Administrative Reforms Commission, in its Interim Report submitted in October, 1966, the Committee on Prevention of Corruption, headed by the veteran Shri K. Santhanam, had recommended formulation of a Code of Conduct for Ministers under which the authority to inquire into complaints against Chief Ministers was given to the Prime Minister/Home Minister. The fact that the Code of Conduct for Ministers which was formulated on the recommendations of this Committee in 1964 was accepted by majority of the Chief Ministers and has been followed since then without any modification, shows the extent to which the practice, by which the complaints against Chief Ministers are inquired into by the Prime Minister, has inspired confidence in the public. Later, the Administrative Reforms Commission recommended the setting up of the institution of the Lokpal, by a Central legislation, with jurisdiction over both Central and State Ministers. The recent judgment of the Supreme Court delivered in the suit under article 191 filed by the State of Karnataka against the setting up of the Grover Commission of Inquiry by the Central Government has settled the issue relating to the Centre-State relationship in this regard. In the words of the Chief Justice: "I... have come to the conclusions that no such principle of federalism could be found there which could impliedly cut down expressly

conferred powers on Parliament to legislate with regard to inquiries of every type including inquiries against Ministers in State Governments in respect of wrongs alleged to have been committed in the exercise of Government powers'. The competence of the Central Government to appoint a Commission of Inquiry to inquire into allegations against a Chief Minister will remain unabated and in the eventuality Chief Ministers are not brought within the purview of Lokpal, the Central Government would take recourse to the Commission of Inquiry Act, whenever, need arises for an inquiry into allegations against a Chief Minister. The Government, therefore, feel that it will be only proper that the Chief Ministers of the States should be covered by the jurisdiction of Lokpal. At the same time, in order to meet the point of view taken by the Joint Committee, the Government propose to provide that in the case of complaints against a Chief Minister, the "competent authority" will be the Chief Minister of the State, or, if by reason of a proclamation under Article 356 of the Constitution being in force, in the State, there is no Chief Minister of the State, the Governor of the State will be the competent authority. It is further proposed that the Lokpal shall forward a copy of any special report that may be made by him, or any portion of annual report relating to a complaint against the Chief Minister of a State, to the Governor of such State and the Governor shall cause the same to be laid before the State Legislature. In this way, while the Lokpal gets jurisdiction to inquire into complaints of misconduct against Chief Ministers, the State Governments and the State Legislatures will be *au fait* with the accountability of the Chief Ministers in respect of such inquiries. I have already given notice of appropriate amendments in this regard and I hope that these will be accepted by the House.

The next is that the Committee has made the speaker of the House as the 'competent authority' in respect of

complaints against the Prime Minister on the consideration that it would not be in conformity with the principles of jurisprudence and natural justice that the Prime Minister should act as the judge of action in his own case. While there is considerable force and weight in this argument, at the same time, we feel that making the Speaker as the 'competent authority' in respect of a complaint against the Prime Minister would effect adversely the dignity of the high office of the Speaker as his decision will come under scrutiny by the Lokpal and may also attract criticism in Parliament. The Speaker, I may say, is outside the machinery of the Government and it would not be desirable to import him into the system of the Lokpal. We gave further thought to this issue after the Joint Committee submitted its report and came to the conclusion that the proper course would be to provide that in the case of a sitting Prime Minister, the Lok Sabha would be the 'competent authority' for all purposes. This special procedure we are proposing because in the case of a person holding the office of the Prime Minister, there is no other person or body who could appropriately take action. However, in the case of a complaint against a Prime Minister, who is not in office, at the relevant time, the Prime Minister in office will be the 'competent authority'. I have accordingly given notice to move appropriate amendments in this regard.

The Committee has also made certain amendments which the Government accept, having regard to the position of the legislators and the functions which they have to discharge as representatives of public and their rights and immunities. These are—

Further, the 'competent authority' in the case of complaints against Members of Parliament has been laid down in the Bill itself, namely, the Speaker in the case of complaints against Members of Lok Sabha and the Chairman of Rajya Sabha in the

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case of complaints against Members of Rajya Sabha. Where the complaint is against the Speaker the competent authority in that case would be the Deputy-Speaker of Lok Sabha.

Secondly, the definition of 'misconduct' in the case of legislators, has been narrowed down, confining its scope mainly to acts of corruption, and a legislator would be regarded as committing a 'misconduct' only if he abuses or attempts to abuse or knowingly allows to be abused his position as such legislators for securing for himself directly or indirectly any valuable thing or pecuniary advantage.

Thirdly, a complaint against a legislator will not be filed directly before the Lokpal and it would first be submitted to the 'competent authority' concerned. On receipt of the complaint, the 'competent authority' would examine it and if, after having regard to the nature of the allegations made in the complaint, the provisions of Article 105 of the Constitution and all the circumstances, thinks it fit for investigation by the Lokpal, he may refer it to the Lokpal or deal with it in such manner as he may deem fit.

Fourthly, the inquiry in respect of a complaint against a legislator will not be given any publicity till the stage of communication or announcement of the findings and that it will be conducted only *in camera*, as any premature publicity will damage his public image.

These safeguards, in my view, should adequately take care of the interests of the legislators. Here, I would like to draw the attention of the Hon. Members to the objective of the Bill as given in the Statement of Objects and Reasons which is to create an institution of Lokpal to provide an effective instrument to combat the problem posed by corruption at high-level political levels. An M.P. enjoys

a very high position in political hierarchy and by reason of his position, he has access to Ministers and others, in position of power and authority. If the Ministers only are included, a sizeable part of the political hierarchy will be left out. The Government, therefore, feel strongly that they should be covered by the Act lest it should leave a gap to that extent to make the measure envisaged by this legislation incomplete.

Lastly, I would like to inform the House that we propose to add a new provision which was not there when the Bill was considered by the Joint Committee. This is to give power to the Lokpal to stay investigation by police for such period as it considers necessary with respect to a particular offence or matters which are also the subject-matter of inquiry by the Lokpal. A situation may arise where a case has already been registered by the police for investigation before any complaint has been made to the Lokpal or a First Information Report may be lodged with the police authorities with respect to the same matter. Legally there would be no bar to the two inquiries proceeding simultaneously. But this would not be fair to the person complained against, as he would have to disclose his defence before one authority and this may prejudice him in the other proceedings. The very object of the scheme of the Lokpal, which is intended to provide a forum for ascertaining facts about matters alleged against public men, before any action either under law or otherwise is taken against them, would be defeated if police investigations were to proceed simultaneously with Lokpal inquiries. Operational difficulties may also arise in case parallel investigations are carried on inasmuch as documentary evidence may be needed simultaneously by the Lokpal as well as by the police. The Lokpal may face difficulty in the scrutiny of papers unless he is adequately empowered to have full access to all material relevant to investigation. Moreover, some witnesses

may also have to be questioned by both the functionaries. We, therefore, feel that it is necessary that there should not be parallel investigation by the Lokpal and the police authorities on the same matter at one point of time and that one of them should wait for the other to complete its work. If an investigation can be carried on by the police without affecting the inquiry by the Lokpal, there should be no objection to such investigation being made. But the Lokpal should have the authority to stay such investigations if he comes to the conclusion that the investigation ordered by him would face difficulties. Accordingly, I have given notice of appropriate amendment in this regard.

I see that a number of amendments have been tabled. Most of the matters covered by these amendments were considered in the Joint Committee stage at length and they were not found acceptable. In my view, the Bill, as reported by the Joint Committee, with the amendments of which I have given notice, would effectively serve the objective in view. Any attempt to make it complicated or elaborate will be self-defeating. Therefore, I would request the hon. Members who have tabled amendments, not to press them but to see that this Bill, with the Government amendments, receives unanimous support and fulfils the objective which it is set out to achieve.

Sir, I move.

PROF. P. G. MAVALANKAR (Gandhinagar): On a point of order. The hon. Minister has read out a very detailed statement, and to the extent it goes, it may be considered as good. But my point of order is this. He has explained in some way as to how and why Government thought it fit to depart from the recommendations of the Joint Committee. But may I submit that his written statement is not adequate because the House has not yet got the fuller reasons as to the rationale behind the Government's

departure from the main recommendations of the Committee. Therefore, I would like you, Sir, to tell the Minister to explain this to us in fuller details.

Secondly, I do not want to embarrass you; I will be the last person to embarrass you or any one in the Chair. But my point is this. Your office was mentioned and the Prime Minister's office was also mentioned. I would like to know what exactly is the reason which prompted the Government to put the Deputy-Speaker in judgment over the Speaker and the Lok Sabha in judgment over the Prime Minister. Let the Minister explain this, Sir, I do not want to embarrass you because you are in the Chair...

MR DEPUTY-SPEAKER: I am already embarrassed.

PROF. P. G. MAVALANKAR: I would like you, Sir, to utilise your right to express your views on this matter while you are not occupying the chair. Otherwise, how are we to know what is your reaction to this kind of a proposal? On the face of it, it seems it requires further consideration. Therefore, I request that you may direct the Home Minister to give us a fuller reply to the points that I have mentioned.

SHRI H. M. PATEL: I have sought to explain the amendments that we have moved. The explanations have been given. If he thinks that it is not sufficient, I will certainly enlarge upon them as and when we come to them. What I said was that I was asking essentially the Bill as it comes...

SHRI P. RAJAGOPAL NAIDU (Chittoor): Unless he explains it is not possible.

PROF. P. G. MAVALANKAR: How are we to participate in the debate? We are handicapped.

SHRI H. M. PATEL: There is no need to be handicapped at all be-

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cause the Bill which is placed before you is the Bill as it has emerged from the Joint Select Committee. What I have said was that the government has thought it fit to move certain amendments and they will be considered along with all other amendments. I am merely explaining to you why we feel certain amendments are necessary.

With regard to the point about Speaker and Deputy Speaker, if I may invite your attention to the Constitution, Art 96(1) says:

"At any sitting of the House of the People, while any resolution for the removal of the Speaker . . .

PROF. P. G. MAVALANKAR: That is a different situation.

SHRI H. M. PATEL: The point is that there is nothing incongruous in this proposal. If there is any, it is open to argue about it. I do not see why you want everything to be said at this stage.

MR. DEPUTY SPEAKER: He has already explained that what he has moved is the Bill as it has emerged from the Select Committee and the amendments he will move will come afterwards.

SHRI SOMNATH CHATTERJEE (Jadavpur): The Home Minister has made a request that the Bill as it has come out from the Joint Select Committee with the government amendments should receive the unanimous approval. That is his appeal to the House. Why after so many sittings where the government has actively participated, is the government having second thoughts over it? The government is a party to the Bill in the sense that the Home Minister was present.

MR. DEPUTY SPEAKER: You can bring out all those things in the discussion.

SHRI H. M. PATEL: I do not know why they want to waste their own time.

MR. DEPUTY SPEAKER: Now, motion moved:

"That the Bill to provide for the appointment of a Lokpal to inquire into allegations of misconduct against public men and for matters connected therewith, as reported by the Joint Committee, be taken into consideration."

Now, there is no name from this side of the House. . . Unfortunately, I do not have any name from this side of the House

SHRI HARI VISHNU KAMATH (Hoshangabad): No one is prepared there.

MR. DEPUTY SPEAKER: Shri Yuvraj—he is also absent.

Dr. Ramji Singh—Yes, he is ever present.

डा० रामजी सिंह (भागलपुर) : आज का दिन इस संसद के लिये एक बहुत ही सीमागम्यपूर्ण दिन है कि हम राजनीतिक झण्टाचार की संगोत्री पर ही प्रहार कर रहे हैं। हमारी भूतपूर्व और पहले प्रधान मंत्री के सामने भी यह सबाल आया था और उन्होंने अपने जयपुर के आल इंडिया कांग्रेस कमेटी के अधिवेशन में भी इस पर 1963 में बोलते हुए कहा था कि यह लोकपाल की जो संस्था है यह बहुत अच्छी संस्था है। लेकिन उनको भी इस पर संशय मालूम हुआ था। उन्होंने कहा था :

"While the system of Ombudsman fascinated him, since the office would have overall authority to deal with charges even against the Prime Minister and would command respect and confidence of all, he, nevertheless, felt that its introduc-

tion was beset with difficulties in a big country like India."

पंडित जवाहर लाल नेहरू को भी तब यह विचार बहुत आकर्षक लगा था। लेकिन मैं बहुत ही विनम्रता के साथ कहना चाहता हूँ कि शायद उन में भी इतना साहस नहीं हुआ कि वे इस लोकपाल विधेयक को प्रस्तुत कर सकें। हो सकता है कि उस समय वह समझते हैं कि हमारा जनतंत्र बहुत ही शैशवावस्था में है और वह इसके लिये तैयार नह। लेकिन हम को आज इसकी आवश्यकता पड़ी है और इसीलिए आज यह लोकपाल बिल प्राया है। सचमुच में यह जनता सरकार के लिये एक बहुत ही बड़े श्रेय की बात है। मद्रास का बहुत ही विख्यात पेपर हिन्दू लिखता है :

"By introducing the Lokpal Bill in Parliament, the Janata Government has sought to show that it is earnest in eliminating corruption at the top. The Prime Minister Mr. Morarji Desai, regards corruption in the highest reaches of the administration as the root of all evil and has said in his address at the Chief Ministers' Conference that once it is eliminated corruption at the lower levels will disappear."

तो पहली बात है कि आज भ्रष्टाचार के निवारण के लिये एक प्रयास किया जा रहा है। और खुशी की बात है कि संयुक्त प्रवर समिति ने अपनी रिपोर्ट भी प्रस्तुत की है। मैंने ही नहीं बल्कि यहां के कई सदस्यों ने सरकार पर कई बार इसके लिये जोर दिया कि इसको विचार के लिये रखा जाये, और सौभाग्य से यह बिल आज यहां रखा गया। श्री एल० एम० सिंघवी साहब, जिन्होंने लोकपाल पर एक बहुत अच्छी पुस्तक ऐडिट की है, जब यह बिल प्रस्तुत किया गया तो उन्होंने कहा था कि यह बिल 11 वर्ष के पश्चात् इस संसद में आया है और हम इसका स्वागत करते हैं। वह जब लोकसभा के सदस्य थे तो 1963 में एक संसद के रूप में वह इसको लाये थे।

शाल इंडिया ला कानफेंस अगस्त 1962 में हुई थी और उसने इसका सजेसन दिया था और उसके बाद जब ला मिनिस्ट्री को डिमान्ड पर बहस हो रही थी, जिसका नेतृत्व आजकल हमारे श्री शांति भूषण जो कर रहे हैं, तो श्री सिंघवी ने इस बात को भाग को था कि लोकपाल बिल को लाया जाये। उन्होंने कहा था कि सचमुच में कोई भी नागरिक आज सरकार में भ्रष्टाचार को प्रभावकारो ढंग से निवारण करने में अपने को असहाय अनुभव करता है। लेकिन अगर यह लोकपाल बिल पास हो जायेगा तो वह किसी की मर्जी पर नहीं होगा और वह जा कर भ्रष्टाचार पर प्रहार कर सकता है।

दूसरी बात यह है, यह ठीक है कि प्रश्न पूछने की बात होती है और मिनिस्टरों को पत्र तक लिखते हैं, लेकिन मैं अपना ही छोटा सा अनुभव कहता हूँ कि मैं भ्रष्टाचार के कई मामलों को करीब करीब दो सालों से उठा रहा हूँ लेकिन अभी तक कुछ लाभ नहीं निकल रहा है। और इसीलिये यह आवश्यक है कि यदि यह बिल पास हो जायगा और लोकपाल की नियुक्ति हो जायेगी तो हमें जिस पर भी शंका होगी, अगर हमारे पास प्रमाण होगा, तो हम उसको सशक्त ढंग से प्रभावित कर सकते हैं।

तीसरी बात यह है, लोग कह सकते हैं कि लोकपाल बिल की क्या आवश्यकता है? क्यों नहीं न्यायालयों में चले जायें। लेकिन न्यायालय की व्यवस्था बिस्कुल अपूर्ण रहती है इस माने में कि सब लोग वहां नहीं जा सकते हैं और सारी पेचीदमियों में नहीं पड़ सकते हैं। और पूंजीवादी व्यवस्था में कानून सशक्त के इंटेरेस्ट में होता है, वह तो पैसे वालों के लिये है। यही कारण हुआ कि सरकार कमीशन ऑफ बिडला पर नियुक्त हुआ था और करोड़ों डॉ० जिस पर खर्च हुआ लेकिन घाबरे में जनता सरकार को उसे समाप्त करना पड़ा क्योंकि बिडला के पास पैसे थे, न्यायालय में जा कर अपने आरोपों

[३० दसवाँ बिंदु]

को बन्द कर सकते थे इसलिये आवश्यक है कि एक नई संस्था रची जाय जो भ्रष्टाचार पर गवा प्रहार कर सके ।

चौथा लाभ यह है भ्रष्टाचार के मामले में पार्लियामेंट में कोई प्रभावकारी प्रहार नहीं किया जा सकता । जैसे मान लीजिये आज हमारे प्रधान मंत्री के ऊपर चर्चा होती है तो स्टीकन साहब 10 प्रस्ताव लायें, उसका क्या महत्व होगा ? 60, 65 उनके पक्ष में व्यक्ति हैं हम लोग अपने बहुमत से उसको समाप्त कर सकते हैं । इसीलिये सरकारी भ्रष्टाचार के मामले पर पार्लियामेंट में बहस नहीं हो सकती है, और प्रभावकारी नहीं होगा । यही कारण है जहाँ पार्टी की ईमानदारी का एक प्रमाण है कि आज भ्रष्टाचार की गंगोत्री पर प्रहार हो रहा है ? हम लोग तो इस सार्वभौम संसद् में लोकनायक जय प्रकाश नारायण जी के आन्दोलन से आये हैं और उनका ख्याल था कि भ्रष्टाचार का उन्मूलन करना है । अगर भ्रष्टाचार समाप्त नहीं होगा, मोरनिहान की गति पर प्रहार नहीं होगा, ताजमहल, मीर्या और अशोक होटल में जो विदेशी ध. की धैली से भोज हो रहे है, उस धैली पर प्रहार नहीं होगा, भ्रष्टाचार की गंगोत्री पर प्रहार नहीं होगा तो भ्रष्टाचार की गंगा को हम रोक नहीं सकेंगे । यही कारण है कि जो समने वायदा किया था, वह आज पूरा किया जा रहा है । इसलिये हर ईमानदार व्यक्ति का हृदय आज लचमुच में उत्कूल है ।

लेकिन जब श्री सिधवी साहब यहां बिल लाने और यहां बिचार के लिये रखा तो उस समय के तत्कालीन कानून मंत्री श्री ए० के० सैन ने नान-कमिटील जबाब दिया । लेकिन मैं बिल्कुल सत्य कह रहा हूँ कि जब श्री ए० के० सैन को उत्तर देना था, तो डा० सिधवी को भी उन्होंने कहा कि न मैं इसके सम्बन्ध में हूँ कह सकता हूँ और न नहीं कह सकता हूँ । यह

उनका नान-कमिटील रिप्लाइ है वा । क्योंकि पिछले 30 वर्ष के प्रशासन में जो ऊपर के स्तर पर थे, वह बिल्कुल भ्रष्टाचार में डूबे हुए थे, यही कारण था कि यह लोकपाल बिल लाने का साहस नहीं किया गया ।

उसके बाद श्री पी० वी० गजेन्द्रगडकर कमेटी ने भी रोज आफ एडमिनिस्ट्रेशन इन डेमोक्रेटिक वेल फेयर सोसाइटी के बारे में 15-7-1963 को अपनी रिपोर्ट दी । वह मुख्य न्यायाधीश थे, उन्होंने भी इनकी अनुशंसा की कि लोकपाल जैसी संस्था बननी चाहिये । उ के बाद हम जानते हैं, राजस्थान एडमिनिस्ट्रेटिव रिफार्म कमेटी की भी रिपोर्ट हुई उनमें भी इस बात का इशारा किया गया कि लचमुच में लोकपाल जैसी संस्था बननी चाहिये ।

मैं तत्कालीन प्रधान मंत्री श्री नेहरू जी के व्यक्तित्व का बड़ा आदर करता हूँ, लेकिन मैं कोई उद्धरण नहीं देना चाहता । नेहरू जी ने भी माहम नहीं किया कि वह इम जनतंत्र में लोकपाल बिल ला सके । उसके बाद 1964 में संघानम कमेटी ने भी अपनी रिपोर्ट दी । वह कमेटी आन ब्रिबेशन आफ करप्शन पर बनी थी । उस कमेटी ने भी लोकपाल संस्था बनाने की अनुशंसा की, लेकिन हम सोते रहे । 1964 में संघानम कमेटी की रिपोर्ट आई, लेकिन आज 1979 है, अब तक वह लोकपाल संस्था नहीं बनाई जा सकी । इसका दोष किस को दिया जायेगा ?

इसलिये आज देश में भ्रष्टाचार जो भ्रष्टाचार बन गया है, उसका दोष उस समय के मत्ताधारी लोगों को दिया जायेगा जिन्होंने सत्ता में इसे संरक्षण दिया । जब लोकपाल बिल की बात आती है, तो मैं डा० सिधवी का स्मरण किये बगैर नहीं रह सकता हूँ । उन्होंने 3-4-1961 को इसी लोकपाल संस्था में रैग्यूलेशन दिया था, लेकिन उसे उन्हें बिद्वड़ा करना पड़ा, उनको अपना वह संकल्प वापिस लेना पड़ा । 3 अप्रैल, 1964 को उस पर बहस हुई थी

फिर 22 अप्रैल, 1964 को बहस हुई लेकिन सचमुच में जब संवेदनहीन लोग सरकार में होंगे तो वह कैसे उनकी बात को सुनेंगे। इसलिये डा० सिखरी को उसे वापस लेना पड़ा। उसके बाद फिर एक वर्ष के बाद यहाँ पर वह लोकपाल बिल लाये और लोकपाल बिल के सम्बन्ध में एक सत्कप लाये, लेकिन वह सचमुच में अल्पमत में थे इसलिये उन्हें उस समय भी उसे वापस लेना पड़ा।

यह भीड़ा इतिहास में आपके सामने इसलिये रख रहा हू कि सचमुच में आज हमारे सामने उस एतिहासिक अभाव की पूर्ति हो रही है। लोकपाल बिल कोई भारतवर्ष की संस्था का ही विषय नहीं है, दुनिया के दर्जनों देशों में इसके सम्बन्ध में विभिन्न रिपोर्टें हैं। मैं उसकी ज्यादा चर्चा तो नहीं करना चाहता, लेकिन आज बड़े-बड़े देशों में तो है, लेकिन कहीं छोटे-छोटे देशों में भी है जैसे

Section 55 of the Danish Constitution of 1953 made provision for a law enabling Parliament to appoint two non-members of Parliament to supervise Central, Civil and military administration.

फ्रैंडरल रीजिबलक आफ़ जर्मनी में यह स्थिति है :

The Parliamentary Commissioner for the Armed Forces (Defence Commissioner) is elected by the Bundestag to safeguard the basic rights of members of the armed forces and to assist the Bundestag in exercising control over the armed forces. He investigates cases raised by the Defence Committee of the Bundestag by members of the armed forces and on his own initiative.

स्विट्ज़रलैंड छोटा सा देश है, अगर वहाँ भी एम्बुडजमेंट की प्रथा है। फ्रांस में यह व्यवस्था है :

The Mediator is appointed by a decree of the Council of Ministers to investigate complaints concerning the administration in its relations with

private individuals. He can only investigate individual complaints referred to him by Members of Parliament.

इसराइल बिल्कुल छोटा सा देश है, वहाँ भी स्टेटकंट्रोलर होता है।

the State Comptroller, who is also Commissioner for complaints from the public, is appointed by the President of the State on the recommendations of the Knesset Rules Committee to investigate complaints from the public of administrative malpractices.

इसी प्रकार नाबो ए्रादि कई अन्य देशों में भी यह व्यवस्था है। राजनीतिक विज्ञान के विशारद और अभ्यापक प्रोफेसर मावलकर, हम बारे में बतायेंगे।

दुनिया के बहुत से देशों में यह व्यवस्था है। हिन्दुस्तान दुनिया का सब से बड़ा प्रजातंत्र है, अगर उसमें अभी तक यह व्यवस्था नहीं थी। अब यह जो व्यवस्था की गई है, वह उसके लिए योग्य का विषय है। अगर प्रजातंत्र स्वच्छ प्रशासन न दे सका, जो जैसा कि श्री जय प्रकाश नारायण ने कहा है, जिम तरह ज़र्राटों से कायरो तक प्रजातंत्र का जनाजा निकाल गया, वही स्थिति यहाँ भी होगी। जो प्रजातंत्र अष्टाचार को नीचे पर खड़ा रहता है, वह ज्यादा दिन तक टिक नहीं सकता है।

इस विधेयक के स्टेटमेंट आफ़ आब्जेक्ट्स एंड रीज़न्स में बताया गया है कि एडमिनिस्ट्रेटिव रिफ़ॉर्म कमीशन ने 'दि प्राबलम आफ़ रीजेस आफ़ मिटिगन्स प्रीचांसिज' के बारे में अपनी इन्टेंटिव रिपोर्ट 1966 में दी। कई कमेटियों ने अपनी रिपोर्टें दी, लेकिन जैसा कि पिछली सरकार की परम्परा थी, उसने किसी भी कमेटी को अनुमति का कार्यान्वित नहीं किया। मुझे आश्चर्य करती पकती है, लेकिन यह तथ्य का अतिपादन है, यह कोई मेरा अपना सबजेक्टिव अयस नहीं है। आज हमें कहना पड़ता है कि पिछली सरकार में अष्टाचार को दूर करने के लिए पार्लामेंटिकल बिल राजनीतिक संकल्प, नहीं था।

[इस राखी सिंह]

मैं कहना चाहता हूँ कि पिछली सरकार जो 17मं 22 वर्षों में नहीं कर सकी, उस काम को जनता पार्टी की सरकार ने 22 महीनों में कर दिखाया है। जब हमारी पार्टी में इस पर बहुत बल रही था, तो कुछ लोगों ने कहा कि प्राइम मिनिस्टर को इससे अलग रखा जाये। किसी ने कहा कि पार्लियामेंट के मेम्बरों को इससे अलग रखा जाये। तब किसी ने कहा—मैं उनका नाम नहीं लूँगा—तो फिर उसमें कौन लोग रहेंगे। हमने देखा कि माननीय प्रधान मंत्री जी के चेहरे पर शिकन तक नहीं आई। जो अष्टाचार से मुक्त रहेगा, वह किसी भी जांच के लिए तत्पर और कटिबद्ध रहेगा। स्पेशल कोर्ट में से कितना डर हो सकता है? जितने दिलों में चोर हो। जब विरोधी दल के माननीय नेता ने हमारे प्रधान मंत्री को चुनौती दी, तो उन्होंने अपने लडके के केस को भी चोकर जस्टिस के पास भेज दिया। क्या पिछले तीन सालों में कभी इस प्रकार की चुनौती का स्वागत किया गया था?

हम किस प्रकार से काम करते हैं, यह हमारे चरित्र का धोतक है। यह मंत्रों ने यह ठीक ही कहा है कि सांसदों और मुख्य मंत्रियों को भी इस विधेयक के अन्तर्गत लाना चाहिए। मैं उनके विचारों से शत-प्रतिशत सहमत हूँ। हमारे कुछ भाई प्राविशाल आटोनोमी का नारा लगा कर कह सकते हैं कि बड़े मिनिस्टर्स को इससे बाहर रखी। लेकिन क्या हम यह बात भूल सकते हैं कि ओवर कमीशन ने कर्नाटक के मुख्य मंत्री, श्री देवराज उर्स को कर्लकित पाया है? तो क्या हम उनको बर्दाश्त करते रहें? अगर भारतवर्ष के एक या मुख्य मंत्री पर इस प्रकार का कर्लक आता है, तो सारा भारतवर्ष कर्लकित होता है। इस लिए अगर मुख्य मंत्रियों को इस की परिधि में लाया गया है तो यह आवश्यक और बिल्कुल अपेक्षित है।

मैं तो यह भी चाहूँगा और मैं बहुत बेचना और आत्म-निरीक्षण को आचना से कह रहा

हूँ कि प्रत्येक सांसद को भी बिल्कुल तीव्र रूप से इस परिधि से अन्दर आना चाहिए। क्या आप नहीं जानते हैं कि हम लोगों में भी कुछ लोग ऐसे हो सकते हैं और मैं अपने को ही कहता हूँ, मैं भी क्या ऐसा नहीं हो सकता, क्या हम लोगों में ऐसे लोग नहीं जो अपने मकानों को किराये पर लगाते हैं? क्या यहाँ पर तुलसीमोहन राम और मुद्गल नहीं पैदा हुए तो क्या सचमुच में अष्टाचार की बात केवल प्रधान मंत्री और मंत्रियों के लिए ही हो सकती है? अगर उन के लिए हो सकती है तो सांसदों के लिए भी होनी चाहिए। जब अष्टाचार के नियंत्रण की बात मारे संसदों के ऊपर और सारे मंत्रियों के ऊपर लागू होगी, तब अष्टाचार की गंगा रुकेगी, नहीं तो बिरला के पैसे और टाटा के पैसे से सरकारें उलटनी और पलटती रहेंगे और हम देखते रहेंगे।

इसलिये आज का दिन इन 22 महीनों के अन्दर सर्वोत्तम दिन मैं मानता हूँ। लोकनायक जय प्रकाश नारायण का दिन मानता हूँ। सचमुच आज उनका मन कितना प्रसन्न होगा, मैं नहीं कह सकता हूँ।

इन्हीं शब्दों के साथ मैं इस लोकपाल बिल का हृदय से स्वागत करता हूँ और बिल्कुल अनरिजर्व्ड सपोर्ट इस को देता हूँ।

SHRI PABTRA MOHAN PRADHAN (Deogarh): Mr. Deputy-Speaker, Sir, not only I alone but the entire nation is very happy that this Bill will be passed very soon, by tomorrow.

PROF. P. G. MAVALANKAR: No, only next session!

MR. DEPUTY-SPEAKER: We have allotted 12 hours for this.

SHRI PABITRA MOHAN PRADHAN: They expect that it should be passed within one day. So far as Orissa is concerned, and I was the Minister incharge of such a Bill, I

got it passed within two hours. The Public Members of the Assembly and the press were so eager for the passing of this Bill that the Assembly did not take more than two hours to pass it.

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): Many had not perhaps read the Bill.

SHRI PABITRA MOHAN PRADHAN. They had read that thoroughly. There were so many checks and balances also.

With much exuberance and enthusiasm, the intelligensia is waiting for the passage of this Bill into an Act. Although the people are very happy about this Bill, they very sincerely feel that it is not a comprehensive one. By simply passing this Bill, we may not be able to eradicate corruption from the society, nay from the administration. Of course, this Bill will be a check on the rampant corruption that is in vogue in the highest state of administration, but there is no provision in this Bill to check corruption in the middle and the lowest spheres. If we look at the quantum and extent of corruption, we will feel unhappy even after the passage of this Bill. The other day I mentioned in this House that fifty per cent of the money meant for various purposes is going in corruption. It is in the form of interception, embezzlement and misappropriation. I am not using the words 'misuse' and 'ill-spent'; over and above this 50 per cent, there is some percentage of 'misuse' and 'ill-spent' also. Nepotism, favouritism, delay, lethargy, indiscipline, corruption and bribery are combined together; and at present, they are eating into the vitality of our body-society and body-administration. Simply by checking corruption at the Ministerial and secretarial stages, I apprehend, corruption cannot be eradicated. Corruption has crept into the very roots of the society. In the administration itself, corruption at the lower level harasses the people very

much—in the villages and even in towns.

Corruption at the higher level—at the Central Ministries or at the State Ministerial levels—does not affect the masses in general. Yes, I will prove it. Suppose some Ministers, in some Department indulges in corruption, it does not directly affect the man in the villages, mohallas or other areas in the towns. (*Interruptions*). I am saying it from my experience I was in the Government, and I take credit that during the 4 years I was in charge of eradication of corruption in Orissa, corruption was eradicated to the extent of 50 to 60 per cent. So, I say with experience and authority that corruption at higher stages does not directly affect the masses in the society.

PROF. P. G. MAVALANKAR: It pollutes everything.

SHRI PABITRA MOHAN PRADHAN: It may, or may not pollute. People in the villages and rural areas do not know what is happening. It is we people who know what is happening; but there, if you go to the subdivisions and villages, the tehsildar, the R. T. and the Patwari are there. The harassment caused by them to the people cannot be explained, or expressed in words. (*Interruptions*) Then comes the sub-division and district stages. In every Department—, e.g. that of Forests, Police, Supply etc.—people are harassed to the greatest extent.

SHRI A. K. ROY (Dhanbad): On a point of order, Sir. There is no quorum. We are debating such an important issue. This itself is corruption.

MR. DEPUTY-SPEAKER: Let the bell be rung.... Now there is quorum. You can continue your speech.

SHRI PABITRA MOHAN PRADHAN: I was saying about corruption in the lower and middle stages as a

[Shri Pabitra Mohan Pradhan]

result of which the people were put to harassment and difficulty. In the Forest Department, from the Forest Guard right upto the Conservator, these people do not come under the purview of this Bill. The State Governments are passing so many laws but they are not implementing those laws on the plea that they are awaiting the passage of this Bill. In spite of our arguing with them, criticising them, they are not in a mood to execute those laws that have been passed on this plea. I will say that there is less corruption in the Police Department than in all other departments. The Supplies Department has got the maximum extent of corruption. In the Works Department, Irrigation Department, PWD, Road and Works Department, Rural Engineering Department, Electricity Department, there the corruption is open and rampant. Simply by passing this Bill at this stage, the Parliament or the Central Government will not be able to eradicate corruption at the State level, at the rural level.

I will give you one example. With a view to eradicating unemployment in the rural sector, we have introduced a scheme known as 'food for work scheme'; and for that, we have spent hundreds of crores during the last two years. Of all the States, Rajasthan stands first in utilizing the money to the tune of Rs. 24-46 crores in a year. Orissa comes next. I will say—there is a proof also—that 40 per cent of the work has been done and 60 per cent of the work has not been done. The wheat that has been given has been sold in the black market; and the black money has been distributed between the BDO and the small Section Officer; I mean beginning from the BDO down the small Section Officer. Then this goes upto the stage of the Collector. If, at any stage, this thing is scrutinised, investigated, inquired into, I am pretty sure that whatever I am alleging will be proved cent per cent correct. It is not only in Orissa;

in other states also this wheat is being used politically; workers will be fed, officers will be fed there. If you do not pass laws for them, but simply be satisfied with the Lokpal Bill, I am pretty sure that corruption cannot be eradicated and our masses will not be happy. The same thing will go on; simply Members of Parliament and some intellectuals will say that such and such Bill had been passed, which will work as a watchdog against political authorities and high officials in the central government, but in the middle and lower levels and in the state level also, there is no provision. Although this Bill is welcome and the Janata Party will be eulogised and congratulated for this, the aims and objects will not be served. I hope the government will bring some other legislation which will control and cover the middle and the lower level officers throughout India wherever there are such central government officers. There must be some law directing the state governments to control and eradicate corruption; unless that is done I am pretty sure that the Janata government will not be able to fulfil the promise it had given in its election manifesto. In my opinion this Bill will be welcomed enthusiastically by the people. People desire that corruption should be eradicated from all levels, beginning from the lowest level and ending with the highest level. I again reiterate that eradication of corruption at the highest level does not automatically eradicate corruption at the middle and lower levels. I demand from the hon. Home Minister that in the next session there must be some Bill to that effect so that corruption could be eradicated in the lower and middle levels also; simply passing this Bill will not do.

18 hrs.

Rules under this legislation must be framed within a short period. Rule making may take six months or one year because it is going to affect

ministers and M.Ps and high officers and so they will take sometime and the rules may go this way or that way. The rules should be framed within a period of three months, and not beyond that. For implementation, execution, and operation of the provisions made, there must be parallel fact finding semi judicial organisation which will go into corruption that is prevalent in society, in administration. Without that, the purpose of the Bill will not be served. I hope that the Home Minister is very sincere and still I say, he will operate with all sincerity, this law, as early as possible and as soon as practicable.

श्री. राजभूषण तिवारी ('खलीलावाद') :
उपाध्यक्ष महोदय, बहुत दिनों से इस बिल का इन्तजार था और कई बार इस सदन में माननीय सदस्यों के द्वारा सरकार पर यह दबाव डाला गया कि यह भी बिल ही इस बिल को सदन में लाए, पेश करे। जैसे सरकार की तरफ से यह बिल नैयत हो चुका था लेकिन इसमें बहुत से ऐसे प्रवधान थे जिनके बारे में शंकाये थी। इसलिए मंसूर सदस्यों ने यह सुझाव दिया कि बिल को संयुक्त प्रवर समिति को सौंप दिया जाय और उसकी रिपोर्ट आने के बाद फिर इस बिल पर विचार किया जाए। वह रिपोर्ट आयी और उसके बाद यह प्रसन्नता की बात है कि इस बिल पर आज हम इस सदन में विचार कर रहे हैं। इस पर विचार के लिए काफी समय रखा गया है।

उपाध्यक्ष महोदय, हमारे राजनीतिक जीवन में बहुत दिनों से इस बात की चर्चा थी कि कैसे इसे शुद्ध किया जाए। सादगी और शुद्धि का आन्दोलन गांधी जी ने राष्ट्रीय आन्दोलन के समय में भी चलाया था और वह इसलिए चलाया था क्योंकि वे यह मानकर चले थे कि जिन देशों में लोकतंत्र की जड़ें काफी गहराई तक पहुंच गई हैं, जिनमें लोकतंत्र काफी विकसित हो चुका है और

जो काफी समृद्धिवादी हो चुके हैं, उसमें इस प्रकार का खतरा नहीं है कि वहां भ्रष्टाचार का जोखिम हो। लेकिन जो देश विकासशील हैं और जहां पर गरीबी विद्यमान है उन देशों में भ्रष्टाचार के ऐसे केन्द्र और स्रोत हो सकते हैं, जो उन देशों के सादगी पूर्ण जीवन को प्रभावित कर सकते हैं भ्रष्ट कर सकते हैं। इसलिए उन्होंने इसे अपना कतव्य समझा कि वे सादगी और शुद्धि के आन्दोलन के द्वारा इस प्रकार के भ्रष्टाचार को समाप्त करने का आह्वान करें।

उपाध्यक्ष महोदय आज देश के अन्दर एक चित्र प्रकार का महोत्त बना हुआ है। चारों तरफ भ्रष्टाचार है और इसकी बढबू व्याप्त है। इसको समाप्त करना है। सबसे विचित्र बात यह है कि समाज में भ्रष्टाचार की इतनी बढबू आने के बाद भी समाज में वही व्यक्ति प्रतिष्ठित हो रहा है जो सबसे अधिक भ्रष्ट है। जो व्यक्ति चाहे राजनीति में, व्यापार में या जीवन के किसी भी क्षेत्र में सबसे अधिक भ्रष्ट है उसी का असर धीरे धीरे हमारी राजनीति में बढ़ता जाता है। हमारी राजनीति खर्चीली होती जा रही है। चुनाव प्रणाली तो खर्चीली है ही परन्तु राजनीति भी खर्चीली होती जा रही है। हमारे देश में जो सम्पन्न लोग हैं, जैसे वाले हैं, जिनके हाथों आर्थिक सत्ता केन्द्रित है वे हर प्रकार से राजनीति में भी अपना प्रभाव जमाने का प्रयास करते हैं।

श्री. डा० रामजी सिंह ने कहा कि आज विदेशी शक्तियां भी हमारे लोकतंत्र को प्रभावित करना चाहती हैं। ये बड़े बड़े पूंजीपति, कारखानेदार, जोकि अपने यहां लाए जाएं आफीसर रखते हैं, हमारे देश के मिनिस्टर्स, मेम्बर आफ पार्लियामेंट को, और बड़े बड़े अधिकारियों को भ्रष्ट करने का काम करते हैं। ये

[श्री राजमूषण सिंघरी]

लाएगां आफिसर जब चाहे जिसकी सेग में मोटर पहुंचा देंगे, जब चाहे फाइव स्टार होटलों में किसी के लिए भी डिनर आर-गेनाइज्ड कर देंगे। पब्लिक रिलेशंस के आघार पर सरकार से सम्पर्क वे बनाते हैं और ज्यादा से ज्यादा फायदा उठाने की कोशिश करते हैं। परन्तु वे इसकी पकड़ में नहीं आ पाते। इसकी चर्चा चली थी। कानून में भी एक व्यवस्था थी कि हम अदालतों में मुकदमे दायर कर सकते थे परन्तु जिस प्रकार की हमारे यहां प्रक्रिया है, कानून व्यवस्था है, उसके चलते हम भ्रष्टाचार पर कोई प्रक्रिया नहीं लगा सके। जब तक भ्रष्टाचार पर करारा प्रहार नहीं होगा, चौतरफा प्रहार नहीं होगा तब तक जनता में यह विश्वास पैदा नहीं हो सकेगा कि सरकार भ्रष्टाचार को समूल नष्ट करने के लिए कृत संकल्प है। तब तक न तो किसी राजनीति का कोई मतलब हो सकता है, न किसी विचार धारा का और न ही प्रशासन की कुशलता का। भ्रष्टाचार का जो सबसे बड़ा प्रहार होता है वह देश के गरीब, असहाय, निर्बल आदमी पर होता है। वही इससे सबसे ज्यादा प्रभावित होता है। जिसके पास पैसा नहीं है वह चाहे राजनीति में हो या जीवन के किसी भी क्षेत्र में है। वही इससे सबसे ज्यादा प्रभावित होता है।

इस दृष्टि से मैं कहना चाहता हूँ कि यह बहुत ही अच्छा कार्य है और इससे देश की जनता के अन्दर एक विश्वास जागेगा क्योंकि हम इसके वास्ते स्टैच्यूटरी प्राविजन कर रहे हैं। केवल भाषण ही नहीं दे रहे हैं बल्कि इसको एक कानूनी शक्त दे रहे हैं। जितने भी अभी तक प्रधान मंत्री हुए हैं, सभाज सुधारक हुए हैं, तमाम प्रकार के सरकारी और गैर सरकारी सुधार आन्दोलनों के नेता हुए हैं सबने एक स्तर से भ्रष्टाचार को खिलाफ भाषण दिए हैं, परन्तु कार्य उसको

समाप्त करने के अनुरूप नहीं किया। जितने ज्यादा भ्रष्टाचार के खिलाफ भाषण हुए उतना ही ज्यादा भ्रष्टाचार हमारे देश में बढ़ता गया है, उसको आदर प्राप्त होता गया है और साथ ही साथ उसकी दारोगेनिंग कैपेसिटी भी उसी अनुपात में बढ़ी है। इस वास्ते भ्रष्टाचार के विरुद्ध किसी के मन में क्रोध पैदा नहीं होता और लगता है कि हम भ्रष्टाचार को कबूल कर रहे हैं और उसका एक सच्चाई और यथार्थ मान कर चल रहे हैं। इस विचार को समाप्त करना होगा।

कुछ संतुतिया दी गई है इम बिल के बारे में। मੈम्बर पार्लिमेन्ट को शामिल करने की बात भी आई थी। उम पर बड़ा आक्रोश था। यह तर्क दिया गया था कि संसद सदस्यों के पास चूक को एजैक्टिव पावर्ज नहीं होती है इसलिए मिसकडवट की जो परिभाषा है, उसके सम्बन्ध में पुनर्विचार होना चाहिये। परन्तु मैं यह मान कर चलता हूँ कि अगर लोक सभा का सदस्य या पार्लिमेन्ट का मੈम्बर जो कानून का निर्माता है वह अगर अपने को इम कानून व्यवस्था की परिधि से बाहर रखेगा तो देश की जनता के मन में शंका पैदा होगी। अब यह कहा जाएगा कि एम पी एक प्रिन्सिपल क्लास है, केवल अपनी सुविधाओं के लिए ही काम करते हैं, समाज में वह अपने लिए एक विशेष प्रकार का स्थान बनाना चाहते हैं। मैं समझता हूँ कि अगर हम अपने को सही साबित करना चाहते हैं, सात्विक जीवन में विश्वास करते हैं, तो हमें भी परीक्षा देनी होगी, अग्नि परीक्षा देनी होगी और इन आंच में अपने को तपा हुआ साबित करना होगा। इस वास्ते मैं इस बात का समर्थन करता हूँ कि लोकपाल बिल में जो लोक सभा के सदस्य हैं उनको भी उसकी परिधि में रखा जाए।

मुख्य मंत्रियों के बारे में भी बहुत चर्चा हुई थी। तमाम प्रकार की गप सभिति के सामने आई थी। ज्वायंट कमेटी ने माना है और जो घोषण कमिशन के सम्बन्ध में सुप्रीम कोर्ट का फैसला है उसने भी इसे स्वीकार किया है कि मुख्य मंत्री को भी लोकपाल की परिधि के अन्दर रखा जा सकता है और रखा गया है। यह जरूर है कि स्पीकर के बारे में जो डिप्टी स्पीकर को कम्पिटेट आथोरिटी माना गया है, वह बात जरूर लोगों को खटकती रही है क्योंकि स्पीकर के पद और उनकी मर्यादा के अनुकूल यह बात प्रतीत नहीं होती है। इसलिए मैं जरूर चाहूंगा कि सदन इस पर पुनर्विचार करे और स्पीकर के बारे में डिप्टी स्पीकर को जो कम्पिटेट आथोरिटी माना गया है, वह उचित नहीं होगा और उस में संशोधन होना चाहिये। यह सवाल भी आया था कि प्रधान मंत्री स्वयं अपने बारे में आरोपों की जांच करेंगे। लेकिन उसके बारे में कमेटी ने जो रिपोर्ट दी है उस में कहा है कि उसको स्पीकर के हाथ में सौंप देना चाहिये। यह ठीक बात है। स्पीकर के हाथ में सौंप दिया जाय यह उनकी मर्यादा के अनुकूल है और उचित भी है। क्योंकि प्रधान मंत्री स्वयं अपने बारे में जांच करे यह उचित नहीं लगता। कुछ इमानदार हो सकते हैं लेकिन चूंकि कुछ प्रधान मंत्रियों के आचरण की भी चर्चा हुई है और किस प्रकार वे उन्होंने देश में भ्रष्टाचार को बढ़ाया सार्वजनिक जीवन को भ्रष्ट बनाया उसके तमाम नमूने जांच कमीशनों के द्वारा, मुकदमों और शिकायतों के द्वारा सामने आ रहे हैं, तो लोगों के मन में प्रधान मंत्री के पद के बारे में भी विश्वास नहीं रह गया है, इसलिये इस विश्वास की पैदा करने के लिये जो प्रतीजन रखा गया है वह उचित है।

साथ ही साथ शिकायतों के भेजे जाने की शर्तों को ढीला बनाने की पैरवी करूंगा। इस लिये कि अगर आपने इसे ज्यादा सख्त बना दिया तो नतीजा होगा कि लोग कन्वेन्ट ही नहीं करेंगे...

श्र इ नैन भट च यं (सीरमपुर)
करेगा पर प्रमाण नहीं होगा।

श्र। ब्रजभूषण तिवारी : भ्रष्टाचार के कई रूप हैं, सगुण और निर्गुण। और उस भ्रष्टाचार के सारे रूप की जानकारी मुझे हो जाय, यह किसी साधारण व्यक्ति के लिये सम्भव नहीं है, यह सुलभ भी नहीं है। क्योंकि जहां तक फाइलों की बात है, अगर उस दफ्तर का अफसर मिला नहीं, मुखबरी नहीं की, तो यह तमाम चीजें सामने नहीं आ सकती। परन्तु मान लीजिये हम पार्लियामेंट के सबस्य हैं और इस अवधि के अन्दर जो भी घनांत है, हमारा जीवन स्तर बढ़ता है, हमारा खर्चा बढ़ता है, तो यह धाम तौर पर लगेगा और समाज के अंधे आदमी के मन में भी संका हो सकती है कि आखिर इनकी धाय का जोर क्या है। और अगर कोई उसके खिलाफ रिपोर्ट करना चाहे तो आप उस पर यह शर्त लगायें कि मैं ऐसे का ज्ञात भी बताऊं, यह सम्भव नहीं है। मैं तो यह कहूंगा कि यह संसद् सबस्य हैं, इनकी यह अवधि है, यह मकान है। जो कमीशन का काम है कि वह जांच पड़ताल करे। लोक सभा के अन्दर जो भ्रष्टाचार की चर्चा होती है उसमें ही सकता है कि कुछ लोग हमारे सार्वजनिक जीवन पर आघात पहुंचाये परन्तु भ्रष्टाचार को समाप्त करने की उनकी इच्छा नहीं रहती, जितनी किसी की प्रतिष्ठा को बिराने की बात होती है, जिसक आप कैरेक्टर असेसिमेन्शन कह सकते हैं। परन्तु कमीशन के अन्दर यह प्रतीजन है कि जो उसकी धर्म-बाही होगी वह गुप्त होय। और जब कमीशन इस निर्णय पर पहुंचे कि जिस अमुक व्यक्ति के विरुद्ध यह मन्वीर आरोप पाये गये हैं इसमें कुछ प्रमाण है, तब उनके विरुद्ध मुकदमा

[श्री जयसूर्यग सिन्हाजी]

चलाने की सहायता करेगा और उसके बाद रिपोर्ट छपेगी। तो जब इसकी सीकेसी का प्रोबेशन है तो मैं चाहूँगा कि जो कम्प्लेंट करके की बात है उसमें डील देनी चाहिये और ज्यादा से ज्यादा सुलभ बनाने की कोशिश करनी चाहिये। क्योंकि अगर ज्यादा टाइट किया तो कोई नतीजा नहीं निकलेगा, कोई कमीशन के सामने नहीं आयेगा। भाषण देने के लिये और अपनी पीठ थपथपाने के लिये हम रह जायेंगे, परन्तु जो हमारा उद्देश्य है भ्रष्टाचार को समाज से उखाड़ फेंकना, उसकी प्रत्यूष्ण की समाप्त करना और उसी के साथ साथ यहाँ के सार्वजनिक जीवन को सुद्ध बनाने के संकल्प या उद्देश्य को हम प्राप्त नहीं कर पायेंगे, और फिर हम इसी भ्रष्टाचार की मन्दगी में फँसे रहेंगे और हमारा सार्वजनिक जीवन और लोकतन्त्र भी भ्रष्ट होगा। और ऐसी स्थिति भी आ सकती है कि जब लोकतन्त्र समाप्त हो जाय। मुझे याद है कि एक व्यक्ति ने कहा था कि भ्रष्टाचार से मुझे यह खतरा नहीं लगता कि भ्रष्टाचार से कुछ लोग भ्रमीर हो जा रहे हैं, परन्तु अगर समाज में भ्रष्टाचार फैल जाये तो सबसे बड़ा खतरा यह हो जाता है कि वह भ्रष्टाचार समाज को इतना निर्जीव करेगा और अनैतिक बना देता है कि वह समाज किसी भी ग्रन्थाय या कुल्य के खिलाफ विद्रोह करने की शक्ति भी नहीं रख पाता है, समाप्त ही जाता है। अगर समाज में जीवन नहीं हो, जीवन की शक्ति और न्याय के लिये शक्ति की क्षमता न हो तो ऐसा समाज वेस फो एक्सपल में ले जायेगा, क्योंकि किसी नये काम को करने युव की शक्ति वह नहीं कर सकता है। इसलिये जिस ग्रन्थे मकसद, ग्रन्थे उद्देश्य और राजनीतिक संकल्प की शक्ति को लेकर वह विशेषक वेस किया गया है, मैं उसका स्वागत करता हूँ और मुझे पूरा विश्वास है कि सबक इसे सर्वसम्मति से प्राप्त करेगा और देश की जनता इसका पूरे दिल से स्वागत करेगी।

श्री जयसूर्यग (विपरीत) : माननीय उपा-

ध्यक्ष महोदय, बरसों से हम इन्तजार कर रहे थे, जब हम विधान-सभा में थे, उस समय भी राज्य सरकारों की विधायिका में यह प्रस्ताव आ रहा था कि लोकसुवत कानून बनना चाहिये। इस पर बहुत दिनों तक विचार हुआ। मैं मन्त्री महोदय और प्रवर समिति के लोगों को बधाई देता हूँ कि उन्होंने बहुत मेहनत करने के बाद इस विधेयक को इस रूप में रखा है और आशा करता हूँ कि सारा सदन इसका हादिक समर्थन करेगा।

मैं भी बहुत से माननीय सदस्यों की राय से महमत हूँ कि यह भ्रष्टाचार है क्या और मिटेगा कैसे? जब डा० लोहिया कहते थे कि हमारी विधायिकाओं में इस पर 2, 4 दिन बहस होनी चाहिये, इस पर गोष्ठी होनी चाहिये, परन्तु अभी भ्रष्टाचार की कोई परिभाषा निकली नहीं है। यह भ्रष्टाचार कैसे रोका जाये? जब गंगोत्री और यमुनोत्री में ही कीचड़ भरा हो तो फिर बनारस और इलाहाबाद में गंगा और यमुना की सफाई में कोई लाभ नहीं होगा। तो पहली बात यह है कि भ्रष्टाचार ऊपर से चलता है। अगर उपर से, भ्रष्ट है तो उनके कार्यकर्ता भी भ्रष्ट होंगे अगर हम में सफाई है तो हमारे पास पड़ोस के लोग हमारे आचरण का अनुसरण करेंगे। महात्मा बुद्ध ने एक जगह पाली में कहा है:—

जातं मां पुच्छः

‘चरणंच पुच्छः

‘जाति मत पूछो, आचरण पूछो।’

मुझे बहुत अफसोस के साथ कहना पड़ता है कि हिन्दुस्तान का दामन थोड़ा गन्धा हो चुका है और हमारा भी हो चुका है। और हमें इस बात का शक है कि जो कानून हम पास कर देंगे और जनता के पास यह कानून जायेगा, तो जैसे शारदा बिल, एक्ट बन गया कि बाल विवाह नहीं होगा लेकिन उसके बाद भी बहुत बाल विवाह

हुए। प्राण भी मेहतारों में, हरिजनो में यांव
में चलिये, 5, 7 साल के बच्चो के विवाह होले
हैं। हमारे एक रिश्तेदार हैं, उनका लड़का
11 बरस का था, उन्होंने कहा कि बाबू जी,
हम चाहते है कि हमारे लड़के की शादी हो
जाये, बहुत लोग शादी के लिये आने हैं।
हमारे यहां बिहार ने लोग इतनी जल्दी चाहते
हैं। तो यह कानून पास हो, इसमे इतनी
शक्ति है जेसा कि इसके रूप से मालूम होता
है कि इस कानून के चलते फिर कोई भ्रष्ट
नहीं हो सकेगा।

भ्रष्टाचार ऊपर से ही गंगा जमुना की
धारा बहाती है। अगर उसको पहाड़ पर ही
रोक दे, मैदान में न आने दे तो इसका हमारे
राजनीतिक और सामाजिक जीवन पर बहुत
गहरा असर होगा। हम विधान-सभा के
सदस्य थे, हम लोग थर्ड क्लास में चलते थे।
कोई लिखकर दे देता था कि हम फर्स्ट क्लास
में आये है ना उनसे टिकट लेना मांगा जाता था।
हमसे मांगा जाता था कि किस क्लास में आए
है, जो हमने लिखकर दे दिया वह मान लिया
जाता था। क्योंकि जो सद् है, सरकार
के प्रतिनिधि है, उन वारे में माना जाता है
कि अपने आचरण में इतनी सचाई जशर रखे
परन्तु आज तो जो हिन्दुस्तान को आम जनता
है, उसमें भ्रष्टाचार की मात्रा कम है, लेकिन
जो सरकारी अफसर है जो बड़े-बड़े कलक्टर
हैं उनमें इतना आचरण देख ने को नहीं मिलता
है, जितना उनके अपराधी में मिलता है।

जहा तक पुलिस का सम्बन्ध है, कप्तान
साहब खुल कर घूस लेते हैं—मेरे जिले में भी
लेते हैं और आपके जिले के भी लेते होंगे
लेकिन जब सिपाही को दो रुपये मिलते हैं,
तो वह डरता है। अगर वह पकड़ा जाता है,
तो नेता लोग उसकी कड़ी प्रालोचना करते हैं।
नतीजा यह है कि आज पुलिसमें में भ्रान्दोलन
है कि हमें अधिक वेतन और सुविधायें दी जायें।
अगर हम चाहते हैं कि वे लोग भ्रष्टाचार न
करें, तो सरकार और समाज को भी चाहिए

कि वे उनको खाने-पीने के लिए जरूरी
सुविधायें दें।

इंग्लैंड में भ्रष्टाचार क्यों नहीं है?—
इसलिए कि वहां य बातें नहीं होती हैं।
इंग्लैंड में पार्लियामेंट के सदस्य और मंत्री में
कोई फर्क नहीं है। हमारे देश में केंद्रीय मंत्री
तो साधारण मालूम पड़ते हैं लेकिन राज्यों के
उदाहरण के लिए उत्तर प्रदेश के—मंत्री जिस
तरह चलते हैं, उसमें भोजपुरी की यह कहावत
याद आ जाती है; "गोरी चले भुइया,
गुमान चले डोला" क्या यह भ्रष्टाचार नहीं
है? जिन्के बाप-दादा कभी गधे पर भी नहीं
बैठे, वे जनता के पैरों से रोज हवाई जहाज पर
यात्रा करते हैं। जब तक हमारे आचरण में
सफाई नहीं आयेगी—और आचरण की सफाई
यह है कि हमारा आचरण हमारे कानून से
प्रतिबंधित हो—, तब तक समाज का भ्रष्टाचार
दूर नहीं हो सकता है। इसी उद्देश्य से यह
लोकपाल विधेयक लाया गया है।

प्रधान मंत्री, मुख्य मंत्री, मंत्री और
संसद्-सदस्य सभी इसमें आयेंगे। लेकिन प्रश्न
यह है कि लोकपाल के पद पर किस को
नियुक्त किया जायेगा। अगर वहां भी नौकर-
शाह रहेंगे, तो कुछ नहीं होने वाला है।
अगर हिन्दुस्तान के जनतंत्र को किसी से छतरा
है, तो वह हिन्दुस्तान की नीकरमही से है।
हम जनतंत्र को मानते हैं, लेकिन हमें भी
दारोगा के पास जाना पड़ता है किसी की
सिफारिश करने के लिए कि उससे चोरी
नहीं की है। अगर दारोगा का विश्वास
हो गया कि उसने चोरी नहीं की है, तो वह उसे
छोड़ देगा, वरना अगर उसके मन में आया,
तो चालाक कर देगा। इस तरह कितने
बेगुनाह फंस जाते हैं और गुनाह करने वाले
छूट जाते हैं। कानून की मशा यह है कि
99 गुनाहगार बेशक छूट जायें लेकिन एक
भी बेगुनाह को सजा न हो। लेकिन काम कानून
से उलटा होता है

माननीय सदस्य, डा० रामजी सिंह,
ने कहा है कि पहले कानून में मुख्य मंत्री को

[श्री वज्रभूषण तिवारी]

इसके अन्तर्गत नहीं रखा गया था। प्रवर समिति ने इस बात का समर्थन किया है कि मुख्य मंत्रियों को भी लोकपाल विधेयक के अन्तर्गत लाया जाय। यह बहुत अच्छी बात है। वे राज्यों के प्रमुख नेता हैं। अगर हम उन्हें छोड़ देते हैं, तो मोहनगिमा के राज्य-काल और हमारे राज्य-काल में क्या फर्क रहेगा? सब से ज्यादा ईमानदारी मोहनगिमा के राज्य में थी? जो लोग मेरे साथ एम० एल० ए० थे और दिन में भूजा खाते थे, जब वे मोहनगिमा के राज्य में केन्द्रीय मंत्री बन गये तो वे जेटविमान पर चढ़ते थे। अगर लखनऊ के एअरपोर्ट पर दिखाई देने थे, तो हमें पहचानते तक नहीं थे। हाँ, अब पहचानते हैं। लोग हम से कहते हैं कि आप सत्ता में हैं, इसलिए आप लोगों में बात नहीं करने दें। हम तो चौदह साल तक आपोजीशन में रहे। हम तो यहां के घादी बिल्कुल नहीं हैं, और यहां हमारा कुछ काम नहीं है। हमारा काम यह है कि जब तक समाज में आर्थिक, राजनैतिक, सामाजिक और अधिकाधिक कान्ति न हो जाये, तब तक हम हल्ला करते रहें।

जनतंत्र में बोली की इज्जत होती है, बोली की इज्जत नहीं होती है। श्री ए० के० राय चले गये हैं। जब वह नाराज होते हैं, तो तीर-धनुष का जुलूस निकालते हैं। हमारे यहां के जो लोग कोलकालिडुज में काम करते हैं, वे हमें बताते हैं कि वे श्री राय के तीर-धनुष के जुलूस से तबाह हैं। पहले नक्सलाइट्स हमें मिला करते थे। हम सत्यनारायण सिंह को भी ममझाया करते थे कि एसिड-बल्ब फ्लिफ्लास्की से कुछ नहीं होने वाला है। 1948 में कम्युनिस्ट पार्टी ने कलकत्ता में एक प्रस्ताव का मसौदा पेश किया। डा. साहब ने उसे भुझे पढ़ने के लिए दिया। उस प्रस्ताव में तत्काल संघर्ष का नारा दिया गया था। उसके बाद तैयाराना और दूसरे स्थानों पर हिंस्रतापूर्ण कार्य किये गये। बर्मा में और सिंगापुर में भी कम्युनिस्ट पार्टी ने

गृह-युद्ध शुरू कर दिया। वो कम्युनिस्ट पार्टी ने सिंगापुर में बर्मा में और हिन्दुस्तान की कम्युनिस्ट पार्टी ने कहा कि हम एसिड बल्ब फ्लिफ्लास्की कार्यान्वित कर के मारेंगे। नतीजा यह हुआ कि कम्युनिस्ट पार्टी छूस्त हो गई। हजारों हजार कार्यकर्ता मौत के मुह में चले गए और जेल में मारे गए? तो इस हिमा से कुछ नहीं होने वाला है। जनतंत्र में बोली की इज्जत होती है, बोली की इज्जत नहीं होती है। हमारे चन्द गुमराह भाई कम्युनिस्ट पार्टी (एम एल) के अगर इस बात का जान जायें तो बात भला होगा।
... (शुद्धबचान)....

मेरा कहने का मतलब यह है कि लोकपाल विधेयक हमारे समाज के और सरकार के आचरण को ठीक करने के लिए तभी सशक्त हो सकता है जब नीकरसाह भी तदनुसृत आचरण करें। अगर नीकरसाह उस कानून के तहत ठीक आचरण नहीं करेगा तो कितना ही अच्छा कानून हम बनाएं जिस एजेंसी के जरिए समाज में और देश में कानून लागू होगा वह एजेंसी भ्रष्ट होगी तो फिर उसका कोई लाभ हम उठा नहीं सकते हैं। कानून हम ने बात बनाए। लेकिन हमें देखने की जरूरत है कि जो लोकपाल विधेयक बना रहे हैं उसको ठीक से लागू किया जाय। अगर वह ठीक से लागू होगा तो उससे हमारे आचरण में बहुत सफाई आ सकती है।

एक बात और कहना चाहता हूँ। इसमें जितनी धाराएं हैं उनमें जो मुकदमे किए जाएं वह लम्बे न हों और लोकपाल विधेयक में ऐसा प्रबंधन भी किया गया है कि जो मुकदमें चलेने और जो जांच होगी उसमें अधिक

समय न लगे। बहुत से कमीशन सरकार में बैठायें, राज्यों में और केन्द्र में भी बहुत से कमीशन बैठायें गए, दो दूँ, तीन तीन और चार चार साल लगे, कमीशन ने अपनी रिपोर्ट दी लेकिन लागू होने की बात आई तो क्या हुआ? मैं एक ही कमीशन का चित्र करूँगा आई० सी० ए० धार० में गजेन्द्र गडकर कमीशन बैठा। वहाँ विनोद शाह ने आत्महत्या कर ली और सात साइडिस्ट्स ने आत्महत्या कर ली। गजेन्द्र गडकर कमीशन बना और उसने कहा कि डाइरेक्टर जनरल ने गलत फाईंडिंग्स दी हैं। बहुत सी फाईंडिंग्स उस ने दीं। डाइरेक्टर जनरल ने कहा कि सरबती सोनरा गेहूँ में लाइसिन कंटेंट होता है। इसको गजेन्द्र गडकर कमीशन ने झूटा साबित किया। लेकिन इस पर वह डी० जी० मैकसे एवार्ड पा गए। तमाम सिफारिशें उस कमीशन ने की मगर तीन चार साल हो गए गजेन्द्र गडकर कमीशन जिसमें एमिगेंट साइडिस्ट्स थे, उसकी सिफारिशों को लागू नहीं किया गया मैं तो मांग करता हूँ और इन सारी बातों को सभी लोग कहेंगे कि कितने कमीशन बने, उन्होंने कितनी सिफारिशें कीं और उन की कितने प्रतिशत सिफारिशें लागू की गईं? इन शब्दों के साथ मैं लोकपाल विधेयक का हृदय से समर्थन करता हूँ और मैं चाहूँगा कि यह कानून जल्दी से जल्दी इसी सत्र में कल ही पास कर के रात तक इस को कानून का रूप दे दिया जाय।

18.28 hours

[Mr. SPEAKER in the Chair]

MR. SPEAKER: We will now take up the motion under Rule 193.

AN HON. MEMBER: It is not yet 6.30 p.m.

MR. SPEAKER: Only one or two minutes are left. If you want, I will call the next speaker, but he will have only two minutes.

Shri Durga Chand.

1144 L.S.—14.

डा० लक्ष्मी नारायण पांडेय (मंडलोर):
प्रध्यक्ष महोदय, ... (व्यवधान) ...

MR. SPEAKER: We are still on the debate, because objection has been taken.

डा० लक्ष्मी नारायण पांडेय: मैं इस विधेयक का समर्थन करने के लिए खड़ा हुआ हूँ। प्रस्तुत विधेयक अत्यंत ही महत्वपूर्ण है। प्रशासनिक सुधार आयोग की सिफारिश के अनुसार इसे बहुत पहले प्रस्तुत किया जाना था। कन्तु

MR. SPEAKER: I have not called you: I have called Shri Durga Chand. Anyway, the time is now over.

18.30 hrs.

DISCUSSION ON HOME MINISTER'S STATEMENT RE DECISION OF GOVERNMENT TO REFER THE CORRUPTION CHARGES AGAINST THE FAMILY MEMBERS OF THE PRIME MINISTER AND THE FORMER HOME MINISTER TO A RETIRED JUDGE OF THE SUPREME COURT

SHRI HARI VISHNU KAMATH (Hoshangabad): I rise on a point of order on this motion which is about to be moved by my Hon. friend Shri Stephen. I may draw your attention to Rule 354. I hope my hon. friends who are interested will pay close attention because this is an important matter which is going to be taken up in the House shortly, in case my point of order is not upheld.

Rule 354 reads as follows:—

"No speech made in the Council.."
That is, the Rajya Sabha, the Council of States:

"No speech made in the Council shall be quoted in the House unless it is a definite statement of policy by a Minister:

[Shri Hari Vishnu Kamath]

Provided that the Speaker may, on a request being made to him in advance, give permission to a member to quote a speech or make reference to the proceedings in the Council..."

That is, Rajya Sabha:

"...if the Speaker thinks that such a course is necessary in order to..."

Please mark these words:

"...in order to enable the member to develop a point of privilege or procedure."

The whole debate that is sought to be raised today, this evening, is based on a statement made by the Minister of Home Affairs in the Lok Sabha on the 30th April, 1979. In that statement, he refers to the proceedings of the Rajya Sabha there is nothing on record in the Lok Sabha proceedings. In that statement made on 30th April, the Home Minister has said—I quote the relevant part of his statement made in this House:

"Madam, in a statement I made on February 23, 1979, in the Rajya Sabha..."

Again, Rajya Sabha.

"...and in answer to a few Untarred Questions in the Lok Sabha, mention was made of Government's decision to refer the Debate on the motion that was adopted on August 10, 1978, in the Rajya Sabha..."

Again, Rajya Sabha:

"...to the Chief Justice of India with the request that he may inquire whether any *prima facie* case in respect of any of the charges referred to in the Debate aforesaid..."

That means, the Debate in the Rajya Sabha.

...which pertain to the period after the present Government took charge in March, 1977, is established against the family members of the Prime Minister and the former Home Minister so as to justify a formal inquiry under the Commissions of Inquiry Act. I accordingly requested the Chief Justice of India to take up this inquiry and give his advice in this connection."

My only aim and objective in raising this point of order is to ensure that in this House there will be, if at all, a meaningful, purposeful and effective discussion on this matter of major public importance.

Now, what will happen? Under this rule, we are hamstrung. The constraints of this rule will not permit, unless the rule is suspended and I do not think the House will agree to suspend the rule, it should not agree for suspension of the rule. But as long as the rule stands, unfortunately, for good or for ill, no Member of this House can refer in substance to any of the proceedings of the Rajya Sabha. The debate in the Rajya Sabha cannot be quoted by any Member of this House except to develop a point of privilege or procedure—that is the only saving grace, saving clause, in the proviso to rule 354.

MR. SPEAKER: Don't you think that your point of order is premature?

SHRI HARI VISHNU KAMATH: The debate cannot start unless you give a ruling and define what the parameters of this debate will be.

I will quote another rule. In a matter of this kind which is of major public importance, there is another rule which comes to our help. I would not say 'your help'.

MR. SPEAKER: Assistance.

SHRI HARI VISHNU KAMATH: It may persuade you to help us, and

that is, Rule 360. Before I proceed to read that Rule, I would request you to let me know whether Rule 186 also applies to today's discussion.

MR. SPEAKER: You are putting me on an examination.

SHRI HARI VISHNU KAMATH: You are the presiding deity of this House and whom else can we look up to except you on an occasion like this, and on all occasions in this House? You are the custodian of our rights and privileges and you are our light and guide. I almost said: lead, kindly light.

MR. SPEAKER: Don't embarrass me.

SHRI HARI VISHNU KAMATH: Now take rule 186, and a discussion under rule 193. I request you to let me know and let the House know whether the conditions laid down in rule 186 to discuss a motion of urgent public importance and general public interest also hold for the discussion of the kind we have taken up to-day. I do not know. Rule 186 makes it clear. One of the conditions is:

"It shall not refer to the conduct or character of persons except in their public capacity."

This arises because even though the Chief Justice of India, declined ultimately to take up this assignment, a retired Chief Justice has taken up this rather delicate and difficult assignment.

Now the question to be asked in this context is whether it is being done in a public capacity. It is only then that a reference can be made to a Judge—Chief Justice or this Judge. No reference can be made to the conduct of a person except in his public capacity. It is not clear from the statement made by the Home Minister whether the Judge is acting in his public capacity or otherwise....

MR. SPEAKER: That will arise if and when a rule is breached. You are now anticipating a breach of a rule. A point of order arises when a rule is breached. You are not asking my opinion before a debate starts.

SHRI HARI VISHNU KAMATH: In short, I want your ruling on these two points. We would like to participate in the debate. We would like to know the guidelines beforehand. Otherwise, why should we stand up and make some reference and then you say, 'It cannot be made.'? So please give us some guidelines.

(1) Whether you will give us a carte-blanche, a blank cheque....

MR. SPEAKER: I have no money in the bank to give you a blank cheque.

SHRI HARI VISHNU KAMATH: I know you are very liberal, but certain kinds a blank cheques you cannot give and you should not give also. I am referring to a different kind of carte-blanche here. I want to know whether you will give a carte-blanche to all members, right, left and centre, to quote from the proceedings of the Rajya Sabha. In that case, we can go ahead and make it really an effective discussion. If you say 'No You can quote only this much—thus far and no further, like Lakshman Rekha...

MR. SPEAKER: I have followed.

SHRI HARI VISHNU KAMATH: That is the first point.

SHRI K. RAMAMURTHY (Dharmapuri) How many points of order he has got, Sir?

MR. SPEAKER: You have already taken 9 minutes on your point of order (Interruptions) That much time will be added.

SHRI HARI VISHNU KAMATH: Sir, you are there to guide the business of the House....

MR. SPEAKER: Many times other people try to take up my responsibility.

SHRI HARI VISHNU KAMATH: They want to usurp your power. One last word and I have done. I refer to Rule 360 also. On an occasion like this Rule 360 is very relevant. I will read that rule so that my friends may follow:

"The Speaker may himself, or on a point being raised or on a request made by a member...

I made an earnest request to you.

"...address the House at any time.

No limits.

"...on a matter under consideration of the House with a view to aid members in their deliberations, and such expression of views...

There you are quite safe when you do that because the last bit of the rule is very helpful.

"...and such expression of views shall not be taken to be in the nature of a decision."

So I would request you to give us now under rule 360 read with Rule 354 as to what the limits of the discussion shall be and where we should draw the line and not transgress the limits.

In view of what I have said, the motion cannot be moved because it has a reference to the Rajya Sabha proceedings. If you do hold that it can be made, I will go to the next step and would request you to tell us and advise the House as to what the parameters of the discussion would be, what the limits would be and how far we can go and beyond what we cannot go.

SHRI K. RAMAMURTHY: Sir, I rise on a point of order.

MR. SPEAKER: I am first disposing of his point of order.

SHRI K. RAMAMURTHY: Sir, under Rule 354:

"No speech made in the Council shall be quoted in the House unless it is a definite statement of policy by a Minister"

(On the basis of Minister's statement only, you are admitting this).

MR. SPEAKER: This motion has been allowed on the basis of a statement made by the Minister in this House. The debate will be strictly in accordance with the rules.

Mr. Stephen, please go ahead.

SHRI C. M. STEPHEN (Idukki): Ir. Speaker Sir, may I begin by congratulating my very honoured colleague, a veteran in the Parliamentary Jugglery that he managed somehow to speak for ten minutes, practically, on the merits also?

Anyway, the statement now under discussion relates to a matter of a charge of corruption which has been hanging in the air for about sixteen months now. I feel it is necessary that the background is spelt out in a chronological order.

As far back in 1978 January, a certain report appeared in a *Weekly 'Samarathan'* edited by Shri Pranubhai Bhatt, the District President of the Bhavagar Janata District Committee and, Mr. Morarji Desai, in his speech at Bhavnagar made a reference to that. And as per the report appeared in the press he offered to submit this matter for an enquiry and also offered to resign if those charges were found to be well-based.

Now, on the basis of that, on 11.3.78, Shri Charan Singh, the then Home Minister, as per correspondence placed on the Table of the House here, in his statement, demanded an enquiry. And, certain correspondences followed between him and the Prime Minister. This was rocking in this House and in the Rajya Sabha and it has been a major matter for a long time. Finally,

on 16.8.78, the Rajya Sabha passed a Resolution suggesting that the Government be guided by the recommendations of a Committee to be appointed by the Chairman of the Rajya Sabha.

On 24.8.78, the Prime Minister, in a statement, in the Rajya Sabha, said that the Government could not accept the suggestion in the Resolution. Instead, he offered that any charge of corruption made by any Member relating to the period after the Prime Minister took office can be referred to the Chief Justice for his consideration and for his opinion.

SHRI HARI VISHNU KAMATH: Mr. Speaker, Is it permissible under the rule?

MR SPEAKER: That is mentioned by the Home Minister in his statement.

SHRI C. M. STEPHEN: Not only that. Rule 354 says:

"No speech made in the Council shall be quoted in the House unless it is a definite statement of policy by a Minister".

The rule does not say that it shall not be referred to in Lok Sabha. And no rule says that it cannot be quoted if it is a matter of policy. I am not quoting anything. I am only stating certain facts. I do not know why, of all persons, Shri Kamath should take up this sort of attitude (*Interruptions*). Anyway, on 23-2-79, the Home Minister made another statement in the Rajya Sabha and, there, he says:

"In modification of what the Prime Minister said, the entire proceedings of the Rajya Sabha will be referred to the Chief Justice for his consideration."

On 28-3-1979, Mr. Shanti Bhushan made a statement saying that the

Prime Minister's statement in the Rajya Sabha was after consultation with the Chief Justice. He read out to the Chief Justice, the entire statement, word by word and the Chief Justice approved of that. The statement was made by the Prime Minister after approval by the Chief Justice. Finally, on 20-4-79 the Home Minister came to this House and made the statement which is under consideration wherein he said that the Chief Justice had declined to go into this matter either on the basis of what the Prime Minister had said or on the basis of what the Home Minister had said and that he had made a certain new suggestion that the Government are accepting that suggestion and that according to the recommendation by the Chief Justice the matter was being referred to some retired Justice of the Supreme Court. This in one line is what had happened with respect to the allegations against Mr. Kanti Desai. Parallel to that another set of events happened. That is, on 13-3-79, Shri Morarji Desai, in a letter which was placed on the Table of the House here by Mr. Charan Singh insinuated that there were corruption charges against Mr. Charan Singh's son-in-law, wife and certain other relatives. On 21-3-79 as per the letter laid on the Table of this House, Mr. Charan Singh promptly accepted the challenge and demanded that an enquiry be instituted into those charges. On 28-3-79 certain allegations of land deal against the son-in-law and nephew of Mr. Charan Singh were raised and immediately Mr. Charan Singh accepted the challenge and offered to submit that matter for an enquiry by anybody that either of the Houses may constitute. Then I made a remark that the Government must clarify the position as to whether they are prepared to submit this matter for an enquiry as demanded by Mr. Charan Singh to clear him of the cloud. On 20-4-79 Mr. Patel came here and he said that they were not prepared to make any arrangement for any enquiry as demanded by Mr.

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Charan Singh clearing him of the charges, saying, that the persons concerned were not relatives of Mr. Charan Singh and that that does not relate to a period when he was a Minister.

Now, Sir, these are the two sets of developments.

In one set of development—with respect to Mr. Kanti Desai, we find the Prime Minister sticking to a position that he is not prepared to submit this matter to a Commission of Enquiry, a preliminary enquiry is necessary, firstly by the Chief Justice, then the whole proceedings will follow and finally the proposal is that it will go to the retired Judge of the Supreme Court. On the other side we find Mr. Charan Singh taking up the position step by step saying 'I am prepared to submit this matter for an enquiry'. This is what has happened. Comparing the two I must state at the outset that Mr. Charan Singh has taken up a position which is in accordance with dignity and with a clear conscience. He has now come out practically unscathed from out of this controversy and the Government is stubbornly refusing to order an enquiry even with respect to Mr. Charan Singh in spite of his demand that an enquiry be arranged for, so that he may get a clearance.

I have implied earlier in a speech which I made here that this refusal of the Government to arrange for an enquiry with respect to Mr. Charan Singh was presumably for the reason that they were afraid that if an enquiry is arranged, then, the demand for an enquiry against Mr. Kanti Desai will also come in. Therefore the Government are not prepared for an enquiry even with respect to Mr. Charan Singh in spite of his consistent demand that an enquiry be arranged for. From out of this therefore I am leaving Mr. Charan Singh out, because he demanded the enquiry, the enquiry is being refused, whenever a

challenge was made, he immediately accepted the challenge. So, this is how it has emerged.

Now, coming to the present position, the demand was for the reference of all allegations against Mr. Kanti Desai. Subsequently the Prime Minister limited it as saying that only those allegations relating to this particular period will be referred to the Chief Justice and it was further modified now by saying that 'not any allegation of corruption, specific or otherwise, but only those allegations which were raised during the discussion in the Rajya Sabha will be referred to the Chief Justice'. So, Sir, the demand was for a larger one, the Prime Minister offered for a limited one and now, there is a further limitation by saying that no charges of corruption other than those raised in the Rajya Sabha will be referred to the Chief Justice. For example, Sir, from out of this, there was a corruption charge and an allegation that Rs. 90 lakhs were collected by Mr. Kanti Desai in connection with the election. That does not come under this. There was the allegation about the land deal by Mr. Charan Singh's relatives. That was not the subject on which the discussion took place in the Rajya Sabha. Therefore that will not come under this. What exactly is the public policy? It says that although corruption charges are specific, although corruptions relate to a particular period, nevertheless those corruption charges will not be referred to merely because the Members participating in the Rajya Sabha omitted to bring out those charges of corruption. But here is a very specific charge that Rs. 90 lakhs were collected by Mr. Kanti Desai, sitting in the house of the Prime Minister and now it will not go either to the Chief Justice or to the Commission of Enquiry. Now, this leaves out a large number of charges of corruption and whatever is offered for inquiry is only ephemeral. This is only the preliminary point that I have to make about it.

Now, the question is whether the present offer and previous offer will satisfy the public conscience. For example, what exactly are we dealing with? We are not dealing with any public person, we are not dealing with any Minister. We are dealing with just an individual by name, Mr. Kanti Desai and charges are made against him. The Home Minister of India at that time felt that the charges were specific that the charges were new and he said that those charges were reverberating throughout the country and he, as a person in authority, on hearing the corruption charges, felt that it was in the public interest that those charges be referred to a Commission of Enquiry. Now, the first question I want to raise is: when the Home Minister with respect to certain corruption charges against the private individual feels that those charges are specific and new and that they were reverberating throughout the country, is it not a formal demand that those charges be referred to a Commission of Enquiry? Would it be proper for the Prime Minister to come and say 'No, it will not be referred to a Commission of Enquiry?'

Now, the Home Minister, who is in charge of this subject comes and says that the person concerned is the son of the Prime Minister. Now, supposing the charges were raised against some other individual, would the Prime Minister have come into the picture? Would he have taken up this very strong position? Therefore, for example, as against Mr. Vengal Rao, a reference was made to a Commission of Enquiry. The Commission of Enquiry has given a finding that those charges were without any *prima facie* case at all. It is therefore clear that the Government of India did refer the charges which had not *prima facie* aspect for a Commission of Enquiry to consider. But when it comes to Mr. Kanti Desai, the Prime Minister comes in and takes up a very very strong position. Now, how strongly the Home Minister feels about it. Here the Home Minister says—

"We would like to know if according to the Prime Minister, the truth of an allegation is first ascertained, then what else remains for a Commission to Inquire?"

"One really fails to understand what objection the Prime Minister or anybody placed in a responsible position in the public life of the country could possibly have to the appointment of a Commission so that confidence in the public life of the country was restored."

"If we accept the Prime Minister's stand, we will have to bid good-bye to all hopes of establishing a clean public life or giving an efficient administration to the country and cease entertaining dreams of greatness of economic prosperity of our motherland."

And finally, very strongly he puts it in this manner:

"In his abounding affection for his son, Shri Desai does not realise that he has done a great harm to the Janata Party, public life of the country and to democracy. He is so much obsessed with the personal reasons as to endanger the public weal."

The Home Minister of the country feels so strongly about it and the Prime Minister stands stubbornly and says: "I would not refer it to them". I would like to know whether the same standard would be applied to everybody. Is it not desirable that the Prime Minister should be the last man to come into the picture in this case and leave it to the Cabinet even if there is a difference of opinion? This is vitiating the whole atmosphere. That is the point. What did he do with Shri Charan Singh? After he made this statement in the House, Shri Charan Singh was promoted as the first Deputy Prime Minister of India. He did not retract a syllable from the statement he made. He stands strongly by the statement and he became a member of the Government, Deputy Prime Minister. The position is that

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the Deputy Prime Minister of India is holding the position that the Prime Minister's refusal to yield to the demand will be contributory to the enhancement of the corruption charges and all that. That is the position that is emerging.

My second point is that all the opposition parties combine together and the Rajya Sabha passes a resolution. It suggests that a Committee of the House may go into these charges and give a report as to whether there is a *prima facie* case for reference of this matter to a Commission. The Rajya Sabha in our Constitution is not the same as the House of Lords, as you know, Rajya Sabha represents the elected Members of the legislative assemblies and is an integral part of the legislative machinery of our country. Of course, for appointing the Commission of Enquiry Rajya Sabha resolution has no mandatory force. But its decision was that these charges should be gone into by a Committee of the House to determine their *prima facie* tenability . . .

SHRI DINEN BHATTACHARYA (Serampore): What do you want to derive at?

SHRI B. SHANKARANAND (Chikkodi): It is not against you... (Interruptions).

SHRI C. M. STEPHEN: Now, was it proper for the Prime Minister under the circumstances to stand stubbornly against that also and in a matter which concerns his son? He stands stubbornly against the Home Minister in a matter concerning his son; he stands stubbornly against the resolution of the Rajya Sabha and he goes on to find out some other formulae. How far that formulae will save the public conscience is the question? The attitude of the Prime Minister in order to protect his son in defiance of the Home Minister, in defiance of the Home Ministry and in defiance of the Rajya Sabha and

to find out a way-out will only cloud the sufficiency of the machinery he is proposing. That is the purpose of giving this background. The principle involved is that when the charges of corruption concern the son of a top functionary in the Government, is the decision to be taken by that particular person, whether it is the Prime Minister or the Home Minister, or whosoever he may be? Should not the Prime Minister, the father of the person against whom the charges are made, say: "It concerns my son, I have nothing to say. I will keep quiet let my Cabinet colleagues decide." But he did not take that position. He took the stubborn position of resistance at every stage. Finally, he says that it will go to the Chief Justice. And for that he has given two reasons. One, unless there is a precedent, he does not want to create a precedent. As far as the precedent is concerned, I have got before me the English precedent. Here is a book, Trial by Tribunal by George Keeton. What happened? The Lord Chancellor went into a particular case. The Lord Chancellor went into this matter. (Interruptions). The Lord Chancellor found that there was no *prima facie* case to be gone into by the Commission of Enquiry. It say, in this book, at page 229:

"Accordingly the Prime Minister decided not to proceed. The rumour, however, persisted and affair took a more serious aspect when the members of the Opposition associated with them a member of the Government. At this point, the Prime Minister had little choice but to order a tribunal which, it should be emphasized, found that the rumours had no foundation, and accordingly, the Lord Chancellor's original assessment of them had been correct."

The point I am emphasizing is that the question as to whether the matter should be referred to a Commission of Enquiry, is not to be determined by the consideration as to whether

there is a *prima facie* case. Here, I am citing an incident in which it was found that there was no *prima facie* case. Nevertheless, the Opposition demanded that the matter should be referred, and when it related to a member of the Cabinet, the Prime Minister decided to refer the matter, in order to quieten the rumours and to clear the atmosphere. Therefore if at all there is to be a precedent, the precedent is that irrespective of the *prima facie* thing, it must be referred to the commission of inquiry; but the Prime Minister is now very stubbornly refusing.

19 hrs.

MR. SPEAKER: You can take another 7 minutes. You will, then, be taking half an hour, out of one hour. All right, take 10 minutes.

SHRI C. M. STEPHEN: All right, Sir. Because I am forbidden from doing it, I do not quote from the Rajya Sabha proceedings. Why do they refer it to the Chief Justice? They say, in order to clear the doubt, in order that there may be no allegation about the Government wanting to hide anything, they referred it to the Chief Justice. This is the position they have taken.

What does your Deputy Prime Minister say? He has said this—the Deputy Prime Minister No. 1, who was promoted as the Deputy Prime Minister of India in recognition of the statement that he made; in recognition of this criticism, he was promoted. He says this:

"This was a course open to fundamental objections and fraught with grave consequences. For, the legal position is that the Chief Justice will have no authority to compel the attendance of any person for being examined as a witness, or for the production of any documents, so that the inquiry will be an informal one, not one conducted with the sanction of law."

Here, Mr. Charan Singh is not alone in the legal proposition that he has spelt out. This book, "Trial by Tribunal" says:

"To whom can a demand be referred for impartial decision? The Lord Chancellor will give an independent and judicial mind to the question. But he has no judicial powers in doing this. Is it fair to expect him to act in a judicial capacity without judicial powers? . . ."

Again the book says:

"The same difficulty applies to the idea of referring the *prima facie* evidence to any independent judicial body, to decide whether a public inquiry is justified. Without the powers of a court, could it be expected to take the responsibility? With those powers, could it sit in private? Would it not necessarily develop into the public enquiry itself?"

This is just the criticism which Mr. Charan Singh raised with respect to the procedure of referring this matter to the Chief Justice. The point of my assertion is that in the background of Mr. Moraji Desai's consistent endeavour to avoid a reference of the matter to the Commission of Inquiry, the devious method of suggesting that the matter may go to the Chief Justice, will not carry any conviction at all, particularly because the law does not contemplate that the Chief Justice has got any power to go into this matter. Therefore, it will not satisfy the public mind; Mr. Shanti Bhushan, in his statement, in the Rajya Sabha, he made, said—word by word I am not quoting—that he went to the Chief Justice. He read out the statement to the Chief Justice word by word, and the Chief Justice approved of the statement. And it was only then that the Prime Minister made a statement in the Rajya Sabha. He agreed that this was the statement he made. What was the statement of the Prime Minister? If you go

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through the statement, you will find that it was a political statement—Government policy with respect to all this matter—I am putting a question. Was it proper for the Law Minister of India to go to the Chief Justice of India and read out a political statement which the Prime Minister was to make in the Rajya Sabha, getting his approval for that and on the basis of his approval reading out the statement in the House? Was it proper to drag the Chief Justice of India into this? It is one thing to ask the Chief Justice whether he is prepared to accept this assignment. It is another thing to read out the statement to be read out in the Rajya Sabha, a political statement, spelling out the policy of the Government word for word. What Mr. Shanti Bhushan said, the Chief Justice approved of the statement word for word the whole statement, and on the basis of this, the statement came.

Our concept about the Chief Justice of India is that he is a judicial functionary, he has nothing to do with this. And the thin blade that has got to divide the judiciary and the executive has now been blunted and has been diffused. This was the most improper thing that the Law Minister did. And this was the most improper thing for the Chief Justice to agree to this sort of a thing and to become a party to this sort of a statement co-authoring a statement that was to be made in the Rajya Sabha.

Finally, we come to the statement made here. Now they tell us that the Chief Justice had declined and the reasons also he has given; and he has said that the Chief Justice suggested that a retired judge should be there. And the Government told the Chief Justice to name a retired judge. The Chief Justice obliged them by giving a name. And the statement says that the Government agreed. I emphasise the word 'agreed' to refer the matter to that judge. The whole

gamut of this event, according to me, is absolutely improper and you have dragged the Chief Justice of India into a political controversy. But we are dealing essentially with the political controversy in which the Rajya Sabha was involved, the Opposition was involved, the opposition in the Janata Party was involved. And in the Cabinet itself, it was a controversial matter. In such a matter the Chief Justice comes in, and what the Chief Justice now says is this. I can read it out without any inhibition, because it is a Lok Sabha's statement. The Chief Justice in his reply referring to the developments subsequent to the Prime Minister's statement on 24th August, 1978, in the Rajya Sabha noted that "there was a sharp cleavage of opinions among persons who did hold different political views. Forgetting about that, he has further stated that even if he were to devise a generally acceptable procedure for enquiring the charges, he would function essentially a *persona designata*. The Press and the public would be free to make assumptions regarding reasons for his opinion; and the Parliament would be at liberty to debate on the merit of the matter. The Chief Justice, therefore, felt that the office of the Chief Justice of India might be dragged into a public controversy thereby affecting the image of the high office."

Two questions immediately arise. Did not the Chief Justice know that by accepting this assignment he would be accepting the position of the *persona designata*? Did he or did not he know? If he did not realise it at that time,—I am not speaking about political thing and all that—and if he accepted that, is he to be swayed by different views for political consideration? Is any judge who is deciding the matter will be swayed by opinions in the political field? He must be shutting himself out. He knew it was a *persona designata*. If he did not know, then it shows that the Chief Justice is . . .

**Not recorded.

MR. SPEAKER: Not allowed under the rules. That will not go on record.

SHRI C. M. STEPHEN: I do not want to cast any aspersion. I will say within the limit. He is not functioning as a judicial officer. He says wisdom comes to him late on *persona designata*. I do not agree that wisdom came to him late because it is clear he was *persona designata* and it will come in for criticism in Parliament; he is coming in for criticism in Parliament. I am not free to comment on his functioning as a judicial officer but as extra judicial officer his functioning . . .

MR. SPEAKER: Even that is not allowed.

SHRI C. M. STEPHEN: It is allowed but I do not want to go into that, I do not want to waste my time on that. In the way he has been shown up in the statement, it is that he did not realise that he was functioning as *persona designata*. Finally he has to withdraw from the position and give up his consent. Knowing that he played that game and seeing that he functioned subsequently in this manner, I am asking: why did he give the suggestion that a retired judge be appointed? He had no business to do that; he had only to decline and say: I cannot do. Why should he come in with a suggestion; you refer it to a retired judge of the Supreme Court? Is it part of his function? Why did he make this officious advice? Why did he become, did he sort-of-discharge the function of the secretary to the government? A secretary could do it or a subordinate officer of the government could do, a note of a government officer could be put up. Why did he officiously offer the suggestion: refer it to a retired justice? That is finding out a solution to the political conundrum in which the government are caught? Immediately the government says: we agree to the suggestion. Why this question of agreeing to the suggestion? It says: government agree to refer this matter

MR. SPEAKER: You have to finish, you have taken more than thirty minutes.

SHRI C. M. STEPHEN: I will conclude in two minutes.

SHRI KRISHNA CHANDRA HALDER (Durgapur): On a point of order, there is no quorum.

SHRI C. M. STEPHEN: Government asks him and immediately the name is given. My only point is this.

SHRI KRISHNA CHANDRA HALDER: Please show me any rule which says that the House can continue without quorum.

MR. SPEAKER: Kindly do not raise it; do not be on technicalities.

SHRI C. M. STEPHEN: It is in public interest.

MR. SPEAKER: He has had his say, the other side will not be able to have its say.

SHRI C. M. STEPHEN: Therefore, what I am saying is that the whole procedure was entirely wrong. Government then comes out with the proposal; we are referring to Mr. Vaidialingam. Would we be satisfied? Obviously not . . . (Interruptions) Therefore, in order to give coverage, Chief Justice's name is brought in; his position is compromised. All I am saying is that the suggestion of the Chief Justice will not give sanctity; Vaidialingam reference will remain unacceptable and it will not serve the purpose of clearing the atmosphere and any decision given by Vaidialingam will not receive acceptance by the public at large.

MR. SPEAKER: Shri Somnath Chatterjee,

SHRI SOMNATH CHATTERJEE (Jadavpur): Mr. Speaker, Sir

SHRI B. SHANKARANAND: Why not the question of quorum be raised now?

MR. SPEAKER: I disallowed then; it is not fair to raise it now,

SHRI KRISHNA CHANDRA HALDER: The hon. Speaker told me not to insist on technicalities and so I kept quiet at that time.

SHRI SOMNATH CHATTERJEE (Jadavpur): I wanted to take part in this discussion because some party questions were expected to be raised and have been raised, I am unhappily finding this, if I may say so. Public life in this country and elsewhere, I should imagine, should be clean, especially in places of high offices. There should not only be clean public life but it should also appear to be so. People in such high offices should conduct themselves in a manner that they should not even be open to criticism. This is what we feel.

There should be no compromise so far as charges of corruption are concerned especially in high places. In such case, however high the office may be—probably, the higher the office may be, the greater the responsibility to respond to this reasonable request for an enquiry. That is our stand. But the question is whether in this particular case on which discussion has been raised, whether a departure from accepted norms of behaviour has been made and whether it calls for a comment or criticism in the manner in which the hon. Leader of the Opposition has sought to do. I have been trying to listen very closely to the speech of the hon. Leader of the Opposition. The real object, apart from political gains—here and there, is to drive a wedge between the Prime Minister and the Deputy Prime Minister Incharge of Finance trying to give an impression as if they are persons of different types of reaction to problem they have to face, that the Prime Minister is trying to resist an enquiry, "Look at this person. They are now occupying high offices, therefore, why is this different standard?" The hon. Leader of the Opposition says, 'I do not want to say anything about the hon. Deputy Prime Minister, but the Prime Minister is not willing.' At least, we find there is a welcome

change. At least some deviation from the previous norms has been made. I remember when serious charges were made against Mr. Bansi Lal by a large number of Members of Parliament, I do not wish to give the figures as I do not remember . . .

MR. SPEAKER: 104.

SHRI SOMNATH CHATTERJEE: 104, I am obliged to you. 104 Members of Parliament had given in writing, demanding an enquiry on specific charges of corruption against the then Chief Minister of Haryana, who was known to be a very very close to the former Prime Minister. Then what happened? What was the procedure followed? Repeated reminders were there but no response was given to these repeated reminders. Then ultimately when the matter was pressed very hard, it was referred to a Committee of the Cabinet Ministers. This Committee of Cabinet Ministers without giving any opportunity to the persons who had made the charges, including the former Chief Minister of Haryana, without calling for any record or anything, sitting in their own chamber, may be, I have no doubt, may be at the instance of someone, they had prepared and signed some note. It was circulated. They were asked to sign, exonerating the then Chief Minister of Haryana. What happened? When the reasons were asked for, the reasons were not forthcoming for giving this clearance. The matter had been taken to the court. I am one of the aggrieved party, in the sense that as a lawyer I did not find justice to our liking. The Delhi High Court said that the matter is non-justiciable. It cannot be gone into whether Government will appoint an Enquiry Commission or not, they are not obliged to say. Even I could not get special leave in the Supreme Court. That was the stand taken. Not even those who made the charge, the persons who made the complaint were not told, why their

charges had been rejected. I believe, a norm was accepted that if some Members of Parliament make a complaint, enquiry should be gone into. At one time it was so stated. That was not followed. Repeated charges have been made against the son of the former Prime Minister. I am not going into here, whether charges were true or not. But what was the response? The response was a deliberate definite 'no'. A definite 'no' at all times was said. This is all that was said—no case was made out, nothing. What has happened since then? Discoveries have since been there. How things had been done, we have all come to know. The people have come to know. A list of charges had been made out against the son of the present Prime Minister and there were discussions and debates and there was a formal motion before the other House. Long discussions had taken place. A list of charges had been made out, but there is one significant fact, namely, it appears that excepting some charges, which may be recent ones since the Prime Minister assumed office, most of them were charges which had been gone into during the period when the former Prime Minister had caused some sort of enquiry to be held and had given clearance. I am not on the merits; I am only trying to find out what attitude was adopted.

Here what had been done is to see ultimately whether a *prima facie* case is there or not. Our stand also is that as soon as a charge is made, good, bad or indifferent, when in our country political considerations overweigh so many other things, when questions of morality, propriety and political norms have been overshadowed by political expediency—this is unfortunately the situation in our country—therefore, when this charge was made, I believe a very fair attitude was taken. I yield to none in my respect for the judiciary. Whatever may be our views about the judiciary, so long as this constitutional set up is

there, we have to maintain a proper place for our judiciary and show respect. We have our feelings. In many cases we have had our grievances about judicial decisions. But so long as we are unable to change the set-up, we have to accept it. We have to understand that. Therefore, once the Government had gone to the hon. Chief Justice of India—the highest judicial functionary in this country—trying to clear an atmosphere of suspicion which had developed—the other House had almost come to a grinding halt and it was not doing any business—the Chief Justice said, "Yes; I will go into this to find out if there is a *prima facie* case". Ultimately in his wisdom, the Chief Justice said, "I wish to be kept aloof of it". His previous decision might not have been proper in the sense he should have anticipated all this. There I agree with the hon. Leader of the Opposition that he should have anticipated that it was likely to raise a controversy. He should have initially itself said, "No; but I can nominate somebody who will do it properly". Ultimately that realisation dawned on him. He appreciated the position that since he had said 'yes', so many things had been said in this country and so many statements had been made. Ultimately he said, "I would not do it. I want to remain out of it. But if you want I may make a suggestion." And, the Government did the right thing. I must thank the Government for taking the right attitude, namely instead of themselves recommending another learned judge or ex-judge, they said, "Can you please suggest the name of another judge or retired judge?" I think when they left it to the Chief Justice of India, then no comment can be made. I am very unhappy that the Leader of the Opposition, to score some debating point or political point, should have dragged the name of the Chief Justice in the manner in which he has done. Let us at least try to spare one part of our constitutional set-up as much as possible from being a play-

ground of politics . . . (Interruptions). I did not interrupt the Leader of the Opposition when he was speaking.

Therefore, I submit at the end, an attitude has been taken and a learned retired judge of the Supreme Court of eminence has been appointed. He has agreed to go into the question of *prima facie* nature. I have no manner of doubt that if there is any interference in the discharge of his duties and functions, the Government has to be condemned. But we have seen very recently how open threats have been held out at judges. It has been said and we have read it in the papers and I believe in one speech inside the House, the Leader of the Opposition did not make it uncertain or did not mince words when he said that any judge who becomes a judge of the special court will have to be answerable or something like that. If I am not mistaken, a threat has been held out here and repeated outside that any Judge in this country who becomes a Judge of a Special Court will have to face something or other. This is an attempt to cow down the judiciary, the Judges, in the discharge of their duty. Here, an attempt is being made to blacken the image of the Chief Justice of India by saying that he has done something, he is not a fit person to be the Chief Justice, that he should have anticipated these things, that he has co-authored a political statement etc. Therefore, my submission is this. I would have liked Government reacting favourably whenever there are serious charges against persons who are in the closest proximity with the powers that be, apart from the Ministers. They should react favourably and promptly and quickly in taking the charges to a proper authority to find out the *prima facie* nature of the case before referring it to a commission of inquiry. I cannot find any reason to quarrel with that, but the Government should have acted with much greater quickness. If they had acted with promptness and greater

openness of mind, it would have been solved.

Therefore, let us try to resolve this, to see that in our public life in this country there is no occasion to make such charges. The sooner the occasion for such charges goes, we will have a better place to work in. Also, that will give rise to a better prospect for the country in future. Therefore, the system that has been adopted should be gone through to its logical conclusion, and let us see the result.

MR. SPEAKER: The Law Minister.

SHRI HARI VISHNU KAMATH. (Hoshangabad): Is it only a one-hour discussion? I thought it was two hours.

MR. SPEAKER: Only one hour, short duration. Otherwise, we will have to order dinner here.

SHRI HARI VISHNU KAMATH. The Minister of Parliamentary Affairs agreed to it at that time in 1951.

MR. SPEAKER: On the next occasion I shall try to do it for you.

SHRI HARI VISHNU KAMATH: Is that a promise?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): While many of the points which have been sought to be made by the Leader of the Opposition would be dealt with by the Home Minister, I rise to make some observations in respect of some of them, particularly because he has chosen to make a reference to me also, very rightly. I do not object to the reference being made to me in this connection. But, may I preface my observations with the remark that after listening very attentively to the Leader of the Opposition, I have been wondering as to what exactly he wants. In fact, perhaps I would not be blamed if the impression is left on my mind that even if these charges or allegations had been referred to

God Almighty Himself, he would have had objection.

It seems to me that the main reason for his objection is that after all they had also been in power for a very long time, and hence why are we not following the precedents which have been set up by them?

PROF. P. G. MAVALANKAR (Gandhinagar): May I request you to take the sense of the House to extend the time?

MR. SPEAKER: I think the House will agree to extend the time by another half an hour.

HON. MEMBERS: We agree.

SHRI SHANTI BHUSHAN: I am very sorry that this Government refuses to oblige the Leader of the Opposition by following the precedents which they have set up. Even when specific, very clear charges of corruption were made, in writing, signed by a large number of Members of Parliament, their Government would not concede any kind of proper enquiry being made into them. That is not the kind of precedent that this Government would follow.

Only today a motion has been made in this very House moving the Lokpal Bill, which makes it clear as to what the attitude of the Government is whenever any allegations of corruption or wrong or improper conduct are made against any person in high authority, so that I need not make any special pleading so far as the attitude of the Government in this matter is concerned.

So far as the procedure which has been followed in this case is concerned, the Leader of the Opposition tried to make out that the Prime Minister was not fair in restricting the ambit of the charges which could be referred to some person for enquiry. I would like to remind the Leader of the Opposition that the statement which the Prime Minister had made in the other House first had

said that if a single Member of Parliament made a charge in writing against the family members and sent it to the Government, he would refer it to no less a person than the Chief Justice of India, the highest repository of judicial authority, the highest repository of impartiality. Of course, if the Leader of the Opposition does not have confidence in anybody in this world, not even in God then I do not know as to in whom he can have confidence unless it is said that the Leader of the Opposition himself must inquire into everything.

This is what the Prime Minister has said, namely, no 164 Members of Parliament, let a single Member of Parliament level any allegation in writing. The reason is that before any kind of an inquiry is made, before a reference is made to the highest judicial authority there must be some sanctity, somebody must take a *prima facie* responsibility of making an accusation and then only some inquiry can be made. But not a single Member of Parliament followed up that statement of the Prime Minister by sending any allegation in writing to the Government relating to the son of the Prime Minister or any family member of the Prime Minister. Therefore, a stage for making a reference to the Chief Justice did not arise.

Thereafter, it was suggested, on behalf of certain other political parties, why should there be an insistence, particularly when there had been a debate in the House and certain allegations had been made during the debate in the House, that even a single Member of Parliament should make those allegations in writing in a communication addressed to the Government. They said, "You drop even that insistence. So far as any allegations which can be culled out from the debate itself are concerned, why not refer them to the Chief Justice?" The Home Minister made a statement, all right. Even this was agreed to so far as this:

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limited occasion was concerned. Of course, it cannot be a generality that whenever anything is said, any vague allegation is made, it might be culled out from anywhere and an inquiry made. So far as this occasion was concerned, it was said, all right, there need not be any insistence on that, whatever allegations are contained in those debates may be culled out.

Of course, it was said that those allegations must relate to the period during which this Government has been in office. Can there be any objection to that? So far as this Government is concerned, obviously, this Government would not go back to 200 or 500 years and all that. This Government is responsible for the period for which the Government has been functioning. It is only for the period for which this Government has been functioning that the Government will come into the picture and make an inquiry. Since this Government is answerable and responsible for anything which has happened during the period that this Government has been in office, it did not want to usurp the functions which the earlier Government may or may not have performed. It cannot extend its authority over that period also. Therefore, it is said, "All right, if there are any allegations in respect of the period for which the Prime Minister has been the Prime Minister and, during this period, even if these can be culled out from the debates, the Government has no objection to the allegations being referred to the highest functionary of the judiciary in this country, that is, the Chief Justice of India."

One point that has been raised by the Leader of the Opposition is, what is the theory of a *prima facie* case etc.? Why cannot the Commission of Inquiry be set up to start with? Why should there be any kind of a preliminary examination? The theory seems to be, whenever any-

body says anything, you appoint a Commission of Inquiry. Of course, when there are very serious charges, etc. against high functionaries, an objection is raised as to why a Commission of Inquiry is appointed. On the other hand, it is said, whenever, anywhere, anybody might say the slightest thing, immediately you must jump to the appointment of a Commission of Inquiry and, if you do not do that, you are doing something wrong. Obviously, the Leader of the Opposition is a very competent person; he knows the law very well. So far as the appointment of a Commission of Inquiry is concerned, it is a power coupled with duty and that power has to be exercised with a sense of responsibility. A joke cannot be made in the exercise of that power. In fact, even the Leader of the Opposition has been objecting to the appointment of certain Commissions of Inquiry. I will not go into all that. Therefore, even he agreed that this power cannot be converted into a joke. This power has to be exercised with a sense of responsibility.

First of all, the Government has to apply its mind and determine, would it be a fit and proper matter for the appointment of a Commission of Inquiry. Normally, this function has to be performed by the Government.

SHRI C. M. STEPHEN: The point that I was emphasizing was that charges were raised by your party functionaries and your Home Minister was demanding it, satisfied that there was a case and the Prime Minister was avoiding it. Was it proper? I have not put forward any charges. This is what your Home Minister has been demanding and the Prime Minister has been avoiding. That is the point.

SHRI SHANTI BHUSHAN: I appreciate the point that has been made and I would deal with it.

So far as the decision to appoint a Commission of Inquiry is concerned, it is a Cabinet matter. There might be individual views, but so far as the Government is concerned, Government has to function on the basis of the collective wisdom of the Cabinet in regard to constitution of a Commission of Inquiry. And the collective wisdom of the Government is that there have to be certain norms. First of all, the totality of the circumstances has to be seen, as to whether there is a proper case for the constitution of a Commission of Inquiry. Then, in that case, Government has to perform this function of judging this: has a case been made out for the constitution of a Commission of Inquiry? The case can be made out in different ways and in different circumstances. But then somebody will have to judge as to whether a case has been made out for the constitution of a Commission of Inquiry, because a Commission of Inquiry cannot be constituted merely for the asking of it.

Now, while Government, in a normal case, would perform this function and reach this satisfaction, in regard to allegations which are made and to which some political parties also lend their force—and then it is also said that the Prime Minister is the Head of the Government—, if the Government itself comes to the conclusion and says that no proper case has been made out for the constitution of a Commission of Inquiry, then what would be suggested is this: 'Look here, since the allegation related to the son of the Prime Minister or a relation of the Prime Minister or an important Minister, obviously the Government came to this conclusion'. This might not get the full credibility of the people. Therefore, even this function which normally would have been performed by Government, Government did not want to perform and they agreed to this: 'Alright, we can understand that you may not have confidence in

our conclusion on this point; therefore, we are willing to have this function performed by a functionary on whose impartiality or whose objectivity, on whose ability, nobody in the country can have any doubt". When I say this, I would like to emphasize that, in spite of what the Leader of Opposition might say, so far as the citizens of this country are concerned, they have absolute confidence in the judiciary. The Indian judiciary has glorious traditions, and therefore, the Indian judiciary cannot be successfully denigrated by anybody, howsoever important that person may be. So far as the people are concerned, they do have confidence in the judiciary.

In regard to the statement which was made by the Prime Minister that, if any Member of Parliament made any allegation in writing to the Government against his family members, he would immediately refer those allegations to the Chief Justice of India for being gone into, the Leader of Opposition has raised an objection as to whether it was proper on my part to go with that statement to the Chief Justice of India to read out that statement and take his consent for the Prime Minister making that statement in the other House. Now, Sir, the ground on which he has raised the objection is this. He says that this was a political matter, this was a political controversy; his point was, 'Look here, these charges which had been made were politically motivated charges made for a political purpose, by way of political propaganda; why should any such statement, namely, that the Government is willing to refer these allegations for a *prima facie* looking up by the Chief Justice of India, be read out to the Chief Justice of India? It is quite clear that the Chief Justice of India was not obliged; he could not be compelled to go into this matter. So far as Government was concerned, Government was willing if the people of this country would have con-

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fidence and if the Opposition also would have confidence in the Chief Justice going into this matter and giving his conclusion. So far as the Government was concerned, Government was willing. Speaking for myself, I would have thought that the Opposition should have welcomed this statement, unless, of course, the attitude of the Opposition is 'No; even if you had referred the matter to the God Almighty, we would not agree; we have no confidence in anybody else'. There was nothing political about this matter. Here were certain charges of corruption which had been levelled. Some methodology had to be evolved so that people may have confidence as to whether there is a proper case for constituting a Commission of Inquiry. On account of the relationship between the person against whom the allegations were made and the head of the Government, namely, the Prime Minister himself, it was supposed that if the government itself says 'No, there is no proper case for a Commission of Inquiry', people may not have confidence. Therefore, it was said, 'All right. The Chief Justice of India will look into it.' But if a statement is going to be made by the Prime Minister, would it be proper that such a statement should be made without bringing the Chief Justice of India into the picture and without making reference to the Chief Justice of India? The Chief Justice of India must be informed, 'This is what the Prime Minister intends to do, that he intends to go to the Parliament making an offer that if any such allegations are made, they would be referred to the Chief Justice of India.' I insist that it was the most proper thing. It was asked—when a statement was to be made in the Parliament, why did we go to the Chief Justice to say 'This is what intend to do. Have you any objection?'. If doing the most proper thing . . .

(Interruptions)

MR. SPEAKER: He did not interrupt you when you spoke.

SHRI B. SHANKARANAND: Do you consult the Chief Justice for your statement in the House?

SHRI SHANTI BHUSHAN: Now let me complete. Now a reference was made to a precedent in England in which a Lord Chancellor . . .

SHRI C. M. STEPHEN: Now it is one thing to say that you got the consent and it is an entirely different thing to say that you drew up the statement, went to the Chief Justice and got his approval for the statement.

SHRI SHANTI BHUSHAN: I do not know if the objection is that the consent should have been taken on the phone or the objection is that the Ministers of the earlier government would not go to the Chief Justice they would just ring him up and find out 'Do you agree to it?' The objection is: why did the Minister go to the Chief Justice? I do not quite follow what the objection is . . .

SHRI C. M. STEPHEN: That is happening every day now.

SHRI SHANTI BHUSHAN: So that there may be no confusion, so that the Chief Justice may understand what is the role which is being contemplated for him, so that the exact terms in which his role was referred to in the statement and so that there may not be any confusion, I thought that would be the most proper method of finding out what his reactions were in the matter.

Now I was adverting to the precedent which has been referred to—in England where the Lord Chancellor made a similar kind of inquiry namely whether there was a proper case for constituting a Commission of Inquiry. The Leader of the Opposition tried to make use of that precedent by referring that in spite of the fact that the Lord Chancellor came to the conclusion that there was no

sufficient case for constituting a Commission of Inquiry, yet, on account of the political insistence and so on and there was a furore and so on in the public, in order to clear all doubts in the matter, the Prime Minister thought that since his colleague was involved, to constitute a commission of inquiry. I am not saying that a Commission of Inquiry cannot be appointed unless a charge is established even *prima facie*. It all depends as to when it becomes a matter of public importance. It must be a definite matter of public importance, but, at the same time, you cannot go to the other extreme and say that whenever anybody levels any allegation, immediately a commission of inquiry must be constituted. So a balance has to be kept and the totality of the circumstances will have to be seen and the totality of circumstances may change from time to time also. At one stage it may be a quite proper conclusion to say 'No, there is no sufficient case for constituting a Commission of Inquiry' and yet if there was a lot of furore in the general public, then to clear all the mist from the air, it might become proper to constitute a commission of inquiry. That is why this matter was being left—as to whether a proper case was made out to constitute a Commission of Inquiry—to an impartial authority.

Another point which has been made is: if the Chief Justice agreed to the Prime Minister making this statement on the first occasion, then why was it that he declined when the reference was actually made to him? I would like to clear the position. What he agreed to earlier was different from what was later sought to be referred to him. Secondly, the context also had changed because nobody could have anticipated that in spite of such an offer, such a plain, simple and clean offer by the Government, yet a political controversy would be raised and it would be opposed that the Chief Justice of India should not go into the matter. No-

body could have anticipated it. I cannot blame the Chief Justice even if he did not anticipate it. But, thereafter, when, in spite of such statements being made, all kinds of things were said, it was said that it would be improper for the Chief Justice to embark upon this enquiry etc. If he comes to the conclusion, which he did not anticipate and which he could not have properly anticipated, there would be a sharp cleavage of opinion, the Leader of the Opposition would have let the cat out of the bag by saying that it was a political matter that it was a political propaganda and a political motivation etc. Obviously all these things we would arise. (*Interruptions*).

SHRI C. M. STEPHEN: It is going to be on the basis of his being *persona designata*.

SHRI SHANTI BHUSHAN: Not merely that. On the whole question, political controversy is raised; different parties are raising a controversy about the reference to the Chief Justice of India. In that case, it would not be proper for him to place the Office of the Chief Justice in the position of *persona designata* in the matter if a political controversy is being referred. But, if there had been a unanimity in the matter as should have been expected in the matter of this kind, in that case, the Chief Justice's reaction would come. Because of that, although he would have been *persona designata*, even in that case, he would have said well, if people want me to perform this function as *persona designata* I have no objection. After all, this is a public office in order to serve the people and if they want me, through the representatives of the country, to perform that function, in that case, I am willing to perform it. On an earlier occasion it was contemplated that a charge made in writing by a Member of Parliament would be sent to Government. What actually happened was this. His consent to the Prime Minister's mak-

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ing that statement was in that context.

SHRI C. M. STEPHEN: That is not the point.

SHRI SHANTI BHUSHAN: That was changed. He had never agreed to the Prime Minister's saying that even if something which is part of the debate in the House is given in writing by a Member of Parliament to the Government about levelling some allegations etc., they will be referred to a Committee. He has agreed to Prime Minister's making only that statement which he made. So, it was entirely different what happened later. A statement was made by the Home Minister. On that certain political parties made certain points. So, that was entirely different.

No, I would like to reply to the last point that was made by him. He asked: why did the Chief Justice of India suggest to nominate a retired judge? The Chief Justice had earlier agreed to the Prime Minister's making that statement. Although there was a departure, the departure was only in regard to whether a specific allegation was made by a Member of Parliament in writing to the Government or not. So something was to be culled out from the debates of the House etc. Of course, a sharp cleavage had arisen among the political parties on the Chief Justice, undertaking this task. So, the Chief Justice declined it. And he said that it would not be right for him to put the office of the Chief Justice of India, which is a very important constitutional office, into such a state of affairs. What is wrong if he suggests or says that so far as the retired judge is concerned? A retired judge is equally objective. If the Leader of the Opposition is in that Chair, I would have complete confidence in his objectivity.

Therefore, so far as the people of this country are concerned, they have complete confidence. We know that

in this country it used to be said that there was a story—what was his name—about Vikramaditya's throne. And anybody occupying that throne used to administer justice. If any village boy sat on the throne, he would immediately start rendering justice completely, impartially and so on. These are the traditions which is this country has known.

Therefore, the Chief Justice said that he would not like to involve the constitutional office of the Chief Justice into a controversy. Your objective is that you want an impartial person—somebody in whose ability and in whose objectivity, the entire country can have confidence. He said 'all right, then, why not have a retired judge who can go into the matter?' Government, again, very rightly said, would not like to suggest the retired judge. Since he is the Chief Justice of India, why not he nominates a judge? He nominated a judge. So, all these things are most proper. But, if everything which is proper, according to the Leader of the Opposition's dictionary is not proper or improper, then, I have nothing more to say to that.

SHRI B. SHANKARANAND: Sir, I rise on a point of order.

MR. SPEAKER: What is your point of order?

SHRI B. SHANKARANAND: It is a constitutional point of order.

MR. SPEAKER: What is your constitutional point of order?

SHRI B. SHANKARANAND: After he finished. I wanted to raise two points of order. If any minister or any Member of this House wants to make any statement, it has been the practice and procedure that you have to allow him. (Interruptions).

MR. SPEAKER: This is not a point of order. (Interruptions) I asked him

whether he wanted to make a statement in view of the reference made to him. He said 'yes'.

SHRI B. SHANKARANAND: Please listen to me. Is it the practice in this House that the Ministers, before making statements before the House should get these statements approved by the Chief Justice? Sir, that is the first point . . .

MR. SPEAKER: Order please. Mr. Shankaranand, that is not a point of order at all. This is a point of debate.

No, I am sorry, Mr. Shankaranand. You are really obstructing the proceedings.

SHRI B. SHANKARANAND: I am not obstructing. Secondly, under the Constitution . . . (*Interruptions*) is it the Chief Justice who has to approve?

MR. SPEAKER: Mr. Shankaranand, this is not a point of order. This is a point of debate.

Now, the hon. Home Minister.

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): Mr. Speaker, Sir, my task has been greatly eased by the observations which Mr. Somnath Chatterjee and the Law Minister made. They have dealt effectively with the various legal sides of the question and other issues also. And once those points have been dealt with, precious little really remains for me to answer.

What is it that the hon. Leader of the Opposition objects to?

Sir, does he object to the fact that we are responsive to the demand for an enquiry? Here is the hon. Leader of the Opposition completely forgetting his immediate past when his conscience did not prick him, when his present leader and the former Prime Minister refused to do anything in regard to the charges and allegations that were levelled against Mr. Bansi

Lal. No response, no enquiry, nothing at all. That satisfied his conscience. Time and again we put questions, sitting on the other side. I had put questions and also other members of the Opposition had put questions about Mr. Sanjay Gandhi, his Maruti and the rest of it. No replies were ever provided—there was complete evasion—and the hon. Leader of the Opposition then had nothing to say. His conscience never pricked him at all. But I agree with Mr. Somnath Chatterjee that, we do want that our administration should be clean and proper. It is following those things that I made my statement and the hon. Leader of the Opposition has just tried to draw red herrings right through. But all that he has to do is to read carefully the two statements which I made in this House. And I would really like to bring these to your notice. What is it that I said in the first statement that I made in this House? It was this and I quote:

"On the 24th August, 1978, while making a statement on the Government's attitude towards the resolution that the Rajya Sabha had adopted on the 10th August, 1978, the Prime Minister said:

'My Government yields to none in its desire to maintain the highest standards of purity in the administration and would not allow any allegation of corruption to survive which may fully its image. So, even while regretting its inability to accept either of the two recommendations contained in the Resolution, in the event of any specific charges of corruption in the context of the resolution being made to it in writing by any hon. Member since my Government took office, the Government proposes to refer the same to the Chief Justice of India for being examined by him.'

Please mark the words:

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'In writing by any hon. Member'

Then I said:

"In spite of this statement and the opportunity provided by it to enable those who wanted the charges of corruption to be inquired into, no hon. Member of the house or anyone else has sent any specific charges of corruption in writing."

This is what I said and yet the hon. Leader of the Opposition does not attach any importance to this. Here months passed. It was in August that this statement was made and my statement was in February 1979. During those six months, none of them was anxious to make any charge. How was it that nobody could come and put down in writing a complaint? Not only they, but even the Leader of the Opposition who has plenty of time now . . .

SHRI B. SHANKARANAND: This is objectionable. He says that the leader of the Opposition has a plenty of time now. This is sarcastic.

MR. SPEAKER: Sarcasm is part and parcel of the Parliamentary life. (Interruptions).

SHRI H. M. PATEL: Sir, I can do nothing better than read out my statement. I would like to relate concisely, precisely the position. However, Shri Bipinpal Das tabled a motion under Rule 170 to the effect that the Government should refer forthwith all the allegations of corruption made on the floor of the House during the debate to the Chief Justice of India for scrutiny and examination and for his finding as to which of the allegations referred to above called for the appointment of a Commission under the Commissions of Inquiry Act, 1952. While the Government has the highest respect for this august House and attaches the utmost importance to the views expressed therein, the Government has already stated its view that charges of corruption have to be specific . . .

SHRI C. M. STEPHEN: When I made an attempt to quote, it was from the Lok Sabha Debate, but he is quoting this from Rajya Sabha debate.

MR. SPEAKER: No. no. Don't quote from that.

(Interruptions)

SHRI C. M. STEPHEN: Two standards must not be applied. I would have no objection if he quotes from the Lok Sabha debate.

MR. SPEAKER: If it is a statement made in this House, you can quote

SHRI H. M. PATEL: I am not sure about that. But I will now read out the statement which I did make in this House.

What I said was that the request was made by an hon. Member in the Rajya Sabha that these allegations be referred to the Chief Justice. That, I mentioned in the debate and that is why, after careful consideration, even though the Government did not consider that this was the right course to follow, in response to the wishes of the hon. Members of that House and because no one had come and submitted any charge in writing, the Government felt that something should be done and so they said: "we would refer the entire debate of the 10th of August to the Chief Justice of India for him to find out whether there is any *prima facie* case etc. for reference to a Commission of Inquiry" Then when the Chief Justice had some difficulty, I pointed this out and this is the statement I made here.

"Madam, in a statement I made on February 23, 1979 in the Rajya Sabha and in answer to a few Unstarred Questions in the Lok Sabha, mention was made of Government's decision to refer the debate on the motion that was adopted on August 10, 1978 in the Rajya Sabha to the Chief Justice of India with the request that he may inquire whether any *prima facie* case in respect of any of the charges

referred to in the debate aforesaid, which pertain to the period after the present Government took charge in March, 1977, is established against the family members of the Prime Minister and the former Home Minister so as to justify a formal inquiry under the Commission of Inquiry Act. I accordingly requested the Chief Justice of India to take up this enquiry and given his advice in his connection."

20 hrs.

Then comes the reply of the Chief Justice of India. He referred to the developments subsequent to the Prime Minister's statement in his reply, which the hon. Member quoted from and found justification to criticise the Chief Justice of India. I would have thought that so learned a man as the Leader of the Opposition would have resisted in the ordinary course, but he is carried away by passion and emotion when certainly conventions etc. can fly by the window. Appreciating the reasons put forward by the Chief Justice and sharing his anxiety that nothing should be done which would involve the office of the Chief Justice in any controversy, or impair in any way his dignity and position, Government agreed to refer this matter to a retired judge of the Supreme Court, but felt that it would be more appropriate if the retired judge to make the enquiry were to be nominated by the Chief Justice of India rather than selected by the Government. If we had selected the judge, he would have objected; when we ask the Chief Justice to do that then also he objects. After careful consideration, the Chief Justice suggested the name of Shri Justice C. A. Vaidialingam for this assignment. We referred the entire question to him. This is the correct story. I would like to know what exactly his objection is.

SHRI C. M. STEPHEN: You had no business to make the Chief Justice your law officer. That is the objection.

SHRI H. M. PATEL: The understanding of the hon. Leader of the opposition is unfortunately getting dimmer; he forgets also the party to which he belongs.

SHRI C. M. STEPHEN: Abuse is no answer to an argument.

SHRI H. M. Patel: That is what you indulge in all the time. Never once do I abuse (*Interruptions*).

Both of you being lawyers, elegantly, go on saying whatever you like, but not according to the facts. That is how you have unnecessarily dragged the Chief Justice. If that is what you say, I will make the charge that you try to put words in such a way by selection that you can tell any amount of untruth. Selectivity of facts is one of the best ways of telling untruth.

SHRI SOMNATH CHATTERJEE: *Suppressio veri* and *suggestio falsi*.

SHRI H. M. PATEL: That is what exactly they do... (*Interruptions*) The lawyer is pointing out what you have done in your speech. *Suppressio veri* and *suggestio falsi*. Suppression of truth is more insidious than propagation of falsehood. That is exactly the correct translation.

I would like to tell you that in the days of Prime Minister Nehru, there were a number of occasions on which the assistance of the Chief Justice was sought and the assistance came forward readily and nobody questioned it. Not even our learned friend sitting opposite has ever been known to have criticised those references. He forgot those references. He is very fond of precedents, but he wants to rely on precedents of England, not precedents in this country.

Now, in February 1963 some Calcutta paper mentioned that some Central Ministers were involved in the Sirajuddin transactions and subsequently the matter was raised in the Lok Sabha. And then, what did

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the Prime Minister do? The Prime Minister referred the matter to the Attorney General for his opinion, under intimation to Lok Sabha Secretariat. Later, the P. M. made a statement in the Lok Sabha that the Attorney General had advised further enquiry in respect of this matter, to be referred to the Chief Justice, Shri Des.

SHRI B. SHANKARANAND: So, you can compare that with this!

SHRI H. M. PATEL: I compare only this. The reference to the judiciary, in this country, has been the correct procedure. I am referring only to the precedents.

There is another occasion when, similarly, a memorial was presented to the President by the Leader of the Opposition in the Orissa Legislative Assembly and what happened then was that the Union Home Minister forwarded the memorial to the Chief Minister of Orissa and suggested that it may be referred to a Justice; and it was again referred to a Supreme Court Judge.

SHRI HARI VISHNU KAMATH: He was a sitting Judge.

SHRI H. M. PATEL: Yes, to a sitting Judge. Then again, a memorandum was submitted to the Presi-

dent by some Members of Parliament containing certain allegations. There are a number of such cases.

MR. SPEAKER: Is it necessary to go through all of them?

SHRI H. M. PATEL: It is not necessary. I am quite content; and I have said that the precedents justify the course that the Government of India had adopted in this case. We have acted correctly. We have, I think, followed the right course. We have given every opportunity to the Opposition to come forward, if they had any specific allegations to come forward chapter and verse. They have failed to do it so far. It is because they have failed, it is because, in the course of the debate they had made nothing but vague allegations, that they are afraid that all of them will be shown out to be completely baseless and meaningless, with no weight behind them.

Thank you.

MR. SPEAKER: The House now stands adjourned till 10.30 hrs. tomorrow.

2008hrs.

The Lok Sabha then adjourned till half past Ten of the Clock on Friday, May 18, 1979/Vaisakha 28, 1901 (Saka).