

Sixth Series, No.9

Friday, March 1, 1979
Phalguna 10, 1900 (Saka)

LOK SABHA DEBATES

**Seventh Session
(Sixth Lok Sabha)**



सत्यमेव जयते

LOK SABHA SECRETARIAT

New Delhi

Rs:4.00

CONTENTS

No. 9, Thursday, March 1, 1979/Phalguna 10, 1900 (Saka)

COLUMNS

Oral Answers to Questions :

*Starred Questions Nos. 142, 143, 145 to 147 and 149 to 151. 1—30

Written Answers to Questions:

Starred Questions 144, 148 and 152 to 161 31—43

Unstarred Questions Nos. 1401 to 1444, 1446, 1448 to 1515,
1517 to 1519, 1521 to 1528, 1529 to 1565 and 1567 to 1600. 43—210

Papers laid on the Table 210—14

Public Accounts Committee—

Ninety-ninth Report 214

Estimates Committee—

Twenty-fourth and Twenty-sixth Reports 214—15

Re. Question of Privilege 215—16

Matters under Rule 377—

(i) Supply of sulphur to sulphur-based industries—

Shri K. Lakkappa. 216—19

(ii) Steep fall in the prices of potatoes thereby causing hardship to potato growers—

Shri Bhagat Ram. 220

(iii) Kerala State Cashew Development Corporation—

Shri K. A. Rajan 220—21

(iv) Dissatisfaction among Teachers and students in different parts of the country —

Prof. Dilip Chakravarty 221—22

(v) Treatment meted out to Kisan-Satyagrahis released from Tihar jail —

Shri Raj Narain 222

*The sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.

(ii)

COLUMNS

Special Courts Bill—

Motion to consider	223—3 27
Dr. Murli Manohar Joshi	223—27
Shri C. M. Stephen	227—41
Shri Hari Vishnu Kamath	242—49
Shri Somnath Chatterjee	249—57
Shri Brij Bhushan Tiwari	257—60
Shri Saugata Roy	260—65
Shri Kanwar Lal Gupta	265—69
Shri A. K. Roy	269—73
Shri Ram Jethmalani	273—84
Shri Vasant Sathe	284—90
Shri Shyamnandan Mishra	290—98
Shri B. Shankaranand	298—301
Shri H. M. Patel	304—14
Clauses 2 to 6	327—38

LOK SABHA DEBATES

1

LOK SABHA

Thursday, March 1, 1979/Phalgun
10, 1900 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Measures to Control Jaundice

*142. SHRI DHARAM VIR VASISHT: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that Jaundice cases and deaths therefrom had increased four fold during the year 1978 as compared to 1977; and

(b) if so, measures taken to control and eradicate this yellow epidemic?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) No, Sir. According to the reports furnished by the State and Union Territory Governments, there have been 58,778 cases and 1043 deaths due to Jaundice during 1978 as compared to 89,049 cases and 1,175 deaths during 1977.

(b) A statement containing the required information is laid on the Table of the Sabha.

Statement

Jaundice (infectious hepatitis) is a viral infection which occurs through

4323 LS-1

2

ingestion of water/food contaminated with the virus, e.g. by faeces and sewerage etc. The following measures have been suggested to the State Governments to check the disease:—

1. Since faecal contamination of environment, particularly community water supply, appears to be mostly responsible for the spread of the disease, improvement of water supply and night soil disposal are needed for control and prevention of the disease.

2. Health education of the people directed towards good sanitation and personal hygiene.

3. Reporting of occurrence of cases to local health authorities.

4. Isolation of patient and proper treatment.

5. Disinfection of stool.

6. Immunisation of the individuals with immunoglobulin.

श्री धरमवीर वशिष्ठ : मैं मंत्री महोदय से जानना चाहता हूँ कि स्टेटमेंट के दूसरे पेज पर यह लिखा है कि एपिडेमियोलॉजिकल और सेबोरेटरी इन्वेस्टीगेशन से जो कुछ स्टडीज हुई हैं उन की बुनियाद पर यह बताया गया है कि पीलिया से 1977 में 104 मौतें हुई थीं और 1978 में 124 मौतें हुईं। और यह भी बताया गया है कि जनकपुरी और इस एरिया में कुछ पानी की गड़बड़ से और सीबरेज की गड़बड़ी से जो कि नवम्बर से मार्च, 1977 तक रही उस से यह हुआ लेकिन मैं पूछना चाहता हूँ कि 1978 में मौतों की संख्या कैसे बढ़ गई, इसका कोई कारण नहीं बताया ?

श्री रवि राय : यह जोड़ित का सवाल है और इस के बारे में मैंने अपने जवाब में बताया है कि पिछले साल 1043 की मृत्यु हुई थी और इस में जो 132 की बढ़ोतरी हुई है, वह इसलिये हुई है कि इस में पानी के बैक्टीरियल का सवाल आता है। जिस तरीके से साफ-सुथरा पानी देने की व्यवस्था करनी चाहिये, उस में कुछ कमी हुई है। जिस के चलते यह बढ़ावरी हुई है। इस की पूरी देखभाल करने के लिये हम म्यूनििसिपैलिटी

श्री कारपोरेन्स को बताते हैं कि किस तरीके से पब्लिक हेल्थ इंजीनियर और दूसरे जो वैज्ञानिक लोग होते हैं, उन से मिल मिला कर आपस में बातचीत कर के कुछ करें।

श्री धर्मवीर बसिष्ठ : मैंने स्पैसफिकली यह पूछा है, पेज 2 पर विल्ली की बाबत 1977-78 के बारे में लिखा है, जिस में लिखा गया है कि मोतें ज्यादा हुई हैं। उस में यह भी लिखा है कि नवम्बर से मार्च, 77 तक पानी में बराबी रही, फिर 1978 में जो मोतें बढ़ गईं, उस का कोई कारण नहीं बताया।

श्री रवि राव : मैंने यही कारण बताया है कि साफ-सुथरा पानी देने के सिमलिसने में जिस तरीके से होना चाहिये, उस में कुछ कमी हुई है, मैं यह भी बताना चाहता हूँ कि स्वच्छ पानी देने का जो सवाल है, यह हमारे मंत्रालय का नहीं है। जो विल्ली में इस चीज की देखभाल करते हैं, उन के साथ हम बातचीत करते हैं और इस में कमी की जाये, इस के बारे में पता चला रहे है।

श्री फ़ैसलराम खोंडवे : गहरों के लिये आपकी मसीहत टीक है कि पानी साफ सुथरा देना चाहिये मगर बेहानों में जिनको पीने का पानी महीन्या नहीं होता और क्लिस्मन के कारण उनकी जिन्गी बड़े पानी के बीर नहीं है, उनके लिये जिम्मेदार कौन है? वहाँ पर यह बीमारी न हो जाये, इसके लिये सासन क्या खास प्रबन्ध कर रहा है ?

श्री रवि राव : गांव में स्वच्छ पानी देने के लिये सरकार का एक कार्यक्रम है उसके अनुसार प्राबलम बिलेजस को ग्राइडिण्टीफाई किया जाता है और उनमें साफ सुथरा पानी देने का सरकार का कार्यक्रम है, उस पर कार्यवाही हो रही है।

SHRI R. K. MHALGI: In regard to the serious situation created by jaundice disease in my constituency I made a statement under rule 377 in this House. Has the Government applied its mind and did, necessary things the area?

SHRI RABI RAY: He has referred to his constituency. I have gone through his statement also. I think he is under one misapprehension that this disease is due to contaminated water.

SHRI R. K. MHALGI: I said, first, it is because of the non-application of the Water Pollution Act and second, mosquitoes are the carriers of this disease.

SHRI RABI RAY: Regarding your second statement I found it out from the experts and they said that mosquitoes are not carriers of the disease.

Flight of Medical Talent

*143. SHRI R. MOHANARANGAM: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government have taken a fresh look at the flight of medical talent from our country to lucrative occupations in foreign countries despite their having been trained in our country at enormous cost;

(b) the positive steps proposed to be taken to ensure that the expertise developed at such cost remains within our borders for the needs of our community; and

(c) whether Government have evolved a blue print for effective utilisation of such talent in the country itself?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) to (c). A statement is laid on the Table of the Sabha.

Statement

(a) The Government of India have not conducted any recent studies with regard to the migration of medical manpower from the country. However, in so far as the Government doctors are concerned, certain restrictions have been imposed on them for going abroad for employment in specified specialities in which there is acute shortage of

experts in the country. The list of specialities is reviewed from time to time.

(b) and (c). There is no restriction on the issue of passports to the medical personnel who want to go abroad either for employment or for higher studies/training. However, the Government of India have taken certain steps to discourage the migration of medical graduates to foreign countries. These measures include (1) expansion of facilities for postgraduate medical education in the country; (2) granting of advance increments to specially qualified candidates, on the recommendation of the Public Service Commissions; (3) improvement of the working conditions of the medical graduates, particularly in the rural areas; (4) reorientation of Medical Education with emphasis on the preventive, promotive, curative and the rehabilitative aspects of health care services; and (5) holding of the prestigious M.N.A.M.S. examination in India. In addition, the "Scientists' Pool", administered by the Council of Scientific and Industrial Research, offers to well qualified Indian scientists and technically qualified persons studying or working abroad temporary Placement in India until they are absorbed in suitable posts on a more or less permanent basis.

SHRI R. MOHANARANGAM: It is a well known fact that the Government of India and State Governments are spending thousands and thousands of rupees on a medical student for getting his degree. After working as Assistant Surgeon for two or three years, he goes abroad with the permission of the Government of India. May I know whether there is any specific restriction on the medical student that after getting sufficient experience or getting his postgraduate degree, whichever may be the case, he should come back to India?

SHRI RABI RAY: Sir, the question is whether, after getting the degrees from foreign countries they will be given employment here.

MR. SPEAKER: The question is whether there is a rule asking them to come back immediately after getting the degree or within a particular time.

SHRI RABI RAY: Mr. Speaker, Sir we had only discouraged the doctors in certain specialities to leave the country. About those people who come to the country after getting necessary degrees, let me inform the House that we have interviewed them and given all the facilities to come and join the service in the All India Institute of Medical Sciences, but they have not yet been able to join the service.

MR. SPEAKER: There is no rule requiring them to come back?

SHRI RABI RAY: No rule.

MR. SPEAKER: That is all.

SHRI RAGAVALU MOHANARANGAM: I want to know from the Minister concerned whether there is any agreement executed by the governments of foreign countries with our students or doctors that after getting the degree, they should work at least for 5 years in foreign countries. Where will they get experience after taking the degree?

SHRI RABI RAY: There is no such agreement?

श्री विजय कुमार गणहोत्रा : मैं पूछ कि हमारे देश में एक मेडिकल स्टूडेंट पर एक साल में कितना खर्च होता है। अगर एक मेडिकल स्टूडेंट पर पब्लिक एक्सचेंजर का एक लाख रुपया खर्च होता है और पास करने के बाद वह फारेन कंट्री में जा कर अपनी प्रैक्टिस शुरू कर देता है, तो उसको रोकने का क्या तरीका है? जो लोग पब्लिक एक्सचेंजर के पीछे से मुफ्त में पड़ते हैं, क्या उनके लिए यह एपीमेंट नहीं होना चाहिए कि वे कम से कम चार पांच साल तक इस मुल्क में रह कर काम करें और फिर बाहर जावें, और अगर पढ़ने जाना है, तो वे पब्लिक एक्सचेंजर द्वारा खर्च किया गया रुपया वापस करें?

श्री रवि राय : हमारे यहां साल में 12,000 छात्र एम० बी० बी० एस० पास करते हैं। उनमें से करीब 7,000 लोग एम० एम० और एम० डी० प्रावि स्पेशलिटी में जाते हैं। अभी तक हम यह बैन नहीं लगा सकते कि हम जो छेड़ लाइव रुपया खर्च करते हैं, कोई उसको लौटा कर बाहर जाये। जो सरकारी नौकरियों में जाते हैं, उनपर तो हम यह पाबन्दी लगा सकते हैं, लेकिन जो सरकारी नौकरियों से बाहर हैं, उन पर हम यह पाबन्दी नहीं लगा सकते हैं।

SHRI K. GOPAL: Mr. Speaker, Sir, the hon. Minister in his statement has enumerated two or three things for asking the medical graduates who have already gone abroad. One of them is improvement of working conditions of medical graduates particularly in the rural areas. He cannot expect a man who has gone abroad and worked there for 4 or 5 years to come and work here in the rural areas.

MR. SPEAKER: Why not?

SHRI K. GOPAL: The difficulty arises here. It is not the salary and remuneration alone that they get in foreign countries, but it is the job satisfaction. You have formed a Scientists Pool. You have said that when they come back they can be absorbed in institutions like All India Institute of Medical Sciences. All India Institute is not India. In respect of those doctors who want to come even for a

shorter period, say, for one or two years, I would like to know whether you utilise their services thereby it will inure the benefit to the country

SHRI RABI RAY: Mr. Speaker, Sir, if a doctor comes from any foreign country and if he wants that we should give the same facilities as are given there, prerequisites and all that, we cannot give him. But if any doctor is abroad and if he writes to me that he wants to serve in India, under our conditions I consider that.

Indians sent to Gulf Countries

*145. **SHRI M. RAMGOPAL REDDY:** Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether large number of persons have been sent to Gulf countries to work as labourers; and

(b) if so, the number of persons sent during 1978 and the criteria for their requirements?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). The Government permit deployment of workers of different levels of skills for jobs abroad. During 1978, about 81,000 workers of different levels of skill have been permitted to be deployed in various countries including the Gulf countries. It is for the foreign employer to determine how many workers and of what levels of skill he requires. Government permit deployment according to the demand of the employer, provided the terms and conditions of the employment are reasonable.

SHRI M. RAMGOPAL REDDY: Last year only 20,000 and this year 81,000 persons have been deployed in foreign countries and it is a very good and satisfactory performance. There is further scope. Regarding the categories, he has said that it depends upon the foreign countries. Whatever cate-

gories are being allowed by other countries like Sri Lanka, Pakistan, Bangladesh, and Korea, is the Minister agreeable to send persons of those categories to Gulf countries?

SHRI RAVINDRA VARMA: I am afraid the hon. Member has overlooked the fact that these people are deployed in the countries for which they are recruited on the basis of the requirements of the employers. So, it is obvious that it is those who employ who will determine the kind of skills that they want. Whether these workers are recruited from India or Korea or Philippines or anywhere else, the nature of the demand depends upon the employer. Therefore, there is no difference between the kinds of skills that are demanded from one country or the other. As far as the Government is concerned, the Government will do everything to facilitate the citizens of our country availing of the opportunities for employment in other countries subject to terms and conditions which will guarantee fair working conditions and fair wages for them.

SHRI M. RAMGOPAL REDDY: Though it is not specifically stated in the question, I would like to ask how much money has been remitted so far by such persons working in foreign countries. Yesterday, the Finance Minister said that the internal remittances have gone down. I would like to know whether the hon. Minister is going to double the deployment of our workers in the foreign countries. There is scope for it. But several demands from foreign countries have been rejected on flimsy and trivial grounds. I brought these things to the notice of the Minister. I have been writing letters to him that if he is going to reject the offers of the foreign people on trivial grounds, our internal remittances will go down further. Whatever you are losing in export and other things, that can be made good by sending people outside. My question is

whether the Minister is going to take a more liberal view as he has been taking so far.

SHRI RAVINDRA VARMA: It is very difficult to give the figures of the earnings that are remitted to this country by workers who are deployed outside. But in answer to a question in this House or the other House, I am not quite sure, the Finance Minister once said that the invisible earnings which include such earnings were Rs. 1908 crores in 1977 and Rs. 2218 crores in the year 1978. It is obvious that the entire amount is not accounted for by the remittances of those who are deployed outside.

SHRI RAVINDRA VARMA: As far as Government is concerned, Government is very keen that everything should be done to maximise the utilisation of the opportunities for employment outside the country that are available for our citizens. The Hon. Member referred to the fact that he has often brought cases to my attention. He will bear with me and he will agree with me that in all such cases, whenever he has brought a case to me, I have looked into it sympathetically. There have been no occasion on which any request has been rejected on any flimsy grounds.

The House will agree with me that it is the responsibility of the Government to ensure that the terms on which workers are recruited from this country are advantageous to our workers, that they are not recruited from this country for work of ambiguous description or for kinds of work which we may regard as kinds of work for which we should not allow our workers to go outside. I do not want to go into the details of such questions, but the House is aware of the reports that have appeared in the Press. It is the responsibility of the Government to ensure that, consistent with fair conditions of work and fair wages for work, and consistent with national dignity, every effort is made to see that such offers are availed of.

SHRI YASHWANT BOROLE: We are thankful to the Minister for the keen interest he is showing in the labourers employed abroad. But may I know from the Minister whether any probe has been carried out by the Central Government itself into the working conditions and the fairness of wages that are given to the labourers deployed in foreign countries. Were the Embassies contacted in order to look into the actual working conditions under which these persons in foreign countries are working? Has any attempt been made or has only sympathy been expressed by the Minister here?

SHRI RAVINDRA VARMA: Our Embassies in all these countries keep a constant watch on the conditions of our workers in these countries. Whenever any complaints are brought to the attention of our Embassies, they take such steps as should be taken to ensure that a full enquiry is conducted, and the information is transmitted to the Government here.

The Hon. Member and the House are aware that I myself went on a visit to these countries to enquire about the conditions of our workers. During my visit to those countries I had discussions with the representatives of the Governments of these countries, with representatives of the employers and of the employees. I went to the sites where workers are employed and where they are working; I visited their kitchens and I inspected the accommodation they had.

Therefore, I can assure the House that the Central Government has not only been making statements expressing sympathy on the floor of the House, but has taken every step at the highest level to enquire and see for themselves what the conditions of work are like.

SHRI G. M. BANATWALLA: The Hon. Minister has said that we intend to make the maximum utilisation of the opportunities coming to us. Now, there are very irksome restrictions placed on the terms. For example, the

foreign employer is expected to get the agreement attested by our Embassy abroad. No foreign employer likes to take the trouble of going to the Embassy and getting this done. This is an important irksome condition. Secondly, the foreign employer is expected to deposit a security amount here. Now, when other countries do not require such security deposits, the foreign employer is not prepared to undertake this responsibility with the result that the workers here, who want to go abroad, have to shell out the money from their own pockets and deposit it here with the protector of Emigrants on behalf of the foreign employer. When such irksome conditions are placed, will the Government assure this House that these irksome conditions would be removed at the earliest possible opportunity in accordance with the objective just enunciated by the hon. Minister?

SHRI RAVINDRA VARMA: I am afraid it will not be very easy to agree with the hon. member when he describes all the conditions that have been imposed as irksome. The conditions that have been imposed have been framed to ensure that the workers who are recruited from this country are aware of the conditions of work that they will have to encounter when they go from this country. Secondly, we want our workers who are recruited for deployment abroad to know what their wages would be, what their accommodation would be like what the conditions of work would be, how many hours they would have to work, will there be any overtime payments, what will be the conditions of life—all these facts must be known to our workers before the contract is signed in this country. I must inform the House, if the House is not already aware that there are reports of recruiting agents executing a contract with some of our poor workers before their departure from this country and when these workers land in the countries where they are to be deployed these con-

tracts are taken away from them and other contracts are signed under duress. Nobody can protect these workers when they are in another country and they are compelled under duress, to sign contracts which are different from the contracts that they have signed in this country. Therefore, it is absolutely necessary to protect our citizens and to ensure that the contract is duly signed and attested and a copy of the contract is made available to our Embassies so that they can continuously keep a watch over such elements who try to exploit the anxiety of our workers to work abroad.

श्री उममल्ल : अध्यक्ष जी, माननीय संत्री जी अभी हाल में खाड़ी के देशों में भ्रम कर घाये हैं। मैं केरल और पंजाब के बारे में जानता हूँ—एक हजार करोड़ रुपये में से 500 करोड़ रुपया केरल और पंजाब में जाता है। जब कि सब से ज्यादा बेरोजगारी उत्तर प्रदेश के पूर्वांचल और उत्तरी बिहार में है, लेकिन वहाँ घास का एक भी रेक्यूटिंग सेंटर नहीं है। घास मेंशन चाहते हैं, बोझा-बहुत डिक्रीकल घासमी चाहते हैं, पुताई करने वाले चाहते हैं, घासको लीबिया, ईराक और अ जाने कहाँ-कहाँ ठेका मिला है, क्या घास पूर्वी उत्तर प्रदेश जैसे मोरछपुर, देवरिया या बिहार के मुजफ्फरपुर में अपने रेक्यूटिंग सेंटर खोलेंगे? घास वहाँ की प्रबुध मर रहे हैं, उन को मैजिबे, उन की बिम्बे-घारी घास प्रीजिबे, बरमा ये ट्रेवल एजेंट उन की जा कहेंगे। ये ट्रेवल एजेंट उन से 5 हजार रुपया अपने जीते में—महाराष्ट्र में वेब को खीला कहते हैं—बाज लेते हैं और घास में कहेंगे हैं कि बले बाले, हम तुम को वहीं बोलते। इस तरह हमारे लोग लुचें मरते हैं, हमारे प्रलेट कर खाते हैं, देखी हकमत में हम उन की क्या मदद कर सकते हैं? क्या संत्री जी इस के बारे में कुछ करेंगे?

SHRI RAVINDRA VARMA : I understand the hon. Members anxiety to see that unemployment in the region from which he comes is tackled. But I wish to inform him and the House that the Government

does not recruit anybody for deployment outside.

श्री उममल्ल : घास लाईसैंस देकर ट्रेवल एजेंट बनाते हैं।

SHRI RAVINDRA VERMA: It is the recruiting agent who on behalf of the Principal in a foreign country recruits people for deployment in the foreign country. Unfortunately or fortunately we do not have many recruiting agents from the area from which hon. member comes. If anybody applies for registration, his application will be considered along with other applications.

Provident Fund Outstanding against Authorised Controllers

+

*146. **SHRI P. VENKATASUB-BAIAH:**

SHRI BHAUSAHEB THORAT:

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

(a) whether the dues of Rs. 919.07 lakhs outstanding towards Provident Fund arrears against the establishments under Authorised Controllers as on 31st March, 1978, have been realised; and

(b) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMEN-TARY AFFAIRS (DR. RAM KIRPAL SINHA): (a) and (b). A statement is laid on the Table of the Sabha.

Statement

(a) The Employees Provident Fund authorities have intimated that out of the total amount of Rs. 919.07 lakhs outstanding towards provident fund arrears against the establishments under Authorised Controllers as on 31st March, 1978, a sum of Rs. 10.32 lakhs has been realised upto the end of 31st December, 1978.

(b) A major portion of the remaining amount is due in respect of Sick Textile Mills which have been nationalised with effect from the 1st April, 1974 and hence claims have been filed with the Commissioner of Payments appointed under the Sick Textile Undertakings (Nationalisation) Act, 1974 and these claims are under process. In respect of establishments other than Nationalised Sick Textile Mills, the Regional Provident Fund Commissioners have filed the claims with the Official Liquidators/Authorised Controllers where appointed. Four establishments against whom action was taken by the Regional Provident Fund Commissioners, have obtained stay orders from the High Courts. In 2 cases the establishments have been declared as Relief undertakings by the State Government freezing the past liabilities, and in one case the State Government has stayed the recovery of the dues.

SHRI K. RAMAMURTHY: Out of these 919.07 lakh arrears of provident fund, Rs. 10.32 lakhs have been realised. The Minister has also stated that in old cases, actions have been taken by the Regional Provident Fund Commissioner. But in four cases, stay orders have been granted by the High Courts. In one case, the State Government has stayed the recovery and in two cases, the establishments have been declared as relief undertakings.

May I know from the Minister, out of these Rs. 919.07 lakhs, what is the total amount to be recovered by the Regional Provident Fund Commissioner from the sick textile mills? Why is there delay in paying this money from the sick mills when they are now under the Government management? May I know whether the Provident Fund Act would be amended suitably to recover all these dues without any further delay? These dues are pending for so many years.

DR. RAM KIRPAL SINHA: As far as these sick textile mills are concerned, at present, most of them are in the hands of the National Textile Corporation. We are in correspondence with

the Industry Ministry which is the administrative Ministry, in regard to that.

As far as the amendment of the Act as suggested by the Member, is concerned, this is under consideration. There are several other issues. When the amendment of the Act is brought, they will be included.

As far as the NTC sick mills are concerned, the liquidator has been appointed and the cases are being filed before him for claims. So, steps are being taken for recovery of these amounts.

SHRI SAUGATA ROY: This is a problem which is peculiar to the sick companies and these sick companies, both engineering and textile mills, are a problem which is peculiar to our State of West Bengal. There a large number of companies have been taken over by the Government. Now, when they go to the High Court, normally the High Court fixes up the charges. The first charge will be bank dues, second charge will be other dues of Government and the workers' provident fund becomes fourth or fifth charge. As a result of that, the workers' provident fund is entirely gone. It is very unfortunate that even though the Government is taking over those companies, the workers' charge goes by default. I know of many companies which have been taken over by Government for the last five years and the companies which have been nationalised, but their provident fund has not been paid by the Government. Is the Government proposing to amend the law so that the workers' dues become first charge because workers, as it is, are in great distress.

DR. RAM KIRPAL SINHA: We have brought this to the notice of the Industry Ministry which is the concerned administrative Ministry. We are in correspondence with them.

Karur-Dindigul Line

*147. **SHRI K. GOPAL:** Will the Minister of RAILWAYS be pleased to state:

(a) whether a survey for Karur-Dindigul broad gauge line is being done again with a view to start the construction; and

(b) if so, when Government propose to take up the work?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) A survey has recently been ordered for re-assessment of the traffic prospects and updating the cost of the conversion to BG of Tuticorin-Dindigul MG line along with Karur-Dindigul new BG link.

(b) Decision regarding construction of the line will be taken after completion of the survey and evaluation of its results.

SHRI K. GOPAL: The Minister's reply is just like an ice candy to a crying baby. It is a blatant discrimination towards South. How many branch lines you have given to South India? So far, how many surveys have been conducted on this Karur-Dindigul line? What happened to those surveys? When do you propose to complete the present survey?

PROF. MADHU DANDAVATE: Firstly, I do not treat the hon. Member as a crying child. I treat him as a mature person and I have always treated him like that.

As far as the survey is concerned, the last survey conducted in 1968 showed that at that time it was found out that the return was less than 10 per cent, but after the formation of the new Government and particularly after meeting the Delegation, hon. Member Shri Gopal was one of them, I felt that a reappraisal of this survey is necessary because of certain developments near Tuticorin port and

new traffic that is likely to be developed in view of the cement factories that have come up and therefore, in the Supplementary Grants which have been accepted by this House only in the last Session, already a reappraisal survey has been accepted, the necessary sanction has been made. I have made a further constructive suggestion to see how best this particular route will become more viable with this idea in view. I have convinced the Delegation that rather than the diversion upto Trichinopoly they wated, I am suggesting some other route by which the route is likely to be more viable. I can assure the House that if the results of the survey are good, with their goodwill and my good offices, we will be able to deliver the goods.

SHRI K. GOPAL: Sir, the reply to a part of my question—How long it will take to complete the survey? I think he will add it in his reply now. I would like to know this from him. The proposal was to link up Salem with Tuticorin. The steel plant that is coming up adds to the importance of Tuticorin which I do not have to tell you. As a part of it this Karur-Dindigul broad gauge line, new construction, as well as the Dindigul-Tuticorin line is for conversion of metre gauge into broad gauge. I would like to know whether he received any memorandum signed by M.Ps. of all parties from Tamil Nadu and what action he has taken on that.

PROF. MADHU DANDAVATE: As far as the earlier part is concerned, he says that I have not explained as to when the survey will be completed. Our normal experience—I am saying 'normal' experience—is that within two seasons the survey is generally completed, and I hope....

SHRI K. GOPAL: What is the season?

PROF. MADHU DANDAVATE: A season is a season.

SHRI K. GOPAL: In our part of the country there is no season as you apply to the northern part of the country.

SHRI RAGAVALU MOHANARAN-GAM: There are three seasons in Tamil Nadu—hot, hotter and hottest!

PROF. MADHU DANDAVATE: I am sorry if he has misunderstood about the season. I am referring to the financial year, excluding of course the period when it is the raining season. Otherwise the rest of the portion of the year is utilised. I may assure the House that the survey will be expedited.

As far as the other suggestions are concerned, I do concede that a memorandum has been received, but I have been able to convince a number of friends from Tamil Nadu and other places that while constructing a particular line, the entire work is to be organised in such a manner that our communications with the metre gauge in other parts, for instance, traffic on the metre gauge coming from Madras, and traffic on the metre gauge coming from Olavakkot, is not disturbed and therefore, there will be certain sections of this line which will have to be both metre gauge and broad gauge; not merely conversion but in addition to small metre gauge track, there will have to be broad gauge track, and if this is done we shall reduce the number of transshipment points and that will be more helpful to the region to which the Hon'ble Member belongs. I think you are fully satisfied.

MR. SPEAKER: I think everybody is satisfied.

Stateless Indians in Burma

+

*149. **SHRI RAJ KESHAR SINGH:**

SHRI C. R. MAHATA:

Will the Minister of **EXTERNAL AFFAIRS** be pleased to state:

(a) whether 2 lakh persons of Indian origin have been declared as stateless in Burma; and

(b) if so, the details thereof and action taken so far by Government in the matter?

विदेश मंत्री (श्री जयस विहारी वाजपेयी) :
(क) और (ख). भारतीय मूल के ऐसे बहुत से व्यक्ति बर्मा में रहे हैं, जो न तो बर्मा के नागरिक के रूप में पंजीकृत हैं और न भारत के ही।

भारतीय मूल के बहुत से व्यक्ति बर्मा में संविधान एवं नागरिकता कानूनों के अन्तर्गत वस्तुतः बर्मा के नागरिक हैं यद्यपि ऐसे अनेक मामले हो सकते हैं जिन में उन्होंने बर्मा संघ के नागरिकता प्रमाण-पत्र प्राप्त नहीं किये हैं।

भारतीय मूल के लोगों की स्थिति के प्रश्न पर दोनों देशों के नेताओं के बीच कई अवसरों पर विचार-विमर्श हुआ है और हमें यह आश्वासन दिया गया है कि संघ की नागरिकता के अनुरोधों पर सहानुभूतिपूर्वक विचार किया जाएगा।

श्री राज केशर सिंह : मैं आप के माध्यम से जो भारतीय विदेशों में बसे हुए हैं उन सभी की दयनीय स्थिति की ओर ध्यान दिलाना चाहता हूँ। मैं जानना चाहता हूँ कि क्या विदेश नीति में इस को बहुत एक हिस्सा नहीं मानते हैं कि भारतीय विदेशों में सुरक्षित रहे ?

श्री जयस विहारी वाजपेयी : मैं आप के माध्यम से माननीय सदस्य को सूचित करना चाहता हूँ कि यह कहना ठीक नहीं होगा कि विदेशों में बसे हुए सभी भारतीयों की स्थिति दयनीय है। अनेक देशों में भारतीय अपने पुनर्वास से न केवल अपनी राजीविका का उपार्जन कर रहे हैं बल्कि उन देशों के विकास में भी महत्वपूर्ण योगदान दे रहे हैं। जो भारतीय विदेशों में हैं उन की देखभाल करना यह सरकार का दायित्व है और हम इस दायित्व का निर्वाह करने का अच्छी तरह से प्रयत्न कर रहे हैं।

श्री राज केशर सिंह : मैं जानना चाहता हूँ कि उन के बहिष्कार काल में कौन से ठोस कदम उठाए गए हैं जिस से हमारे भारतीयों की सुरक्षा की व्यवस्था हो ?

श्री जयस विहारी वाजपेयी : हम जो कदम उठाते हैं, ठोस ही उठाते हैं।

श्री जयस विहारी वाजपेयी : बर्मा में जो इस समय भारतीय हैं उनमें से कितने ऐसे हैं जिन को बर्मा की नागरिकता नहीं मिली है और जहाँ की नागरिकता प्राप्त करने के लिये उन्होंने वे क्या प्रयास किये हैं और आप ने उस विषय में क्या नीतिगत सिद्धान्त हैं ? जहाँ की सरकार के सामने क्या विषय है उन को नागरिकता प्रदान करने में ?

अब जहाँ में जो भारतीय नागरिक रहे हैं। क्या यह ठीक है कि सरकार जहाँ के देशों में भारतीय को सुरक्षित करने के लिए अपना पैसा खर्च कर के करते हैं

भीतर लगी संख्या से यह भी है और उनमें से बहुत से भारतीयों को बंदी बना लिया गया है, उन्हें रोजगार नहीं दिया गया है? क्या यह सब है कि न बंदी की सरकार खर्च कर के उन को वापिस भेजती है और न ही भारत सरकार उन को वापिस लाने में खर्च कर रही है?

श्री वल्लभ बिहारी बाजपेयी: प्रश्न बर्मा से सम्बन्धित है इसलिए पहले मैं उस बात का उत्तर दूंगा। मोटे तौर पर बर्मा में भारतीय मूलक लोगों की संख्या चार लाख के करीब है। उन में ऐसे व्यक्ति जिन के पास भारतीय पासपोर्ट है लगभग चालीस हजार है। जिन के पास फॉरेनर रजिस्ट्रेशन सर्टिफिकेट्स हैं उन की संख्या लगभग चालीस हजार है। जिन के पास नेशनल रजिस्ट्रेशन कार्ड्स हैं उन की संख्या लगभग चालीस हजार है। मेरे भारतीय ऐसे हैं जिन के पास कोई दस्तावेज नहीं है और जिन के सम्बन्ध में हम बातचीत कर रहे हैं।

यह कहना ठीक नहीं होगा कि बिदेगों में बसे हुए भारतीय जो रोजगार के लिए गए हैं धरार में मसीबत में फँस जाते हैं तो हम उन्हें वापिस नहीं लाते हैं। सैकड़ों भारतीयों को हम धरार खर्च से भारत वापिस लाने का प्रयत्न कर चुके हैं।

श्री किरणो प्रसाद: मंत्री महोदय ने बताया है कि दोनों देशों के राज नेताओं में बातचीत हुई है समय-समय पर। मैं स्पष्ट जानना चाहता हूँ कि उस बातचीत में कौन-कौन सी मुख्य बाधाएँ सामने आई हैं और उन से किसकी हल हो गई है। और कौन-कौन सी बातें ऐसी हैं जो हल नहीं हुई हैं।

श्री वल्लभ बिहारी बाजपेयी: कुछ दिन पहले मेरे सहयोगी राज्य मंत्री कुन्डू जी बर्मा की यात्रा पर गये थे। उस समय भी वह मामला बहाल उठया गया था और बर्मा सरकार ने हम प्रास्तावन दिया है कि ऐसे सभी मामलों पर जिन के बारे में प्राचीन नागरिकता तय होती है, सहानुभूति के साथ विचार किया जाएगा। और भी प्रश्न है जैसे औद्योगिक क्षेत्र में विचार कर काम करने के बारे में, जो प्रश्न से छलगत है। इसलिये मैं उन में विस्तार से नहीं जाना चाहता हूँ।

Economic Cooperation with Malaysia

+

*150. SHRIMATI AHILYA P. RANGNEKAR:

SHRI P. M. SAYEED:

Will the Minister of EXTERNAL AFFAIRS be pleased to state the terms and conditions of the long-term economic cooperation agreement with Malaysia?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAEYEE): Salient features of the Economic and Technical Cooperation Agreement signed by the two Prime Ministers of India and Malaysia on January 24, 1979, include the establishment of a Joint Committee to meet periodically and discuss implementation of agreed programmes, and to consider ways and means to promote co-operation between the two countries. The two countries will also choose fields of common interest where development of cooperation can be actively encouraged.

A copy of the Agreement is laid on the Table of the House.

Agreement

ECONOMIC AND TECHNICAL CO-OPERATION AGREEMENT BETWEEN

THE GOVERNMENT OF INDIA AND

THE GOVERNMENT OF MALAYSIA

The Government of India and the Government of Malaysia (hereinafter referred to as "the Contracting Parties").

Desirous of strengthening the existing friendly relations and of promoting cooperation in the economic and technical fields between the two countries, and

Being conscious that such cooperation shall be to each other's mutual benefit, have agreed as follows:

Article I

The contracting parties undertake to encourage the development of economic and technical cooperation between their respective countries in fields of common interest.

Article II

The contracting parties shall determine by mutual agreement the various sectors in which cooperation is desirable, taking into consideration the experience gained and the possibilities available in every field.

Article III

The agreements and arrangements which shall determine the cooperation between the contracting parties shall be concluded in accordance with the legislations in force in the two countries.

Article IV

The contracting parties agree to establish a Joint Committee which shall meet at the request of either contracting party for the purposes of:

(a) discussing any matter pertaining to the implementation of the present agreement; and

(b) considering ways and means of promoting economic and technical cooperation between their respective countries.

The composition and procedure of the Joint Committee shall be mutually

Sd/-

(MORARJI DESAI)

Prime Minister of India
for the Government of India.

जीलसी बहिनबा पी० राजनेकर : अध्यक्ष महोदय, मैं बंगी महोदय से पूछना चाहती हूँ कि वह बराबर कहते हैं कि हम हर एक ठोस कदम उठाते हैं, तो वहाँ जो कहा गया है in the fields of common interest co-operation is desirable तो वह कौन से बैरियर सैफ्टर्स हैं, कौन से प्रीवन्स हैं जो शक्ति तय करते हैं जहाँ हमारा कामन इंटरेस्ट है? कोआपरेशन के कौन से फील्ड्स तय किये हैं?

श्री अमल बिहारी बाबुलकी : अध्यक्ष महोदय, जब मलेशिया के प्रधान मंत्री यहाँ आये थे तो एक व्यापक समझौता हुआ था जिसके अन्तर्गत अलग-अलग क्षेत्रों में हमें सहयोग के ठोस उपायों पर एक मत होना है। मोटे तौर पर कृषि, वैज्ञानिक तथा तकनीकी विकास, वाणिज्य क्षेत्र।

agreed upon by the contracting parties.

Article V

The present agreement shall enter into force on the date when the contracting parties notify each other that the constitutional requirements for the entry into force of the agreement have been fulfilled.

Article VI

The present agreement shall be valid for a period of five years from the date of its entering into force. Upon the expiry of the said period, its validity shall be automatically extended for further periods of one year each time, unless either contracting party gives a notice to the other in writing of its intention to terminate the agreement six months prior to any of the aforesaid periods of its expiry.

Done at New Delhi on 24th day of January, 1979 in two originals, each in Hindi, Malay and English languages, each text being equally authentic; provided that in case of any discrepancy, the English text shall prevail.

Sd/-

(DATUK HUSSEIN BIN ONN)

Prime Minister of Malaysia
for the Government of Malaysia.

अध्यक्ष महोदय, माननीय सदस्यों को यह जानकारी प्रस्तुत होगी कि धर्मो मलेशिया में दोनों देशों के सहयोग से 28 जोइंट वेबर्स बन रहे हैं और वह दोनों देशों के लिये लाभदायक हैं। हमने यह तय किया है कि कारमान्यूटिकल में, प्रीसीडन ट्यूब, नगर मशीनरी, टैक्सटाइल्स, पोलीथीन आदि इन सब के बारे में इस सहयोग को और विस्तृत करने की नज़ादत है, और उस सम्बन्ध में धार्य निर्णय लिये जा रहे हैं।

जीलसी बहिनबा पी० राजनेकर : अध्यक्ष महोदय, उनके बारे में ऐसा भी कहा गया है कि यह धूप करने के लिये कोस्टीट्यूशनल रिक्वायरमेंट्स की तय करने चाहिये और जल्दी होने चाहिये। आपने कहा है कि।

"The present agreement shall enter into force on the date when the contracting parties notify each other that the constitutional requirements for the entry into force of the agreement have been fulfilled".

इस कॉन्स्टीट्यूशनल रिकवायरमेंट का क्या मतलब है ?

जी बल्लू मिश्रा जी बालकृष्ण जी : जब हम किसी देश के साथ समझौता करते हैं तो उस के बारे में उस समझौते की पुष्टि होती है, उस समझौते की घोषणा की जाती है, एक तिथि निर्धारित होती है। इसी का उल्लेख है। हमारा संविधान या उनका संविधान इस तरह के सहयोग में बाधक नहीं बनता।

SHRI P. M. SAYEED: The Agreement between Malaysia and our country was signed on 24th January, 1979. The Prime Minister of Malaysia proceeded from here to Pakistan. The Hon. External Minister had had special meetings and had detailed discussion even in the matter of Vietnam with him that is what was reported in the press. My pointed question to him is whether he had any discussion, under this agreement, with regard to the Kashmir issue because the Prime Minister of Malaysia stated publicly in Pakistan that they are going to support Pakistan with regard to the Kashmir affair. My pointed question to the Hon. Minister is whether this Government or he himself considers occupied Kashmir a part of our country and if, so, under this Agreement, whether there was any dispute between Malaysia and our country. After the statement was made, did the Government of India take it up with the Government of Malaysia, seeking a clarification of the position? In the light of the statement, the Government is required to look into this agreement afresh.

MR. SPEAKER: That question does not arise at all, because this question relates to the economic agreement.

SHRI P. M. SAYEER: It does.

MR. SPEAKER: The question deals with the terms and conditions of long term economic co-operation.

SHRI P. M. SAYEED: The hon. Minister is prepared to answer it.

SHRI A. BALA PAJANOR: If you look at the article, I think it is really covered.

SHRI P. M. SAYEED: Kindly look at the introduction part of the agreement. Occupied Kashmir is a part of our country. He has made a statement in Pakistan, agreeing to support Pakistan in its dispute with India on Kashmir. We want friendly relations and co-operative agreement. So, we should say that it is an unfriendly act on the part of Malaysia.

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): The fundamental right of irrelevancy is not guaranteed by the Constitution.

SHRI ATAL BIHARI VAJFAYEE: I wish the hon. Member had gone through the entire speech of the Prime Minister of Malaysia while he was in Pakistan. If he had done that, he would not have asked that question.

SHRI P. M. SAYEED: I have gone through it; he has said it.

SHRI ATAL BIHARI VAJFAYEE: He did not say that. We are discussing economic co-operation. There are many problems. Chandigarh is also going to be a problem. I can assure the hon. Member that Chandigarh was never discussed.

DR. SUBRAMANIAM SWAMY: There is a feeling that when we sign a bilateral agreement with Malaysia, we are trying to dilute the general movement for economic co-operation amongst developing countries. I would like to know from the hon. Minister whether India is committed to economic co-operation among developing

countries in general and whether he has taken up with Malaysia this question that in the event of a general agreement being signed in the coming Manila Conference, this agreement would be suitably amended.

SHRI ATAL BIHARI VAJPAYEE: There is no contradiction in developing beneficial bilateral relations and in evolving a wider framework within which all developing countries can co-operate.

श्री राम कबर बैरवा : मैं यह जानना चाहता हूँ कि मलेशिया से जो हमारा आर्थिक समझौता हुआ है, इस से कितना आर्थिक लाभ होगा और इस से क्या लोगों को रोजगार देने में भी कोई तरफ़की हुई ?

श्री बल्लभ बिहारी बाबुपेयी : हम जो भी समझौता करते हैं, लाभ के लिये करते हैं, घाटे के लिये नहीं, मगर लाभ कैबल हमारा नहीं होता, जिस पक्ष के साथ समझौता करते हैं, उस का भी लाभ होता है ।

Cancer

*151. **SHRI KANWAR LAL GUPTA:** Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) are Government aware of the fact that the number of cases of cancer has been increasing every year in India;

(b) if so, the details thereof;

(c) what specific steps have been taken to reduce the number of cancer cases;

(d) have Government opened some Centres to see that this dangerous disease is checked in time; and

(e) if so, the details thereof?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI NABI RAY): (a) to (e). A statement giving the requisite information is laid on the Table of the Sabha.

Statement

Cancer is not a notifiable disease and as such it cannot be said with any certainty as to whether the incidence of cancer is on the increase in the country. However, increasing number of cases are dealt with in the hospitals, but this could be due to the growing tendency amongst the sick to seek treatment in the hospitals, to better diagnostic facilities or to real increase in incidence.

A number of institutions are throughout engaged in the research and treatment of cancer. Financial assistance has been given to the State Govts. etc., for the installation of Cobalt Therapy Units for providing radiation treatment to cancer patients. Financial assistance has also been given for the development of Regional Cancer Research and Treatment Centres. Indigenous Systems of Medicine and Homoeopathy have also been involved to fight the disease.

Three Regional Cancer Research & Treatment Centre are being developed under the Cancer Research and Treatment Programme at Chittaranjan National Cancer Research Centre, Calcutta; Cancer Institute, Madras and Rotary Cancer Hospital, All India Institute of Medical Sciences, New Delhi.

श्री कंवर लाल गुप्त : कैंसर की समस्या बहुत बढ़ती है और यह केवल हमारे देश में ही नहीं, बल्कि सारे संसार में है । मैं यह भी जानता हूँ कि केवल इस देश के लिये एक प्राथमिक की पुस्तकालय बहुत मुश्किल है, लेकिन मैं कभी कभी यह सोच करता हूँ कि यह सच है

है कि कितने लोगों की इस में डीप हुई ? मंत्री महोदय ने कहा है कि स्टेट वर्कमेंट्स को इस के विषे पैसा दिया गया है और केन्द्रीय सरकार ने भी इस पर खर्च किया है, मैं जानना चाहता हूँ कि आप ने स्टेट वर्कमेंट्स को कितना पैसा दिया है और केन्द्रीय सरकार इस सम्बन्ध में कितना खर्च कर रही है और कितने लोगों की डीप इस में हुई है ?

श्री रवि राय : मैंने अपने जवाब में कहा है कि देश भर में कैंसर से कितने लोग मरे हैं, या कितने लोग उससे सकार कर रहे हैं, उसके आकड़े एकत्रित करना कठिन है। बम्बई कैंसर रजिस्ट्री के आंकड़ों के अनुसार देश में करीब 15 लाख लोग कैंसर से सकार कर रहे हैं। बम्बई को छोड़ कर इस तरह की रजिस्ट्री और कहीं सेटअप नहीं की गई है।

प्रभी तक इस बारे में कोई खोज नहीं हो पाई कि कैंसर की बीमारी किस वजह से होती है। मैं आपकी जानकारी देना चाहता हूँ कि मेरे पिताजी और मेरे बड़े भाई, इन दोनों की मृत्यु कैंसर से हुई है, हालाँकि वे स्मॉकर नहीं, बल्कि गाँव में रहत थे। हम तीन रिजिनल कैंसर रिसर्च एंड ट्रीटमेंट सेंटर डेवेलप कर रहे हैं और दो और सेंटर्स की स्थापना के बारे में सोच रहे हैं। इस बारे में इस राज्य सरकारों और संस्थाओं की अनुदान दिये गए हैं। छठी योजना के लिए प्लानिंग कमिशन ने 595 लाख रुपये के प्रावधान की स्वीकार किया है, जिसमें से 115 लाख रुपये इस साल के लिए रकमे गये हैं। 1979-80 में कैंसर रिसर्च एंड ट्रीटमेंट प्रोग्राम के लिए 105 लाख रुपये का प्रावधान किया गया है। अगर इस बीमारी का पता जल्दी लग जाय, तो 80 परसेंट केस प्रच्छेद हो सकते हैं। लेकिन कठिनाई यह है कि प्राइमरी डिटेक्शन कैसे हो। यह एक जटिल सवाल है, लेकिन हमारे हृत्प एजुकेशन के कार्यक्रम में इस बारे में व्यापक रूप से काम करने की योजना चल रही है। अगर प्रागे चल कर कोई वैज्ञानिक करिष्मा हो जाये, तो मानव समाज उसके लिए आभारी होगा।

श्री कंवर लाल गुप्त : मैं मंत्री महोदय से सहमत हूँ कि यह बहुत ही मुश्किल सवाल है और केवल भारत-वर्ष के लिए इसके कारण खोजना बड़ा मुश्किल है। कुछ दिन पहले मैं अमरीका गया था। मुझे वहाँ बताया गया कि अमरीका में इस सम्बन्ध में काफी ज्यादा खोज हुई है। मैं मंत्री महोदय से यह जानना चाहता हूँ कि क्या इस बारे में हमारे यहाँ कोई खोज हो रही है। हमारे विशेषज्ञ अमरीका तथा दूसरे देशों के विशेषज्ञों से सम्पर्क कर के कोई ऐसा उपाय निकाल सकते हैं, जिससे इस बीमारी का निदान हो सके। क्या रिजिनल या इन्टरमीडियट लेवल पर कोई ऐसा कार्यक्रम बन सकता है, जिससे इस खतरनाक बीमारी को दूर किया जा सके ?

श्री रवि राय : होमियोपैथी और आयुर्वेद बाकि हमारी राष्ट्रीय चिकित्सा प्रणालियों की इस खोज में लगे हुए हैं। दिन आनेवाले में अमरीका में संशोधन

को प्रायोजित किया जा, वे हमसे मिल कर लगे हैं। मैंने उनसे कहा है कि उनके यहाँ जो खोज हो रही है, अगर उसके नतीजे भी हमारे वैज्ञानिकों को मिलें, तो आपस में सम्बन्ध बना रहे। ऐसी स्थिति में कोई इस तरह का करिष्मा हो सकता है।

SHRI T. A. PAI: In America, the incidence of cancer and heart diseases is the largest, but cancer is not necessarily a disease of the affluent. In a poor country like ours also we have it. Wherever facilities have been established, there is a large number of people coming for treatment, but since it is an expensive treatment, and it takes time, most of the poor people are deprived of chance of an early cure. Will the Government consider making a part of the cost of the treatment available, even if it is undertaken outside a Government hospital, because it would not be possible to create this facility all over the country? Whenever these facilities exist, should we not help people take advantage of it early, so that we may be able to save their lives? I am partly asking for nationalisation of cancer.

MR. SPEAKER: You want everybody to have it?

SHRI RABI RAY: This is a suggestion for action.

SHRI P. VENKATASUBBAIAH: Unfortunately, my brother is a victim of blood cancer.

When I was speaking to the Prime Minister, he suggested that urine therapy was the best remedy for cancer. Some doctors also very recently told me that it has been giving very good results. May I know whether the hon Minister will think about this matter and do sufficient propaganda for this purpose.... (Interruption) I am very serious about it; please do not take it in a jocular manner.

MR. SPEAKER: It is a suggestion for action.

SHRI RABI RAY: It is a suggestion for action.

WRITTEN ANSWERS TO QUESTIONS

Shifting of South-Eastern Railway Headquarters

*144. SHRI PIUS TIRKEY:

SHRI SHYAM SUNDER
GUPTA:

Will the Minister of RAILWAYS
be pleased to state:

(a) whether Government propose to
shift the headquarters of the South-
Eastern Railways from Calcutta to
Bilaspur in Madhya Pradesh; and

(b) if so, what are the details there-
of?

THE MINISTER OF RAILWAYS
(PROF. MADHU DANDAVATE):

(a) No, Sir.

(b) Does not arise.

परिवार नियोजन कार्यक्रम के बारे में माताओं को
विशेष प्रतिक्रिया

*148. श्री ज्ञानेश्वर प्रसाद यादव : क्या
स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा
करेंगे कि :

(क) क्या परिवार नियोजन कार्यक्रम की क्रिया-
न्वित की गति बढ़ाने के लिए माताओं को प्रशिक्षण
 देने के लिए कोई विशेष कार्यक्रम शुरू किया जा रहा
 है ;

(ख) यदि हाँ, तो तत्सम्बन्धी व्यौरा क्या है ;

(ग) इस संदर्भ में क्या कार्यवाही की जा रही
 है ?

स्वास्थ्य और परिवार कल्याण मंत्री (श्री रवि
 राय) : (क) से (ग). देश में परिवार कल्याण कार्य
 का मूलभूत ढांचा इस प्रकार तैयार किया गया है
 जिससे कि पात्र दम्पतियों के लिए परिवार कल्याण की
 सेवाओं की व्यवस्था कर उन्हें छोटे परिवार के सिद्धान्त
 तथा परिवार कल्याण के अन्य तरीकों की स्वीकार
 करने के लिए प्रेरित किया जा सके। इनमें महिलाएं,
 विशेष कर माताएं भी शामिल हैं। निम्नलिखित विभिन्न
 कार्य/कर्मचारी गतिविधियां प्रासंगिक हैं क्योंकि वे
 विशेष कर महिलाओं के निमित्त हैं:—

(1) प्रसव करवाने वाली सार्वजनिक बाइको
 को प्रशिक्षित करना ताकि प्रसव करवाने के कार्य में
 उनकी कुशलता बढ़े, सफाई के साथ प्रसव कराने का
 उनका ज्ञान बढ़े, उनके पास आवश्यक औजार हों
 और वे जटिल मामलों का प्राथमिक व्यवस्था में ही विल
 लगा कर उन्हें चिकित्सा कर्मचारियों के पास भेज सकें।
 परिवार नियोजन की जानकारी लोगों तक पहुंचाने
 में भी बाइकों की अच्छा सम्पर्क माध्यम समझा जाता
 है।

(2) सहायक नर्स निवर्तक जो प्रशिक्षित
 परामर्शिका कर्मचारी होती हैं और इस समय गांवों
 की लगभग 10,000 छायावी के पीछे एक के हिसाब
 से सुलग उपकेन्द्रों में रहती हुई सेवा कार्य करती हैं,
 महिलाओं के प्रसव करवाती हैं, उन्हें प्रसव-पूर्व तथा
 प्रसवोत्तर सेवाएं प्रदान करती हैं। और साथ ही
 माताओं तथा बच्चों का रोगों से बचाव करने के लिए
 उन्हें टीका लगाती हैं। वे महिलाओं से सम्पर्क कर उन्हें
 परिवार कल्याण सेवाओं की जानकारी भी देती हैं,
 जिनमें परिवार नियोजन, बच्चों की देख-रेख और
 पोषण सम्बन्धी बातें भी शामिल होती हैं।

(3) मेडिकल कालेजों तथा जिला स्तर के अस्प-
तालों में खोले गए प्रसवोत्तर केन्द्रों और कुछ चुने
 हुए तालुक स्तर के अस्पतालों से सम्बद्ध विशेष वसन्दी
 बाइको में भी विशेष कर महिलाओं और माताओं को
 इस कार्यक्रम की जानकारी दी जाती है और उन्हें कार्य
 के प्रति प्रेरित किया जाता है।

(4) देश के बहुत से भागों में खोले गए महिला
 अस्पतालों तथा प्रसूति गृहों में भी इसी प्रकार की
 सेवाएं प्रदान की जाती हैं जिनका उल्लेख उपर्युक्त पैरा
 3 में किया गया है।

(5) ऐसे व्यक्तियों के लिए जिनके विचारों को
 समाज मान्यता देता है देश में अनेक सिविल समारो
 जा रहे हैं और प्रभावशाली लोगों को परिवार निवो-
जन के बारे में जानकारी देने के विशेष प्रयास किये
 जा रहे हैं। इन में महिलाएं भी आ जाती हैं।

(6) अन्य मंत्रालयों द्वारा चलाये जा रहे कार्य-
क्रमों जैसे शिक्षा मंत्रालय के राष्ट्रीय प्रौढ़ शिक्षा कार्य
 क्रम, समाज कल्याण विभाग के प्रौढ़ महिलाओं को
 साक्षर बनाने के कार्यक्रम और एकीकृत शिक्षा स्वास्थ्य
 सेवा योजना तथा केन्द्रीय समाज कल्याण बोर्ड के अधीन
 खोले गए महिला मण्डलों के माध्यम से भी महिलाओं
 और माताओं को यह ज्ञान और जानकारी दिये जाने
 की प्रवृत्ति की जाती है।

हुरपासपुर बाइको एजेंसी

*152. श्री लक्ष्मी नारायण यादव : क्या ऐसे
मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या श्री श्री मणिपुर राज्य में हुरपासपुर
बाइको एजेंसी स्थापित करने में नीतिगत रुकावट
स्थिति कलने का कोई प्रयास जा ;

(ख) यदि हाँ, तो इसकी स्थापना क्यों नहीं की गई है; और

(ग) क्या इसे सीमा ही स्थापित किया जायेगा ?

रेल मंत्रालय में राख मंत्री (जी शिव बारादख) :
(क) और (ख) 15-8-71 से 31-3-77 तक की ठेके की प्रक्रिया में हरपालपुर बाऊट एजेंसी में नहीं बल्कि गीरांव स्थित छतरपुर बाऊट एजेंसी में एक माल संग्रह स्थल (पिक अप प्वाइंट) था। लेकिन 14-7-78 से बाबू नवे ठेके में गीरांव माल संग्रह स्थल (पिक अप प्वाइंट) को समाप्त कर दिया गया क्योंकि इस माल संग्रह स्थल (पिक अप प्वाइंट) से कोई वातायत उपलब्ध नहीं था।

(ग) जी नहीं।

Oil Jetty for Tuticorin Harbour

*153. SHRIMATI MRINAL GORE: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that there was a major accident some time in May 1978 while constructing the oil Jetty for Tuticorin Harbour;

(b) what was the scheduled time for completion of the construction of this Jetty;

(c) when is the work expected to be completed now; and

(d) what are the reasons for delay?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) There was an accident at the Oil Jetty under construction at New Tuticorin on 3rd June, 1978.

(b) and (c). As per contract agreement the scheduled date of completion was 30th June 1978. The work is now expected to be completed by 30th June 1979.

(d) During execution of the work, it was found necessary to have deeper piles and for driving these piles extra time has become necessary.

व्यापारियों को मालखिन्नों का नियतन

*154. की कोटा माल खेज : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कोटा द्वितीय (पश्चिम रेलवे) के गंगानुर सिटी, सवाई माधोपुर प्रावि स्टेशनों पर प्रनाज प्रावि लाहने के लिए व्यापारियों को मालखिन्नों के नियतन में प्रसाधारण बिलम्ब किया जा रहा है जिससे मंडियों में प्रनाज बहुत बड़ी मात्रा में इकट्ठा हो गया है और किसानों को प्रनाज उत्पादन बचने में कठिनाई हो रही है; और

(ख) यदि हाँ, तो क्या उपरोक्त स्टेशनों पर मालखिन्नों के तत्काल नियतन के लिए सरकार ने कोई उपाय किये हैं और यदि नहीं, तो इसके क्या कारण हैं?

रेल मंत्री (प्रो० नटु बडकते) : (क) जी नहीं।

(ख) प्रश्न नहीं उठता।

Meeting of South East Asian Nations

*155. SHRI AMAR ROYPRADHAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government is aware of the outcome of the meeting of the Association of South East Asian Nations held in January, 1979; and

(b) if so, the details thereof and action if, any taken by Government in the matter?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) Yes, Sir, A meeting of the ASEAN Foreign Ministers was held in Bangkok on January 12-13, 1979, to consider the current threat to peace and stability in the South East Asian region.

(b) The Foreign Ministers issued two statements on the situation in Kampuchea, and the problem of refugees from Indo-China. Government of India have noted these statements.

Indian Labourers Abroad

*156. SHRI G. Y. KRISHNAN: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the number of Indian Labourers who went abroad in search of employment during the last two years;

(b) the number amongst them who are skilled and unskilled workers; and

(c) whether any complaints have been received by the Government of India regarding their unsatisfactory financial conditions at present, particularly in Saudi Arabia?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). The number of Indian workers who went abroad in search of employment and their skill classification is not available. Permission has been granted for deployment of 126,000 Indian workers of different levels of skill in various countries during 1977 and 1978.

(b) Complaints of different nature are received in our Missions from time to time from the Indian workers and appropriate action is taken on the complaints.

बाइन बमिकों को संरक्षण दिया जाता

*157. श्री ईश्वर चौधरी :
श्री जी० प्रभासी :

क्या संसदीय कार्य तथा अन्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार बाइन बमिकों की सेवाओं को संरक्षण देने हेतु संसद् के पास एक प्रस्ताव लाने का है ;

(ख) क्या इन बमिकों की उद्दीक्षा और विहार के विभिन्न क्षेत्रों से अन्य राज्यों की से बाबा जाता है और उन्हें वहाँ प्रति दिन 12 घंटे काम करने के लिए प्रवृत्त किया जाता है तथा उन्हें मजदूरी अनेक वर्षों तक दी जाती है ; और

(ग) यदि हाँ, तो सरकार ने इस संबंध में क्या कार्यवाही की है ?

अन तथा संसदीय कार्य संसदन में राज्य मंत्री (श्री रवीन्द्र वार्मा) : (क) से (ग). संभवतः प्रश्न का आशय अंतर्राष्ट्रीय प्रवासी बमिक (जिन्हें उद्दीक्षा में बाइन बमिक कहा जाता है) के नियोजन की पद्धति से संबंधित है। यह शोचनकारी पद्धति उद्दीक्षा तथा कुछ अन्य राज्यों में प्रचलित है। उद्दीक्षा में, राज्य से बाहर बड़ी निर्माण परियोजनाओं में कार्य करने के लिए ठेकेदारों या एजेंटों, जिन्हें सरकार/कारोबार कहा जाता है, के माध्यम से राज्य के विभिन्न भागों से बाइन बमिकों की भर्ती की जाती है। उपसम्बन्ध सुचना के अनुसार, इन बमिकों के बारे में कार्य-भंटे निर्धारित नहीं हैं। इनमें से अनेक बमिक अत्यन्त निरक्षर कार्य-बजावों के अधीन प्रति दिन 15 से 16 घंटे और सप्ताह में सभी दिन काम करते हैं। ऐसी शिकायतों की गई हैं कि इन बमिकों को मजदूरी का भुगतान समय पर नहीं किया जाता और उन्हें विभिन्न कबाचारों का सामना करना पड़ता है, जिसमें मजदूरी का भुगतान न करना शामिल है। इस प्रकार की शिकायतों, जांच तथा उचित कार्यवाही करने के लिए संबंधित राज्य सरकारों के ध्यान में लायी जाती हैं। इस मामले का गहराई से अध्ययन करने और इस पद्धति की मर्यादों को हटाने के उपायों का सुझाव देने के लिए जन संसाधन द्वारा नियुक्त काम्येक समिति ने इस प्रकार के अंतर्राष्ट्रीय प्रवासी बमिकों के लिए उचित कानून बनाने की सिफारिश की। इस विषय पर एक विवेक संसद् के पास तब में पेश करने का प्रस्ताव है।

रोजगार क्षेत्रों के कार्यक्रम नियंत्रण मध्य समिति का प्रतिवेदन

*158. श्री सुभाष बाबूबा :
श्री जी० जगन्नाथ :

क्या संसदीय कार्य तथा अन्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रोजगार क्षेत्रों के कार्यक्रम की समीक्षा करने तथा उसमें सुधारों के सुझाव देने के लिये श्री पी० सी० मध्य की अध्यक्षता में एक समिति गठित की गई है ;

(ख) क्या सरकार को इसका प्रतिवेदन प्राप्त हो गया है ; और

(ग) यदि हाँ, तो उत्तरम्बन्धी मुद्दा बताने क्या है ?

संसदीय कार्य तथा अन्य मंत्री (श्री रवीन्द्र वार्मा) :
(क) श्री हाँ ।

(ख) श्री हाँ ।

(ग) एक विवरण सभा की मेज पर रख दिया गया है।

विवरण

बी पी० सी० मैथ्यू, आई० सी० एस० (सेवा-विमुख) की अध्यक्षता में राष्ट्रीय रोजगार सेवा समन्वयी समिति की रिपोर्ट की मुख्य मुख्य बातें ये हैं :—

- (1) केन्द्रीय नियंत्रण की कार्यप्रणाली को सुधारने के लिए रोजगार सेवा को राष्ट्रीय सेवा बनाया जाना चाहिये और सामान्य अधिवासी कर्मचारियों के साथ केन्द्र में जनसंघित आयोजना और रोजगार का एक असल मंत्रालय (और राज्यों में तबनुकनी विभाग) या महाविभाग (या सार्वजनिक राष्ट्रीय जनसंघित आयोजन वैसाकि यु० के० में है) होना चाहिये जो सम्बन्धित विषयों के सम्बन्ध में सरकार के स्तर पर अधिवासी और सचिवालयी दोनों प्रकार के कार्यों का संयोजन करता हो।

- (2) सरकार और निजी क्षेत्रों के नियोजकों के लिए यह लाजिमी कर दिया जाना चाहिये कि वे श्रेणी-3 और श्रेणी-4 के पदों को भरने के लिए रोजगार कार्यालयों का प्रतिनियुक्त रूप से उपयोग करें। उन्हें रोजगार कार्यालयों में जाना चाहिये, जहाँ उन्हें स्वयं सेवा की कमी सुविधाएं उपलब्ध होती, उदाहरणार्थ प्रशिक्षित वर्ग के पंजीकरण कार्यों का निरीक्षण करना और ऐसे उम्मीदवारों की, जिन्हें कि वे साक्षात्कार के लिए बुलाना चाहें, स्वयं अपनी ही मालाबली (बहु जगहों पर ही प्राप्ति हो) तैयार करना। परन्तु इसके लिए उन्हें प्रशिक्षण रूप से ही क्या सम्बन्धी अपनी सामान्य योजना प्रभाव से मापदंड अधिसूचित करने होंगे, जिनके अनुसार वे भवन कार्य करते।

- (3) जिन मामलों में विशेष भर्ती बोर्ड या कर्मचारी भवन आयोजन या प्रशिक्षण सेवा आयोजन स्थापित करना आवश्यक समझा जाए, वहाँ रोजगार कार्यालय संगठन को उसके साथ उसके सचिवालय के रूप में प्रशिक्षण रूप से सम्बन्ध दिया जाना चाहिये और उसके बिन्ने यह काम लगाया जाना चाहिये कि वह भर्ती बोर्डों प्राप्ति द्वारा निर्धारित किए जाने वाले मापदंडों के आकार पर बोधता के रूप में रोजगार कार्यालय के उम्मीदवारों से उम्मीदवारों की सुविधा तैयार करें।

- (4) सरकार को इस बात की जांच करनी चाहिये कि क्या सरकार द्वारा अन्तरा-राष्ट्रीय काम संगठन के प्रतिनियुक्त सं० 88 का अनुसमर्थन करके देश में निःशुल्क रोजगार सेवा कायम रखने की जिम्मेदारी लेने के तथ्य को ध्यान में रखते हुए ऐसे सेवा आयोजनों या भर्ती बोर्डों के लिए, जो सरकारी क्षेत्र के उपक्रमों को भरने के लिए उम्मीदवारों का भवन करते हैं, उन प्रत्येक मोर्चा से मुक्त सेवा वैध या उचित है जो विभापित की जाने वाली प्रत्येक नीति के लिए आवेदन करते हैं।

- (5) प्रत्येक राज्य में रोजगार कार्यालयों में पंजीकरण पर राज्य सरकारों ने इस समय जो प्रतिनियुक्त लगा रखे हैं, उनकी वैधता तथा प्रशिक्षण की पुनरीक्षा की जानी चाहिये और यदि रिहायश के सम्बन्ध में किन्हीं प्रतिनियुक्तों की आवश्यकता हो, तो वे सर्वाधिक उपकरणों के अनुसार केन्द्रीय सरकार द्वारा लगाए जाने चाहिये।

- (6) रोजगार कार्यालय संगठन के बारे में जन साधारण की यह धारणा बनी हुई है कि वह एक अक्षररसाही संगठन है जो विलम्बकारी कार्य पद्धति से बंधा हुआ है। अपने बारे में जनता की इस धारणा को बदलने के लिए उसे हर संभव कार्यवाही करनी चाहिये। उसे अपने सम्बन्ध में यह धारणा कायम करानी चाहिये कि वह एक ऐसी एजेंसी है जो कतिपय अपेक्षाओं की पूरा करने वाले कर्मचारियों की भर्ती करने में मदद के रूप में नियोजकों की आवश्यकताओं का अध्ययन करती है। इस काम के लिए उसे कुशलता और तत्परता से अच्छी सेवा उपलब्ध कराने का प्रयास करना चाहिये।

- (7) यदि रोजगार कार्यालयों को दक्षतापूर्वक और सरलता से कार्य करना है और नियोजकों और अधिकों के बीच अधिक श्रिय साधित होना है तो रोजगार कार्यालयों में उपलब्ध सुविधाओं और प्रसुविधाओं में सुधार करना चाहिये और उन्हें बुद्धि करनी चाहिये। इस सम्बन्ध में स्थान की सभी प्रतिनियुक्त आवश्यकताएं, पदांत मात्रा में फनीयर तथा कार्यालय उपकरण, वाहन की व्यवस्था आदि तैयार करने वाली प्राथमिक सुविधाओं तथा विविध प्रकारों के स्तर का वैध करार के भी प्रयत्न का भर्ती देने की विधि रूप से विचारणीय की गई है।

(8) रोडवार कन्सलियों का काम श्रमिक क्षेत्रों तक बढ़ाया जाना चाहिये और इस कार्य के लिए ब्याक स्टार पर कुछ स्टाफ उपलब्ध कराया जाना चाहिये।

(9) समिति ने इस बात पर विशेषरूप से बल दिया है कि रिपोर्ट में दी गई विभिन्न सिफारिशों का कार्यान्वयन, सामाजिक और आर्थिक विकास के लिए अत्यधिक महत्वपूर्ण है। तदनुसार समिति ने पुरजोर सिफारिश की है कि छठी योजना के दौरान राष्ट्रीय रोजगार सेवा को केन्द्रीय प्लान स्कीम के रूप में स्वीकार कर लिया जाना चाहिये और उसके लिए बतप्रतिबत आधार पर समरपत्ति नियत की जानी चाहिये। जब विस्तार कार्यक्रम प्लान स्कीम न रहे, तो आवर्ती लागत जो तीर योजना ब्यय का एक भाग होगी, का बहन 60:40 के अनुपात में केन्द्रीय सरकार और राज्य सरकारें करेंगी, ताकि सिफारिशों को कार्यान्वित किया जा सके।

(b) if so, the details of steps being taken to improve the loading;

(c) whether the Railways are keeping close liaison with Food Corporation of India and Fertilizer Corporation of India, Minerals and Metals Trading Corporation and Union Ministry of Energy; and

(d) if so, how far the Railways had improved their loading capacity in December, 1978, January and February, 1979?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) Yes, Sir. Continuous efforts are made to step up loading.

(b) To take full advantage of superior traction like diesel and electric traction, runs of through goods trains have been extended on inter-Railway basis, beyond the territorial limits of Zonal Railways. Loads of goods trains have been increased by banking of trains on critical sections and as well as by moving heavier loads on alternative and easier routes. The full block rake running is being maximised not only for BOX type of wagons but also for four-wheeler stock. Monitoring Cells have been set up on all Railways to monitor performance, especially in respect of goods loading and movement.

(c) Yes, Sir.

Maximising of Loading by Railways

*159. SHRI A. R. BADRI
NARAYAN:

SHRI R. V. SWAMINATHAN:

Will the Minister of RAILWAYS be pleased to state:

(a) whether to improve their working, the Railways are making efforts to step up loading to the maximum extent possible;

(d) The daily average wagon loading improved as under:-

	Wagons	
	Broad Gauge	Metre Gauge
November, 1978	23970	5017
December, 1978	24077	5527
January, 1979	24152	5768
February, 1979 (upto 20th)	24663	5771

विदेशों में भारतीय श्रमिकों को पेश आ रही कठिनाइयाँ

* 160. डा० लक्ष्मीनारायण पांडेय :

श्री अचन सिंह ठाकुर :

क्या संसदीय कार्य तथा श्रम मंत्री यह बताते की हुपा करते कि :

(क) क्या सरकार द्वारा कुछ प्राधिकृत एजेंसियों के माध्यम से भारतीय श्रमिकों को विदेश भेजा जाता है ;

(ख) यदि हाँ, तो क्या उन श्रमिकों को पेश आ रही कठिनाइयों को सरकार के ध्यान में लाया गया है ; और

(ग) सरकार ने अब तक जो उपचारात्मक उपाय किये हैं, उनका व्यौरा क्या है ?

संसदीय कार्य तथा श्रम मंत्री (श्री रवीन्द्र वर्मा) : (क) भारतीय भर्ती एजेंसियाँ अपने विदेशी श्रमिकों की ओर से भारतीय श्रमिकों को विदेशों में रोजगार के लिए भेजती हैं। ऐसा इस सम्बन्ध में सरकार से स्वीकृति प्राप्त करने के बाद किया जाता है।

(ख) विदेशों में नियोजित भारतीय श्रमिकों से समय-समय पर हमारे दूतावासों में विभिन्न स्वरूप की शिकायतें प्राप्त होती हैं।

(ग) (i) सरकार दूसरे देशों के विश्व भारतीय श्रमिकों की भर्ती पर लगातार नजर रखे हुए है। जब कभी भर्ती एजेंसी के खिलाफ अप्रत्याशित शिकायतें प्राप्त होती हैं, उन की समुचित प्राधिकारियों द्वारा जांच करवाई जाती है

और उन के खिलाफ उचित कार्रवाई की जाती है। शीर्षों का भारतीय श्रमिकों को बाहर भेजने की प्रक्रिया की ओर ध्यान आकषित करने तथा अप्रष्ट एजेंसियों के अप्रत्याहार के खिलाफ शीर्षों को संतर्क करने के लिए भी कदम उठाए गए हैं।

(ii) सम्बन्धित देशों में हमारे दूतावासों को तत्सम्बन्धी देशों में नियुक्त करके भेजे गए भारतीय श्रमिकों के हितों की देखभाल करने की जिम्मेदारी सौंपी गई है। विदेशी नियोजकों द्वारा भारतीय श्रमिकों की परेशान किए जाने के बारे में जो शिकायतें प्राप्त होती हैं, विदेश स्थित हमारे दूतावास उनकी जांच करते हैं, और उनकी शिकायतों को दूर करने के लिए कार्यवाही करते हैं। जो विदेशी नियोजक इस सम्बन्ध में दोषी पाए जाते हैं, उनके लिए भारतीय श्रमिकों को नियुक्त करके भेजने की अनुमति देने से इनकार करने के रूप में कार्यवाही भी की जाती है।

(iii) समुद्रपार रोजगार के लिए भर्ती करने के प्रश्न की जांच करने के लिए नियुक्त की गई सरकारी समिति ने भर्ती की प्रक्रिया को सरल बनाने तथा उसमें सुधार करने और साथ ही भारतीय श्रमिकों का कल्याण सुनिश्चित करने के लिए भी अनेक उपाय सुझाए हैं। इस समिति की सिफारिशों पर तौर किया जा रहा है।

(iv) संसदीय कार्य तथा श्रम मंत्री के नेतृत्व में एक शिफ्टमंडल ने हाल ही में खाड़ी के कुछ देशों का दौरा किया है तथा वहां नियोजित श्रमिकों के काम करने तथा रहन सहन की दशाओं का ऐन घटना स्थल पर अध्ययन किया है। भारतीय श्रमिकों का कल्याण सुनिश्चित करने के लिए इस शिफ्टमंडल ने नियोजकों तथा सरकारी प्राधिकारियों के साथ भी विचार विमर्श किया।

Short-cut Rail Link between Bombay and Delhi

* 161. SHRI VIJAY KUMAR N. PATIL: Will the Minister of RAILWAYS be pleased to state:

(a) whether there are plans to construct a short-cut railway link between Delhi and Bombay via Indore-Dhule-Manmad; and

(b) if so, whether Government propose to construct the line on priority basis to minimise the pressures on the two Railway Links (Western & Central)?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No, Sir. Proposed link between Manmad and Indore will not provide a shorter route between Bombay and Delhi.

(b) Does not arise.

Reimbursement of claims towards the cost of Contraceptive

1401. SHRI K. MALLANNA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that for the Central Government Employees the expenses on the use of oral contraceptives and pills are not reimbursable under the Rules; and

(b) if so, whether Government propose to initiate action to amend the rules and see that this facility is available during the International Year of the Child?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) Yes. There is no provision in the C. S. (M.A.) Rules to admit expenses on the purchase of oral contraceptives.

(b) Since oral contraceptive pills are provided under the National Family Welfare Programme free of cost to users irrespective of whether they are Government employees or members of the public, the question of amending the C. S. (M.A.) Rules does not arise.

Withdrawal of P.F. cases pending with P.F. Commissioner, Chandigarh

1402. SHRI BHAGAT RAM: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) how many applications for withdrawal of provident fund are pending with the P.F. Commissioner Office, Chandigarh;

(b) how many of these applications are from the retrenched workers of Beas Sutlej Link, Talwara, Sunder Nagar; and

(c) the steps taken to expedite the cases immediately?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KIRPAL SINHA): (a) and (b). The Employees' Provident Fund Authorities have intimated that as on 20th February, 1979, 805 applications, out of which 756 applications pertained to the retrenched workers of Beas Sutlej Link, Talwara and Sunder Nagar, were pending in the Office of the Regional Provident Fund Commissioner, Chandigarh for final withdrawal of provident fund.

(c) A team of Officers from the Regional Commissioner's Office was sent to Sunder Nagar to provide guidance to the Project Authorities for filling up application forms etc. correctly. Additional staff from other Accounts sections of the Regional Commissioner's Office has been diverted to handle the applications expeditiously and constant liaison is being maintained with the Project Authorities for expeditious settlement of the cases.

गुजरापुर-ताप्ती निम्न पर कर्मचारी राज्य बीमा योजना की वकालत राशि

1403. श्री हुसैन सय्यद सलमान: क्या संसदीय कार्य तथा मन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गुजरापुर-ताप्ती निम्न पर कर्मचारी, 1976 से अक्टूबर, 1978 तक की वकालत की कर्मचारी राज्य बीमा योजना की वित्तीय राशि वकालत है और उसने अभी तक कितनी राशि वकालत करवाई है; और

(ख) क्या उस राशि की वसूल कर के मामले के बिने उत्तरदायी अधिकारियों के विरुद्ध कोई कार्रवाई की गई है ?

कम लागू संशोधन कार्य संभाव्यता में राज्य संत्री (श्री राम कृष्ण सिंह) : (क) कर्नाट राज्य स्रीमा निगम ने सुचित किया है कि राष्ट्रीय बस निगम 174 रुपये अधिकार में भी गई यह एक कम मिल है। निवीकन में जनवरी, 1978 एक समाप्त होने वाली संशोधन बसों से नवम्बर, 1978 तक समाप्त होने वाली संशोधन बसों के लिए 28,15,765.69 रुपये की बजट का अनुमान कर दिया है तथा संशोधन के हेतु अनुमान करने के अनुसार में 16,943.40 रुपये के बजट के अनुमान को छोड़ कर बसों के लिए अनुमान सामान्यतः संतोषजनक रहा है। उक्त अनुमान का बाबा निवीकन से कर दिया गया है।

(ख) प्रश्न नहीं उठता।

Pucca Roads with Indigenous Material for Linking Villages with Trunk Road

1404. SHRI L. L. KAPOOR: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether any thinking has been done on the suggestion of constructing pucca roads for connecting villages with trunk roads using indigenous material locally available and by organising Shram Dan Camps; and

(b) if so, the details thereof including the use so far made of such scheme in different States?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). The Central Government are primarily concerned with National Highways only and all other roads including roads referred to in the Question in States fall within the sphere of State activities. The respective State Governments are, therefore, concerned with Shram Dan Camps, etc.

As regards the use of indigenously available local materials for rural roads, the Central and State Governments have been seized of the necessity and have been, for quite some time, advocating the use of such materials in various forums, for instance, periodic State Chief Engineers' meet-

ings, Annual Plans/Five Year Plan discussions of the State sector roads, etc. The Central Assessment Committee set up by this Ministry has also been propagating a series of such techniques among the State Public Works Departments for large-scale adoption, based on extensive investigations carried out by the Central Road Research Institute, who have evolved a number of low-cost techniques for rural roads (including village approach roads) for maximum utilization of low grade materials like murrum, gravel, kankar, dhandla, laterite, brick-ballast, etc., at places, in lieu of the conventional hard aggregates which, in some areas, may have to be brought from long leads. As a result, the use of locally available materials for construction of rural roads is finding increasing application in the country.

Alleppey Railway Line

1405. SHRI VAYALAR RAVI:
SHRI P. K. KODIYAN:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have given any assurance to a team of M.Ps. & M.L.As. from Kerala in connection with Alleppey Railway Line; and

(b) if so, what are the steps taken by Government?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Construction of Alleppey-Ernakulam new B.G. Railway line has been included in the budget for 1979-80, with a proposed outlay, of Rs. 1 crore in the coming financial year 1979-80.

Robberies in Long Distance Trains

1406. SHRI RAJ KRISHNA DAWN: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that during January 1979 there were

minimum six robberies in long distance trains within West Bengal itself;

(b) what was the total amount of properties thus looted by the miscreants;

(c) whether Government are also aware that in all the cases of robberies, Home Guards, R.P.F. were present whether inside the looting train or outside in the platform without exerting themselves;

(d) if so, what are the steps taken by Government to improve the functionalities of the protection Forces; and

(e) what are the reasons for such drastic increase of train robberies?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) According to information obtained from State Police authorities in January, 1979 there were 4 cases of robbery in long distance trains within West Bengal itself.

(b) the total amount of properties looted by the miscreants is Rs. 20,752.00.

(c) It is not a fact that in all the cases of robberies Home Guards/R.P.F. were present either inside the train being looted or outside on the platform without escorting the train themselves.

(d) Does not arise.

(e) There has been no drastic increase in train robberies.

Foreign Goods Inward Traffic

1407 SHRIMATI AHILYA P. RANGNEKAR: Will the Minister of RAILWAYS be pleased to state:

(a) the total number of items and amount of debits raised against stations in respect of Foreign Goods Inward Traffic by the S.A.O./F.T.A., Western Railway, Delhi from November, 1977 to October, 1978, separately for each month; and

(b) items and amount of debits withdrawn out of the above separately for each month?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). A Statement is attached.

Statement

Statement showing the number of items and amount of debits raised month-wise from November/77 to October/78 against the stations in respect of Foreign Inward Goods Traffic as well as the number of items and amount of debits withdrawn out of the debits raised in each month.

Month	(A) Debits raised		(B) Debits withdrawn out of Col. (A)	
	Items	Amount	Items	Amount
Nov./77	1595	2,16,635.00	228	18,701.00
Dec./77	1467	2,35,216.00	190	68,092.00
Jan./78	1368	2,37,927.00	152	24,428.00
Feb./78	1308	5,33,412.00	219	3,76,813.00
March/78	1598	2,28,571.00	301	21,048.00
April/78	1559	4,35,848.00	357	49,785.00
May/78	1938	5,07,732.00	173	1,65,711.00
June/78	1725	2,57,379.00	348	31,239.00
July/78	2486	3,37,806.00	546	1,13,371.00
Aug./78	1630	4,49,310.00	277	28,690.00
Sep./78	1254	1,97,725.00	183	23,837.00
Oct./78	1162	4,05,350.00	100	21,329.00
	19090	40,42,911.00	3068	6,83,304.00

Patients examined in Delhi Hospitals

1408. SHRI DAYA RAM SHAKYA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state the number of patients examined daily, in all the Government hospitals of Delhi as also the number of deaths of patients and the number of those cured every month in these hospitals during the last one year?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): In the various Government Hospitals in Delhi the number of patients examined daily in the Out Patient Department is approximately 13,567 during the year 1978. During the same year there were on an average, 950 deaths every month in these hospitals while the number of in-door patients cured relieved of their symptoms every month is approximately 15,740.

Class IV Staff Promotion Committee

1409. SHRI DINEN BHATTACHARYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that in 1980 Class IV Staff Promotion Committee recommended that 10 per cent of total posts of falling vacant in unskilled cadre of mechanical workshops be filled from Gangmen, Safaiwala and Khaleasis and Store mazdoor of Store Depots;

(b) whether he is also aware that the Railway Board had accepted these recommendations and issued instructions to zonal railways to fill in 10 per cent vacancies from the categories of staff referred to above;

(c) whether these orders are being implemented by Northern Railway administration in respect of Jagadhar Carriage and Wagon Workshop, Kalka

Workshop and Amritsar Locomotive Workshop; and

(d) if not, the reasons thereof?

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

(d) Does not arise.

Bombay Suburban Trains Time Table

1410. SHRI R. K. MHALGI: Will the Minister of RAILWAYS be pleased to refer to reply given to Unstarred Question No. 4139 on the 19th December, 1978 regarding revision of Time Tables and state:

(a) whether there is any proposal under consideration of the Railway Administration to revise Bombay Suburban Trains Time-Table from 1st April, 1979;

(b) whether the Administrations have considered the various suggestions made by number of passenger associations, other institutions and individuals and pending with the Administration for over a period of one year;

(c) if so, what are the main likely changes in the ensuing Bombay Suburban Railway Time-Tables; and

(d) if the concerned Railway Administrations are not going to revise the Time-Table in spite of large number of representations and suggestions pending with Administration the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes, only on the Western Railway. On Central Railway, suburban time-table is revised only when substantial changes in services are made.

(b) Yes.

(c) and (d). The majority of the suggestions received by Central and Western Railways are for introduction of additional services which are not found feasible for want of EMU rakes. Other suggestions which do not affect the running of existing services and which do not clash with the interests of different groups of passengers have been/are being implemented to the extent feasible.

सुपेडी और जामनगर के बीच रेलवे लाइन

1411. श्री कर्नल सिंह भाई खेतन : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गुजरात के सीराष्ट्र जेज के जेतलसर और पोरबन्दर के बीच पड़ने वाले सुपेडी स्टेशन और जामनगर के बीच रेल लाइन बिछाने की कोई योजना तैयार की गयी है अथवा तैयार करने का विचार है;

(ख) यदि हाँ, तो उसका व्यौरा क्या है;

(ग) इस रेल लाइन के लिये जिन स्थानों के मांग की गई है उन के नाम क्या हैं और यह मांग कब की गई तथा इसका स्वरूप क्या है;

(घ) क्या सरकार ने इस बारे में कोई कार्यवाही की है अथवा करने का विचार है और यदि हाँ, तो कब और किस प्रकार; और

(ङ) क्या यह सच है कि गुजरात के सीराष्ट्र जेज में राजकोट जिले के जाम कंबोदिया तालुक में लगभग 50 गांवों में कोई रेल लाइन नहीं है और यदि हाँ तो जाम कंबोदिया तालुक के लोगों को रेल सुविधायें उपलब्ध कराने के लिये सरकार का विचार क्या कार्यवाही करने का है और कब और यह सुविधायें किस प्रकार उपलब्ध कराने का विचार है ?

रेल बंजालख में राज्य मंत्री (श्री शिव नारायण) :

(क) जी नहीं ।

(ख) रेल नहीं उठता ।

(ग) से (ङ) पिछले जेलों में नयी लाइनें बिछाने के लिए अनेक प्रस्ताव प्राप्त हुए हैं, जिनमें जामनगर-सुपेडी लाइन के निर्माण का प्रस्ताव भी शामिल है । इन मांगों को पूरा करने के लिए धन की अपर्याप्त उपलब्धता को ध्यान में रखते हुए, पिछले जेलों के विकास के लिए कहाँ लाइनें बिछाने के सम्बन्ध में एक नयी नीति बनाने के प्रश्न पर विचार किया जा रहा है । जब यह नीति बन जायेगी, तब इसे ध्यान में रखते हुए इस प्रस्ताव की जांच की जायेगी ।

Drug Rules

1412. SHRI VASANT SATHE: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether attention of Government has been drawn to the news-report appearing in the 'Patriot' dated 31-1-1979 under the caption "Defunct drug rule to be revived";

(b) if so, what is the reaction of Government to the various observations made therein;

(c) details regarding facts of the matter; and

(d) details of action taken/proposed?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) Yes.

(b) to (d). The matter is receiving attention. No final decision has yet been taken for amendment of Drugs and Cosmetics Rules.

Detaining of Kasiranga Express

1413. SHRI BEDABRATA BARUA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the down Kasiranga Express was detained for one hour and twenty five minutes in a wayside station some miles from Gauhati on the 10th January, 1979;

(b) whether this detention was done to facilitate train crossing;

(c) whether such detentions are considered normal by N.E.F.R. authorities; and

(d) whether any action has been taken to locate responsibility?

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

(b) 20 Dn. Kasmiranga Express which runs combined with 12 Dn. Barak Valley Express on Lumding-Gauhati section was detained for 1 hour and 7 minutes at Thakur-Kuchi station for crossings with 3 Up Assam Mail and one goods train.

(c) and (d). Although such detentions are not normal, this particular detention was investigated by railway and found unavoidable.

Starting of Guna-Bina Shuttle

1414. SHRI MADHAVRAO SCINDIA: Will the Minister of RAILWAYS be pleased to state:

(a) whether a number of new trains including Guna-Bina Shuttle train were to be started from 26th January, 1979;

(b) if so, details thereof;

(c) whether starting of a number of these new trains were delayed by the Zonal Railway authorities; and

(d) if so, the reasons therefor?

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

(b) Does not arise.

(c) and (d). Though introduction on an experimental basis of a train between Guna and Bina has been agreed to in principle, it has, however, not been found feasible at present to implement the same due to overall shortage of coaching stock.

Appointment of Casual Labour as Khalasis

1415. SHRIMATI PARVATHI KRISHNAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that casual labourers of less than 957 days are working with IOWs, CB and AMV in Northern Railway, Lucknow;

(b) if so, the steps being taken to confirm them;

(c) whether it is a fact that some of the casual labour with 956 days are not appointed as Khalasis and are unemployed;

(d) if so, their number; and

(e) steps being taken to see that such casual labourers are given jobs?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No casual labourers having less than 957 days of service as casual labour in broken spells of less than 120 days at a stretch, are working under IOW/AMV Lucknow. However, some casual labour having less than 957 days service are working under IOW/CB, Lucknow.

(b) They are not eligible at present for confirmation, which takes place in the order of seniority, after screening.

(c) to (e). Retrenched casual labour are re-engaged based on the availability of work and their interse seniority.

Pilfering of Coal from Wagons

1416. SHRI PABITRA MOHAN PRADHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that there has been frequent pilfering and open stealing of coal from the wagons when the coal-carrying railway trains were standing either in or outside the railway stations in the Talcher group of collieries; and

(b) if so, what steps have been taken to put a stop to such pilfering and stealing?

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

(b) In respect of pilferage of coal from collieries in railway lines lying in the jurisdiction of local police, cooperation has been established with the local police for prevention of thefts. In respect of South Baluda colliery where the weigh-bridge is located in the colliery itself the loads are taken over and escorted by the R.P.F. to prevent pilferage en route.

Strike in X-Ray Department of Willingdon Hospital

1417. SHRI MAHI LAL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the employees particularly technical of X-Ray Department of Willingdon Hospital are on strike for several weeks;

(b) if so, their demands and the steps taken to settle the dispute;

(c) whether this strike is causing very much inconvenience to the patients needing X-Ray therapy; and

(d) if so, what alternative arrangements have been made by the Hospital authorities for patients helping them to get themselves X-Rayed?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) No, Sir.

(b) to (d). Does not arise.

काराकोरम सड़क का निर्माण

1418. श्री कुबराज : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जम्मू व काश्मीर के मुख्य मंत्री शेख अब्दुल्ला ने 7 जुलाई, 1978 को श्रीनगर में हुए एक प्रेस सम्मेलन में, काराकोरम सड़क के निर्माण तथा पाकिस्तान, अफगानिस्तान, बर्मा और अन्य पड़ोसी देशों में हुई ताबा घटनाओं पर अपनी विस्तृत प्रकट की थी;

(ख) क्या उन्होंने यह भी कहा था कि काराकोरम सड़क के निर्माण से काश्मीर की खतरा बढ़ेगा है;

(क) क्या उन्होंने प्रधान मंत्री को, 8 जुलाई, 1978 को, अपनी इस विस्था के बारे में अवगत की कसबा था; और

(ख) यदि हाँ, तो इस संबंध में जम्मू व काश्मीर से पंजुल्ला का भय दूर करने के लिये क्या कार्यवाही करने का प्रस्ताव है और यदि कोई कार्यवाही करने का विचार नहीं है तो इसके क्या कारण हैं ?

विदेश मंत्रालय में राज्य मंत्री (श्री तनवीर हुसैन) : (क) और (ख). जी, हाँ ।

(ग) जी, नहीं ।

(घ) सरकार को भारत तथा इस सम्पूर्ण क्षेत्र के लिए काराकोरम राजमार्ग के निर्माण के सामरिक परिणामों के बारे में पूरी जानकारी है । सरकार ने इसके सम्बन्ध में विचार किया है और स्थिति का सामना करने के लिए पूरी तरह तैयार है । सरकार ने यह स्पष्ट कर दिया है कि भारत इस सड़क के निर्माण के कानूनी निहितार्थों को अनदेखा नहीं कर सकता ।

Super Tanker Berth at Cochin

1419. SHRI C. K. CHANDRAPPAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that the Shipping Corporation of India which is transporting the crude oil for Cochin Refineries which requires 260000 tonnes of crude every month, of which 200000 tonnes are brought from Gulf countries by big oil tankers like Rajendra Prasad and Zakir Hussain with a capacity of 115000 tonnes and the rest from Bombay High in smaller ships;

(b) is it a fact that the bigger oil tankers like Rajendra Prasad and Zakir Hussain are to anchor 12 kilometre off the coast and pump oil to smaller tankers which will take it to the port due to the reason that there is no facility for handling Super tankers; and

(c) If so, whether it is not proper and necessary to reconsider the decision of setting of Super Tanker Berth at Cochin for which lot of money had been spent and preliminary work done?

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

(c) A proposal for providing facilities for handling large size tankers has been received from Cochin Port.

Railway Lines in States with low Mileage

1420. SHRI VIJAY KUMAR N. PATIL: Will the Minister of RAILWAYS be pleased to state:

(a) whether there are plans to give priority in construction of railway lines in the States where the total rail mileage is very low as compared to other States; and

(b) if so, whether fresh surveys and estimates are undertaken on account of pressing public demands in such States for certain rail links?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b) Planning of new railway lines is closely linked with the transport requirements of concerned areas. Adequacy of anticipated traffic rather than the existing rail mileage is the guiding criteria in deciding on new line projects. Surveys are under taken only for such lines from which there is reasonable anticipation of traffic to justify the line.

परामर्शदात्री समिति की बैठकों के लिए नोटिस

1421. श्री मन्मथ सिंह चौहान : क्या संसदीय कार्य तथा जन्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सभासदन सभा में संसदीय परामर्शदात्री समिति की बैठकों के नोटिस स्थायी पते पर भेजे जाते हैं ?

(ख) क्या यह सच है कि ऐसे नोटिस सदस्यों को उनके स्थायी पतों पर भेजे जाते हैं जबकि वे दिल्ली में ही रह रहे होते हैं;

(ग) यदि हाँ, तो क्या सरकार का विचार ऐसे नोटिस दोनों पतों पर भेजे जाने के बारे में अनुदेश देने का है; और

(घ) क्या ऐसी बैठकों के लिए कार्यसूची की सदस्यों को समय पर नहीं मिल पाती है ?

संसदीय कार्य तथा जन्य मंत्री (श्री रवीन्द्र वर्मा) :

(क) से (घ). सभासदन सभा में के दौरान सभाकार समितियों की बैठकों के नोटिस तथा कार्यसूची और अन्य कागजात सदस्यों को उनके स्थायी पते और उनके दिल्ली के पते पर भेजे जाते हैं। इस कारण भाग (ग) में परिकल्पित अनुदेश जारी करने का प्रश्न ही नहीं उठता।

गांवों में बिक्रिस्ता सुविधाएं

1422. श्री वीरेन्द्र प्रसाद : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1978-79 में भारत के गांवों में बिक्रिस्ता सुविधायें उपलब्ध कराने के लिये भारत सरकार के बिक्रिस्ता विभाग द्वारा कितनी योजनाएँ चलाई गई हैं; और

(ख) इसमें क्या प्रगति हुई है और उसका ब्यौरा क्या है ?

स्वास्थ्य और परिवार कल्याण मंत्री (श्री रवि राव) : (क) और (ख). गांवों में बिक्रिस्ता तथा स्वास्थ्य सुविधाएं सुलभ कराने के लिए भारत सरकार ने जो योजनाएं प्रारंभ की हैं वे इस प्रकार हैं:—

1. बहु-उद्देश्यीय कार्यकर्ता योजना।
2. जन-स्वास्थ्य रक्षक योजना।
3. दाई प्रशिक्षण योजना।
4. बिक्रिस्ता-शिक्षा के अनुकूलन की योजना।

ये योजनाएं 1978-79 से पहले ही प्रारंभ कर दी गई थीं और उन्हें 1978-79 में सुदृढ़ किया गया/बढ़ाया गया।

1-8-78 की स्थिति के अनुसार बहु-उद्देश्यीय कार्यकर्ता योजना के अन्तर्गत विषय-परिचालक प्रशिक्षण बैच के 88 विचारों में पूरा कर लिया गया है। अन्य 129 विचारों में यह प्रशिक्षण कार्यक्रम चल रहा है।

इसी प्रकार, जन स्वास्थ्य रक्षक योजना भी, जो सन्तम्बर, 1977 में आरम्भ की गई थी सन्तम्बर, 1978 से और 1056 ग्राम्यर हेल्थ सेंटरों में चलाई गई है।

दिसम्बर, 1978 तक लगभग 66,000 जन स्वास्थ्य रक्षकों को प्रशिक्षण दिया जा चुका है। 1978-79 में दार्जिलिग प्रशिक्षण योजना के अन्तर्गत उल्लेखनीय प्रगति हुई है। बताया है कि 1978-79 तक लगभग 97,000 दार्जिलिग प्रशिक्षण प्राप्त कर गेगी।

चिकित्सा शिक्षा के अनुसूचल की योजना के अन्तर्गत संकाय सदस्यों और चिकित्सा छात्रों को सामुदायिक स्वास्थ्य का परिचयात्मक ज्ञान देने के लिए प्रत्येक मेडिकल कालेज को तीन-तीन बोर्डाइल क्लिनिक दिखे जा रहे हैं। ये बोर्डाइल यूनिटें ग्रामीण जेलों में विशेषज्ञ सेवाएं भी प्रदान करेंगी।

रेलवे बोर्ड के हिन्दी अलिस्टेंट

1423. श्री राजलाल तिवारी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलवे बोर्ड के हिन्दी अलिस्टेंटों को अन्य अलिस्टेंटों की भांति अनुभाष अधिकारी के लिये विभागीय परीक्षा में बैठने की अनुमति नहीं दी जाती है;

(ख) यदि हां, तो इसके क्या कारण हैं;

(ग) क्या सरकार का विचार इस असमानता को दूर करने और हिन्दी अलिस्टेंटों को अनुभाष अधिकारी की विभागीय परीक्षा में बैठने की अनुमति देने का है; और

(घ) यदि हां, तो कब तक और यदि नहीं, तो इसके क्या कारण हैं।

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

(ख) से (घ). भर्ती नियमों के अनुसार, रेलवे बोर्ड सचिवालय सेवा के सहायक और रेलवे बोर्ड सचिवालय प्राबुद्धिक सेवा के ग्रेड 'सी' प्राबुद्धिक, जिन्होंने इन सेवाओं में 5 वर्ष की सेवा पूरी कर ली हो, ही इस समय सीमित विभागीय प्रतिपरीक्षा परीक्षाओं में बैठने के पात्र हैं। केन्द्रीय सचिवालय सेवा की भांति, हिन्दी सहायकों का संबंध रेलवे बोर्ड सचिवालय सेवा के अन्तर्गत नहीं आता। हिन्दी सहायकों के पर संबंध आने पर ही और ये सब रेलवे बोर्ड सचिवालय सचिव के अधीन सेवा के उन अवर ग्रेडों और अवर ग्रेडों सिटिजनों में से बरे जाते हैं जिनकी सेवा में सीनर ग्रेड की नियमित सेवा पूरी हो चुकी हो तथा जो हिन्दी

में स्वातंत्र्य हों। रेलवे बोर्ड सचिवालय सेवा के सहायकों के मामले में, 50 प्रतिशत स्वाधीन रिक्तियां और सभी अस्थायी रिक्तियां प्रवर ग्रेडों सिटिजनों की पदोन्नति द्वारा भरी जाती हैं। सहायकों की सामान्य कोटि में पदोन्नति के लिए केवल प्रवर ग्रेडों सिटिजनों ही पात्र होते हैं, जबकि हिन्दी सहायक के पद के लिए हिन्दी का ज्ञान रखने वाले अवर ग्रेडों सिटिजनों की पात्र होते हैं। इस प्रकार, हिन्दी सहायकों के प्रवरण में विशेषण का तत्त्व विद्यमान है। मूल सिटिजनों-वर्गीय संबंध में बरिष्ठ कर्मचारियों की अपेक्षा, रेलवे बोर्ड सचिवालय सेवा के अनुभाष अधिकारियों के संबंध में पदोन्नति के लिए, हिन्दी सहायकों की परीक्षा में बैठने की अनुमति देने का कार्य होना प्रापतजनक अवधान करना। इसके अलावा, हिन्दी निदेशालय में ग्रेड I और II के पदों के लिए केवल हिन्दी सहायक ही पात्र होते हैं, सामान्य कोटि के सहायक उन पदों के लिए पात्र नहीं होते। पदोन्नति की पुनः सरणियां उपलब्ध होने के कारण, रेलवे बोर्ड सचिवालय सेवा के सहायकों और हिन्दी सहायकों के बीच किसी प्रकार के भेदभाव का प्रश्न ही नहीं उठता।

Amount due from M/s. Pure Drinks Pvt. Ltd.

1424. SHRI SARAT KAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Rs. 17.30 lacs have become due from M/s. Pure Drinks Pvt. Ltd., New Delhi and M/s. Oriental Building Furnishing Co. Pvt. Ltd.;

(i) on account of arrears of rent for the period from 1st January 1968 to 31st December, 1972 (ii) rent for unlawful retention and encroachment of land during July, 1973 to June, 1978 (iii) interest accrued on rent; and

(b) how Government propose to recover?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) A plot of Railway land was leased to M/s. Oriental Building and Furnishing Co. (P) Ltd. and M/s. Pure Drinks (New Delhi) Pvt. Ltd. are their associate concern. The total amount due from M/s. Oriental Building and Furnishing Co. (P) Ltd., upto June, 1978 on account of

arrears of rent from 1st January, 1966 to 31st December, 1972, damages for unlawful retention from 1st January 1973 and interest etc. works out to about Rs. 17.75 lakhs after adjusting the amount already paid by them and security deposit etc. available with the Railways.

(b) The Railways have already filed suits for the recovery of arrears and damages in the Court of Estate Officer, Northern Railway, New Delhi. The firm have, however, filed a writ petition and obtained a stay order from the Delhi High Court. The entire issue is sub judice and further action to recover the outstanding amount from the firm can be taken only after the cases have been finally decided by the Court.

**Encroachment on Railway Land by
M/s. Pure Drinks Pvt. Ltd., New
Delhi**

1425. SHRI RAMDEO SINGH:
Will the Minister of RAILWAYS be
pleased to state:

(a) the details of encroachment of
Railway land by M/s. Pure Drinks
Pvt. Ltd., New Delhi; and

(b) within what period the Ministry will eject them of illegal and unauthorised occupation of land?

THE MINISTER OF STATE IN
THE MINISTRY OF RAILWAYS
(SHRI SHEO NARAIN): (a) and
(b). Railway land measuring 2,743,
sq. yards, near Minto Bridge station
was leased to M/s. Oriental Building
and Furnishing Co. Private Ltd. for
the specific purpose of stacking or
storing material and parking of
vehicles only. M/s. Pure Drinks
(New Delhi) Private Ltd. are their

associate concern. Lease of the firm
was terminated with effect from
31st December 1972 but they have
so far not vacated the area.

Eviction proceedings against the
firm have already been initiated
under Public Premises (Eviction of
Unauthorised Occupants) Act, 1971
in the Court of Estate Officer, Nor-
thern Railway, New Delhi. The firm
has, however, filed a writ petition
and obtained a stay order on the
eviction case from the Delhi High
Court and the entire issue is sub
judice. Further action in the matter
can be taken only after the cases
have been finally decided by the
Court. It is, therefore, not possible
to state when the eviction will be
completed.

बस स्ट नं० 920

1426. श्री राम सिंग : क्या नौबतुन और
परिवहन मंत्री यह बताने की कृपा करते हैं :

(क) क्या दिल्ली परिवहन निगम ने लारेंस रोड
से केन्द्रीय सचिवालय और रीगल तक बस स्ट नम्बर
920 का किराया 30 पैसे से बढ़ाकर 80 पैसे कर
दिया है;

(ख) क्या उक्त डी.टी.सी. बस स्ट में लारेंस
रोड के निवासियों से, जिनमें से अधिकांश कम आय
वर्ग के लोग हैं, लगभग दो वर्षों तक 60 पैसे किराया
लिया जा रहा था परन्तु कुछ महीने पहले वहाँ नया
सर्वेक्षण कराने के बाद यह किराया कम करके 30
पैसे कर दिया गया था;

(ग) क्या लारेंस रोड से रीगल तक बस स्ट
नम्बर 920 को 9 फरवरी, 1979 तक 9 किराया
स्टैंड केवल थी परन्तु 10 फरवरी, 1979 को इसे
बढ़ाकर 11 कर दिया गया और किराया 30 पैसे से
बढ़ा कर 80 पैसे कर दिया गया है;

(घ) यदि हाँ, तो इसके कारण और ज़ीरा
क्या है; और

(ङ) क्या लारेंस रोड में सी-8 और सी-2
क्लास की बीच की दूरी केवल 200 मीटर है परन्तु
रीगल से सी-2 क्लास का किराया 50 पैसे है जबकि
सी-8 तक का किराया 80 पैसे है ?

नैलान और कलकतन संसदम में प्रचारी राज्य
 (बी) की (बी) राज्य) : (क) जी, हाँ। भाड़े को 30
 11-2-1979 से 21-2-1979 तक प्रचारी
 रहा।

(ब) जी, हाँ।

(ग) और (घ) भूतपूर्व दु-दावर पद्धति वाले
 भाड़ों पर दूरी का ध्यान न रखते हुए चाहे वह 16
 कि.मी. हो प्रचारी अधिक परन्तु 20 कि.मी. से कम
 हो, जहाँ कि एक टर्मिनल से दूसरे टर्मिनल तक का
 भाड़ा 30 पैसे या को 9 भाड़ा स्टेज थी। वर्तमान
 भाड़ा डाँचे के प्रत्येक भाड़ा स्टेजों के वास्तविक
 दूरियों के आधार पर तय किया गया है। 920 रुट
 की दूरी 19.8 कि.मी. है। 11-2-1979 से स्टेजों
 को नई भाड़ा पद्धति में भी समायोजित कर दिया
 गया और भाड़े को लारेंस रोड से रीगल तक 80 पैसे
 तय कर दिया गया।

(ङ) 22 फरवरी, 1979 से लागू प्रचारी
 संशोधित भाड़ा रीगल से लारेंस रोड डी० डी० ए०
 कालोनी के सभी प्रादेशीय ग्लाकों तक 50 पैसे है।

Railway Line in Backward/Tribal Areas of Gujarat

1427. SHRI CHHITUBHAI GAMIT:
 SHRI K. PRADHANI:

Will the Minister of RAILWAYS be
 pleased to state:

(a) whether there is any proposal
 under the consideration of Govern-
 ment to relax the condition of econo-
 mic viability regarding laying lines in
 rural areas and particularly backward
 and tribal areas in the country; and

(b) if so, what is the number of
 such railway lines in the backward/
 tribal areas of Gujarat and Orissa
 Pradesh, proposed to be laid during
 the current financial year?

THE MINISTER OF STATE IN THE
 MINISTRY OF RAILWAYS (SHRI
 SHEO NARAIN): (a) The question of
 evolving a rational criteria for laying
 railway lines in backward areas where
 railway investments would not normal-
 ly be financially viable, is under ex-
 amination by the National Transport

Policy Committee appointed by the
 Planning Commission. The new policy
 regarding railway lines in backward
 areas will be laid down after considera-
 tion of the recommendations of this
 Committee.

(b) The question of new lines for
 backward areas in Gujarat and Orissa
 under the new criteria does not arise
 at this stage.

Proposal for opening Uri and Sialkot Road

1428. SHRI ABDUL AHAD VAKIL:
 Will the Minister of EXTERNAL AF-
 FAIRS be pleased to state whether
 Government of India has proposed to
 Government of Pakistan for opening
 Uri Road in Kashmir and Jammu, Sial-
 kot Road in Jammu, for trade and
 tourist as a step towards further nor-
 malisation of relation between the two
 countries?

THE MINISTER OF STATE IN THE
 MINISTRY OF EXTERNAL AFFAIRS
 (SHRI SAMARENDRA KUNDU): No.
 Sir.

Secret Police Agents in Iranian Embassy

1429. SHRI ARJUN SINGH BHA-
 DORIA: Will the Minister of EXTER-
 NAL AFFAIRS be pleased to state:

(a) whether the Government has
 seen the statement of five officials of
 the Iranian Embassy in New Delhi
 that some of the officials in Iranian
 Embassy are associated with the Secret
 Police agency of Iran; and

(b) if so, whether Government will
 check up that officials in other Emba-
 sies do not belong to the secret agency
 of their country and enjoying diplo-
 matic facilities in India?

THE MINISTER OF STATE IN THE
 MINISTRY OF EXTERNAL AFFAIRS
 (SHRI SAMARENDRA KUNDU): (a):

The Government has seen the press report purported to have been issued by the five officials of the Iranian Embassy in New Delhi.

(b) the functions of a diplomatic mission are clearly laid down in the Vienna Convention of 1961. Article 3 of the Convention outlines those functions which include, *inter alia*, ascertaining by all lawful means conditions and developments in the receiving state and reporting thereon to the Government of the sending state. If any diplomatic representative is found to function in violation of the Convention, the Government will take suitable action.

Survey of Rural Roads

1430. SHRI S. R. DAMANI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have conducted any survey regarding the development of rural roads; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). Rural Roads are a State subject. The State Governments are, therefore, concerned in the matter.

Military activity in Indian Ocean

1431. SHRI AMAR ROYPRADHAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the United States is avoiding resumption of talks on limiting military activity in the Indian Ocean; and

(b) if so, what are the details in this regard and reaction of Government thereto?

4328 LS-3

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) and (b). USA and USSR have held four rounds of talks in 1977-78 on what newspaper reports have described as "approaches leading to arms limitation in the area". The fourth round of the USA-USSR bilateral talks on the Indian Ocean was held in Switzerland in February, 1978. No concrete progress appears to have been made on this occasion. Both sides merely agreed to meet again on an unspecified date. No talks have been held since.

The Government of India has expressed its disappointment to both the USA and the USSR over the suspension of their bilateral talks on the Indian Ocean and has also expressed the hope that the talks would be resumed without much delay.

Vacancy in Medical Council of India Since 1965

1432. SHRI C. N. VISVANATHAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the vacancy in the Medical Council of India resulting from expiry of the term of Dr. T. V. Sivanandam on 5-2-1965 has still not been filled;

(b) whether it is also fact that the nomination of the Returning Officer under Rule 2(d) of the Indian Medical Council Rules, 1957 is still to be decided; and

(c) the steps proposed to obviate such delays?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) The terms of membership of Dr. T. V. Sivanandam expired on 5th February, 1965, but he still continues to represent on the Medical Council of India u/s 7(2) of the Indian Medical Council Act, 1956. The vacancy, therefore, cannot be said to have arisen;

(b) Yes, Sir. Government of Tamil Nadu have been requested to suggest a suitable name for appointment as 'Returning Officer'.

(c) Clause (2) of section 7 of the Indian Medical Council Act, 1956, provides that 'a member shall hold office for a term of five years from the date of his nomination or election or until his successor shall have been duly elected or nominated, whichever is longer'. As the provisions of the Indian Medical Council Act, 1956, provides that a member can continue to be the member of the Council until his successor is elected/nominated, the vacancy cannot be said to have arisen on the expiry of the term of a member. However, the concerned State Governments are requested to initiate necessary action to fill up the vacancy as early as possible, as and when the term expires.

बांसवाड़ा-डूंगरपुर जनजातीय क्षेत्रों में रेल लाइन

1433. श्री हीरा साई : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बांसवाड़ा-डूंगरपुर जनजातीय क्षेत्रों में रेल लाइन बिछाने के लिये सर्वेक्षण किया जा चुका है;

(ख) यदि हाँ, तो यह कब किया गया था और वहाँ पर रेल लाइन का निर्माण कब तक किया जायेगा और रेल सेवा कब तक प्रारम्भ की जायेगी; और

(ग) यदि नहीं, तो उसके क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) से (ग) : रतलाम और बांसवाड़ा के बीच बड़े आमान की रेल लाइन के निर्माण के लिए तथा उसे डूंगरपुर तक बढ़ाने के लिए भी 1977 में प्रारंभिक ईकीमिचरी तथा मातायात सर्वेक्षण किये गये थे। यह परियोजना वितीय कृष्टि से अर्बुद नहीं पायी गयी थी। वितीय संसाधनों की कठिनाई और अनुभवशून्यता तथा अर्बुद के कारण, इस लाइन का निर्माण हाल में नहीं किया गया है।

बनिकों की विदेशों में भेजने की पद्धतियों को पुनर्गठन

1434. श्री नारत सिंह चौहान :

श्री बाबूदेव बस :

श्री स्वात्मलाल शुर्वे :

क्या संसदीय कार्य तथा जन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अधिकों को विदेशों में भेजने की वर्तमान पद्धति शोधपूर्ण है और उससे प्रष्टाचार को प्रोत्साहन मिलता है; और

(ख) यदि हाँ, तो उसमें सुधार लाने के लिये भूतकाल में किये गये प्रयासों का व्यौरा क्या है और उसके क्या परिणाम निकले ?

संसदीय कार्य तथा जन मंत्री (श्री रवीन्द्र वर्मा) :

(क) वर्तमान प्रक्रिया प्रष्ट भर्ती अधिकरणों के हाथों भारतीय अधिकों की शोधन संबंधी शिकायतों को ध्यान में रख कर अक्टूबर, 1976 में अपनाई गई थी। इस में विद्यमान कृष्टियों को दूर करने और इस में सुधार करने के उद्देश्य से इस की पुनरीक्षा की जा रही है।

(ख) सरकार ने अक्टूबर, 1976 में जो नियंत्रण उपाय राख किये थे, उनका प्रष्ट अधिकरणों और उनके विदेशी मालिकों द्वारा भारतीय अधिकों के शोधन की रोकथाम पर प्रष्टा प्रभाव पड़ा है। सरकार ने भारत में अधिकरणों और विदेश में उनके मालिकों द्वारा प्राप्त किये जाने हेतु शर्तें निर्धारित की हैं। केवल ऐसी शर्तों पर ही अधिकों को नियुक्त कर के विदेश भेजने की अनुमति दी जाती है, जिन्हें कि सरकार उचित समझती है। समुद्रपार रोजगार संबंधी जिस समिति ने समुद्रपार रोजगार के प्रश्न की जांच की थी, हाल ही में उस ने इस काम के पुनर्गठन के लिए सुझाव दिये हैं। सरकार इस समिति की सिफारिशों पर विचार कर रही है।

मुठ-निरपेक्ष देशों के व्यूरो की बैठक

1435. श्री कनुभा प्रसाद सास्त्री :

श्री अर्जुन सिंह जलोरीया :

क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकार ने दक्षिण अफ्रीका से रेल सेवा समाप्त करने और विस्थापन से अल्पसंख्यक श्वेत जाति को समाप्त करने एवं नामिबिया में स्वतन्त्र तथा निम्नज प्रमुख करने के लिये जनवरी, 1979 के अखिरम अफ्रीका में सोवियत में मुठनिरपेक्ष देशों के व्यूरो की बैठक में किस प्रकार की सहानुता देने का आग्रह किया; और

(ब) क्या सरकार जिम्बाबवे के स्वतन्त्रता विचारों को अपने सार्वजनिक संघर्ष के लिये हथियार और मोताबाकद देगी ?

विदेश मंत्रालय में राज्य मंत्री (श्री समरेन्द्र कुन्दु) : (क) और (ब) दक्षिण अफ्रीका की स्थिति पर विचार करने के लिए मापुसों में 26 जनवरी से 1 फरवरी, 1979 तक गुटनिरपेक्ष देशों के समन्वय व्यूरो की जो संसाधारण बैठक बुलाई गयी थी उसने सभी गुटनिरपेक्ष देशों से कहा था कि वे जिम्बाबवे और नामीबिया के मुक्ति आन्दोलनों को राजनीतिक, राजनयिक, सामग्रीगत और वित्तीय समर्थन देने में अन्तर्राष्ट्रीय समुदाय का नेतृत्व करें और दक्षिण अफ्रीका में राष्ट्रीय मुक्ति संघर्ष के अपने ठोस समर्थन को मात्रा और स्वरूप दोनों दृष्टियों से बढ़ा दें। गुट-निरपेक्ष देशों के समन्वय व्यूरो के एक सदस्य की हैसियत से भारत ने, जो कि इस बैठक के अन्तिम दस्तावेज को तैयार करने वाली प्राकृष्ट समिति का अध्यक्ष भी था, इस अधीन पर समुचित ध्यान दिया है। इस बैठक में भारत ने दक्षिण अफ्रीका के मुक्ति संघर्ष के लिये नैतिक, सामग्रीगत, राजनीतिक और राजनयिक समर्थन देने के अपने वचन की पुनः पुष्टि की। दक्षिण अफ्रीका के मुक्ति आन्दोलनों में हमारी सामग्रीगत सहायता का रूप और धाकार क्या हो इस बात का निश्चय को स्थिति-विशेष की आवश्यकताओं के संदर्भ में और इन आन्दोलनों के प्रति समग्र समर्थन की हमारी नीति के परिप्रेक्ष्य में, जो सर्वाधिक उपयुक्त हो उसक अनुस्यू किया जाता है।

Anti-leprosy vaccine

1436. SHRI F. P. GAEKWAD: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the leper population in India as against the world leper population and the percentage it forms part thereof;

(b) whether it is a fact that the Indian Council of Medical Research has developed anti-leprosy vaccine in the laboratory;

(c) are Government contemplating large-scale production of this vaccine;

(d) if so, how long will the disease take to disappear from India; and

(e) steps taken at present to arrest the spread of the disease at least among children?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) The estimated number of

Leprosy Patients in the world is about 12 million and that in India is about 3.2 million or about 26 per cent of the population of Leprosy patients.

(b) Not yet.

(c) Does not arise at this stage.

(d) With the existing methodology of detection and treatment of Leprosy cases, it is possible to reduce the incidence of the disease by about 50 per cent within the next 10 to 15 years; but complete eradication will require longer time.

(e) In areas covered by Leprosy Control Units and Survey, Education and Treatment Centres in endemic areas, school surveys are conducted for detection of the disease. Steps are taken for its early treatment. Child contacts of infectious cases are also given chemo-prophylactic treatment with D.D.S. tablets.

Joint Statement by Pakistan President and Malaysian Prime Minister

1437. SHRI P. M. SAYEED:

SHRI NIHAR LASKAR:

SHRI A. R. BADRINARAYAN:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it has been reported in the press that Kashmir has figured in the joint statement issued at the end of the four-day official visit to Pakistan by Malaysian Prime Minister;

(b) if so, whether the Indian Government has obtained the copy of the statement; and

(c) if so, the details of the same?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) to (c). In the joint statement issued in Islamabad on January 28, 1979, on the

visit of Mr. Dato' Hussein bin Onn, Prime Minister of Malaysia, to Pakistan, it was mentioned that "Both sides agreed that the question of Jammu and Kashmir should be resolved peacefully".

Import of Buses from U.K.

1438. SHRI DHIRENDRA NATH BASU: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that the Union Government has proposed to import about 1000 (One Thousand) 'buses' from the U.K. as per reported announcement by the Chairman, Bihar Transport Corporation;

(b) if so, what is the reason of importing the same from other countries when we are self sufficient enough to produce/manufacture them in India; and

(c) the details thereof?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Yes Sir. A proposal has been under consideration of the Government to import about 1500 bus chassis from U.K. under U.K. Aid, to meet the urgent needs of the various State Road Transport Corporations in the country.

(b) and (c). The imports are proposed in the context of current shortage of preferred models of chassis for heavy vehicles and are only to supplement the indigenous production which is not enough to meet the present requirements.

ईरान में भारतीय

1439. श्री मृत्युंजय प्रसाद : : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) ईरान की हाल की राजनैतिक अशांति के दौरान उस देश में कितने भारतीय व्यापारी, कर्मचारी तथा डाक्टर, इंजीनियर आदि व्यवसायी और अन्य श्रमिक थे और क्या उनमें से किसी को कोई शारीरिक अथवा वित्तीय क्षति हुई ;

(ख) यदि हां, तो तत्संबंधी ब्यौरा क्या है;

(ग) कितने भारतीयों को भारत वापस लौटने को बाध्य किया गया और उनकी वापसी तथा उनकी क्षतिपूर्ति दिलवाने के लिये क्या प्रबन्ध किये गये तथा तत्संबंधी ब्यौरा क्या है; और

(घ) क्या ईरान में रहने वाले भारतीयों की सुरक्षा के लिये कोई विशेष प्रबन्ध किये गये हैं और यदि हां, तो तत्संबंधी ब्यौरा क्या है ?

विदेश मंत्रालय में राज्य मंत्री (श्री समरेन्द्र कुण्डू) :

(क) से (घ) ईरान में भारतीय श्रमिकों की ठीक-ठीक संख्या मालूम नहीं है क्योंकि उनमें से बहुत से अनुज्ञा पत्रों के बिना काम कर रहे हैं और उन्होंने अपने आप को राजदूतावास में पंजीकृत नहीं कराया है ।

ईरान के हाल ही के दंगों का भारतीय समुदाय पर मोटे तौर पर कोई प्रभाव नहीं पड़ा । सितम्बर 1978 में तेहरान में एक भारतीय राष्ट्रिक जो कि एक अग्रवैध-अप्रवासी था, ईरान के मार्शल ला प्राधिकारियों द्वारा लगाए गए कर्फ्यू आदेश का उल्लंघन करने की वजह से मारा गया था । भारतीय राष्ट्रिकों की सम्पत्ति को नुकसान पहुंचाने के तीन मामले जानकारी में आये हैं । फरवरी 22, 1979 को जिस भारतीय राष्ट्रिक को एक अज्ञात आक्रमणकारी ने छुरा मार दिया था वह अब खतरे से बाहर है और उम्मीद की जाती है कि उसे दो तीन हफ्ते में अस्पताल से छुटी मिल जाएगी । दंगे के दौरान आर्थिक अव्यवस्था के कारण बहुत से भारतीय श्रमिकों को काम से अलग कर दिया गया है । करीब 6-7 हजार भारतीय राष्ट्रिक जिनमें परिवार भी शामिल हैं भारत लौट आये हैं और अगले कुछ दिनों में कुछ और लोगों की भारत लौट आने की सम्भावना है । इन में से कुछ को आवश्यकता पड़ने पर, एयर इंडिया की विशेष उड़ानों के द्वारा भी देश प्रत्यावर्तित किया गया । हमारा राजदूतावास इस बात की हर मुमकिन कोशिश कर रहा है कि भारतीय कर्मचारियों का कुल भुगतान जो कि उन की नौकरी की संविदाओं की शर्तों के अनुसार उन्हें मिलना चाहिए, यथा शीघ्र मिल जाए ।

ईरान में कोई भारत विरोधी भावना नहीं है, फिर भी तेहरान स्थित हमारा राजदूतावास ईरान में रहने वाले भारतीयों की सुरक्षा और कल्याण के लिये पर्याप्त प्रतिबंध कराने के उद्देश्य से ईरानी अधिकारियों से निरन्तर सम्पर्क बनाए रहा है । राजदूतावास कुछ चुने हुए स्थानों पर भारतीय समुदाय के लोगों से भी सम्पर्क बनाए रहा और उन्हें यह सख्त हिदायत दी कि वे नियमों का पालन करें और ऐसी जगहों पर न जायें जहां गड़बड़ की आशंका हो ।

इंडियन रेड क्रॉस एम्पलाईज यूनियन को मान्यता दिया जाना

1440. श्री उपसेन : क्या स्वास्थ्य और परिवार कल्याण मंत्री 4 मई, 1978 के अंतरांकित प्रश्न संख्या 6193 के उत्तर में सन्दर्भ में, जिसमें यह बताया गया

जा कि यूनियन रैड क्रॉस सोसाइटी एम्पलाईज यूनियन, जो अधिक संघ प्रतिनिधित्व के अंतर्गत पंजीकृत है, की मान्यता देने का प्रश्न रैड क्रॉस मूल्यांकन की प्रत्यक्ष समिति के विचारार्थ है, यह बताने की कृपा करें कि इस यूनियन को, जो अधिक संघ विचार प्रतिनिधित्व के अंतर्गत एक पंजीकृत यूनियन है, मान्यता देने में विस्तार के क्या कारण हैं ?

स्वास्थ्य और परिवार कल्याण मंत्री (श्री रवि राय) : भारतीय रैड क्रॉस सोसाइटी ने यह सूचित किया है कि इस सोसाइटी की प्रत्यक्ष समिति ने अन्य कारणों के साथ-साथ यह संकल्प पारित किया कि यदि वह पाया जाए कि तृतीय और चतुर्थ श्रेणी के कर्मचारियों की कोई सोसाइटी अथवा यूनियन कर्मचारियों के बहुमत का प्रतिनिधित्व करती हो तो उस स्थिति में महा-सचिव उस श्रेणी के कर्मचारियों की प्रतिनिधि के रूप में ऐसी यूनियन को मान्यता दे सकते हैं। इस सम्बन्ध में अनुवर्ती कार्यवाही की जा रही है। इस समस्या के सभी पहलुओं का अत्यन्त सावधानीपूर्वक अध्ययन और मूल्यांकन किया जा रहा है। सोसाइटी की विशेष भूमिका, कार्य और नैतिक दायित्वों के कारण ऐसा करने में समय लग रहा है। तथापि, एक प्रतिनिधि यूनियन के रूप में इस यूनियन को मान्यता दिये जाने तक यूनियन द्वारा दिए गए सभी अध्या-वेदनों पर विद्यमान विचार, किया जा रहा है और इनमें से किसी भी अध्या-वेदन को इस आधार पर अस्वीकार नहीं किया गया कि इस यूनियन को एक प्रतिनिधि यूनियन के रूप में मान्यता नहीं दी गई है।

Legislation on Minimum Wages for Agricultural Labourers

1441. SHRI HITENDRA DESAI:
Will the Minister of PARLIAMEN-
TARY AFFAIRS AND LABOUR
be pleased to state:

(a) is government considering to bring central legislation on minimum wages for agricultural labourers; and

(b) if so, when will the said bill be introduced in Parliament?

THE MINISTER OF PARLIA-
MENTARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA): (a)
There is a central law on minimum
wages, namely Minimum Wages Act,
1948, which is applicable to agricul-
tural labourers, also.

(b) Does not arise, in view of the
answer (a) above.

मेटरल रोड प्रोजेक्ट के अखीन राष्ट्रीय राजमार्गों का निर्माण

1442. श्री विनायक प्रसाद दास्य : क्या मौजहून
और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश के आसाम
तक (अमीनगांव तक) बरास्ता दरभंगा तथा कोरबिस-
गंज, एक राष्ट्रीय राजमार्ग के निर्माण पर कार्य, मेटरल
रोड प्रोजेक्ट के अखीन वर्ष 1962 के लगभग शुरू किया
गया था ;

(ख) क्या यह भी सच है कि उक्त राष्ट्रीय राजमार्ग
दरभंगा सैनिक हवाई अड्डे तक बताया गया था
और उसका और आगे निर्माण बन्द कर दिया गया
था ; और

(ग) यदि हां, तो क्या इसे दरभंगा से कोरबिसगंज
तक बढ़ाने का कोई प्रस्ताव है, और यदि नहीं, तो इसके
क्या कारण हैं।

मौजहून और परिवहन मंत्रालय में प्रचारी राज्य
मंत्री (श्री राय राय) : (क) से (ग) संभवतया
सर्वसम महोदय का आशय केन्द्रीय सहायता से सम्बन्धित
राज्य सरकारों द्वारा विकसित की गई उस मेटरल
सड़क से है जो उत्तर प्रदेश में बरेली से पीलीभीत-सखी-
मपुर-नानपारा-बोगरियागंज-बस्ती-कसिया-पिपलकोठी-
मजफरपुर-बरीली-मुनियां-अररिया-ठाकुरगंज-बा सता-
हाजिमारा - भासका - संकोष- काष्ठाव-सिबली से
होते हुए असम में अमीनगांव तक जाती है और उत्तर
प्रदेश, बिहार, पश्चिम बंगाल और असम से गुजरती
है। यह सड़क राष्ट्रीय राजमार्ग नहीं है। परन्तु, इसका
कुछ भाग राज्य सड़क का है और कुछ राष्ट्रीय
राजमार्ग का। दरभंगा और कोरबिसगंज पारस्परिक सड़क
के उपरोक्त मार्ग पर नहीं पड़ते। दरभंगा और
कोरबिसगंज के बीच की सड़क विकसित होने पर राज्य
सड़क होगी और इसके निर्माण कार्य का सम्बन्ध
बिहार सरकार से होगा।

Reservation of Berths in Frontier Mail and Delux Trains

1443. DR. BALDEV PARKASH:
Will the Minister of RAILWAYS be
pleased to state:

(a) the total number of berths in
Frontier Mail and Delux trains from
Amritsar to Bombay and the quota of
berths in each train to be reserved
from Amritsar to Bombay respectively;

(b) the number of chair car seats in
Hind class air conditioned coach from

Amritsar to Bombay and the quota of sitting seats reserved from Amritsar to Bombay;

(c) whether the long distance passengers travelling from Bombay to Amritsar in Delux train on reserved seats have got to change their chair cars at New Delhi and shift to another car and if so, why the long distance passengers are put to such inconvenience when direct chair cars are also provided from Bombay to Amritsar; and

(d) whether any complaint to this aspect has been received by him and the Chief Commercial Superintendent Western Railways, Churchgate Bombay; and if so, the action taken on it?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). The information of accommodation in bogies running between Amritsar and Bombay is as under:—

	4 Up Frontier Mail		26 Up A. C. Express	
	Total accommodation	Quota for Amritsar	Total accommodation	Quota for Amritsar
ACG First. . . . .	..	..	18	4
First.	22	13	44	8
AC-2 Tier. . . . .	..	..	48	8
2nd Sleepers.	75	55	249	48
AC Chair Seats. . . . .	..	..	219	34

The above quotas have been earmarked on the basis of traffic pattern offering from various points including Amritsar. As bulk of traffic moves from Delhi, major portion of accommodation has been earmarked for booking from Delhi. The utilisation of accommodation is reviewed from time to time and suitable adjustments in quotas are made as warranted by traffic pattern offering from different stations.

(c) No, except in cases when accommodation in Bombay-Amritsar through coaches available for booking at Bombay Central has been fully booked and passengers choose to travel upto New Delhi at their own request.

(d) During last six months one complaint in respect of 25 Dn Deluxe and one for 8 Dn Frontier Mail was received in February, 1979, for erroneous booking of Amritsar

passengers in New Delhi coaches. Suitable action has been taken against the erring staff.

Shipyard at Tuticorin

1444. SHRI K. T. KOSALRAM: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether there is a pending proposal for the construction of a shipyard at Tuticorin, Tamil Nadu; and

(b) if so, when this project of shipyard at Tuticorin will be taken up for implementation and the reasons for the delay in implementing this project?

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

(b) Does not arise.

Ratio of Qualified Doctors to Population

1446. DR. VASANT KUMAR PANDIT: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) what is the ratio of qualified doctors compared to the population of the country as on 31st December, 1978;

(b) how many Primary Health Centres are running in the country under the Rural Health Scheme;

(c) whether Government has formulated a National Medical Education policy; and

(d) if so, the main recommendations concerning quantitative and qualitative development of trained health personnel in all categories?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) As per the Indian Medical Register maintained by the Medical Council of India, nearly 2,25,756 doctors are registered in the country upto December, 1977. This accounts for a doctor population ratio of 1:3135 on a conservative basis. The ratio of economically active doctors is estimated to be 1:3730 taking into account the attrition due to migration, retirement, death etc. The corresponding figures for 1978 are not available.

(b) 5480.

(c) and (d). The Government of India have prepared a draft paper on the National Medical Education Policy which was discussed at length at the Fifth Joint Conference of the Central Council of Health and Central Family Welfare Council, held in New Delhi on 6th, 7th and 8th October, 1978. The salient features of the proposed policy includes, a realisation and understanding of the potential of all systems of medicine, a realistic assessment of the health manpower requirements, constitution of a Health and Medical Education

Commission, reorientation of Medical Education, spatial distribution of Health manpower by incorporating, if necessary, obligatory rural service, provision of continuing education and utilisation of available knowledge from both ancient and modern systems of Medicine.

Working Hours of Loco Running Staff

1448. SHRI SUBHASH CHANDRA BOSE ALLURI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to consider the reduction of working hours for loco running staff of the railway employees; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Railways have been instructed to take measures to restrict the duty hours at a stretch of the running staff from the time of 'signing on' to the time of 'signing off' to 10 hours and provide them with relief thereafter, save in exceptional circumstances of unavoidable operational exigencies or of accidents, floods, etc. The Railway Administrations have already taken action to cover all passenger-carrying trains and about 82 per cent of the goods trains under the 10-hour rule and steps are being taken to bring the running staff of the remaining goods trains under the 10-hours rule. Sanction has already been issued for recruitment of additional staff required for implementation of the 10-hour rule.

Conversion of Mysore-Bangalore Line

1449. SHRI C. K. JAFFER SHARIEF: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Union Government have taken any decision on a preliminary engineering-cum-traffic survey

carried out by the Railway on the demand for the conversion of the Mysore Bangalore metre gauge into broad gauge;

(b) if so, the details thereof;

(c) whether Government have given any due consideration to the demand for retention of the Yelahanka-Bangarpet narrow gauge line also; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Yes. Conversion of Bangalore-Mysore MG line to BG has been included in the budget for 1979-80, at an anticipated cost of Rs. 14 crores.

(c) and (d). Final decision regarding retention or dismantling of the Yelahanka-Bangarpet narrow gauge line has not yet been taken.

Operational Research Methods for Hospital Management

1450. SHRI D. N. TIWARY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the operational research methods for hospital management has been examined for introduction in hospital management;

(b) if so, the results thereof; and

(c) whether it is a fact that this method has been experimented in Railways hospitals with good results?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) and (b). The question of applying operational research methods for hospital management has not been specifically examined.

(c) Training courses tailored to suit the special conditions of rail-

ways were organised in January, 1974 and April-May, 1976. The results are stated to be satisfactory.

"4 Crores Looted from Job-Seekers"

1451. SHRI MANOHAR LAL:

SHRI R. L. P. VERMA:

Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether his attention has been drawn to the caption "4 crores looted from job-seekers, but no jobs" appearing in the 'Blitz' of 9th December, 1978; and

(b) the full details thereof and action proposed to be taken by Government against the guilty?

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

(b) The news item relates to the charges against M/s. Independent Consultancy Services Inc. Pvt. Ltd., New Delhi who are registered with the Ministry of Labour as an authorised recruiting agency for undertaking recruitment of Indian workers for employment abroad. This agency had sought Government's permission for deploying 4000 workers in Saudi Arabia for and on behalf of a foreign firm. M/s. Independent Consultancy Services Pvt. Ltd., New Delhi had earlier desired to associate some of the Indian recruiting agencies to handle the recruitment of workers. While the papers were under scrutiny, several complaints against the agency and some of their associates were received in the Ministry from various sources. The complaints are under investigation. Appropriate action will be taken as soon as the results of investigation are available to the Government.

Salem Karur Railway line

1452. SHRI R. KOLANTHAIVELU:
Will the Minister of RAILWAYS be
pleased to state:

(a) whether it is a fact that the
proposed broad gauge track from
Salem to Karur has been surveyed;

(b) if so, when was the survey com-
pleted; and

(c) the reasons for delay in finalisa-
tion despite reported representations
from Parliament Members from Tamil
Nadu?

THE MINISTER OF STATE IN
THE MINISTRY OF RAILWAYS
(SHRI SHEO NARAIN): (a) No.
There is no proposal under consi-
deration for a survey for Salem-
Karur broad gauge line.

(b) and (c). Do not arise.

**P. F. Dues against Shyam Bazar
Hotel, Calcutta**

1453. SHRI BRIJ RAJ SINGH:

SHRI HUKAM CHAND
KACHWAI:

Will the Minister of PARLIA-
MENTARY AFFAIRS AND LABOUR
be pleased to state:

(a) whether Shyam Bazar Hotel, 224,
Acharya Profulla Chandra Road, Cal-
cutta does not give the benefits of the
labour welfare laws to their employees
and if so, whether Government will
take action against the firm;

(b) the amount on account of pro-
vident fund paid by the firm during
the last three years and the amount
still outstanding;

(c) whether the people employed in
the above firm are kept on daily wage
basis and they are re-employed from
time to time after a break in their
service; and

(d) whether a larger amount of dues
of the E.S.I.S. is outstanding against

this firm and if so, the action being
taken by Government in this regard?

THE MINISTER OF STATE IN
THE MINISTRY OF LABOUR AND
PARLIAMENTARY AFFAIRS (DR.
RAM KIRPAL SINHA): (a) Action
can be taken by the "Appropriate
Government" if the specific labour
law which is not being complied with
is indicated.

(b) The Employees' Provident
Fund authorities have intimated that
during the last three years ending
December, 1978, the establishment
has paid a sum of Rs. 2153.50 and it
has still to pay a sum of Rs. 68
towards provident fund contribution
for June-July, 1977.

(c) The matter falls in the State
Sphere.

(d) Position in regard to the Em-
ployees State Insurance contributions
is being ascertained.

कार्मिकी शिक्षा के लिए डिप्लोमा केन्द्र

1454. श्री राजेन्द्र कुमार तर्मा: क्या स्वास्थ्य
और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे
कि :

(क) भारतीय चिकित्सा पद्धति और होम्योपैथी
पर नियमित कार्मिकी शिक्षा इस पद्धतियों के कार्मिकियों
के एजिटेशन के लिए 31 मार्च, 1979 तक पूरे देश
में कितने डिप्लोमा केन्द्र खोले गये हैं ;

(ख) इन केन्द्रों में प्रवेश की क्षमता क्या है ;
और

(ग) प्राथमिक वितीय वर्ष के दौरान ऐसे कितने
अतिरिक्त केन्द्र खोले जायेंगे और उत्तर प्रदेश में
इन की संख्या कितनी है ?

स्वास्थ्य और परिवार कल्याण मंत्री (श्री रवि
राव) : (क) व (ख) कृपया एकत्र की जा रही हैं और
समावेशन पर रख दी जायेंगी ।

Minister of State's visit to Philippines1455. **SHRI NARENDRA SINH:****SHRI SUBHASH CHANDRA
BOSE ALLURI:**

Will the Minister of **EXTERNAL AFFAIRS** be pleased to state:

(a) whether during the visit of the Minister of State in his Ministry discussions for stepping up of imports from Philippines were held with Government of that country recently; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) Yes, Sir.

(b) I discussed with the Philippines leaders the possibilities of import of their mineral products and cement. The matter is being pursued further through diplomatic channels.

Expansion Scheme of Cochin Shipyard1456. **SHRI SKARIAH THOMAS:****SHRI P. K. KODIYAN:**

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

(a) whether the Cochin Shipyard authority has sent a scheme to the Central Government for the expansion of the shipyard;

(b) if so, the total expenditure involved;

(c) whether the Central Government has sanctioned the scheme; and

(d) if so, the reasons thereof?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT

(SHRI CHAND RAM): (a) Yes, Sir.

(b) Rs. 22.88 crores.

(c) No, Sir.

(d) Does not arise.

समस्तीपुर-बरभंगा साइन को बड़ी साइन में बदलना

1457. श्री हुज्जतुल्लाह नारायण बाबू: क्या रेल मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या समस्तीपुर-बरभंगा रेल साइन को बड़ी साइन में बदलने के प्रस्ताव पर स्वीकृति कब दी गई थी और उस के बाद इस कार्य के स्वगन के क्या कारण हैं तथा यह कार्य कब तक पूरा हो जायेगा; और

(ख) सकरी-हसनपुर, बरभंगा-मुजफ्फरपुर और निरमली-जयनगर-सीतामढ़ी रेल लाइनों का निर्माण कब तक पूरा होगा?

रेल मंत्रालय में राज्य मंत्री (श्री सिद्ध नारायण):

(क) समस्तीपुर-बरभंगा साइन को आमाम परिवर्तन की अनुमोदित परियोजना का काम इसलिए शुरू नहीं किया जा सका क्योंकि वन राशि की तनी की और बाराबंकी-समस्तीपुर जैसी आमाम परिवर्तन की अत्यावश्यक परियोजना के काम को प्रागे बढ़ाना था।

(ख) सकरी-हसनपुर मीटर साइन का निर्माण एक अनुमोदित परियोजना है। इस परियोजना का काम 1979-80 में शुरू किया जायेगा। इस समय यह बताना कठिन है कि यह परियोजना कब तक पूरी होगी। इस समय बरभंगा-मुजफ्फरपुर बड़ी समर्थ साइन की तकनीकी व्यावहारिकता तथा वातावरण की सम्भावनाओं के निर्धारण के लिए सर्वेक्षण किया जा रहा है। इसके निर्माण का निर्णय सर्वेक्षण के परिणामों पर निर्भर करेगा। निरमली-जयनगर-सीतामढ़ी साइन के लिए कोई प्रस्ताव विचारणीय नहीं है।

Chinese build up in Indian Ocean

1458. **SHRI EDUARDO FALEIRO:** Will the Minister of **EXTERNAL AFFAIRS** be pleased to state:

(a) whether attention of Government has been drawn to reports of huge build up by the Chinese navy in the Indian Ocean; and

(b) if so, reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) No Sir.

(b) The Question does not arise.

M/s. International Trade Linkers

1459. SHRI K. LAKKAPPA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether it has come to the notice of Government that M/s. International Trade Linkers which has its agencies in Punjab, Delhi and Haryana has collected more than Rupees 30 lakhs from more than 400 persons for getting them jobs abroad;

(b) whether this firm is holding a genuine licence from his Ministry to transact their business;

(c) whether Government have received complaints in this regard from the persons who deposited money with this company;

(d) whether Government propose to enquire into this company about their involvement for collecting money from innocent persons for getting them jobs abroad; and

(e) if not, the reasons therefor?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) to (e). A firm by the name of M/s. International Trade Linkers with registered office at 1926 Sector 22 B, Chandigarh has been granted provisional registration. Some complaints alleging charging of money from individual job-seekers have been received. Two of these complaints were found to be anonymous as the Police authorities could not trace the complainants at the addresses given in the complaints. The remaining complaints are being investigated.

Abolition of Visa for People of Indian Origin in Africa

1460. SHRI D. D. DESAI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government is considering abolition of the visa requirement for people of Indian origin in Africa to visit India; and

(b) if so, whether this facility would be extended to all persons of Indian origin settled abroad?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) and (b). There is no general proposal under consideration by the Government for the abolition of visas for people of Indian origin who have become full-fledged citizens of other countries. Such people will continue to be governed by the regulations applicable to the nationals of the countries of which they have become citizens. However, in the case of persons of Indian origin holding U.K. Passports and ordinarily resident in Kenya, a proposal to abolish the visa requirement is being implemented.

Stopping of bookings of all categories of labour by two shipping companies

1461. SHRI BALASAHEB VIKHE PATIL: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) is it a fact that two shipping companies viz. Shipping Corporation of India and Scindia Steam Navigation Company have stopped bookings of all categories of labour including watchmen on board from 30th January 1970 as a protest against agitation by a section of watchmen at the Calcutta dock;

(b) if so, what action has Government taken to control the situation; and

(c) how far this agitation has affected the movement of vessels and incurrence of demurrage?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). Two shipping companies, namely, Shipping Corporation of India and Scindia Steam Navigation Company decided on 27th January 1979 to stop booking of all categories of Dock Labour Board workers as well as watchmen from 30th January 1979 in protest against the agitation of a section of watchmen at the Calcutta Docks. They, however, called off the proposed action on the intervention of the Chairman, Calcutta Dock Labour Board and the State Government of West Bengal.

(c) The agitation of watchmen particularly affected sailing of SCI vessel 'Archana' and Scindia vessel 'Jala Yamuna'. These two vessels are reported to have incurred loss of six days waiting time at the port which amounted to about Rs. three lakh loss in monetary terms. Further, other ships which could have utilised the two berths occupied by vessels 'Archana' and 'Jala Yamuna' could not do so. Since these two ships were general cargo ships, no demurrage on them or the cargo was incurred.

Platform difficulties at Bombay V. T.

1462. SHRI ANNASAHAB GOTK-HINDE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the composition of Mahalaxmi Express, S. C. Railways cannot be increased beyond 12 bogies because of platform difficulties at Bombay V. T.;

(b) whether the work of extending the reception platforms at Bombay V. T. is being neglected by the Central Railway; and

(c) if so, the reasons therefor and the time by which the said work would be completed and the composition of the said train increased?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The issue of augmenting the loads of 303/304 Mahalaxmi Express is linked up with adjustment in reception of trains after creation of additional maintenance facilities at Mazgaon in Bombay V.T. area which are in progress.

(b) No. There is no proposal at present for extending reception platform at Bombay V.T. However, a survey has recently been undertaken for augmenting terminal facilities at Bombay V.T.

(c) When additional facilities become available, augmenting the loads of 303/304 Mahalaxmi Express, alongwith similar other demands, will be duly considered.

New Family Welfare Programme

1463. SHRI MANORANJAN BHAKTA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government have formulated a new Family Welfare Programme and if so, main features therefor; and

(b) what steps are being taken to implement the programme particularly in rural areas of the country?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY) (a) Government of

India's Policy on the Family Welfare Programme is contained in the Family Welfare Policy Statement, dated 29th June 1977. It envisages, *inter alia*, raising the minimum age of marriage to 18 for girls and 21 for boys, earmarking 8 per cent of Central Assistance in the State Plans against performance in Family Welfare, higher priority and adequate outlay for maternal and child health, child nutrition and female literacy, introduction of population values in the educational system, new multi-media motivational strategies, involvement of all Departments of the Central and State Governments in the Programme, etc.

The Government of India are vigorously pursuing the Family Welfare Programme and have intensified the Educational and Motivational effort in order to further the voluntary acceptance of the small family norm. Nearly 10,000 orientation camps are being organised during this year for training Public Opinion Leaders. Special attention is being given to the promotion of mother and child care schemes and immunisation programme has been intensified. In order to encourage a healthy competition between the States/ Union Territories and non-official organisations, a scheme for National Awards has also been introduced. Special awards have also been announced for the performance under Family Welfare and Maternal and Child Health activities during January to March, 1979.

(b) In respect of rural areas, where the majority of population lives, special attention is being given to the improvement of maternity services through training of additional birth attendants (Dais). Nearly, 1,00,000 additional Dais are being trained during the current year in order to improve their skill so that the level of maternity care services in these areas improve.

These trained Dais are also being provided with necessary equipment and they are being increasingly involved in material and child care activities in the rural areas. The training facilities for Auxiliary Nurse Midwives who are posted in rural sub-centres have been augmented. The Community Health Workers' Scheme which is a part of the effort to provide Primary Health Care to the people in the remotest areas is also contributing to a better implementation of the Family Planning and M.C.H. aspects of the programme in the rural areas. The Community Health Workers have already started distributing condoms in rural areas.

Railway level crossing in Itarsi town

1484. SHRI HARI VISHNU KAMATH: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the Madhya Pradesh Government has undertaken to bear 50 per cent of the total cost of constructing a road overbridge of the railway level crossing in Itarsi town;

(b) if so, whether the Union Government will go ahead expeditiously with the working of building the overbridge; and

(c) if so, the details of the time and work schedule in connection therewith?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No. Matter is still pending with the State Government and their final decision is awaited.

(b) and (c). Do not arise.

दिल्ली नगर निगम द्वारा भविष्य निधि का जमा न कराया जाना

1465. श्री रत्नचारी सार्वजी : क्या संसदीय कार्य तथा अन्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनको पता है कि दिल्ली नगर निगम ने अपने कर्मचारियों की भविष्य निधि की लयभंग 30 लाख रुपये की राशि अब तक भविष्य निधि धायुक्त के पास जमा नहीं कराई है ;

(ख) यदि हां, तो सरकार क्या उपचारात्मक कार्यवाही कर रही है ; और

(ग) उपर्युक्त राशि जमा न कराने के लिए कौन अधिकारी जिम्मेदार है ?

जब तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (डा० राम कृपाल सिंह) : (क) भविष्य निधि प्राधिकारियों ने सूचित किया है कि अभी तक दिल्ली नगर निगम कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 की परिधि में नहीं आता है। परन्तु निगम द्वारा चलाए जा रहे निम्नलिखित प्रतिष्ठान स्वतंत्र रूप से अधिनियम की परिधि में आते हैं, क्योंकि ये अनुसूची 1 में निदिष्ट उद्योगों में लगे हैं, जिन पर यह अधिनियम लागू है :—

1. दिल्ली विद्युत प्रदाय संस्थान।
2. म्यूनिसिपल बर्कशाप।
3. म्यूनिसिपल म्यूजियम, टाऊन हाल।

दिल्ली विद्युत प्रदाय संस्थान, ने जो छूट प्राप्त प्रतिष्ठान है, भविष्य निधि धन-राशियों को म्यासी बोर्ड के पास हस्तांतरित कर दिया है। अन्य दो प्रतिष्ठानों में अब तक सांविधिक भविष्य निधि में भविष्य निधि संग्रहनों को जमा करा दिया है।

(ख) और (ग). प्रश्न नहीं उठते।

जंजीर खींचने की बटनावें

1466. श्री बीरल राम सारण : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली से चलने वाली किन रेल गाड़ियों में जंजीर खींचने की बटनावों की रिपोर्ट मिली है ;

(ख) क्या उन गाड़ियों में जंजीर खींचने की बटनावों से प्रतिदिन गाड़ियों का काफी समय बर्बाद होता है तथा वे गन्तव्य स्टेशन पर निर्धारित समय से बहुत बाद में पहुंचती हैं तथा इससे यात्रियों की सुरक्षा को भी ऊपर होता है ; और

(घ) जंजीर खींच कर गाड़ियों को रोकने के क्या कारण हैं तथा इस प्रकार की बटनावों को रोकने के लिए क्या उपाय किये गये हैं अथवा किये जा रहे हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री विजय नारायण) : (क) से (ग). एक विवरण संलग्न है।

(क) 1-4-78 से 31-1-79 तक की अवधि के दौरान उत्तर रेलवे पर दिल्ली/नई दिल्ली से चलने वाली जिन गाड़ियों के संबंध में खतरे की जंजीर खींचे जाने की रपट मिली, उनके नाम अनुबंध में दिये हुए हैं।

(ख) जी हां। प्रसामाजिक तत्वों द्वारा बिना लोके समझे खतरे की जंजीर खींचे जाने का परिणाम समय की काफी हानि होता है और मृच्छलाज्म्य प्रतिक्रिया स्वल्प अन्य गाड़ियों के समय पालन पर प्रभाव पड़ता है जिसका नतीजा गन्तव्य स्टेशनों पर गाड़ियों का देर से चलना होता है और परिणामस्वरूप यात्रियों को काफी असुविधा का सामना करना पड़ता है। खतरे की जंजीर के खींचे जाने, होख पाइनों के काटने और क्लैपेट बाल्वों के साथ छेड़छाड़ करने से यात्रियों की सुरक्षा और संरक्षा को खतरे की संभावना पैदा हो जाती है।

(ग) अपनी सुविधा के स्थान पर गाड़ी रोकने के लिए प्रसामाजिक तत्वों, तस्करों, बिना टिकट यात्रा करने वालों, बिछावियों, दूधियों, दैनिक यात्रियों द्वारा बड़े पैमाने पर खतरे की जंजीर खींचने का दुरु-प्रयोग किया जा रहा है। इस मुराई को रोकने के लिए रेल प्रशासन द्वारा निम्नलिखित उपाय किये गये हैं :—

1. गाड़ियों में बस टिकट परीक्षकों, रेल सुरक्षा दल/सरकारी रेलवे पुलिस के कर्मचारियों को सादी पोशाक में तैनात करना ;
2. खतरे के जंजीर निरोधी बत्तों द्वारा अचानक जांच करना जिनमें बस टिकट परीक्षक और रेलवे सुरक्षा दल के कर्मचारी शामिल रहते हैं ;
3. अग्रभिद्युत जंजीर खींचे जाने के लिए नोट किये हुए स्थानों पर अचानक जात लगाकर जांच करना ;
4. पोस्टर्स के माध्यम से अक्षचारों में, विभिन्न स्टाइलों आदि और महत्वपूर्ण स्टेशनों पर बस सम्बन्धित प्रशासी पर उद्घोषणाओं द्वारा वैसाविक अधिष्ठान बसाला ;

४-छतरे की बंजीर बीकने बावों को पकड़ने वाले व्यक्तियों को पारितोषिक प्रदान करना ।

७-बदनाम लोगों में चुनी हुई यादियों पर छतरे की बंजीर के उपस्कर को निष्क्रिय करना ।

असामाजिक तत्वों द्वारा छतरे की बंजीर अनधिकृत रूप से बीकने जाने की बुराई को रोकने के लिए स्वामीय सिविल और पुलिस प्राधिकारियों के सहयोग से अभिमान लेब कर दिये गये हैं । इन असामाजिक अतत्त्वों की गतिविधियों को रोकने के लिए राज्य सरकारों के साथ उच्चतम स्तर पर अनिष्ट सम्पर्क कायम रखा जा रहा है ।

विचारण

बड़ी साइन

- 12 डाउन
- 14 डाउन
- 33 अप
- 41 अप
- 45 अप
- 53 अप
- 84 डाउन
- 56 डाउन
- 40 डाउन
- 154 डा०
- 168 डा०
- 2 ए०जे०डी०]
- 2 डी०बी०के०
- 2 ए०टी०डी०
- 2 डी०डी०
- 6 डी०बी०
- 1 दू०यू०
- 1 डी०पी०]
- 2 एक०आई०डी०
- 1 डी०एस०
- 371 अप
- 1 डी०एस०यू०
- 341 अप
- 343 अप]
- 369 अप
- 337 अप
- 353 अप
- 331 अप
- 362
- 148
- 2 एम०डी०
- 4 एम०डी०
- 376 डा०
- 1 डी०यू०के०
- 8 डाउन
- 82 डाउन
- 104 डाउन
- 14 अप
- 30 डाउन
- 59 अप

- दिल्ली-हावड़ा एक्सप्रेस
- अपर इंडिया एक्सप्रेस
- जम्मू तबी मेल
- मसूरी एक्सप्रेस
- जन्ता एक्सप्रेस
- हिमाचल एक्सप्रेस
- दिल्ली-भारतपुरी एक्स०
- दिल्ली-बरेली पैस०
- दिल्ली-हावड़ा जन्ता एक्स०
- जयंती-जन्ता एक्सप्रेस
- विक्रमसिला एक्सप्रेस
- पैस०जर
- पैस०जर
- पैस०जर
- कटन
- कटन
- पैस०जर
- पैस०जर]
- पैस०जर
- पैस०जर
- दिल्ली-हरिद्वार पैस०जर
- पैस०जर
- दिल्ली-फिरोजपुर पैस०
- दिल्ली-बी गंगानगर पैस०
- दिल्ली-फिरोजपुर पैस०
- दिल्ली-अमृतसर पैस०
- दिल्ली-अमृतसर पैस०
- अमृतसर पैस०
- आगरा पैस०जर
- दिल्ली-मुरादाबाद एक्स०
- पैस०जर
- पैस०जर
- दिल्ली-बरेली पैस०
- पैस०जर
- एकान एक्सप्रेस
- ए०डी० एक्सप्रेस
- ए०सी० एक्सप्रेस
- डी०डी० एक्सप्रेस
- सकनक मेल
- बीकनगर एक्सप्रेस

- 86 डाउन
- 120 डाउन
- 156 डाउन
- 158 डा०
- 3 एम०पी०
- 47 अप
- 2 एम०एस०के०]

- आसाम मेल
- बीकनगी एक्सप्रेस
- सिनधुनिया मेल
- काशी-बिहनाबा एक्सप्रेस
- पैस०जर
- फलाईन मेल
- पैस०जर]]

मीटर साइन

- 89 अप
- 91 अप
- 93 अप]
- 99 अप]
- 201 अप
- 203 अप]
- 215 अप]
- 1 डी०एक०
- 5 डी०एक०
- 231 अप
- 213 अप
- 219 अप
- 1 डी०ई०
- 1 डी०डी०एस०
- 1 धार०डी०
- बीकनगर एक्सप्रेस
- बीकनगर मेल
- जोधपुर मेल
- हरियाणा एक्सप्रेस
- अहमदाबाद मेल
- अहमदाबाद एक्सप्रेस
- केतक एक्सप्रेस]
- पैस०जर
- पैस०जर
- जयंती जन्ता एक्सप्रेस
- अजमेर पैस०जर
- मेहसाना पैस०जर
- पैस०जर
- पैस०जर
- पैस०जर

इल्ली-राजहरा-अजमेरपुर रेल साइन

1467. श्री कुच्छेन सिंह :

श्री सरत कार :

श्री श्याम सुन्दर दास :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने इल्ली-राजहरा-अजमेरपुर नई रेल साइन के निर्माण संबंधी प्रस्ताव को अनुमोदित कर दिया है ;

(ख) यदि हाँ, तो उस पर निर्माण कार्य कब आरम्भ होने की संभावना है ; और

(ग) यदि नहीं, तो उपर्युक्त प्रस्ताव को अनुमोदित करने में क्या कठिनाई है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) से (ग). इल्ली-राजहरा-अजमेरपुर साइन बनाने का कोई प्रस्ताव नहीं है । हाल में इल्ली-राजहरा-अजमेरपुर साइन के लिए अंतिम मार्ग निर्धारण सर्वेक्षण किया गया है । इन की कमी और इस परिधीयता के अर्थजन न होने के कारण इस साइन का निर्माण अभी अनुमोदित नहीं किया गया है ।

Violation of minimum wage law in agricultural sector

1468. SHRI P. K. KODIYAN: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) how many cases of violation of minimum wages law in the agricultural sector have been reported from different parts of the country in 1977 and 1978;

(b) how many of these cases were challaned with State-wise, break up and how many of them were settled; and

(c) what was the total gain of agricultural workers in terms of money from these settlements in each State?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) to (c) The required information is being collected and will be laid on the Table of the House as soon as received.

सेंट्रल स्वीट्स कलकत्ता द्वारा ज्विय मिडि बना न कराई जाया

1469. श्री भट्टाचार्य सिंह सांख्य :

श्री मुखर्जी सांख्य :

क्या संसदीय कार्य तथा अन्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सेंट्रल स्वीट्स, नेताजी सुभाष रोड, कलकत्ता-1 के मालिक अपने कर्मचारियों को अन कल्याण कानूनों के अन्धी कोई लाभ नहीं देते ;

(ख) यदि हाँ, तो क्या सरकार का विचार उनके विरुद्ध कोई कार्रवाई करने का है ;

(ग) मजदूरों में से उच्चतम कल एक ज्विय मिडि व्यवसाय की कितनी राशि बना कराई है ; तथा उनकी और सभी इसकी कितनी राशि बकाया है ; और

(घ) क्या उक्त कोई ऐंगिक मजूरी पर भी कर्मचारी नियुक्त करता है ?

अन तथा संसदीय कार्य बेलरम में राज्य में 1 (अ० रूप कलकत्ता) : (क) के (क) यह मानना राज्य के सेवाधिकार में जाता है और इस संबंध में केन्द्रीय सरकार के पास कोई सूचना नहीं है ।

(ग) ज्विय मिडि प्राधिकारियों ने सूचित किया है कि इस प्रश्न की जांच की जा रही है । कि क्या सेंट्रल स्वीट्स, नेताजी सुभाष रोड, कलकत्ता-1 कर्मचारी ज्विय मिडि और प्रकीर्ण उपज्विय ज्वियमिडि, 1952 की परिधि में जाता है ।

विदेशों में रोजगार विषयक समिति का प्रतिवेदन

1470. श्री स्वाम साख्य मुखर्जी : क्या संसदीय कार्य तथा अन्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने विदेशों में रोजगार की व्यवस्था में सुधार लाने के लिये मार्गोपायों का सुझाव देने के लिये एक समिति नियुक्त की थी ; और

(ख) यदि हाँ, तो समिति द्वारा प्रस्तुत किये गये प्रतिवेदन का औसत क्या है ?

संसदीय कार्य तथा अन्य मंत्री (श्री रवीन्द्र वर्मा) : (क) जी हाँ ।

(ख) समिति ने अन्य बातों के साथ साथ प्रवास अधिनियम, 1922 में संशोधन की सिफारिश की है और भारतीय अधिकों को बाहर भेजने की प्रक्रिया को सुगमशी तथा सरल करने के उपायों और जाहनों के सुझाव दिए हैं तथा विदेश में उनके कल्याण को और अच्छी प्रकार से सुनिश्चित करने के भी कदम बताए हैं । सरकार से सरकार के आधार पर अधिकों को बाहर भेजने के प्रश्न पर भी समिति ने विचार-विमर्श किया है । इस समिति की रिपोर्ट सरकार के विचारणीय है ।

Robbery in Howrah-Bombay Express Train

1471. SHRI SUKHDEV PRASAD VERMA: Will the Minister of RAILWAYS be pleased to state:

(a) whether robbers looted a 2nd class sleeper compartment of the Howrah-Bombay Express train on 1st January 1979 between the Howrah and Kurlana section of the South Eastern Railways; and

(b) if so, what further safety measures proposed to be taken in the matter?

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

(b) Escorting by R.P.F. and G.R.P. has been introduced in this area for preventing thefts in passenger trains. Close liaison at all levels is maintained by the Railways with Government Railway Police.

Congestion at Bombay Port

1472. SHRI V. ARUNACHALAM: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the maximum and minimum wait for unloading of ships at Bombay during each of the last six months;

(b) the reasons for the continued congestion indicating any sizeable improvements due to measures already taken;

(c) the part played by barges clearing the goods amidstream; and

(d) the estimate of the economic loss caused to the nation by the state of congestion?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Maximum and minimum wait for unloading of ships at Bombay is given below:—

Month	Maximum waiting period in days	Minimum waiting period in days
August, 1978 .	83*	Nil
September, 1978 .	95*	Nil
October, 1978 .	84*	Nil
November, 1978 .	63	Nil
December, 1978 .	68**	Nil
January, 1979 .	50**	Nil

*Vessels could have been berthed earlier but were not berthed at the request of the consignees.

**Still awaiting berth as on 24th February, 1979.

(b) and (c). The main reason for the continued congestion at Bombay is frequent strikes/stoppages of work by the various labour unions. Important measures taken to improve the situation are given below:—

(i) Diversion of cargo to other ports is being resorted to as far as possible.

(ii) Piece-rate/incentive schemes are being revised.

(iii) Direct delivery has been resorted to, to achieve quick clearance.

(iv) For better out-put, palletisation has been increased.

(v) Sheds are decongested by revising demurrage charges.

(vi) Advance carting has been allowed for pre-shipment build-up of cargo.

(vii) Preferential berthing is allowed to ships which are also able to complete operations within 48 hours.

(viii) One berth has been reserved for containers.

(ix) Shifting/Unshifting facility has been provided outside the docks within port area.

(x) Random checking is done by customs in selected commodities.

(xi) Permission for hiring material for handling equipments from outside is granted liberally.

In addition to the above, mid-stream unloading into barges is being undertaken, wherever feasible. On 23rd February, 1979, 10 vessels carrying bulk and break bulk carrier were working in mid-stream.

(d) The phenomenon of congestion does have an adverse impact on the economy of the country in several directions. For example, it could lead to slowing down of production in various sectors and affect completion of projects for which machinery is required to be imported. Besides, several

Conference Lines have levied congestion surcharge, which make our import costlier and export less competitive in the international market. It is, however, difficult to quantify the precise magnitude of this impact.

Pension to M.Ps.

1473. PROF. P. G. MAVALANKAR: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether Government propose to annul the provision of pension to former Members of Parliament;

(b) if so, how and when and with what particular steps; and

(c) if not, why not?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) to (c). The question of amendments to the Salary, Allowances and Pension of Members of Parliament Act, 1954 in relation to pension to former Members of Parliament is under consideration of the Government. Government feels that a decision should be taken only after consultation with the leaders of opposition parties/groups in Parliament. A decision will be taken when the discussions conclude.

Demands of Watchmen in Calcutta Port

1474. SHRI K. A. RAJAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that the demands of the watchmen in the Calcutta Port for decasualisation and for registration under the Dock Labour Board has been pending for long time;

(b) if so, the details; and

(c) steps being taken to redress their grievances?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) to (c). Demands for registration of additional categories of dock workers including watchmen in Calcutta Port were considered in the 15th meeting of Dock Workers Advisory Committee held on 3-12-1977 and it was agreed that Government would evolve criteria for considering all such demands. Accordingly, the criteria evolved by Government were sent to all Dock Labour Boards on 5-6-78 to consider all pending demands in the light of the same. The Calcutta Dock Labour Board examined the demand for registration of watchmen and resolved in the meeting held on 12-2-79 that the watchmen did not fulfil the criteria laid down by Government. The matter will now be examined by Government and before a final decision is taken, discussions will be held with the representatives of all the interests concerned.

राष्ट्रीय राजपथ बीजना के अजीब घुनों का निर्माण

1475. श्री रीतलाल अलाल वर्मा : क्या बीजना और परिवहन मंत्री यह बताते की कृपा करें कि :

(क) क्या यह सच है कि राष्ट्रीय राजपथ परिवहन के अजीब जी० टी० रोड पर बायबीनर, बरकट्टा तथा वहीं के बीच कई घुनों का निर्माण कार्य पिछले पांच से सात वर्षों से चल रहा है;

(ख) क्या वहीं तथा बरकट्टा के बीच घुनों के निर्माण-कार्य में बार बार अजीब खोदने, लकड़ों के माँव बदलने तथा ज़मी की समतल करने के कार्य के अन्तर्गत लाखों रुपये का खोटासा हुआ है; और

(ग) यदि उपरोक्त (क) तथा (ख) कायाक उत्तर स्वीकारात्मक हो तो क्या सरकार का निवारण स्थायी संसू सवस्व, विज्ञानिक तथा अन्य निष्पन्न अधिकारियों द्वारा जांच करार इस अन्धाकार को समाप्त करने का है ?

बीजना और परिवहन मंत्रालय में अमादी राज्य मंत्री (श्री चंद राम) : (क) और (ग) : बायब मागनीय सवस्व का कायम खर्च और बरसोत घुनों के निर्माण की अगस्त, 1971 में पुनर्निर्माण के लिए स्वीकृति दी गयी थी और 1975 में पूरे किए गए थे। यदि तब घुनों के डेक पुराने सवस्व और गैरपानी घुनों के नीचे हैं अतः निर्माण कार्य को फिर से सौंपने करने की आवश्यकता नहीं है। जो घुनों को नष्ट करने के बाद यह डेक बना कि

सड़क बनावट की धीर सुधन बनाया जा सकता है और बुधरा के पहुंच मार्गों के संरेखन का सुधार करते धीर केवल एक धीर से बरतीत पुल की द्वेयोबोइसन रूप से चौड़ा करके पूर्ण राष्ट्रीय राजमार्ग मानक स्तर तक लाया जा सकता है। बुधरा पुल पहुंच मार्गों के संरेखन को सुधर कर लिया गया है और उन पर सारकीन विद्या दिया गया है। बरतीत पुल की चौड़ा करने का कार्य भी प्रारम्भ किया जाया है। फिलहाल दोनों पुलों को 1978 से यातायात के लिए खोल दिया गया है। परन्तु बरतीत पुल के पहुंच मार्गों का बहुत बड़ा भाग द्वेयोबोइसन चौड़ाई पूरी करने तक सवस्टीबंड ही रहेगा।

इस बीच राज्य के सड़क निर्माण विभाग से कहा गया है कि यह इत बात की जांच करे कि प्रारंभिक कर्मी के बावजूद बुधरा में बाध में पुनसंरेखन की धीर बरतीत में सड़क चौड़ा करने की बरतीत क्यों हुई।

कमल-साहूबर्ग साइन

1476. डा० राजकी सिंह क्या रेल मंत्री यह बताते की कृपा करेंगे कि :

(क) कमल-साहूबर्ग रूप साइन को दोहरी बनाने हेतु सर्वेक्षण कार्य कब प्रारम्भ किया गया था और इसे कब तक पूरा किया जायेगा ;

(ख) क्या यह सबसे पुरानी रेल साइन है और इस लान की जनसंख्या 25 गुना बढ़ गई है ;

(ग) यदि हां, तो क्या सरकार का विचार इस रेल साइन को दोहरी बनाने के कार्य को प्राथमिकता देने का है ; और

(घ) यह साइन कब तक दोहरी किये जाने की सम्भावना है ?

रेलवे लाइन में राज्य मंत्री (श्री शिवभारदाज)

(क) साहूबर्ग रूप के किशन-बड़हरा खंड की जनसंख्या बढ़ाने, जिसमें दुहरी साइन बिजाना की शामिल है, के लिए इंजीनियरी एवं यातायात सर्वेक्षण किया जा रहा है। 1977 में संभूर किया गया यह सर्वेक्षण, सम्पन्नता है, मार्च, 1979 में पूरा हो जायेगा।

(ख) यह साइन प्राचीनतम रेल लाइनों में से एक है। इस साइन के विनाशोन्नी की प्रावारी में हुई क्षति के कारण उपलब्ध नहीं है।

(ग) और (घ). दोहरी रेल साइन बिजाने का यातायात के स्तर से निकट संबंध है। साहूबर्ग रूप यह दोहरी साइन बिजाने जबका साइन समता के समान करने के संबंध में विनिश्चय करना नहीं किये जा रहे सर्वेक्षण के परिणामस्वरूप यातायात की प्रभावित आवश्यकताओं पर निर्भर करेगा।

Development of Tirupati and Chittoor Railway Stations

1477. SHRI P. RAJAGOPAL NAIDU: Will the Minister of RAILWAYS be pleased to state:

(a) whether estimates were sanctioned for the development of Tirupati and Chittoor Railway Stations; and

(b) if so, the cost of estimates?

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

(b) Estimated cost of remodelling the old station buildings at Tirupati and Chittoor is Rs. 16.95 lakhs and Rs. 5.25 lakhs respectively.

Reference of revision of wages of Working Journalists to Tribunal

1478. SHRI S. R. REDDY:

SHRI P. K. KODIYAN:

SHRI VIJAY KUMAR N. PATIL:

SHRI SACHINDRA LAL SINGHA:

Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether the Central Government have referred the question of revision of wages of Working Journalists to a Tribunal and resolve the

present deadlock following the stay order the employers had obtained restraining it from functioning; and

(b) if so, the details regarding the directions on which the Tribunal is going into details and the time by when its report is likely to be submitted?

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

(b) Shri D. G. Palekar, a retired judge of the Supreme Court is the person constituting the Tribunal. The Wage Board has ceased to exist but the interim wage rates already notified by the Government continue to be operative. The Tribunal will regulate its own procedure and may in its discretion, rely on the material already gathered by the Wage Board. The Tribunal will submit its report as early as possible.

Allegation against officials of ICMR

1479. SHRI JYOTIRMOY BOSU: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that serious allegations have come against certain officials of the ICMR before a Commission constituted under the Commission of Enquiries Act of the West Bengal;

(b) is it a fact that these individuals are being defended in the Courts of Law at Government expense irregularly; and

(c) is it a fact that the President of the Scientific Officer Association of the Cholera Research Centre, Calcutta has been dismissed?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) Yes, Sir.

(b) No, Sir. The ICMR is within its rights to defend itself before the Commission with the assistance of lawyers and also to seek remedy against any adverse orders of the Commission or the High Court.

Whatever expenditure is incurred in this connection would be justifiable.

(c) As a result of disciplinary action for wrongful drawal of house rent allowance the penalty of "removal from service with disqualification for future employment under the Council" has been imposed by the ICMR on Dr. A. K. Ghosh, who was an Assistant Director at the National Institute of Cholera and Enteric Diseases, Calcutta. Dr. Ghosh has filed a petition in the West Bengal High Court, Calcutta, against this penalty.

Location of Office of R.I.T.E.S.

1480. SHRI SHIV NARAIN SARSONIA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that office of the Rail India Technological and Economic Services (R.I.T.E.S.M.I.) is situated in New Delhi;

(b) if so, the total strength of the staff, category-wise may please be stated;

(c) the number of employees belonging to Scheduled Caste and Scheduled Tribes along with the per cent of ratio may also be stated; and

(d) why the Scheduled Caste quota has not been filled up in this office?

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

(b) Managing Director	1
Director	1
Managers	48
Other Officers	99
Stenographers	24
Draftsman and Inspectors	19
Office Staff	25
Total	217

(c) 4(1.9 per cent).

(d) Posts in Rail India Technical and Economic Services Ltd. (RITES) are normally filled by drafting officers and staff on deputation basis from the Indian Railways and there is no specific quota for Scheduled Caste/Scheduled Tribe in this organisation.

रेलवे में लूटपाट की घटनाएँ

1481. श्री हरशोबिन्द बर्मा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) गत वर्ष रेलवे में लूटपाट की कितनी घटनाएँ हुई ;

(ख) इसके परिणामस्वरूप रेलवे और यात्रियों को कितनी हानि हुई ; और

(ग) ऐसी घटनाओं को रोकने के लिए सरकार ने क्या उपाय किये हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) 1978 के दौरान लूटने (डकैतियों और लूटवार) की 223 घटनाएँ हुई ।

(ख) रेलों को कोई नुकसान नहीं हुआ । यात्रियों को 1.38 लाख रुपये मूल्य की सम्पत्ति का नुकसान हुआ ।

(ग) 1. रेलों पर पुलिस व्यवस्था सहित पुलिस व्यवस्था संविधान के अनुसार राज्य सरकारों का काम है, इस प्रकार राज्य सरकारों के प्रशासनिक और अनुशासनिक निर्वहण में काम करने वाली राजकीय रेलवे पुलिस यात्रियों की सुरक्षा और उनके सामान की सुरक्षा सुनिश्चित करने के लिए जिम्मेदार है ।

2. यात्रियों को प्रभावित करने वाले अपराधों की समस्या रेल मंत्रालय के ध्यान में है और राज्य सरकारों के साथ बलिष्ठ सम्पर्क कायम करके इन अपराधों की रोकथाम करने के लिए सभी सम्भव प्रयास किये जा रहे हैं ।

3. रेल मंत्री ने भी अनेक अवसरों पर प्रभावित राज्यों के मुख्य मंत्रियों का ध्यान आकषिप्त किया है, मुख्य मंत्रियों का उत्तर उत्साहपूर्ण रहा है ।

4. इस समस्या पर सितम्बर, 1978 में दिल्ली में आयोजित मुख्य मंत्रियों के सम्मेलन में भी विचार-विमर्श किया गया था ।

5. रेलों में अपनी ओर से कुछ उपाय किये हैं जैसे गाड़ी के बीच में सैन्य पुलिस अनुशिक्षियों के साथ संलग्न चुपचा संभार की व्यवस्था, मर्जी और बैकसीनों

के पास बलितवासी टाचों की व्यवस्था, और पुलिस कमिश्नरी को तेज करने के लिए प्रभावित राज्यों के साथ बलिष्ठ सम्पर्क, रात 22.00 बजे से 06.00 बजे के बीच बलिवारेडर बरनाजों को तालाबंद कर दिया जाता है, रात में बल टिकट परीक्षक और सवारि डिब्बा परिवार सतर्क रहते हैं और बुसपैठियों, फेरीवालों और अनधिकृत व्यक्तियों को डिब्बों में घुसने से रोकते हैं ।

6. रेलवे सुरक्षा बल का काम रेलवे सामग्री और दुसराई के लिए रेलों को घेरे बने माल की हिफाजत है । सांविधिक/विधिक प्रतिबन्धों के होते हुए, यत्ना करने वाली जनता में निर्भयता की भावना पैदा करने तथा चलती गाड़ियों में सार्वजनिक करने से अपराधियों को विरत रखने के उद्देश्य से भेद खंडों पर सवारि गाड़ियों की अनुसूचा के काम पर रेलवे सुरक्षा बल के 2000 से अधिक सशस्त्र जवान तैनात किये गये हैं ।

पूना-जम्मू गाड़ी का चलाया जाना

1482. श्री राबबजी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) पूना-जम्मू गाड़ी कब से चलाये जाने का प्रस्ताव है ; और

(ख) समय सारिणी में सम्मिलित किये जाने के बावजूब इस गाड़ी के न चलाये जाने के क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) जम्मू तबी-नयी दिल्ली धीनवर एक्सप्रेस को अब 1-4-1979 से पुणे तक बढ़ाने का प्रस्ताव है ।

(ख) भारतीय रेलों पर कुल मिलाकर बीजल रेल इंजनों की कमी के कारण यह गाड़ी पहले नहीं चलायी जा सकी ।

Restructuring the working of Indian Missions in neighbouring Countries

1483. SHRI DURGA CHAND: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government are contemplating to restructure the working of our missions in the neighbouring countries in such a way that personnel posted in these missions should enhance the image of India not only at official level but also among the people of these countries; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) and (b). The working of Indian Missions abroad is under constant review and suitable directions are given from time to time to Missions to improve their efficiency. Government have paid particular attention to the working of our missions in neighbouring countries and the need for them to project the image of a modern, democratic and resurgent India.

Personnel posted in our missions abroad are being given suitable training and briefing for publicity work. The training of officers in publicity work is also among the recommendations of the Chanchal Sarkar Committee which was appointed by the Minister of External Affairs to review the working of India's External Publicity Set-up and whose recommendations are presently being examined in detail.

Railway dues from Synthetics & Chemicals Ltd., Bareilly

1484. SHRI SURENDRA BIKRAM: Will the Minister of RAILWAYS be pleased to state:

(a) how much dues of the Railways from Synthetics & Chemicals Ltd., Bareilly, in respect of use of Railway siding and detention of wagons, have been waived by Railway every year during the last ten years and why;

(b) whether it has been alleged that Divisional Railway authorities of Moradabad Division are intentionally doing so in collusion with factory authorities; and

(c) whether Railway authorities have kept complete vigilance over this factory in respect of use of Railway siding and goods wagons both incoming and outgoing and that extra detention timings have been charged to the factory?

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.

Conversion of Purulia-Kotshila Line

1485. SHRI SAUGATA ROY: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have any plan for converting the present line from Purulia to Kotshila to a broad-gauge line; and

(b) if so, details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAYAN): (a) and (b). There is no proposal at present to convert the Purulia-Kotshila narrow gauge section into broad gauge.

Disparity in Scale of Pay of Class II and Class I Officers

1486. SHRI M. KALYANASUNDARAM: Will the Minister of RAILWAYS be pleased to state:

(a) why there is a wide disparity in scale of pay, promotional chances etc. between class II promotee officers and class I directly recruited officers in Junior Scale while both categories hold the same posts and carry the same responsibilities; and

(b) whether it is also a fact that these disparities are not prevalent in other stages when direct recruits enter service?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). The scales of pay and other service conditions of the Class II and Class I Officers in the Central Government were examined by the Third Pay Commission and based on their recommendations the scale of pay were allotted

to these posts. While recommending the scales of pay, the Third Pay Commission took into consideration all the relevant factors as also the representations made by the Associations of the Class II Gazetted Officers who demanded abolition of the Class II Services and their merger with the Junior Scales of the corresponding Class I Services on the ground that members of the Class II Services normally perform the same functions as are performed by members of the Class I Services at junior level. The Pay Commission observed that distinction made between the Class II and Junior Class I Grades is justified and that it is not repugnant to any particular principle. They recommended that Class II cadre should continue as a separate entity.

Class II officers are, however, eligible for permanent appointment to Class I posts and 40 per cent of the vacancies in Class I in the organised services on the Railways are reserved for them. After their permanent absorption to Class I Services, there is no distinction between promotee Class I Officers and directly recruited Class I Officers in the matters of further promotional chances; etc.

Scope for Profitable Utilisation of the Bullock Carts

1487. SHRI P. KANNAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have made an indepth study of the findings of Institute of Management of Bangalore on the limitless scope for profitable utilisation of the bullock cart; and

(b) if so, the extent to which the development of the bullock cart has been integrated in our national transport policy, having regard to the dwindling fossil reserves and high price of oil and possibilities of increased employment?

**THE MINISTER OF STATE IN-
CHARGE OF THE MINISTRY OF**

SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) The findings of the Indian Institute of Management, Bangalore are not definitive and complete. They themselves are, therefore, making further studies and research in this area.

(b) It is also not possible at this stage to give any positive indication as to the extent to which the development of bullock-cart can be integrated in the National Transport Policy as the National Transport Policy Committee of the Planning Commission currently considering the question of formulating the national transport policy has not submitted its report so far.

Conversion of Varanasi-Bhatni Railway Line

1488. SHRI KUSUM KRISHNA MURTHY: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Rs. 50 lacs were sanctioned during 1977-78 for the conversion of Varanasi-Bhatni Railway line into broad gauge;

(b) if so, the amount spent on the work during that period; and

(c) what is the approximate time by which this work is likely to be completed?

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

(b) and (c). In view of the urgency and higher priority given to Barabanki-Samastipur and other conversion projects, which were well in progress, more funds were spent on these projects to expedite their completion. Expenditure incurred on Varanasi-Bhatni project during 1977-78 was, therefore, nominal. No target date for completion of the project can be indicated at this stage.

आल अमृत गणकार का का भारत में इलाज

1489. श्री अमृत प्रसाद शास्त्री :

श्री शंकर सिंह जी बाबता :

श्री श्याम सुन्दर गुप्त :

डा० विजय मण्डल :

श्री मुखिया सिंह मलिक :

क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सीमान्त गांधी ज्ञान अमृत गणकार का ने अपने इलाज के लिए भारत में जाने की अपनी इच्छा व्यक्त की है ;

(ख) यदि हाँ, तो भारत सरकार ने इस आशय के क्या कदम उठाये हैं कि वह शीघ्रातिशीघ्र भारत पहुँच जायें ; और

(ग) उनके भारत जाने में क्या कठिनाइयाँ हैं और उन्हें दूर करने के लिए क्या प्रयास किये जा रहे हैं ?

विदेश मंत्रालय में राज्य मंत्री (श्री समरेन्द्र कुन्दु) : (क) से (ग) . भारत सरकार का यह प्रस्ताव ज्ञान साहब तक पहुँचा दिया गया है कि वे भारत आकर अपनी चिकित्सा कराएँ। उन्होंने सिद्धांत रूप से इस प्रस्ताव को स्वीकार कर लिया है और यह बताया है कि जब वे अपना कार्यक्रम अंतिम रूप से तय कर लेंगे, तो उसकी सूचना हमें देंगे। यह समझा जाता है कि उन्होंने इस मामले को पाकिस्तान सरकार के साथ उठाया है।

Indian Construction Company

1490. SHRI B. P. KADAM:

1490. SHRI B. P. KADAM: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether an Indian construction company had, an year ago, recruited about 700 to 800 people for constructing a defence project near Masjid Soleiman in Southern Iran;

(b) whether the company had directly or through a registered agent in New Delhi recruited these workers as Clerks, Accountants, Storekeepers, Supervisors, Carpenters, Masons etc;

(c) whether none of the workers had been paid anything after having worked for nearly seven to eight months;

(d) is it true that the company did not sign a formal contract or pay the agreed salary;

(e) whether workers approached the Indian embassy in Tehran and are now helplessly housed in a school, a gurudwara and the head office of the company;

(f) whether Indian embassy had done nothing in pleading their case with the company; and

(g) what is the name of the company and what action the Indian embassy propose to take?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) to (g). An Iranian Firm, the Precision Building Company recruited in 1978 about 700 Indian workers through a registered agent in New Delhi, in various capacities. A formal contract was signed between the Company and the recruiting agent setting out the emoluments of the various categories of workers. On the arrival of the workers at the site in Masjid-e-Soleman, the Company contended that the skilled workers supplied were below the required standard. The Company subjected the workers to a professional test, and proposed that those failing to qualify in their requisite trade for which they were recruited, would be offered to work as simple labourers or failing that the workers would be sent back home. Some of the workers were repatriated but most chose to stay on leading to a downward revision of their contracts.

Because of its financial difficulties and economic dislocation in the country the Company could not regularly pay the Indian workers their salaries. Our Embassy took up the matter with the Company in August 1978, when the Company agreed to clear two months' arrears. The Company again default-

ed and our Embassy took up the matter with the Iranian Ministries of Foreign Affairs and Labour in September-October 1978 after which the Company agreed to pay one month's salary and to repatriate the workers after clearing their dues. It repatriated one batch of about 45 workers after clearing their dues, but again defaulted because of its acute financial difficulties. Later it sent another batch of about 40 persons in December, 1978.

The matter was again taken up with the Firm, and the Foreign Office. In February 1979, the Company made part payment to the workers and gave an undertaking to the Embassy to clear the outstanding amounts over a period of 3 to 4½ months. The Company has also requested the Indian Embassy in Tehran to arrange to have the workers sent back to India on Air India flights stating that it would reimburse the expenditure to Air India in 3 months time.

Pending repatriation, the workers were housed in the local Sikh gurdwara, the Indian School and the Embassy compound. Air India has flown special flights to repatriate some of these workers to India. Bulk of these workers have come back to India and the remaining are expected to be repatriated soon.

जारी किये गये पासपोर्टों की संख्या

1491. श्री सुरेश झा सुजन : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) विदेशों की जाने के लिए पासपोर्ट जारी करने के सम्बन्ध में नई नीति की घोषणा के बाद वर्ष 1978 के अंत तक कितने पासपोर्ट जारी किये गये ; और

(ख) इससे पिछले वर्ष की इसी अवधि में, नई नीति की घोषणा के पूर्व कितने पासपोर्ट जारी किये गये थे ?

विदेश मंत्रालय में राज्य मंत्री (श्री कमलेश कुमार) : (क) और (ख). पासपोर्ट जारी करने से सम्बन्ध नहीं नीति की घोषणा विदेश मंत्री ने लोक सभा में 8 अक्टूबर,

1977 को की थी। इस नयी नीति के उपरांत, पासपोर्ट प्रक्रिया को सरल और सुचारु बनाने के लिए कई और उपाय भी किये गये हैं।

नयी पासपोर्ट नीति की घोषणा के बाद की 16 महीने की अवधि में (यानी सितम्बर, 1977 से दिसम्बर, 1978 तक की अवधि में) देश के विभिन्न पासपोर्ट कार्यालयों द्वारा कुल मिलाकर 15,99,300 पासपोर्ट जारी किये गये। इसकी तुलना में, नयी नीति लागू होने से पूर्व की 16 महीनों की अवधि में (यानी मई, 1976 से अगस्त, 1977 तक की अवधि में) जारी किये पासपोर्टों की संख्या 9,31,591 थी।

हड़ताल के कारण दिल्ली परिवहन नियम की हानि

1492. श्री रामजी लाल सुजन : क्या मंत्री और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि वर्ष 1978-79 के दौरान हड़तालों के कारण दिल्ली परिवहन नियम की भारी हानि हुई है ; और

(ख) यदि हाँ, तो दिल्ली परिवहन नियम की हड़तालों के कारण कुल कितनी राशि की हानि हुई हुई ?

मौजहन और परिवहन मंत्रालय में प्रचारी राज्य मंत्री (श्री चंद राज) : (क) जी, हाँ।

(ख) अनुमान तथा 3.77 लाख रु० की हानि हुई है।

Jobs on Compassionate Grounds to people of Backward Classes

1493. SHRI RAM NARESH KUSHWAHA: Will the Minister of RAILWAYS be pleased to state:

(a) the total number of persons who applied for jobs in the Railways on compassionate grounds after the present Government came in power;

(b) how many of them have been given jobs;

(c) how many of them belonged to backward classes and how many to non-backward classes;

(d) the number of applicants belonging to backward classes out of those to non-backward classes; and

(e) whether he is aware of great dishonesty shown towards the dependents of backward class people while each and every dependent of non-backward people is ensured job?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). The total number of persons who applied for jobs on compassionate grounds and the number out of them who have been offered jobs is 15,534 and 7,270 respectively. These figures exclude those of Northern, North Eastern, South Central and South Eastern Railways. Information from these Railways is being collected and will be laid on the Table of the House.

(c) to (e). Community-wise statistic of appointments on compassionate grounds are not maintained. Appointments on these grounds are offered according to the following priorities and not on any communal considerations:

(i) Dependents of Class III and IV employees who die or are permanently crippled as a result of their devotion to duty;

(ii) Dependents of Class III and IV who die in harness as a result of Railway accidents when off duty;

(iii) Dependents of Class III and IV employees who die in harness as a result of natural causes.

No discrimination is shown between backward and non-backward classes.

Formation of Labour Policy

1494. SHRI SHANKERSINGH VAGHELA:

SHRI G. M. BANATWALLA:

SHRI MUKHTIAR SINGH MALIK:

Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether there is any proposal under consideration of Government to form a labour policy on the pattern of industrial policy; and

(b) if so, what are the details in regard thereto?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). The Government is constantly reviewing the labour policy to ensure that it best sub-serves the interest of the workers, whether in the organised or in the unorganised sector.

Number of Vehicles used by Indian High Commission, London

1495. SHRI PRADYUMNA BAL: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the number of vehicles used by our High Commission in Britain and their cost; and

(b) the annual recurring expenditure on the maintenance of these vehicles?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) There are nine vehicles used by High Commission in London. The cost of vehicles is Rs. 5,56,854.48.

(b) Approximately Rs. 41,000/- annually is spent on servicing and repairs. (Average of financial years 1976-77 and 1977-78).

Fourth National Conference on Mines Safety

1496. SHRI KUMARI ANANTHAN: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the reasons for the failure of the Fourth National Conference on Safety in Mines, held on 30th December, 1976 to make any recommendation;

(b) whether the recommendations of earlier three conferences had not yet been implemented during the period from 1958 to 1973; and

(c) the next date and venue of the Fifth Conference?

**THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR**
(SHRI RAVINDRA VARMA): (a) and (c). Since discussions on the agenda of the Conference could not be concluded on 24th December, 1978 it was decided to hold the next session of the Conference on a future date. The date and venue of the next session of the Fourth Conference have not yet been finalised.

(b) Most of the recommendations of the earlier Conferences have been implemented. The remaining recommendations are being processed.

**Construction of Fly-Over at K. S.
Road and K. T. Road near Asansol**

1497. SHRI ROBIN SEN: Will the Minister of RAILWAYS be pleased to state:

(a) whether he is aware of the long standing demand for constructing a fly-over bridge in place of existing tunnel (Sub-way), situated at the junction of K. S. Road and K. T. Road near Asansol Railway Station; and

(b) if so, the steps so far taken to construct fly-over bridge there?

**THE MINISTER OF STATE IN
THE MINISTRY OF RAILWAYS**
(SHRI SHEO NARAIN): (a) Representations have been received from the public for the provision of a road over-bridge in replacement of the existing tunnel (sub-way) situated at the junction of K. S. Road and K. T. Road near Asansol Railway Station.

(b) Action will be taken according to the extent rules if the proposal is

routed through the State Government or the Local Authority.

**Settlement of Claims of Repatriates
from Mozambique**

1498. SHRI ANANT DAVE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether 600 affected families of Indian repatriates from Portugal held in Mozambique have been representing for settlement of their claim for the last many years have remained unsettled so far; and

(b) if so, what steps Government propose to take for early settlement of their claims?

**THE MINISTER OF STATE IN
THE MINISTRY OF EXTERNAL AF-
FAIRS** (SHRI SAMARENDRA KUN-
DU): (a) Consequent on the libera-
tion of Goa and other ex-Portuguese
enclaves in India in December 1961,
the Portuguese Government had ex-
pelled Indian nationals from Mozam-
bique numbering about 2300 and con-
sisting of about 600 families. Since
their arrival in India in 1963, they
have been representing for payment
of compensation for their assets left
behind in Mozambique which were
confiscated by the then colonial Portu-
guese Government of Mozambique.

(b) The claims submitted to the Government are at present under de-
tailed documentary verification and
scrutiny by the Chief Settlement Com-
missioner (Department of Rehabilita-
tion). At the same time our diploma-
tic missions in Mozambique and Por-
tugal are trying to obtain information
relevant to the assessment of these
claims and the consideration of the
question of the liability for their set-
tlement.

Number of Accidents involving Buses

1499. SHRI K. KUNAHAMBU: Will the Minister of RAILWAYS be pleased to state the number of railway accidents involving buses during the last one year?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): During the period 1st January 1978 to 31st December 1978, there were 11 train accidents on the Indian Government Railways involving buses at the level crossing.

Budget for Family Welfare Programme

1500. SHRI AHSAN JAFRI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the amount of budget for Family Welfare Programme for 1978-79;

(b) the amount utilised upto February 15, 1979 during 1978-79;

(c) the amount spent on provision of contraceptive, sterilisation services, cash incentives, motivation programmes, staff (clinical) salaries, administration at HQs—please give separate details;

(d) the number of Primary Health Centres, Family Welfare Centres offering contraceptive services (including Medical Termination of Preg-

nancy) please give details in respect of centres run by Voluntary bodies, local bodies and Government;

(e) the number of eligible couples in the country during 1978-79, the number of such couples during every year, the number of couples added yearly to this pool by marriage; and

(f) what special steps are taken to motivate the newly married couples for family planning?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RAM RAY): (a) Rs. 11,093.39 lakhs.

(a) and (c). Rs. 5,702.72 lakhs upto January, 1979 as detailed below:

(i) Compensation. Rs. 795.39 lakhs.

(ii) Mass Education. Rs. 171.96 lakhs.

(iii) Administration at HQs. and Regional Offices. Rs. 41.00 lakhs.

(iv) Expenditure on salaries of staff at all levels and sterilisation facilities. Rs. 4694.37 lakhs.

In addition, Conventional Contraceptives and MCH supplies in kind have been supplied by Medical Store Depots and adjustment of its cost will be carried out at the close of financial year.

(d) Position of Centres offering contraceptive services on 30th September 1978 is as under:—

No. of Units functioning	Centres run by			
	State Government	Local Bodies	Voluntary Organisations.	Total
(i) P. H. Cs	5397	..	..	5397
(ii) Rural F. W. Centres	5304	..	..	5304
(iii) Rural sub-centres	42875	..	..	42875
(iv) Urban Centres (Type I, II & III)	865	285	268	1617@
(v) Urban Centres attached to post partum	NA	NA	NA	359

@ Including 209 in Central Government Hospitals.

(e) The estimated number of eligible couples from 1970-71 to 1978-79 (as of March each year) with annual addition during each year is as given below. Net increase in the number of eligible couples indicated in col. 3 below is due to annual addition due to marriage and attrition due to aging and mortality. The precise estimates of the number of couples added to the pool during each year due to marriage are not available in the absence of any compulsory Marriage Registration System in the country.

Year	Estimate No. of Eligible couples (in thou- sands)	Net increa- se over preceding year. (in thou- sands)
1	2	3
1970-71 . . .	93,013	..
1971-72 . . .	95,101	2,088
1972-73 . . .	97,199	2,098
1973-74 . . .	99,306	2,107
1974-75 . . .	1,01,421	2,115
1975-76 . . .	1,03,546	2,125
1976-77 . . .	1,05,677	2,131
1977-78 . . .	1,07,813	2,136
1978-79 . . .	1,09,952	2,139

(f) All spacing methods are being promoted vigorously through all media. The current campaign under the title 'Delay the First, Space the Second, Stop the Third' is a part of this effort.

Seniority List of Computers and Investigators

1301. SHRI BALWANT SINGH RAMMOOWALIA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to refer to the reply given to Unstarred Question No. 5185 on the 24th August, 1978, and state:

(a) whether the quota lists of seniority of Computers and Investigators for the Ministry of Labour have been finalised and, if so, a copy each of these lists may please be placed on the Table of the House;

(b) whether any steps are contemplated to make suitable amendments in the Recruitment Rules with the concurrence of the Department of Personnel to provide Computers/Investigators double avenues of promotion also as in the case of LDC's and UDC's who enjoy promotion opportunities both in their own line and also in the line of Computers and Investigators; and

(c) whether there is a limit to the deputation period of LDC's and UDC's working in Computers' and Investigators' posts or they can continue indefinitely on deputation while retaining their lines in the clerical cadre also?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Yes, Sir, Copies of the seniority lists are attached as Statement I & II.

(b) The Department of Personnel to whom the matter was referred, have expressed inability to amend the Rules governing recruitment/promotion to the Central Secretariat Services.

(c) In respect of deputation of LDCs to the posts of Computers, the Recruitment Rules in the Ministry of Labour and Labour Bureau provide a normal period of deputation of three years to be extended by another year in specific cases. In respect of deputation of UDCs/Steno. Gr. III/LDCs to the post of Investigator Grade II both in the Ministry of Labour and Labour Bureau instructions have been issued that the normal period of deputation would be three years.

Statement I

Seniority list of Investigators Grade II borne on the Cadre of the Ministry of Labour (Main Sect.) referred to in reply to part (a) of Lok Sabha Unstarred Question No. 1901 for 1-3-1979.

(As on 1-10-1978)

S. No.	Name, Date of Birth & Educational Qualifications	Date of continuous in the Grade	Mode of Recruitment	Remarks Regarding his present posting
		Date of confirmation in the Grade		
1	2	3	4	5
1.	Shri Digendra Sharma 5-12-35, M.A. (Eco.)	3-4-67	Promotee	Promoted as Investigator Grade I on ad hoc basis w.e.f. 1-8-78.
2.	Shri O. P. Khadaria 8-10-43, M. A., LLB.	27-6-68	D.R.	RESIGNED
3.	Shri O. P. Kahol 17-12-40, B. A. (Eco.)	7-5-70	Promotee	
4.	Shri Asim Sarkar 8-1-47, M.A. (Eco.)	1-7-70	D.R.	Left on deputation as Senior Technical Assistant in the Department of Rural Development w.e.f. 21-3-78.
5.	Shri R.N.P. Singh 5-1-47, M.A. (Eco.)	20-7-70	D.R.	Left on selection as Small Industries Promotion Officer, Ministry of Industry w.e.f. 15-2-79.
6.	Shri Yad Ram 2-7-45, M. A. (Eco.), LLB.	31-5-71	D.R.	RESIGNED
7.	Shri V. K. Sunil 13-2-49, M. A. (Eco.), LLB.	13-5-75	D.R.	RESIGNED
8.	Km. Parmod Chibber 2-4-49, M.A. (Eco.)	16-2-74	D.R.	
9.	Shri L.G. Mathur 11-7-45, B.A.	16-2-74	D.R.	
10.	Shri Paul Buxia 4-11-49, M. A. (Eco.)	1-7-76	D.R.	
11.	Shri Bhagwati Prasad 3-5-40, B.A.	28-2-75	Promotee	
12.	Shri S. S. Bhasin 2-6-34, B.A.	28-2-75	Promotee	

1	2	3	4	5
13.	Mrs. Kamini Verma 29-5-50 B. A. (Hons.) (Dip. in Labour Laws).	1-9-74	D.R.	
14.	Shri D. George 30-4-47, M.Sc.	1-9-75	D.R.	Left on deputation as Technical Assistant in the Department of Science & Technology w.e.f. 1-5-78.
15.	Shri G. W. Bhowate 12-7-46, M.A. (Com.)	19-6-76	D.R.	
16.	Shri D. Edwin 18-4-31, B.A.	1-4-76	D.R.	
17.	(Reserved for D.R.)			
18.	Shri Hari Singh 7-5-43, Matric.	25-5-78	Promotee	
19.	Shri Y. P. Bagga 5-1-42, B. A.	7-7-76	Transferee.	

STATEMENT II

Seniority List of Computers of the Ministry of Labour (Main Sectt.) Referred to in Reply to Part (a) of Lok Sabha Unstarred Question No. 1501 for 1-3-1979.

(As on 17-2-79)

Sl. No.	Name, date of birth & Educational qualifications	Date of continuous appointment in the grade Date of confirmation in the grade.	Mode of recruitment	Remarks regarding his present posting.
1	2	3	4	5
1.	Sh. Digendra Sharma 5-12-1935 B.A.	15-7-61 1-4-63	..	Promoted as Investigator grade I w.e.f. 1-8-78.
2.	Sh. S.S. Bhasin 2-6-1934, B.A.	24-3-64	Promotee	Promoted as Investigator grade II w.e.f. 21-5-74.
3.	Sh. Hari Singh 7-5-1943, Matriculation.	1-7-64	D.R.	Promoted as Investigator Grade II w.e.f. 16-1-78.
4.	Sh. Surinder Singh Rawat 8-2-1937, High School.	2-9-64	D.R.	Promoted as Investigator Grade II on ad hoc basis w.e.f. 1-11-75.
5.	Sh. A. R. Sehgal 19-10-1937, B.A.	18-9-65	Promotee	Promoted as Investigator Grade II on ad hoc basis w.e.f. 1-11-75.
6.	Sh. Khem Chand 17-3-1948, 10th Class passed.	1-5-73	D.R.	Promoted as Investigator Grade II on ad hoc basis w.e.f. 10-3-78.
7.	Sh. Balwinder Singh 20-9-1942, Matriculation Passed Hindi Pragma.	22-5-74	Transferee	Promoted as Investigator Grade II on ad hoc basis w.e.f. 1-4-78.
8.	Km. Santosh Kumari 17-1-1931, Matric Intermediate (English) Honours in Hindi (Prabhakar).	27-4-76	Transferee	Promoted as Investigator Grade II on ad hoc basis w.e.f. 8-1-79.
9.	Smt. Manju Saxena 2-10-1948, Matric.	30-1-79	D.R.	

Conversion of Okha-Biramgam Line

1502. SHRI VINODBHAI SHETH: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is true that the main cause of delay in Okha-Viramgam conversion is under negotiations of tenders even after acceptance of lowest tender;

(b) whether contractors are complaining about this practice which entails enhanced expenditure in view of lapse of considerable time after submission of tender; and

(c) when the Okha-Viramgam first phase programme is likely to be completed?

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

(b) No such complaint has come to the notice of the Government.

(c) The first phase of Viramgam-Okha conversion i.e., Viramgam-Kanalus (288 Kms.) is planned for completion by 1980.

Review of Minimum Wages Act

1503. SHRI K. B. CHETTRI: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether the review of the Minimum Wages Act is under the consideration of Government; and

(b) if so, the details thereof?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). Certain proposals for amendment of the Minimum Wages Act, 1948 relating to reduction in the time intervals for periodical wage revisions, speedier

method of revision of wages by cutting short the procedure laid down in the Act, enhancement of the penalties for violations etc., are under consideration.

Visit of a Delegation from Kabul

1504. SHRI DAYA RAM SHAKYA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the points on which an agreement was reached by the Central Government with the delegation of Kabul which visited this country in the second week of January, 1979; and

(b) the outlines thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) and (b). At the midterm review of the 5th Indo-Afghan Joint Commission held in New Delhi from January 11 to 17, 1979, the delegations of India and Afghanistan reviewed with satisfaction the progress of projects being implemented under the purview of the Joint Commission. The Afghan delegation put forward various fresh proposals for the Government of India's assistance. These related to the setting up of plants for the production of match-boxes, paper, caustic soda and phosphatic fertilizer, agricultural equipment and asbestors. Indian assistance was also sought for establishing a centre to maintain roads and promotion of adult literacy. We have agreed to examine these proposals and to offer assistance on projects which are found feasible.

Employment project started by International Labour Organisation

1505. SHRI KUMARI ANANTHAN: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the details of the rural employment project started by the In-

International Labour Organisation in West Bengal; and

(b) whether such rural employment project would be started in other parts of the country also?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (SHRI LARANG SAI): (a) A pilot project for promotion of rural employment through labour intensive works, to be executed by landless workers organisations in the Midnapur, Purulia and Bankura districts of West Bengal, was sanctioned by the Australian Development Assistance Agency under the I.L.O. Programme of Technical Co-operation. The financial assistance for this programme is US \$ 1,93,516 and contribution of Rs. 1,25,000 from the Government of West Bengal (to meet expenses for office accommodation and transport for experts etc.). Actual receipts of grant under this project has been as follows:—

Received during 1976-77	Rs. 2.20 lacs.
Received during 1977-78	Rs. 5.53 lacs.
TOTAL	Rs. 7.73 lacs.

2. The objectives of the project are:

(i) to culture and cultivate orchards and plantations which will promote employment generation and increase of income for the rural landless labour, particularly from tribal populations;

(ii) to promote craft/skill development amongst the families particularly in the field of fabrication of farm implements and afforestation implements;

(iii) to educate and organise landless workers in self employment programme and to develop leadership skills amongst them.

3. The Project is continuing under the overall coordination of the Government of West Bengal. A concu-

rent evaluation of the Scheme has been done by the Ministry of Labour, as well as by a Report of the Joint ILO/West Bengal Government Experts' Mission in November-December, 1978.

(b) A pilot project for socio-economic rehabilitation of destitute tribal labour in selected 'Bhil' areas of Rajasthan has been approved in principle by the I.L.O. The budget for the various phases of this Project is being worked out.

करीम नगर, बाराक प्रदेस में जबरजस्ती मजदूरी कराया जाना

1506. श्री जननारायण झाखसवाल : क्या संसदीय कार्य तथा जन नशी यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिसम्बर, 1978 के प्रथम सप्ताह में प्रवास नशी को प्रस्तुत किये गये एक प्रतिवेदन में कमेटी आफ पीपुल्स यूनियन कार सिविल लिबरटीज एंड डेमोक्रेटिक राइट्स (बिल्ली) ने सूचित किया है कि बाराक प्रदेस के बिना करीम नगर के ज्वागीयाला और सिरिसिला तालुकों में अभी तक जबरजस्ती मजदूरी करायी जाती है और हरिजन सबाब और कमजोर वर्गों की महिलाओं पर वहाँ के जमींदारों द्वारा बलात्कार किया जाता है; और

(ख) यदि हाँ, तो इसके द्वारा किये गये अध्ययन पर आधारित समिति के उपरोक्त प्रतिवेदन में की गई टिप्पणियों का ज्वीरा क्या है और उन पर, प्रथम प्रलय सरकार द्वारा क्या कार्यवाही की गई है ?

जब तथा संसदीय कार्य मन्त्रालय में राज्य मंत्री (श्री लारंग साय) : (क) और (ख). कमेटी आफ पीपुल्स यूनियन कार सिविल लिबरटीज एंड डेमोक्रेटिक राइट्स (बिल्ली) की सम्मान्येयन समिति ने दिसम्बर, 1978 में प्रस्तुत अपनी रिपोर्ट में यह पता लगाया कि 1978 में करीमनगर जिला (बाराक प्रदेस) के ज्वागीयाला और सिरिसिला तालुकों में भूमि संबंधी तनाव के कारण कुछ नकबंद हुई। ये नकबंद वहाँ के किसानों और जमींदारों के बीच भूमि और मजदूरी विवादों के कारण हुई। रिपोर्ट में इस बात का भी उल्लेख था कि उस क्षेत्र में जबरजस्ती मजदूरी करायी जाती है और हरिजनों के विरुद्ध सामाजिक पक्षपात और गरीब श्रमिकों के शोषण की भी सूचना है। यह रिपोर्ट बाराक प्रदेस सरकार को भेजी गई। उपर्युक्त तालुकों में जबरजस्ती मजदूरी के अस्तित्व को कन्फ़ीर करने हुए राज्य सरकार ने यह बताया कि कीदुरीयक बाब (सिरिसिला तालुक) से हरिजन अभियुक्त द्वारा हरिजन महिला पर तत्कालीन आरोप का एक बयानका सूचित किया गया है। बाराक प्रदेस सरकार के अधिकारी मामले की जांच-बीन कर रहे हैं।

‘बम्स ग्रुप’ में कोला का उपयोग किया जाता

1507. श्री स्वामि कुम्हार दास : क्या स्वात्म्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि ‘बम्स ग्रुप’ के निर्माता मैसर्स पारले स्टील्स बीकरीस कम्पनी, बम्बई अपने शीतल वेव ‘बम्स ग्रुप’ में कोला का उपयोग नहीं करते जबकि रेडियो और टेलीविजन पर इसका विज्ञापन दिया जाता है ;

(ख) यदि हाँ, तो सरकार द्वारा उसके विरुद्ध कार्यवाही न किये जाने के क्या कारण हैं ;

(ग) क्या सरकार का विचार इस कम्पनी के विरुद्ध तत्काल कार्यवाही करने का है ; और

(घ) यदि हाँ, तो कब तक और यदि नहीं तो इसके क्या कारण हैं ?

स्वात्म्य और परिवार कल्याण मंत्री (श्री रवि दास) : (क) जी हाँ (अनुमान है कि छपाई की गलती के कारण कोला के स्थान पर कोका छप गया है।

(ख) से (घ). आद्य प्रपत्रिका निवारण अधिनियम के उपबन्धों के अन्तर्गत कोला वेवों की परिभाषा निर्धारित नहीं की गई है। ऐसे वेवों की परिभाषा के मामले पर संबंधित तकनीकी समिति विचार कर रही है और इसकी सिफारिशें मिलने और उनकी जांच-पड़ताल करने के बाद इस सम्बन्ध में आवश्यक कार्यवाही की जाएगी।

Haldia Port

1508. SHRI RAJ KRISHNA DAWN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government are aware that Haldia Port is not fully utilised to the extent of its Cargo handling capacity;

(b) if so, what steps have been taken by Government to utilise it fully;

(c) whether the cargoes destined to and from Haldia and Calcutta ports are either diverted through Bombay or other ports both for importing and exporting purposes; and

(d) if so, what are the total number of Railway Wagons used for this transportation in the year 1977-78 and total Government revenues spent as freight charges?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Iron ore and coal berths at Haldia are not fully utilised at present.

(b) Port authorities are continuously in touch with the concerned authorities to improve the traffic at coal and ore berths. The coal traffic is likely to increase substantially with the commissioning of Thermal Power Station at Tuticorin.

(c) and (d). Normally, cargo connected with Haldia and Calcutta is not diverted to Bombay or to other ports. However, in case of iron ore, because of the restricted draught at Haldia and recession in the international market, buyers usually prefer Madras and Visakhapatnam where draughts are better.

Honorarium to Clerical Staff

1509. SHRIMATI AHILYA P. RANGNEKAR: Will the Minister of RAILWAYS be pleased to state:

(a) the rates of honorarium payable to clerical staff on various Zonal Railways separately;

(b) in case there is variation, the reasons thereof; and

(c) action taken to introduce uniform rates on all the Zonal Railways?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Honoraria to clerical staff on the various Zonal Railways are sanctioned by the respective General Managers in consultation with their Financial Advi-

sars and Chief Accounts Officers as remuneration for work of occasional and intermittent nature which cannot be managed within the existing staff strength and which is so laborious or of such special merit as to warrant extra payment. On each Zonal Railway, the rate for such honoraria is fixed in accordance with the nature and quantum of work involved and allied considerations including the organisational pattern of work and, therefore, varies from one Zonal Railway to another. The General Managers of Zonal Railways are empowered to sanction such honoraria and there is, therefore, no proposal to introduce any uniform rates throughout the Railways as a whole.

जनता पैसेंजर गाड़ी को पूर्वोत्तर रेलवे में बाबेरी स्टेशन पर रोकना

1510. श्री भागेश्वर प्रसाद बाबू : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जनता पैसेंजर गाड़ी को पूर्वोत्तर रेलवे में बाबेरी स्टेशन पर रोकने के लिये स्थानीय जनता द्वारा रेल मंत्रालय एवं जनरल मैनेजर वीरबपुर को एक ज्ञापन दिया गया है ; और

(ख) यदि हां, तो सरकार द्वारा इस बारे में क्या कार्रवाई करने का विचार है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) जीर (ख) जी हां। 33 अप्रैल/34 जून जनता डेब सवारी गाड़ियों को बाबेरी स्टेशन पर खराने के लिए अनुरोध प्राप्त हुए हैं। परन्तु इस मांग का कोई कीर्तित्व नहीं पाया गया क्योंकि बाबेरी स्टेशन पर तीन कीर्ती सवारी गाड़ियां पहले ही रुकती हैं जो यहां होने वाले यातायात के लिए पर्याप्त समझी जाती हैं।

Increasing number of Coaches in Deccan Queen Train

1511. SHRI R. K. MHALGI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Central Railway authorities have had trials to increase the number of Coaches in the prestigious Deccan Queen train from the present 12 Coaches to 16;

(b) if so, the number of trials and the details thereof;

(c) whether it is found feasible to retain the present time table despite the increase in the carriage capacity; and

(d) if so, whether the Railway administration shall introduce a longer Deccan Queen on the new time table day on the 1st April?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Central Railway had conducted two trials to examine the feasibility of extending loads of 301/302 Deccan Queen by 4 coaches. The results of the trials are under scrutiny in order to assess overall implications with regard to changes of path, platform/maintenance arrangements, timings and schedule of other suburban trains and other allied problems such as provision of additional power generating capacity etc.

(d) No.

Holiday Houses at Mahabaleshwar

1512. SHRI R. K. MHALGI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Central Railway Administration had started the construction work of holiday houses for railway staff at Mahabaleshwar (Maharashtra) in S. No. 223 in May, 1978;

(b) whether he has received any representation dated the 20th December, 1978 in this respect from the President of Mahabaleshwar Hill Station Municipal Council;

(c) if so, what are his demands; and

(d) what actions have Government taken or proposed to take in near future?

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

(b) to (d). In May, 1978 the Municipal Council had raised the point regarding the possibility of pollution of Veena Lal due to sewage discharge from the Holiday Home and had advised the Railway to refer the matter to Public Health Authorities, Maharashtra for examining this point. The Railway had referred the matter to Public Health Department for their examination. A Joint Inspection was also carried out by the State Govt. Engineers and the Railway Engineers on 18-9-78. The Engineers of the State Government have suggested certain modification in the sewage disposal and drainage arrangement. Railway Administration will execute these works as per the modifications suggested after getting the plans duly approved by Public Health Department.

Ahmedabad-Nagpur Bogie attached to passengers Train at Surat

1513. SHRI R. K. MHALGI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Ahmedabad-Nagpur Bogie (carriage) attached to Saurashtra Express (18 UP) is detached from the said train at Surat and is now attached to a passenger train;

(b) whether passengers travelling through the same bogie are charged for express train even though they have to travel by passenger train from Surat onwards;

(c) if so, the reasons for excess charge; and

(d) whether this anomaly shall be removed soon?

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

(b) to (d). Viramgam-Nagpur Slip Coach is attached to 18 UP Saurashtra Janata Express between Viramgam and Surat by 113 Passenger train between Surat and Bhusaval and by

399 Express Train between Bhusaval and Nagpur. As this Coach is running partly by Passenger train between Surat & Bhusaval and partly by Express Train between Bhusaval and Nagpur, combined second class Ordinary and Express fares are being charged as per extent rules.

मत्तारना स्टेशन पर एक्सप्रेस गाड़ियों का ठहरना

1514. श्री बीरलाल खेस: क्या रेल मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सबाई माछोपुर तथा वंसापुर (कोटा, पश्चिम रेलवे) के बीच, जिनकी दूरी इस विभाजन में किछी भी दो स्टेशनों के बीच की दूरी से अधिक है, किसी स्टेशन पर विभिन्न एक्सप्रेस गाड़ियों के ठहरने की कोई व्यवस्था नहीं है;

(ख) क्या इन दोनों स्टेशनों के बीच मत्तारना एक मुख्य स्टेशन है जहाँ रेल गाड़ियों के लिये पानी आदि की सुविधायें उपलब्ध हैं;

(ग) क्या उक्त स्टेशन पर विभिन्न एक्सप्रेस गाड़ियों के ठहरने की कोई व्यवस्था करने की बीरलाल से मांग की जाती रही है; और

(घ) यदि हाँ, तो क्या सरकार बेहतर, जलता बरत, पम्पट बरतवा अन्य किसी एक्सप्रेस गाड़ी को इस मुख्य स्टेशन पर रोकने की कोई व्यवस्था करेगी और यदि नहीं, तो इसके क्या कारण हैं?

रेल मंत्रालय में राज्य मंत्री (श्री शिव बरारवाल):

(क) सबाई माछोपुर और वंसापुर सिटी के बीच (63 कि०मी० की दूरी) किसी भी मध्यवर्ती स्टेशन पर कोई डाक/एक्सप्रेस गाड़ी नहीं ठहरती।

(ख) मत्तारना स्टेशन पर केवल मान गाड़ियों के इंजनों में पानी भरने की व्यवस्था है।

(ग) जी हाँ।

(घ) इस बात की ध्यान में रखते हुए कि मत्तारना स्टेशन पर लम्बी दूरी का बहुत कम वास्तविक समय होता, यहाँ 19/20 बेहतर एक्सप्रेस, 63/64 अन्य एक्सप्रेस तथा लम्बी दूरी की अन्य रेल गाड़ियों को ठहराने का कोई भीकिस नहीं पाना सक्त है। इस स्टेशन से वाता करने वाले एक दूरी के गाड़ियों की आवश्यकताएँ पूरी करने के लिए तीन छोटी-छोटी गाड़ियाँ उपलब्ध हैं।

Powerful Diesel Locomotives for carrying more Bogies

1515. SHRI SURENDRA BIKRAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have got any plans to get more powerful Diesel Locomotives so that one engine may carry 21 bogies instead of attaching two engines and if so, when, and

(b) will two headed trains not affect the Railway track?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The Motive Power Committee appointed to review the long-term requirement of Diesel and Electric Locomotives for the Indian Railways has recommended the development of higher Horse Power Diesel Locomotives. The report of the Committee is under consideration to examine whether such locomotives can be manufactured indigenously.

(b) No.

Availability of Wagons at Ashok Nagar (M.P.)

1517. SHRI MADHAVRAO SCINDIA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is not a fact that since November, 1978 no wagons were made available at Ashok Nagar (Madhya Pradesh) Railway Station resulting in piling up of huge stocks of goods creating problems for its storage;

(b) if so, facts thereof;

(c) whether as a result of such situation the Ashok Nagar Merchants Association resorted to closure of Mandi causing considerable difficulties for people of the area; and

(d) if so, remedial measures taken or proposed to be taken to make available wagons?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No. During November, 17, December, 78, January, 79 and February, 79 (upto 22-2-79), 76, 85, 78 and 64 wagons respectively were supplied at this station.

(b) Does not arise.

(c) Railways are not aware of this.

(d) Wagons are being supplied regularly in turn of priority and registration. As on 21-2-79 only one demand, placed on 17-2-79 was pending.

M.P. Stones for Cement Concrete

1518. SHRI MADHAVRAO SCINDIA: Will the Minister of RAILWAYS be pleased to state:

(a) whether he is aware that Shivpuri-Guna-Gwalior region of Madhya Pradesh has a huge stock of stones which can be used for construction work in place of RCC (cement concrete) and can save cement which is already in short production;

(b) if so, whether the Ministry is also aware that transportation is being hampered in the absence of railway lines;

(c) if so, whether keeping this in view Government will consider to construct the lines during the 1979-80; and

(d) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Till 1975 a narrow gauge line between Gwalior and Shivpuri was in existence. Movement by rail of stones from this area was insignificant. In

view of this it is difficult to conclude that the transportation of stones is hampered in the absence of a railway line.

(c) and (d). No survey for Guna-Gwallior BG rail link has so far been carried out. In the absence of preliminary investigations having been undertaken, construction of the line cannot be planned during 1979-80.

Production of Railway Wagons

1519. SHRI MADHAVRAO SCINDIA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that production of railway wagons has shown upward trend during the last two years;

(b) if so, total production during the period compared to previous two years; and

(c) its break up through organised sector and railway workshops?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). The wagon production has shown a marginal increase in the last two years as may be seen from the figures given below:

(All figures in terms of four wheelers units).

Year	Industry	Railway workshops	Total
1976-77	10676	1303	11981
1977-78	10843	1324	12167
1978-79*	10875	1500	12375

(* Anticipated as per Revised Estimates).

वेरावल में बेलार केन्द्र की योजना

1521. श्री धर्मेन्द्र भाई पटेल : क्या मंत्री जी और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गुजरात के सीराष्ट्र क्षेत्र में वेरावल में एक बेलार केन्द्र खोलने का प्रस्ताव है और यदि हाँ, तो उसका स्वरूप क्या होगा;

(ख) वेरावल में एक बेलार केन्द्र खोले जाने तक वहाँ के लिए एक "बाकी-टाकी" केन्द्र को मंजूरी देने में सरकार को क्या कठिनाइयाँ हैं; और

(ग) वेरावल पत्तन पर घाते वाले जहाजों की सुविधा के लिए वहाँ बेलार केन्द्र प्रथम "बाकी-टाकी" कब खोला जाएगा ?

मंत्री जी और परिवहन मंत्रालय में प्रवक्ता राज्य मंत्री (श्री बाबू राम) : (क) से (ग). बड़े पत्तनों को छोड़ कर अन्य पत्तनों के विकास और रोजमर्रा के प्रबन्ध की जिम्मेदारी सम्बन्धित राज्य सरकारों की है। संचार मंत्रालय से माग्य हुआ है कि वेरावल में एक स्थायी केन्द्र खोलने के बारे में गुजरात सरकार से एक प्रस्ताव प्रामाण्य है। उक्त मंत्रालय ने इसके लिए लाइसेंस देने के बारे में आवश्यक निर्णय पहले ही भेज दिया है।

रेलवे सुरक्षा दल के लिए राशि भत्ता

1522. श्री हवाराय शास्त्री : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनके मंत्रालय ने छः महीने पूर्व निर्णय किया था कि रेलवे सुरक्षा दल के कर्मचारियों को अन्य रेल कर्मचारियों की भांति राशि भत्ता दिया जायेगा और यदि हाँ, तो उस निर्णय को क्रियान्वित करने में विलम्ब के क्या कारण हैं और इस सम्बन्ध में अन्तिम घोषणा कब की जायेगी ?

(ख) क्या यह सच है कि रेलवे सुरक्षा अधिकारियों के अनुसार रेलवे सुरक्षा दल एक केन्द्रीय दल है लेकिन अब सरकार उसे केन्द्रीय दल नहीं मानती और न ही वे उसे ऐसे अधिकार और सुविधाएँ दे रहे हैं जिनके लिए केन्द्रीय दल हकदार है और यदि हाँ, तो उसके क्या कारण हैं।

(ग) क्या कई प्रवक्ताओं पर यह घोषणा की गई है कि रेल सम्पत्ति की कार्रवाई सुरक्षा करने के लिए रेलवे सुरक्षा दल के कानूनी अधिकारों में वृद्धि की जायेगी और दो वर्ष पूर्व इस सम्बन्ध में एक विवेक और तैयार किया गया था लेकिन उसे अभी तक लागू के जाने नहीं पाया गया है ? और

(घ) यदि हाँ, तो विनियम के क्या कारण हैं और इस विधेयक को संसद् में कब पुनः स्थापित किया जायगा ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :
(ख) रेलवे सुरक्षा बल के सदस्यों को यदि इयूटी पसा देने का प्रश्न अभी तक सरकार के विचाराधीन है। अभी तक इस मामले में किसी प्रकार का अन्तिम निर्णय नहीं हुआ है।

(ग) रेलवे सुरक्षा बल, रेलवे सुरक्षा बल अधिनियम, 1957 के अधीन गठित एक केन्द्रीय सरकारी बल है। भारत संघ का सशस्त्र सेना नहीं है। इस बल को २० सु० ब० अधिनियम, 1957 और रेल सम्पत्ति (विधि विवरण कक्षा) अधिनियम, 1966 के अन्तर्गत अधिकार प्राप्त हैं लेकिन इसे भारतीय संघ की सशस्त्र सेनाओं के अधिकार और सुविधाएँ प्राप्त नहीं हैं क्योंकि इसे ऐसी सेना घोषित नहीं किया गया है।

(घ) और (ङ). रेल सम्पत्ति विशेष अपराध विधेयक जिससे रेलवे सुरक्षा बल को रेल सम्पत्ति से सम्बन्धित सभी प्रकार के अपराधों की जांच-बीन का अधिकार मिल जायेगा, सरकार के विचाराधीन है। संसद् के समक्ष विधेयक को पेश करने में देरी का कारण यह था कि इस बारे में राज्य सरकारों के विचार जानने अपेक्षित थे। राज्य सरकारों की टिप्पणियों की भ्रव जांच की जा रही है और जैसे ही यह जांच पूरी हो जायेगी, संसद् में विधेयक पेश कर दिया जायेगा।

रेलवे इन्टर कालेज, रोजा नंकाश

1523. श्री दया राम साक्व : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गलत एक वर्ष से यह मांग की जा रही है कि रेलवे इन्टर कालेज, रोजा नंकाश, माहजहपुर को, जो इस समय गैर सरकारी प्रबन्ध समिति द्वारा चलाया जा रहा है और जिसमें पढ़ने वाले अधिकारियों के रेल कर्मचारियों के हैं, रेलवे प्रशासन द्वारा अपने अधीन लिया जाये; और

(ख) यदि हाँ, तो इस कालेज को अब तक सरकार द्वारा अपने अधीन न लेने के क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :
(क) और (ख). इन्टर कालेज को हाल में लेने के लिए उत्तर रेल प्रशासन को अप्प्राइजन प्राप्त हुए हैं, किन्तु यह मांग स्वीकार नहीं की जा सकती क्योंकि रेल मंत्रालय की सीटि प्राइवेट और गैर गैर स्वीकृति प्राप्तियों को रेलवे प्रबन्ध के अन्तर्गत लेने की नहीं है।

Cancellation of Permits of unscrupulous Taxi & Three Wheeler Drivers of Delhi

1524. SHRI DAYA RAM SHAKYA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government's attention has been invited to the news item appearing in the 'Hindustan' of the 13th January, 1979 that Government would cancel the permits of unscrupulous taxi and three-wheeler drivers of Delhi; and

(b) if so, the number of such taxi and three-wheeler drivers challaned separately during January and February, 1979?

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

(b) Delhi Administration received complaints against 11 taxi drivers and 16 auto-rickshaw drivers during the month of January 1979. Show-cause notices were issued to the owners/drivers of these vehicles and driving licences of 7 drivers were suspended.

In the month of February, 1979 (upto 23rd February) complaints against 19 taxi drivers and 43 auto-rickshaw drivers were received. Owners/drivers of all these vehicles have been served with show-cause notices. Driving licences of 8 drivers and road permits of 6 vehicles were suspended.

पोरबन्दर बीच प्रवास व्यापारी एसीसिएशन
के समक्ष

1525. श्री कर्नल सिंह भाई पटेल : क्या रेल
मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पोरबन्दर बीच प्रजाज व्यापारी
एसोसिएशन, पोरबन्दर द्वारा, उन्हें एक ज्ञापन
उस समय दिया था, जब यह 9 अगस्त, 1978 को
पोरबन्दर गये थे ;

(ख) यदि हाँ, तो उसमें किस प्रकार की मांगों
और सुझावों का उल्लेख है; और

(ग) प्रत्येक मांग और सुझाव के बारे में अब
तक क्या कार्यवाही की गई है; किन्तु मांगों और
सुझावों को स्वीकार किया गया है और उनमें से
बाकी मांगों और सुझावों को स्वीकार न करने के
क्या कारण हैं; और

(घ) उन्हें कब और कैसे स्वीकार किया
जायेगा ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) जी हाँ।

(ख) (1) उत्तर प्रदेश, पंजाब और महाराष्ट्र
से भेजे गये प्रजाज के माल डिब्बों के मिलने में देरी।

(2) प्रजाज वातायात के लिए माल डिब्बों
की सफाई ; और

(i) भावनगर मंडल के लिए माल डिब्बों
की सफाई बढ़ाना ;

(ii) लवान स्वर्णों और गन्तव्य स्टेशनों के
बीच लाये और खाली—दोनों प्रकार
के माल डिब्बों का द्रुत संचलन।

(iii) किसी स्थान विशेष पर बिना
उपयोग के पड़े रहने वाले माल डिब्बों
के सम्बन्ध में बूक करने वाले कर्म-
चारियों की जिम्मेवारी निश्चित करना
और उन्हें दंडित करना ;

(iv) माल डिब्बों की मांग के अनुसार
उनका समान वितरण।

(ग) और (घ). रेल प्रशासन इस बात
के लिए सभी सम्भव प्रयास करते हैं कि परिहार्य
विनियमन हानि पाये। निर्गामी वातायात के लिए
माल डिब्बों की सफाई पारि और प्राथमिकता के
आधार पर की जाती है। बर्तन स्टॉक उपलब्ध हो और

प्रचलित प्राथमिकता, यदि कोई हो, का अवधान हो।
माल डिब्बे खाली न किये रहें, इसके लिए उपलब्ध
स्टॉक का अधिकतम उपयोग करने का प्रयास भी
किया जाता है ?।

गांधीग्राम एक्सप्रेस का भायाबदार स्टेशन
पर रुकना

1526. श्री कर्नल सिंह भाई पटेल : क्या रेल
मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गुजरात राज्य के सौराष्ट्र क्षेत्र के
राजकोट जिले में भायाबदार के ब्लाक मर्चेन्ट्स
एसोसिएशन तथा तन्बाकू मर्चेन्ट्स एसोसिएशन
और भायाबदार नगर पंचायत ने पोरबन्दर
ग्रहमबाबाद के लिए बलाई गई गांधीग्राम सुपरफास्ट
एक्सप्रेस रेल गाड़ी के लिए भायाबदार में एक रोकस्वच्छ
बनाने के लिए क्रमशः तार तथा अम्प्रावेदन भेजे थे,
और क्या भायाबदार के व्यापारियों का एक प्रतिनिधि-
मंडल पोरबन्दर में 9 अगस्त, 1978 को मंत्री महोदय
से मिला था और जिन्हें एक अम्प्रावेदन दिया था,
और भायाबदार चेम्बर्स आफ कामर्स, भायाबदार
ने 24 अगस्त, 1978 को महाप्रबन्धक पश्चिम
रेलवे, बम्बई को एक अम्प्रावेदन पेश किया था ;

(ख) यदि हाँ, तो 9-8-1978 को लगभग 40,000
लोको के लिए, जिनमें से 20,000 लोग भायाब-
दार नगर के हैं तथा शेष 20,000 समीपवर्ती गांवों
के हैं—बाजू की गई गांधीग्राम एक्सप्रेस गाड़ी के
लिये भायाबदार में ठहराया जायेगा और यदि हाँ,
तो कितने मिनटों के लिए; और

(ग) इस पोरबन्दर-ग्रहमबाबाद के बीच
9-8-1978 को बाजू की गई इस नई गांधीग्राम
एक्सप्रेस के चलने के फलस्वरूप रेलवे टाइम टेबल
तथा रोकस्वच्छों में रेलवे द्वारा कब और कैसे परिवर्तन
किये गये हैं या किये जायेंगे और उन स्टेशनों के क्या
नाम हैं, जिनमें परिवर्तन किया गया है प्रचया
किया जायेगा और क्या उक्त परिवर्तन के समय
भायाबदार स्टेशन को इस गाड़ी का रोकस्वच्छ
बनाया जायेगा और यदि हाँ, तो कब ?

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

(ख) और (ग). भायाबदार से होने वाले
वातायात को देखते हुए भायाबदार स्टेशन पर 45/
46 गांधीग्राम एक्सप्रेस के ठहराव की व्यवस्था
अधीनस्थ पूर्ण नहीं पायी गई है। लेकिन, 1-4-
1979 से इन गांधीग्राम की जेतपुर स्टेशन पर ठहराव
की व्यवस्था की जा रही है क्योंकि इस स्टेशन से
होने वाले वातायात से इसका अधीनस्थ बनता है।
इन गांधीग्राम के समय में जोड़ा गया परिवर्तन करण
होना जिसे अतिरिक्त रूप दिया जा रहा है।

सीराष्ट्र से परीक्षण और धरब देवों को स्टीमर सेवा शुरू करने के बारे में सलाह

1527. श्री जयसिंह भाई पटेल : क्या नौबहन और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जब उन्होंने जून, 1978 में सीराष्ट्र सेवा के जामनगर का दौरा किया था तब उन्हें एक आपन दिया गया था, जिसमें सीराष्ट्र से पाकिस्तान तथा धरब देवों को एक सीधी स्टीमर सेवा चालू करने का अनुरोध किया गया था ;

(ख) यदि हां, तो उनमें क्या मांगों की गई थीं ; और

(ग) क्या सरकार ने इन मांगों पर कोई कार्यवाही की है धरबा करने का विचार है और यदि हां, तो कब तक ?

नौबहन और परिवहन मंत्रालय में प्रसारी राज्य मंत्री (श्री बाबू राम) : (क) जी, हां।

(ख) आपन में उल्लिखित मांग यह है कि ऊपर (क) में उल्लिखित स्टीमर सेवा चालू की जाए।

(ग) व्यापार बहुत थोड़ा होने के कारण शायद ही कोई जहाज सीराष्ट्र पत्तनों से पाकिस्तान के लिए रवाना होता हो। फिर भी, सीराष्ट्र पत्तनों से पश्चिम एशिया खाड़ी को माल का निर्यात करने के लिए नौबहन कंपनियों कांबला से जहाज भेजने की व्यवस्था करती हैं, बसंत कि लाभप्रद माल उपलब्ध हो। सीराष्ट्र पत्तनों से पाकिस्तान और धरब देवों को सीधी नौबहन सेवाएं चालू करने के लिए या नौबहा सेवाओं में विस्तार करने के लिए किए गए सुझावों पर विचार करने के लिए जहाज ठहराने के लिए आवश्यक स्थान का अनुमान लगाना जरूरी है और इस सम्बन्ध में कार्यवाई की जा रही है। धरब जहाजों के लिए आवश्यक स्थान उपलब्ध हो जाता है तो उपर्युक्त स्टीमर सेवाएं चालू करवा प्रस्ताव हो जाएगा।

नौबहन उद्योग को व्यापक मुक्त श्रम

1529. श्री हुकम चन्द कछवाय : क्या नौबहन और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने नौबहन उद्योग को बहुत बड़ी राशि का व्यापक मुक्त श्रम दिया है ;

(ख) यदि हां, तो कितनी राशि का और यह किसने क्या में वसूल किया जाएगा ;

(ग) कम्पनीवार और उद्योगवार कितना श्रम दिया गया है और श्रम की वसूली की तारीख क्या है ; और

(घ) नौबहन उद्योग इस श्रम राशि को किस प्रयोजन और मनों पर खर्च करेगा ?

नौबहन और परिवहन मंत्री (श्री बाबू राम) :

(क) जी, नहीं।

(ख) से (घ). प्रश्न नहीं होता।

पारले एक्सपोर्ट्स, बम्बई की और भविष्य निधि की बकाया राशि

1530. श्री हुकम चन्द कछवाय : क्या संसदीय कार्य तथा भ्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) मैसर्स पारले एक्सपोर्ट्स प्राइवेट लिमिटेड, बकला, धंवेरी ईस्ट बैस्टन ऐक्सप्रेस हाईवे, बम्बई की और वर्ष 1975-76-77-78 के लिए कर्मचारी भविष्य निधि और राज्य बीमा योजना को धन-प्रयोग, कितनी धनराशि बकाया है ;

(ख) क्या उपरोक्त एक प्रायः भ्रम कल्याण निधियों का उत्खनन करते रहते हैं और अगियों को इन निधियों का पूरा लाभ नहीं पहुंचता ; और

(ग) यदि हां, तो सरकार का क्या कार्यवाही करने का विचार है ?

भ्रम तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (डा० राम कृपल सिंह) : (क) भविष्य निधि प्राधिकारियों ने सूचित किया है कि 1975-76, 1976-77 और 1977-78 वर्षों के लिए उक्त प्रतिष्ठान के विपक्ष भविष्य निधि की धन-राशि बकाया नहीं है।

कर्मचारी राज्य बीमा नियम ने सूचित किया है कि प्रतिष्ठान ने नवम्बर, 1978 को समाप्त होने वाली वसुधाव धरब तक धनराशियों का वसुधाव कर दिया है। तथापि, निरीक्षण से पता चला है कि 3,635.40 रु की धन-राशि देय है और इसका निमोजक से वापस किया गया है।

(ख) और (ग). यह मानना राज्य के लेखा-धिकार में जाता है और इस सम्बन्ध में केन्द्रीय सरकार के पास कोई सूचना नहीं है।

Occupation of Railway Land by M/s Pure Drinks

1531. SHRI SARAT KAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that M/s. Pure Drinks Pvt. Ltd., New Delhi has illegally occupied Railway land and constructed factory premises; and

(b) if so, give details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Railway land measuring 2,743 sq. yards near Minto Bridge station was leased to M/s. Oriental Building and Furnishing Co. (P) Ltd. for the specific purpose of stacking or storing materials and for parking vehicles only. No permanent structure has been built on Railway land. The lease agreement of the firm was terminated with effect from 31-12-1972, but they have so far not vacated the area and the entire issue is at present *sub judice*.

Illegal possession of Railway Land by M/s Pure Drinks Pvt. Ltd.

1532. SHRI SARAT KAR: Will the Minister of RAILWAYS be pleased to state:

(a) who are the officials concerned and at whose connivance M/s Pure Drinks Pvt. Ltd., New Delhi have been able to prolong possession of illegal and unauthorised Railway land; and

(b) whether Government will immediately take possession of the illegal occupation of the Railway land and cancel all the agreements?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No officer has either connived with or helped the firm to prolong their unauthorised occupation of railway land.

(b) Eviction proceedings against the firm have already been initiated under Public Premises (Eviction of Unauthorised Occupants) Act, 1971 in the Court of Estate Officer, Northern Railway, New Delhi. The firm has, however, filed a writ petition and obtained a stay order on the eviction case from the Delhi High Court and the entire issue is *sub judice*. Further action in the matter can be taken only after the cases have been finally decided by the Court.

Unauthorised Occupation of Railway Land by M/s Pure Drinks Pvt. Ltd.

1533. SHRI SARAT KAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government would institute an enquiry against long, unlawful, unauthorised occupation of Railway Land by M/s. Pure Drinks Pvt. Ltd., New Delhi; and

(b) who are the Minister and officials responsible for allowing such a valuable railway property for the use by a private party?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). M/s. Oriental Building and Furnishing Co. (P) Ltd. were leased railway land for the specific purpose of stacking or storing materials and for parking of vehicles. The lease of the firm was terminated with effect from 31-12-1972. They have, however, so far not vacated the area and the entire issue is *sub judice*.

There had been no malafide on the part of anybody in this case and no Minister or official is responsible. In view of the above, there is no proposal to institute any enquiry.

Preparation of Models for use of C.H.W.

1534. SHRI MAHI LAL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Central Health Education Bureau have recently prepared models for the use of Community Health Workers for Rs. 3 lakhs;

(b) if so, procedure adopted in getting the models prepared;

(c) whether the prescribed procedure was not followed in the preparation of models and open tenders are not invited in spite of ample time available therefore, and

(d) if so, the reasons for this irregularity and the loss suffered by Government thereby and whether an enquiry is being conducted into it?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) The Central Health Education Bureau have got prepared 2,000 sets of models for the use of Community Health Workers for Rs. 3,74,000.

(b) and (c). The Government procedure of inviting quotations in sealed covers was followed. Limited tenders were invited as the job was required to be completed at the earliest.

(d) There was no irregularity and the question of loss suffered by the Government and the holding of any enquiry does not arise.

एजी-एक्सपी 1977 प्रदर्शनी

1534. श्री महीलाल : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय स्वास्थ्य विभाग झूरी के एजी-एक्सपी, 1977 प्रदर्शनी में भाग लिया था ;

(ख) यदि हाँ, तो उसके सफ़र में शेष बची वस्तुओं का झूरी क्या है तथा उनका मूल्य कुल कितना है और ये वस्तुएं कहाँ पड़ी हैं और उनका कैसे उपयोग किया जा रहा है ?

(ग) क्या उक्त प्रदर्शनी के बाद, जब इन वस्तुओं का लेखा-जोखा मांगा गया तब उनके केवल तीन दिन पश्चात् ही उस गोवाम भ्रमबा कमरे में भ्राय लग गई थी जिसमें उक्त वस्तुएं रखी गई थीं; और

(घ) क्या सरकार का विचार यह पता लगाने के लिए कि क्या इस घटना में प्रदर्शनी से पहले या बाद में संबद्ध रहे किन्हीं अधिकारियों का हाथ है, इस घटना की जांच कराने का है ?

स्वास्थ्य और परिवार कल्याण मंत्री (श्री रवि राय) : (क) जी, हाँ।

(ख) शेष बची वस्तुओं का झूरी और उनका कुल मूल्य इस प्रकार था :—

झूरी	कुल मूल्य
(1) बड़े आकार के ब्लैक और व्हाइट फोटोग्राफ	57,102.09 रुपये
(2) माइल्स	
(3) नारियल की बटाई	

फोटोग्राफ और माइल जैसी सभी उपयोगी वस्तुएं झूरी के विभिन्न गोवामों में रखी जाती हैं। इस सामान का समय समय पर झूरी द्वारा लगाई जा रही प्रदर्शनियों में उपयोग किया जा रहा है।

(ग) एक गैरेज में जिसमें कुछ बेकार वस्तुएं रखी हुई थीं, 19-1-1979 को प्रकस्मात आग लग गई। यह कहना गलत है कि जब इन वस्तुओं का झूरी से लेखा-जोखा मांगा गया था तब उसके केवल तीन दिन पश्चात् ही ये वस्तुएं जला दी गई थीं।

(घ) जी नहीं।

Unified Engineering Organisation for Rural Road Development

1536. SHRI S. R. DAMANI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the Central Government had suggested to States to have

a unified engineering organisation to replace the multiplicity of agencies like P.W.D., District Boards, Community Development Departments etc. to look after the rural road development; and

(b) if so, the response received from various States in this regard?

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

(b) Rural roads are, however, a State subject and it is, therefore, upto them to consider and implement all such suggestions directly. Available information shows that more than a dozen States and Union Territories have already set up such organisations.

Introduction of two Diesel Engine Fast Trains

1537. SHRI DHARM VIR VASISHT:

SHRI C. N. VISVANATHAN:

SHRI S. S. SOMANI:

SHRI SURENDRA BIKRAM:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are satisfied by the trial run of two Diesel-Engine fast Tamil Nadu Express launched as a Republic Day Gift on 29-1-1979; and

(b) if so, whether the experiment would be extended on other routes and details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) 121/122 Madras-New Delhi Tamil Nadu Express are being run, as an experimental measure, with two engines from 29-1-79. It is too early to assess the full implications of this experiment.

(b) Based on the experience gained, it is intended to extend this feature to other trains/routes.

Study of Conditions of Indian Workers in Gulf Countries

1538. SHRI DHARM VIR VASISHT:

SHRI NARENDRA SINGH:

SHRI K. A. RAJAN:

SHRI A. S. BHADORIA:

Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the outcome of Labour Ministers' recent visit to Gulf countries vis-a-vis the study of conditions of Indian workers there, country-wise and trade-wise;

(b) the nature of immigrant laws and domestic conditions of living prevailing generally in the area; and

(c) the possibilities of further expansion of India labour force in the region?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) to (c). The Delegation led by Union Minister of Parliamentary Affairs and Labour visited Kuwait, Iraq, Bahrain and UAE from 5th to 13th February, 1979. The Delegation found the working and living conditions of our workers generally satisfactory except in a few cases where arrangements for accommodation and sanitation were not up to the mark. The Governments of these countries expressed genuine concern for the welfare of the Indian workers and assured the delegation that the local laws applicable to immigrant workers in these countries provide adequate protection to our workers. The delegation also observed that opportunities of overseas employment for Indian workers are expected to increase in the near future.

Assistance to African Countries for Liberation

1539. SHRI R. MOHANARAN-GAM:

SHRI PIUS TIRKEY:

SHRI SHYAM SUNDAR GUPTA:

SHRI OM PRAKASH TYAGI:

SHRI C. K. JAFFER SHA-RIEF:

DR. BIJOY MONDAL:

SHRI S. R. REDDY:

Will the Minister of EXTERNAL AFFAIRS be pleased to state,

(a) the precise stand taken by Government in regard to the agitation of the people in African States to remove the repressive racist regimes; and

(b) the moral, material and armed assistance proposed to strengthen the efforts of our freedom-loving brethren to enjoy freedom from oppression?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) and (b). The Government of India has on numerous occasions reaffirmed its total political, moral and material support for the people of Zimbabwe, Namibia and South Africa in their just struggle for national independence based on majority rule and the restoration of inalienable human rights. In pursuance of this policy, India, apart from giving material support to the liberation movements in Southern Africa, is actively engaged in the collective efforts of the international community to bring pressure on the minority racist regimes with a view to expediting the emergence of majority rule in Zimbabwe, Namibia and South Africa. At the recently held Extraordinary Meeting of Coordinating Bureau of Non-Aligned Countries in Maputo from January 26 to February 2, 1979, India reiterated its support for the imposition of comprehensive

and mandatory economic sanctions and arms embargo against South Africa as also its support for a review of the existing sanctions against Southern Rhodesia with a view to tightening and extending them. India also supported a complete embargo on oil exports not only to South Africa but also Rhodesia.

India has continued to provide material support for the liberation struggle in Southern Africa. The nature and quantum of our material assistance to the Liberation Movements has naturally to be determined with reference to the requirements of the evolving situation and what we consider as most suitable in the light of our policy of overall support for the Liberation Movements.

Increase in Bus Fares in Delhi

1540. SHRI M. RAM GOPAL REDDY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether DTC proposes to increase the bus fares in Delhi; and

(b) if so, the details in this regard?

THE MINISTER OF STATE IN-CHAND RAM): (a) and (b). The Delhi SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). The Delhi Transport Corporation has replaced the erstwhile two-slab fare structure of 30 paise upto 16 Kms. and 60 paise beyond that by a four-slab fare structure. The revised fares operative from 22nd February, 1979 are as under:—

Distance in Kms.	Fare in Paise
(i) Upto 4 Kms.	30 paise
(ii) Over 4 Kms. upto 16 Kms.	40 paise
(iii) Over 16 Kms. upto 20 Kms.	50 paise
(iv) Over 20 Kms.	75 paise

Buses engaged on DTC Routes

1541. SHRI M. RAM GOPAL REDDY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have engaged and whether these buses have run on DTC routes under DTC operations;

(b) if so, the number of buses engaged and whether these buses have helped to reduce the losses incurred by DTC; and

(c) if so, the details in this regard?

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

(b) and (c). 603 private buses are being operated, at present, under the two kilometrage schemes formulated by D.T.C., namely, for the entire operational day and for morning and evening peak periods. These buses are being utilised to augment the services to meet the traffic demand adequately.

As against the earnings of Rs. 604.53 lakhs from private bus operations during April 1978—Jan. 1979, the expenditure incurred by DTC for payments to private bus operators and other expenses like payments to conductors, permit fees etc. amounted to Rs. 738.73 lakhs resulting in a loss of Rs. 134.20 lakhs.

Had the DTC operated its own buses in place of P.O. Buses the losses would have been higher.

Deraiment of Delhi-Howrah Express

1542. SHRI M. RAM GOPAL REDDY:

SHRI SHYAM SUNDAR GUPTA:

SHRI G. M. BANAT-WALLA:

DR. BIJOY MONDAL:

SHRI MUKHTIAR SINGH MALIK:

SHRI SHANKER SINGH VAGHELA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the Delhi-Howrah Express was derailed at Ekdil near Etawah on 31-1-1979;

(b) what is the estimated loss of life and property as a result thereof; and

(c) whether the enquiry into the causes of this accident has been conducted by Government and if so, the details thereof?

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

(b) No one was killed or injured in this accident. The cost of damage to railway property has been estimated at approximately Rs. 1,15,000.

(c) Yes. According to the provisional finding of the Inquiry Committee the accident was due to the obstruction on track caused by an iron plate having fallen down from a wagon carrying such a consignment on a goods train which had passed over the site earlier.

Announcements in Stations and Display of Reservation Charts

1543. SHRI K. GOPAL: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that still announcements are made in stations in North India including Delhi, and reservation charts displayed only in Hindi; and

(b) if so, whether Government will instruct the concerned authorities that announcements should also be made in the local language and English?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). On Northern, North Eastern and Western Railways, which cover a major portion of North India, announcements at important stations, including Delhi, are made in Hindi and English. Instructions have again been reiterated to the railways for strict compliance of these instructions.

As per extant instructions, reservation charts for important trains in Hindi-speaking areas are required to be displayed both in Hindi and English. It has, however, not been possible to display reservation charts bilingually at all stations in Hindi-speaking areas at the present. Charts are being displayed either bilingually or in English. At certain stations where the charts are displayed only in Hindi, efforts are being made to display the same bilingually so as to ensure that at all stations in Hindi-speaking areas charts are displayed bilingually.

Effect of Mechanisation on Rural Labour

1544. SHRI C. R. MAHATA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether mechanisation system is against the rural labour; and

(b) if so, what are the details in this regard and steps taken to remove its effects?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (SHRI LARANG SAI): (a) and (b). Studies have been carried out by different institutions/research centres from time to time on the effect of mechanisation on Rural Labour. While some of them indicate that mechanisation is likely to increase unemployment, a larger reveals that it does not affect employment adversely. However, it is felt

that the available studies are deficient in certain respects. The Planning Commission has, therefore, set up a Committee under the Chairmanship of Shri B. Sivaraman on Farm Mechanisation to analyse afresh the combined effects of harvesters and tractors on employment, output and costs. The Ministry of Labour has set up in September, 1978 a Central Standing Committee on Rural Unorganised Labour to advise the Government *inter alia* on the question of having a Central Legislation for safeguarding the interests of rural workers, particularly the agricultural workers, with regard to security of employment, safety in mechanisation, ways and means of removing unemployment and under-employment in rural areas through employment generation schemes.

Number of Damaged DTC Buses

1545. SHRI KANWAR LAL GUPTA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the total number of DTC buses damaged in the last six months;

(b) what was the total loss;

(c) is it a fact that the D.T.C. buses are not even insured;

(d) is it also a fact that no reserve fund for insurance has been kept for the damaged buses by D.T.C. authorities; and

(e) if so, the reasons therefor?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) 1085 buses were damaged on account of accidents and agitations during the 6 month's period from July, 1978 to December, 1978.

(b) The cost of damages has been estimated at Rs. 13.11 lakhs.

(c) and (d). Yes, Sir.

(e) The premium payable for getting the DTC fleet insure through an outside agency is likely to be about Rs. 30 lakhs annually which is higher than the losses normally incurred by the Corporation on this account. The Corporation has been given exemption from having their vehicles insured against 3rd party as required under the provisions of Motor Vehicles Act 1939. This exemption is available to all State Road Transport Undertakings. The Corporation is however, maintaining a Motor Vehicles Insurance Fund to meet claims of Third Parties. In case of damages arising out of accidents involving D.T.C. buses, the damages are recovered, to the extent possible from the Drivers where they are at fault, and in other cases the compensation is claimed from other parties responsible for the accidents.

Strikes

1546. SHRI KANWAR LAL GUPTA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the total number of strikes in each State in the last 6 months;

(b) is it a fact that strikes have hit the economy of some States very badly;

(c) has Government received any representation in this connection; and

(d) what specific steps Government propose to take to check the strikes in the industries?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) A statement giving the statewide (provisional) number of strikes during the last six months of 1978 is attached.

(b) In the absence of complete figures of production loss on account of strikes, no definite opinion can be expressed about its impact on the economy of various States. However, according to the provisional available

figures, the value of production loss due to strike during 1978 was generally less than that during 1977.

(c) and (d). Representations from different quarters, on labour situation, have been received from time to time. The situation is under constant watch of the Government. The Industrial Relations Machinery both at the Centre and in the States continued to make efforts to minimise work stoppages through informal mediation, conciliation, adjudication or arbitration, as necessary, under the existing statutory provisions and voluntary arrangements. The Labour Ministers of eight States viz. Haryana, Himachal Pradesh, Jammu & Kashmir, Punjab, Rajasthan, Chandigarh, Uttar Pradesh and Delhi reviewed the industrial relations situation in the Northern States at a conference held at Chandigarh on January 7 and 8, 1979 and noted that the situation was generally peaceful.

Statement*

Statement showing the number of strikes, State-wise, during the last six months of 1978(P)

Sl. No.	Name of the States/ Union Territories	Number of Strikes
1	2	3
1.	Andhra Pradesh	117
2.	Assam	10
3.	Bihar	133
4.	Gujarat	101
5.	Haryana	18
6.	Himachal Pradesh	2
7.	J & K.	2
8.	Karnataka	27
9.	Kerala	13
10.	Madhya Pradesh	102
11.	Maharashtra	129
12.	Manipur	1
13.	Mizhalsaya	1

1	2	3
14. Nagaland	.	..
15. Orissa	.	14
16. Punjab	.	55
17. Rajasthan	.	53
18. Sikkim	.	..
19. Tamil Nadu	.	186
20. Tripura	.	..
21. Uttar Pradesh	.	80
22. West Bengal	.	159
23. Andaman & Nicobar	.	3
24. Arunachal Pradesh	.	..
25. Chandigarh	.	3
26. Dadra & N. Haveli	.	..
27. Delhi	.	4
28. Goa, Daman & Diu	.	12
29. Lakshdeep	.	..
30. Mizoram	.	..
31. Pondicherry	.	12
All India	.	1,238

(P) = Provisional and based on the returns received in the Labour Bureau till 16-2-79.

Wagons Indented by Synthetics & Chemicals Limited, Bareilly

1547. SHRI SURENDRA BIKRAM: Will the Minister of RAILWAYS be pleased to lay a statement showing:

(a) how many railway wagons have every year been indented and loaded with synthetic rubber by Synthetics & Chemicals Limited, Bareilly during the last three years;

(b) how much revenues has been earned every year in respect of transportation of synthetic rubber

43387.5-6

despatched by Synthetics & Chemicals Limited, Bareilly, in railway wagons during the last three years; and

(c) during what timings railway wagons are loaded with synthetic rubber by Synthetics & Chemicals Limited, Bareilly?

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

Year	Number of Wagons	
	Indented	Loaded
1976-77	66	66
1977-78	12	12
1978-79 (upto Jan. '79).	4	4

(b)

Year	Revenue Earned
1976-77	3,32,990
1977-78	59,290
1978-79 (upto Jan. '79)	16,900

(c) The wagons are supplied on demand during any period of the year.

मुरादाबाद डिपोजिट में स्टेशनों का विद्युतीकरण

1548. श्री सुरेश बिष्णु : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर रेलवे के मुरादाबाद डिपोजिट के उन स्टेशनों के नाम क्या हैं जिन पर बाबू विष्णु बर्ब के दौरान टीन के बोर्ड लगाये जायेंगे, विद्युतीकरण किया जायेगा तथा प्लेटफार्मों पर सार्वजनिक टेलीफोन की व्यवस्था की जायेगी ;

(ख) क्या इस बारे में सुझाव प्राप्त हुए हैं ; और

(ग) यदि हां, तो उनके द्वारा किये गये सुझावों का ज्वारा क्या है ?

रेल मंत्रालय में राज्य मंत्री (श्री विष्णु-भारद्वाज) : (क) 1978-79 के दौरान मुरादाबाद मंडल में जिन विभिन्न कार्यों के पूरा होने की प्रत्याशा है, उनके बारे में स्थिति नीचे बताई गई है :—

(i) बाजू बिजुत बर्ष में निम्नलिखित स्टेशनों के प्लेटफार्मों पर छत डालने का काम पूरा हो जाने की संभावना है :—

- (1) लंडीरा
- (2) बंदीसी
- (3) हरिद्वार
- (4) साहजहापुर

(ii) उंचीलिया स्टेशन पर बिजली पहलूने ही लगाई जा चुकी है ।

(iii) सार्वजनिक टेलीफोन कार्यालय स्थापित करने का कोई प्रस्ताव नहीं है ।

(ख) और (ग). मुरादाबाद मंडल के निम्नलिखित स्टेशनों के प्लेटफार्मों पर छत डालने या वर्तमान छतों का विस्तार करने के लिए समय-समय पर सुझाव मिलते रहे हैं :—

ऋषिकेश, भासकपुर, सीतापुर सिटी, बोईवाला, रायवाला, दसूया, डीसनी, बंदीक, बिजनीर, रायसी, मेकलगांव, रामपुर, बासाबासी, काठनड़, मवीहाबाद, बिलपुर और मिटोरा ।

बिलपुर स्टेशन और कुंवारखी स्टेशन पर सार्वजनिक टेलीफोन कार्यालय स्थापित करने के लिए भी अनुसंधान प्राप्त हुए हैं ।

यात्री सुविधा समिति द्वारा अनुमोदित सुझावों के आधार पर मुरादाबाद और बुनपुर स्टेशनों पर पहलू से ही बिजली लगाई जा रही है और रेवली बहोराबेरा, बराल और जंगबहादुरगंज स्टेशनों पर भी बिजली लगाने की योजना बनाई गई है ।

मुम्ताजाट में अन्तर्राष्ट्रीय पुल का निर्माण

1549. श्री लक्ष्मीनारायण नायक : क्या लोकसभा और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या वाकनी गरी पर मध्य प्रदेश और उत्तर प्रदेश के बीच 'मुम्ताजाट' में 2 वर्ष पूर्व मंजूर किये गये अन्तर्राष्ट्रीय पुल का निर्माण अभी तक शुरू नहीं हुआ है और इसके क्या कारण हैं; और

(ख) निर्माण-कार्य कब आरम्भ होगा और कब पूरा होगा ?

मोहनलाल और परिवहन मंत्रालय में प्रवासी राज्य मंत्री (श्री बाबू राम) : (क) और (ख). निर्माण हो जाने के बाद, यह पुल राज्य सड़क पर पड़ेगा और इसलिए, इसका निर्माणकाय राज्य कार्यों के अन्तर्गत आता है । फिर भी, इस परियोजना के लिए केन्द्र ने 18 लाख रुपये की ऋण सहायता मंजूर की है । इस परियोजना पर उत्तर प्रदेश और मध्य प्रदेश सरकारें बराबर-बराबर खर्च करेंगी । मध्य प्रदेश सरकार से, जिसके अधीन यह परियोजना चल रही है, मालूम हुआ है कि पुल की लागत 11.20 लाख रुपये बढ़ गई है और इसने उत्तर प्रदेश सरकार को पत्र लिखा है कि वह इस बुद्धि को बराबर-बराबर बांटे । ज्यों ही इस बंटवारे पर सहमति हो जाएगी, त्योही मध्य प्रदेश सरकार टेंडर मंगाने और काम का ठेका देने के बारे में प्रगती कार्रवाई शुरू कर देगी । आशा है कि यह काम आरम्भ होने की तारीख से लगभग दो वर्षों में पूरा हो जाएगा ।

भारतीयों द्वारा अपने देश की विदेशी मुद्रा का नेमा जमाना

1550. श्रीमती सुष्मला मोरे : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) जो भारतीय राष्ट्रिक रोजगार के लिए मध्य पूर्व के देशों में गये हैं उनकी कुल संख्या कितनी है; और

(ख) भारतीयों ने गत तीन वर्षों के दौरान कितनी विदेशी मुद्रा अपने देश नेजी है ?

विदेश मंत्रालय में राज्य मंत्री (श्री लक्ष्मण कुम्हार) : (क) और (ख). मध्य-पूर्व के देशों में जो भारतीय राष्ट्रिक रोजगार के लिए गये हैं, उनकी संख्या का ठीक-ठीक हिसाब लगाना बहुत मुश्किल है क्योंकि ये सभी भारतीय मिशनरों में अपने आपको पंजीकृत नहीं कराते । इसके अतिरिक्त भारत में सिर्फ उन्हीं लोगों के सम्बन्ध में जांचें रखे जाते हैं जिन्हें नौकरी के लिए विशेष जांच की अनुमति दी गई हो और वह आवश्यक नहीं है कि इस जांच के लिए अनुमति प्राप्त सभी लोग भारत

से कने ही नए हों। फिर जो हूय अपने बिदेस भित्त बन्द निबनों से तथा अन्य लोगों से इस सम्बन्ध में स्वीय मंगा रहे हैं।

पुनिक मौजूदा नियमों के अन्तर्गत बिदेसी मुद्रा के प्राधिकृत व्यापारियों की भारतीय रिजर्व बैंक की 10,000/- घीर उससे कम रुपये स्वदेस नेत्रने का स्वीय देना अपेक्षित नहीं होता, इसलिये भारतीयों द्वारा मेची गई बिदेसी मुद्रा के ठीक-ठीक आंकड़े उपलब्ध नहीं हैं। लेकिन निर्यात से इतर लोगों से प्राप्त कुल राशि, जिस के एक बहुत बड़े भाग का सम्बन्ध स्वदेसीय प्रेषण से है इस प्रकार है :—

(करोड़ों रुपयों में)	
1976	1514.86
1977	1908.33
1978	2218.75
जनवरी, 1979	206.50

गंगापुर सिटी स्टेसन का विकास

1551. श्री बीछ लाल कटेल : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पश्चिम रेलवे की कोटा विभाजन में गंगापुर सिटी, सवाई माधोपुर, हिवीन सिटी और अन्य छोटे स्टेशनों के विकास के प्रति सरकार द्वारा कोई ध्यान नहीं दिया जा रहा है। यदि हाँ, तो उसके क्या कारण हैं ;

(ख) क्या यह भी सच है कि गंगापुर सिटी स्टेशन के प्लेटफार्म संख्या दो घीर तीन पर सेटों की व्यवस्था बहुत पहले मंजूर की गई थी लेकिन वहाँ पर अभी तक सेटों की व्यवस्था नहीं की गई है और यदि हाँ, तो उसके क्या कारण हैं और यह व्यवस्था कब तक कर दी जायेगी ; और

(ग) क्या यह भी सच है कि सवाई माधोपुर संवर्धन में बड़ी लाइन पर उपरिपुल की छोटी लाइन में लागू करने के लिए बार-बार की मार्गों के बावजूद इस योजना को अनुमोदित नहीं किया जा रहा है और यदि हाँ, तो उसके क्या कारण हैं और यह अनुमोदन कब तक कर दिया जायेगा ?

रेल मंत्रालय में राज्य मंत्री (श्री सिधू लाल) : (क) भी नहीं।

(ख) गंगापुर सिटी स्टेशन के द्वीप प्लेटफार्म नं० 2 घीर 3 पर छत डालने के काम की मंजूरी 1966-67 में दी गई थी और 190 बर्न मीटर प्लेटफार्म-छत का निर्माण किया गया।

(ग) सवाई माधोपुर स्टेशन का ऊपरी पैरस पुल बड़ी लाइन के प्लेटफार्मों को जोड़ता है। मीटर लाइन प्लेटफार्म से मिलाने के लिए इस पुल का विस्तार आवश्यक नहीं समझा जाता है क्योंकि बड़ी लाइन का मुख्य प्लेटफार्म मीटर लाइन प्लेटफार्म से एक छतदार मार्ग द्वारा जुड़ा हुआ है।

Standing Committee for Shippers and Shipowners

1552. SHRI A. R. BADRINARAYAN:

SHRI N. R. LASKAR:

SHRI P. M. SAYEED:

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

(a) whether Government have set up a four member standing committee to sort out the conflict between shippers and shipowners;

(b) if so, who are its members;

(c) whether the Committee has put forward its interim recommendations; and

(d) if so, when the final report is likely to be submitted?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Government has constituted a Standing Consultative Committee on freight and Shipping services with a view to strengthening the machinery that presently exists for resolving problems and issues involved in matters of trade affecting the interests of the shipowners and the shippers and to try, to the extent possible, that Conferences/Shipping Lines engaged in India's overseas trade prescribe freight and rates which are conducive to the interests of India's national exports.

(b) The composition of the Committee is as follows:

(1) Director General of Shipping
—Chairman

Members:

(2) Additional Secretary,
Ministry of Commerce,
Civil Supplies and Cooperation,
(Department of Commerce)

(3) Additional Secretary,
Ministry of Finance,
(Department of Economic
Affairs).

(4) Joint Secretary (Shipping)
Ministry of Shipping and
Transport.

(c) and (d). It is a Standing Committee and is not expected to submit recommendations or report.

Railway-Arranged-Tours of Accredited Correspondents

1553. SHRIMATI MRINAL GORE:
Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the Railways (Government) have been arranging tours for the accredited correspondents;

(b) if so, whether tours accompanied by their Information officers;

(c) whether any soft and hard drinks are provided to the correspondents while on train or at their resting places; and

(d) whether the Information officers participate in these drinking parties?

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

(c) No hard drinks are served to the press correspondents either on train or at their resting places. However, soft drinks, as available in the market, are provided to them, as part of normal hospitality.

(d) Does not arise.

Capacity of Integral Coach Factory

1554. SHRI C. N. VISVANATHAN:
Will the Minister of RAILWAYS be pleased to state:

(a) the capacity of Integral Coach factory, Perambur to meet current and future demands; and

(b) particular of plans in hand and the time frame for implementation thereof so as to meet effectively rising demands?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The Integral Coach Factory, Perambur, has capacity to produce 750 Coaches per year of different product mix.

(b) A survey is proposed to be taken up to study the matter in depth and prepare a Project Report for establishing a new coach factory under the auspices of the Indian Railways. This Survey has been included in the Budget for 1979-80.

Shipyard and port at Hajira in Gujarat

1555 SHRI F. P. GAEKWAD:

SHRI CHHITUBHAI GAMIT:

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

(a) whether it is a fact that the Foreign Consultants appointed by Government have recommended Hajira in Gujarat for setting up a Shipyard and an all-weather port;

(b) whether this question is pending consideration over five years;

(c) whether the State Government has assured the Government of India

that necessary infra-structure port facilities would be provided at Hajira; and -

(d) if so, the stage at which the matter lies at present and when a final decision is likely to be taken?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) The foreign Consultants appointed by Government of India for preparation of Preliminary Project Reports on new shipyards had recommended Hajira as one of the suitable site for a shipyard. The suitability of Harjira for development as an all-weather port was not referred by Government to these Consultants.

(b) No, Sir.

(c) The Government of Gujarat have indicated that they have administratively approved a scheme for development of Harjira Port complex at an estimated cost of Rs. 14.78 crores to provide *inter alia* the essential sea-custom and conservation facilities required for a shipyard.

(d) A consultancy firm has been engaged for preparation of Detailed Project Report for a Shipyard. Government would consider the matter further only after the receipt of the Report and subject to financial constraints and other priorities.

Mehta Committee on Bombay Port

1556. SHRI R. V. SWAMINATHAN:

SHRI M. V. CHANDASHEKHARA MURTHY:

SHRI A. R. BADRINARAYAN:

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

(a) whether Union Government has decided in principle to implement the recommendations of the Mehta Committee on Bombay Port congestion including proposals for diversion of cargoes to other ports;

(b) if so, whether the Union Government have already issued instruction to port authorities for its implementation;

(c) if so, how many of its recommendations have been accepted;

(d) what steps are being taken to fully implement the same; and

(e) whether ships choke Bombay port even in the month of January and February 1979?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) to (d). The Mehta Committee's recommendations fall in different categories. There are certain recommendations, which are with the competence of the ports. These being broadly acceptable, the Ports have been requested to implement them. Besides, there are recommendations, which relate to various Ministries of the Central Government. These are being considered through the procedure of the Empowered Committee. There are others, which are being processed in the Ministry and would need concurrence of the Finance.

(e) Bombay Port continued to face congestion during January and February 1979.

Casualties on Coal Mines

1557. SHRI DHIRENDRA NATH BASU:

Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether casualties in coal mines are on the increase in the eastern Zone particularly in Dhanbad, Asansol and Jharia coalfields; and

(b) if so, the details thereof at least for the last two years?

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

As the statement below shows, there
has been no increase in the casualties
in coal mines in the Eastern Zone.

Year	RANIGANJ (ASANSOL)				JHARIA (DHANBAD)			TOTAL	
	No. of fatal acci- dents	No. of persons killed	No. of persons seriously injured	No. of fatal acci- dents	No. of persons killed	No. of persons seriously injured	No. of fatal acci- dents	No. of persons killed	No. of persons seriously injured
1977	35	37	7	50	58	12	85	95	19
1978*	25	29	6	53	62	10	78	91	16

*Provisional and subject to revision.

बाराबंकी समस्तीपुर लाइन

1558. श्री उज्ज्वल : क्या रेल मंत्री यह बताने
की कृपा करेंगे कि :

(क) बाराबंकी-समस्तीपुर तथा धरणी-बाराणसी
रेल लाइन का निर्माण कार्य कब तक पूरा हो जायेगा;

(ख) उस पर कितने व्यय का अनुमान है;
और

(ग) पूर्वोक्त रेलवे में देवरिया कुशीनगर-
पड़राना रेल लाइन का सर्वेक्षण कब तक पूरा किया
जायेगा ?

रेल मन्त्रालय में राज्य मंत्री (श्री शिव
भारद्वाज) : (क) बाराबंकी-समस्तीपुर लाइन
का बड़ी लाइन में बदलाव का काम, जो इस समय
चल रहा है, 1980 तक पूरा करने की योजना है।
बाराणसी-मदनी लाइन के बदलाव काम अभी शुरू
नहीं किया गया है। अतः यह बताना अभी सम्भव
नहीं है कि यह काम कब तक पूरा होगा।

(ख) बाराबंकी-समस्तीपुर आमान परिवर्तन परि-
योजना पर लगभग 79.6 करोड़ रुपये तथा बाराणसी-
मदनी परियोजना पर 13.9 करोड़ रुपये लागत जाने
का अनुमान है।

(ग) कुशीनगर के रास्ते देवरिया से पड़राना
तक रेलवे लाइन के लिए सर्वेक्षण कराना कोई
प्रस्ताव, क्लियरान्स, विचारार्थी नहीं है।

Valappattanam Bridge

1559. SHRI C. K. CHANDRAPPAN:

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

(a) whether Government are aware
of the fact that the construction of the
Valappattanam bridge in Cannanore
District Kerala on the Kanya-kumari-
Bombay Highway is still moving at a
snail pace, while the construction of
the approach roads has not yet been
taken up;

(b) in view of the fact that Valapat-
tanam rail-cum-road bridge is not
constantly being closed for road traffic
at night due to repair work and con-
sidering the hardship faced by people
of North Malabar, whether special
measures be taken up for speedy
completion of this bridge at Vala-
pattanam; and

(c) if so, when it is likely to be
completed?

THE MINISTER OF STATE IN-
CHARGE OF THE MINISTRY OF
SHIPPING AND TRANSPORT (SHRI
CHAND RAM): (a) and (b). Although
the progress in the construction of
Valappattanam bridge on National High-
way-17 in Kerala was slow in the ini-
tial stages due to the poor effort put

in by the contractor, whose contract was later on terminated by the State P.W.D. in April, 1975, the pace of progress has been satisfactory after the balance work was awarded by them to M/s. Kerala State Construction Corporation Ltd., in March, 1976. The land acquisition estimate for the approaches to the bridge was sanctioned in August, 1976, and this work has since been completed. The estimate for the formation of approaches was sanctioned in October, 1973, and tenders for the work have been called for by the State Public Works Department.

(c) While the bridge work is likely to be completed by March, 1980, the approaches are expected to be ready towards the end of 1980.

Decline of Employment in Ports of Kerala

1560. **SHRI C. K. CHANDRAPPAN:**
Will the Minister of SHIPPING
TRANSPORT be pleased to state:

(a) whether the Government are aware of the fact that there is a decline of employment in all sectors of work in the Ports of Trivandrum, Alleppey and Calicut due to the lack of ships calling on these minor ports in Kerala;

(b) if so, the facts, reasons and details thereof for the last three years; and

(c) what are the steps Government contemplate to overcome this crisis?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI CHAND RAM):

(a) and (b). Ports, other than Major Ports, feature in the Concurrent List of the Constitution but the executive responsibility for their development and day-to-day administration vests with the State Government concerned.

The State Government of Kerala have furnished the following information on the cargo handled in the Ports of Trivandrum, Alleppey and Calicut:

(Cargo handled in tonnes)

Name of Port	1975-76	1976-77	1977-78
Trivandrum	6,337	Nil.	Nil.
Alleppey	58,140	9,750	6,669
Calicut	1,74,173	1,34,639	89,392

According to the State Government the fall in traffic in minor ports is due to the following main reasons:—

- (i) Inadequacy of draughts and general facilities;
- (ii) Diversion of coastal steamers to foreign trade;
- (iii) Availability of alternative means of transport by land.

(c) The State Government have indicated that they propose to take the following steps to correct the decline

of traffic in minor ports:—

- (i) Dredging to maintain necessary depths;
- (ii) Acquisition and modernisation of Harbour Crafts and Cargo handling equipment;
- (iii) Better upkeep and maintenance of roads leading to Ports.

They have also commissioned a detailed project report on the setting up of a parttime Corporation which would ensure that the minor ports serve the

economic needs of the State through increased utilisation of small coastal vessels.

गंगापुर सिटी स्टेशन पर पी० डब्ल्यू० आई० लोकोमोटिव कैरिज बर्कसाप पर माल डिब्बों की उपलब्धता

1561. श्री बीका लाल शेरव : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) गंगापुर सिटी स्टेशन (कोटा-पश्चिम रेलवे) पर पी० डब्ल्यू० आई० लोकोमोटिव कैरिज बर्कसाप तथा गोदाम पर माल उतारने के बाद प्रतिदिन बीसतन कितने बन्ड, बुले तथा अन्य सभी प्रकार के माल-डिब्बे उपलब्ध रहते हैं;

(ख) माल उतारने के बाद उक्त माल-डिब्बों में से कितने माल डिब्बे स्थानीय मार्गों के लिये माल के अनुसरण में गोदाम में उपलब्ध कराये गये;

(ग) स्थानीय स्टेशनों पर क्या निश्चित दिनों में डब्ल्यू० आई० लोकोमोटिव उपलब्ध होने के बावजूद प्राथमिकता के आधार पर माल-डिब्बे सप्लाई नहीं किये जाते जबकि कोटा जंक्शन तथा अन्य स्टेशनों पर डब्ल्यू० टी० एस० प्रणाली के आधार पर माल डिब्बों का आर्डर और सप्लाई प्राथमिकता के आधार पर की जाती है; और

(घ) क्या सरकार इन सभी मामलों की जांच करेगी और यदि हाँ, तो कब तक और यदि नहीं तो इसके क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री सिद्ध भारद्वाज) :

(क) गंगापुर सिटी स्टेशन पर पी० डब्ल्यू० आई० साइडिंग, लोकोमोटिव, सवारी डिब्बा कारखाना और माल गोदाम में माल उतारने के बाद बीसतन 19 माल-डिब्बे (बन्ड, बुले, बी०पी०एस० आदि) उपलब्ध रहते हैं ।

(ख) गंगापुर सिटी माल-गोदाम में लदान के लिए बीसतन लगभग 11 माल-डिब्बे उपलब्ध कराये गये ।

(ग) जहाँ तक डब्ल्यू० टी० एस० यातायात के लदान का सम्बन्ध है, निश्चित दिनों को इस यातायात के नियमित लदान की अनुमति दी गयी है और इस के लिये संबंध कार्यालय द्वारा कोई विशिष्ट आर्डर प्रपोजित होता और न ही ऐसा किया जाता है ।

(घ) जी हाँ, जैसे ही किसी विशिष्ट मार्गों की रिपोर्ट मिलेगी, उन की जांच की जायेगी ।

Loading & Unloading Siding at Qadian

1562. DR. BALDEV PRAKASH:

Will the Minister of RAILWAYS be pleased to state:

(a) whether any request from the citizens of Qadian has been received by Government to construct a loading and unloading siding at Qadian;

(b) is it a fact that for prompt transit of foodgrains a loading siding is urgently needed in Qadian; and

(c) the action taken by Government to construct loading siding at Qadian?

THE MINISTER OF STATE FOR RAILWAYS (SHRI SHEO NARAIN):

(a) and (b). Neither has any such request for provision of a siding at Qadian station been received nor is it required for the present level of traffic.

(c) Does not arise.

Introduction of Train from Gurdaspur to Delhi

1563. DR. BALDEV PRAKASH:

Will the Minister of RAILWAYS be pleased to state:

(a) whether there was a persistent demand from the people of Gurdaspur District (Ferozepur Div. Punjab) to provide a direct train from Gurdaspur to Delhi;

(b) whether any change of route of existing trains from Jammu to Delhi via Gurdaspur and Batala is under examination of Government; and

(c) the number of trains from Jammu to Delhi at present?

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

(b) No.

(c) Four pairs of Mail/Express trains including bi-weekly 171/172 Bombay Central-Jammu Tawi Express are running between Delhi/New Delhi and Jammu Tawi.

Wagon for Salt-Producing Centres

1564. SHRI K. T. KOSALRAM: Will the Minister of RAILWAYS be pleased to state:

(a) the number of Rail wagons that have been made available to the salt-producing centres like Arumuganeri and Tuticorin in Tamil Nadu after the elimination of discrimination between licensed and unlicensed producers of salt;

(b) what is the total number of wagons required for transportation of salt by the producers who have all been brought under category 'C'; and

(c) the steps taken by the Railways to supply rail wagons to these centres of salt production to reduce the huge stockpile of salt?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The notification permitting movement of salt from unlicensed producers also under the Zonal Scheme was issued by the Union Ministry of Industry on 1st January, 1979. During the period from 1st January to 15th February, 1979, 1753 wagons from Tuticorin and 232 wagons from Arumuganeri were loaded with zonal salt as compared to 758 and 127 wagons respectively during the corresponding period of 1978.

(b) The annual quota is for 11,790 wagons at Tuticorin and 1,310 wagons at Arumuganeri for movement of zonal salt under priority class 'C', including the unlicensed sector.

(c) The loading of zonal salt in the current year is more than that in the last year. Every effort is being made to step it up further by organising block rake movements.

Compensation for the Indians Shot in Nigeria

1565. SHRI SUKHDEV PRASAD VERMA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have taken up the matter with the Nigerian Government for the payment of compensation for the three Indians shot dead by a Nigerian Army Guard in October, 1974; and

(b) if so, with what result?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a), Yes, Sir.

(b) The Government of Nigeria have not so far agreed to pay compensation to the legal heirs of the three deceased Indian seamen despite our efforts. The Government of India has, therefore, as a special case and on compassionate grounds, sanctioned an ex-gratia payment of Rs. 19,000 to the legal heirs of each of these three Indian seamen. Under the Indian Maritime Law this is the maximum amount of compensation that could be awarded to the heirs of the Indian seamen dying while on duty. However, we are pursuing the matter with the Government of Nigeria.

Extension of Shahdara-Bagpat Train upto Shamli

1567. DR. VASANT KUMAR PANDIT: Will the Minister of RAILWAYS be pleased to state:

(a) whether the general public from Delhi has requested Government to extend the current train service between Bagpat and Shahdara by extending it to Shamli;

(b) whether a railway line has been laid upto Shamli but the train service has not been extended upto Shamli; and

(c) what does Government propose to do to remove the inconvenience faced by thousands of daily passengers coming to Delhi for jobs?

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

(b) and (c). Bagpat Road Shamli section has been opened for passenger traffic and all the five pairs of Delhi Shahdara-Bagpat Road trains have been extended to Shamli with effect from 12th January, 1979.

Operation of V.L.C.C.'s

1568. DR. VASANT KUMAR PANDIT: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that the Shipping Corporation has ordered V.L.C.C.'s out of which delivery of two has been taken;

(b) whether it is a fact that the operations of the two V.L.C.C.'s have shown a loss on their operations; and

(c) is it a fact that the order of the third V.L.C.C.'s was turned into the purchase of bulk carriers, if so, the reasons thereof?

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

(b) Yes, Sir.

(c) Yes, Sir. Consequent to the oil crisis the demand for large tankers particularly V.L.C.C.'s steeply declined and the slump in international freight market made tanker operations very uneconomic. After exploring the possibility of cancelling the order for V.L.C.C.'s and after protracted negotiations with the shipyard in Yugoslavia, it was mutually agreed to accept the two V.L.C.C.'s and place order for three bulk carriers in place of the third V.L.C.C. on certain agreed terms.

Kashmir

1569. SHRI ANANT RAM JAISWAL: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Pakistan's attitude towards Kashmir issue had been somewhat moderate and subdued during the intervening period of State Agreement and his (Foreign Minister) visit to that country but Pakistan stepped up her propaganda thereafter about her demands concerning Kashmir; and

(b) if so, the details of the above propaganda?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) and (b). Pakistan Government have been giving expression to their position on Jammu and Kashmir whenever any opportunity arises. No significant change has been noticed in Pakistan's attitude.

Shortage of Beds in Delhi Hospitals

1570. SHRI ANANT RAM JAISWAL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that there is acute shortage of beds at present for indoor patients in Delhi hospitals due to which two indoor patients are allotted only one bed and some patients have to sleep on floor in the wards;

(b) if so, the number of beds for indoor patients in Lok Nayak J.P. Narayan Hospital, Safdarjang Hospital and Dr. Ram Manohar Lohia Hospital of Delhi in 1976-77, 1977-78 and 1978-79 (upto 31-1-79) separately;

(c) the number of beds proposed to be increased in each of these major hospitals during the current year

keeping in view the increasing population of Delhi and what will be per capita availability of beds thereby as compared to 1977-78; and

(d) whether Central Government propose to open a new hospital in Delhi during the current year and if not, the reasons therefor?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) Since the number of patients

seeking admission generally exceeds the sanctioned beds in Lok Nayak Jayaprakash Narayan Hospital, Safdarjang Hospital and Dr. Ram Manohar Lohia Hospital, there is acute shortage of beds and in some cases there is no alternative but to keep two patients, not suffering from communicable diseases, on one bed or to accommodate them on floor beds or in mini folding beds. In other hospitals administered by Delhi Administration, the position is not so acute.

(b)	1976-77	1977-78	1978-79 (upto 31-1979)
Lok Nayak J. P. Hospital.	1175	1175	1175
Safdarjang Hospital.	1207	1207	1207
Dr. Ram Manohar Lohia Hospital.	730	730	730

(c) (i) Lok Nayak J. P. Hospital:—140 beds are proposed to be added in the Guru Nanak Eye Centre.

(ii) Safdarjang Hospital:—Nil

(iii) Dr. Ram Manohar Lohia Hospital:—70 beds are proposed to be added to the General Ward.

The above mentioned increase will not significantly reflect statistically in the per capita bed strength as compared to 1977-78.

(d) No.

किस बीबीवार वाले रेलवे फाटकों से हुई दुर्घटनाएँ

1971 की जनसंख्या एवं जनसंख्या :
की तुलना में प्रसारण वर्ग :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विभिन्न रेलों के डिब्बों/वाहनों में बिना बीबीवार वाले रेलवे फाटकों के प्रारण प्रति वर्ष हजारों दुर्घटनाएँ होती हैं;

(ख) यदि हाँ, तो विभिन्न डिब्बों/वाहनों में वर्ष 1977 और 1978 में, प्रत्येक प्रत्येक इन रेलवे फाटकों पर कितनी दुर्घटनाएँ हुईं;

(ग) 31 दिसम्बर, 1978 को, राज्यवार और डिब्बों/वाहनों बिना बीबीवार वाले रेलवे फाटकों की संख्या कितनी है; और

(घ) बावजूद वर्ष के दौरान ऐसे कितने रेलवे फाटक हैं जहाँ पर सुरक्षा गार्ड नियुक्त किये जायेंगे और छोटी पंचवर्षीय योजना (1978-83) में बिना बीबीवार वाले रेलवे फाटकों पर सुरक्षा गार्डों की नियुक्ति पर राज्यवार/डिब्बों/वाहनों किये जायेंगे वाले व्यय के किये कितनी राशि की व्यवस्था की गयी है ?

रेल मंत्रालय में राज्य मंत्री (श्री विजय नारायण) : (क)जी नहीं ।

(ख) एक विवरण सभा पटल पर रखा है ।
(ग) न्याय में रखा गया । देखिये संख्या एल.डी-4009-79)

(घ) और (घ) सूचना एकट्ठी की जा रही है और सभा पटल पर रख दी जायेगी ।

Revenue and Expenditure of two Rajdhani Express Trains

1572. SHRI R. K. MHALGI: Will the Minister of RAILWAYS be pleased to state:

(a) what is the total amount of revenue and expenditure for the years 1975-76, 1976-77 and 1977-78 of the two Rajdhani Express Trains Bombay to New Delhi and Calcutta to New Delhi; and

(b) whether there is any proposal under consideration of Government to make the said trains more profitable and also proposal for providing more amenities in the said trains?

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 House.

गुजरात में नसबंदी

1573. श्री जीतू भाई नागित : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताते की कृपा करेंगे कि :

(क) मार्च, 1977 से दिसम्बर, 1978 के दौरान गुजरात में प्रत्येक जिले में कितने व्यक्तियों की नसबंदी की गयी है और इस कार्य पर कितनी राशि खर्च हुई;

(ख) केन्द्रीय सरकार ने इसमें से कितनी अंतराशि दी;

(ग) क्या यह सच है कि प्रेरणा के लिये राशि बढ़ाने की व्यवस्था किये जाने से अधिक लोग नसबंदी के प्रति आकर्षित होंगे; और

(घ) यदि हाँ, तो क्या प्रेरणा राशि की बढ़ावा जायेगा और यदि हाँ, तो कितना और इस प्रयोजन के लिये दी जाने वाली अन्य सुविधाओं का ब्यौरा क्या है ?

स्वास्थ्य और परिवार कल्याण मंत्री (श्री रवि राव): (क) मार्च, 1977 से दिसम्बर, 1978 तक गुजरात राज्य में जिन व्यक्तियों की नसबंदी आपरेसन किये गये, उनकी विस्तार संख्या का एक विवरण संलग्न है :—

इस पर विवेचार कितना व्यय हुआ, इस की सूचना उपलब्ध नहीं है। वैसे, 1-3-77 से 30-6-77 के दौरान स्टेजों से नसबंदी आपरेसन करवाने पर देय मुआवजे की दरें अनुवन्ध 2 में दी गई हैं तथा की दरें कम्प्ली मुनार्ड, 77 से दिसम्बर, 78 की अवधि के बीच देय की, वे नीचे दी गई हैं :—

कुल नसबंदी	100.00 रुपये
महिला नसबंदी	120.00 रुपये

(ख) गुजरात सरकार की मुआवजे की राशि तथा परिवार कल्याण कार्यक्रम को लागू करने के लिये कुल कितनी केन्द्रीय सहायता दी गई, वह इस प्रकार है :—

रुपये लाखों में

अवधि	दी गई कुल सहायता	मुआवजे की राशि
	रुपये	रुपये
1977-78	505.92	120.00
1978-79 (दिसम्बर 78 तक)	420.40	106.00

(ग) और (घ) इस सम्बन्ध में नीति यह है कि सरकार को प्रत्येक नसबंदी आपरेसन करवाने वाले स्वीकारकर्ता को उस की मजदूरी के नुकसान तथा अन्य प्राथमिक खर्च की पूर्ति करनी चाहिए। नसबंदी आपरेसन करवाने में, स्वीनिक तक भाने जाने का खर्च, प्रसूताओं में कुछ समय बहाने के परिणामस्वरूप उसे होने वाला मजदूरी का नुकसान भी शामिल है, जिसे अधिकार लोग शासनी से सहन नहीं कर सकते हैं। नसबंदी आपरेसन करवाने वाले व्यक्ति की मुआवजे के रूप में 70.00 रुपये (सत्तर रुपये) की राशि दी जाती है। इस के प्रतिरूप आपरेसन मुक्त किया जाता है तथा इस आपरेसन के कारण यदि कोई अक्षमता हो जाए तो उस का इलाज भी मुक्त किया जाता है। स्वीकारकर्ता को आहार तथा परिवहन की सुविधाओं की मुक्त मुटाई जाती है। पूर्ण मुआवजे की में दरें केवल पहली मुनार्ड, 77 से ही लागू की गई थीं, इसलिये इस समय इन में संशोधन करने का कोई विचार नहीं है क्योंकि इन्हें बर्बाद समझा जाता है।

उपरोक्त मुआवजे के अलावा, कुछेक राज्य सरकारों/संघ आश्रित क्षेत्रों ने स्वीकारकर्ताओं, स्त्रियों, आदरों तथा क्षेत्रीय कार्यक्रमों, आदि की अपने संसाधनों से विशेष प्रोत्साहन देने की शुरुआत किये हैं।

विबरण—I

क्रम सं० जिला	मार्च, 1977 से दिसम्बर, 1978 तक गुजरात में किये गये स्वेच्छिक नसबंदी आपरेसन*	
1	2	3
1. अहमदाबाद		27,702
2. धनरेशी		7,361
3. बांस काठा		4,291
4. बड़ोदरा (बड़ोदा)		25,586
5. भावनगर		9,971
6. बरीच (भावन)		12,777
7. वलसाद (वुलसार)		13,620
8. डांगस		901

1	2	3
9. गांधीनगर		1,753
10. जामनगर		7,679
11. जूनागढ़		15,170
12. खेड़ा		29,004
13. कच्छ		3,939
14. मेहसना		12,458
15. पंच महलस		9,233
16. राजकोट		11,484
17. साबर कांठा		9,762
18. सुरत		23,114
19. सुरेन्द्र नगर		6,128
योग		231,933

*घांके अनन्तिम है और इन में परिवर्तन हो सकते हैं ।

विबरण—II

विश्व-विश्व वर्गों स्वीकारकर्ताओं को नसबंदी आपरेसनों के लिए दी गई मंदावने की राशि का विवरण

शीर्ष	वर्ग—I (दो तथा दो से कम जीवित बच्चों वाले व्यक्ति)		वर्ग—II (तीन जीवित बच्चों वाले)		वर्ग—III (चार या अधिक जीवित बच्चों वाले)	
	पुरुष नसबन्दी	महिला नसबन्दी	पुरुष नसबन्दी	महिला नसबन्दी	पुरुष नसबन्दी	महिला नसबन्दी
1	2	3	4	5	6	7
1. स्वीकार कर्ता	100	100	50	50	25	25
2. दवा और पट्टियाँ	10	15	10	15	10	15
3. आहार	5	20	5	20	5	20
4. परिवहन	5	5	5	5	5	5
5. विशिष्ट प्रायोजी निधि*	30	10	30	10	25	5
(i) केन्द्रीय शेर	(5)	(—)	(5)	(—)	(5)	(—)
(ii) राज्य शेर	(25)	(10)	(25)	(10)	(20)	(5)
योग	150	150	100	100	70	70

*नोट : शीर्ष निधि सबों पर स्वयं की प्रति इस व्यवस्था में से की जायेगी:-

(i) सामुदायिक पुरस्कार (ii) सामुदायिक प्रोत्साहन (iii) छोटे-छोटे विविधता का भागीदारी

(iv) संगठनात्मक खर्च तथा विशेष अभियान, धारि (v) साज-सामान (vi) प्रेरकों/डाक्टरों धारि को किया गया भुगतान (vii) जीवित बीमा ।

प्रारम्भिक स्वास्थ्य केन्द्रों की दवाइयों की सप्लाई

1574. श्री जीतू जाई पानित: क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताते की कृपा करेंगे कि :

(क) गत तीन वर्षों में वर्षवार प्रत्येक राज्य में प्रारम्भिक स्वास्थ्य केन्द्रों को कुल कितनी कीमत की औषधियां सप्लाई की गई हैं;

(ख) क्या दवाइयों की सप्लाई पर्याप्त है और यदि हाँ, तो क्या सरकार का विचार इस में वृद्धि करने का है; और

(ग) क्या केन्द्रीय सरकार ने राज्य सरकारों से सब प्रारम्भिक केन्द्रों की आवश्यक दवाइयां सप्लाई करने का अनुरोध किया है अथवा अनुरोध करने का विचार है और यदि हाँ, तो तत्संबंधी व्यौरा क्या है ?

स्वास्थ्य और परिवार कल्याण मंत्री (श्री एच.ए.ए.ए.) : (क) से (ग) : इस बात को समझते हुए कि प्रारम्भिक स्वास्थ्य केन्द्रों में दवाइयां पर्याप्त नहीं हैं, भारत सरकार ने पांचवीं पंचवर्षीय योजना के दौरान न्यूनतम आवश्यकता कार्यक्रम के अन्तर्गत दवाइयां खरीदने हेतु प्रावधान की राशि बढ़ा कर प्रत्येक प्रारम्भिक स्वास्थ्य केन्द्र के लिये 12,000.00 रु० (बारह हजार रुपये) प्रति वर्ष और प्रत्येक उप केन्द्र के लिये 2,000.00 रुपये (दो हजार रुपये) प्रति वर्ष कर दिया है। जन स्वास्थ्य रक्षक योजना के अन्तर्गत, जो 2 जनवरी, 77 को केन्द्रीय प्रायोजित योजना के रूप में पेशाई गई थी भारत सरकार ने प्रत्येक प्रारम्भिक स्वास्थ्य केन्द्र के लिये 6,000.00 रुपये (छः हजार रु०) प्रति वर्ष के अतिरिक्त ग्रांट की व्यवस्था की है। इस के साथ-साथ चूने हुए प्रत्येक स्वास्थ्य केन्द्र में जन स्वास्थ्य रक्षकों के जरिये लगभग 60,000 (साठ हजार रुपये) प्रतिवर्ष की लागत की दवाइयां भी दी जाती हैं। इन प्रारम्भिक स्वास्थ्य केन्द्रों में जो दवाइयां उपलब्ध हैं, उन में से सभी दवाइयां वापस होनी चाहिये जिन्हें इन केन्द्रों में बीमारियों का इलाज करने के लिये अनिवार्य समझा जाता है।

विदेशों में भारतीयों की स्थिति

1575. श्री जीतू जाई पानित : क्या विदेश मंत्री यह बताते की कृपा करेंगे कि :

(क) क्या विदेशों में रह रहे भारतीयों की स्थिति के बारे में अध्ययन किया गया है;

(ख) क्या कुछ देशों की सरकार द्वारा वहाँ रह रहे भारतीय नागरिकों के साथ व्यवहार किये जाने के बारे में कुछ शिकायतें प्राप्त हुई हैं; और

(ग) यदि हाँ, तो तत्संबंधी व्यौरा क्या है और इस बारे में भारत सरकार की क्या प्रतिक्रिया है ?

विदेश मन्त्रालय में राज्य मंत्री (श्री कपूरसिंह ब्रह्म) : (क) की हाँ।

(ख) और (ग) : नोट भाव बरते जाने की शिकायतें समय समय पर प्राप्त होती रहती हैं लेकिन बावजूद किये जाने पर उन में से सभी शिकायतें उचित नहीं पाई जाती। दक्षिण अफ्रीका ही एकमात्र ऐसा देश है जो सामान्य नीति के रूप में व्यवहार करता है। कुछ महत्वपूर्ण किस्मों की शिकायतें नीचे लिखे अनुसार हैं :—

ब्रिटेन की आप्रवास प्रक्रिया में बाधाएं आप्रवास नियम में प्रत्यक्ष रूप से कोई व्यवहार नहीं है किन्तु इस बात का संवेह किया गया है कि भारतीय उप-महादीप के आप्रवासियों के प्रति व्यवहार बदला जाता है।

पश्चिमी एशिया में, बेलन संबंधी विवादों प्रायः की शिकायतें प्राप्त हुई हैं। इन शिकायतों की जांच की गई है और हमारे मिशन ने स्थानीय प्राधिकारियों के साथ इन्हें निपटा दिया है। कनाडा में भारतीयों के विरुद्ध कतिपय व्यवहार की प्रवृत्तियां देखने में आई हैं। प्रवेश पत्रनों पर भारतीयों को परेशान किए जाने की खबरें भी प्राप्त हुई हैं। इस प्रकार के मामलों के प्राधिकारियों के ध्यान में लाए गए हैं।

सऊदी अरब में सिनधों के प्रवेश पर प्रतिबंध का मामला प्रत्येक स्तर पर उठाया गया है और अभी हाल ही में जनवरी, 1979 में हमारे उच्चायुक्त मंत्री की सऊदी अरब की यात्रा के समय भी उठाया गया था।

National Highway No. 7

1576. SHRI P. VENKATASUB-
BALAH:

SHRI KUSUMA KRISHNA
MURTHY:

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

(a) whether it is a fact that No. 7
National Highway which runs through
Hyderabad and Kurnool in Andhra
Pradesh is in a very bad condition;
and

(b) whether any steps have been
taken to sanction adequate funds for
affecting repairs to this National
Highway?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). National Highway No. 7 in Andhra Pradesh which runs through Hyderabad Kurnool is in a traffic worthy condition. However, some damages had occurred during the last monsoon due to heavy rains. Immediate restoration measures were taken up by the State P.W.D. and Flood Damage Repair Estimates worth Rs. 13.485 lakhs have been sanctioned for the purpose.

Accident of Vaigai Express

1577. SHRI R. KOLANTHAIVELU: Will the Minister of RAILWAYS be pleased to state:

(a) the number of accidents mishaps in which the Vaigai Express has been involved during the last six months;

(b) the results of the study made of the mishaps; and

(c) the steps taken to ensure safe and secure running of the Vaigai Express?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) During the last six months i.e. August, 1978 to January, 1979, Vaigai Express was involved in accidents twice. On 21st December, 1978 it dashed against two boulders between Talanallur and Vriddhachalam Town stations and on 22nd December, 1978 it derailed at Tiruchirappalli station.

(b) The first accident was a case of attempted train wrecking. The second accident, according to the provisional finding of the Additional Commissioner of Railway Safety, Bangalore, was due to failure of railway staff.

(c) The Additional Commissioner of Railway Safety had stipulated certain special instructions regarding maintenance of coaches, engines, track, granting of line clear, etc., in connection

with the running of Vaigai Express which are being followed scrupulously.

मुरावाबाद-बरेली लाइन पर इलेक्ट्रिक सिगनलों की व्यवस्था करना

1578. श्री राजेन्द्र कुमार शर्मा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या इस बात को देखते हुए कि मुरावाबाद-बरेली लाइन (यह एक ही लाइन है) में रेलगाड़ियों के आने-जाने में कठिनाई को अनुभव करते हुए वहाँ पर इलेक्ट्रिक सिगनलों की व्यवस्था करने का प्रस्ताव है; और

(ख) यदि हाँ, तो कब तक ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण): (क) केन्द्रीय यातायात नियंत्रण, धादि के रूप में सिगनल-व्यवस्था संबंधी सुधार उन विभिन्न विकल्पों में से एक है जिन पर मुरावाबाद-बरेली खंड पर लाइन क्षमता में सुधार लाने के लिये विचार किया जा रहा है।

(ख) प्रश्न नहीं उठता।

बिसेसों की तकनीकियन भेजा जाना

1579. श्री राजेन्द्र कुमार शर्मा : क्या संसदीय कार्य तथा भ्रम मंत्री यह बताने की कृपा करेंगे कि: पश्चिम और मध्य पूर्व के एशियाई देशों में भारतीय तकनीकियनों की बढ़ती हुई मांग को ध्यान में रखते हुए सरकार ने ऐसे अधिकारियों की सीधी भर्ती करने की कोई व्यवस्था की है क्योंकि वर्तमान व्यवस्था के अन्तर्गत सरकार द्वारा नियुक्त एजेंट गड़बड़ी और आबावडी में लगे हुए हैं?

संसदीय कार्य तथा भ्रम मंत्री (श्री रवीन्द्र वर्मा) : समुदाय भर्ती के विभिन्न पहलुओं की जाँच करते और भर्ती की प्रक्रियाओं में सुधार लाने के लिये भारत सरकार ने जो सरकारी समिति नियुक्त की थी उसने सरकार से सरकार के माध्यम पर अधिकारों की नियुक्ति संबंधी प्रश्न पर की विचार किया है। इस समिति की रिपोर्ट सरकार के विभागाधीन है।

एकाधिकारी गृहों पर बकाया राशि

1580. श्री हुकम देव नारायण बाबब :
क्या संसदीय कार्य तथा भ्रम मंत्री यह बताने की
कृपा करेंगे कि :

(क) ऐसे एकाधिकारी गृहों के नाम क्या हैं
जिन्होंने दिसम्बर, 1978 तक बोनस का भुगतान
कर दिया है और धमिक कल्याण निधि जमा कर दी
है;

(ख) दोषी एकाधिकारी गृहों पर उपरोक्त
फितनी राशि बकाया है; और

(ग) सरकार इस को बसूल करने के लिये क्या
कार्यवाही कर रही है ?

संसदीय कार्य तथा भ्रम मंत्री (श्री रवीन्द्र वर्मा):

(क) से (ग). सूचना एकत्र की जा रही है और जैसे ही
उपलब्ध होगी, सदन की मेज पर रख दी जायेगी।

Sending of "Banned" medicines by Multinational Pharmaceuticals

1581. SHRI EDUARDO FALEIRO:
Will the Minister of HEALTH AND
FAMILY WELFARE be pleased to
state:

(a) whether attention of Govern-
ment has been drawn to charges
being made against multi-national
pharmaceuticals and chemical firms
that they are sending medicines con-
sidered "banned" to Third World
Countries including India under
health assistance programme;

(b) if so, reaction of Government
thereto; and

(c) steps taken in this regard?

THE MINISTER OF HEALTH AND
FAMILY WELFARE (SHRI RABI
RAY): (a) to (c). Under the provision
the Drugs and Cosmetics Act, 1940 and
the Rules thereunder, control is inter-
alia exercised over the drugs imported
into the country. This control is achiev-

ed by restricting the import of drugs
into the country to only certain points
of entry as specified in the Rules.
Officers of the Central Drugs Standard
Control Organisation are posted at
these points and they check the drugs
imported into the country for com-
pliance with the requirements under
the Drugs and Cosmetics Act and Rules
thereunder regarding labelling, quality
etc. Drugs which are not permitted
for use in the country of origin are also
prohibited for import into India. As
far as the Central Drugs Control Orga-
nisation is aware, no medicine which
is considered as banned has been im-
ported into the country.

Family Planning

1582. SHRI EDUARDO FALEIRO-
SHRI F. P. GAEKWAD:

Will the Minister of HEALTH AND
FAMILY WELFARE be pleased to
state:

(a) whether Government have ac-
cepted that in a developing but poor
country like India there is no alter-
native to Family Planning;

(b) what is the target of steriliza-
tions for the current financial year
and the number of sterilisations
actually realized during its first six
months;

(c) what steps have Government
taken to motivate people in this
regard and to bring Family Planning
measures and devices to their door-
step particularly in the rural areas;

(d) whether Government have for-
mulated a comprehensive programme
of Family Planning in terms of the
goals to be adopted, the funds avail-
able for it and the suggested means
for timely realization of the targets;
and

(e) if so, salient features thereof?

THE MINISTER OF HEALTH AND
FAMILY WELFARE (SHRI RABI

RAY: (a) The present rate of growth of population in India is about 2 per cent per annum and if this growth rate continues, the population should be touching the one billion mark by the turn of the century. This fantastic rate of growth if allowed to go unabated will be detrimental to all the progress made in the other vital areas. It is, therefore, imperative that the concept of small family norm is accepted by the people for which the family planning methods are essential. To achieve this, the Government's aim is to reduce the birth rate from the existing 33 per thousand to 30 per thousand by 1982-83.

(b) For the year 1978-79 the Government have aimed to achieve 3,965,000 Voluntary Sterilizations. During the first six months, i.e. for the period from April to September, 1978, 458,016 Sterilization operations have been performed. The programme however, has picked and from April 1978 to January 1979 the number of sterilizations done is about 9.8 lacs.

(c) The Family Welfare Programme is being pursued vigorously with particular attention to the welfare aspect and to the voluntary acceptance of contraceptive practices through more intensive efforts in the direction of education and persuasion of the people. Educational and motivational activities for the propagation of small family norm have been intensified and large number of orientation training camps are being organised throughout the country. In respect of rural areas, special attention is being given to the improvement of maternity services through training of traditional birth attendants (dais) who are provided better equipment after training. Community Health Workers' Scheme which is a part of the effort to reach primary health care to the people in the remotest areas is also contributing to a better implementation of the family planning and MCH aspects of the Programme in the rural areas. The Community Health Workers have already started distributing condoms in the rural areas.

4328 L.S.—7

In order to promote healthy competition between States/Union Territories and non-official organisations, a scheme for giving national awards in recognition of outstanding performance has been introduced. Special awards have also been announced for the performance during the period January—March, 1979. This period is being observed as a 'Family Planning Quarter' in order to focus the attention of the people on the need for adopting the small family norm and better care of children.

(d) and (e). In order to achieve the goal of bringing down the birth rate to 30 per thousand by 1982-83, an operational programme of 25 million voluntary sterilisations, 5 million IUD insertion and raising the level of CC users, to 6 million in the year 1982-83 will be required. To realize these objectives, it is proposed to have greater integration of Health, Family Welfare and MCH and nutritional services at all levels and conversion of vertical programme workers sanctioned under various health programmes to Multi-purpose workers. One rural sub-centre with one Female Health Worker (ANM) is proposed to be made available for every 5,000 rural population on 1982-83 (mid-year) population by 1987-88. It is also proposed to train 5 lakh traditional birth attendants (Dais) during a period of three to four years so as to have one trained 'Dai' in each village with one Community Health Worker.

The tentative plan out-lay for the period 1978-83 for the Family Welfare Programme is Rs. 765.00 crores.

Incentive to private medical practitioners for Family Planning Programme

1583. **SHRI EDUARDO FALEIRO:**
SHRI SHANKERSINHJI
VAGHELA:

SHRI DURGA CHAND:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government have initiated a scheme providing incentives to private medical practitioners with a view to securing their greater involvement in Family Planning Programmes;

(b) if so, reasons for the scheme; and

(c) salient features thereof?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) Yes, Sir.

(b) and (c). Recognising the importance of the key role which the private doctors can play in the Family Welfare Programme and with a view to seeking their cooperation in this national task, a scheme for the involvement of private medical practitioners has been devised. The salient features of the scheme are as under:—

(1) The scheme will initially be tried on a pilot basis for a period of two years effective from 1-9-1978 through the Indian Medical Association and its branches in the States.

(2) Only vasectomy operations (for males) and IUD insertions (for females) are covered under this scheme.

(3) An amount of Rs. 30/- for each case of vasectomy operation and Rs. 5/- for each case of IUD insertion is payable to the private doctor for meeting his charges and the cost of medicines etc. provided he/she does not charge any fees from the acceptor.

(4) The private doctors would be expected to motivate and educate their clients for the adoption of small family norm and to make use of the facilities for immunisation etc. available under the Family Welfare Programme. For this purpose they would be provided Family Welfare literature, oral pills, IUDs, Nirodh, etc. free of cost. The doctors are not

expected to charge any consultation fee from the patients for giving advice on Family Welfare.

(5) The acceptors of vasectomy/IUD would be entitled to Rs. 70/- and Rs. 3/- respectively as compensation money if they avail of the services for these from the private medical practitioners operating under the scheme of involvement of private medical practitioners.

Birth Rate in Bombay and Delhi

1584. SHRI D. D. DESAI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether birth rates in metropolitan areas like Delhi and Bombay are coming down significantly;

(b) if so, the details thereof;

(c) whether there has been significant short fall in sterilisations in these areas; and

(d) if so, whether this will again push up birth rates in future?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) and (b). The trend in birth rates for Bombay and Delhi over the period 1974 to 1977, based on the Sample Registration System of the Registrar General of India, are given below:—

Year	Birth rates per 1000 of population	
	Bombay	Delhi
1974	26.2	30.2
1975	25.1	25.4
1976	24.6	27.4
1977	22.0	25.9

(c) Yes, Sir; as compared to 1975-76 and 1976-77.

(d) Not necessarily, as the Family Welfare Programme has started picking up in 1978-79.

Malaria Eradication

1585. SHRI RAJ KRISHNA DAWN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government have reviewed the workings and activities of the establishments functioning for Malaria Eradication;

(b) if so, is there any lagging between the development planning and the field level execution for the eradication programme;

(c) is it a fact that most of the staff members engaged to collect blood samples from various families as a preventive check are manipulating the sample collection from a single family; and

(d) if so, what is the role of Government to check and stop such malpractices?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) Yes.

(b) Yes, there is usually some shortfall.

(c) No.

(d) The question does not arise, but if any such malpractices is brought to the notice of the Government, it will be looked into.

National Conference on Medical aspects of Human Sexuality

1586. SHRI K. MALLANNA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that a National Conference on Medical Aspects of Human Sexuality was

organised by the Vatsayana Institute of Sexology in Bombay on 8-1-79; and

(b) if so, the details thereof regarding its recommendation to the Government of India?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) Yes.

(b) No recommendations have been furnished to Government so far.

Stoppage of Financial aid for Anti-Pregnancy Project

1587. SHRI K. MALLANNA:

SHRI K. A. RAJAN:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government's attention has been drawn to the 'Times of India' dated the 31st January 1979 that the World Health Organisation has stopped financial support for Dr. G. P. Talwar's anti-pregnancy research project from this year;

(b) if so, the reasons thereof;

(c) whether it is also a fact that the National Research Development Centre of Canada as well as the Family Planning Foundation of India are continuing their assistance to the programme; and

(d) if so, the details regarding the stage of the project?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) Yes, Sir.

(b) The Government of India are not aware of the reasons for the stoppage of financial support by the World Health Organisation for Dr. G. P. Talwar's anti-pregnancy research project.

(c) Yes, Sir.

(d) Researches are in progress at the All India Institute of Medical Sciences for developing anti-HCG Vaccine, anti-female egg Vaccine, a male vaccine capable of stopping the production of sperms and a vaccine capable of preventing estrus in the domestic pets. Phase-1 clinical pharmacology trials in women of reproductive age have been carried out with the anti-HCG vaccine in six centres. The efficacy of the vaccine has also been tested in baboons and chimpanzees.

Unhygienic conditions and callous attitudes in All India Institute of Medical Sciences and Safdarjang Hospital

1588. 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 various letters to the editor of the 'Hindustan Times' published on 4th February, 1979 regarding unhygienic conditions and the callous attitudes of hospital staff towards patients as prevalent in the Government Controlled hospitals of All India Institute of Medical Sciences and Safdarjang Hospital;

(b) if so, whether any inquiry has been instituted in regard to various allegations made in the said letters; and

(c) what action has Government taken to improve the sullied image of Government controlled hospitals?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) Yes, Sir.

(b) No, Sir.

(c) The Government of India has appointed a Committee to undertake a review of the working of Safdarjang, Dr. R. M. Lohia, Smt. Kripalani and Kalavati Saran Hospitals as well as the All India Institute of Medical Sciences Hospital, with a view to identifying areas mainly responsible for

public dissatisfaction and criticism. The report of the Committee is awaited.

Dacoities in Running Trains

1589. SHRI MANORANJAN BHAKTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have taken steps recently to ensure safe journey on the railway trains and if so, details; and

(b) how many cases of dacoities in running trains have taken place during the month of January 1979 and whether any new devices have been evolved to check such incidents in future?

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

1. Policing including that on the Railways, is a function of the State Governments under the Constitution. Thus the Government Railway Police, functioning under the Administrative and disciplinary control of the State Governments, is responsible for ensuring the safety of the passengers and security of their belongings.

2. The problem of crime affecting passengers has been engaging the attention of the Ministry of Railways and all possible efforts are being made to curb these crimes by maintaining close liaison with the State Governments.

3. The Minister for Railways has also, on more than one occasion, drawn the attention of the Chief Ministers of the affected States. The response from the Chief Ministers has been encouraging.

4. The problem was also discussed in the Chief Ministers' Conference held in Delhi in September 1970.

5. The Railways, on their part, have taken up certain measures such as prompt channel of communication with

the police escort in the centre of the train, provision of powerful torchlights with Guards and Brakemen, close liaison with affected States for stepping up police protection. Vestibuled doors are locked between 22.00 hrs. and 06.00 hrs., Travelling Ticket Examiners and Coach Attendants remain vigilant during night and prevent entry of intruders, hawkers and unauthorised persons.

6. The Railway Protection Force is meant for the protection of railway materials and goods entrusted to the Railways for carriage. In spite of statutory/legal limitations, in order to instil confidence among the travelling public and deter criminals from operating on the trains over 2000 armed RPF personnel have been deployed to escort passengers trains on vulnerable sections.

(b) 5 cases of dacoities. The above mentioned steps are under constant review and wherever necessary they have been intensified.

Jammu-Srinagar Railway Line

1590. SHRI MANORANJAN BHAKTA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have formulated a scheme to lay new railway lines in the hilly areas during the current year; and if so, the details thereof; and

(b) whether there is also a proposal to lay a rail line between Jammu and Srinagar and if so, what is the present progress on this project?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) During the current year 1978-79, the following new lines were approved for being taken up for construction in the hill States of North Eastern Region:

(1) Gauhati to Burnihat in Meghalaya.

(2) Balipara to Bhalukpong in Arunachal Pradesh.

(3) Dharmanagar to Kumarghat in Tripura.

(4) Silchar to Jiribam in Manipur.

(5) Amguri to Tuli in Nagaland.

(6) Lalaghat to Bairabi in Mizoram.

(b) Final Location (Engineering) Survey for Jammu-Udhampur Broad Gauge rail link is in progress. Decision regarding its construction would depend upon the results of the survey and its clearance by the Planning Commission. Survey for route beyond Udhampur to Srinagar is not under consideration.

Developments in Iran

1591. SHRI HARI VISHNU KAMATH: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether during the recent upheaval in Iran, Indian residents there have been victims;

(b) if so, how many were killed, injured and are reported missing, together with the names of such victims, to the extent available;

(c) whether joint Indo-Iranian projects launched during the previous regime are in jeopardy owing to the revolutionary change in that country; and

(d) if so, what is the present position?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) and (b). The Indian Community in Iran has by and large not been affected by the recent disturbances in that country. One Indian national, Shri Inderjit Singh who was an illegal immigrant was shot dead on

September 11, 1978 for violation of curfew orders promulgated by the Martial Law Authorities in Iran. Another Indian national Dr. Riaz Hassan was stabbed on 22 February 1979 but is out of danger.

(c) No, Sir.

(d) Does not arise.

Advisory Committee on Naturopathy

1592. SHRI DAULAT RAM SARAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to:

(a) whether an Advisory Committee on Naturopathy had been functioning at Centre since 1964, which used to give some financial assistance to institutions of Naturopathy for four-year and one year study courses and study beds;

(b) whether a separate council in place of the said advisory committee has been set up after the Janata Government's coming into power;

(c) whether the assistance which these institutions used to get previously is not being given to them after the setting up of the council and if so, the reasons therefor;

(d) whether institutions of Naturopathy and Yoga have suffered heavily in the existing circumstances;

(e) the outlines of new schemes for development and expansion of these systems; and

(f) whether Government feel that Naturopathy and Yoga play an important role in maintaining the health of people?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) Financial assistance to Nature Cure institutions for training programmes and maintenance of study beds was provided by the Government till 1977-78 based on the recommendations of Nature Cure Advisory Committee.

(b) The Central Council for Research in Yoga and Nature Cure has been registered on the 30th March, 1978. The functions of the erstwhile Advisory Committee on Naturopathy have also been taken over by this Council.

(c) and (d). No, Sir, Financial assistance continues to be provided to deserving institutions. Some delay in the release of grants to some of these institutions had however occurred due to change over as a result of setting up of the new Central Council. This delay might have caused minor inconvenience to some of the institutions.

(e) The Council is planning to develop some of the existing grant-in-aid centres in Naturopathy and Yoga as institutions for intensive clinical research.

(f) Yes.

Conversion of Jabalpur-Gandia N.G. Line

1593. SHRI SUKHENDRA SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether preliminary Engineering-cum-traffic survey of Jabalpur-Gondia N.G. line for conversion into B.G. has been completed by the Railway authorities;

(b) if so, what steps are being taken to convert above narrow gauge line into broad gauge line;

(c) if not, by what time the survey will be completed and its report will be available; and

(d) how many narrow gauge lines of Madhya Pradesh region are under consideration for conversion from narrow gauge to broad gauge?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHOE NARAIN): (a) to (d): Survey Report of Engineering-cum-

Traffic Survey for conversion of Gondia Jabalpur narrow gauge section into broad gauge is under finalisation. Decision regarding construction of the line will be taken after examination and evaluation of the report, keeping in view the availability of resources. No other proposal for conversion of narrow gauge lines into broad gauge in Madhya Pradesh is under consideration at present.

Economic Sanctions against South Africa

1594. SHRI P. K. KODIYAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the United Nations Call to impose economic sanctions against the apartheid regime of South Africa has been practically ignored by many countries including some big powers;

(b) if so, whether India has brought this fact to the notice of the concerned bodies of the United Nations; and

(c) if so, what steps have been taken by U.N. to enforce the economic embargo on South Africa?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) to (c) Under the Charter of the United Nations, sanctions are imposed and implemented by the United Nations Security Council. The United Nations General Assembly has requested the Security Council to urgently consider the imposition of a mandatory and a comprehensive economic embargo against South Africa as provided for in Chapter VII of the UN Charter. India actively supports the imposition of such sanctions. However, so far, the Security Council has imposed only an arms embargo against South Africa vide its resolution 418 (1977) of 4th November, 1977. It may

be noted that India played a leading role in the adoption of this resolution. Efforts to impose economic sanctions, however, have been blocked by certain members of the Security Council who enjoy the privilege of Veto.

The United Nations General Assembly has, for several years now, and, in particular, at its 33rd Session, called upon all States to suspend and terminate all diplomatic, political, military, trade and economic relations with South Africa and to enact legislation to this effect prohibiting any further contacts or links with the apartheid regime there. India has consistently played an active role in the formulation of the General Assembly resolutions relating to this subject. While the majority of the members of the United Nations, especially the African and non-aligned countries, have responded to the call of the United Nations in this respect, this call, which is not mandatory, has, however, been ignored mainly by certain Western countries, who continue to have trade, economic, political and diplomatic contacts with the South African Government.

दुष्प्रवास से हुदय रोग

1595. डा० महावीर लाल शास्त्री : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताते की कृपा करेंगे कि :

(क) क्या उन का ध्यान 3 फरवरी, 1979 के "हिन्दुस्तान" में "सिगरेट पीने वालों को हुदय रोग का अधिक खतरा" शीर्षक से प्रकाशित समाचार की ओर दिलाया गया है; और

(ख) यदि हाँ, तो इस सम्बन्ध में सरकार क्या उपचारालोक कार्यवाही कर रही है।

स्वास्थ्य और परिवार कल्याण मंत्री (श्री रवि राय) : (क) जी हाँ।

(ख) सिगरेट के उत्पादन, प्रसार और वितरण सम्बन्धी व्यापार और बाणिज्य में कठिण प्रतिस्पर्धा की व्यवस्था करने के लिए भारत सरकार ने एक कानून अर्थात् सिगरेट (उत्पादन, प्रसार और वितरण का विधि-

मन) अधिनियम, 1975 बनाया है जिसे 1-4-1976 से लागू कर दिया गया है। सरकार राज्य सरकारों से इस अधिनियम की उपबन्धों को लागू करने के लिये आग्रह कर रही है।

धूम्रपान कम करने के सम्बन्ध में अब तक जो उपाय किए गए हैं, उन का एक विवरण संलग्न है।

विचारण

1. कई राज्यों ने बाल-धूम्रपान और तिनेया लाहों, बसों आदि जैसे सार्वजनिक स्थानों पर धूम्रपान करने पर प्रतिबन्ध लगाने के लिए कानून पास कर दिया है।

2. सिगरेट के प्रत्येक पैकेट पर "धूम्रपान करना स्वास्थ्य के लिये हानिकारक है" नामक चेतावनी का छापा जाना जरूरी है।

3. केन्द्रीय स्वास्थ्य शिक्षा ब्यूरो ने धूम्रपान के खतरों के संबंध में व्यापक प्रचार प्रारम्भ किया है। केन्द्रीय स्वास्थ्य शिक्षा ब्यूरो द्वारा प्रकाशित की जाने वाली मैगजीनों तथा पत्रिकाओं में धूम्रपान के खतरों के बारे में लेख छापे जाते हैं। इस विषय पर केन्द्रीय स्वास्थ्य शिक्षा ब्यूरो ने एक फिल्म भी बनाई है जिसे सूचना तथा प्रसारण मंत्रालय की सहायता से सिनेमा घरों में एक नृत्य चित्र के रूप में दिखाया जा रहा है। यह फिल्म केन्द्रीय स्वास्थ्य शिक्षा ब्यूरो के माध्यम से लोगों को भी दिखाई जा रही है।

4. केन्द्रीय स्वास्थ्य शिक्षा ब्यूरो ने केन्द्रीय माध्यमिक शिक्षा बोर्ड की नींवों तथा दसवीं कक्षा के छात्रों के लिए एक स्वास्थ्य शिक्षा पाठ्यक्रम तैयार किया है जिस में धूम्रपान के खतरों तथा इस के कुप्रभावों से संबंधित विषय शामिल किया गया है। यह पुस्तक समस्त भारत के केन्द्रीय माध्यमिक शिक्षा बोर्ड के स्कूलों में पढ़ाई जाती है।

5. भारतीय विमान सेवा ने कई विमानों में 'धूम्रपान निषेध क्षेत्र की व्यवस्था करने का निश्चय किया है और यह घोषणा 'यदि आप चाहें तो धूम्रपान कर सकते हैं' समाप्त कर दी गई है।

6. धूम्रपान को कम करने के लिए सिगरेट के उत्पादन तथा बिक्री पर कर बढ़ा दिया गया है।

रेलवे ग्रांथ लाइन का विस्तार

1596. डा० महावीर सिंह शास्त्री : क्या रेल मंत्री यह बताते की कृपा करेंगे कि :

(क) क्या सरकार का विचार था कि 1977-78 में रेलवे की ग्रांथ लाइनें बनाई जायेंगी तथा ग्रांथ लाइनों को बढ़ाया जायेगा, यदि हाँ, तो ऐसी ग्रांथ लाइनों की संख्या कितनी है;

(ख) इन ग्रांथ लाइनों के नाम क्या हैं जिन के बारे में रेल आयोग को विचार करने के लिए प्रस्ताव भेजा गया था; और

(ग) रेल आयोग ने कितनी ग्रांथ लाइनें बनाने की सिफारिश की तथा क्या एटा-दुंडला ग्रांथ लाइन के बारे में भी कोई प्रस्ताव था ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :
(क) 1977-78 के रेलवे बजट में केवल तीन ग्रांथ लाइनों, अर्थात् कैराइला रोड-जयन्त, भद्राचलम रोड-मानुगं, रामेश्वरम-धनुषकोटी, के निर्माण का अनुमोदन किया गया था।

(ख) धन की उपलब्धता और पहले से हाथ में ली गयी परियोजनाओं की संख्या को ध्यान में रखते हुए, केवल उपर्युक्त तीन लाइनों को रेलवे बजट में शामिल करने के बारे में विचार किया गया था।

(ग) एटा-दुंडला लाइन पहले ही बनी हुई है। अतः इस लाइन को बनाने के प्रस्ताव का कोई प्रश्न ही नहीं था।

बिकलांग बच्चों की प्लास्टिक सर्जरी

1597. डा० महावीर सिंह शास्त्री : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताते की करेंगे कि :

(क) क्या यह सच है कि सरकार ने बिकलांग बच्चों की प्लास्टिक सर्जरी की उन्नता की है; और

(ख) यदि नहीं, तो वर्ष 1977-78 और 1978-79 में संख्या बार ऐसी कितनी सुविधाओं दी गई ?

स्वास्थ्य और परिवार कल्याण मंत्री (श्री एच रत्न) : (क) जी नहीं।

(ख) सफरबंग अस्पताल, नई दिल्ली में बिकलांग बच्चों की जाँच, उपचार, प्लास्टिक कस्य चिकित्सा और पुनः स्थापना की सभी सुविधाएँ हैं। बिकलांग बच्चों के लिये अस्पेसिअल प्लास्टिक कस्यचिकित्सा सेवा के सभी विभाग अस्पतालों में ही उपलब्ध हैं। बिकलांग बच्चों के लिये कोयल कस्य-चिकित्सा कस्य चिकित्सक, कारीकट, भद्राच, मेडोर, दिल्ली, लखनऊ, कस्यकता और अन्य के केन्द्रों में भी उपलब्ध है।

कासास मेल का देरी से चलना

1598. डा० महावीरसिंह साहव :
क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कासास मेल हुनेसा देरी से चलती है; और

(ख) यदि हाँ, तो उस के क्या कारण हैं और सरकार उस में सुधार करने के लिये क्या कार्यवाही कर रही है ?

रेल मंत्रालय में राज्य मंत्री (श्री सिधु मारावण):

(क) और (ख) इस मेल बड़ी लाइन/मीटर लाइन का समय पालन संतोषजनक नहीं रहा है जिस के प्रमुख कारण खतरे की जंजीर खींचने/होजपाइप काट देने की घटनायें, आम्बोलन, दुर्घटनायें आदि हैं। इस गाड़ी के समय पालन में सुधार करने के लिये सभी सम्भव प्रयत्न किये जा रहे हैं। बदमाशों द्वारा खतरे की जंजीर खींचे जाने तथा होजपाइप काट देने की घटनाओं की रोक बाम करने के लिये सम्बद्ध राज्य सरकारों के साथ भी सम्पर्क रखा जा रहा है।

रेल दुर्घटनाएँ

1599. श्री पी० एम० साहव :

श्री एम० पी० चण्डसेखर शर्मा :

श्री आर० कोलनबाइसेलु :

श्री हरमोहिन्द बर्मा :

श्री अर्जुन सिंह बबौरिया :

श्री बयालार रवि :

श्री निहार लात्कर :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 1977 की तुलना में 1978 में अधिक संख्या में रेल दुर्घटनाएँ हुई;

(ख) यदि हाँ, तो दुर्घटनाओं की संख्या में कितनी वृद्धि हुई तथा उन्हें रोकने के लिये क्या उपाय किये जा रहे हैं; और

(ग) रेलवे विभाग तथा यात्रियों की दुर्घटनाओं के परिणामस्वरूप कुल कितनी क्षति हुई ?

रेल मंत्रालय में राज्य मंत्री (श्री सिधु मारावण):
(क) और (ख) वर्ष 1977 में हुई 837 दुर्घटनाओं की तुलना में वर्ष 1978 के दौरान टक्कर, पडरी से उतरने, समान दुर्घटनाओं और गड़ियों में आघात आदि की कीटियों में 935 गाड़ी-दुर्घटनाएँ हुई थी। इस प्रकार 1977 की तुलना में 1978 के दौरान 98 गाड़ी दुर्घटनाओं की वृद्धि हुई।

भूकामनीय बसती गाड़ी दुर्घटनाओं का एकमात्र सब से बड़ा कारण रहा है, रेलों के संरक्षा संगठन गाड़ी परिचालन से संबंधित कर्मचारियों में अपेक्षाकृत अधिक संरक्षा भावना जामल करने तथा यह सुनिश्चित करने के अनवरत प्रयास कर रहे हैं कि कर्मचारी अपने काम में नियमों का उल्लंघन न करें अथवा लापरवाही न अपनायें जिन से दुर्घटना की संभावना होती है। मानवीय तत्व पर निर्भरता कम करने के उद्देश्य से उत्तरोत्तर विभिन्न परिष्कृत उपकरण जैसे पहियों, बरों और रेल पटरियों के लिये अत्याधुनिक प्लास्टिक, रेल पथ परिपचन, धरा काउन्टरों, स्क्वल चेतावनी प्रणाली आदि का उपयोग किया जा रहा है।

(ग) वर्ष 1978 की अवधि में हुई गाड़ी दुर्घटनाओं में प्रस्त रेल सम्पत्ति को हुई क्षति की लागत का अनुमान लगभग 4,59,38,004 रुपये लगाया गया है। 1978 में हुई घटनाओं में हताहत हुए व्यक्तियों की अब तक भारतीय रेल अधिनियम, 1890 के अधिन 14,91,632 रुपये की राशि का क्षतिपूर्ति के रूप में भुगतान किया गया है।

Hospitals in Rural Areas of Delhi

1600. SHRI SUKHDEV PRASAD VERMA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the progress made so far in setting up the 100 bed hospitals in the rural areas of the capital in order to reduce the pressure on the existing hospitals in the city; and

(b) the reasons for the delay in setting up the proposed hospitals?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): (a) and (b). The proposal of the Delhi Administration for setting up of seven 100 bedded hospitals in rural areas and re-settlement colonies of Delhi is still under examination in consultation with the Planning Commission.

12.00 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER HOMOEOPATHY CENTRAL COUNCIL ACT, 1973 AND PREVENTION OF FOOD ADULTERATION ACT, 1954

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI RABI RAY): I beg to lay on the Table:—

(1) A copy of the Homoeopathy Central Council (Election) Amendment Rules, 1977 (Hindi and English versions) published in Notification No. S.O. 725 in Gazette of India dated the 11th March, 1978, under sub-section (2) of section 32 of the Homoeopathy Central Council Act, 1973.

[Placed in Library. See No. LT-3384/79].

(2) A copy of the Prevention of Food Adulteration (Fifth Amendment) Rules, 1978 (Hindi and English versions) published in Notification No. G.S.R. 590(E) in Gazette of India dated the 23rd December, 1978, under sub-section (2) of section 23 of the Prevention of Food Adulteration Act, 1954.

[Placed in Library. See No. LT-3385/79].

NOTIFICATIONS UNDER MINIMUM WAGES ACT, 1948 AND MINES ACT, 1952

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): I beg to lay on the Table:—

(1) A copy of the Minimum Wages (Central) Amendment Rules, 1979 (Hindi and English versions) published in Notification No. G.S.R. 158 in Gazette of India dated the 27th January, 1979, under section 30A of the Minimum Wages Act, 1948.

[Placed in Library. See No. LT-3386/79].

(2) A copy of the Coal Mines, (Amendment) Regulation 1978, (Hindi and English versions) published in Notification No. G.S.R. 32 in Gazette of India dated the 6th January, 1979, under sub-section (7) of section 59 of the Mines Act, 1952.

[Placed in Library. See No. LT-3387/79].

NOTIFICATION UNDER DOCK WORKERS (REGULATION OF EMPLOYMENT ACT, 1948).

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): I beg to lay on the Table a copy of the Dock Workers (Regulation of Employment) Amendment Rules, 1978 (Hindi and English versions) published in Notification No. S.O. 3563 in Gazette of India dated the 9th December, 1978 under sub-section (3) of section 8 of the Dock Workers (Regulation of Employment) Act, 1948.

[Placed in Library. See No. LT-3388/79].

STATEMENT NOS. XXVII AND XIV OF THE FIFTH LOK SABHA AND STATEMENTS NOS. X, XI, XII, V AND I OF THE SIXTH LOK SABHA AND NOTIFICATION (AMENDMENT) RULES, 1974.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (SHRI LARANG SAI): I beg to lay on 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 the various sessions of Lok Sabha:—

1. Statement No. XXVII—Third Session, 1971—Fifth Lok Sabha.

2. Statement No. XIV—Second Session 1977—Sixth Lok Sabha.

3. Statement No. X—Third Session, 1977—Sixth Lok Sabha.

4. Statement No. XI—Fourth Session 1978—Sixth Lok Sabha.

5. Statement No. XII—Fourth Session 1978—Sixth Lok Sabha.

6. Statement No. V—Fifth Session, 1978—Sixth Lok Sabha.

7. Statement No. I—Sixth Session, 1978—Sixth Lok Sabha.

[Placed in Library. See No. LT-3389/79].

(2) (i) A copy of Notification No. G.S.R. 890 (Hindi and English versions) published in Gazette of India dated the 8th July, 1978, containing corrigendum to the Iron Ore Mines Labour Welfare Cess (Amendment) Rules, 1974, published in Notification No. 1007 dated the 14th September, 1974.

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above Notification.

[Placed in Library. See No. LT-3390/79].

SHRI A. K. ROY (Dhanbad): Mr. Speaker, Sir, this is a long list of the reports of the Assurance Committee. I do not know this Assurance Committee assures whom. I have also written to you about it. There is a long list of questions and on each of the questions, an assurance was given that the information was being collected and the reply would be given soon. There are questions dated 27-7-1977 and we are yet to get the answer.

Only sometime back you held a discussion and said that to make the Parliament effective, the Question Hour must be effective. The assurances given by the Ministers must be implemented in time. Each question has got its particular time and topicality. We find that all inconvenient questions are replied to conveniently that the information is being collected and it will be laid on the Table of the House.

Sir, you also remember, last time, we convicted the ex-Prime Minister simply for delaying or twisting inconvenient questions. Now, the same thing is happening. The same Ministries, the same Assurances Committee and what not are also doing the same thing. They are obstructing, delaying, twisting and doing what not.

Through you, Sir, I would like to tell the fictitious Assurance Committee that they should not only bark but also bite so that they get the correct answers in correct time.

HALF-YEARLY REPORT RE: RESERVATION OF VACANCIES FOR SCHEDULED CASTES AND SCHEDULED TRIBES ON RAILWAYS

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): I beg to lay on the Table a copy of the Report (Hindi and English versions) on the progress made in the intake of Scheduled Castes and Scheduled Tribes against vacancies reserved for them in recruitment and promotion categories on the Railways for half year ending 31st March, 1978. [Placed in Library. See No. LT-3391/79].

12.06 hrs.

PUBLIC ACCOUNTS COMMITTEE

NINETY-NINTH REPORT

SHRI P. V. NARASIMHA RAO (Hanamkonda): I beg to present the Ninety-ninth Report (English version) of the Public Accounts Committee on action taken by Government on the recommendations contained in the Fifty-fourth Report on Customs Receipts relating to the Ministry of Finance (Department of Revenue).

12.07 hrs.

ESTIMATES COMMITTEE

TWENTY-FOURTH AND TWENTY-SIXTH REPORTS

SHRI SATYENDRA NARAYAN SINHA (Aurangabad): I beg to present the following Reports of the Estimates Committee:—

(1) Twenty-fourth Report on action taken by Government on the recommendations contained in the Fourteenth Reports of the Estimates Committee (Sixth Lok Sabha) on the Ministry of Industry—Powerloom Industry.

(2) Twenty-sixth Report (English and Hindi versions) on action taken by Government on the recommendations contained in the Eleventh

[Shri Satyendra Narayan Sinha]

Report of the Estimates Committee
(Sixth Lok Sabha) on the Ministry
of Health and Family Welfare—
Prevention and Control of
Blindness.

12.08 hrs.

RE: QUESTION OF PRIVILEGE

SHRI MANI RAM BAGRI
(Mathura): Rose—

अध्यक्ष महोदय : मैंने कंसेंट दे दिया है।
I have given the consent and I am
sending it to the Privileges Com-
mittee.

श्री मनी राम बागरी : अध्यक्ष महोदय, जर
बाप हमारी बात को सुन लीजियेगा। यह बहुत गंभीर
मामला है।

एक माननीय सदस्य : धार एस एस के बारे में
होगा।

श्री मनी राम बागरी : धार एस. एस. का तुम्हें
यह क्या भूत नजर आ रहा है? घरे भाई, धार एस एस
के लोग स्कूल में भी शाबा छोड़ते चले गए।

अध्यक्ष महोदय, 23 तारीख का लिखा हुआ एक पत्र
बन्धक, जिला मेरठ का श्री राज नारायण जो माननीय
सदस्य हैं इस सदन के उन के नाम मिला है। उन को
कल्ल की धमकी दी गई है, कल्ल करने के लिए कहा
है। वह वह पत्र है जिस को कि मैं ने प्राप के सामने
रखा है। ये कुछ भाई जब धार एस एस का नाम आया
तो उछल पड़े। यह धार एस एस या किसी संगठन
का सवाल नहीं है। बाहे कोई भी सदस्य जो इस सदन का
है और बाहे कोई भी प्राणी किसी संगठन से सम्बन्ध
रखता हो, उस के जीवन का सवाल आए तो वहाँ पर
समान बात होती है और होनी चाहिए। श्री राजनारायण
के खिलाफ यह है कि वह धार एस एस के खिलाफ बोलते
हैं या कोई संगठन कर रहे हैं उस के बारे में। उन की
प्रधान हमें ता के लिये बन्द कर दी जायगी, ऐसा एक
पत्र मिला है।

अध्यक्ष महोदय, इसको प्राप नाम की बात मत
समझिये। गांधी जी की हत्या से पहले भी ऐसे पत्र
गांधी जी को मिले थे। इससे पहले हमारे राष्ट्र के
नेता श्री० बरन सिंह पर हमला हुआ, श्री राम नरेन
बाबब पर हमला हुआ। ऐसी और भी बिड़िया,
धमकी भरे टेलीफोन बातें हैं। (बबबबबब)

SHRI KANWAR LAL GUPTA
(Delhi Sadar): On a point of order.
He is referring to RSS and every-
thing. Are you allowing him?

MR. SPEAKER: Mr. Bagri, I have
gone through that letter. I have
found a *prima facie* case, and I have

referred the matter to the Privileges
Committee.

श्री मनीराम बागरी : लोक सभा की शाबाब
हिन्दुस्तान की जनता की शाबाब है।

MR. SPEAKER: You wanted my
consent. I have given my consent.
Since I found a *prima facie* case. I
have referred the matter to the
Privileges Committee. What else can
I do?

श्री मनीराम बागरी : हिन्दुस्तान की जनता की
शाबाब यहाँ पर गुंजती है।

MR. SPEAKER: I have already
referred the matter to the Privileges
Committee. Now, don't record.

(Interruptions)*

MR. SPEAKER: Mr. Bagri brought
to my notice a letter said to have
been written by one Mr. Mittal to
Mr. Raj Narain saying that, because
he was carrying on a campaign against
RSS, his mouth would be shut.....

SHRI VASANT SATHE (Akola):
That is serious.

MR. SPEAKER: That is a very se-
rious matter. I have found a *prima
facie* case, and I have referred the
matter to the Privileges Committee. I
have told the House what the sub-
stance of the matter is. No further
discussion on this.

Now, matters under Rule 377. Mr.
Lakkappa.

(Interruptions)*

MR. SPEAKER: Do not record.

12.10 hrs.

MATTERS UNDER RULE 377

SHRI K. LAKKAPPA (Tumkur):
Sir, before I start, I would like to
make one submission....

MR. SPEAKER: No.

SHRI K. LAKKAPPA: This is
regarding the procedure, Sir. You
have made a very good innovation—
allowing us to raise matters under
Rule 377. Time and again we have
represented to you that it should be
printed in the agenda; a wide publi-
city should be given.....

MR. SPEAKER: That will be after the rules are changed.

(Interruptions)

MR. SPEAKER: I have already referred the matter to the Privileges Committee. Do not record it.

(Interruptions)*

MR. SPEAKER: Now, Mr. Lakkappa.

(1) SUPPLY OF SULPHUR TO SULPHUR BASED INDUSTRIES

SHRI K. LAKKAPPA (Tumkur): India's requirements of sulphur needed for fertilisers and several other sulphur-based industries are met from imports. The principal countries supplying India this material are Canada, Iran, Poland, Iraq, Kuwait and U.S.S.R.

The country's requirements of sulphur are currently estimated at about 1.2 million tons per annum and these imports are canalised through Minerals and Metals Trading Corporation (MMTC).

It is reported that during the year 1978-79 preponderance was given to supplies from Poland of as much as 400,000 tonnes, out of a total import commitment of 1 million tonnes....

(Interruptions)

MR. SPEAKER: Order, order, no discussion please.

SHRI K. LAKKAPPA: Some time in the last quarter of 1978, political events in Iran forced that country to declare a *force majeure* in regard to exports of sulphur. Apart from India, many other countries also depended on Iranian Sulphur, and when Iranian sulphur availability became nil, there was a scramble for supplies from other sources in the European market. Poland failed to deliver 100,000 tonnes of sulphur to India against its commitment for 1978. The shortfall in Iranian supplies to India during 1978 was to the extent of about 70,000 tonnes. Thus India received 230,000

tonnes of sulphur less during 1978 against its contract for 1 million tonnes....

MR. SPEAKER: Order, order, please don't discuss.

SHRI K. LAKKAPPA: This shortfall resulted in wiping out the inventories held by the industries most of whom had to carry on a hand-to-mouth basis. Some of them even closed down production.

Many consumers in India, who have made it a point to watch the global situation for sulphur, although they have no responsibilities for importation, warned MMTC of what is happening and urged MMTC to procure additional imports from non-traditional sources, to supplement the shortfall. It is a tragedy that MMTC did not either appreciate the view points of the industry, offered in good faith, nor did it permit any individual parties to enter into direct contracts with the non-traditional suppliers, which it could have done and which the Import Trade Policy permits. Some of the consumers whose requirements could not be met by MMTC approached the Chief Controller of Imports and Exports (Monitoring Committee) for appropriate relief by way of direct imports. This was in January 1979. It is a matter of regret that although more than a month has passed the CCIE has not given relief by way of direct imports.

Fertiliser industry is a seasonal industry. Whatever demand is not met during the fertiliser season, is a demand completely lost for ever. Therefore, it is of utmost importance that all steps must be taken to augment supplies of sulphur to the industry.

There is considerable waiting period in the Indian ports due to congestion and it takes 2/3 months for the raw materials to reach the factories after it is shipped from abroad, because of the heavy congestion in the Indian ports. Many factories have already started feeling the pinch.

The shortage of sulphur has become so acute that users have begun asking

'loans' from those with stocks till their own supplies are made good by MMTC, the sole importer. The fear among the fertiliser manufacturers is that there may be a shortage of phosphatic fertilisers when the farmers do want them and the consequent rigging of prices.

The shortages created by circumstances beyond the control of MMTC have been compounded by a development which is of MMTC's own making. For the past four months or so, over 40,000 tonnes of sulphur were lying in stream off Bombay docks because of berthing difficulties and the MMTC, it is alleged, was unwilling to lighter the cargo and give it to the users only because it was not sure who would bear the lighterage charges. In this 'waiting game', MMTC would rather pay demurrages in foreign exchange than pay lighterage in rupees and pass them on to the Indian users. The users say the extra costs have to be willy-nilly borne by them as now it is not the cost of the raw material which bothers them, but keeping their production going. In fact this is what one or two users have done in claiming about 20,000 tonnes of this cargo on stream by bearing the lighterage charges. The situation now is that even when the other users are prepared to repeat the process, the decision is yet to be taken by MMTC.

Even if a decision is taken to obtain sulphur from somewhere now it may take over six weeks for the steamers to reach Indian shores and as usual 60 to 100 days to find berths for them in Bombay. Are the industries from fertilisers to textiles to dyestuffs and other chemicals to wait so long and bring their production to a halt?

The Minister is requested to take urgent measures so that the stipulated requirements of sulphur are obtained and supplied to the different sulphur-based industries, particularly fertilisers. All the three Ministers have to reply and I want an immediate reply.

(ii) REPORTED STEEP FALL IN THE PRICES OF POTATOES THEREBY CAUSING HARDSHIP TO POTATO GROWERS

SHRI BHAGAT RAM (Phillaur): Sir, under Rule 377 I want to raise the following matter of urgent public importance. The potato grower peasants are facing a grave crisis due to steep fall in the prices of the potatoes. The potato growers are not getting even the cost price. These are being purchased even below Rs. 30 per quintal. The NAFED failed to guarantee even the support price of Rs. 50 per quintal. The small and marginal peasants are complaining against the partisan attitude of the NAFED officials. The peasantry is being ruined as it has been denied fair price of sugarcane, cotton and now of potatoes. There is prevailing great resentment among the peasantry against this gross injustice. They are agitating to get justice. Hundreds of them courted arrest themselves at Jullundur.

I request the Minister to make a statement to assure the potato growers a support price of Rs. 50 of their whole marketable produce.

(iii) KERALA STATE CASHEW DEVELOPMENT CORPORATION

SHRI K. A. RAJAN (Trichur): Sir, under Rule 377 I want to raise the following matter of urgent public importance. Cashew Industry is one of the traditional industries of Kerala, export oriented, providing employment to more than two lakhs of workers mostly women.

This Industry was always depending on the imports of raw cashew nuts from the East African countries, as the local raw units were sufficient only to meet 1/3rd of the total requirement. During the past few years the import from these countries have dwindled down as they are processing their own nuts.

In view of this the Kerala Government is making concerted efforts for

self-sufficiency by various schemes for cashew cultivation.

Last year there was steep fall in the kernel price in the international market. Hence the private cashew processors refused to lift the raw-nuts allotted to them. Then the State sponsored the Kerala State Cashew Development Corporation so as to takeover temporarily the 90 private processing factories.

Now because of the slump in the international market huge stocks of kernel is lying with the State Corporation. The Corporation is facing a financial crisis. As the Government of India is not agreeable for a export subsidy, the Government of Kerala had requested for an additional loan of Rs. 5 crores as an interest free loan and also to waive the interest for the earlier loan sanctioned.

I request the Government of India to heed to the request of the Government of Kerala.

(iv) DISSATISFACTION AMONG TEACHERS AND STUDENTS IN DIFFERENT PARTS OF THE COUNTRY.

PROF. DILIP CHAKARVARTY (Calcutta South): Under Rule 377, Mr. Speaker, I would like to point out that education, teachers and students are given only low priority. The teachers and students in our academic institutions are restive in different parts of the country. In Tamil Nadu, more than 800 teachers have courted arrest upto February 27 in different parts of the State. The teachers only demands were security of service and direct payment of their salary. In the course of the movement in Tamil Nadu, more than 25 women teachers were also arrested. A new dimension has been added when more than 150 students also courted arrest in support of the demands of the teachers.

In Kerala, a 20-year old Ayurveda student, P. K. Rajan, was murdered in his class-room.

In Patna, 2 teachers of the Patna University had been murdered.

I would urge the Union Education Minister to come forward with a statement and to do the needful to arrest this rot in the academic world by taking appropriate steps at the Central level as also by persuading his counter-parts at the State level to do the needful for education in general and the teachers and students in particular.

(v) TREATMENT METED OUT TO KISAN SATYAGRAHIS RELEASED FROM TIRAH JAIL

श्री राजनारायण (राय बरेली) : श्रीमन्, मैं, लोक सभा कार्य प्रविद्या संचालन विषयक नियम के नियम 377 के अधीन निम्न महत्वपूर्ण विषय को सदन में उठाना चाहता हूँ :-

"दिनांक 28-2-79 को तिहाड़ जेल से 490 किसान सत्याग्रहियों को बिना टिकट राशि 8 बजे रिहा किया गया, किसी भी सत्याग्रही को भोजन एवं मार्ग व्यय की व्यवस्था नहीं की गई, जेल के कर्मचारियों व अधिकारियों द्वारा किसान सत्याग्रहियों के साथ दुर्व्यवहार किया गया। 13 फरवरी को जब इनकी गिप्तारी हुई तो पालियामेन्ट स्टीट के सब इन्स्पेक्टर और उनके सहयोगियों द्वारा किसानों पर बुरी तरह लाठी चार्ज किया गया। जेल के द्वार इनकी सफाई, दवाई और खाने की उचित व्यवस्था नहीं थी।"

श्रीमन् ये करीब 8 बजे बंदी जेल से छूट कर आये। हम ने सर्वप्रथम घर मंत्री को फोन किया लेकिन हमें बताया गया कि वे बाथरूम में हैं। इसके बाद हमने प्रधान मंत्री को फोन किया और उन्हें सारी बातें बता दीं। अगर श्रीमन्, मंत्री लोग एक-एक घंटा बाथरूम में रहें तो देश का कल्याण कैसे हो सकता है।

अध्यक्ष महोदय : राज नारायण जी, यह आपके लिखे हुए नोटिस में नहीं है।

श्री राज नारायण : अगर श्रीमन्, एक घंटा घर मंत्री बाथरूम में है तो यह देश कैसे चल सकता है। सरकार नियम की व्यवस्था कर रही है। जिनके पास जेल से बाहर आने पर कपड़ा नहीं होता है उन्हें कम्बल मिलता है, जिनके पास टिकट का पैसा नहीं होता है, उन्हें सरकार की ओर से टिकट दिया जाता है। सरकार की ओर से यह धमानीय डुकने हुआ है, मैं चाहता कि इसकी जांच हो।

की मनोरथ वाली (मचुरा) : यहाँ पर नकी बंदी हुए हैं। जिन लोगों के साथ जेल में दुर्व्यवहार किया गया है, उनके बारे में जांच कर बतलवा दें।

12.22 hrs.

SPECIAL COURTS BILL—Contd.

MR. SPEAKER: The House will now take up further consideration of the motion moved by Shri H. M. Patel on the Special Courts Bill. Dr. Murli Manohar Joshi will continue his speech.

डा० मुरली मनोहर जोशी (मलमोड़ा) : अध्यक्ष महोदय, मैं इस विधेयक के समर्थन में खड़ा हूँ। प्रतिपक्ष के कुछ सदस्यों ने कल जो तर्क रखे उनमें एक बात यह भी गई थी कि आपात स्थिति में कुछ तत्कर व्यापारी पकड़े गये थे इसलिए उसकी पुर्न नहीं माना जा सकता। अगर उनको किसी ने पकड़ा था तो अब उन पर मुकद्दमा चलाने की आवश्यकता नहीं है। मैं उनसे पूछना चाहता हूँ कि क्या श्री भीमसेन तत्कर तत्कर थे? जो इन्स्पेक्टर पकड़े गये थे, क्या वे तत्कर थे? भीमती स्नेहलता देही तत्कर थी? क्या श्री मोरारजी देसाई तत्कर थे? क्या मैं तत्कर था? मैं जिस जेल में रखा गया था वहाँ पर पकड़े गये अधिकांश लोग राजनीतिक बंदी थे। तत्करों को खुली छुट रही **

श्री बलंत साठे (मकोला) : क्या आप पर तत्करों का चार्ज लगाया गया था? (अवधान)

MR. SPEAKER: Don't record.

डा० मुरली मनोहर जोशी : भीमन्, आप देखें कि किस प्रकार से संविधान की हत्या करने का यहाँ प्रयत्न किया गया। उसका अगर मुकाबला नाजी हिटलर की कार्यवाहियों से किया जाए तो सब स्पष्ट हो जायेगा। कि किस प्रकार संविधान का इस्तेमाल सारे भारतीय गणतंत्र को समाप्त करने के लिए किया गया। यह एक वास्तविकता है। मैं म्यूरेनबर्ग ट्रायल से कुछ उद्धृत करना चाहता हूँ। हिटलरबर्ग जो उस समय जर्मनी में राष्ट्रपति थे उन के लिए इस में लिखा है :

"He fell for the Nazi leaders' story, and signed an emergency decree in which important articles of the constitution were suspended

the freedom of the person, the free expression of opinion, the freedom of the Press, the right of assembly, the privacy of the post, the protection against house search and arrest without a legal warrant."

उसके बाद क्या हुआ :

"The first concentration camps were built. Newspapers inimical to Hitler were banned, opposition meetings dispersed, the leaders of the opposition arrested."

आये यह पुस्तक कही है :

"On 24th March 1933 only 535 out of total of 647 Members of the Reichstag were present. The absence of some was unexplained—they were in the concentration camps. As a result of Nazi pressure and terror, the Reichstag approved the 'Enabling Act', 441 members voting for it. This event represented the seizure of political control by the conspirators. With the Enabling Act, Hitler became absolute dictator, Weimar was dead, democracy strangled."

उसके पश्चात् म्यूरेनबर्ग महाभियोग हुआ। आवश्यकता थी कि उसी तरह का एक महाभियोग यहाँ भी चलाया जाता। लेकिन हमने चिन्ति के अनुसार, संविधान के अनुसार और कानून के अनुसार जो कुछ हो सकता था उसको करने की कोशिश की है।

कल प्रतिपक्ष की ओर से यह कहा गया कि यह महोदय जिन्होंने आपात स्थिति की घोषणा की लोक सभा में सम्मूह कराया वह धान सत्ताकूट हैं और हमारे साथ हैं। यह ठीक बात है। लेकिन उन्होंने अपनी गलती महसूस की और उन्होंने उस राजनीतिक तानाशाही पार्टी को चुनाव में परास्त करवाया जिस ने आपात स्थिति को लागू करने की कोशिश की थी। उन्होंने प्रायश्चित्त कर लिया है। मैं सब से कहना चाहता हूँ, मानवता के नाम पर जबरन मैं भय पर भारतीय लोकतन्त्र के नाम पर कि कृपा करें इस दिन का आप भी समर्थन करें, आपात स्थिति के धोखाधियों को रद्दित करायें और प्रायश्चित्त करें।

**Expunged as ordered by the Chair.

****Not recorded.

आप भी पुष्प के भागी बनो। कोई आपकी रोकेगा नहीं। अगर आप पुष्प के भागी नहीं बनना चाहते हैं तो यह आपकी इच्छा है।

इस प्रकार का विधेयक बनाया जा सकता है या नहीं इस बीच को उच्चतम न्यायालय की राय लेने के लिए उसके पास भेजा गया था, प्रेषित किया गया था। न्यायाधीशों ने जो राय दी है वह आपके सामने है। जस्टिस कृष्ण आयर ने जो आपने निर्णय में कहा है उसे मैं उद्धृत करता हूँ। वह जनता पार्टी के सचिव नहीं थे, उनकी नियुक्ति भी जनता पार्टी ने नहीं की थी। वह सम्मानित न्यायाधीश हैं जिन्होंने बहुत से ऐसे निर्णय दिए जिन की संकर हमारे लोग बहुत दिनों तक आपातस्थिति में नजरबन्द रहे। उनका चयन भी आपके द्वारा ही किया गया। वह क्या कहते हैं इसको भी आप सुन लें:

"We need hardly say that there is no law of limitation for criminal prosecutions. Somehow, a few manage to be above the law and the many remain below the law, How? I hesitate to state."

इकर कहते हैं:

"Every system of government requires that those wielding power should use it for public good and should not make it an instrument of self-seeking. All power is like a trust. Those who derive it from the people are accountable to show that it has been exercised for the people. To repeat what I said recently, abuse of authority by those in power inevitably causes mass disillusionment and results in public frustration. Nowhere is it more true than in a democratic set-up because in democracy it is the people themselves who entrust power to those whom they elect. Abuse and misuse of authority can take many forms. It can result in self-aggrandisement by the acquisition of more authority by those put in power and the use of that authority for eliminating political and personal opponents. Such abuse

of authority paves the way to authoritarianism and dictatorship."

यह है जिसका हमें विरोध करना है, ये हैं सारे तथ्य जिनके बारे में मैं स्पष्ट कहना चाहता हूँ कि बर्गीकरण क्यों किया जा रहा है।

यह कहा गया है आपात स्थिति के साथ जो नियम, कानून बनाये जा रहे हैं उसको गैर-आपात स्थिति के साथ बिभेद क्यों किया जा रहा है, बर्गीकरण क्यों किया जा रहा है उसके विषय में भी श्री मनु, न्यायाधीश कहते हैं:

"Another good reason for upholding the classification is the legality of the State's power to pick out a hectic phase a hyperpathological period, a flash flood and treat that spell alone, leaving other like offensive periods well alone because of their lesser trauma. It is a question of degree and dimension.

If the law presumably hits the evil where it is most felt, it is not to be overthrown because there are other instances to which it might have been applied. There is no doctrinaire requirement that the legislation should be couched in all embracing terms.

It may be remembered that article 14 does not require that every regulatory statute apply to all in the same business; where size is an index to the evil at which the law is directed, discriminations between the large and small are permissible, and it is also permissible for reform to take one step at a time, addressing itself to the phase of the problem which seems most acute to the legislative mind."

इसलिए भी मनु किसी भी तर्क पर जो इन्होंने कहा है इस विधेयक का विरोध नहीं किया जा सकता है यह बहुत स्वल्प परम्परा है और मैं मानता हूँ कि बीरम ही ऐसे विधेयक बनें जो राजनीतिक सत्ता के दुरुपयोग को सत्ता के लिए इस देश से समाप्त कर देंगे संवैधानिक परंपराओं की व्याख्या की जानी चाहिये

[का० मुरली मनोहर जोशी]

कॉस्टीट्यूशनल प्राइंसेज क्या है इसकी व्याख्या की जानी चाहिये और वेस में ऐसी व्यवस्था का निर्माण किया जाना चाहिये जिससे ऐसे अपराध करने और कानून का इस्तेमाल करके शारिकारिक तानाशाही को स्थापित करने के लिए लाखों लोगों को जेल में पकने से रोकने की पूरी व्यवस्था और तैयारी संविधान में होनी चाहिये जब ऐसी व्यवस्था हो जायेगी तो वह दिन इस देश के लिए सुम और अच्छा होगी। और इसी बात को ध्यान में रख कर मैं इस कदम का, जो सरकार न उठाया है, समर्थन करता हूँ।

SHRI C. M. STEPHEN (Idukki): Mr. Speaker, Sir, this House is now discussing a Bill which, if I may say so, is unprecedented in the legislative history of our country. In the point of the matter of initiation, on the point of the matter of course it took, on the point of the content of the Bill, on the point of the thrust of the Bill and on the point of the repercussions that the Bill will have on the judicial system of this country, this Bill is a piece by itself and quite unprecedented in the legislative history of our country.

Now, I would pose a question which is in dispute: Is it a *bona-fide* piece of legislation as claimed by the Government aimed purely at a speedy trial, at a fair trial, of person or persons classified by permissible and intelligible standards—this is the claim of the Government—or is it, as is alleged by us, an instrument of oppression designed to hand down pre-arranged sentences and convictions through hand-picked judges to hand-picked persons with respect to hand-picked offences. If the former is the case, if what the Government says is the case, the Bill deserves to be supported. If the latter is the case, if what we say is the case, the Bill deserves to be condemned and to be rejected.

Having posed this issue which is in dispute, I would seek of you to consider the vires of the Bill, whether it is vicious, it is constitutionally valid and all that. Let us remember that on a reference to the Supreme Court, all the judges have held that there is very much left to

be desired in this Bill, quite a lot of wrong things, quite a lot of undesirable aspects about the Bill. Two judges have held that the undesirable aspects are found going to the extent of rendering the Bill constitutionally invalid; four judges have held that there are certain undesirable aspects, but it is not for them to adjudicate about it and they do not say that undesirable aspects go to the extent of vitiating the Bill on the basis of constitutionality. Undersirable aspect is considered by everybody; unconstitutionality is established by two judges; unconstitutionality is not sustained by four of the judges. This is the position. Let us remember that at least two judges of the Supreme Court have held that the Bill is, constitutionally invalid. This is a matter which you will have to bear in mind.

Now, one of the major points about it is the classification of the offences and the persons who have to come under the purview of this Bill. The Bill is to cover persons and offences from the point of view of two aspects: one, from the point of view of the period; and two, from the point of view of the status of the persons involved. The Bill confines itself to the period of the Emergency, and the Bill says that the persons who had held high political or public offices alone will be covered by this Bill. There are two classes which will come: those with respect to whom the Commissions found a *prima facie* case; and the other class, which the Bill says, is: Government, by their independent agencies, have come to the conclusion that there is a *prima facie* case. Therefore, it is not merely the persons who are covered by the Commission—the Commission had a good coverage; they picked up, they identified, certain persons; over and above that, the Government says that they made their investigation and they have found that there is a *prima facie* case with respect to certain persons with regard to those similar offences. So, the entire offences are now sought to be covered by this

This coverage of the Bill is spelt out by the majority judgment on page 28A which has been given to us. Here one important matter is this. I do not want to go into the entire coverage of it. Justice Krishna Iyer has asked, 'Why limit here? Why not go on to the offences against persons high-placed before the Emergency and subsequent to the Emergency; the danger to the democracy is the feeling that high-placed persons are beyond the reach of the law'. It does not matter whether it is within the Emergency or not. Anybody who is beyond the reach of the law, who is supposed to be beyond the reach of the law, must be covered. Otherwise, democracy will not be safe. This is the argument of Justice Krishna Iyer. I am not going into the whole thing. I will confine myself to one simple question arising out of this clause 'high-placed people holding public offices and political offices'. A leader of a political party may not be a Minister but holds a political office; and a Minister may not be a high political personage but holds a public office. If these persons had committed offences during the period of Emergency, would you seek to cover the whole lot of them or would you pick and choose some among them? This is the major question I would like to ask at this stage.

Now, there are three classes. The whole question is the question of the Emergency. Emergency was against democracy. That is the contention. Our argument is that a succession of offences committed by high-placed people in the political arena led to a situation in which Emergency was declared. This is one aspect of this. Offences, there were. Number two is, offences were committed in the matter of the implementation of the proclamation of Emergency; this has got to be covered. Number three, offences were committed by people holding political offices to meet the implementation of the Emergency. The second two cases come under the period of the Emergency. Now, I would straightaway ask this question.

Mr. George Fernandes was a person holding a high political office, leading a great political movement. Did he or did he not commit offence during that period? To meet the Emergency, may be. But did he or did he not commit the offence of upturning 52 trains? Was it or was it not an offence? Take the dynamite case. Was it or was it not an offence? Does it not satisfy considerations that I have spelt out here? Now, if that has happened, then would the Government put him also before the special court?

I would submit here that the Supreme Court held it in favour of validity on one assumption. That assumption is given on page 87 by the majority judgement. This is what they have stated:

"...if the Central Government is of the opinion that there is *prima facie* evidence of the commission of an offence during the period mentioned in the preamble by a person who held public or political office in India and that in accordance with the guidelines contained in the preamble the said offence ought to be dealt with under the Act, the Central Government shall make a declaration to that effect in every case in which it is of the aforesaid opinion. Thus, formation of the requisite opinion casts on the government an obligation to make the declaration in every case, without exception, in which the opinion is formed. Upon the making of the declaration, another consequence follows compulsively..."

That is, that it goes to the Special Court and no other court at all. Therefore, they said:

"It ought to be mentioned that there is no scope for the argument in the instant case that the Bill leaves it to the arbitrary and uncanalised discretion of the Central Government to pick and choose persons for trial before the Special

[Shri C. M. Stephen]

Courts and leaves the rest to be tried by the ordinary procedure in the regular courts."

This is the basis for what they said that there is no constitutional infirmity and Art. 14 is not violated. But I would like to have a clarification whether they accept this principle that every offence committed by every political personality of a high office would be covered and everybody, including Mr. George Fernandes, with respect to whom it is an admitted fact that there was a dynamite conspiracy, would be put before the Special Court for adjudication? If that does not happen, it is only instancing. There are persons who may be accomplices in the government. What happens about them? Are you putting them or are you not putting them? Or are you restricting yourself to one? What happens is: offences which led to the emergency, you condone; offences which were committed to meet the emergency you condone and in case of offences committed in course of implementation of the emergency, some you pick up and some you condone and those alone you put before it. I submit it is in contravention of the contemplation and Condition under which the Supreme Court has spelt out that the Bill is not vitiated. I would ask the Minister to give an explanation as to whether he accepts this principle that the Supreme Court has spelt out and on the basis of which the majority judgment said that it is constitutionally valid and they said, otherwise it will be constitutionally invalid. This is the position.

If you are going to select this pick and choose business, let us remember this is not the end of the matter. This will not be the end of the battle. Political phases can change, governments can change and for offences, let it be remembered, there is no time bar at all. The same machinery can be used, the same methods can be used. What you use to-day can be an

instrument against other offenders when others come into power. Let us remember these aspects of this matter. Anyway this pick and choose legislation is meant only for this particular purpose.

Assuming this classification is correct, then the question is whether you are giving a fair trial. Here, the type of the court that is coming up is graphically described by Mr. Justice Shingal in his judgement after analysing the whole thing and this is what he said:

"The Special Courts envisaged in the Bill are therefore courts the like of which has not been provided in the Code of Criminal Procedure or any other law, and are in fact unknown to the criminal law of the country. The question is whether our Constitution envisages the creation of such courts."

It is said that the instrument that we are putting up is absolutely unknown in the criminal jurisprudence of the country. There must be a compelling justification to set up such a court. Now, what is the justification? The only justification that they are pleading is that the congestion of work in courts makes it difficult to have it done in other courts. Here again I may be permitted to quote Mr. Justice Shingal: The question is whether under the present legal frame work the ordinary courts can be put into service to get an expeditious trial. Mr. Justice Shingal says this:

"In any case the reason for excluding the ordinary criminal courts from trying the class of offences referred to in the Bill within their respective jurisdiction, in accordance with the provisions of section 177 of the Code of Criminal Procedure, 1973 is congestion of work and not their inferior status or incapacity to deal with those cases. The object of the Bill would therefore have been served by the creation of additional courts of the same

category as the "ordinary criminal courts" and the making of any procedural changes which may have been considered necessary in that context to exclude avoidable delays in the trials.

There would have been nothing unusual if such additional courts had been created to save the ordinary congested criminal courts from the burden of more work and to bring the contemplated prosecutions to speedy termination."

That was permissible under the existing law and it would not have been necessary to introduce the present Bill in Parliament.

Therefore, one judge, after surveying the entire criminal structure came to the conclusion that the Criminal Procedure Code and the Constitution, as it is, provide for an exclusive assignment of this task either to the Special Court or to a particular sessions court. It is possible and nobody has refuted it. If, that is so, then why another court is the question.

Then, inferences will have to be drawn by your attempt to make another court. Here again I ask: what type of court you are creating? Would it give a fair trial to the accusers? Again I would just quote Justice Singhal:

"Speaking in practical terms, the Bill thus enables the Central Government to decide which of its nominated judges shall try which accused or, in other words, which of the accused will be tried by which of its nominated judges".

.....

"As will appear, such a procedure cannot be said to be fair, just and reasonable within the meaning of Article 21 and amounts to serious transgression on the independence of the judiciary."

This is the totality, the gist, of the entire legislation that is coming up before us. Again it says:

"It is not, therefore, permissible for the Executive to appoint a particular judge or magistrate to preside at the trial of a particular accused under the Code of Criminal Procedure. This is fair, just and reasonable and relieves the accused of any possible apprehension"

Now, again, it bears a quotation:

"It has to be appreciated that the problem is of much greater significance in the cases of trials before the Special Courts envisaged in the Bill. As is obvious, a trial by the fiat of a successor government, however justified, is noticed with an amount of scepticism. If one may be permitted to say so, a 'successor trial', broadly speaking, seeks to hit the adversary a second time after his initial discomfiture and displacement from power or authority and in the case of an accused who has held a high political status, it may have the effect of destroying his political future. It is, by the very nature of things, difficult to disabuse the mind of such an accused of the lurking suspicion that the trial is motivated by political considerations and will not be just and fair, or to convince him that it will ultimately lead to justice. It should therefore be the effort of those ordering the trial to do nothing that may, even, remotely, justify such a suspicion. They should in fact do all they can to convince everyone concerned, including the accused that they had the best of intentions in ordering the trial and had provided a fair and straight forward procedure, and the clearest of judges, for the trial in an open and fear less manner. That will not only fore close avoidable criticism but uphold the majestys of the rule of Law in its true sense".

"Moreover, if the result of the trial has to carry conviction with

[Shri C. M. Stephen]

the people as a whole, and is meant to acquaint them with the "true character" of the persons who have committed the offences for the survival of the democratic institutions and cleanliness of the political life, as professed in the statement of Object, and Reasons of the Bill, it is in the interest of those making the declaration referred to in clause 4 of the Bill to convince everyone, including the accused, that the trial is not spectacular in purpose and does not expose those facing it to a risk greater than that taken by any other accused at an ordinary trial, under the ordinary law. That kind of assurance, that there is no pre-arranged result, and that the accused have nothing to fear from the presiding judge of the Court, is the basic requirement of a "successor trial". Human dignity is a concept enshrined in the Preamble of our Constitution and runs through all that it provides. It is therefore necessary that this treasure should be the priceless possession and the solid hope of all our fellow citizens including those who have to face trial for the offences charged against them".

"But the clause of the Bill referred to above are in derogation of the majesty of the judicial edifice so gloriously and assuredly built up by the Constitution, and is a serious inroad on the independence of the judiciary."

Now, could there be a more sweeping and more graphic statement over the dangerous implications of the Bill? You want to select somebody, to pick up somebody; you will pick up a person who is to be tried; you will look through different special courts; you will decide to which of the special courts, which of the persons must go and you will give conviction. You are going to give normal trial. The Bill does not seek that. Then what is it about?

Now, it is not Justice Shinghal alone that said about it. Justice

Krishna Iyer has this observation to make about it:

"Before I conclude, I must admit the force of the reasoning in Shinghal, J's powerful plea against nominated judges. I am persuaded to the view that the sure solution to the tangled web of problems raised by the Reference, consistently with the present object of the Bill, is to make the High court the custodian of the new jurisdiction. This suggestion cropped up even as the argument sailed along but counsel for the Union of India assured the Court that respectful consideration, not more, would be given to the tentative idea expressed from the Bench. The risk of constitutional litigation defeating the purpose of quick justice may well be the price of ignoring the considered suggestion. It is for the wisdom of Parliament to trust the High Courts or the hand-picked judges from the High Courts and face constitutional adjudication. I say no more. There is something to ponder, for those who cherish accountable judicial autonomy, in the apprehension expressed by Shinghal, J. that subtle encroachments on independence of this instrumentality may eventuate in temporising with a fundamental value. While I am impressed with the reasoning of the learned Judge, I desist from pronouncing on the point."

Now, two judges have very strongly said about. May I put the question to the Minister? The Supreme Court during the arguments put forth the suggestion as to why not entrust this matter to any particular High Court. Any High Court may be charged with this responsibility. And they can. The judge of the Supreme Court felt that this is a possible thing. Shinghal said it and Krishna Iyer said it. They said that they would consider it. You owe it to the House to explain why you could not accept it.

There are two methods for asking any particular judge of the High Court or Sessions Court to do it. Leave it to them. If it is Sessions Judge subject to the supervisory decision of the High Court and if it is High Court in its original jurisdiction subject to the Supreme Court. Why could you not do that? If procedural changes are necessary they can be provided for. Why are you fighting shy of it? Why do you want to pick up your own judges? Why do you want to throw out the accuse before the judges of your choice. Why do you want to interfere in the whole matter? It is a question that you will have to answer.

Secondly, Lok Pal Bill came here. It was referred to the Joint Select Committee. Because there were public men, what was the suggestion made. It is now before the House. The President will appoint in consultation with the Chairman of the Council of States and the Speaker of Lok Sabha who will consult the different party leaders, if they so choose. Because it is a public office confidence must be imparted—successor government in the former government. It has got political tingle about it. Therefore, assurance must be given. Why are you fighting shy of it? Constitution says that the President appoints and when *ad hoc* judges have got to be appointed the Chief Justice appoints. Why in this case the Government of India and not even the President. May be the President functions in the name of Government of India. That is a different matter. Why the Government of India? Why do you want to appropriate it? This confirms the conviction and the fear, sir, that it is going to be a case of hand-picked offenders being put before the hand-picked judges with the pre-arranged dispensation whereunder to use Shinghal's words pre-arranged judgement could be handed down in the service of justice and in the prosecution of the law of this country. Would it carry conviction? This is all I have got to say.

Now, in the case of appointments, the majority judgment says what? Let us not forget that. That is majority judgment, not the dissenting judgment. The majority judgment has this to say about that:—

'The right of an accused to life and liberty cannot be made to depend upon pious expressions of hope, howsoever past experience may justify them. The assurance that conventions are seldom broken is a poor consolation to an accused whose life and honour are at stake. Indeed, one must look at the matter not so much from the point of view of the Chief Justice of India, nor indeed from the point of view of the Government, as from the point of view of the accused and the expectations and sensitivities of the society. It is of the greatest importance that in the name of fair and unpolluted justice, the procedure for appointing a Judge to the Special Court, who is to be nominated to try a special class of cases, should inspire the confidence not only of the accused but of the entire community. Administration of justice has a social dimension and the society at large has a stake in impartial and even handed justice.'

This principal has got to be applied. Now, unfortunately, the Chief Justice felt that if his concurrence is obtained, this requirement is satisfied. Instead of consultation, if it is concurrence, this requirement is satisfied—that is what he thought. It is for the accused persons to say about this, following the self-same dictum. In this House I do not want to criticise any judicial authority. But let us remember what is the judgment of the Supreme Court about the present Government. They have said this. (Interruptions) This is what they have stated, Sir, that they are 'amenable to influencing'. That is stated by the Supreme Court.

MR. SPEAKER: Who? Judges?

SHRI C. M. STEPHEN: I am coming to it. This is what they say. This

[Shri C. M. Stephen]

is on pages 100 and 101. They were discussing about the Retired Judges coming in and they said this:—

'A retired judge presiding over a Special Court, who displays strength and independence may be frowned upon by the Government and there is nothing to prevent it from terminating his appointment as and when it likes.... The process of consultation has its own limitations and they are quite well-known. The obligation to consult may not necessarily act as a check on an executive which is determined to remove an inconvenient incumbent.'

Let us remember that this deals with a particular case, a case of a temporary legislation, its immediate, expeditious disposal. And this Government has the Supreme Court in view. And then they say, a retired judge is not acceptable because it is likely that the Government may frown upon them. It is likely that independent judge could be removed by them. They have got in their mind the retired judge. Who?—The present Government. The Government is likely to do that. If that is the type of thing that is possible then do you expect us to accept your appointment of a judge as impartial, as inspiring confidence? If you are capable of frowning on an independent judge, removing an independent judge, the supreme court says, 'there is a likelihood of your frowning upon him' don't put a retired judge but only a judge who is protected by the Constitution. If that is the type of thing would you expect us to accept it as impartial appointment? This is what I have got to say.

MR. SPEAKER: Mr. Stephen, you have taken half-an-hour.

SHRI C. M. STEPHEN: Five minutes more. I am concluding, Sir. I am closing. This is the position about the Chief Justice; Concurrence is not enough. This is all that I have got to say. Because, unfortunately, Sir,

Chief Justice agreed to go into certain matters which the Prime Minister chose to refer to him. It was stated in the Rajya Sabha that the Chief Justice went through the statement and approved of it. This is something which we don't expect from the Chief Justice of India. This is a matter in which law does not compel him. He went into it, he examined it. And if that concurrence is all that is necessary, my submission is, that concurrence will not give any confidence at all, Sir.

We know the purpose of this Bill. You have been carrying on a sort of prosecution. After 1977 many things have been done. Many Commissions of Enquiry were appointed, nothing has come out of them; the capsule was dug out, nothing came out of it, a sort of photostat copy of a cheque on a Swiss Bank was produced, but it was proved that it was fake. Then, it was said that money was sunk in Sri Lanka and Mauritius; enquiries were made and nothing came out of it; sleuths of the Government went out everywhere, but nothing came out of these things. One after the other, efforts were made, but nothing could be brought out of these. Finally, Shri Charan Singh tried to arrest her and put her in jail, but the courts said that she was innocent and she was released. Then, the floor of the House was used to put her in jail. All right; that has been done, she has been put in jail. Finally, Shri Charan Singh said that under normal laws of the country, it may not be possible to put her in jail and, therefore, Nuremberg trial. Mr. E. M. Shankaran Namboodripad, the realist that he is, said that under ordinary law, a punishment cannot be inflicted, so there should be Nuremberg trial. Nuremberg trial is not provided in the constitution but she must be put in jail. How to put her in the jail? Pick out a judge, pick out an offender, put the offender before the judge, arrange a judgement, hand it over and send her to the jail, and finish up the case. This is what is being attempted. (Interruptions). Now this has got a sig-

nificance. Jail has no sting about it, but jail will have a sting about it if the people are convinced that the jailing is as a result of a crime committed. Jailing will not have any sting about it. You are bringing this Bill and are creating conditions under which a presumption will go about to the effect that this is an act of prosecution and there would be no presumption that the conviction has got a moral turpitude attached to it. If that happens, then these things will not be there; the purpose will be defeated, judiciary will have been concocted, will have been polluted, nothing will have been achieved and we must say we look at this in this manner.

Shri Ram Jethmalani had moved this Bill; it is absolutely unprecedented. Shri Jethmalani said in his Bill "Whereas the Government has come *prima facie* to this conclusion." May I ask: "How did he come to know of this?" If the Government came to a *prima facie* conclusion, how did a Private Member come to know about it? And, he has been going about it.

Now, in the Janata Government, there are three types of persons. There are people who say: "People have punished her let us leave her". There are others, who say: "Let the court take its course". There are still others who say: "Blood for blood; tooth for tooth. We were put in jail, we will put her in jail". They are divided in two classes. Some say: "I was put in jail, I will, therefore, put her in jail." Then, "my client was put in jail and therefore, I will put her in jail". Shri Jethmalani comes under that—"My client was put in jail I will put her in jail. Some smuggler was put in jail, Haji Mastan was put in jail, therefore, I will put her in jail". And, therefore this Bill.

Now, go on with that. The fight is not over. We have lost the battle, the war is on; the war will be fought and the day will come when we will fight back and win that.

MR. SPEAKER: The Lok Sabha stands adjourned for lunch till 14.00 hours. After lunch, the first speaker will be Shri Kamath.

14.05 hrs.

The Lok Sabha adjourned for Lunch till Fourteen hours of the Clock.

The Lok Sabha re-assembled after Lunch, at five minutes past Fourteen of the Clock

[MR. DEPUTY SPEAKER in the Chair]

SPECIAL COURTS BILL—contd.

SHRI HARI VISHNU KAMATH (Hoshangabad): The Special Courts Bill is a long awaited Bill. Ever since the vigilant people of our great country won the mighty battle of the ballot two years ago, this very month, March, two years ago which marks a distinct political watershed in free India's history a great political watershed, people outside and inside Parliament have been asking with greater and greater impatience; how about those criminals, what about those offenders against the Constitution, against the people who during those dark days of tyranny torture and terror emasculated, the Constitution, sabotaged democracy and crippled Parliament. These questions were being asked, and people were getting impatient and at last we have come to grips with the question, and the Bill is before the House.

Last year, in April 1978, when the Home Ministry's demands were on the anvil and were being discussed in the House, I referred to this matter. The Shah Commission's first report was presented to the House by the government, was placed on the Table of the House by the government on the 12, March 1978, and the second report, on 26, April 1978. On that very day, April 26th, speaking on the Home Ministry's Demands, I said that "a special law should be passed by the Parliament, to try the offenders named, the persons indicted, by the Shah Com-

[Shri Hari Vishnu Kamath]

mission, whoever they may be; let there be a special law, a special enactment, a special statute passed by Parliament, and let there be special tribunals." Exactly a year ago or a little less than a year ago, I demanded of the Government that this should be done. But there was some shilly-shallying, dithering about this matter. I do not describe it as mala fide, or business, or lackadaisicalness or dilatoriness, because the Janata Government, the Janata Party, the Janata, the people who have installed them in power, the people, the party and the Government have been anxious to maintain and cherish and promote the rule of law in this country. Therefore, the Government referred the matter to the Supreme Court, and the Supreme Court gave its verdict in December or thereabout.

SHRI D. N. TIWARY (Gopalganj):
Not verdict, but opinion.

SHRI HARI VISHNU KAMATH:
The verdict on that reference came in December or so. That is why this delay occurred. Perhaps, it could have been obviated and this Bill could have come before this Parliament earlier.

Only last week two of the offenders, two of the anti-people criminals during the Emergency period, have been tried, have been convicted and sentenced by the Sessions Court. Two of the Delhi mafia, of India's Emergency Gang of Four—in Hindi there is a more expressive and more popular term.

"बंदास पीकरी"

two of them have been convicted and sentenced by the Sessions Court. One is reminded of the slogan

हम दो, हमारे दो,

not in the same sense, but in a different sense. Two of them have been brought to book and they have filed an appeal, or they are going to file an appeal so the papers say, before the High Court. Let it take its own course.

This morning, the Leader of the Opposition, Shri Stephen, the lawyer that he is, held forth, long and loud, as is his wont, on certain matters which, according to him, would vitiate or taint this measure, this Bill. He is a lawyer and he is accustomed to courts, lower and higher courts, the Supreme Court also, I believe.

AN HON. MEMBER: No, no.

SHRI HARI VISHNU KAMATH:
May or may not be.

He read out certain extracts, convenient to him, from a certain judgment; he read out certain obiter dicta made by two Judges. Well, I am not a lawyer, but I have read the law and I have administered the law also. He referred to Justice Krishna Iyer endorsing what Justice Shingal said. I am not referring to that. I am referring to what Justice Krishna Iyer said in the course of his opinion, which is very important and has a direct bearing on the Bill before us.

"It is common knowledge that currently in our country criminal courts excel in slow-motion. The procedure is dilatory, the dockets are heavy, even the service of process is delayed and, still more exasperating, there are appeals upon appeals and revisions and supervisory jurisdictions, baffling and baulking speedy termination of prosecutions, not to speak of the contribution to delay by the Administration itself by neglect of the basic necessities of the judicial process.

"Parliamentary and pre-legislative exercises spread over several years hardly did anything for radical simplification and streamlining of criminal procedure and virtually re-enacted with minor mutations, the vintage Code making forensic flow too slow and liable to hold-ups built into the law. Courts are less to blame than the Code made by Parliament for dawdling and Governments are guilty

of denying or delaying basic amenities for the judiciary to function smoothly."

It is the ordinary criminal courts that he is referring to.

"Justice is a Cinderella in our scheme. Even so, leaving V.V.I.P. accused....

—not V.I.P., but V.V.I.P.—

"....to be dealt with by the routinely procrastinating legal process is to surrender to indeterminable delays as an inevitable evil."

So, that is why the Government has come forward with this Bill as it does not want to surrender to this inevitable evil. Mr. Krishna Iyer concluded by saying:

"Therefore, we should not be finical....

—I do not know whether it should be 'finicky' or 'finical'—

"....about absolute processual equality....

—it is new language, new coinage I welcome it because it enriches the English language—

"....and must be creative in innovating procedures compelled by special situations."

Here is a special situation. Desperate diseases need drastic remedies, and this was a desperate evil, a drastic evil, the evil of the emergency's dark days of tyranny and terror, which therefore called for a special remedy, and this special Bill.

Mr. Stephen referred to—perhaps that is on his brain, on his mind, very much, I do not know whether it was a command performance this morning, I do not know but even if it was not—he referred to my colleague, Mr. George Fernandes. I do not know with what logic or with what wisdom that God has endowed him with he raised this

matter, because this is equating the criminal and the hero, because Mr. George Fernandes fought against the emergency, fought for the people, and was part of a resistance movement.

What happened in Europe? Did the Nuremburg Tribunal try the resistance movement people also? No, Hitler's criminals were tried, the Nazi criminals were tried by the Nuremburg Tribunal. Not those in France, not those in Germany, not those in Switzerland, not those in Holland, not those in Italy were brought to book by any Tribunal, because they fought for the resistance movement against Hitler, against his emergency, against his anti-people laws. Nobody among them was brought to book. Such was Shri George Fernandes who fought for the people, who fought against the emergency, fought tooth and nail, fought with might and main against the emergency during the dark days of tyranny and terror, and kept up the spirit, tried to maintain the spirit, of the people during the emergency, and called upon them with whatever force he could muster to fight the emergency and to destroy those who were perpetrating this evil of the emergency on this country. Therefore, it is wholly unjustifiable that these perpetrators of the emergency, of the evil, and the fighters against the emergency should be equated by such an able lawyer as Mr. Stephen. I do not know if it is just a political gimmick that he introduced in his speech.

SHRI DINEN BHATTACHARYA (Serampore): Legal gimmick or political gimmick?

SHRI HARI VISHNU KAMATH: Political gimmick.

Today, I am sorry to say, as far as I am aware, he and his party on this particular issue, because Nemesis has overtaken them, has overtaken the leader of the party, that party stands isolated in this Parliament....

SHRI C. M. STEPHEN: Hear, hear!

SHRI HARI VISHNU KAMATH: Even his former colleagues, the news-

[Shri Hari Vishnu Kamath]

papers tell us, in the Congress party to which he himself belonged before he crossed over, even they have let him down. They have taken a stand on the Bill which is diametrically opposed to his stand.

DR. V. A. SEYID MUHAMMAD (Calicut): That is not correct. You are wrong.

SHRI HARI VISHNU KAMATH: I am sure, therefore, because of this, there will not be any difficulty, and hurdle, in the Bill being passed by the Rajya Sabha also.

Then, he was talking about battles and war, he used to battle before he joined the party of which he is the leader in the House, he perhaps was a hero of a hundred battles which he must have fought. Now, his leader is not with him in this House but the leader is there outside. Parliament took that decision....

SHRI C. M. STEPHEN: You abstained in the voting, you disagreed.

SHRI HARI VISHNU KAMATH: It was the decision of Parliament. He had the temerity to say that Parliament behaved like this saying, she put us in jail and so we put her in jail, she did something and we do the something. What gumption he had to say this? It is *lex talionis*, a tooth for a tooth, an eye for an eye. Have we done that?

SHRI C. M. STEPHEN: That is what you are doing.

SHRI HARI VISHNU KAMATH: How many have we detained without trial? Have we tortured anybody as Mr. Lawrence Fernandes was tortured or as was Mrs. Snehlata Reddy tortured and killed?

SHRI VASANT SATHE (Akola): It was proved to be a lie after an inquiry.

SHRI C. M. STEPHEN: The commission of inquiry has said that it is a lie.

SHRI HARI VISHNU KAMATH: He said, it is all vendetta. I do not know what he is thinking of.

There are one or two other matters about the Bill. I have given notice of amendments, and I will speak on them later on.

He said that he will lose battles but win the war. He is welcome, his party is welcome. Let him be prepared to face any battle. He gloats over Chikmagalur, he lost Samastipur, lost Fatehpur, lost Khandwa. Come on and fight battles. We are prepared.

SHRI VASANT SATHE: Manipulated.

SHRI HARI VISHNU KAMATH: You are experts in rigging with 30 years experience of manoeuvring. Now, the people have taught you a lesson. You can never do that again.

SHRI VASANT SATHE: At Samastipur, you manipulated at the counting. It is a shame on you.

SHRI HARI VISHNU KAMATH: He talked of war and, I hope, he means non-violent war.

SHRI C. M. STEPHEN: Non-violent war.

SHRI HARI VISHNU KAMATH: When he talked of battles, I hope, he did not mean violent battles.

SHRI C. M. STEPHEN: Not at all.

SHRI HARI VISHNU KAMATH: If he had in mind violent battles, let him sharpen his weapons, let him choose his weapons. We are prepared to face his party and his weapons. Let him think of war. He is not a strategist, he is not a tactician for a war. Let him fight battles. He has lost most battles in the last 2-3 months. Let him prepare for a war to the finish with no holds barred.

SHRI C. M. STEPHEN: Come on, you declare elections.

MR. DEPUTY-SPEAKER: Please conclude.

SHRI HARI VISHNU KAMATH: I would conclude after touching on one more point. Mr. Vidya Charan Shukla

and Mr. Sanjay Gandhi have been convicted and sentenced. Under the scheme of the Bill under Clause 7 of the Bill, to expedite matters, those cases which are pending in appeal can be transferred to the Supreme Court from the Court of Appeal. That may be considered when it arises.

I will conclude by saying that this Bill is a very welcome measure and, should have been brought before the House earlier, and I hope that a Bill of this kind, followed by other Bills, similar Bills, will in future prevent, deter, any would be tyrants, anti-people criminals, anti-Constitution criminals, anti-democracy criminals, anti-Parliament criminals, from behaving as Shrimati Indira Gandhi and her gang did during the Emergency.

SHRI SOMNATH CHATTERJEE (Jadavpur): Mr. Deputy-Speaker, Sir, I feel that it was overdue that the Janata Party should have kept its trust with the people of this country.

It is our solemn duty not only to dismantle the structures of Emergency but also to give abject lessons to the perpetrators of the most heinous crimes against humanity, so that the free people of this country may never become slaves again.

What does this Bill seek to provide? It is to authorize setting up of Special Courts to try offences committed by some highly placed individuals wielding political and executive power during a particular period, so that the trials may be held with utmost dispatch.

Now, what is that period which has been selected as the relevant period under the Bill? It is the period when the hoax of Emergency was proclaimed to perpetuate a family rule, when the light of freedom of the teeming millions of the people of this country was extinguished engulfing the people in total darkness. What did the people witness during those months in this country? We saw the sordid

spectacle of the most calculated and comprehensive attack on basic concepts of freedom, democratic rights and civil liberties.

With the avowed object of nullifying an inconvenient judicial verdict and for projecting a theory of indispensability of one individual, make-believe situations were created, sponsored demonstrations were held, the slogan of 'Indira Is India' was raised, thousands of political leaders and workers were put behind the bars without trial, and a rampage was let loose on all democratic institutions and values.

A dictator propped by a parasitic progeny and surrounded by cringing cowards and sycophants became the sole arbiter of the fate of 600 million people of this country during these nineteen months. Detentions without trial, degradation of Parliamentary processes in this country, diminution of judicial power and authority, a comprehensive censorship, extinction of fundamental rights of the people, promulgation of Draconian laws, changing the electoral laws to give *ex-post facto* sanction to corrupt practices, and mutilation of the Constitution of India were some of the infamous achievements of that darkest period in the history of India since independence.

Free people were subjugated in an all-pervasive manner, being denuded of all basic human and Constitutional rights. On the one hand there was a joke in the name of 20 point programme and on the other hand, a ruffian under the benign guidance and maternal inspiration was let loose and he carried out his misdeeds on the people of this country, having been turned into slaves. They became playthings in the hands of one individual. Life, liberty and property became the subject matter of the benign dispensation of Gandhi, not Mahatma but *duratma*. We found that houses and shops were demolished to beautify cities, people were jailed to silence dissent and the young and the old were

[Shri Somnath Chatterjee]

castrated to satisfy one's perversity. What happened during those 19 months was nothing but a calculated brigandage on the people of this country.

The history of emergency is a history of crimes, it is a history of humiliation of India. It is a history of subjugation of her free people and the annihilation of all democratic rights and values and all these, for the sake of one individual a vindictive, arrogant and power-hungry individual.

To-day we are witnessing the sickening spectacle of the abettors of crimes against humanity carrying out their performances—as Mr. Kamath said, their command performances in a manner which will bring shame to everybody in this country. I believe the opposition to this Bill is nothing but an insult to the democratic rights and values of this country. One will take hours and hours to recount the blackest deeds during the emergency. I believe the Shah Commission has discharged a very solemn duty to the nation and the historic document which it has produced as its report, is replete with instances of draconian actions on the part of the ruling authorities at that time. Not having any defence on the merits, the principal actor and her cohorts fled away from the Commission, did not face the Commission and as a result we have now found that the facade of innocence that was sought to be put up has been ripped open and now ugliness has been laid bare.

In these circumstances, what would an institution like the Parliament, a responsible institution do? I feel it is to-day charged with the solemn duty of not only undoing and dismantling the foundation and structure of the emergency but also evolve measures to see that in future the liberty of the people is never tampered with.

What is the context in which this Bill has been moved. Our Party has been demanding for a long time from the very beginning that crimes against humanity, crimes against the ordinary

people, the working classes and political opponents cannot be treated in a manner as it was being done these two years. That is what we have been demanding. Now, in this context I feel that the Bill is a very innocuous Bill. It does not create any new offence. It does not create any new procedure for trial of the offences. What it does is to select a court where the trial can be held with expedition. Now those who try to procrastinate proceedings and trials like this will oppose such a Bill. What is the complaint in this country? All the learned Judges in the Supreme Court have referred to that. Criminal cases take years and years for disposal. There are appeals, there are revisions and there are easy methods of delaying the hearing of the cases in ordinary criminal courts.

And we have seen, recently, until the intervention of the Supreme Court, how one of the accused in the Kissa Kursi Ka case was trying to take dilatory tactics by bogus pleas or frivolous pleas for obtaining adjournments thereby trying to delay the matter because they had no defence before the courts. Now, with proper safeguards, if provisions are made for the constitution of a court where the only change will be that there will be speedy disposal of cases and no other cases will come up, to delay proceedings, how can any responsible person or any person, who *bona fide* feels, that justice should not be delayed, can oppose this Bill?

Therefore, the opposition to this Bill cannot be for the purposes which my learned friend, the Leader of the Opposition was labouring to make out. If we look at the provisions of the Bill, we will find that this Bill provides for greater safeguards to an accused than in an ordinary criminal court. The trial will be before a high court which is ordinarily the appellate authority. The procedure under the Cr.P.C. will be applicable here. Secondly, the very important safeguard is an automatic appeal to the highest court of the land the Supreme Court—both on facts and on law. It will have to be appreciated that in ordinary cases, the approach to the Supreme Court of the land is not

automatic or a matter of right. One has to get a special leave from the Supreme Court. In many cases of convictions, the Supreme Court does not grant special leave and does not take up the matter. In case he is convicted, he will get the statutory right of appeal to the Supreme Court. The Supreme Court will hear the appeal not only on questions of law but will go into the question of facts. The point here is simple. Has the hon. friend faith in the Supreme Court or not? Have my hon. friends got faith in the judges of the Supreme Court or not? We have found how they tried to manipulate the dispensation of justice during the emergency. At that time the learned judges were picked and chosen for the purpose of showing favours to them because they danced to their tune. How persons were selected to grant favours! Even then we are proud that the judiciary in the high court level in this country tried to protect the rights of citizens as human beings. We have seen how the learned judges tried to give relief to illegally detained persons without trial. They could not tolerate that. They brought it before the Supreme Court and a judgment was delivered in their favour. Then the Supreme Court was to their liking. They had no objection to the supreme court when they upheld this contention. When they gave a decision that the people had no right to life and liberties during the emergency. . . (Interruptions).

SHRI C. M. STEPHEN: Is it possible for the Supreme Court to write a judgment in our favour? Somebody said that that is possible even now.

SHRI SOMNATH CHATTERJEE: I am not saying anything about the Supreme Court. What I am trying to point out here is that my hon. friend has been trying to make imputations insinuations about the judges of the high courts. When the judges delivered their judgment to your liking that was all right. You will remember that here is an automatic right of appeal to the Supreme Court. There is also a very important safeguard so far as the exercise of the executive authority is concerned. Clause 7 makes it very clear that the selection of cases by the Government will not be accusedwise or personwise but offencewise. That is of great importance. The Supreme Court has stressed on it. There is no question of picking out any accused during a certain period. Once that declaration is made, then without any distinction all the cases will come up before the special court—whichever may be the offenders or accused in the cases.

Here it is for expeditious disposal of criminal cases of persons and it does not suit persons who procrastinate such trials. Sir, what we are witnessing is that strong arm methods are being employed during the trial of the offences in the subordinate courts in this country here and everywhere. A few days back it happened in the court of the Districts and Sessions Judge. A judge was deliberately insulted. The persons got entry to the court and raised slogans and threw missiles at the judges. We found that when the Commission of Inquiry was appointed by their favourite Sri Siddhartha Shankar Ray as in Calcutta where one of the minions of the then prince had to

[Shri Somnath Chatterjee]

appear there, what happened was that no hearing could take place. There hordes of hoodlums entered the court room, created disturbance, set on the judge's chair and stood up at the judge's table. Is this the way they want courts to function in this country? Now, that type of 'tamasha' will not go on throughout the country and then they will have the revisions and appeals one after another.

Sir, at the same time I do not know why these learned judges do not take contempt of court proceeding. Probably, they are afraid of these gangs of hoodlums. Therefore, my request to the hon'ble friend is that every reasonable and right thinking person in this country should welcome this Bill. And I should have thought if anyone has a feeling that he or she is an inevitable accused before the Special Court then he or she should search her heart to find out whether he or she has any defence. If she has any defence she should welcome it because trial will be over quickly and she will be acquitted of the charges. Therefore take that chance. Why don't you take that chance! (Interruptions).

Sir, the government although it was not required to do had gone to the Supreme Court to obtain its advisory opinion. Now, Mr. Stephen has become greatly enamoured of the dissenting opinion. Of course, they never tolerated any form of dissenting opinion during those nineteen months. Sir, let him also read if he has got spare time or if he has been allowed to read the majority judgment also. If I may with your permission quote...

MR. DEPUTY SPEAKER: Please conclude now. No more quotations.

SHRI SOMNATH CHATTERJEE: Sir, on page 77 on the question of discrimination the Supreme Court has said:

"It is irresistible that the classification provided for by the Special Courts Bill is valid and no objection can be taken against it."

Sir, as you are imposing time-limit may I draw your attention and attention of the hon'ble Members to the judgment at page 84 where question of delay and dispatch has been dealt:

"that it is imperative for the functioning of the Parliamentary democracy and the institutions created by or under the Constitution of India that the commission of offences referred to in the preamble should be judicially determined with the utmost dispatch. If it be true, and we have to assume it to be true, that offences were committed by persons holding high public or political offices in India under cover of the declaration of emergency and in the name of democracy, there can be no doubt that the trial of such persons must be concluded with the utmost dispatch in the interest of the functioning of democracy in our country and the institutions created by our Constitution. Longer these trials will tarry, assuming them to be justified, greater will be the impediments in fostering democracy, which is not a plant of easy growth. If precautions which the Bill envisages are allowed to have their normal lease surely span of anything between 5

to 10 years, no fruitful purpose will be served by launching them. Speedy termination of prosecutions under the Bill is the heart and soul of the Bill."

Therefore, Sir, if my friends on the other side, who are opposing this Bill, if they have any sense of dispensation of justice in proper manner then they should welcome this Bill instead of opposing it.

श्री ब्रजभूषण तिवारी (खलीलाबाद) : मैं विशेष न्यायालय विधेयक का स्वागत करता हूँ। मुझे आश्चर्य है कि यहां पर ऐसे विधेयक का विरोध करने के लिए श्री लोग खड़े हो जाते हैं। माननीय स्टीफन्स ने कहा है कि इस में पिक एंड चूज किया गया है। एक अन्य माननीय सदस्य ने इसको विडिक्टिव लैजिस्लेशन की सजा दी है। उनके कहने का मतलब क्या था यह मेरी समझ में नहीं आया है। इस विधेयक के प्रीएम्बल और उद्देश्य जो हैं उन में साफ कहा गया है कि एमरजेंसी के दौरान जो जुर्म किए गए हैं वे साधारण किस्म के नहीं थे, असाधारण जर्म थे। ऐसे जुर्मों के खिलाफ मुकदमा चलाने के लिए कौन सी व्यवस्था होनी चाहिये इसके बारे में इस विधेयक का प्रारूप तैयार किया गया और इसके बारे में सुप्रीम कोर्ट की राय ली गई और उससे यह पूछा गया कि संसद को संविधान के तहत यह अधिकार प्रदत्त है या नहीं कि वह इस प्रकार का विधेयक बना सके? सुप्रीम कोर्ट ने संसद द्वारा इस प्रकार का विधेयक बनाए जाने के अधिकार को स्वीकार किया और इस प्रकार के कानून को वैध करार दिया। उस में यह बात साफ कही गई है कि हमारे जो क्रिमिनल कोर्ट्स हैं, साधारण न्यायालय हैं और वहां जो प्रोसीजर है उसको देखते हुए इन केसिस का जल्दी निपटारा नहीं हो सकता है। इसके पूर्व कमिशनर बनाए गए थे और उन्होंने अपनी संस्तुतियां दीं। बड़े लोग जो हाई पावर में थे उनके खिलाफ उन्होंने रिपोर्ट दी और कहा कि उनके खिलाफ प्राइमो फेसाई तौर पर जुर्म साबित हो गए हैं अब उनके बारे में घीमी गति से और ढिलाई से मुकदमें चले तो हमारे यहां जनता के मन में ऐसे इंस्टीट्यूशन के प्रति विश्वास की भावना पैदा नहीं हो सकती थी और वह खत्म हो जाती। जो जुर्म एमरजेंसी के दौरान किए गए और संविधान का संशोधन किया गया वह सब अपने मन की मंशा के मुताबिक किए गए। आप कहते हैं कि उसको करने का आपको हक हासिल था। परन्तु जनता सरकार ने ऐसे नहीं किया है। हमने बाकायदा

शा कमिशन बिठाया, रेंडो कमिशन बिठाया, तमाम कमिशन की नियुक्ति की और उन कमिशन के पास जो शिकायतें पहुंचीं उनको उन्होंने तुरंत से देखा। जब वे इस निष्कर्ष पर पहुंचे कि कुछ लोगों के खिलाफ प्राइमो फेसाई केस बनते हैं और उनके खिलाफ मुकदमे दायर किये जाने चाहिये तब सी बी आई या अन्य एजेंसियों के द्वारा उनकी छानबीन की गई, जांच पड़ताल की गई और मुकदमे दायर करने की तैयारी की गई। उसके बाद यह सवाल पैदा हुआ जब यह देखा गया कि दोषी व्यक्ति टालमोल करने की कोशिश कर रहे हैं कि एक विशेष न्यायालय के द्वारा ऐसे मामलों को क्या सुनवाई कराया जाना उचित नहीं होगा? इस में कोई विडिक्टिव होने का प्रश्न नहीं है इस में साफ तौर पर कहा गया है :

The answer to that question can be one and one only namely that offences alleged to have been committed during the emergency by persons holding high public and political offices in India stand in a class apart.

यह तर्क दिया जाता है कि इस में डिस्टिक्शन है, इक्वैलिटी बिफोर ला का जो प्रिंसिपल है उसको नकारा गया है। लेकिन वास्तविकता यह नहीं है। प्रीएम्बल में साफ कहा गया है कि एमरजेंसी में एक विशेष परिस्थिति थी और उस दौरान जो आफेंस किए गए वे पोलिटिकल मोटिव से किए गए, सिलैक्टिव थे और पोलिटिकल अपोनेन्ट्स को सप्रेस करने के लिए, उनको खत्म करने के लिए किए गए। जो मौलिक अधिकार हैं उनको समाप्त कर देना, बिना कानून के लोगों को जेल में डाल देना, जो बेसिक फ्रीज आफ दी कॉन्स्टिट्यूशन हैं उनकी तरमीम कर देना यह हमारी व्यवस्था और हमारी आस्था को समाप्त करना था और यह बहुत बड़ा जुर्म है। अगर केवल घुसखोरी का ही होता, केवल अपने पर्सनल ग्रेन के लिये होता तब तो यह बात कुछ समझ में आ सकती थी। और यह सारे जुर्म केवल इमरजेंसी के गावर्न में ही किये जा सकते थे, केवल आतंक और इस तानाशाही के परिवेश में किये जा सकते थे, इसलिये ऐसे जुर्म को न्यायालय द्वारा जल्दी से निर्णय देने के लिये ट्रायल करने के लिये इस विशेष न्यायालय की आवश्यकता है।

दूसरी बात मेरी समझ में नहीं आती, आप इसे विडिक्टिव कैसे कहेंगे? क्योंकि यह आखिरी न्यायालय नहीं है। अपील करने का आपको हक है। और जैसा माननीय स्टीफन्स ने कहा कि सरकार को यह हक हासिल है कि वह अपने मन के मुताबिक जिस जज को चाहे नियुक्त कर दे स्पेशल कोर्ट का। परन्तु इस विधेयक में यह कहा गया है कि अगर ऐक्यूज्ड के मन में शंका है कि इस जज से उसको न्याय नहीं मिल सकता तो उस ट्रांसफर के लिये ऐप्लीकेशन भी दी जा सकती है

[श्री मधुसूदन तिवारी]

और उस पर सुनवाई होती और वह मामला दूसरे कम के सामने पेज किया जायगा। इसमें कहा बिजनेस आफ प्रिविलेजरी काल हो जायेगी ? कहा पर हमारी बिजिनिटमैस साबित होती है, क्योंकि आपने तो नया कानून बनाया और यहाँ पर इस देश में भी इस बात की मान थी कि ऐसे बड़े जो मुजरिम हैं इनके लिये नया कानून बनाया जाय। परन्तु हमने कोई नया कानून नहीं बनाया। जो प्राइमरी लाज है—किमिनल प्रोसीजर कोड, आई०पी०सी० ऐबीजेंट ला, उन्हीं के अन्तर्गत हम इस मामले को निपटाना चाहते हैं। केवल फर्म यह है कि आपका डायल वर्तमान कोर्टस के जरिये नहीं हो सकता है। और उसमें भी पूरी कोशिश की गई है कि कहीं पर किसी भी प्रकार से यह बात साबित न होने पाये कि सरकार की तरफ से बिजिनिटमैस से कोई काम किया जा रहा है। और यह कह कर बचा नहीं सकते कि आप पर भी बीतेथी। हम पर भी बीते। क्योंकि यह केवल जनता पार्टी की सरकार के जमाने में हुआ, और यह अगर स्पेशल कोर्टस जनता के लोगों को सुट करे तभी यह बनाया जाय, ऐसा नहीं है। हम एक जनतावादी मूल्या की व्यवस्था की बुनियाद की मजबूत करने जा रहे हैं। और आज तक जो बड़े बड़े हार्ड थ्रस थे उनके खिलाफ किसी कोई कार्यवाही नहीं होती थी। और जाल तीर पर ऐसे चुन जैसे कभी इस देश में नहीं हुए थे। अगर इन न्यायालयों के जरिये, रूल आफ ला के जरिये, सामान्य कानून के जरिये हमने यह फैसला किया, और भूठी माने में अगर इनका डायल हुआ तो उससे काफी लोगों की नवीहत मिलेगी और सबसे बड़ी बात यह है कि जनता के मन में जो अविश्वास पैदा हो रहा था, वह भी समाप्त हो जायगा। इसलिये मैं कहना चाहूँगा कि इसके बारे में जितने प्रकार की शंकाये व्यक्त की जा रही हैं उनका कोई मतलब है नहीं, और वह शंकाये बिना किसी आधार के हैं। डरने की कोई बात नहीं है। जैसा जस्टिस साहब ने कहा आप ही कहते हैं कि साहू कमीशन या और जो कमीशन हैं उन्हीं की यह सरकार है, यानी कमीशन की सरकार है, वह प्रोसेज केवल प्रोसेचर के लिये किया जा रहा है, हमारे व्यक्तिगत को जनता की निगाह में गिराया जा रहा है, तो यह इच्छाम हमारे ऊपर नहीं लगाया जाना चाहिये कि हमने इन सारे कमीशनों का निर्माण केवल आपकी नीति गिराने के लिये या मुजरिम बनाने के लिये किया है। अगर इसमें सम्भाव है तो आप अपने पक्ष में क्वाही पेज करें और बिजनेस न्यायालय उनके मजबूत होय और तथ्यों के आधार पर अपना निर्णय देगी। और अगर आप बरी हो जाते हैं तो ठीक है। और अगर आपको रंड मिलता है तो आपको फिर मौका मिलता है आप सुप्रीम कोर्ट में इसकी प्रवीन कर सकते हैं। तो इस प्रकार से मैं यह शर्त कहूँगा कि इसमें इस बात की भी व्यवस्था है कि ऐसे कोनसे केसेज स्पेशल कोर्टस द्वारा देखे जायेंगे, सरकार उस सम्बन्ध में भी अपनी बोधना जारी करेगी। ऐसा नहीं कि वह अपना

आधार पर, बल्कि बोधना के सिद्धे भी उसे आधार होगा। ठीस आधार पर अगर वह बात साबित होती है कि इन-इन मुकदमों का निपटारा बिजनेस अमानतों के द्वारा होना चाहिये तो जो प्री-एमबल हैं बातें वी नहीं हैं, जो आधार तय किये गये हैं, उन्हीं आधार पर, प्री-एमबल की दृष्टि में रखकर केवल आपातकाल के दौरान किये गये जुर्मा का, जिस प्रकार से सरकार बोधना करेगी, ऐसे मुकदमों का निर्णय और निपटारा इन बिजनेस न्यायालयों द्वारा होगा।

श्री सन्त साठे : येनेज नहीं हो सकते हैं।

श्री मधुसूदन तिवारी : उसमें येनेज करने का प्रावीजन केवल यह है कि फिर इस पर मुकदमे-बाजी मूद हो कि यह बिजनेसमैस सही है या गलत है। बिजनेसमैस के पहले भी जो मापबंद और मान-बंद निर्धारित किये गये हैं, वह उन्हीं के आधार पर होंगे और उसके बाद फिर जो सामान्य कानून है आई०पी०सी० और सी०आर० पी०सी० है उसके मुताबिक निर्णीत किये जायेंगे। अगर उसमें भी आपकी शिकायत है तो सुप्रीम कोर्ट में जाने की व्यवस्था तो उसमें है ही। इसलिये इसमें किसी प्रकार की शिकायत करने की आवश्यकता नहीं है। अगर आप इसका विरोध करने के नाम पर विरोध करें तो मुझे कोई धारणा नहीं है, परन्तु अगर आप ईमानदार हैं, तबनुच मैं आपको कोसतज में, न्यायपालिका और उसकी प्राचादी, स्वायत्ता और स्वतंत्रता से यकीन है तो आपको ऐसे बिजनेस का पुरजोर तरीके से स्वागत करना चाहिये और दिल बोलकर आगे जाना चाहिये। आपको तो चुन होना चाहिये। जैसा आपने कहा कि आप धाव फंस गये हैं इसलिये यह बिजनेस बुरा है, ऐसी बात नहीं सोचें। यह तो बक नीब है। जैसा मैंने कहा कि अगर हमारे लोग या और भी जाने वाली सरकार या सार्वजनिक या राजनीतिक पर्वों पर जाने वाले बीच, सर्वोच्च पर्वों पर प्राचीन लोग भी अगर इस प्रकार के जनतज, संविधान और मानवता के साथ और इस देश की प्राचादी और उसके मूल्या के साथ कोई धावात करे, कोई जुन करे तो उन्हीं की इसी प्रकार की बिजनेस अमानतों की जरज में जान पड़ेगा और कानून के मुताबिक उन्हीं की बड मुतना पड़ेगा।

SHRI SAUGATA ROY (Barrack-pore): I rise to speak on this Bill which has aroused some controversies and some interest in this country. It is not very often that a Bill to be brought forward by the Government is referred to the Supreme Court for its legal opinion, under Article 143(1) of the Constitution. The Special Courts Bill, being one of those very few legislations, has naturally aroun-

ed some controversy in the country.

15.00 hrs.

As far as our Party is concerned, this controversy has touched our Party also, and that is why our Party has decided not to issue any formal whip for voting on this Bill. Members are free to speak and vote according to their conscience. When I speak on this Bill, I speak with conscience and conviction. And when I speak, I speak with my own conviction and also with the conviction that a large number of friends in my own Party feel the same way as I do. The Special Courts Bill as has been stated is a controversial Bill. What is my opinion about the Special Courts? It has been said that ours is a country where justice is very often denied to a large section of the people, it is also delayed for a large number of people. The other day I was reading Mary Tyler's, 'Five years in Indian prisons' where she graphically describes the condition of undertrials in different jails in India. There is no doubt that there is a special court necessary for expeditious justice for all such undertrials in the country for all suspects and persons who are on trial, justice should be speeded up. That is why, having a special court for some people when so many people are being denied justice speedily, does not appeal to me, I think there is an authoritarian streak in it. But the fact is this. Unfortunately in the last thirty years in the country, we have had often taken recourse to special courts. Six special courts, if I may say so, have been referred to the Supreme Court, three were upheld, three were struck down by the Supreme Court. I have seen in my state the unfortunate spectacle of special tribunals for Naxalite prisoners, people who, may be, did wrong but with conviction. For that there is speedy trial, as if they were hardened criminals. In West Bengal and in Kerala special courts have taken place. I cannot speak with a clear conscience that special courts are something un-

precedented in this country. It has happened in this country before, it has happened in respect of people who have fought for their convictions. So there is nothing basically antagonistic to what has happened in the past.

The vexations question arises as to how I look at the Bill. The Special Courts Bill is an offshoot of the Emergency Courts Bill that was brought forward by hon. Member and esteemed friend Shri Ram Jethmalani. The Bill was referred to the Supreme Court and the Supreme Court in its judgement suggested several modifications. I am glad that the government had accepted some of the modifications. I was totally at variance with Mr. Jethmalani when he tried to force of the emergency from May 1975. That has been struck down by the Supreme Court. This Bill does not include that clause.

Instead of three tiers, this Bill provides for a two tier court as in the case of the Election petitions which many of us have faced. It allows the Supreme court to go into the facts and the law of the case which will be referred to it and decided upon by it. I find one thing which is objectionable in this Bill—nomination of the judge. It is natural that when a Bill arouse controversy if any sort, the government should be very careful in formulating its approach. But the Bill says: the special court shall consist of a sitting judge of the High Court nominated by the Central government with the concurrence of the Chief Justice of India. I feel that this is not correct; I have brought in an amendment to the effect that nomination should be done, not by central government, but by the Chief Justice of India directly so that there is no colouring in it, there is at least no accusation of colour in it against the appointment. As far as the judgement of the emergency offences is concerned, our party had in the past taken a very clear stand. Our leader Shri Chavan has spoken in this

[Shri Saugata Roy]

House that we have set our backs against emergency, we do not want to try to shield anybody who has committed any excess or crime during the emergency. So when I say this, I say with a clear conscience and conviction that as far as our party is concerned nobody should feel that judging anybody, not pre-judging, who has been accused of emergency excesses is against the policies of the party. Our party has stated it clearly time and again and also in its resolution in May 1977. But the question remains that emergency was an example, when people in high office misused power, when they did arrogate authority, when preventive detention laws were used wrongly and very often vindictively, when the press had to be badly censored. The worst victim of the emergency has been the Congress Party, which after 30 years of ruling the country lost to a conglomerate who never hoped to come to power. As a backlash of the emergency, our party suffered a split. We have been going through the painful process of the backlash of the emergency. That is why with a clear conscience I say that I cannot find any logic, whether from the political standpoint of the party or from the legal standpoint, to oppose the Bill. I say that the Bill is good but not good enough, it goes far but not far enough. I refer to Justice Krishna Iyer's judgment in this case, where he states very clearly, in his usual bombastic, picturesque or verbose style, whatever you call it as follows:

"To sum up, the Bill hovers perilously near unconstitutionality in certain respects, but is surely saved by application of pragmatic principles rooted in precedents."

As I said, there are precedents for this. He goes on to say:

Nevertheless, justice to social justice is best done by a permanent statute to deal firmly and promptly with super-political offenders, since

these 'untouchable' and 'unapproachable' power-wielders have become sinister yet constant companions of development in developing countries."

This is where the Government could have shown a little more foresight. This was the occasion when it could have shown its sincerity in laying down a permanent statute for all sorts of political offenders. As a political worker myself, I would not like to be judged for any crime I commit at the same level as an ordinary criminal. I would like political crimes to be judged politically. That is why there was necessity and there is still scope for the Bill to be enlarged to include not only the period of emergency but also all future times. If it can do that, the Government will absolve itself of the blame that it is totally directed against some people and it will also set a very healthy precedent for future. In fact, Chief Justice Chandrachud, who was one of the four judges giving the majority judgment in the case, although he did not mention it in the judgment itself and when he went into the constitutionality of the Bill said it was within the legal competence of the Parliament to go into such a Bill, said in a speech at Dharwar on 21st December, 1978 as follows:

"The Chief Justice of the Supreme Court, Mr. Y. V. Chandrachud, today pleaded for enlarging the scope of the Special Courts Bill. Addressing the delegates, the Chief Justice said, there was no reason why the operation of Special Courts should be limited to try offences connected with Emergency excesses. Other offences which had a bearing on society should also be included within the purview of the Special Courts and the Chief Justice of a High Court should be empowered to determine which of the cases deserved to be referred to the Special Courts to be tried by Special Judges."

I draw the attention of the Government to this observation by the learned Chief Justice of India. I appeal to them that while I say I cannot find anything in my conviction to oppose the Bill, there is scope for this Bill to have a foresight into the future and to set a healthy precedent in this country so that in future also and for today also, nobody in high political offices ever dreams of misusing the power without being judged properly and expeditiously:

श्री कंवर लाल मुल (ब्रिटीश सदर) : उपाध्यक्ष महोदय, मैंने लीडर ऑफ दि ओपोजीशन का ध्यान बहुत ध्यान से सुना। उन्होंने इस विषयक का प्लान करते हुए कहा कि जनता पार्टी ने इस विषयक के द्वारा कुछ व्यक्तियों को चुना है। उन्होंने यह कहा कि कुछ व्यापारियों को भी तब किया हुआ है और जिस कानून में उन को सजा देनी है यह भी तब किया हुआ है और यह कहानी है जो पहले से निश्चित की हुई है। उन की निगाह में यह डिस्ट्रिक्शन है और डिस्ट्रिक्शन ऐंटी-क्यूड है जनता पार्टी का। लेकिन अगर उन की बात की सरक ध्यान दिया जाय, मैंने उन की बात पोल बंदे ध्यान से सुनी, उस में एक बार भी यह नहीं बताया कि जो प्राइमरी प्रोसीचर है उस से इस विषय में कहाँ बैरिएशन है? कोई नया ऑफिस इस में त्रियेट किया गया जो पहले ऑफिस नहीं था? कोई प्रोसीचर कम स्थापना किया गया? नहीं किया गया। कोई सेफ्टी के कंटेनर का में अदालत में धाते वह सेफ्टी के कम किए गए? किसी भी कल्लिक्ट के लिए वह सेफ्टी के कहीं भी कम नहीं किए गए। जब सेफ्टी के कहीं भी नहीं हैं, प्रोसीचर भी नहीं हैं, ऑफिस भी नहीं हैं उनके बाव धाप कहते हैं कि जब और यह सब डिस्ट्रिक्शन है। मैं आपसे सहमत हूँ कि सरकारें भारी हैं, भारी भारी हैं। आपने तो कहा इसने बैरिएशन का भी, मैं इसको बैरिएशन नहीं मानता, यह बैरिएट की लड़ाई भी जिसमें हार कर, कम को कम भी हार सकते हैं लेकिन इसका मतलब यह नहीं है कि जो हारने वाले हैं उनपर मुकदमा चलाया जाये। इसका मतलब यह भी नहीं है कि उनका प्राचीनमान किया जाये। लेकिन अगर हम यह कर रहे हैं? लाला यही है। आपका कहना है कि हम यह कर रहे हैं लेकिन मेरा कहना है कि आज की इससे बाव यह नहीं है जो सेफ्टी का है कि दो साल के बाव धाप यह किस काम है, दो साल तक धाप कम करते रहे? या दो साल तक धाप सोचते रहे? कमीशन की रिपोर्ट भी माँ गई थी। बाह कमीशन की पब्लिक रिपोर्ट देने के बाव अगर नामल कोर्स में भी आप कहते हैं धापी तक यह कार्यवाही कुछ धागे बड़ जाती। आप ने उसके बाव सुप्रीम कोर्ट को रेफर कर दिया जिसमें 8-9 महीने लग गए। बाह कमीशन की जो पब्लिक रिपोर्ट है उसमें कमीशन ने प्राइमफेसी केस इंट्रीबल किया है। उसके बाद धापने सुप्रीम कोर्ट को रेफर किया। सुप्रीम कोर्ट को जो चीज रेफर की गई,

सुप्रीम कोर्ट ने उनमें कई चीजों में अडिजन्ड सिद्ध—
कहने कहा कि रिजल्ट उस नहीं होता, डिस्ट्रिक्शन उस प्रोच प्राइम प्राइम काफिजन्ड बाये। उन्होंने एक कहा। सुप्रीम कोर्ट की कहा कि केस ट्रांसफर हो सकता है, सुप्रीम कोर्ट में कहाँ अपराधी को बाध्य हो कि वेरे बाव स्थापना हो रही है तो वह सुप्रीम कोर्ट में जा सकता है। उसको कहा जाने का अधिकार है। वह सारी सेफ्टी के इसमें है। जहाँ तक मैं जा जाता हूँ, इस विषयक में सेफ्टी के स्थापना है बलिष्ठत किसी प्राइमरी का ये। लेकिन इससे बाव भी धाप चाहते हैं कि यह विषयक पल न हो। धाप हमसे कहा ट्रीफेजन्ड एंटीक्यूड एक्सेप्ट करते हैं लेकिन धापने अगर उसका सीधा हिस्सा भी इमजेंसी के विनों में विचारया होता तो हम धापको बचाई देते। जब इन्डिया जी कह रही थी कि मैं पालियामेंट हूँ, मैं सुप्रीम कोर्ट हूँ, मैं हाईकोर्ट हूँ, मैं बैन हूँ, सब कुछ मैं ही हूँ, जो मैं कहती हूँ वही कानून है और कोई भी चीज कानून नहीं है उस वक्त धाप में से किसी ने नहीं कहा कि बीमलीजी, धाप बोय हो सकती है, बड़ी हो सकती है लेकिन पालियामेंट से बड़ी नहीं हो सकती है, बैन से बड़ी नहीं हो सकती है। जिसने भी यह बात कही उसको मैं बचाई देता हूँ, उसके धागे धपना सर मुकाला हूँ लेकिन मैं समझता हूँ प्राइमली वुं हो बीठे थे। (बुलबुल) इधर भी हांगे, मैं किसी को भी बचाना नहीं चाहता। तो जिसने एक को नहीं, सबा साब लोगों को नजरबंद किया, हम वहाँ पहुँचे थे हमारा कुचुर बताया जाये, हमने क्या किया है तो अदालत कहती थी धापको नहीं बताया जायेगा कि कुचुर क्या है, हमने कहा कि हमें न बताया जाये, कमिटेड अजेज को बतला दें, जो कमिटेड अजेज बैठे थे लेकिन उनको भी बताने की इजाजत नहीं दी गई। एक नहीं, सैकड़ों लोग जेलों में मर गए। तो जो बायलेजन्ड हुआ जो ऑफिस किए गए, बाहिर हम स्थाय किसके लिए चाहते हैं? हम जो स्पीडी ट्रायल चाहते हैं वह किस लिए चाहते हैं? हम उन को सजा देने के लिए नहीं बल्कि उन को जल्दी न्याय विसाने के लिए चाहते हैं, बिनाहोने ऑफेन्स किया है। धाप कहते हैं कि ऑफेन्स नहीं किया है, ठीक है लेकिन इस में दो राय हैं। बेटी निगाह में उन्होंने बहुत बड़ा ऑफेन्स किया है और धाप की निगाह में नहीं किया है। तो हमारा उद्देश्य है कि उन को जल्दी से जल्दी न्याय मिले
We do not want to torture her; we do not want to torture those people.

हमारी निगाह में वे मुजरिम हैं। इसलिए यह धाप के हित में है लेकिन धाप को इस से तकलीफ हो रही है। Because, you are not sure of your ground, you do not stand on a sound footing, you feel you are culprits. That is my difficulty.

श्री बसंत साठे : जिस तरह से विक्रमगंजूर की चुनाव के बाव धाप ने उन्हें निकाला, उसी तरह से धाप उन को न्याय देने वाले हैं।

SHRI KANWAR LAL GUPTA: There are those who still grumble and grouse against the Bill, those who complain of discrimination and persecution, as my friends did. I wish that those who were so eloquent against this Bill today were at least one-tenth of that eloquent one the floor of this House in those days. I know that they are only asking for immunity for Shrimati Indira, Gandhi from prosecution for offences.

आप क्या चाहते हैं? आप चाहते हैं कि जिन्होंने गुनाह किया है, उन्हें छोड़ दिया जाए। जिन्होंने विधान के साथ रेप किया, धमकाया किया, डेमोक्रेसी को खत्म किया जो इस भारत देश की परम्परा है, जिस का हजारों सालों का इतिहास है और उस में कभी किसी तानाशाह बावसाह के जमाने में भी ऐसा नहीं हुआ, जो 19, 20 महीनों में हुआ, आप चाहते हैं कि उस को छोड़ दिया जाए। अगर उन को छोड़ दिया जाए, तो कल को इधर, किसी का बिमास जो है, वह खराब न हो और वह ठीक तरह से चले, इसलिए भी ऐसा विधेयक पास करना जरूरी है।

SHRI C. M. STEPHEN: You are not answering the point I raised. My point is simply this. As suggested by the Supreme Court at the time of the argument, and as emphasized by Justice Sinhgall and Justice Krishna Iyer, why can't you agree to make any of the High Courts as Special Courts for trying these offences? Why do you want to pick up Judges and create Special Courts? Why could you not agree to the suggestion made by the Supreme Court?

जी अगर जाल मुक्त : येरे पास कोर्ट का वह जजमेंट है और आपने भी वह पढ़ा होगा। मैंने भी उसे पढ़ा है और उस में जो कुछ कहा गया है उस के अनुसार वह जो विधेयक है, वह कॉन्स्टिट्यूशनल है। उन्होंने कुछ सेफगार्ड्स भी उस में बताए हैं और उन्होंने यह कहा है कि इमर्जेंसी के पहले और बाद की चीजें इसमें नहीं आ सकती। इसलिए मैं यह कहना चाहता हूँ... (स्वव्यक्त)...

Personally I do not mind it. It could have been done one year back. Personally speaking I would have preferred that. It should have been done much earlier. Now it is too late. We have to compensate for that. For speedy justice I say today this is a "must".

ये इस तरह से भी कर सकते थे और मुझे कुछ बचना है कि सी०आर० पी० सी० के अन्तर यह होता।

I would have preferred that. That is my personal opinion and I must confess it before you.

अगर हम मिनिमल प्रोसीजर कोड में इन दो सारों में पहले बचल कर लेते, तो इतनी देर न होती।

I would prefer that. I would not mind it.

आज तो आप ऐसी तस्वीर बना रहे हैं कि जैसे यहाँ कोई आई० एन० ए० जैसा ट्रायल हो रहा है, कोई मार्शल ट्रायल हो रहा है। कोई आई० एन० ए० जैसा ट्रायल नहीं हो रहा है, कोई समरी ट्रायल नहीं हो रहा है और यहाँ तक कि उस में यह सेफगार्ड्स भी दिए गये हैं कि सुप्रीम कोर्ट में जो अपील जाएगी, वह केवल सा पर नहीं जाएगी, केन्ट्स पर भी अपील की जा सकती है। इसलिए मैं माननीय सदस्यों से कहूँ कि वे इस बिल को अपना समर्थन दें अगर वे चाहते हैं कि जिन लोगों ने गुनाह किया है, उन को सजा मिले।

"Let me sound a note of warning. A nation that looks upon crimes against democracy and rule of law breeds despotism. These are crimes which we can ignore only at grave peril to our system. A routine crime injures an individual. A group crime poses a greater threat. Organised abuse of authority by those to whom it is given in trust is a crime against the entire nation."

अगर यह आप पर लागू नहीं होता है तो रोज आप पर केसिंग बनाए जा रहे हैं तो उनसे आप अपने को बर्बादी से साफ नहीं कर सकते हैं।

It is in your own interests that this Bill should be passed as early as possible. That is my own feeling.

उपाध्यक्ष महोदय, आपके जस्टिसे मेरा कहना यह है कि मैं जलता पाट्री को कम धाक ला अपनाते के लिए बर्बाद होना चाहता हूँ। वह मार्शल केस अपना कर चल रही है। अगर उसमें बिजिकिडमनेस की शायदा होती तो जब वह पावर में आवी थी, उस समय नीला का कानून लागू था, उसके अन्तर आप सब को बंध किया जा सकता था। उपाध्यक्ष महोदय, इंदिराजी को पकड़ने के बाद जब छोड़ दिया गया तो सी० पी० आई० के कुछ अफसर येरे पास धावे और कहने लगे कि आप हम से नाराज हैं कि हमने इस केस को ठीक तरह से इजिल नहीं किया। उन्होंने कहा कि आपके नेताओं के हन को मैं धावेक से कि इंदिराजी को कोई तकलीफ नहीं होगी बाकि और कोई-काम कानून से हट कर नहीं

होना चाहिए। उन्होंने मुझ से यह भी कहा कि जिस तरह से हमने आप लोगों को कब्जा करने ही दो मिनट में पकड़ लिया था, अगर आप हमें आदेश दें तो हम इन लोगों को भी दो मिनट में ला कर आपके पास बिठा सकते हैं। लेकिन जनता पार्टी इस में विश्वास नहीं करती, वह स्वयं आप ला में विश्वास करती है। वेर भले हो जाए, लेकिन हम कानून से परे नहीं जाएंगे।

उपाध्यक्ष महोदय, मैं एक बात इन सब पाटियों से जो कि इधर बैठे हैं, कहना चाहता हूँ। अगर आप चाहते हैं कि इस देश में प्रजातंत्र रहे, स्वयं आप ला बना रहे, कानून का राज हो, एक परिवार का या एक व्यक्ति का राज न हो तो क्या आप इस विधेयक का विरोध कर सकते हैं? आप इस विधेयक का विरोध नहीं कर सकते हैं। इसलिए मैं आप से अपील करूंगा कि अगर आपकी प्रजातंत्र प्यारा है, अगर आप चाहते हैं कि अगला इलेक्शन हो तो यह आपके हित में है, सारी पार्लियामेंट के हित में है। इस विधेयक का आपकी समर्थन करना चाहिए।

उपाध्यक्ष महोदय, इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ और धारा करता हूँ कि इस विधेयक के पास हो जाने के बाद सरकार इस को जल्दी से भ्रमण में लायेगी ताकि जाने वाला कोई भी व्यक्ति, चाहे वह इधर बैठा हो या उधर बैठा हो, इस देश में संविधान को खत्म कर के शासन न चला सके। इसके द्वारा इस प्रवृत्ति को हमें रोकना है। जो पोलिटिकल लोग हैं अगर वे ऐसा करते हैं तो उनको इसके द्वारा सख्त से सख्त सजा मिलनी चाहिए। इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ।

SHRI A. K. ROY (Dhanbad): Mr. Deputy-Speaker, Sir, it has become a custom in this House to preface each and every lecture with the words "19 months of Emergency". Whether it is a Bill on Courts, a Bill on animal welfare, a bill on unemployment, a debate on Budget, a debate on President's Address or on flood or drought, we must start with "19 years of Emergency".

Why is it very cold today? It is because of the 19 years of emergency. Why is it raining today? It is because of the 19 years of emergency.

AN HON. MEMBER: Nineteen years or 19 months?

SHRI A. K. ROY: It will soon become 19 years.

During these 19 months I was in jail, and I think very few Members here had

to fight the elections from jail and were released two days after the results were broadcast. But I think that everything should have a limit. If you stretch a thing beyond limits, it becomes counter-productive, and that is what it is becoming today.

I stand here not to support, not to oppose, but to expose this Bill, and also to take this Bill to the people. The regime of the Congress Party has got a notoriety for making all unfair things in a very fair way, and this Janata Government has earned, by its foolishness, a name for doing fair things in an unfair way, and the Special Courts Bill is a special exhibition of a fair thing done in an unfair way.

I would advise the new Home Minister to beware of lawyers and Bars. He has taken this Bill to the Supreme Court, and spent four months to determine the constitutional validity of this Bill. I know that the Indian Parliament is not as sovereign as the Parliament of England to make any law that it likes, that the law made by it must stand the test of constitutional validity, the test of the competence of the legislature to make it, and the test of article 19 of the Constitution. But here what matters is not the constitutional validity, what matters is political validity. Whether it is constitutionally all right or not is a minor thing, the major thing is whether it is politically desirable or not. For that the Bill must go to the people and be debated in every forum.

A lot of constitutional exercises are being made on the jurisdiction of personal liberty before the court of law, on the jurisdiction of Parliament, on the jurisdiction of the Supreme Court etc., but nothing has been said on the jurisdiction of the people.

You will be surprised to know and I was also a bit upset to know, that this Bill took its present shape because of the Forty-second Amendment. The Forty-second Amendment made a provision for making this type of law by transferring the subject from the State

[Shri A. K. Roy]

List to the Concurrent List. That has enabled the Government to come out with this Bill under article 246(1) and (2). That means we are adopting the method of the Forty-second Amendment in an indirect manner.

I have also give an amendment on the classification and selection of the Judge and the name of the Bill. I want this Bill to be called not the Special Courts Bill, but the Janata Courts Bill or the People's Courts Bill, because the Janata Government also should be against anything special. And then, the nature, scope and the technique of introducing it must also be changed. That is why I say that, this Bill must go to the people, must be debated. Who was the worst sufferer in Emergency? The politicians, people like us, spent 19 months in Jail but remained 38 months in Parliament. I think this is not bad. Many people outside will agree. Anybody, if he is given an option that he can remain 19 months in jail and in lieu, of that, he will be in office for 38 months, he would agree. There will be a long queue for that. Who suffered most during Emergency? In ten years, I had spent five years in jail during Mrs. Gandhi's regime and we fought when she was in power. Today she has been removed and I pity her. It is only by pitying Mrs. Gandhi that you can finish her and not by punishing her. These people have kept her alive and I suspect that there is a political collusion between the two sides. When these people have come to this side, they day in and day out, think about Mrs. Gandhi and when they go to the other side, they will also start saying so and so. Who is that "somebody"? I do not know, because this is rolling and changing. I say that there is a collusion between the two sides. They do not want that the image of the other should go into the background so that the Indian politics is divided between the devil and the deep sea. We have got no way out. What is wonderful, and perhaps you will also be surprised, is that when these people go from this

side to the other side they suddenly understand the importance of the courts, the Supreme Court, the Constitution and such other things. But as soon as they go to the other side, they start feeling the importance of the streets. They take up matters to the streets. Today we are seeing that the birds of the same feather flock together.

Who sabotaged the Constitution in India. First, it was the Congress party. I remember that while I was in jail in 1968, I read a statement of Mr. Morarji Desai. He was the person who with Mrs. Gandhi, the then Congress President was pressurising Mr. Nehru to pull down the constitutionally elected Communist Government in Kerala. It is you people who did all these things together. When the other people take politics to street you say that violence is being resorted to.

This is not democracy. This is an exhibition of a superb performance of hypocrisy and the Special Courts Bill is a special example of that. Who can correct us? There are some political pundits also like Prof. Madhu Dandavate who claims that he is a socialist. I say that....

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): I do not want him to insult me by saying that I am a pundit.

SHRI A. K. ROY: I withdraw that. Can any student of political science think that such a big thing could happen only because of the mischiefs and mistakes of a few individuals? Our Professors used to tell us that Romans were sheep and so Caesar could become a Caesar. We will have to understand and accept that Indians were sheep and so a lady could become a Caesar or we have to understand and analyse the socio-political consequences and the socio-economic reasons for that and they are engrained in the system itself and we are continuing that system. Is there any alternative? Is there any scope? Is there any future for this moribund society? It has got no alter-

negative. It has left three alternatives. Firstly, there will be authoritarianism in any form. You will be surprised to know that it half a dozen provinces that are run by the Janata people, there is some sort of a MISA, that is, detention without any trial, where you will be arrested without a trial. One of my Adivasi leaders and my colleague, Mr. Shivoo Soren, was in jail for four months under that Act. After a lot of movement, he could be released. This is the democracy.

I do not blame them. It is not a question of shame, it is a question of compulsion. This system, this socio-political order, cannot work in a complete democracy. It is a Utopia. Either some sort of an authoritarian rule will be there or there will be a chaos or there will be a revolution. When you cannot have a revolution, either you have a chaos or an autocracy. It is a mixture that they are having. That is why I say that the Special Courts Bill is a political Bill. It has got a political motive. It aims at some political persons, it aims at a certain period. Everything is political. We should be bold enough to announce it that it is a political Bill and we will punish those who are responsible for Emergency.

SHRI RAM JETHMALANI (Bombay North-West): Mr. Deputy-Speaker, Sir, my intervention in this debate is mainly an attempt to carry some conviction to my very dear friends on the opposite Benches, those who have been laughing away for the last 10 minutes when this is a very serious and a solemn occasion. Though I am conscious of the fact that I am trying to sow some seeds on an extremely inhospitable soil, if not rocky craniums which have a tremendous quality of impenetrability, yet, I think, in a democracy, it behoves us to make attempts.

First of all, Sir, there are special courts and special courts. This Special Courts Bill is a Special Courts Bill in a very special sense, not in the

sense in which the special courts bills are normally understood. Even Pakistan has special courts in which the accused have no right of proper defence, in which adjournments are not granted, in which the accused will not get an opportunity to prepare their defence and in which the right of cross-examination is curtailed.

This Special Courts Bill is special only in two senses, firstly, that it is designed to deal with a very extraordinary and special kind of an offender and, secondly, that it confers extraordinary generous rights upon an accused person which no accused in the history of criminal administration in this country has ever enjoyed. But the only fault of this Bill for which this Bill is being abused, for which this Bill is being maligned, for which this Government is being maligned, is that it takes away the right of a dishonest accused to frustrate the judicial process by causing inordinate and extraordinary and special kinds of delay.

The object of this Bill is that those people who want to go to the polls, the people who wish to throw themselves open to the public for the purpose of an electoral process, those who wish to be returned to political power again in this Parliament and in our legislatures, their real character must be determined before the next elections take place in the country. The object of those who are opposing this Bill is precisely to foreclose the possibility of their real character being exposed before the next Election takes place. They hope that the ordinary procrastinating process of other courts will drag on. They drag on at the best of times but they can certainly be made to drag on by a powerful accused of the kind who are going to be dealt with by the proposed Special Courts. It is their object that people, after five years, will forget their crimes, that after the Election again they will put forth another argument i.e. why continue the trials since another Election

[Shri Ram Jethmalani]

has intervened. It is this hope, this last glimmer of hope, which the dishonest accused sure of conviction in his case is trying to exploit. This is the last possible straw which a drowning man can catch.

The Special Courts Bill was promoted by three experience in the light of which the performance of those who have brought this Bill before the House must be understood. First of all, the accused who are going to be tried by these Special Courts, have shown an extraordinary ability to suborn evidence and corrupt witnesses. The strongest possible evidence of that is not the judgment of a special court, nor the judgment of a Judge who has been hand-picked by the Janata Government, but it is the latest judgment of a Sessions Judge—a Sessions Judge who was not selected by the Janata Government but who existed long before the Janata Party was born and in whose selection as a Trial Judge this Government or its prosecutors had played no part. That Judge, today, has gone on record to declare that two accused before him suborned and corrupted 23 witnesses at one trial alone. Some of these witnesses were persons occupying the highest administrative positions. One is today the Chief Secretary of a State Government and the other belongs to the Indian Administrative Services, not to speak of the humbler people whose evidence was suborned. Humble people can be forgiven that they may succumb to the temptation of money and bread but those in the position of Secretaries to Government succumbing to the corrupt influence of these accused persons is an eye-opener to all—and I hope it will be an eye-opener to the distinguished Leader of the Opposition as well. We did not want to have courts over whom the accused can exercise some influence, which they exercise over Secretaries and Joint Secretaries. After all it is a subordinate Judge sitting as a Magistrate. I am proud of the Judiciary that, in

spite of the temptation to which they are exposed and the pressures to which they are subordinated, there are gems amongst them who are still able to do justice. This is a tribute which this House should pay to the Judiciary. But if the accused have tried to corrupt people in high administrative positions, is it not a reasonable assumption to make that they must have tried at least to bribe the smaller people who, against odds, are trying to carry on with integrity and honesty the judicial processes of this country? The accused in this case has shown a remarkable capacity (Interruptions)

MR. DEPUTY-SPEAKER: Is it a point of order that you want to raise?

SHRI RAM JETHMALANI: Raise something intelligible at least!

SHRI M. RAM GOPAL REDDY (Nizamabad): He is bringing in the names of Judges. He says that some people who supported their cause are gems and the others are not gems.

SHRI RAM JETHMALANI: The accused have demonstrated in an abundant measure their capacity to cause delay. Trials which should be disposed of in exactly thirty minutes have gone on for years. I do not wish to blame the Magistrates, but I blame the accused who are appearing before these Magistrates. There is at least one trial which could be disposed of within a few minutes and yet the great accused has seen to it that the trial is nowhere near the end. We do not want that to take place. Therefore, there must be some courts which do only this work and try these mighty offenders and bring them to justice. May I say this that an innocent accused, convinced of his innocence, having some belief and confidence in justice.... (Interruptions)

SHRI VASANT SATHE: You defended the smugglers....

SHRI RAM JETHMALANI: I have defended Congressmen who were worse than the smugglers....

SHRI VASANT SATHE: Can you tell us a single case where it has been disposed of in 30 minutes? *(Interruptions)*

SHRI RAM JETHMALANI: I defend everybody who comes to me, and every one is entitled to come to me, including Mr. Sathe. One day he will need me. *(Interruptions)*

Now, as far the fairness of these courts, we have not created any new offences. The offences with which the accused are being charged have existed on the Statute Book for over centuries, for hundreds and hundreds of years. A large number of accused in this country have been convicted of these offences. The principles of law which are there for the benefit of an honest accused—the case must be proved beyond reasonable doubt, that the benefit of doubt should go to the accused; that the accused must have the fullest opportunity of defence—are not touched at all in the slightest degree by the present Bill. The whole of the Criminal Procedure Code is made applicable. And no accused in this country has enjoyed the right that he goes to the highest fountain of justice, namely, the Supreme Court. The Sessions court might make a mistake, the High Court might make a mistake but at least in the theory of law, as far as human beings can ensure, the best justice you get is in the Supreme Court, and so far I have not yet heard you challenging the integrity of the Supreme Court itself.

Now, let me say this. Only the other day when a court other than a special court pronounced judgment—and this is one great experience that we have had—a large number of hoodlums collected in the court room, the hoodlums assaulted the public prosecutor, the hoodlums assaulted the police, assaulted the judge. One of the hoodlums got on to the judge's chair and pronounced a judgment of 'not guilty' in favour of Mr. Sanjay Gandhi and Mr. Shukla. The hoodlums can be pardoned....*(Interruptions)* but am-

ongst those hoodlums there was present a man from whom a greater sense of responsibility is expected; I refer to my distinguished colleague, Mr. Vasant Sathe, who was an eye-witness to everything that happened in that court room, and Mr. Sathe did not even show the common courtesy to a fellow lawyer. Mr. Sathe, you are a practising lawyer, and when your lawyer-friend was being assaulted by the hoodlums, you did not open your mouth and try to tell them 'Don't assault a public prosecutor'. *(Interruptions)*

SHRI VASANT SATHE: Sir, I want to give my personal explanation at this point lest it should be misunderstood. Because he is making an accusation, I must explain this.

MR. DEPUTY-SPEAKER: Yes.

SHRI VASANT SATHE: The facts of the matter are that, on that day....*(Interruptions)*

SHRI VASANT SATHE: I was there in the Court. To begin with, when the court announced its decision handing over the sentence, there was perfect peace in the court room. Sir, thereafter, the so-called hon. junior of Mr. Jethmalani made a very unworthy abusive remark....

SHRIMATI PARVATHI KRISHNAN (Coimbatore): Unparliamentary.

SHRI VASANT SATHE:which I cannot repeat against a person who is sitting there and who is also a lawyer. Therefore, that lawyer—I do not want to take names here—retorted against that gentleman whom he calls his hon. colleague. That is where the fracas started and I would like to say that Policemen came in which is normally not done—a whole platoon of Police rushed inside the court room—at that time people got provoked and they started shouting slogans against the Police....

PROF. MADHU DANDAVATE:
Against the Magistrate.

SHRI VASANT SATHE: The Magistrate had already gone to his Chamber earlier after declaring the sentence.

PROF. MADHU DANDAVATE:
After the slogans.

SHRI VASANT SATHE: Slogans came later on when the Police force came in. But the fact is—my friend over there was not there but he must have been told. I got up on the chair in between and I appealed to all to keep quiet and I also appealed to the Police saying 'Please withdraw from the court. I will take the responsibility to see that no one will make disturbances here provided you are willing to co-operate.' But the Prosecutor said, 'No'. Mr. N. K. Singh who was there refused. He said 'No. I will not withdraw the Police force. I will stand here.'

Then one of the Sub-Inspectors manhandled an advocate who did not belong to any party. He said 'I have nothing to do with any Party.' But that advocate was physically caught by the collar by that Sub-Inspector. He was asking the name. That name was not given. All that was told to you. Why don't you tell the truth? This is what happened in the court.

SHRI RAM JETHMALANI: This is a story which is wholly contrary to truth. He does not deny that he was present. He also does not deny that the hoodlums got up on the Table and pronounced the judgment of 'Not guilty'. You were present and you interfered only when the Police force arrived into the court room. At that stage you found....

SHRI C. M. STEPHEN: I rise on a point of order.

With respect to an incident which took place somewhere, two versions are given. One by a Member who says 'I was present and I swear to what happened.' Also another mem-

ber admits he was not there. But he was told by somebody. So, his is a hearsay statement and on the basis of that hearsay statement he is contradicting the statement made by a member who swears, 'I was a witness and this is what happened.' That contradiction given in that manner is mala fide and that contradiction should not be permitted and this amounts to a breach of privilege. This is the point of order I will make.... (Interruptions)

MR. DEPUTY-SPEAKER: Mr. Bharat Bhushan, please take your seat now.

(Interruptions)

DR. SUBRAMANIAM SWAMY (Bombay North-East): Mr. Sathe, you were not in your senses there.

SHRI RAM JETHMALANI: So far as the fairness of this Bill is concerned, apart from the extra-ordinary rights which no other accused has ever enjoyed in the administration of Criminal Justice in this country, let me refer briefly to the history of this Bill when it was being argued before the Supreme Court.

When the arguments were on in the Supreme Court, it was said to the Supreme Court that our objective was only to secure a quick disposal of these cases. Suggestions for the benefit of the accused person were accepted by Government. The judges suggested three things which were immediately accepted on behalf of the Government.

Thereafter, Mr. Justice Chandrachud, speaking for himself, and for three judges has gone on record to say 'we do not accept that by reason of those considerations, the creation of a special court is calculated to damage or destroy the constitutional safeguards of judicial independence. The reason for this view will become clearer after we deal with the questions arising under Art. 14 and 21. But,

suffice to say at this stage that the provisions in clause 19 of the Bill are for an appeal to the Supreme Court from every judgment and order by special court and the provision for transfer of one case from one special court to another."

In the course of the arguments, it was pointed out that only a sitting judge shall have to be appointed from the Supreme Court. That judge will carry with him his constitutional status, rights and privileges and obligations. There is no reason to apprehend that a mere change of venue will affect his sense of independence or allow him to be open to the influence of the Executive. One can also be unmindful of the benign presence of Art. 226.

It was suggested by the Supreme Court strongly and in stronger terms supported by the fifth judge Mr. Justice Untwalia and also supported by Mr. Justice Krishna Iyer. There is only one judge who took the view which, as a student of law, I say is the wrong view and, in any case, is negative by the majority of six to one. According to him, it is not permissible at all to create any kind of special court outside the existing hierarchy of courts.

SHRI C. M. STEPHEN: What about the fourth suggestion of the judge?

SHRI RAM JETHMALANI: I was in court and I have heard the arguments. I have not forgotten that.

SHRI C. M. STEPHEN: Sir, I rise on a point of order. That is he cannot be permitted to make a misstatement in regard to the Supreme Court in the House with reference to the proceedings of the Supreme Court. He said that three suggestions were made. That is a misstatement. Mr. Justice Untwalia, it was stated, during the course of the hearing of the reference, made four suggestions, regarding one of which, he said, was still under consideration of the Government. Therefore, when he says.... (Interruptions)

I am entitled to say that he made a wrong statement before the House. I am entitled to know the other suggestion that was made.

MR. DEPUTY-SPEAKER: You have already enumerated the four suggestions. Let him continue with his speech.

SHRI RAM JETHMALANI: Sir.... (Interruptions)

SHRI C. M. STEPHEN: A wrong statement is made here. (Interruptions)

SHRI RAM JETHMALANI: If Mr. Stephen thinks that the person who is present in the court is entitled to more credence, I was and he were not.

SHRI C. M. STEPHEN: He said four suggestions were made. The fourth one is under consideration. What has happened to that? That is what I am asking. If four were under consideration of the Government, what has happened to the fourth? That is what I am asking.

SHRI VASANT SATHE: He is saying that Mr. Justice Untwalia was wrong.

SHRI RAM JETHMALANI: I am not saying that Mr. Justice Untwalia was wrong. Mr. Singhal is wrong. The arguments which I have heard from Mr. Stephen and the rest of his colleagues on the other side would have carried some greater authenticity if these were the principles which they steadfastly adhered to in the past. What were their principles in the past? They had been a party to the creating of a whole Chapter in our Constitution which creates administrative courts for the trial of offences. The administrative courts will be presided over by the judges appointed by Mrs. Gandhi according to the procedure decided by Mr. Sathe and imposition of punishment will be decided by Mr. Stephen. This is the kind of courts they had agreed upon under Art. 321 of the

[Shri Ram Jethmalani]

Constitution. At that time you had forgotten all these principles which you are talking about now. And, Sir, what is more? When Mrs. Gandhi and the Congress party moved an amendment that no Prime Minister shall ever be liable to be tried for a criminal offence committed before she became Prime Minister, after she became Prime Minister and after she ceased to be Prime Minister these gentlemen did not at that time remember the high principle which have suddenly occurred to them now. (Interruptions)

16.00 hrs.

I would have greater respect for you if you had steadfastly adhered to these principle and talked about them when hundreds and thousands of people were taken into custody and put in jail. You denied them even the trial. So, you have at least no right to talk about it now.

Sir, only a word about the point which has been raised and continuously raised on the Floor of the House: Why is Mr. George Fernandes' trial not taking place? Why has that case been withdrawn? Let me give the reply once for all. If today Subhas Chandra Bose were to turn up in this country and were to be found, are we going to try Subhas Chandra Bose for the offence of sedition which he undoubtedly committed at a time when the British were in power. Sir, it happens that when the democratic processes exist and the means of climbing the stairs of power have not been destroyed at that time, crime of violence must be condemned. They must be outlawed. They must be punished with a heavy hand. But when a dictator destroys this staircase by which he or she ascends to the terrace of power so that nobody else should be able to go behind that terrace then that dictator must face violence and be overthrown by violence if violence is not abhorrent to some people who strictly follow the

philosophy of Mahatma Gandhi. Overthrowing by violence of a dictatorial regime is more honourable than succumbing like you people on your prostrate bellies to the dictator. You succumbed like prostrate children. It is much more honourable that you must take up cudgols and fight.

And, Sir, it is the success of a revolution which ultimately decides the character of the people. If the revolution does not succeed they will be treated like criminals but if it succeeds they are heroes, they are representatives of the people and they get to the terrace of power and that is precisely what is causing you all that mental pain that how is it that people who were kept in custody for so long are now ruling over you. They will because they rule by the success of the revolution, by the will of the people and I call upon all right-thinking people to support this measure. Innocent accused can call it not a Special Courts Bill but the Speedy establishment of innocence Bill provided you are an innocent accused. But the dishonest accused and crooks will continue to say that this Bill is designed merely to inflict punishment on them, which is not so. Punishment will come because of your deeds and it will come when the deeds are proved by the civilized laws of evidence, by the civilized code of criminal procedure and at the hands of civilized judges whom we shall not influence because we are opposed to the abhorrent notion of a committed judiciary which you started and by which you have polluted the fountain of justice. We are only trying to remedy and weed out the seeds of Corruption sown by you in our otherwise unblemished judicial soil.

16.04 hrs.

[SHRI N. K. SHERJWALKAR in the Chair]

SHRI VASANT SATHE (Akola): Sir, we have heard the protagonists of the Special Courts Bill speaking in support of this Bill and we find that

even when they argue you could say that they don't carry conviction. It is because they are obsessed in their minds constantly by the fact that this Bill is brought for one purpose that they cannot get over that feeling. They are therefore talking all the time about the emergency, about the 19 months, about the atrocities, about the excesses and so on and about Mrs. Gandhi and family cult and all that.

Sir, if they are clear in their hearts that this Bill has all the elements of normal rule of law and of justice, then, they would not be obsessed by this consideration.

And, the elementary lacuna in this Bill is that it restricts this to a particular period. Let me say this. Why should it be restricted? Why was this period of emergency selected? If you say that only in emergency certain illegal things took place then you are presupposing that imposition of emergency itself was illegal. Then you could say that in an illegally imposed emergency these things took place and that is why the period is selected and so on. But tell me this. No one has challenged this and the Supreme Court has not pronounced in any of its pronouncements that the imposition of emergency under Art. 352 was ultra vires the constitution, and was illegal in any form. If that was not so, then whatever may be said about Shah Commission about misuse of authority and so on, could not per se be described as something done contrary to law. It was all within the framework of the law. If it was within the framework of the law then what happens? You have said that you have restored the rule of law as you call it. But I say let the normal law take its course. That would be the basic principle of the rule of law. But, no. You are wanting the Special Courts. What was the special plea? You say, people in authority, political as well as public, might misuse their offices. Therefore, there must be a law to deal with them expeditiously.

But may I say this? If that is the objective, then, it must apply to all the people in authority, for all times to come. You can't say that people in authority in this time alone will be selected for this kind of a treatment. There is ordinary, common, law. It applies to all. In that law everybody is equal. As the Judge has said, if there is no limitation for an offence, then, you throw people in authority, wherever they might have been, at whatever point of time, you say that they are guilty of offence and you establish Special Courts and all of them are capable of being brought in within the purview of the Special Courts Bill. Why don't you have the honesty and the courage to say, I say here on my authority that if you were to say that there will be a Special Court to try the VIPs or people in authority any time, we will support it. Come along, let us have it. But it is not to be done in this manner. The elementary principle of law and justice is that justice must not only be done but also appear to be done. It must inspire the confidence not only in the ordinary citizens but those who go before the court for trial. He must have the confidence in them that he will get a fair deal. Is that appearance there? You see the atmosphere in the country for the last two years and the way that Government is going on or has been going on. Have you found in the last two years an iota of evidence which can be called as a proof of any offence in law yet to be established. At best, at the ex parte evidence before the Shah Commission, all that you got was misuse of authority.

AN HON. MEMBER: What about the 'kissa kursi ka case'?

SHRI VASANT SATHE: I will come to that. Even in this case on which my friend has been waxing eloquently, you see how you have denigrated the judiciary. It was so unfortunate that we have never seen this kind. Who brings pressure on the witnesses? In ordinary times, who has the power?

[Shri Vasant Sathe]

Persons out of office, persons without any authority, persons in the jail...? Here is the entire Government machinery. They do not influence the witnesses, they cannot influence the witnesses, witnesses turn hostile, according to my friend, under the pressure of being accused. Officers, Secretaries, all of them, according to him, are subjected to pressure. But according to you it is not like that. And I will tell you why? Because you have the temerity to say openly that the judgement was in your pocket.

SHRI RAM JETHMALANI : You are(Interruptions)

SHRI VASANT SATHE: You have the temerity to say even if there is not a single witness, I will secure it as the conviction is in my pocket..... (Interruptions). You have the temerity to say that, Mr. Jethmalani. You have committed the biggest contempt on judiciary and the Judge was to say "oh, you jocularly remarked". But that is not a joke and I think that is the saddest commentary that any man can make. We have assured you if you hand over the conviction, you will be made a High Court Judge. Is this the integrity? Is this what you want to do? (Interruptions). That is why I say so, Sir. Is this the way of functioning? I have never seen things happening like this. I have also been practising all these years, particularly, on Criminal case and I know, as my friend knows, how the case decided. Do you ever know who decides in a trial court? Whether the accused is guilty of swearing, if the trial court knows best the trial court says 'No, he is not guilty'. The High Court says 'to go into the case, he is not guilty'. What does Mr. Jethmalani do? He takes the matter to the Supreme Court and the Supreme Court has called upon him and he makes the entire drama to cancel the bail order. Does this add to the credibility? (Interruptions)

SHRI RAM JETHMALANI: You will abuse every Judge.

SHRI VASANT SATHE: My dear, Sir, you are denigrating the judiciary.

SHRI RAM JETHMALANI: You abuse every Judge. Is there any credibility?

(Interruptions)

SHRI VASANT SATHE: Sir, when a Judge, after the first notorious arrest (Interruptions)

MR. CHAIRMAN: Your time is over. You have already taken 10 minutes.

SHRI VASANT SATHE: Sir, you have extended the time. Let me be given more time. We are the persons who are sufferers.

MR. CHAIRMAN: I can give you two or three minutes. You can continue.

SHRI VASANT SATHE: One point I would like to say about the sitting Judge, Mr. Singhal. I will quote:

"In all probability, 'sitting' judges of High Courts will refuse to serve as presiding judges of the Special Courts, and there is no provision in the Constitution under which they can be compelled, or ordered against their will, to serve there. That eventually will make the provisions of the Bill unworkable—even if it were assumed for the sake of argument that they are otherwise valid and constitutional. At any rate, the possibility that the 'sitting' High Court judges may not agree to serve as presiding judge of the Special Courts is real, and their very refusal will embarrass the judicial administration and lower the prestige of the judiciary for clause 7 of the Bill provides for the nomination of the presiding judge of a Special Court...."

I would, therefore, say that this picking up of judges will destroy the very root, the credibility of our judicial system of the highest court. For Heaven's sake, do not do this because if that happens, just as the other day the Chief Justice is reported to have

agreed to give his opinion on a private matter referred to him, the Kantibhai case, that goes against the very grains of justice and impartiality of the judges.

SHRI RAM JETHMALANI: Nehru did it, when he asked justice Das to do it.

SHRI VASANT SATHE: I hope, you will not do anything to reduce the prestige of the judiciary.

I would conclude by saying that this Government is continuing to suffer from the phobia of hatred of one person.

CHOWDHRY BALBIR SINGH (Hoshiarpur): One and a half.

SHRI VASANT SATHE: Yes, half is more important.

जी भारत प्रभु (मनीष) : सभापति महोदय, प्रभा करने वाला दोषी नहीं, प्रमित कार्य करने वाला दोषी होता है जो प्रभा की बन्म देता है और वसंत सते प्रमित कार्य करने वालों के साथी है।

SHRI VASANT SATHE: Do not come under the influence of those maniacs, megalmaniacs, the RSS cult; it is they who are forcing you to bring such Bills.

प्रभु में सभापति जी मैं एक शेर कहूँ, यह कीकी प्राणियों का शेर है—

प्रभा है प्रभु कीकी की संग्रहण करो,

यहाँ कीकी की जगह सजय को रख दो

प्रभा है प्रभु के सजय को संग्रहण करो, मनीष देते हैं सुपकर कहीं, बुद्धा जाने।

प्रभा है वह मनीष, जो कहते थे कि सजय पाँची प्रकवर है, विवेकात्मक है, मकराचार्य है, जीसस फाइल्ट है। प्रभा है वह मनीष, जहाँ मकराचारी प्रभु हो गया कि प्रकवर संग्रहण करो, सजय से मारी, से करो।

4222 LS—19.

यही प्रभु प्रभु है, यही प्रभु प्रभु प्रभु कर सकार है, जब तक वह प्रभु प्रभु रहेगा, वह सरकार कोई प्रकवर की बात नहीं कर सकती।

SHRI SHYAMNANDAN MISHRA (Begusarai): Mr. Chairman, Sir: Frankly, I feel very much intrigued at the opposition to this measure, if not very much amused at it. But I have a shrewd feeling that the hon. friends who are opposing this measure, are indeed welcoming it in their heart of hearts.

It is indeed a special tribute that this regime is paying to a special category of persons. And I think this House should be doing less than respect and justice to them, if it did not pass this measure for Special Courts. For, have we do not found that sometimes, Commissions are appointed to take evidence from special persons? They do not have to go to the court. In fact, the Commissions go to them, and take evidence from them. Is that in any way a measure of humiliation or disrespect, or does it involve any kind of justice to them? Now, if some of my hon. friends who happen to belong to that special category, are saved the trouble of going to a Magistrate, or to a district court, I should think that they should be thankful to this house and to this regime which is instituting this measure.

Mr. Chairman, why should anybody take a dark view of it? Is this regime saying that the Special Courts will be doing the same thing to the accused, as the courts did, during the period of Emergency? The courts said then, to people who were affected by the Emergency, to all the citizens of this country, "Mr. Citizen, you cannot enter my precincts. You have no right to life and property." And we did not have any court at all worth the name during the period of Emergency. Now

[Shri Shyamnandan Mishra]

here is an opportunity given to them for the fairest trial possible.

My hon. friend, the Leader of the Opposition has said that this is going to be a hand-picked court, a hand-picked Judge dealing with hand-picked persons, handing out pre-arranged judgements. If I take them out from the hand-picked category, they will not feel happy about it, because they belong to the hand-picked category; and if they are treated as hand-picked, there is nothing surprising about it. But even so, what I would like to submit is that there is nothing unfair that is going to be done to the hand-picked persons. After all, they did not represent the entire section of the society at that time; and if the society had opted for Emergency, of course they would not have been in the hand-picked category; but the society did express its opinion unmistakably that it was not in favour of the Emergency and the kind of regime that they had clamped on the country. And so, they had, in fact, opted for the hand-picked category, and if they find themselves in that unenviable category, it is not because of the fault of this regime, or because of the party which is dealing with them. In fact, it is the entire country which is dealing with them, as such.

It had also been suggested but they did not weigh their words very carefully when they said it—that it was going to be manned by a hand-picked judge. I ask them to tell us honestly whether they had filled the High Courts with handpicked persons. Out of the 300 or 350 Judges who happen to adorn the office of Judges. I think hardly 50 Judges would have been selected by the present regime. And is it their suggestion that we are going to confine the selection only to the 50 who have been selected by the present regime? Nobody in his senses can suggest that the choice is going to be confined only to these 50. If they are going to be hand-picked Judges, they have to thank themselves for this. In fact, they

have to take the credit, for they had made the selection; and we had not found any fault with their selection. Why should they find fault with the selection that we are going to make? If we had found any fault with their selection we would not have in fact filled the highest post in the judiciary in the manner in which we did. I do not want to cast any reflections on the hon. judges who happen to be on the benches in the Supreme Court. But it had been their way and practice to hand-pick judges. Therefore you found that the Chief Justice of India was handpicked by them superseding the most deserving and the senior most judges. Was it not a naked case of selection according to their choice? In fact it is they who had done this; this regime has not done it. Everybody would concede that. There was one case which has enough to knock out the judiciary and the Supreme Court and most of the judges and that was the Habeas Corpus case. In the habeas corpus case the hon. Supreme Court had held a view and we respectfully differed from that kind of view; the entire country differed from that kind of view. And yet we had honoured their choice; we have made the person who happened to be your choice, without superseding him, the Chief Justice of India. It is the practice of the opposition to which my hon. friend the Leader of the opposition belongs to hand-pick judges; it is not our practice and we are not going to do it.

Then, it has been said that there would be pre-arranged judgements. But before I proceed to that may I also ask the House was it a handpicked judge who had tried Mrs. Gandhi and pronounced that she must be released. It was a magistrate who tried Mrs. Gandhi. If it had been a case of making selections like that, Mrs. Gandhi would not have been released, after her arrest about a year or so back. We have not been of that view and we are not going to pay them compliments by emulating them by handpicking judges. After all, the spe-

cial court is not going to be a novelty. Elections constitute the foundations of our democracy and election cases are tried by special courts. We do not have to come from the bottom of the ladder. Is it their suggestion that the special court which tried the election petition against Mrs. Gandhi, Justice J. M. L. Sinha, was selected by the present regime. If that were so, if the verdict were adverse in the present situation, probably these people would say that that was because of the fact that Justice J. M. L. Sinha was hand picked by the present regime. Justice J. M. L. Sinha was selected by the High Courts of those days and the distinguished judge who is going to be remembered in history was one of the selections made by the previous regime, the regime which lasted for thirty years or so. Most of the judges who find themselves on the benches had been selected by the previous regime. All these things which my hon. friend the Leader of the opposition said with great flair and gusto—hand picked judges, hand picked accused and pre-arranged judgement—are only high, sounding empty words which cannot carry conviction with any person. I think that if they dread the situation that confronts them, that faces them in the future, I really do not think that there is any cause for it. They have nothing to dread because it is the fairest kind of trial that they are going to get at the hands of the court. At the same time but here I have a complaint with which, I would deal first. After closely scrutinising the measure, I will try to show how the Bill suffers from many lacunae.

First coming to the judge who would be appointed for the purpose, I really do not see why the appointment should be made with the concurrence of the Chief Justice of India and not with the concurrence of the Chief Justice of the concerned High Court. In the case of a special tribunal constituted for election pur-

poses, it is the Chief Justice of the High Court who makes the choice. So I feel that there is absolutely no justification for obtaining the concurrence of the Chief Justice of India so far as the appointment of the judge is concerned. It is the High Court concerned which could say whether a particular judge would be able to perform the task properly. From the highest pedestal, the Chief Justice cannot do justice to this matter. I think this matter should have been left in the hands of the Chief Justice of the concerned High Court from which nomination would be sought to be made. But the point I was trying to make was that this situation was of their own creation. I think this situation could have been avoided if after the clear and decisive verdict at the elections, my hon. friend, the Leader of the Opposition and his party came to the House and confessed the guilt; they had made a clean breast of the guilt that they had perpetrated on the people of India. If they wanted a Gandhian remedy, they had to create conditions for a Gandhian remedy. If Mrs. Gandhi, who happened to come to the House after some time, had made a clean breast of the guilt, I think the pressure for the special courts and dealing with the cases with despatch and expedition would have been much less than it has been. We are all committed to Gandhian values. It is farthest from our mind to be vindictive or to nourish feelings for reprisals. But after having waited for 19 months or so, we now see that there cannot be any let up in giving expression to the public will in this matter. The public will was clear. They did not like the emergency. They did not like repressive measures. If that were so what stood in the way of Mrs. Gandhi and her party from coming before the House and say, "Mr. Speaker, this is the clear verdict of the people. I bow down to the verdict of the people. We have indeed committed a guilt. We have perpetrated an excess on the people of India and we are sorry for it"? But they did not do it.

[Shri Shyamnandan Mishra]

Coming to the Bill proper, I am afraid, it is not going to be much less cumbersome than the normal procedure, because there is a provision that there can be appeals from interlocutory orders to the Supreme Court. It is not my suggestion that the accused should be prevented from making an appeal from the interlocutory orders. I am only stating the position as would obtain even after the institution of the special courts. There would be interlocutory orders both on facts and on law to the highest court. This Bill provides enough scope for it.

Take for example people in high public or political places. What are the words used here?—"persons who have held high public or political offices". What would be meant by it? Who will define and determine these and which would be considered high public place or low public place? All these things will be taken to the Supreme Court. Let there be no doubt about it. You have not tried to define it. So, I am submitting to my hon. friend, Mr. Sathe and my hon. friend, the Leader of the Opposition that there could be all manners of appeal from interlocutory orders to the Supreme Court.

There are other things also where they have provided scope for it. The Preamble itself, I must say, is a piece of declamation par excellence. I really do not know how any draftsman could bring himself to putting in all that is required to be placed, in the Statement of Objects and Reasons in the body of the Bill. That is the rightful place; it should have properly found its place in the Statement of Objects and Reasons. As it is this is a pompous thing. This should not have found place in the body of the Bill itself.

However, what is being claimed so far as the preamble is concerned, is that it contains the guidelines. Now, mind it, if that constitutes the guidelines, I think. God alone will make it a short process. Nobody can make it

a short process because everything would be challenged on the basis of the preamble itself and whether you are conforming to the guidelines. The preamble again says that it is the moral and constitutional duty of the Government to do it. Where does morality find its place in a piece of legislation? I really do not know.

15.38 hrs.

[MR. SPEAKER in the Chair]

I was submitting that the preamble is a piece of declamation. It is a pompous thing. It contains so many things which cannot be interpreted or defined properly. To repeat it is said that it is the normal and constitutional duty. But may I submit that even if I break my oath, violate my oath, that would be in a sense constitutional offence but not a legal offence. That is not an illegal offence. Similarly, it is said that it is the moral duty of the Government. Although I do think that no piece of legislation can be immoral piece of legislation and yet it had to be an amoral thing. But here morality is brought in, ethics is brought in, constitutional propriety is brought in. I really do not know whether the draftsman had done justice to the drafting of this measure.

All this is going to land the whole process into complexities and difficulties so that you would find in the end of all that it will not be less cumbersome than it would have been through the normal course.

Now look at the first and a second paragraphs. What do they mean? I really do not understand what the two paragraphs mean. They are not disjunctive; they are conjunctive. What does it mean? It means that both processes have to go together, both the paragraphs have to be read together. Even if there is a report by the Commission of Inquiry, it has to be followed by the investigation. May be that in many cases you do not require any investigation, but if there

is one and it discloses a different kind of situation, then what happens? According to this Bill, you will have to disclose the findings both of the agency of the Government as also of the Commission. And if both of them have to be disclosed, then there can be many points of conflict and contradiction between the two. And,—if my reading is correct that both of them have to be read together—in that case, the position would be that, so far as the second paragraph is concerned, that has to be preceded by the kind of action that is envisaged in the first paragraph. Otherwise on the basis of the findings of a separate agency of the Government, the Government cannot take any matter to the Special Court. That will have to be preceded by action under the auspices of the Commission.

MR. SPEAKER: He should conclude now.

SHRI SHYAMNANDAN MISHRA: Give me some more time.

MR. SPEAKER: You have taken more than 20 minutes.

SHRI SHYAMNANDAN MISHRA: Fifteen minutes for a Bill of this kind is not sufficient. This is what brings down the quality of the debate. You should kindly consider that this brings down the quality of the debate. I am trying to analyse the Bill in its components.

MR. SPEAKER: We are very much behind the schedule.

SHRI SHYAMNANDAN MISHRA: Then, you will kindly observe that in another paragraph, for example in clause 5, "persons connected with it" have been left out. In the first paragraph persons connected with the offences have been brought in but in the operative part the persons connected with it have been left out. Would it not create another kind of situation?

Then, hurrying to another point—I would be completing soon—in clause 7 it is said that matters pending in the lower courts would be taken straight to the Supreme Court. If a matter is pending, may be at the

district level in the court of revision since it has been disposed of by a lower court, it will be taken straight to the Supreme Court. If that is so, is there any meaning or justification for the institution of a special court? So Clause 7 of the Bill completely knocks out the justification for the institution of a special court. To repeat, if you have to take it straight to the Supreme Court even from the lower court, without going through a higher court as is suggested in this measure, then there is no justification for this kind of a step that you are envisaging.

Sir, since there is no time, I would not like to strain your patience. I know you are governed by the limitation of time. But I am quite clear in my mind that I have not been able to do full justice to the measure in the manner I ought to have done.

SHRI B. SHANKARANAND (Chikodi): Mr. Speaker, Sir, I must thank a few speakers on the other side who have really helped us in projecting our view, for had not my friends like Shri Jethmalani and others spoken on this, it would not have been clear to the entire House that this Bill is meant against Shrimati Indira Gandhi and Shri Sanjay Gandhi, not only meant against them but it is meant for their conviction. If you go through this Bill, because you have had very vast experience in the Supreme Court....

MR. SPEAKER: All that has been forgotten, because in this House it is not necessary.

SHRI B. SHANKARANAND: This looks like a Letter of Intent of the Janata Party to convict Shrimati Gandhi very shortly. You must acknowledge that it is the intention of the Janata Party to put Shrimati Gandhi in jail within three months. Rumours are afloat already, and they have been given credence by the few speakers who have spoken in this House. And more so, a person, an hon. Member who has been a prosecutor to see that Mrs. Gandhi and others are convicted spoke in support of this

[Shri B. Shankaranand]

Bill in this House? Mr. Speaker, if it is really meant for justice to Mrs. Gandhi, why is this hurry? The Janata Party take it as their honour that they waited for 2 years, they wanted to give time and all that. Heavens are not going to fall if Mrs. Gandhi is tried in the ordinary courts. But they have not. They would have done, but they were fighting amongst themselves for two years and they further feel that if Mrs. Gandhi is left outside, perhaps they will see their end very soon. But they are mistaken. I warn the Janata Party that if they see that Mrs. Gandhi is in jail, they will see their fate. The more they hurry to send Mrs. Gandhi to jail, the earlier they will end their rule in this country. (Interruptions) I am not repeating the arguments that have been put forward by my friends on this side, but the only thing that I am going to point out from the provisions of this Bill is how there is a design in this Bill. I will point out from the provisions of this Bill that there is a design in this Bill to see that Mrs. Gandhi is convicted and that is, Mr. Speaker, this Bill is not only for the people who have held high offices, political and public offices. It is not only for them. I will read the Preamble as follows:

"Whereas Commissions of Inquiry appointed under the Commission of Inquiry Act 1952, have rendered reports disclosing the existence of *prima facie* evidence of offences committed by persons who have held high public or political offices in the country and others...

And who are these 'others'? Nobody has defined who are these 'others'. I will tell you who are these 'others'. Mr. Speaker, these are the others who will be created as co-accused and they will be pardoned to involve Mrs. Gandhi. And that pardon clause is here. It is clause 9. And what does clause 9 say? We have never seen any Acts giving special provision for pardoning the accused. In no criminal law it is there. There is a special clause in this Bill pardoning an accused. And for what? Sub clause (2) of clause 9 says:

"A special court may, with a view to obtaining evidence of any person suspected to have been directly or indirectly concerned in or privy to an offence, tender a pardon to such person on condition of his making full and true disclosure of the whole circumstances within his knowledge relating to the offence and to every other person concerned whether as principal, conspirator or abettor in the commission thereof."

Now, there is a bribe, a legal bribe given by this Government in this Bill, an open corruption, to corrupt the witnesses. And some of my friends are speaking here that 23 witnesses have been corrupted in Sanjay Gandhi's case and so many people have been corrupted in that. Mr. Speaker, here is an evidence, and here is a piece of Bill that has been brought before this House. Can we put our hands on our hearts and say honestly that this Bill is honest? It is fraught with dishonesty only with an intention to convict Mrs. Gandhi by hook or crook. Otherwise, this proviso would have found no place in this Bill. And this is how the draftsman of this Bill—I do not know the mover of the Bill, I do not hold the Home Ministry guilty of this because there is somebody behind this Bill, in drafting this Bill who is guiding the scene in this House. I do not hold even the Law Minister guilty. Otherwise this Bill would not have been drafted in such a shabby manner.

Mr. Speaker, you have read many Acts, you have interpreted and analysed them. See the language of this Bill.

See the language of this Bill. As Shyamnandanji has said, the purpose of the Bill has been mentioned in the Preamble. He says that it speaks about moral obligation. I quote the last paragraph:

"And whereas the ordinary criminal courts, due to congestion of work... cannot reasonably be expected to bring these prosecutions to a speedy termination."

Had it been only this, I could have understood it, that there is rush of work and so such cases cannot be decided early, but it says:

"And whereas the ordinary criminal courts due to congestion of work and other reasons..."

What are those reasons?

This Central Government has been neglecting the trial of hundreds and thousands. There are 82,000 under-trials in this country who have been languishing in jails from six months to many years. They are not caring for the release and early trial of these people. This is what the Janata Government is. It is only for the Supreme Court to issue directions and writs under habeas corpus.

I have given some amendments. The only thing that I say is that this Bill should not have been introduced. This Bill will create a sound ground for establishing incredibility in the honesty and impartiality of the Judges. I do not decry the Judges or the administration of justice, but this Government is maligning the Judges by bringing in such Bills and creating Special Courts that doubt is created about the administration of justice. I oppose this Bill. My request to the Home Minister is: don't malign the administration of justice, do not malign the Judges, withdraw this Bill. There are law courts, there are other laws by which the accused can be tried and convicted if found guilty.

MR. SPEAKER: The Home Minister.

SOME HON. MEMBERS rose—

MR. SPEAKER: No, we have exceeded the time. I will give you opportunity at the time of the amendments.

PROF. P. G. MAVALANKAR (Gandhinagar): This is a Bill on which several points of view have been expressed.

MR. SPEAKER: No. I am sorry.

PROF. P. G. MAVALANKAR: I object. You are not even listening to me.

MR. SPEAKER: That is all right.

PROF. P. G. MAVALANKAR: You cannot brush me aside like that.

MR. SPEAKER: I understand your importance, but I cannot give you a chance on every occasion.

PROF. P. G. MAVALANKAR: I object to your words. I will be the last man to go against the Speaker. I respect the Speaker's office, but my point is...

MR. SPEAKER: That you must be given an opportunity.

PROF. P. G. MAVALANKAR: Please bear with me for a minute. If you wish me not to speak for the whole session, I will keep quiet, but that is not the point. The point is this. Kindly look at this Bill and its background. Some of us have to express a point of view which has not been expressed so far in the House. Would it not be proper for you to include an Independent either at this stage...

MR. SPEAKER: I have given independents also every opportunity.

PROF. P. G. MAVALANKAR: or at the stage of Third Reading.

MR. SPEAKER: I will consider it. I will give others who have not had the opportunity during the Amendment stage or...

PROF. P. G. MAVALANKAR: I have not given any amendment.

MR. SPEAKER: Then I will give at the final stage.

PROF. P. G. MAVALANKAR: I have deliberately not given any amendment, because I do not want to speak at length. I only want to bring...

MR. SPEAKER: I will give you opportunity at the Third Reading.

PROF. P. G. MAVALANKAR: I am not here to speak for the sake of speaking. I am here to express a point of view. I object to your remark, and the use of the word 'importance'. I am here to express my point of view. It is not fair. What is the point in speaking at the stage of Third Reading? At the Third

[Prof. P. G. Mavalankar]
Reading, you will limit me to only "Yes" or "no". Because I am neither wholly for "yes" nor "no", I want to speak something more than that. So, I want to speak at this stage. (Interruptions)

MR. SPEAKER: I am sorry. We have exceeded the time limit. Therefore, I cannot allow.

PROF. P. G. MAVALANKAR: Would you allow me to speak on the Third Reading by going into the details? You will not. Under the Rules, you will stop me.

MR. SPEAKER: I have heard you.

PROF. P. G. MAVALANKAR: What is the point of your hearing me? I am not here to be merely satisfied that you have heard me. I want to get justice.

MR. SPEAKER: Every Member will ask for it. What is the point? I have already called the Home Minister.

PROF. P. G. MAVALANKAR: The debate is not complete. If my point of view cannot be heard...

MR. SPEAKER: There will be hundreds of points of view.

PROF. P. G. MAVALANKAR: No. Time was extended to accommodate Members of other parties. I agreed, that is good. Would you allow me to speak in detail at the stage of Third Reading? Would you allow me to speak during Clause-by-Clause consideration?

MR. SPEAKER: I have already called the Home Minister.

PROF. P. G. MAVALANKAR: I do not appreciate your point of view at all.

MR. SPEAKER: I understand that also.

PROF. P. G. MAVALANKAR: I abide by your decision. I sit down. I am sorry, because you used the word 'importance'. We come here to make speeches. Then, why use the words like 'importance'? In this very House, on these matters, on all

the matters of the Preamble, I have spoken a number of times. I have a right to express my point of view. How can you deny that right? I can make no speech for the rest of session, if you want. But you cannot use the word 'importance' and belittle the status of an independent person, not backed up by any party! You cannot do that. You cannot do anything... (Interruptions). In Parliament, things are not going merely by party position. I am not interested in making... (Interruptions) I object...

MR. SPEAKER: I am on my legs. I have heard you. I know your importance.

PROF. P. G. MAVALANKAR: Again I am objecting.

MR. SPEAKER: Everybody's importance is recognised. Everybody has a point of view. It is not physically possible to give all the Members a chance. There are at least 20 Members in the list who still want to speak, who feel as important as you do. I feel everybody is equal.

PROF. P. G. MAVALANKAR: With great respect to you, I object to what you are saying. I am not used to walking out and making the theatrical protests. I sit down. But I object to what you are saying.

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): Mr. Speaker, Sir, this is a very important Bill and I am sorry that the Leader of the Opposition and some of his colleagues have chosen to describe it as a Bill which will destroy the judicial system or something of that kind and made very serious reflections on the judicial system of this country.

SHRI VASANT SATHE: Your credibility is gone. The credibility of the judiciary will also go.

SHRI H. M. PATEL: Will you stop? Did I interfere? If you wish to go on interjecting like this, I am very sorry. You are so accustomed to misbehaving...

SHRI VASANT SATHE: Do not get provoked.

SHRI H. M. PATEL: I am sorry. Mr. Speaker, Sir, the hon. Member is behaving in an extra-ordinary manner. He is entitled to it...

17.00 hrs.

SHRI VASANT SATHE: This is an extra-ordinary remark.

SHRI H. M. PATEL: He is accustomed to doing this.

SHRI VASANT SATHE: It is a special remark.

SHRI H. M. PATEL: His behaviour is seen here by all of us. There is no question of any non-eye witness here in this regard. The judgment on how he behaves is there for everybody to see. I have barely begun when he proceeds to interject...

SHRI VASANT SATHE: Are you to speak on the Bill or on me?

SHRI H. M. PATEL: If he goes on like that, I am compelled to speak, through him, on the Bill. The hon. Member is so accustomed to authoritarian methods...

MR. SPEAKER: Let us go to the subject.

SHRI H. M. PATEL: I am speaking on the subject. He applauds the remark "speak on the subject". I do nothing else but speak on the subject which is totally different from what my hon. friend does invariably.

The last speaker brought in the question of under-trial prisoners. This is illustrative of their methods of discussing this Bill. He said, "Why are you wasting your time on a Bill like this when there are so many undertrial prisoners? How long have the under-trial prisoners been there? Have they begun to be there in a large number only since we came in power? Do they know that there are people as under-trial prisoners who have been there for the last 10 or 12 years? They have been there in a much more large number during their period than

what has been during the period since we came to power. Did they ever take notice of them? As against that, this Government has taken up the question of under-trial prisoners in right earnest and intends to see that the question of under-trial prisoners is handled in such a way that the number is reduced and that the cases of those people who remain as under-trial prisoners for various difficulties of their own, their inability to represent their cases properly through lawyers and so on and so forth, are handled properly. This is what this Government does. It is not as if, as my hon. friends say, we are indifferent to such matters. But they are. You consider this.

The honourable Leader of the Opposition was very eloquent on various matters. But I would like merely to say this. If you look at the Statement of Objects and Reasons for bringing for this Bill, it says:

"Reports of various Commissions of Inquiry appointed under the Commission of Inquiry Act, 1952, have disclosed the existence of *prima facie* evidence of offences committed by persons who have held high public or political office in the country and others connected with the commission of such offences during the Proclamation of Emergency..."

It further says:

"It is the constitutional, legal and moral obligation of the State to prosecute persons involved in these offences..."

SHRI C. M. STEPHEN: From where are you reading?

SHRI H. M. PATEL: I am reading from the Statement of Objects and Reasons.

SHRI C. M. STEPHEN: What about the Preamble?

SHRI H. M. PATEL: This shows that the Leader of the Opposition has not chosen to understand the Bill. Whatever it sounds like to him, he should try to understand these points as to why this Bill has been brought forward.

[Shri H. M. Patel]

Having said this, the Leader of the Opposition and his other friends referred to the fact that this Bill suffers from various disabilities which will create many difficulties. But what he did say was that this Bill will result in the accused not receiving a fair trial.

SHRI C. M. STEPHEN: That is my point.

SHRI H. M. PATEL: This is not the case. Not one Supreme Court judge in his judgment has said that, if the Bill is freed from certain infirmities that are pointed out, there is no question of the accused not receiving a fair trial.

So far as this Government is concerned, it is only interested in this, that those against whom there is a *prima facie* case are prosecuted and the prosecution is completed with the utmost despatch and that the trial is fair. That is why emphasis was laid by a number of speakers on this side of the House on the point that there is no change in the procedure. The procedure remains the same as it would be if it were not before a Special Court. Therefore, there is no question of anybody being tried in a different way.

Now, I would like to quote from the judgment. (*Interruptions*).

"As stated in the 5th para of the Bill's Preamble, the ordinary criminal courts, due to congestion of work, cannot reasonably be expected to bring the prosecutions contemplated by the Bill towards a speedy termination. The congestion in courts, the mounting arrears and the easy and unconcerned dilatoriness which characterises the routine trials in our courts are well-known facts of temporary life".

"They are too glaring to permit disputation. Seminars and symposiums are anxiously occupied in finding ways and means of solving what seems to be an intractable and frustrating problem. The Bill therefore justifiably provides...

SHRI VASANT SATHE: Where are you reading from?

SHRI H. M. PATEL: I am reading from the Supreme Court Judgment which you have not taken the trouble to read. It is the Supreme Court's opinion that I am reading from. (*Interruptions*).

"The Bill therefore justifiably provides for a method whereby prosecutions falling within its scope may be terminated speedily. It is not that a speedy trial is a universal requirement of every trial...

SHRI VASANT SATHE: That's right.

SHRI H. M. PATEL: It is not; that is what it says. (*Interruption*).

"A recital of the sixth para of the preamble shows the true nexus between the basis of classification under Clause 4(1) and the object of the Bill. That paragraph says that it is imperative for the functioning of parliamentary democracy and the institutions created by or under the Constitution of India that the commission of offences referred to it in the preamble should be judicially terminated with the utmost despatch.

If it be true—and we have assumed it be true—that offences were committed by persons holding high public or political offices under the cover of declaration of Emergency and in the name of democracy, there can be no doubt that the trial of such persons must be concluded with the utmost despatch in the interests of the functioning of democracy in our country and the institutions created by our Constitution. Longer these trials will tarry, assuming the charges to be justified, greater will be the impediments in fostering democracy which is not a plant of easy growth. If prosecutions which the Bill envisages are allowed to have their normal leisurely span of anything between five and ten years, no fruitful purpose would be served by launching them. Speedy termination of prosecutions under the Bill is the heart and soul of the Bill." (*Interruptions*)

MR. SPEAKER: If you attend to interruptions, you will never complete it.

SHRI VASANT SATHE: I would like to know about the 'kernel'. You talked about 'hand-picking'. You justify that.

SHRI H. M. PATEL: The Hon. Member spoke selectively quoting from extracts. He may permit me also to quote extracts which I consider relevant.

SHRI VASANT SATHE: You have to meet the arguments you advanced, Mr. Home Minister.

SHRI H. M. PATEL: The Hon. Member cannot be silenced, it is true. He was silenced only during the Emergency. I have seen that. He is a lion today, but there was not one whimper when he signed away everything. He signed away every right. When the Constitution Amendment Bill was brought here, he supported it without a single word. Today he is a lion. And he is the lion today!

SHRI VASANT SATHE: The lion is sitting by your side. The lion is Babuji.

SHRI H. M. PATEL: I will not waste my time on this. (Interruptions)

Regarding classification, about which they spoke so much, there are ample arguments here to show that there is no objection to the classification in the manner that is proposed. In fact, the distinction is not discriminatory in every case. There is no such thing as that involved in this. What we should really go by is the final opinion of the judges, which is what we are doing, and we have amended the Bill, we have rectified the Bill that was submitted to them for opinion in respect of those three matters.

My hon. friend opposite thinks that there is hand-picking. What is the meaning of this word 'hand-picking'? By whom are all the judges appointed? The judges are appointed by Government. Is that hand-picking? All the judges of the High Court throughout the country are appointed by Government. Therefore, there is no hand-picking of any particularly new man. (Interruptions) It is in order to safeguard this kind of charges, meaning-

less charges, that we have accepted the Supreme Court judges' advice and said that it would be done with the concurrence of the Chief Justice. I do not understand where the hand-picking comes. What is most objectionable is. (Interruptions)

SHRI A. BALA PAJANOR (Pondicherry): Here the question of appointment of judges is not there.

SHRI VASANT SATHE: It is not initial appointment. When you select some judge (Interruptions)

SHRI A. BALA PAJANOR: It is only nomination.

SHRI H. M. PATEL: You are entitled to your opinion. Here I am replying to a point. You may not necessarily agree with what I say...

SHRI B. SHANKARANAND: Nomination is there in the Bill. It is not our opinion. Mr. Home Minister, have you read the Bill?

SHRI H. M. PATEL: You did not even know what was there in the Bill?

SHRI B. SHANKARANAND: You do not know. You were talking about appointment.

SHRI H. M. PATEL: His intelligence is conditioned in this way. He considers that the intention of this Bill is to find Mrs. Indira Gandhi guilty. What an amazing kind of understanding of English or law! Where does the Bill say that it is intended only to find Mrs. Indira Gandhi guilty? Where does it say that? There is no such thing. (Interruptions)

I really do not think that there was anything in the observations made from the Opposition side which really call for further answers. It is clear that every single point which was made is based on the assumption that we have some ulterior motives. There is no ulterior motive beyond what is stated clearly and frankly in the Statement of Objects and Reasons. If they wish to read ulterior motives, other ideas, etc. behind these things, they are welcome to do so. I would repeat that our intention is only this, that the trial should be as speedy as possible. We do not want that these trials should be

[Shri H. M. Patel]

prolonged and in order to do that, we thought of this Special Court and because we wanted also to ensure this, that there will be no objection and it will be constitutional and proper, we sought the opinion of the Supreme Court before bringing this Bill. We have abided by the opinion of the Supreme Court and then we have brought this Bill. I think the Bill is sound in every respect. I know hon. Member, Shri S. N. Mishra made certain observations and said there were lacunae. It is possible. I will not question that, because he has studied this Bill far more than the Opposition took the trouble to study.

I would, therefore, commend the Bill to the House.

SHRI C. M. STEPHEN: He was replying. You heard me. I specifically asked for an answer to a question which I raised repeatedly. He is avoiding that. I want to know if he is prepared to answer that.

The Supreme Court put forth four suggestions. The fourth suggestion that the Supreme Court put was that a speedy trial is possible under the present frame-work giving the original jurisdiction with respect to these matters to the High Court and the Supreme Court has said that the Government informed them that they were considering this matter. That has not been incorporated into that. Why has it not been incorporated? Why was that suggestion not accepted? Speedy trial can be completed and no procedural changes are effected and the only change is that 'we will pick out the Judge'. They say, 'Have the High Court'. Why are you not accepting it? Give an explanation about it.

SHRI H. M. PATEL: There is no question of my not answering the question.

So far as the advice of the Supreme Court is concerned, it is an opinion running into 109 pages... (Interruptions) I understand you fully. It is for me to give you the reply that you have asked for and not for you to give me a reply nor am I bound to give the

reply as you like. The reply is like this. This is the opinion.

"In conclusion, our answer to the reference is as follows....

SHRI C. M. STEPHEN: That is not what I asked.

SHRI H. M. PATEL: This is the answer. We asked the Supreme Court for their opinion and they have given it. This is the answer—what is stated in the Judgement on pages 108 and 109.

AN HON. MEMBER: Please explain to him. He has not understood it.

MR. SPEAKER: I have a limited function.

SHRI VASANT SATHE: You please explain it to him properly so that a proper reply comes. That is one part of your functions.

MR. SPEAKER: Now I shall put the amendments to the vote of the House.

SHRI B. SHANKARANAND: Sir, I rise on a point of order. Sir, the Home Minister of this country on such a very important Bill has finished his speech within five minutes.

MR. SPEAKER: That is all right. You are responsible for this. You are putting him so many questions. This is not a point of order.

SHRI B. SHANKARANAND: Please listen to me and hear me fully. Here the Home Minister has finished his speech within five minutes. It was the duty of the Government, Mr. Speaker to reply. Many questions have been raised in this House. The debate is going on for hours; how can the Home Minister escape from the replies?

MR. SPEAKER: There is no point of order.

SHRI B. SHANKARANAND: The House is entitled to know the reasons.

MR. SPEAKER: I cannot compel anybody.

SHRI B. SHANKARANAND: There is no question of compelling anybody. That is the duty of the Government to satisfy us.

MR. SPEAKER: I cannot compel them.

SHRI B. SHANKARANAND: Please hear us. You are the custodian of our rights in this House. You have to compel him to satisfy the House.

MR. SPEAKER: I am sorry. I cannot do that.

SHRI B. SHANKARANAND: Maybe, we may not be satisfied. But, let him reply to the questions that we have raised.

MR. SPEAKER: That is not my function.

Now, I shall put the amendments to the vote of the House unless the hon. Members want to withdraw their amendments.

(Interruptions)

SHRI M. KALYANASUNDARAM: Sir, I rise on a point of order. On this side there are members who, while supporting the Bill, made some suggestions that this Bill may be made a permanent measure for all similar offences of persons in the future. What is the objection of the Government? He has not made that point clear. We are supporting this Bill and while doing that we have made suggestions. At least two Members on this side made the suggestions. What is the attitude of the Home Minister if he replies, that will help us. He should clarify that.

MR. SPEAKER: Would you like to say anything on this?

SHRI H. M. PATEL: Sir, the Bill, as it has been brought in here is for a clear and specific object. If there is a possibility or advisability of extending the scope, that can certainly be considered. But, it cannot be considered now because it has many implications. Then comes the question of definition and putting in other clauses etc.

Whether we want to have it as a permanent measure or not is something again which calls for a careful and further consideration. That is my reply so far as this is concerned. (Interruptions) I am sorry my hon. friends do not see the point. The basic or essential point in this Bill is that there was

an emergency from June 1975 to January 1977 during which period, a number of excesses were committed; injustices were inflicted upon the people and various other things had taken place. And those who were perpetrators of those offences should be brought to book as quickly as possible and the trials completed speedily.

If the hon. Members think that a bill of this nature should have a permanent place in our statute book, we can certainly consider this and examine it. But, it cannot be done now when this Bill is before us. (Interruptions)

SHRI M. KALANASUNDARAM (Tiruchirapalli): Sir, this relates only to Shah Commission and other Commissions. There was Sarkaria Commission also appointed in that period. There was another commission during this period against the Chief Minister and other ministers which will not come within the purview of this Bill. That is why I suggested that it could be made a permanent measure against all the persons, whether connected with the emergency or not, to be tried. Why should he object to that?

MR. SPEAKER: It is for him. I cannot answer this.

SHRI M. KALYANASUNDARAM: We want an answer.

PROF. P. G. MAVALANKAR: Mr. Speaker, if you will permit me, I would suggest one thing. You will kindly see the statement of objects and reasons. Please see the first few lines. What does it say? Reports of various Commissions of Inquiry appointed under the Commission of Inquiry Act, 1952, have disclosed the existence of *prima facie* evidence of offences committed, etc. Now, the point which the Home Minister is not able to answer, and which we want him to answer so that we can support it, is, namely, whether all such offences....

MR. SPEAKER: There are amendments when you can take that up.

PROF. P. G. MAVALANKAR: My point is this. By way of reply, the Minister should atleast inform in the House as to what is the Government stand on this?

If the Government says that all *prima facie* cases established by all Commissions of Inquiry will be looked into as of right and automatically, then we support it. But if it is limited to a particular portion, then Government's intentions are to be doubted. (Interruptions)

SHRI A. BALA PAJANOR: Sir, the Home Minister is misleading the House because he said that if there is anything in future we will consider because my point is already there is Sarkaria Commission constituted much earlier where *prima facie* cases has been established. Why are you not including it? (Interruptions)

SHRI NARENDRA P. NATHWANI (Junagarh): Mr. Speaker, Sir, I want to Speak on two points. During the conduct of the present debate some Members wanted the hon'ble Minister to explain why certain alternative course is not taken regarding the nomination of trial judges. (Interruptions) if you allow me two minutes I will explain.

MR. SPEAKER: Not at this stage.

Now, I shall put the amendments moved by the hon'ble Members to the vote of the House unless any hon'ble Member wants to withdraw. Amendment No. 10 stands in the name of Shri A. K. Roy. He is absent. Still I have to put it to the Vote of the House. The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 25th June, 1979." (10)

The motion was negatived.

MR. SPEAKER: Now I come to Mr. Lakkappa's amendment No. 32.

SHRI K. LAKKAPPA (Tumkur): I would like to speak. This is my legitimate right. Nobody can prevent me.

MR. SPEAKER: Mr. Lakkappa, it is a motion for consideration now. Later on, the amendments will come. At that time you will have opportunity. Do you want your amendment to be put to vote.

SHRI K. LAKKAPPA: Yes.

MR. SPEAKER: There is another amendment in your name—Amendment No. 33. Then there is amendment No. 101. It is in the name of Shri Rajagopal Naidu. It is barred. Then there is amendment No. 102 in the name of Shri Eduardo Faleiro.

SHRI K. LAKKAPPA: Sir, my amendment is that the Bill be referred to a Joint Committee of the Houses. But you have not mentioned that. My amendment No. 33 is very clear. You have mentioned Mr. Faleiro's amendment. My amendment No. 33 is a very clear amendment.

MR. SPEAKER: This question will come only when the amendment comes.

SHRI K. LAKKAPPA: Why have you not put it to vote?

MR. SPEAKER: This will come only when the amendment comes.

SHRI K. LAKKAPPA: By which order do you take? You should guide properly. We are sitting on this side.

MR. SPEAKER: You have not spoken. Yes, Mr. Lakkappa, you can say.

(Interruptions)

SHRI K. LAKKAPPA: Please withdraw that order.

MR. SPEAKER: You please continue. You say what you have got to say about your amendment.

SHRI K. LAKKAPPA: I have said that the Bill to provide for the

speedy trial of a certain class of offences, be referred to a Joint Committee of the Houses consisting of 15 members, 10 from this House, namely: (1) Dr. H. Austin, (2) Shri G. M. Banatwalla; (3) Prof. P. G. Mavalankar....

MR. SPEAKER: That is all; you come to the point.

SHRI LAKKAPPA:...(4) Shri A. Bala Pajanor, (5) Shri H. M. Patel; (6) Shri Balwant Singh Ramoowalla; (7) Dr. V. A. Seyid Muhammad..

MR. SPEAKER: That is all right; you need not mention names..

SHRI K. LAKKAPPA:...(8) Shri B. Shankaranand....

MR. SPEAKER: You only speak in support of it.

SHRI K. LAKKAPPA: Mr. Speaker, Sir, at the time of introduction of the Bill itself, I objected saying that the present special Courts Bill brought forward by this Government is not only in conflict with and in violation of the Constitution, Article 14 and so on, but that it is in conflict with certain procedural rules of the House. Therefore, not only does the Government want to blackmail this House but they are bypassing the Rules of Procedure. Rules 67 and 69 of the Rules of Procedure are there. The present Private Member's Bill is pending. And that question has not been properly answered; (Interruptions)—properly answered, according to me. And also on that issue, I moved a privilege motion. Even in spite of all these things, please see the provisions regarding objects and reasons which have been enumerated. They not only create confusion in the whole country, but, the people also will ultimately decide and come to the conclusion that the present Government..

MR. SPEAKER: You can speak in support of the amendment.

SHRI K. LAKKAPPA: Why I am moving is this; (Interruptions)

MR. SPEAKER: Please don't disturb the proceedings.

SHRI K. LAKKAPPA: Shouting will not get us anything.

MR. SPEAKER: You are speaking on an amendment. Please be brief.

SHRI K. LAKKAPPA: Kindly don't disturb me. In fact I wanted to speak on this Bill. But my party has no whip. And unfortunately somebody has spoken, but I am not allowed to speak, but I wanted to speak. There was no whip in my party.

MR. SPEAKER: Nobody objected to your speaking...

SHRI K. P. UNNIKRISHNAN (Badagara): This is very unfair. He should discuss this matter in the party, not here.

SHRI K. LAKKAPPA: Therefore, even as a matter of abundant caution, when such hasty and rash Bills are being brought, what should we do? It is brought forward with this purpose only. As Prof. Mavalankar rightly pointed out, the Statement of Objects and Reasons enumerated here refers to the 1952 Act. On the basis of that you have got other people who are found as guilty, Mundhra and others. So many people are involved who are higher up in society, in politics, in power, every where. But it is most unfortunate that only for a specific period, a specific purpose, this legislation has been brought in only to indict an individual and a group of people.

MR. SPEAKER: Mr. Lakkappa, you have to speak only on your amendment and not on a general basis.

SHRI K. LAKKAPPA: I have to convince many of the Members here and also persons outside.

MR. SPEAKER: I have nothing to do with outside persons.

SHRI K. LAKKAPPA: Please refer it to the Select Committee.

(Interruptions)

In the Objects and Reasons, they have mentioned only Mr. Jethmalani's Bill, that is, "Emergency Court's Bill 1978".

MR. SPEAKER: That has already been dealt with.

SHRI K. LAKKAPPA: This shows the guilty mind of the Government.

MR. SPEAKER: You come to the amendment. You are only to speak on your amendment. Nothing more. I have to follow the rules.

SHRI K. LAKKAPPA: It is my right to say that.

MR. SPEAKER: It is not your right. We are how at the stage of amendments.

SHRI K. LAKKAPPA: Is it not my right?

MR. SPEAKER: No.

SHRI K. LAKKAPPA: Then how is it that you are protecting the rights of the Member? I have no reason to believe the present Government. Sir, they have some motives behind.

MR. SPEAKER: Mr. Lakkappa, at the time of moving the amendment, a Member has no right to speak. But I have still given you a chance to speak only on your amendment.

SHRI K. LAKKAPPA: Then you say that you are not giving me a chance.

MR. SPEAKER: Now, I won't allow you to speak.

SHRI K. LAKKAPPA: Sir, why can't you allow me to speak for a minute now?

MR. SPEAKER: No, I have already given you time.

SHRI K. LAKKAPPA: You allowed those people, but you are not allowing me.

MR. SPEAKER: No, No. Do not record.

(Interruptions)**

MR. SPEAKER: Now, there are two amendments regarding circulation of the Bill for the purpose of eliciting opinion. Amendment No. 32 is moved by Mr. Lakkappa. I shall now put the Amendment No. 32 moved by Shri Lakkappa to the vote of the House.

The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 1st June, 1979". (32)

The motion was negatived.

MR. SPEAKER: There are two amendments, amendment No. 33 and 102, by Shri K. Lakkappa and Shri Eduardo Faleiro for referring this Bill to a Joint Committee of the two Houses. I will now put these to the vote of the House.

The question is:

"That the Bill to provide for the speedy trial of a certain class of offences, be referred to a Joint Committee of the Houses consisting of 15 members, 10 from this House, namely:—

- (1) Dr. H. Austin
- (2) Shri G. M. Banatwalla
- (3) Professor P. G. Mavalankar
- (4) Shri A. Bala Pajanon
- (5) Shri H. M. Patel
- (6) Shri Balwant Singh Ramoo-
walla
- (7) Dr. V. A. Seyid Muhammad
- (8) Shri B. Shankaranand
- (9) Shri Kommareddi Suryana-
rayana

(10) Shri K. Lakkappa

and 5 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee; that the Committee shall make a report to this House by 31st July, 1979; that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 5 members to be appointed by Rajya Sabha to the Joint Committee."(33).

"That the Bill to provide for the speedy trial of a certain class of offences, be referred to a Joint Committee of the Houses consisting of 15 members, 10 from this House, namely:—

- (1) Shri G. M. Banatwalla
- (2) Shri Bedabrata Barua
- (3) Shri P. K. Deo
- (4) Shri V. Kishore Chandra S. Deo
- (5) Shri Hitendra Desai
- (6) Shrimati Parvathi Krishnan
- (7) Shri H. M. Patel
- (8) Shri Mohd. Shafi Qureshi
- (9) Dr. V. A. Seyid Muhammad
- (10) Shri Eduardo Faleiro

and 5 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee; that the Committee shall make a report to this House by 31st March 1979; that other respects the Rules of Procedure of this House relating to Parliamentary Committees shall

apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 5 members to be appointed by Rajya Sabha to the Joint Committee."(102).

The Lok Sabha divided.

Division No. 2]

[17.45 hrs.

AYES

Ahmed Hussain, Shri
Alagesan, Shri O. V.
Avari, Shri Gev. M.
Balakrishnaiah, Shri T.
Banatwalla, Shri G. M.
Barve, Shri J. C.
Basu, Shri Dhirendranath
Choudhury, Shrimati Rashida Haque
Dabhi, Shri Ajitsinh
Faleiro, Shri Eduardo
Gotkhinde, Shri Annasaheb
Jaffer Sharief, Shri C. K.
Jayalakshmi, Shrimati V.
Kadam, Shri B. P.
Kidwai, Shrimati Mohsina
Krishnan, Shri G. Y.
Lakkappa, Shri K.
Lakshminarayanan, Shri M. B.
Laskar, Shri Nihar
Mallikarjun, Shri
Meduri, Shri
Meduri, Shri Nageswara Rao
Mirdha, Shri Nathu Ram
Mishra, Shri G. S.
Murthy, Shri M. V. Chandrashekhara
Patil, Shri Vijaykumar N.
Ramamurthy, Shri K.
Rao, Shri M. S. Sanjeevi
Rao, Shri Pattabhi Rama
Reddy, Shri G. Narasimha

Reddy, Shri M. Ram Gopal
 Reddy, Shri S. R.
 Roy, Shri Saugata
 Sayeed, Shri P. M.
 Shankaranand, Shri B.
 Shrangare, Shri T. S.
 Stephen, Shri C. M.
 Sunna Sahib, Shri A.
 Thorat, Shri Bhausaheb
 Unnikrishnan, Shri K. P.
 Venkataraman, Shri R.

NOES

Abdul Lateef, Shri
 Agrawal, Shri Satish
 Ahuja, Shri Subhash
 Amin, Prof. R. K.
 Arif Beg, Shri
 Bahuguna, Shri H. N.
 Bahuguna, Shrimati Kamala
 Balak Ram, Shri
 Balbir Singh, Chowdhry
 Baldev Prakash, Dr.
 Basappa, Shri Kondajji
 Berwa, Shri Ram Kanwar
 Bharat Bhushan, Shri
 Borole, Shri Yashwant
 Brij Raj Singh, Shri
 Burande Shri Gangadhar Appa
 Chakravarty, Prof. Dilip
 Chandan Singh, Shri
 Chandra Pal Singh, Shri
 Chandravati, Shrimati
 Chaturbhuj, Shri
 Chaturvedi, Shri Shambhu Nath
 Chaudhary, Shri Motibhai R.
 Chavda, Shri K. S.
 Chowhan, Shri Bharat Singh
 Chunder, Dr. Pratap Chandra
 Dandavate, Prof. Madhu
 Das, Shri S. S.
 Dasgupta, Shri K. N.
 Dawn, Shri Raj Krishna

Desai, Shri Dajiba
 Desai, Shri Morarji
 Deshmukh, Shri Ram Prasad
 Dharis, Shri Mohan
 Dhillon, Shri Iqbal Singh
 Dhondge, Shri Keshavrao
 Digvijoy Narain Singh, Shri
 Dutt, Shri Asoke Krishna
 Fazlur Rahman, Shri
 Fernandes, Shri George
 Ganga Bhakt Singh, Shri
 Gattani, Shri R. D.
 Ghosal, Shri Sudhir
 Gore, Shrimati Mrinal
 Gulshan, Shri Dhanna Singh
 Halder, Shri Krishna Chandra
 Harikesh Bahadur, Shri
 Hukam Ram, Shri
 Jagjivan Ram, Shri
 Jain, Shri Kalyan
 Jethmalani, Shri Ram
 Joshi, Dr. Murli Manohar
 Kachwai, Shri Hukam Chand
 Kailash Prakash, Shri
 Kaldate, Dr. Bapu
 Kamath, Shri Hari Vishnu
 Kamble, Shri B. C.
 Kapoor, Shri L. L.
 Kar, Shri Sarat
 Khan, Shri Kunwar Mahmud Ali
 Kishore Lal, Shri
 Kisku, Shri Jadunath
 Krishan Kant, Shri
 Kureel, Shri Jwala Prasad
 Kureel, Shri R. L.
 Kushwaha, Shri Ram Nares
 Machhind, Shri Raghubir Singh
 Mahi Lal, Shri
 Mahishi, Dr. Sarojini
 Matti, Shrimati Abha
 Malhotra, Shri Vijay Kumar
 Malik, Shri Mukhtiar Singh

Mandal, Shri B. P.
 Mandal, Shri Dhanik Lal
 Mangal Deo, Shri
 Mankar, Shri Laxman Rao
 Manohar Lal, Shri
 Mathur, Shri Jagdish Prasad
 Meerza, Shri Syed Kazim Ali
 Mehta, Shri Ajit Kumar
 Mehta, Shri Prashantbhai
 Mhalgi, Shri R. K.
 Miri, Shri Govind Ram
 Mishra, Shri Janeshwar
 Mishra, Shri Shyamnandan
 Mukherjee, Shri Samar
 Munda, Shri Karfa
 Nathu Singh, Shri
 Nathani Ram, Shri
 Nathwani, Shri Narendra P.
 Nayak, Shri Laxmi Narain
 Nayer, Dr. Sushila
 Negi, Shri T. S.
 Onkar Singh, Shri
 Orson, Shri Lal
 Paraste, Shri Dalpat Singh
 Parmar, Shri Natwarlal B.
 Paswan, Shri Ram Vilas
 Patel, Shri H. M.
 Patel, K. M. Maniben Vallabhbhai
 Patidar, Shri Rameshwar
 Patil, Shri S. D.
 Patil, Shri U. S.
 Patwary, Shri H. L.
 Phirangi Prasad, Shri
 Pipili, Shri Mohan Lal
 Pradhan, Shri Pabitra Mohan
 Rai, Shri Narmada Prasad
 Raj Keshar Singh, Shri
 Rajda, Shri Ratansinh
 Rakesh, Shri R. N.
 Ram Dhan, Shri
 Ram Gopal Singh, Chaudhury
 Ram Kinkar, Shri

Ram Sagar, Shri
 Ramachandran, Shri P.
 Ramji Singh, Dr.
 Ramjiwan Singh, Shri
 Ramoowalia, Shri Balwant Singh
 Rangnekar, Shrimati Ahilya P.
 Rasheed Masood, Shri
 Rathor, Dr. Bhagwan Dass
 Rodrigues, Shri Rudolph
 Roy, Dr. Saradish
 Saeed Murtaza, Shri
 Sahoo, Shri Alimhu
 Sai, Shri Larang
 Sai, Shri Narhari Prasad Sukhdeo
 Saini, Shri Manohar Lal
 Samantasinhera, Shri Padmacharan
 Saran, Shri Daulat Ram
 Sarda, Shri S. K.
 Satapathy, Shri Devendra
 Shah, Shri Surath Bahadur
 Shaiza, Shrimati Rano M.
 Shakya, Shri Daya Ram
 Shanti Devi, Shrimati
 Sharma, Shri Rajendra Kumar
 Sharma, Shri Yagya Datt
 Shastri, Shri Bhanu Kumar
 Shastri, Shri Y. P.
 Shejwalkar, Shri N. K.
 Sher Singh, Prof.
 Shrikrishna Singh, Shri
 Shukla, Shri Chimanbhai H.
 Shukla, Shri Madan Lal
 Sikander Bakht, Shri
 Sinha, Shri M. P.
 Sinha, Shri Satyendra Narayan
 Somani, Shri S. S.
 Sukhendra Singh, Shri
 Suman, Shri Ramji Lal
 Suman, Shri Surendra Jha
 Suraj Bhan, Shri
 Swamy, Dr. Subramaniam
 Tej Pratap Singh, Shri
 Thakre, Shri Kishorabhai

Tiwary, Shri D. N.
 Tiwary, Shri Ramanand
 Tripathi, Shri Madhav Prasad
 Tripathi, Shri Ram Prakash
 Tyagi, Shri Om Prakash
 Ugrasen, Shri
 Vajpayee, Shri Atal Bihari
 Varma, Shri Ravindra
 Verma, Shri Brij Lal
 Verma, Shri Chandradeo Prasad
 Verma, Shri Hargovind
 Yadav, Shri Jagdambal Prasad
 Yadav, Shri Ramjilal
 Yadav, Shri Roop Nath Singh
 Yadendra Dutt, Shri

MR. SPEAKER: Subject to correction, the result*** of the Division is:

AYES : 40

NOES : 172

The motion was negatived.

MR. SPEAKER: The question is:

"That the Bill to provide for the speedy trial of a certain class of offences, be taken into consideration."

The motion was adopted.

Clause 2—(Definitions)

MR. SPEAKER: We now take up clause-by-clause consideration of the Bill. Clause 2. Voting on the amendments will be tomorrow. Mr. A. K. Roy is not here. Now Shri Shankaranand.

SHRI B. SHANKARANAND: I beg to move:

Page 2,—

omit lines 18 and 19,—(93)

Page 2,—

for line 17, substitute—

"(a) 'offence' means any offence involved in or disclosed during the inquiry by the Commission of Inquiry appointed under the Commission of Inquiry Act, 1952. (117)

MR. SPEAKER: We will put all the amendments to the vote only tomorrow. You can speak on both the amendments.

SHRI B. SHANKARANAND: I have a very small amendment here. All my amendments will tend to show that I am not agreeing to give powers in the hands of the Government to make a declaration with respect to any offence as envisaged in the Preamble. The Bill is so shabbily drafted that certain clauses make references to the Preamble. I have not read any law under which any clause or section of a Bill or an Act can refer to something which is there in the Preamble. This is what they have said. I am opposing the very right of declaration and my further amendment will show that I am opposing them; and I have moved an amendment to withdraw that power from the Government. I have moved an amendment to sub-clause (b) of clause 2 which says:

" 'declaration,' in relation to an offence, means a declaration made under section 5 in respect of such offence;"

I have further given an amendment to remove clause 5 and for a new clause to be substituted in its place. That is why I say that since this right of de-

***The result of this Division applies to each of the amendments Nos. 33 and 102 separately.

The following Members also recorded their Votes:

AYES: Dr. Henry Austin and Shri A. R. Badri Narain.

NOES: Shri Shiv Ram Rai, Shri Sachindralal Singha and Shri Syed

Ram Murti, Prof. Samar Guha, Shri Liaquat Hussain.

claration which is envisaged in this Bill is being opposed by me, I am asking that this be omitted. This is my amendment.

The second amendment is that in its place, I am inserting a new clause because the Bill speaks with reference to certain offences; but there is no definition in this Bill. I do not know whether the mover of this Bill has studied this Bill. The word 'offence' has not been defined at all. Because they are particularly referring to certain periods, they have not defined the word 'offence'. Here, since I want to extend this Bill to offences involved in other Commissions of Inquiry, I have given a definition of 'offence' and that is termed as sub-clause (b) of clause 2. My amendment says:

" 'offence' means any offence involved in or disclosed during the inquiry by the Commission of Inquiry appointed under the Commissions of Inquiry Act, 1952."

Why I say 'disclosed during the inquiry by the Commission' is this. Many offences have been sought to be disclosed in the inquiry by creating false evidence, perjury and what not, by the investigating officers. Who will deal with these offences? They have committed offences during the inquiry of these cases. If the offences are in relation to such persons, then the persons who have created evidence to book these persons should also be tried. That is why I say my amendment is this: "Offence means any offence involved in or disclosed during the inquiry by the Commission of Inquiry appointed under the Commissions of Inquiry Act, 1952." These are very simple amendments. I think the Home Minister will not find any difficulty in accepting these amendments.

MR. SPEAKER: Mr. Lakkappa, you have moved an amendment No. 57.

New Clause 2A

SHRI K. LAKKAPPA: I beg to move:

Page 2,—

after line 23, insert—

"2A. No person or group of persons shall be prosecuted under this Act, if such person or group of persons was holding an office in Government when the Emergency was approved by Parliament unless their actions were *prima facie mala-fide*." (57).

My amendment is very simple. I have taken this issue at the highest level. The entire objects and reasons narrated here belong to declaration of emergency under Art. 352 of the Constitution of India. It provides if there is any mutiny, if there is any revolt, if there is any invasion or erosion of a parliamentary democratic system by any group of people because at that time the J.P. movement had led the nation into catastrophe and also certain violent activities were let loose by the groups of RSS and Jan Sangh. There are Members of Parliament who were also Members when this Constitutional amendment was made. We were all party to this. It was an act of Parliament. Of course, they have brought out excesses of emergency. This is a very vague term.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): I am on a point of order. Has Mr. Balbir Singh joined the Treasury Benches, we would like to have this clarification?

SHRI K. LAKKAPPA: As far as these excesses of emergency are concerned, here we have been advocating that these are confining to the political parties. The previous government was duly elected and exercised its power. But in such matters, you want to circumvent not only the rule of law and the Constitution and the ordinary rule of procedure but also you want to bring a Special Courts Bill. In the objects and reasons, they have stated that a lot of cases are pending in the courts. The reasons do not pertain to the provisions and the preamble of this Bill. They are not fitting to the objects and reasons of this Bill. There-

[Shri K. Lakkappa]

fore, it is very necessary that the hon. Home Minister should apply his mind, if any he has got. The only thing is that you exercise due care and caution. Now I would like to bring another important. . .

MR. SPEAKER: You are only speaking on your amendment. You seem to be speaking on something else.

SHRI K. LAKKAPPA: This is very important.

MR. SPEAKER: Otherwise, you won't speak I know.

SHRI K. LAKKAPPA: It is therefore necessary to speak about the ordinary criminal courts because of congestion and other reasons.

MR. SPEAKER: That is not the point. Now you want to delay it.

SHRI K. LAKKAPPA: I would not delay it, because this law which they have drafted is not perfect.

MR. SPEAKER: That is not the point. We are on the amendment.

SHRI K. LAKKAPPA: As far as this congestion is concerned, there are 1200 pending cases and Rs. 980.90 crores of gross revenue, blackmarket, hoarders and all that. We have no mind to bring any legislation for such people as a special law. There are the hoarders; they cannot hold the nation to ransom by taking advantage of the provisions and filing cases. Is there any law for them?

Therefore there should be consultation with Parliament. I think it is necessary that on this issue there should be consultation with Parliament. Because it was under an Act of Parliament that Emergency was done. Emergency excesses may have been done by some people; it is not exactly the people who were ruling the country. Suppose some officers have committed offence. But you want to indict a person who was legally, constitutionally elected as a leader. . .

Clause 3—(Establishment of Special Courts)

MR. SPEAKER: Is Mr. Shankaranand moving his amendment?

SHRI K. LAKKAPPA: Therefore I want the Law Minister to agree with my amendment.

MR. SPEAKER: Mr. Roy is not here. Mr. Shankaranand is moving amendment No. 38 also?

SHRI M. KALYANASUNDARAM: My amendment No. is 58.

SHRI B. SHANKARANAND: I have 94 and 95 also.

SHRI K. LAKKAPPA: I beg to move.

Page 2, line 29,—

add at the end—

"and in consultation with Parliament and the person or group of persons concerned in the case."

(34)

SHRI M. KALYANASUNDARAM: I beg to move:

Page 2, line 28,—

omit "the Central Government with the concurrence of" (52)

In clause 3, sub clause 2, provision is made for the appointment of the judge. In the opinion given by the Judges it has been brought out that the power of selecting the judge should not be in the hands of the executive. They have taken objection even to the appointment of a retired judge. Now it is limited only to a sitting Judge of the High Court. I appreciate the view of the government that the special court must be raised to the level of the High Court for the purpose of the trial; so far as it goes, it is welcome. But why should take the choice of the judge in their hands? It can be left to the Supreme Court; the Chief Justice can nominate a Judge out of the sitting judges in all the High Courts.

SHRI HARI VISHNU KAMATH:
Concurrence is there.

SHRI M. KALYANASUNDARAM:
It implies that the proposal will come from the government, that is the Home Ministry or the Law Ministry or both together. Why should they make the proposal and get the concurrence; the Chief Justice will be put to embarrassment. So the Chief Justice must himself be asked to name the Judge from the sitting judges. If my amendment is accepted it will read: The special court shall consist of a sitting Judge of a High Court nominated by the Chief Justice of India. Government need not take any objection. They can leave it to the Chief Justice.

MR. SPEAKER: Shri Shankaranand. You are moving No. 38 also?

SHRI B. SHANKARANAND: No. 38 and also Nos. 94 and 95. I beg to move:

Page 2,—

after line 29, insert—

"Provided that no Judge shall be nominated if he was a member of a political party before his appointment as a Judge and he has put in less than 5 years of service as a Judge of a High Court and he is aggrieved on account of Emergency directly or indirectly". (38)

Page 2, lines 25 and 26,—

for "an adequate number of courts to be called Special Courts".

substitute "additional courts to try persons involved in the various enquiries by the Commissions of Inquiry appointed under the Commissions of Inquiry Act, 1952; and such courts shall be called Special Courts." (94).

Page 2, omit lines 28 and 29 (95).

SHRI R. VENKATARAMAN (Madras South): I beg to move:

Page 2, line 24,—

for "shall" substitute "may" (103).

SHRI B. SHANKARANAND: I beg speak tomorrow.

SHRI B. SHANKARANAND: I beg to move:

Page 2,—

for lines 28 and 29, substitute—

"nominated by the President of India in consultation with the Chief Justice of India, the Chairman of the Council of States, the Speaker of the House of the People and the Prime Minister:

Provided that the Chairman of the Council of States and the Speaker of the Lok Sabha shall consult in the matter, the leaders of opposition and other recognised parties and groups in the opposition in their respective Houses." (118).

SHRI SAUGATA ROY (Barrack-pore): I beg to move:

Page 2, line 27,—

after "High Court" insert—

"or Supreme Court" (124).

Page 2, line 28,—

for "nominated by the Central Government with the concurrence of"

substitute "to be appointed on the advice of" (125)

MR. SPEAKER: Amendment No. 126 does not arise; it is already covered. We go to clause 4. Shri A. K. Roy and Dr. Ramji Singh are not there; their amendments are not moved.

Clause 4—(Cognizance of cases by Special Courts)

SHRIMATI PARVATHI KRISHNAN: I beg to move:

[Shrimati Parvathi Krishnan]

Page 2,—

after line 31, insert

"Provided that no offence which may attract capital punishment shall be referred to such Special Court." (66).

SHRI SAUGATA ROY: I beg to move:

Page 2,—

after line 31, insert—

"Provided that no offence possibly attracting capital punishment be referred to such Special Court." (72).

SHRI O. V. ALAGESAN: I am not moving 113.

Clause 5—(Declaration by Central Government of cases to be dealt with under this Act)

MR. SPEAKER: Clause 5. Shri Narasimha Reddy. He is there.

SHRI G. NARASIMHA REDDY: (Adilabad): I beg to move:

Page 2, line 35,—

after "held" insert—

"or may hold" (8).

MR. SPEAKER: Shri A. K. Roy is not there. Amendment Nos. 35 and 36. Are these moved? Is Mr. Lakkappa moving these amendments?

SHRI K. LAKKAPPA: I beg to move:

Page 2, line 39,—

add at the end—

"provided the Central Government shall take the opinion of both the Houses of Parliament and the

concerned accused persons before making such declaration." (36).

Page 2,—

omit line 40. (36).

SHRI B. SHANKARANAND: I beg to move:

Page 2,—

for clause 5, substitute—

'5. (1) If the Central Government or the State Government, as the case may be, is of the opinion that there is a *prima facie* evidence of the commission of an offence committed during the period of Emergency as per the report of a Commission of Inquiry appointed under the Commission of Inquiry Act, 1952, the matter shall be referred to a Special Court.

(2) On receipt of a reference the Special Court shall hear the parties concerned as per the provisions of the Code of Criminal Procedure 1972." (39).

SHRIMATI PARVATHI KRISHNAN: I beg to move:

Page 2, line 34,—

omit "during the period mentioned in the preamble hereto". (67).

SHRI R. VENKATARAMAN: I beg to move:

Page 2, line 32,—

for "of opinion" substitute "satisfied" (105).

Page 2, lines 38 and 39,—

omit "in which it is of the aforesaid opinion". (106).

Page 2, lines 35 and 36,—

omit "in accordance with the guidelines contained in the preamble hereto". (112).

MR. SPEAKER: Amendment No. 107 is the same as Amendment No. 35 and 111 is the same as Amendment No. 37.

Clause 6—(Effect of declaration).

SHRI B. SHANKARANAND: I beg to move:

Page 2, line 41,—

omit "On such declaration being made in respect of any offence," (40).

Page 2, lines 43 and 44,—

omit "designated by the Central Government". (41).

Page 2, lines 45 and 46,—

omit "designated by the Central Government" (42).

MR. SPEAKER: Amendment No. 79 is the same as Amendment No. 40.

SHRI B. C. KAMBLE (Bombay South-Central): I beg to move:

Page 2, line 43,—

for "only in a Special Court" substitute—

"in a Special Court only" (80).

SHRI O. V. ALAGESAN: I beg to move:

Page 2, lines 44 to 46,—

omit "and any prosecution in respect of such offence pending in any court shall stand transferred to a Special Court designated by the Central Government". (114).

SHRIMATI PARVATHI KRISHNAN: Tomorrow some members may say that these amendments were taken after six O'clock.

SHRI R. VENKATARAMAN: Key may be circulated to the Members.

MR. SPEAKER: The key may be circulated.

18.05. hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, March 2, 1979/Phalgun 11, 1900 (Saka).