

Fourth Series, No.61

Thursday, May 15, 1969
Vaisakha 25, 1891 (Saka)

LOK SABHA DEBATES

**Seventh Session
(Fourth Lok Sabha)**



सत्यमेव जयते

LOK SABHA SECRETARIAT
New Delhi

C O N T E N T S

(Fourth Series, Vol. XXIX—7th Session)

No. 61. Thursday, May, 15, 1969/Vaisakha 25, 1891 (Saka)

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LOK SABHA

Thursday, May 15, 1969/Vaisakha 25,
1891 (Saka)

*The Lok Sabha met at Eleven
of the Clock.*

[MR. SPEAKER in the Chair]

MEMBER SWORN

1. SHRI V. K. KRISHNA MENON—
(Midnapore)

ORAL ANSWERS TO QUESTIONS

दिल्ली में गो-हत्या तथा गोमांस के
प्रयोग पर प्रतिबन्ध

+

*1711. श्री श्रीगोपाल साबू :

श्री ओंकार सिंह :

श्री बंश नारायण सिंह :

श्री जि० ब० सिंह :

श्री शारदानन्द :

क्या खाद्य तथा कृषि मंत्री यह बताने की
कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली महानगर
परिषद् ने अपने द्वारा एक पारित संकल्प भेजा
है जिसमें दिल्ली भर में गो-हत्या पर पूर्ण प्रति-
बन्ध लगाने की मांग की है ;

(ख) संकल्प किस तारीख को भेजा गया
था और उस पर क्या कार्यवाही की गई है ;

(ग) क्या सरकार दिल्ली में गो-मांस के
उपयोग पर पूर्ण प्रतिबन्ध लगायेगी ; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

THE MINISTER OF STATE IN THE
MINISTRY OF FOOD, AGRICULTURE,

COMMUNITY DEVELOPMENT AND
COOPERATION (SHRI ANNASAHIB
SHINDE) : (a) to (d). A statement giving
the requisite information is laid on the Table
of the Sabha.

Statement

(a) to (d). Yes, Sir. The Delhi Ad-
ministration forwarded to the Government
of India on the 16th December, 1967 the
Delhi Cow Protection Bill, 1967 passed by
the Metropolitan Council in its Sitting held
on 14th November, 1967. This Bill sought
to prohibit in the Union Territory of Delhi,
the slaughter of cow, including bulls and
bullocks of any age, even after they cease to
be capable of yielding milk or of breeding
or working as draught animals. While for-
warding the draft Bill, the Delhi Administra-
tion referred to the judgement of the Supreme
Court in the case of Mohammed Haneef
Quereshi and others vs. State of Bihar (1959)
and recommended that the Constitution
should be amended to provide for total ban
on cow slaughter. The proposed restriction
would be unconstitutional. Total prohibi-
tion on the use of "beef" as defined in the
Delhi Cow Protection Bill, amounting to
imposition of undue restrictions would be
ultra vires of Article 19 (1)(g) of the Con-
stitution. It was decided by Central Govt.
that the recommendation of Delhi Adminis-
tration should be considered after receipt of
the report of the Committee on Cow Protec-
tion, which was examining the question of
cow protection in all its aspects.

श्री श्रीगोपाल साबू : अध्यक्ष महोदय, यह
सभापटल पर जो आप ने रखा उस में यह कहा
गया है कि दिल्ली प्रशासन की इस सिफारिश
पर गोरक्षा समिति की रिपोर्ट प्राप्त होने के
पश्चात् विचार किया जायगा। मैं माननीय
मंत्री जी से पूछना चाहता हूँ कि गोरक्षा समिति
के अनेक व्यक्तियों ने त्यागपत्र दे दिया है, उस
का काम अत्यन्त धीमी गति से चल रहा है तो
क्या उसकी रिपोर्ट की प्रतीक्षा न करके दिल्ली
प्रशासन की सिफारिशों को तुरन्त स्वीकार कर

लेंगे और गोमांस पर पूर्ण प्रतिबन्ध लागू करने का कष्ट करेंगे ?

SHRI ANNASAHIB SHINDE: The Cow Protection Committee is still there. We would very much desire that the member who had withdrawn from it should return and co-operate and see that the report of the committee is finalised as early as possible.

श्री श्रीगोपाल साहू : उन्होंने सुझाव क्या दिये हैं ? जो इस्तीफा दिये हैं उनको इस्तीफा वापस लेने के लिए आप ने कुछ सुझाव दिये हैं क्या ?

SHRI ANNASAHIB SHINDE : We have made an appeal to the Committee. On the floor of the House also I would appeal to them to co-operate in this matter.

श्री शारदानन्द : अध्यक्ष महोदय, आप जानते हैं कि राष्ट्रीय मेजर के जितने प्रश्न हैं उन को यह सरकार टालती रही है चाहे वह भाषा का प्रश्न हो, चाहे वह और कोई प्रश्न हो और चाहे वह गौबध बन्दी का प्रश्न हो। मैं सरकार से जानना चाहूँगा, अपने उत्तर में उन्होंने बताया है कि संविधान में कुछ संशोधन करना पड़ेगा तो मैं जानना चाहता हूँ इसमें क्या कठिनाई है जब कि अनेक बार आपने संविधान में संशोधन किए हैं, तो इस काम को लेकर संविधान में संशोधन करने में आप को क्या कठिनाई है ?

SHRI ANNASAHIB SHINDE : As is well known to this House, the Committee was appointed specifically to go into this problem and to examine all aspects of it. When the advice of the Committee is available, it would be possible for Government and the House to take a decision.

श्री रामगोपाल शालबाले : दिल्ली मेट्रो-पोलिटन कौंसिल ने सर्वसम्मति से जो प्रस्ताव करके आप के पास भेजा है उसे स्वीकार करने में आपको क्या कठिनाई है ? अपने 25-5-66 के पत्र में श्री जगजीवन राम ने विश्वास दिलाया

था कि समिति सर्वदलीय गोरक्षा महामिशन समिति के तथा अन्यो के सुझावों के अनुसार गोवंश की रक्षा पर पूर्ण प्रतिबन्ध लगाने के सम्बन्ध में विचार करेगी और दूसरे तथ्यों पर अर्थात् संवैधानिक, कानूनी आर्थिक...इत्यादि, तो मैं यह जानना चाहता हूँ कि जब तक पूर्ण प्रतिबन्ध लगाने का आश्वासन श्री जगजीवन राम ने दिया था और यह भी कहा बार-बार कि यह विषय प्रान्तों का है तो दिल्ली मेट्रो-पोलिटन कौंसिल ने जब यह प्रस्ताव पारित करके भेज दिया तो सरकार के रास्ते में कौन सी रुकावट है ? यदि संविधान में कोई संशोधन करना भी अभिप्रेत है तो मैं जानना चाहता हूँ जगजीवन राम जी से क्या वह उसमें संशोधन करने के लिए तैयार होंगे जिस से यह रास्ता साफ हो जाय ?

SHRI ANNASAHIB SHINDE : It is of course true that it is a State subject. But I have already answered the point covered by the hon. member.

श्री रामगोपाल शालबाले : राज्य के पास कर दिया तो क्या रुकावट आपके रास्ते में है और समिति के तीन सदस्यों ने त्यागपत्र दे दिया है, 27 व्यक्तियों ने गवाही देने से इनकार कर दिया है, मैं जानना चाहता हूँ, आप ने विश्वासघात किया है लोगों के साथ, उस समय आन्दोलन को बन्द करवाया, अनशन को बन्द करवाया, आज टाल मटोल क्यों कर रहे हैं ? सीधा जवाब मैं चाहता हूँ।

स्वास्थ्य तथा कृषि मंत्री (श्री जगजीवन राम) : मैं सीधा जवाब दे रहा हूँ। विश्वासघात की शैली आपकी होगी। मैंने जो कुछ कहा है अभी भी उस पर बरकरार हूँ। इस्तीफा किसी ने नहीं दिया है, गोरक्षा समिति से विदवा किया है और जैसा अभी बताया गया, मैंने पत्र लिखा है उन के पास, उन से अनुरोध किया है, अपील की है कि यह एक गंभीर विषय है, राष्ट्रीय महत्व का है, इस समिति के साथ सहयोग दें।

उसकी रिपोर्ट आनी चाहिये और आ जाने के बाद उस पर विचार कर के जो मुनासिब कार्य-वाही है वह की जायगी।

श्री रामगोपाल शालबाले : उनकी आपत्ति क्या है ? वह निकले क्यों हैं वहां से ?

DR. RANEN SEN : In 1953, there was an agitation in West Bengal by interested people to get a ban on cow-slaughter imposed in that State. In those days, Dr. B. C. Roy was the Chief Minister. He made a statement in the State Assembly that in that State cow-slaughter would not be banned. Have some other State Governments also written to the Centre to this effect ? If so, why are Government so much keen on imposing a ban on cow-slaughter in different States ?

SHRI ANNASAHIB SHINDE : There are a few other States who have taken the position that they do not agree to the proposition of a ban on cow-slaughter. As far as this problem is concerned, it is well known to the House that this has come up on the floor of the House also in the past. That was why Government thought it proper to appoint a very high level Committee presided over by an ex-Chief Justice of the Supreme Court. Since the Committee is examining the issue, it will not be proper for me to say anything in the matter now.

SHRI MANUBHAI PATEL : What is the attitude of the UF Governments to this issue ? Have they conveyed their opinion. and if so, what ?

SHRI ANNASAHIB SHINDE : Yes, the Governments of West Bengal and Kerala have very specially written to us that they do not agree to the proposition of a ban on cow-slaughter.

SHRI S. KANDAPPAN : This question pertains to the metropolitan city of Delhi. Will Government advise the Delhi Administration that the capital city of India should remain a cosmopolitan city and nothing will be done to tarnish that image or put difficulties in the way of those of our citizens who are habituated to

eat beef or anything they like. If I want to eat beef and if anybody were to say on that account that I am not a Hindu, I do not mind it, but if I like to eat beef, I must be allowed to.

Secondly, will Government be prepared to help those States who do not propose to have a ban on cow-slaughter with modern slaughter houses ?

SHRI ANNASAHIB SHINDE : I would convey the views of the hon. member to the Committee which is considering the issue.

SHRI HEM BARUA : In view of the fact that one-third of India's population eat beef and also in view of the fact that we propose to encourage tourism in this country, for what specific reasons are Government contemplating banning beef-eating ? Would that not be tantamount to an encroachment on the democratic right of individuals ? Also, can Government cite any instance or any *Hindu shastra* or religious injunction against beef eating ? (Interruptions) If they cannot, are going to appoint a Committee of Idologists and religious men to go into this matter ?

SHRI ANNASAHIB SHINDE : The constitutional position on this issue is fairly well-known. The Supreme Court had gone into this problem and come to the conclusion the total prohibition of cow-slaughter would amount to imposing undue restrictions on Citizens to practise any profession, trade or business, a right guaranteed to them by art. 19(1)(g).

+

वीर सावरकर की स्मृति में डाक-
टिकट का जारी करना

*1712. श्री ओमप्रकाश त्यागी :
श्री नारायण स्वरूप शर्मा :
श्री रामस्वरूप विद्याधी :

क्या सूचना तथा प्रसारण और संचार मंत्री
यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने स्वातन्त्र्य वीर सावरकर की स्मृति में एक डाक-टिकट जारी करने का निर्णय किया है ;

(ख) यदि हां, तो ऐसा टिकट जारी करने में कितना समय लगने की सम्भावना है ; और

(ग) यदि उनका नाम सूची में शामिल नहीं किया गया है, तो इसके क्या कारण हैं ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य-मंत्री (श्री शेर सिंह) : (क) से (ग). इस प्रस्ताव पर अगले वर्ष विचार किया जाएगा।

श्री ओम प्रकाश त्यागी : अध्यक्ष महोदय, मैंने कल भी आप से यह प्रार्थना की थी कि गवर्नमेंट का हर मिनिस्टर यह जवाब देता है कि विचार किया जायेगा। मैं, अध्यक्ष महोदय, एक बात की ओर संकेत करना चाहता हूँ कि भारत वर्ष में जितने भी देश भक्त हुए हैं, यदि उनकी देशभक्ति का मापदण्ड निकाला जाय तो सावरकर जी की देशभक्ति और त्याग किसी से भी कम नहीं मिलेगी और मैं यह भी कहने के लिये तैयार हूँ कि जितना त्याग और देशभक्ति उन्होंने प्रदर्शित की है, उतनी शायद किसी ने नहीं की है, परन्तु भारत सरकार ने जितना उनकी देशभक्ति और त्याग का अपमान किया है, उतना किसी का नहीं किया है। मैं सरकार से जानना चाहता हूँ कि जब आपने डाक-टिकटों के लिये नामों की सूची तैयार की, तो उसमें सावरकर जी का नाम अब तक क्यों नहीं आया और अब तक उनके नाम का टिकट क्यों प्रकाशित नहीं किया गया—इसके कारण क्या हैं ?

श्री शेर सिंह : फिलेटलिक एडवाइजरी कमेटी इस बात का फैसला करती है कि किन-किन के कमेमोरेटिव डाक-टिकट जारी किये जायें। यह प्रस्ताव भी उस एडवाइजरी कमेटी में आता रहा है लेकिन इन के सम्बन्ध में अभी

फैसला नहीं हुआ है। इसीलिये मैंने निवेदन किया है कि इस साल जिनके नामों के डाक-टिकट निकाले जाने हैं, उनका फैसला हो चुका है, इस लिये 1970 में इनके लिये जरूर विचार करेंगे।

श्री ओम प्रकाश त्यागी : मैं कारण जानना चाहता हूँ। जब भारतवर्ष में उनका त्याग, उन की देश भक्ति सर्वोपरि है तो ऐसे आदमी का नाम क्यों नहीं आया, सरकार ने इसकी जांच क्यों नहीं की ?

श्री शेर सिंह : मैंने निवेदन किया है कि एडवाइजरी कमेटी में यह मामला पेश हुआ था, लेकिन एडवाइजरी कमेटी ने फैसला नहीं किया है कि इनके नाम पर टिकट निकाला जाय।...

श्री कंवरलाल गुप्त : उन्होंने कारण क्या दिये हैं उस एडवाइजरी कमेटी ने क्या खास कारण दिए हैं जिसकी वजह से उनका नाम नहीं आया ? कोई स्टैंडर्ड होना चाहिये जिसके आधार पर उन्होंने निर्णय दिये हैं।

सूचना तथा प्रसारण और संचार मंत्री (श्री सत्य नारायण सिंह) : साधारणतया 100 वर्ष जिनके हो जाते हैं, उनके नाम के कमेमोरेटिव स्टाम्प्स निकाले जाते हैं।.....

श्री कंवरलाल गुप्त : ऐसा नहीं है, मैं चेलेंज करने को तैयार हूँ।

श्री ओम प्रकाश त्यागी : अध्यक्ष महोदय, ये बिल्कुल गलत बोल रहे हैं।

श्री सत्य नारायण सिंह : लेकिन इसके अपवाद भी हैं। जहां तक सावरकर जी की देश भक्ति और त्याग का सम्बन्ध है, इसमें दो रायें नहीं हैं। अगले वर्ष में उन के नाम का निकाल दिया जायगा।

श्री ओम प्रकाश त्यागी : क्या सरकार को इस बात की जानकारी है कि सर्वत्र यह धारणा

बन चुकी है कि सरकार उन व्यक्तियों के प्रति जिनका अहिंसा में विश्वास नहीं है या जिन्होंने कांग्रेस से मन्त्रेद रखा अर्थात् क्रान्तिकारी—जिनका हिंसा और सशस्त्र क्रान्ति में विश्वास था, उनके प्रति यह सरकार पक्षपात कर रही है? मैं जानना चाहता हूँ कि भारतवर्ष के उन क्रान्तिकारियों में से जिन्होंने सशस्त्र क्रान्ति कर के भारतवर्ष को आजाद करने की चेष्टा की, कितने आदमियों के डाक-टिकट निकालने के लिए आपने अपनी सूची में नाम पेश किये हैं?

श्री सत्य नारायण सिंह : लिस्ट तो इस समय नहीं दे सकता हूँ, लेकिन उस में भगतसिंह का नाम है, सुभाष चन्द्र बोस का नाम है।

श्री रामस्वरूप बिद्यार्थी : मैं मंत्री महोदय से जानना चाहता हूँ कि डाक-टिकट निकालने का क्राइटेरिया क्या है, किन व्यक्तियों के डाक-टिकट निकाले जा सकते हैं? क्या यह सत्य नहीं है कि हिन्दुस्तान का सबसे पहले और वाहिद व्यक्ति वीर सावरकर है, जिनकी किताबें छपने से पहले ही बैन हो गई और वह ही पहले व्यक्ति थे जिन्होंने 1857 के गदर को भारतवर्ष की आजादी की लड़ाई का रूप दिया? ऐसे व्यक्ति जिन को दो-बार जन्म कैद की सजा हुई—यदि ऐसे व्यक्ति का डाक-टिकट नहीं निकाल सकते तो ऐसे कौन से सिद्धान्त हैं, जिनके तहत आप डाक टिकट निकालते हैं?

श्री शेर सिंह : इसके लिए कुछ क्राइटेरियन हैं, लेकिन अपवाद भी होते हैं। मुख्यतया चार बड़े क्राइटेरियन हैं—

“(1) No proposal for the issue of commemorative stamps shall ordinarily be entertained unless 18 months' notice is given except in cash or special emergency.

(2) No commemorative stamps shall ordinarily be issued for honouring an individual unless the occasion is the 100th anniversary, birth or death. Commemorative stamps may also be issued on the first or the 10th death anniversary.

(3) No commemorative stamps shall ordinarily be issued celebrating any event unless the occasion is the 50th year or centenary. Events of international character only should be considered for the issue of special stamps. Others should be commemorated by the issue of special cancellations only.

(4) Out of the 12 issues or more involving not more than 20 stamps and recommended by the Philatolic Advisory Committee to be brought out in a year, not more than four stamps should be commemoratives of personalities.”

श्री रामस्वरूप बिद्यार्थी : अध्यक्ष महोदय, मेरे सवाल का जवाब नहीं आया। क्राइटेरियन तो इन्होंने बतलाये, लेकिन इस में ऐसी कौन सी चीज लिखी हुई है, जिसके कारण उनका नाम अभी तक नहीं आया?

MR. SPEAKER : He has been read it already. MR. VENKATASUBBAIAH.

SHRI P. VENKATASUBBAIAH : I would like to know whether the Government will seriously consider the question of going into this aspect in all its comprehensiveness and see that the people who really fought for freedom, names to conjure with, like Veer Savarkar and others, are honoured. Otherwise, bureaucratising the entire system and fixing such criteria are not in tune with our freedom movement. I want to know whether the Government will consider the whole matter afresh and see that really the people who gave their lives and fought for the freedom of the country will be taken into account, and not go by this sort of criterion as completion of 100 years, this and that. Let there be a rational and realistic outlook of the entire thing and let them see that our national leaders are respected.

SHRI SATYA NARAYAN SINHA : Commemorative stamps honouring our leaders in a very large number have already been issued. Fortunately for our country, the number of patriots and others are very large. (Interruptions) The Government will certainly consider the suggestion made by the hon. Member.

श्री जगन्नाथ राव जोशी : अध्यक्ष महोदय, मुझे खुशी है कि अभी मंत्री जी ने स्वीकार किया है कि 1970 में विचार किया जायगा...

श्री कंवरलाल गुप्त : उन्होंने मान लिया है।

श्री जगन्नाथ राव जोशी : लेकिन मुझे इस बात आप के ध्यान में लानी है इस बारे में जो लिखा पढ़ी हुई थी, जो पत्र मंत्री महोदय को लिखा गया था उसका जवाब 14 अप्रैल, 1967 को आया था, जिसमें यह लिखा गया था—

"I am directed to refer to your letter dated 20th March, 1967 addressed to the Minister of Communications, Government of India, regarding the issue of postage stamps in memory of the late V. D. Savarkar and to state that the proposal was considered by the Philately Advisory Committee. It would not be accommodated during the year 1967 due to the inadequate printing capacity of the Security Press, Nasik."

यानी ये दो कारण दिये गये हैं—

"And also due to the shortage of imported adhesive paper. The proposal however, will be placed again before the Philately Advisory Committee for its consideration when it will make the proposal for the issue of special postage stamps for the year 1968."

अब मंत्री जी ने 1970 में करने का आश्वासन दिया है, मैं समझता हूँ कि वह आश्वासन पर टढ़ रहेंगे।

श्री सत्य नारायण सिंह : जरूर टढ़ रहेंगे।

श्री चन्द्रिका प्रसाद : मंत्री महोदय ने वीर सावरकर के सम्बन्ध में तो मान लिया है लेकिन व्यापक दृष्टिकोण से देशभक्तों के नाम पर टिकट निकाले जाने चाहिये। सौ वर्ष हो गए हैं लेकिन शहीद मंगल पाण्डे और कुंवर सिंह के नाम पर अभी तक टिकट नहीं निकाले गए तो क्या उन

के नाम पर भी सरकार टिकट निकालने के सम्बन्ध में विचार करेगी ?

श्री शेर सिंह : कुंवर सिंह के सम्बन्ध में तो निकल चुका है।

श्री क्षारसखे राय : मैं एक बात का जवाब चाहता हूँ। देश की शासन सत्ता कांग्रेस के हाथ में है और कांग्रेस के भंडे के नीचे अहिंसात्मक शान्तिपूर्ण तरीके से जिन लोगों ने आन्दोलन किया है उनके प्रति तो सम्मान प्रदर्शित किया गया है—यद्यपि उसमें भी शिकायत है लेकिन कम है। परन्तु जिन लोगों ने हथियार बंद क्रांति के जरिये से देश को आजाद करने का प्रयास किया 1957 से लेकर सन 1942 के जन विद्रोह तक, उसमें जो मुख्य-मुख्य मोड़ के अवसर रहे हैं और उनके जो प्रमुख व्यक्ति रहे हैं, टनिंग प्वाइंट की जो मेन फीसिंग रहे हैं जैसे बहादुरशाह ज़फर, नाना साहब पेशवा, तात्या टोपे, रानी भांसी लक्ष्मीबाई, अजीगुल्ला खां, देवी मैना, चापेकर बन्धु, खुदीराम बोस, रासबिहारी बोस, यतीन्द्र मुकर्जी, कतूरसिंह पिंगल, भगत सिंह, चन्द्र शेखर आजाद, मतीन्द्रनाथ दास, अशफ-कुल्ला, उधम सिंह, राम प्रसाद बिसमिल्ल, बगैरह, क्या उसके प्रति भी सम्मान प्रदर्शित करने के लिये उसी तरह का व्यवहार किया जायेगा जैसे कि अब तक अन्य अहिंसावादियों के प्रति किया गया है ?

श्री सत्य नारायण सिंह : जैसे कि मैंने अभी एक प्रश्न का उत्तर देते हुए बताया, ऐसे लोगों के सम्बन्ध में भी विचार किया जायेगा, लेकिन एक बात समझ में आनी चाहिए कि एक साल में इतनी संख्या निकल नहीं सकती है।

Sale price of Foodgrains

1713. SHRI BEDABRATA BARUA :
SHRI K. M. KOUSIK :

Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether foodgrains harvested last winter were selling in many parts of India at less than the procurement prices, due to the failure of the procurement agencies and the Food Corporation of India to purchase proffered foodgrains ; and

(b) if so, the steps being taken in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) Even though prices of some foodgrains especially *jowar* and *maize* were lower than procurement prices for short periods of time during the post-harvest season in some States, the prices of the foodgrains were generally above the level of procurement prices announced by the Government.

(b) The Food Corporation of India and other purchasing agencies of the State Governments have been in the market to purchase all quantities of foodgrains of fair average quality at procurement prices. Movement restrictions from major producing States were also relaxed in the case of coarse grains.

SHRI BEDABRATA BARUA : This problem arises whenever there is restriction on the movement of foodgrains. As a result of it, prices are knocked down. This involves the entire policy of the Government, because this is a disincentive to further production in agricultural sector. I think the main drawback is the lack of funds. May I know whether purchases were not made in certain cases because funds were not available or due to lack of godowns or lack of transport or due to all these reasons put together ?

SHRI ANNASAHIB SHINDE : He is a responsible member of the House. When he says that prices have gone down to an extent where the farmers have suffered, and that purchases could not be made as funds were not available is completely incorrect.

SHRI BEDABRATA BARUA : I want to know whether funds were not available for sometime with the procurement

agencies, because the interests of the small farmer is involved. The richer farmer can hold on to his stocks till prices rise and may become a speculator. It is the small farmer in whose interest this has to be done. May I know whether any special arrangement has been made to see that the small farmer is able to sell his produce at the quickest possible time after harvest, when he needs money for paying taxes and other dues ?

SHRI ANNASAHIB SHINDE : All the marketing arrangements are mainly intended to protect the interests of the small farmer. The bigger farmers are in a position to take care of their own interests. It is the small farmer who really requires protection. The Food Corporation and other purchasing agencies of the State Governments are purchasing foodgrains at procurement prices. They are taking adequate care of the small farmer. But ultimately the States also have to play their part. We are doing whatever is possible.

SHRI K. M. KUSHIK : In Maharashtra, the cooperatives are the procurement agents of Government. There are two drawbacks. One is, cooperatives have no gunny bags and weighment is delayed for two or three days. Secondly, they have no money and sometimes payment is delayed for 15 days. Taking advantage of these two factors, some middlemen have come up who tell the farmer, "If you want the weighment to be done and money to be paid immediately, you should sell it at Rs. 60", though the procurement price is Rs. 67. Those people purchase it at Rs. 60 and in their own name sell it to Government and get reimbursement at the rate of Rs. 67. May I know what steps the Government are going to take to see that the farmer gets the actual price fixed by Government ?

SHRI ANNASAHIB SHINDE : I will not say there may not be human failure here and there but, by and large, the procurement programme of Maharashtra is working very satisfactorily. The Maharashtra Government has gone into the details and they have evolved a very elaborate system of making quick payments to the farmers.

SHRI RANGA : Will the hon. Minister collect the information and pass it on to them ?

SHRI ANNASAHIB SHINDE : I am prepared to do that. Let the hon. Member pass on the information to me.

श्री नाथूराम अहिरवार : क्या मंत्री महोदय को इस बात की जानकारी है कि गेहूँ खरीद के लिए सरकार ने जो भाव तय किये हैं, मध्य प्रदेश में 75 रु० क्विंटल पर किसानों से गेहूँ खरीदा जा रहा है जबकि किसानों ने दो सौ रु० क्विंटल पर बीज खरीदा था और इसके कारण किसानों को बड़ी परेशानी हो रही है इसलिए क्या सरकार इह प्रकार के आदेश मध्य प्रदेश सरकार को देगी कि ऐसे भाव पर गेहूँ खरीदा जाये कि किसानों को नुकसान न हो ?

दूसरी बात यह है कि फूड कारपोरेशन द्वारा डायरेक्टली गेहूँ न खरीदकर अपेक्स बैंक के द्वारा खरीदा जा सकता है। किसान जब अपना गल्ला लेकर जाते हैं तो खाद और बीज का रुपया उस में से काट लिया जाता है लेकिन किसानों को जो और कीमत मिलनी होती है उसके लिए पर्बोजिंग मार्केटिंग सोसायटीज के पास पैसा नहीं होता है, इस प्रकार 15-15 और 20-20 महीने तक किसानों को पैसा नहीं दिया जाता है तो क्या सरकार इसके लिए कोई इन्तजाम कर रही है ?

SHRI ANNASAHIB SHINDE : As far as the general policy of purchase is concerned we have given instructions to the Food Corporation that wheat should be procured at the procurement price. If anywhere something has gone wrong let the hon. Member write to us. We will then look into the details and see that steps are taken to rectify the matter.

SHRI INDRAJIT GUPTA : Recently the Food Minister in West Bengal has declared that he is being compelled to raise the prices of rice and wheat product issued in the statutory rationed areas of Calcutta because the Central Government has either withdrawn or diminished the subsidy that was being given. I want to know whether this is a fact and, if so, may I know why, in view of the fact that the Central Govern-

ment's stock position is quite comfortable according to the Central Government and procurement in West Bengal also has been relatively good this year, this step has been taken which is causing unnecessary hardship to the people in Calcutta ?

SHRI ANNASAHIB SHINDE : Sir, I would seek your protection here. I have no objection if the general issue is being discussed, but this specific question relates to procurement prices of foodgrains harvested last winter.

MR. SPEAKER : If the hon. Minister has not got the information he may ask for notice.

THE MINISTER OF FOOD AND AGRICULTURE (SHRI JAGJIWAN RAM) : Sir, it is not a question of asking for notice ; it is a question where the supplementary put does not arise out of the main question.

SHRI INDRAJIT GUPTA : It does arise.

SHRI JAGJIWAN RAM : The hon. Member is asking a question about the issue price of wheat and rice whereas here the question is about procurement prices and not the issue prices.

MR. SPEAKER : He may simply say that it does not arise and ask for notice.

SHRI NITIRAJ SINGH CHAUDHARY : Sir, during the last season cultivators of Madhya Pradesh ran with their guar crop to the market but found that there was no purchaser in the market. Those who were purchasing were not from The Food Corporation but private individuals who were purchasing it at Rs. 40 to Rs. 45 a quintal. May I know whether Government is aware of it and, if so, may I know whether they are going to make suitable arrangements for the next guar crop so that the cultivators get the real price fixed by Government ?

SHRI ANNASAHIB SHINDE : As far as Madhya Pradesh is concerned, for two months the prices were depressed. But at that time we had advised the Government of Madhya Pradesh that they should relax

the movement of coarse grains and *jowar*, but the Madhya Pradesh Government took quite some time to come to a decision.

श्री शिवचरण लाल : क्या मंत्री महोदय को ज्ञात है कि मोटा अनाज जैसे ज्वार, बाजरा, मक्का सरकारी खरीद के अतिरिक्त सरकारी दलाल और एजेंटों के द्वारा कम कीमत पर खरीदा गया जिसके कारण उत्तर प्रदेश के किसानों को बड़ा नुकसान उठाना पड़ा ? क्या मंत्री महोदय इस बात का आश्वासन देंगे कि उत्तर प्रदेश में इस प्रकार की गलत खरीद को बन्द किया जायेगा ताकि किसानों को नुकसान न होने पाये और उनको उचित भाव मिल सके ?

SHRI ANNASAHIB SHINDE : Now there is no restriction on the movement of coarse grains from Uttar Pradesh to other States. I wish the hon. Member takes up the matter with the State Government too and exercises his influence with the State Government to see that the market laws are implemented.

SHRI K. SURYANARAYANA : May I know whether the Government is aware that in Andhra Pradesh, particularly in Tadepalligudam of West Godavari district, a high-yielding variety of paddy is being grown in the rabi season for the last two or three years which is not locally consumed because it can be used only as boiled rice which is not popular there ? Because the Collector and the local government are not giving permission for the export of that rice, stocks are accumulating and nobody is coming forward to purchase stocks. Will the Government ask the Food Corporation to purchase that stock and export to other centres ?

SHRI ANNASAHIB SHINDE : We have given a general assurance that whatever farmers are prepared to offer, we are prepared to purchase at procurement prices, and the same assurance applies to Andhra Pradesh too.

SHRI S. KUNDU : It is an annual phenomenon that at the time of harvesting the prices of foodgrains fall in the rural

areas. Though it is claimed that the Food Corporation is procuring these foodgrains, what I have seen from a close angle is that the Food Corporation procures only from big traders and big farmers and does not penetrate into the rural side. If the Food Corporation is really to be effective, it should have its roots in the villages. It should set up agencies in the rural areas to purchase grains at the time of harvest when the prices are tending to fall. I would like to know whether the Food Corporation would be so oriented as to touch each village in the rural side.

SHRI ANNASAHIB SHINDE : It is unfortunate that such statements are being made. Only the other day, the Minister of Food and Agriculture stated that we are prepared to go to the extent of making direct purchases from the farmers. But it is done by the State Government. In the case of Punjab, recently a report came to our notice that the Punjab Government does not permit direct purchases from the farmers. I wish all State Governments co-operate with the Food Corporation and, as far as possible, direct contacts are established between the purchasing agencies and the farmers.

श्री प्रकाशवीर शास्त्री : क्या यह बात सही है कि जितना अनाज खाद्य निधम खरीदता है सरकार के पास उतने गोडाउन नहीं हैं और इसकी वजह से इसके रख रखाव का जो समुचित प्रबन्ध होना चाहिए था उतना नहीं हो पाता और कुछ अनाज उसकी वजह से खराब भी हो जाता है। तो इसके सम्बन्ध में क्या व्यवस्था की जा रही है। और दूसरी बात इसी से सम्बन्धित मैं यह पूछना चाहता हूँ कि पीछे खाद्य मंत्री ने एक साहसिक निर्णय लिया था खाद्यान्नों के जोन्स को बढ़ा करने या समाप्त करने का उसको क्यों स्थगित कर दिया गया।

SHRI ANNASAHIB SHINDE : As the hon. Member knows, only very recently, a month earlier, the wheat zone has been modified and practically the whole of northern India, excepting Assam and Orissa, have been made into one wheat zone. Prior to that too, steps were taken in the direction of relating restrictions on the movement of

both foodgrains and there has been considerable change in the position during the last one year. So far as storage facilities are concerned, all detailed arrangements have been made to see that storage facilities would be available for the grains which are likely to be procured by the Food Corporation.

श्री मीठा लाल मीना : खाद्य निगम में भ्रष्टाचार के मसले को कई दफा उठाया गया लेकिन कुछ परिणाम नहीं निकला और भ्रष्टाचार का प्रभाव कम करने के बजाय दिनों दिन बढ़ रहा है खाद्य निगम में होता क्या है कि किसानों से माल खाद्य निगम के एजेंट खरीदते हैं, माल इकट्ठा करते हैं और फिर खाद्य निगम को ऊंची कीमत पर बेच देते हैं। जो एजेंट नियुक्त किये जाते हैं वह लोग ऐसे हैं कि उनके पार्टनरों का या फर्मों का पता ही नहीं है, मतलब यह कि फ्रज्जी एजेंट होते हैं। होता यह है कि एक साल में भ्रष्टाचार करके फर्म को फेल कर देते हैं। दूसरी जो अच्छी पार्टियां होती हैं वे एजेंट बनना मंजूर नहीं करतीं क्योंकि आफिसर लोग नाजायज दबाव डालते हैं। राजस्थान में वहां के अधिकारी लोग जान बूझकर भ्रष्टाचार को दबा रहे हैं। तो क्या आप केन्द्र की तरफ से कुछ खास जांच कर रहे हैं जिससे कि उस भ्रष्टाचार को खत्म कर सकें। आपको मालूम है कि कितना भ्रष्टाचार हो रहा है तो उसके बारे में कोई विशेष कार्य कर रहे हैं जिससे भ्रष्टाचार खत्म हो ?

SHRI ANNASAHIB SHINDE : If any malpractices come to our notice, we would like to be very stringent in regard to them. If any such cases come to the notice of the hon. Member, I hope he would bring them to our notice. In fact, on a previous occasion I have explained the steps that are being taken in this direction.

SHRI S. S. KOTHARI : In certain Madhya Pradesh and U. P. mandis, while procurement was taking place certain officials insisted on taking an excess quantity of grain from the farmers because they were

keen to sell. I had also written to the hon. Minister about it. I wonder whether investigation was made and some action was taken. Would he kindly enlighten us about it ?

SHRI ANNASAHIB SHINDE : I require notice, Sir.

नैनीताल जिले में गूलर भोज गोसदन के विरुद्ध शिकायतें

*1714 श्री कंवरलाल गुप्त : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या नैनीताल जिले में गूलर भोज गोसदन के विरुद्ध सरकार को कोई शिकायतें प्राप्त हुई हैं ;

(ख) यदि हां, तो उसका व्यौरा क्या है और उस पर सरकार द्वारा क्या कार्यवाही की गई है ; और

(ग) सरकार द्वारा आगामी दो वर्षों में कितने नये गोसदन स्थापित किये जाने का विचार है और उन पर कितना व्यय किया जायेगा ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT & CO-OPERATION (SHRI ANNASAHIB SHINDE) : (a) to (c). A statement is laid on the Table of the Sabha. [Placed in Library. See No. LT-117/1'69].

श्री कंवरलाल गुप्त : अध्यक्ष महोदय, देश को भ्रनाज के मामले में अपने पैरों पर खड़ा करने के लिए सरकार ग्रीन रिवोल्यूशन कर रही है, उसके लिए आपने हार्ड वूड सीड पैदा किए, इरीगेशन का काम काफी तेजी से हो रहा है, खाद का इंतजाम भी बहुत अच्छी तरह से किया है जिसका परिणाम यह है कि खेती में काफी प्रगति हुई है। लेकिन एक चीज की जो कमी हुई है वह यह है कि अभी तक आपने ट्रैक्टर

पर जोर दिया लेकिन 90 प्रतिशत लोग किसानों में ऐसे हैं जो ट्रैक्टर इस्तेमाल नहीं करते क्योंकि छोटे-छोटे लोग हैं और बैलों का ही इस्तेमाल करते हैं खेती के लिए। तो मैं मंत्री जी से पूछना चाहता हूँ कि जो आप ने नस्ल बैलों और गायों की अच्छी करने के प्रयोग किए उस का उतना असर नहीं हुआ जितना श्रीरों में हुआ। तो क्या इस सम्बन्ध में सरकार कोई विशेष कदम उठाने जा रही है जिस से कि बैलों की और गायों की नस्ल अच्छी हो और खेती की तरक्की हो? क्या इसके लिए कोई कनेटी बँठायेगे और उसके लिए कोई कार्यवाही करेंगे?

SHRI ANNASAHIB SHINDE : Sir, I seek your protection. This has nothing to do with the Question put. I may read the Question :

"Whether Government have received certain complaints against the Geolabhoj Go-Sadan in Nainital District ; if so, the details thereof and the action taken by Government ; and the number of new Go-Sadans proposed to be set up."

Go-Sadans have to do with stray cattle and infirm and old cattle.

श्री कंवरलाल गुप्त : यह प्रश्न गायों के बारे में है तो मैंने बैलों के बारे में भी कह दिया क्योंकि उसका सिम्बल भी बैल का है। अगर नहीं बताना चाहते तो मैं दूसरा सवाल करता हूँ।

जो रिपोर्ट इस में है और मंत्री महोदय ने कहा, इस बारे में मैं यह कहना चाहता हूँ कि श्री राम गोपाल शालवाले जो मेम्बर पालियामेंट हैं वह उसको देखने गये उन्होंने रिपोर्ट दी। दिल्ली की मेट्रोपोलिटन काउन्सिल के एग्जीक्यूटिव काउन्सिलर और चेयरमैन स्टेन्डिंग कमेटी, कारपोरेशन में भी गये उन्होंने भी रिपोर्ट दी, और दोनों रिपोर्ट मिलती हैं। सरकार ने कहा कि उसने इनक्वायरी की और वह कहते हैं कि जो

भी उन्होंने कहा गलत है। तो मेरा पहला सवाल यह है कि सरकार ने जो जांच की वह इन्हीं अफसरों के द्वारा की गई है जो यह सब कुछ करते हैं और यह रिपोर्ट बिल्कुल गलत है जो सरकार की इनक्वायरी की रिपोर्ट है। तो मैं मंत्री जी से पूछना चाहूँगा कि क्या सरकार इस सम्बन्ध में दुबारा इनक्वायरी किसी बहुत सीनियर अधिकारी से करायेंगी ताकि वहाँ पर जो गायों की बुरी हालत है वह ठीक हो सके?

SHRI ANNASAHIB SHINDE : We are not going to have a second inquiry. We have now taken a decision that the entire running of Go-Sadans should be transferred to State Governments.

श्री कंवरलाल गुप्त : मैंने सवाल पूछा था कि अगले दो साल में केन्द्रीय सरकार कितने नये गोसदन खोलेगी। मंत्री महोदय ने जवाब दिया कि केन्द्रीय सरकार कोई गोसदन नहीं खोल रही है। राज्य सरकारों ने पांच साल में केवल आठ या नौ लाख रुपया रखा है नये गोसदन के लिए। जो पंचवर्षीय योजना है और जिस का आउट ले कई हजार करोड़ रु० हैं उस में गोसदन के लिए आप केवल 10 लाख रुपये राज्य सरकार को दे रहे हैं। तो यह प्रोबलम है मैं सरकार से पूछना चाहता हूँ कि अभी तक हमारे देश में कितनी ऐसी गायें हैं जो दूध नहीं देती, यानी प्रोबलम क्या है, और उस प्रोबलम को सौल्व करने के लिए यह जो 10 लाख रुपया रखा है वह उस को टच भी नहीं करता। तो कैसे आप इस को सौल्व करेंगे?

SHRI ANNASAHIB SHINDE : If the State Governments have resources, they may set up gosadans. We have no objection. It is entirely a State subject.

As far as the Fourth Plan is concerned, it is true that no provision is there.

श्री अचल सिंह : नैनीताल जिले में जो गोसदन हैं उन में कितनी गायों की रक्षा व देखभाल की जा रही है?

SHRI ANNASAHIB SHINDE : The statement which has been laid on the Table of the House contains this information.

श्री महाराज सिंह भारती : इस बात को ध्यान में रखते हुए कि जहां जहां इंसेंटिव एग्री-कलचर होता है वहां गाय पालना बंद हो जाता है और भैंस का पालना चालू हो जाता है यहां तक कि पंजाब जैसी जगह में सिर्फ 5 लाख दुधारू गाय हैं जबकि भैंसों 15 लाख हैं और इस बात को भी ध्यान में रखते हुए कि किसानों से गऊशालाओं के नाम पर बहुत सा पैसा शहरों के आड़तियों द्वारा काटा जाता है और इस बात को भी ध्यान में रखते हुए कि शहर में बहुत से धार्मिक भावनाओं के हिन्दू गाय के मामले में लाखों की तादाद में जेल जाने के लिए तैयार हैं और वह बेचारे लाखों की तादाद में बूढ़ी गाय व बैल पालने के लिए लालायित हैं और उन को बूढ़ी गायों और बूढ़े बैल नहीं मिल पाते तो इन सब बातों को ध्यान में रखते हुए क्या सरकार इन गोसदनो को बंद करके शहरों के अन्दर जो गाय की भक्ति करना चाहते हैं उन लोगों को बूढ़ी गाय व बूढ़े बैल सप्लाई करने के लिये कदम उठायेगी ?

THE MINISTER OF FOOD & AGRICULTURE (SHRI JAGJWAN RAM) : Yes; we welcome his suggestion.

श्री सरजू पाण्डेय : उस में जो आरोप लगाये हैं उन में एक आरोप यह भी है कि अधिकांश दुधारू पशुओं को भी बेकार घोषित करके नीलाम कर दिया जाता है। जितने भी आरोप लगाये गये हैं सब को कह दिया गया कि वह निराधार हैं तो मैं जानना चाहता हूं कि इसकी इनकवायरी आप ने किस के जरिए कराई। हकीकत यह है कि आरोप बिल्कुल सत्य हैं हालांकि कह दिया गया कि वह निराधार हैं तो मैं जानना चाहता हूं कि यह जांच किस ने की और उस जांच का आधार क्या है और किन लोगों से मिले और बातचीत की गई ?

SHRI ANNASAHIB SHINDE : Gosadans are run by an independent body, the Central Council of Gosamvardhana, and its Adviser is Sardar Datar Singh. A departmental inquiry was made.

SHRI KANWAR LAL GUPTA : By whom ?

SHRI ANNASAHIB SHINDE : By the Ministry of Food & Agriculture. If there are any specific instances of malpractices, I am prepared to go into them; if the hon. Member brings any specific instance to our notice, we are prepared to go into that. There is no question of prestige in matters like this.

श्री यमुना प्रसाद मंडल : वह जो उन्होंने प्रश्न के तीसरे हिस्से के जवाब में कहा है कि चतुर्थ पंचवर्षीय योजना में उन के पास इस के लिए कोई प्रस्ताव ही नहीं है तो मैं कहना चाहता हूं कि यह देश मिक्सड फ़ार्मिंग का देश है और गरीब किसान लोग पशुओं पर ज्यादातर निर्भर करते हैं तो भी वह जवाब में कह रहे हैं कि उन के पास कोई प्रस्ताव नहीं है और राज्य के प्रस्ताव पर निर्भर करते हैं। अब खास कर बिहार का जहां तक सवान है सन् 1968 में 4 अक्टूबर को कोसी में बाढ़ आने के परिणामस्वरूप हजारों किसानों के पशु आदि उस में बह गये तो कम से कम इस चौथी योजना में वहां पर दो, चार गो सदन तो आप निर्माण करने की कोशिश करें। कुछ तो कीजिए और क्या मंत्री महोदय इस बारे में सदन को कुछ आश्वासन दिला सकें ?

SHRI ANNASAHIB SHINDE : Gosadans are not to take care of this point.

Unemployment Position

1715. SHRI GEORGE FERNANDES : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Planning Commission have prepared any data of the total number

persons who will be rendered unemployed during the next five years ; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) No.

(b) Does not arise.

श्री आर्जुन फरनेन्डीज : अध्यक्ष महोदय, मंत्री महोदय को इस किस्म का जवाब देने में आखिर कुछ तो शर्म लगनी चाहिये थी...

SHRI BHAGWAT JHA AZAD : I object to his using these words. He should not speak like this.

MR. SPEAKER : The Question Hour should not be used for this. Everybody is ashamed of it. Put the question.

श्री आर्जुन फरनेन्डीज : इस किस्म का उत्तर देने में जरूर शर्म आनी चाहिये । चौथी पंचवर्षीय योजना जो कि इस सदन में दो दिन पहले बहस करने में आई थी उस योजना में बेकारी के सम्बन्ध में कोई भी चर्चा नहीं की । यह बात जब मंत्री महोदय इस सदन में कहने के लिए खड़े हो जाते हैं तो मैं शर्म के सिवाय और कौनसा शब्द इस्तेमाल कर सकता हूँ ?

श्री भागवत झा आजाद : माननीय सदस्य को ठीक भाषा का इस्तेमाल करना नहीं आता है । उन्हें बोलने की तमीज सीखनी चाहिये ।

श्री आर्जुन फरनेन्डीज : भाषा बोलने की तमीज आप यहां नहीं बाहर हमें सिखाइये ।

श्री मधु लिमये : बहुत तमीज आप की देख चुके हैं ।

श्री आर्जुन फरनेन्डीज : ठीक है भाषा हम बाहर आप से सीखेंगे ।

श्री रवि राय : मंत्री महोदय को जो यहां काम सौंपा गया है वह उन्हें करना चाहिये ।

MR. SPEAKER : Question Hour is not the occasion for this. You can have it on the platform outside.

श्री आर्जुन फरनेन्डीज : इस समय हिन्दुस्तान में 15,000 नौजवान अनशन कर रहे हैं, दिल्ली में बैठे हैं और देश के और कोनों में बैठे हैं । यहां चतुर्थ पंचवर्षीय योजना पर बहस हो गयी जिसे कि प्रधान मंत्री ने यहां पर तीन वर्ष के बाद पेश किया और जिस योजना में बेकारी के सम्बन्ध में कोई जिक्र नहीं है ।

अध्यक्ष महोदय, मैं आपका ध्यान पंचवर्षीय योजना जो कि यहां बहस में आई थी उस के पृष्ठ नम्बर 342 पर खींचना चाहता हूँ जिसमें यह बात सरकार ने लिखी है, योजना बनाने वालों ने लिखी है कि जून 1961 से लेकर 1968 तक बेकारी के आंकड़ों के बारे में सरकार के ही मन में दुविधा रही, अलग अलग आंकड़े रहे इसलिए अगस्त 68 में बेकारी कितनी हिन्दुस्तान में है इसके बारे में विचार करने के लिए कमेटी बनाई गई तो मैं जानना चाहता हूँ कि यह जो आप ने योजना बनाई तो अगर आपके पास हिन्दुस्तान में बेकारी के सम्बन्ध में आंकड़े नहीं थे तो यह योजना बनाने का आप का आधार कौन सा रहा और इस योजना के अन्त में आप कितने लोग हिन्दुस्तान में बेकार करना चाहते हैं जबकि योजना के शुरू में 2 करोड़ लोगों को आप ने बेकार करके रक्खा है ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI HATHI) : The question of unemployment is certainly an important one. But the fact that data are not available does not mean that we should not try to see that greater employment opportunities are given to the people. The point is whether these data are correct. The fact remains that some people are unemployed. So far as he data is concerned, that is not reliable. Therefore, a Committee has been appointed. I may explain that in the Planning Commission's documents of the first three plans, the

investment and employment ratio based employment opportunities were considered. But self-employed people, suppose a man opens a cycle shop, were not clearly mentioned. So also the domestic service people and agriculturists were not included. Therefore, the data is not realistic.

श्री जर्ज फर्नेन्डो : योजना के अंत तक कितने लोग बेकार करने वाले हैं ?

SHRI HATHI : These data are not collected.

श्री जर्ज फर्नेन्डो : मैंने जान कर पूछा है कि कितने लोगों को बेकार करने वाले हैं क्योंकि आप की योजना ही वैसी है। इस योजना में एक वाक्य है जिसको मैं आपके सामने पेश करना चाहता हूँ कि जिसमें पंचवर्षीय योजना बनाने वालों ने मतलब सरकार ने यह स्पष्ट किया है कि हम बेकारी को बढ़ाना चाहते हैं आटोमेटेशन करके हम बेकारी को बढ़ाना चाहते हैं ऐसा उन्होंने पृष्ठ 237 पर स्पष्ट किया है :

"The country cannot afford to freeze the existing technological situation merely for the sake of avoiding unemployment or providing additional employment."

यह स्पष्ट कर दिया गया है कि हम बेकारी को हिन्दुस्तान में बढ़ाना चाहते हैं तो अगर आप बेकारी को बढ़ाना चाहते हैं यह आपकी नीति है जैसी कि पहली तीन योजनाओं और इस में चलती रही है और जबकि देश में बढ़ती हुई बेकारी है तो जब तक इन बेकारों को आप काम नहीं दे सकते हैं तब तक बेकारी का भत्ता निश्चित कर दीजिये, दूसरे एक भूमि सेना बना कर जितनी सरकार की जमीन है उस जमीन पर उन्हें बसाने की व्यवस्था की जाय, तीसरे हिन्दुस्तान में जो अनपढ़ों की तादाद मुल्क में बढ़ती जा रही है तो उन के बीच में पढ़ाई, लिखाई को पहुंचाने के लिए पढ़े लिखे नौजवानों की एक शिक्षण सेना बनाई जाय तो इस किस्म

की यह दो सेनाएं, और बेकारी का भत्ता देने की योजना करने के लिए क्या मंत्री महोदय तैयार हैं ?

SHRI HATHI : So far as the automation policy is concerned, I think we have made it very clear that whenever there is any automatic devise, we take care that there will be no retrenchment. That policy is there and we shall stick to that policy.

SHRI GEORGE FERNANDES : You are not sticking to it.

SHRI HATHI : So far as the other suggestions are concerned, I think if they place them before the Prime Minister, they may be considered.

SHRIMATI SUSHILA ROHATGI : Despite the Government's efforts to increase the employment potential and in spite of the assurance given that it will be given top priority in the Fourth Plan, we find that the army of frustrated young people is always increasing. May I know from the hon. Minister if he would in collaboration with the Education Ministry think of a plan by which the educational system becomes more comprehensive at the end of the college stage and these people who are automatically entering into the University may be provided with some vocational training so that they can find useful occupation later on.

SHRI HATHI : We shall certainly consider that question.

SHRI D. N. PATODIA : The problem of unemployment is acute and yet the draft Fourth Five Year Plan has treated this problem with utter contempt. There is no worthwhile projection, no worthwhile imagination shown in regard to this problem. Is it a fact that compared to March 1966, the total employment in the industrial sector in India has gone down in March 1968 ? If that is so, may I know what are the reasons for it ? What positive measures are adopted to see that this trend is reversed ?

SHRI HATHI : The figures collected do show it. It is due to the recession which occurred in two industries, namely

textiles and engineering. That is one of the reasons.

SHRI D. N. PATODIA : In absolute terms the employment has gone down. People are less employed. What is the reason? Is this the kind of reply he should give? Are you satisfied?

MR. SPEAKER : What more do you want?

SHRI D. N. PATODIA : I wanted to know what measures they have adopted to see that the trend is reversed. He has not replied to it. Could you ask the Minister to reply to it? I wanted to know what positive measures he is going to take. He has not replied to it.

SHRI CHINTAMANI PANIGRAHI : Is the Minister aware that the index of unemployment as it stands today has increased by 238% compared to the year 1964? The present number of unemployed has come to 10 million and the educated unemployed has crossed a million. What is the specific programme that has been formulated by Government in consultation with concerned Ministries so that we could know at least within 3 or 4 years that these are the employment opportunities that Government is proposing to create? What are the employment opportunities that they are creating?

MR. SPEAKER : Same as Mr. Patodia's question.

SHRI D. N. PATODIA : He is replying to a Congress Member.

SHRI HATHI : Whether the figures are reliable or not reliable nobody can dispute that unemployment is increasing. So, there is no question about that. Now, what are the measures that the Ministry of Labour and Employment can take? It is not the Labour Ministry that can take any measures by itself except in its own sphere, but the Planning Commission formulates the Plan. Such industries and programmes as are labour-oriented like road construction, building houses etc. are there and these are some of the programmes included and larger sums allocated so that greater employment

would be available to the people. So far as the Labour Ministry is concerned we have our own programmes and there are two special programmes. One is this. With the modernisation of farming methods, bulldozers, tractors etc. are being used in plenty now in the rural areas there is greater employment and the villagers can be trained in repairing work and they can set up their own small workshop in the villages or round about the place and this can give greater employment—though this will not be enough to meet the whole situation; but certainly, this will give more employment opportunities.

SHRI CHINTAMANI PANIGRAHI : What are the new employment opportunities which Government wants to create?

SHRI BAL RAJ MADHOK : It is with deep regret, if not shame, that we have to say this. The Prime Minister, while we were having discussions on the Fourth Five-year Plan, said that they are taking special care of it. But now we know that the Fourth Five Year Plan was prepared without even any data as to how many unemployed people we have in this country. That shows the slipshod way in which the Fourth Five Year Plan was prepared and the cavalier manner in which this Government and the Prime Minister treat this House. I want to say that the Hon. Minister has just now stated that we are taking steps to see that labour-intensive schemes are undertaken. May I know from him whether his Ministry has any influence on the formulation of the economic policies of the Government and whether he will lay stress on the fact that while giving new licences to industries the employment potential of those industries must be the primary criterion and secondly, I feel that in the whole scheme of things, we should have a labour-intensive Plan rather than capital-intensive Plans.

SHRI HATHI : In fact that is the suggestion which the Labour Ministry has made to the Planning Commission.

SHRI S. M. BANERJEE : You are aware that a delegation of unemployed youth...

MR. SPEAKER : Do not raise it again.

SHRI S. M. BANERJEE : Yesterday met the Prime Minister and nearly 1,000 unemployed young men and women are now in Delhi, as pointed out by my friend. Their delegation met the Prime Minister yesterday and they have submitted a comprehensive memorandum giving certain demands which are feasible. These demands include payment of subsistence allowance to all unemployed people registered with employment exchanges, filling up of all vacancies in Government and non-Government agencies, promotion of rural industries and public works programmes through cooperatives, more employment in the agricultural sector and formulation of the Fourth Plan with the main emphasis on employment.

These are some suggestions which they have given to the Prime Minister. The Prime Minister gave them a patient hearing. She said that there were certain programmes for short-term and long-term durations, but she did not spell them out. Today many people are even going to court arrest to seek employment inside the jail. I would like to know from the Hon. Minister whether these demands put forward by these friends are being considered by the Governments and if not, whether they would like to change the name of employment exchanges—because there is no employment to be exchanged-into unemployment exchanges?

SHRI HATHI : The memorandum was submitted to the Prime Minister yesterday evening and as the Hon. Member said, she heard them patiently. Surely the suggestions will be considered. But it has not yet been passed on to me.

Central Warehousing Corporation

*1716. SHRI PREM CHAND VERMA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the authorised and paid up capital of Central Warehousing Corporation at the time of its setting up and as on the 31st March, 1968;

(b) how much amount of loan did the company owe to the Central Government, banks or other parties on the 31st March, 1968; and

(c) how much money has been paid as interest by the Corporation during the last three years?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a). The Central Warehousing Corporation was established in 1957. The authorised capital as on 31st March 1959 and 1968 was Rupees twenty crores. The paid up capital as on 31-3-1958 was Rs. 1,06,44,700/- and Rs. 8,73,62,439/- as on 31-3-1968.

(b) Rs. 7,69,63,000/- to the Central Government. The Corporation did not take any loan from banks or other parties.

(c) The total interest paid during 1965-66, 1966-67 and 1967-68 was Rs. 99,64,019/-. The accounts for 1968-69 have not yet been closed.

श्री प्रेम चन्द वर्मा : सेंट्रल वेयरहाउसिंग कारपोरेशन के बारे में पहले भी यहाँ सवाल हुआ था। यह बताया गया था कि अनाज तथा दूसरी चीजों को स्टोर करने के लिए हमारे पास जगह कम है। इस वास्ते सेंट्रल वेयरहाउसिंग कारपोरेशन की स्थापना 1957 में की गई थी। जो टारगेट रखा गया था वह सी वेयरहाउसिंग 31 मार्च 1961 तक बनाने का रखा गया था। लेकिन 31 मार्च 1966 तक भी वह टारगेट पूरा नहीं हो सका। 16 करोड़ रुपया 1967 में इस की तरफ लगा हुआ था। अब मंत्री महोदय ने कहा है कि 20 करोड़ रुपया लगा हुआ है। मैं जानना चाहता हूँ कि क्या यह सच है कि कई जगह वेयरहाउसिंग बनाये गये थे और उन पर बहुत ज्यादा घाटा हुआ और इस कारण से उन वेयरहाउसिंग को बन्द कर देना पड़ा? मैं जानना चाहता हूँ कि वे वेयरहाउसिंग किन किन जगहों पर थे और कितना उन में लॉस हुआ और इस बारे में जो प्लानिंग की गई थी वह क्या डिफैक्टिव थी या कारपोरेशन का जो काम था वह गलत था?

SHRI ANNASAHIB SHINDE : The total storage capacity at present available with the Central Warehousing Corporation is 6.55 lakhs tonnes (owned) and 4.57 lakhs tonnes (hired), making a total of 11.12 lakhs tonnes spread over above 100 centres. In the initial period, the corporation was incurring losses because of low occupancy, but during the last three years, the position has improved. In 1966-67 it had a profit of Rs. 1.35 lakhs, in 1967-68 it had a profit of Rs. 14,15,000, and in 1968-69, the estimated profit is Rs. 40,80,000. The position in regard to occupancy is also better now.

SHORT NOTICE QUESTION

Confirmation of Temporary class IV Employees in Press Information Bureau

S.N.Q. 27. SHRI M. L. SONDHI : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether it is a fact that large number of class IV employees in the Press Information Bureau has not yet been made permanent, although they have put in ten to twenty years service; and

(b) if so, the reasons for not making them permanent immediately ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) and (b). Reviews of the temporary posts in the Press Information Bureau have been periodically made with a view to declaring the eligible posts as permanent in accordance with Government instructions. As on 1-5-69, out of 326 Class IV posts, 234 posts representing 72% of the total, were permanent. Against these permanent posts, 155 officials have already been confirmed. Action to confirm the eligible persons against the remaining 79 permanent posts is under way. A further review is also being made of the temporary posts as on 1-5-69, for declaring as many of them permanent as Government instructions permit.

SHRI M. L. SONDHI : In a certain country it was said of a certain Minister that instead of having an open mind he had an open mouth on every subject. The

PIB daily opens its mouth to inform us about every subject under the sun but it is reluctant to inform itself of the administrative conditions inside the PIB itself. When I study the plight of the class IV employees in the Government of India and in the PIB in particular...

MR. SPEAKER : He can lay that information on the Table. He should now come to the question.

SHRI M. L. SONDHI : It is not an exaggeration when I say that this Government and this Bureau and this Ministry practise administrative untouchability. They believe in an administrative caste-system, because these categories of employees in the PIB include daftries, chaprasis, messengers, ushers, packers, fanashes and people who perform useful work for them. The PIB has 19 offices in different parts of the country, but it is amazing that in 1957 when they decided that the class IV employees should be confirmed, the question of confirmation of class IV staff outside New Delhi in their other offices was completely forgotten. The result of this lapse was that many of these employees have suffered a lot. May I ask the hon. Minister whether he has fixed responsibility for this serious lapse by which the fate of these other employees in the other offices in the PIB was ignored ? Will he give us an assurance that in future no class IV employees in any of the branches of the PIB will remain temporary after three years' service ?

SHRI I. K. GUJRAL : My hon. friend has a great malady of bellicosity. So, I cannot reply to the first part of the question.

SHRI M. L. SONDHI : I can give him all the facts.

SHRI I. K. GUJRAL : The only thing to which a reply could be given is this. I do agree that some jobs should have been made permanent and some employees should have been made permanent. I think there has been lapse on that account. I am looking into it.

As regards the question of making employees who have put in three years' service permanent, that is not possible because that is against the Government rules. According to the Government rules, the jobs have to be made

permanent rather than the men, and when the jobs are made permanent, the temporary employees are made permanent. The rule at the moment is that if a job is likely to continue for more than three years, it is declared permanent. We shall follow that rule. I can assure my hon. friend that the lapses which have occurred as a result of which people have not been made permanent for a number of years will be completely remedied within three months.

SHRI PILOO MODY : They have been temporary for twelve or fourteen years in many cases.

SHRI M. L. SONDHAI : Vigilance should never be misunderstood as bellicosity. It is a fraud on the principle of parliamentary life. I have here with me the report of the Varadachari Commission, the Das Commission and so on. I do not want to waste the time of the House by reading out from these reports. I have also here with me an entire list of all those employees in the PIB who are still temporary after 20 years of service. Will the hon. Minister put himself in their position? They get no retirement benefits etc. And yet Government boast of a welfare State and socialistic pattern and what not. I think it is hypocrisy writ large.

What steps is the hon. Minister taking to implement the model-employer principle in the PIB? If he understands the plight of these employees, will he direct the Bureau to take immediate steps to convert the maximum number of these temporary posts into permanent ones? In the interim period, will he assure this house that these temporary employees who should not have remained temporary and who should have been given permanency long ago will be given the same benefits and same allowances as are given to the others? Finally, since it is the responsibility of the Minister and the Bureau to see that there is a proper machinery for consultation and these poor chaprasis should not only be allowed to wait outside in the corridors and be kicked by everybody but they should be consulted and but they should be taken into confidence, will the Minister give us a personal assurance?

SHRI I. K. GUJRAL : The only assu-

rance that I can give is that we have sympathy and consideration for class IV employees more than what my hon. friend professes. Therefore, I am going to look into the whole case. I have also issued instructions that their cases must be completed within three months and after three months there should be no such pending cases.

श्री अ० सि० सहगल : मैं यह जानना चाहता हूँ कि वरदाचारी कमेटी की रिपोर्ट आने के बाद इस विभाग में कितनी पोस्ट्स को कनफर्म किया गया है और बाकी पोस्ट्स कनफर्म करने में कितना और समय लगेगा, ताकि वहाँ पर इस समय जो वातावरण है, वह ठीक हो जाये।

श्री इ० कु० गुजराल : जैसा कि मैंने अज किया है इस वक्त यह नहीं होता है कि सब एम्पलाईज को कनफर्म कर दिया जाये। जान्ज पर्मनेंट और टेम्पोरेरी होती हैं। जो जान्ज पर्मनेंट हैं, उन पर जो लोग काम कर रहे हैं, एक महीने के अन्दर अन्दर वह काम खत्म कर दिया जाएगा।

SHRI S. M. BANERJEE : Reverting to the question of Shri Sondhi, are there no Government rules to declare employees quasi permanent if permanent vacancies are not available and they could not be confirmed? In other departments an employee who has put in three years of services is made quasi-permanent and then confirmed in a permanent vacancy when a post becomes available. I do not know if that rule is not applied in this particular department. Will he kindly consider this aspect?

SHRI I. K. GUJRAL : I do not think my hon. friend's information is correct. All the rules made by the Government are applicable to the P.I.B. and are being applied. If any particular rule which is not applied is pointed out, I shall go into it.

SHRI S. M. BANERJEE : He has not followed my questions. There are three categories: temporary, quasi-permanent and permanent. So long as there is no permanent post; he can be made quasi-permanent.

SHRI I. K. GUJRAL : I have already replied to that question.

SHRI KRISHNA KUMAR CHATTERJI : From the answer of the hon. Minister it is quite clear that the Government is aware of the problems of class IV employees who should be made permanent as early as possible. Unless permanency is there, certain facilities cannot be available to them housing and other facilities. Will the hon. Minister give us some assurance that these facilities would be extended to them though they are not permanent employees ?

SHRI I. K. GUJRAL : It is not possible for me to give an assurance of this nature because it affects the whole of the Government employees and it is a matter of policy.

श्री बलराज मधोक : मंत्री महोदय ने कहा है कि जाब्ज पर्मिनेंट होती हैं; जो लोग काम करते हैं वे पर्मिनेंट नहीं होते हैं। मैं यह जानना चाहता हूँ कि विभाग में जितनी जाब्ज हैं, क्या उन्हीं के अनुपात से लोगों को एम्प्लाय किया जाता है या नहीं। अगर विभाग में जाब्ज नहीं हैं, तो फिर लोगों को भर्ती क्यों किया जाता है? जब कुछ लोगों ने दस, बीस साल तक काम किया है, तो फिर उनके लिए पर्मिनेंट जाब्ज क्यों नहीं निकलती हैं ?

श्री इ० कु० गुजराल : पहले जब कभी नौकरी की जगह निकलती है तो उस को तीन साल के लिए टेम्पोरेरी रखा जाता है, जब उस के बाद उस को फिर कान्टीन्यू करना है तो पर्मिनेंट किया जाता है और उस के खिलाफ काम करने वाले आदमियों को भी पर्मिनेंट किया जाता है। जहाँ तक लोगों का खुद का ताल्लुक है एक वर्ष के बाद उन का पर्मिनेंट बनने का हक बन जाता है बशर्ते कि कोई पर्मिनेंट जगह खाली हो।

SHRI M. L. SONDHI : How many Gestetner operators have been remaining as temporary people ? For 20 years they

are like that. What is the philosophy behind it ?

MR. SPEAKER : Order, order. Shri Kandappan.

SHRI S. KANDAPPAN : I can understand if a certain number of casual posts are created and the people are kept as temporary employees. But it looks that this is out of all proportion : to have about 300 odd employees as temporary people for years together. I would like to know from the Minister whether this sort of procedure will not frustrate the employees and it will not be conducive to proper working of the department as such.

SHRI I. K. GUJRAL : I am in agreement with the hon. Members so far as frustration is concerned, but we are all to a degree rulebound. The rules are that people can be made permanent only against permanent posts, and the number of permanent posts are also governed by certain rules and traditions. The rules are, as I said already, if a post remains temporary for three years and is likely to continue, we declare it permanent, and then confirm the temporary employee against that post.

WRITTEN ANSWERS TO QUESTIONS

Loans to Breeders for Purchasing Milch Animals in Delhi

*1717. **SHRI NARENDRA SINGH MAHIDA :** Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether the scheme to advance loans to the breeders in the rural areas of Delhi for the purchase of milch animals of good breed for increasing milk production has been finalised ; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT & CO-OPERATION (SHRI ANNASAHIB SHINDE) : (a) Yes, Sir.

(b) An outlay of Rs. 5.00 lakhs is proposed to be allotted by Government of India for grant of loans to farmers for purchase of high yielding milch cattle during the Fourth Plan. Out of this a provision of Rs. 50,000/- has been approved by Government

of India for the current financial year. Institutional finance in addition to this would be available to the breeders.

Agrarian Reforms

*1718. SHRI BHOGENDRA JHA : Will the Minister of FOOD AND AGRICULTURE be pleased to refer to the reply given to Unstarred Question No. 2551 on the 26th November, 1968 regarding agrarian reforms and state :

(a) whether the Planning Commission has considered the report submitted by the Study group emphasising the need for radical agrarian reforms ;

(b) if so, the result thereof ;

(c) whether Government have formulated any proposals for radical agrarian reforms ; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT & CO-OPERATION (SHRI ANNASAHIB SHINDE) : (a) Yes, Sir.

(b) to (d). The recommendations made by the Sub-group on Land Reforms were taken into account in formulating proposals relating to land reforms as contained in the Section relating to Land Reforms in Chapter of the Draft Fourth Five Year Plan 1969-74 (pages 132/136).

टेलीविजन पर वाणिज्यिक प्रसारण

*1719. श्री रघुवीर सिंह शास्त्री : क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) चालू वर्ष में टेलीविजन का विस्तार करने के लिये सरकार द्वारा बनाई गई योजना का ब्यौरा क्या है ; और

(ख) आकाशवाणी से वाणिज्यिक प्रसारणों की सफलता को ध्यान में रखते हुए क्या सरकार का विचार टेलीविजन से वाणिज्यिक प्रसारण आरम्भ करने का है ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री इ० कु० गुजराल)

(क) श्रीनगर में टेलीविजन केन्द्र की स्थापना तथा दिल्ली के टेलीविजन केन्द्र के लिये 100 मीटर हाई मास्ट लगाने का कार्य चल रहा है और चालू वर्ष में जारी रहेगा ।

(ख) टेलीविजन पर वाणिज्यिक सेवा प्रारम्भ करने के प्रश्न पर देश में टेलीविजन सैटों की पर्याप्त संख्या हो जाने के बाद विचार किया जायेगा ।

Cattle Insurance Scheme

*1720. SHRI K. LAKKAPPA :
SHRI YASHPAL SINGH :
SHRI G. C. DIXIT :

Will the Minister of FOOD AND AGRICULTURE be pleased to refer to the reply given to Starred Question No. 243 on the 21st November, 1968 regarding Cattle Insurance Scheme and state :

(a) whether any final decision has since been taken by Government in this regard ; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE COMMUNITY DEVELOPMENT & CO-OPERATION (SHRI ANNASAHIB SHINDE) : (a) No final decision has been taken.

(b) The details of the scheme would be prepared only after the results of the feasibility studies including mortality surveys become available.

गो रक्षा समिति को समाप्त करना

*1721. श्री राम गोपाल शालवाले : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गो रक्षा समिति के कार्य में धीमी प्रगति, उस के कुछ सदस्यों द्वारा त्यागपत्र देने तथा कुछ लोगों द्वारा साक्ष्य देने से इंकार करने की बात को ध्यान में रखते हुए इस

समिति को समाप्त करने का सरकार का विचार है ; और

(ख) क्या गो रक्षा महाभियान समिति को दिये गए आश्वासन को देखते हुए गो हत्या पर प्रतिबन्ध लगाने के लिये एक कानून बनाने का सरकार का विचार है ?

स्वाध, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री अन्ना-साहिब शिन्हे) : (क) और (ख). जानकारी का एक विवरण सभा पटल पर रख दिया गया है। (पुस्तकालय में रखा गया। देखिये संख्या LT—1172/69)

Foreign Exchange for Films

*1722. SHRI VALMIKI CHOUDHARY : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the amount of foreign exchange granted to Indian Film Industry for (i) shooting of films abroad and (ii) importing of raw films and equipment in 1967-68 and 1968-69 ;

(b) the extent of foreign exchange earned by the Industry in each of these years and how far the earnings exceeded the expenditure of foreign exchange by that industry ;

(c) whether there is a noticeable tendency amongst the producers/directors to prefer foreign landscape and features to Indian ones involving pressure on the country's foreign exchange reserves ; and

(d) if so, the steps being taken by Government to reverse the trend ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) and (b). A statement is laid on the Table of the House.

(c) No, Sir.

(d) Does not arise.

Statement

(a) (i) Amount of foreign exchange released for location shooting abroad :

| 1967 (Rs.) | 1968 (Rs.) | 1969 (upto 23.4.69) (Rs.) |
|---------------|---------------|---------------------------------|
| 2,22,500 | 1,88,000 | 89,000 |

(ii) Amount of foreign exchange released for import of raw films and equipments during 1967-68 and 1968-69 : (upto Jan. 1969)

| | 1967-68 (Rs.) | 1968-69 (upto Jan. 69) (Rs.) |
|------------|------------------|------------------------------------|
| Raw films | 3,81,79,000 | 2,54,38,000 |
| Equipments | 35,00,000 | 51,16,000 |

(b) Amount of foreign exchange earned through the export of films (in respect of all exports) :

| | Amount Rs. |
|-------------------------------------|---------------|
| From November 1966 to October 1967. | 2,74,51,000 |
| From November 1967 to October 1968 | 3,33,14,000 |

As the figures available are for different period, it is not possible to strike a balance between the foreign exchange spent and earned by the film industry. *Prima facie*, it appears that the gap is not wide.

आकाशवाणी द्वारा समाचारों का बेरी से प्रसारित किया जाना

*1723. श्री ओंकार लाल बेरवा : क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि समाचार पत्रों में समाचार छप जाने के बाद आकाशवाणी

द्वारा उनका प्रसारण करने का कोई विशेष महत्व नहीं होता है क्योंकि लोगों को उनकी पहले ही जानकारी हो जाती है;

(ख) यदि हां, तो क्या कोई ऐसी व्यवस्था करने का सरकार का विचार है जिसके अन्तर्गत समाचार पत्रों में समाचार प्रकाशित होने से पहले आकाशवाणी द्वारा वे प्रसारित किये जायें; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

सूचना तथा प्रसारण और संचार विभाग में राज्य मंत्री (श्री इ० कु० गुजराल): (क) और (ख). अखबारों में समाचार छपने से पहले आकाशवाणी द्वारा वे प्रसारित हो जाते हैं। यहां तक कि बिरले मामलों में जहां कोई समाचार अखबारों में छपने के बाद प्रसारित होता है, वह अपना महत्व नहीं खोता, क्योंकि रेडियो श्रोताओं की संख्या अखबार पढ़ने वालों की संख्या से बहुत ज्यादा है।

(ग) प्रश्न नहीं उठता।

Obscenity in Newspapers

***1724. SHRI AGDILINGANA GOUD :** Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the number of complaints/instances received by the Government in respect of newspapers/magazines encouraging obscenity or exploiting sex;

(b) the number of such cases being examined by the Press Council of India as on the 31st March 1969 ; and

(c) the action being taken by Government in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) The Central Government received 11 such complaints during 1968-69. Facts regarding complaints

received by the State Governments are being ascertained.

(b) The Press Council of India has so far received two complaints against obscene publications. One of them could not be considered by the Council because of the fact the proceedings were pending in a court of law in respect of the impugned matter ; the other complaint is pending Council's adjudication.

(c) The Central Government have requested the State Government/Union Territory Administrations to take appropriate action under the law for curbing the production, sale and circulation of all obscene publications. The State Governments have launched a number of prosecutions against different journals containing obscene material.

Training of Agricultural Engineers

***1725. SHRI D. C. SHARMA :** Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether the Indian Society of Agricultural Engineers has demanded more training facilities for Agricultural Engineers at various levels including management ;

(b) whether the matter has been given a consideration ; and

(c) if so, with what results ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) No such demand has so far been received.

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

Issue of Postage stamps bearing image of Buddha on Gandhi centenary

***1726. SHRI D. R. PARMAR :**
SHRI P. N. SOLANKI :
SHRI KIKAR SINGH :
SHRI DEVEN SEN :

Will the Minister of INFORMATION AND BROADCASTING AND COMMUNI-

CATIONS be pleased to state :

(a) whether it is a fact that the Buddhists of Ceylon have protested against India's decision to issue postage stamps bearing the image of Budha to mark the Mahatma Gandhi Centenary Celebration ;

(b) if so, the reaction of Government thereto ; and

(c) the reasons assigned by the Buddhists of Ceylon for three objection ?

THE MINISTER OF INFORMATION AND BROADCASTING, AND COMMUNICATIONS (SHRI SATYA NARAIN SINHA) : (a) Certain comments appeared in the Ceylon Press though no direct protests were received.

(b) Government has since decided not to issue any postage stamp depicting Gandhiji with Buddha's image in the background.

(c) The Ceylonese Buddhist organisation had felt that it was improper to use Buddha's image in any form on a postage stamp.

Agricultural Development in Uttar Pradesh

***1727. SHRI VISHWA NATH PANDEY :** Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) amount proposed to be spent on the agricultural development out of the total proposed outlay for the Fourth Five Year Plan of Uttar Pradesh ;

(b) whether in view of the famine conditions experienced in certain areas of Uttar Pradesh Government propose to draw special schemes for development of agriculture in Uttar Pradesh with a view to attain self-sufficiency in foodgrains during the Fourth Five Year Plan period in that State ; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI ANNASAHIB SHINDE) : (a). According to the Draft Fourth Five Year Plan, a sum of Rs. 220.18 crores is proposed to be spent on agricul-

tural development (including cooperation, community development and panchayats) out of the total Plan outlay of Rs. 951 crores for the State during the Fourth Five Year Plan period.

(b) and (c). The main steps being taken for raising foodgrains production in various States include High-Yielding Varieties Programme, multiple cropping, minor irrigation for intensive cultivation, organised distribution of inputs like fertilisers and pesticides, timely and liberal credit facilities including institutional finance, farmers' education and training and intensification of research. Moreover, for areas affected with recurring drought, special scheme have been drawn up. These include execution of extensive soil and water conservation measures and provision of irrigation wherever feasible.

Disposal of Sweepings of Skimmed Milk Powder by Delhi Milk Scheme

***1728. SHRI HUKAM CHAND KACHWAI :** Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the quantity of the sweepings of skimmed Milk Powder disposed of by the Delhi Milk Scheme during the last three years ;

(b) whether it is a fact that M/s. Imperial Agency Bureau, Delhi is the only party, who have been purchasing the powder sweepings ;

(c) if so, the location and functions of the above party ; and

(d) whether there are some other parties also who have purchased milk sweepings ; if so, their location and the nature of their business ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND

CO-OPERATION (SHRI ANNASAAIB SHINDE) : (a)

| Year | Qty. of sweepings disposed of by Delhi Milk Scheme. |
|---------|---|
| 1966-67 | 10 tonnes |
| 1967-68 | Nil |
| 1968-69 | 31.851 tonnes |
| <hr/> | |
| TOTAL | 41.851 tonnes |

(b) to (d). Out of 41.851 tonn of sweepings of skimmed milk powder disposed of by Delhi Milk Scheme as at (a) above, 36.851 tonnes were sold to M/s. Imperial Agency Bureau, Delhi. The remaining 5 tonnes were sold to U.P. Government Poultry Farm, Babugarh run by the Government of U. P. The Central Government is not aware of the nature of business in which M/s Imperial Agency Bureau, Delhi are engaged. The sweepings were, however, sold to them on the clear understanding that these were unfit for human consumption and were suitable only as poultry or animal feed.

Central Rice Research Institute, Cuttack

*1729. SHRI V. NARASIMHA RAO : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that the Central Rice Research Institute at Cuttack has successfully developed a new variety of high-yielding paddy known as "Padma Paddy";

(b) if so, whether steps are being taken to popularise it with the rice-growing farmers in the country; and

(c) the average yield per acre of this paddy ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI ANNASAHIB SHINDE) : (a) Yes.

(b) Yes.

(c) Range of yield obtained is 4½ tons to 7 tons/ha. with an average yield of 5 tons per hectare.

Demarcation of Forests on Functional Basis

*1730. SHRI RAJDEO SINGH : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether necessary steps have been taken to demarcate forest on functional basis; and

(b) if not, whether Government propose to take steps to collect statistics so that maximum benefits could be derived from the forest wealth ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI ANNASAHIB SHINDE) : (a) No, Sir. In the National Forest Policy Resolution 1952, forests in the country have been classified functionally as follows :—

- (i) Protection forests
- (ii) National forests
- (iii) Village forests, and
- (iv) Tree forests

For administrative convenience, classification of forests according to legal status as given below is adopted by the Forest Departments of the States and Union Territories, and statistics are maintained accordingly in respect of them :

- (i) Protected forests
- (ii) Reserved forests, and
- (iii) Unclassed forests

(b) Yes, Sir.

West Bengal Government's Suggestions on A.I.R.

1731. SHRI HEM BARUA :
SHRI SAMAR GUHA :

Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether it is a fact that the West Bengal Government have made certain suggestions towards the working of the A.I.R. on a new pattern; and

(b) if so, what are these suggestions and how far they have been proposed to be implemented ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) and (b). Minister of Information and Public Relations Government of West Bengal, had discussed with us on 16th April, 1969, questions relating to the composition of Programme Advisory Committee for Calcutta station of All India Radio. The Committee is being constituted in accordance with the pattern decided for such committees in all States, the position was explained to him.

Accident in Coal Mines in Asansol Area

*1732. SHRI JYOTIRMOY BASU : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether it is a fact that there have been frequent accidents in Coal Mines in Asansol area ;

(b) if so, how many such accidents took place in Bengal-Bihar coal-fields during the last one year ;

(c) the number of persons trapped, wounded and killed ;

(d) the reasons for such accidents in Ratibati, Khas Chalbalpur, and Mimcha Collieries ; and

(e) the details of compensation paid ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) Information in regard to the frequency of accidents in recent years in this area is being collected and will be laid on the table of the Sabha on receipt.

(b) and (c). The relevant particulars are given in the table below :

| Year | Fatal Accidents | Number killed | Number injured | Serious Accidents | Number injured | Number trapped |
|-------------------------------|--------------------|------------------|-------------------|----------------------|-------------------|-------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1968 | 158 | 181 | 13 | 804 | 837 | Nil |
| 1969 (upto 1st May). | 51 | 54 | 7 | 240 | 244 | 4 |

(d) The main reason was fall of roof.

(e) Compensation is payable by the managements under the provisions of the Workmen's Compensation Act, the administration of which falls within the State Spare.

Plans for Rehabilitation of Displaced Persons from East Pakistan

*1733. SHRI TULSIDAS DASAPPA : Will the Minister of LABOUR AND REHABILITATION be pleased to state ;

(a) whether Government have taken any decision regarding the rehabilitation of the bulk of new migrants from East Pakistan ;

(b) if so, the details thereof ; and

(c) if not, the reasons for delay ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) and (b). When the new influx started in January, 1964, Government of India, in consultation with the State Governments concerned, decided that rehabilitation assistance would be admissible

only to those new migrants who, on migration, sought relief/rehabilitation assistance by admission in the relief camps opened for their benefit. It was further decided that in view of the saturation point having already been reached in West Bengal on account of a very large concentration of the old migrants there, no camp would be opened in West Bengal. Bulk of the families, who sought admission in relief camps and stayed on there for rehabilitation assistance, have already been settled. At present, there are 8,945 displaced families of new migrants in camps awaiting rehabilitation. In addition, there are 4,370 families of the Permanent Liability category in the camps who have to be maintained in Homes. The details of the progress of rehabilitation of these new migrants and broad details of the schemes under taken for their benefit are contained in the Annual Report of the Department of Rehabilitation for the year 1968-69, already available with the Members of Parliament.

(c) Does not arise.

Employees of R.M.S. Department Madhya Pradesh who took part in September 19, 1968 Strike

*1734. **SHRI NITIRAJ SINGH CHAUDHARY** : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the number of employees of Railway Mail Service Department working in Madhya Pradesh whose services were terminated on account of participation in the 19th September, 1968 strike and who have not been reappointed so far ; and

(b) the reasons for not reappointing them ?

THE MINISTER OF INFORMATION AND BROADCASTING, AND COMMUNICATIONS (SHRI SATYA NARAYAN SINHA) : (a) The number of such employees is 2 and none of them have been reinstated so far.

(b) These officials are not eligible for reinstatement in accordance with the orders

of the Ministry of Home Affairs in the matter.

आकाशवाणी के पटना केन्द्र के तकनीकी कर्मचारियों के काम का समय

*1735. **श्री रामावतार शास्त्री** :

श्री क० मि० मधुकर :

श्री अब्दुल गनी दार :

क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आकाशवाणी के पटना केन्द्र में काम करने वाले तकनीकी कर्मचारियों (इंजीनियरिंग विभाग) को प्रतिदिन 9 से 12 घण्टे तक काम करना पड़ता है ;

(ख) क्या यह भी सच है कि अतिरिक्त काम करने के लिये उन्हें कोई राशि नहीं दी जाती और उन्हें मध्याह्न भोजन के लिये भी अवकाश नहीं दिया जाता ;

(ग) यदि हाँ, तो इसके क्या कारण हैं; और

(घ) इस सम्बन्ध में सरकार का क्या कार्यवाही करने का विचार है ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री इ० कु० गुजराल) :

(क) जी, नहीं। उनकी ड्यूटी प्रत्येक पारी में आठ घंटे से अधिक नहीं होती।

(ख) बिरली आपरकालीन स्थितियों को छोड़कर प्रत्येक पारी में आम तौर से आठ घंटे से अधिक कार्य नहीं लिया जाता। कर्मचारियों को मध्याह्न भोजन के लिये बाहर जाने की अनुमति है।

(ग) प्रश्न नहीं उठता।

(घ) प्रश्न नहीं उठता।

Recommendations of Press Commission

*1737. **SHRI R. K. SINHA :**
SHRI RAM AVTAR
SHARMA :

Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the steps taken to implement the recommendations of the Press Commission ;

(b) the reasons for the delay in implementing the same ;

(c) whether the Conference of the Indian Federation of Working Journalists held at Bhopal in April has urged the implementation of recommendations ; and

(d) if so, Government's reaction thereto ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I.K.GUJRAL) : (a) and. A statement is laid on the Table of the House. [*Placed in Library. See No. L. T.—1173/69*].

(c) and (d). No former reference has been received from the Indian Federation of Working Journalists about the deliberations that took place at their Conference held at Bhopal in April. However, from the report appearing in the Press it is gathered that the Federation has urged the early implementation of the recommendations of the Press Commission. It will be seen from the statement laid on the Table of the House that Government have taken necessary action on the recommendations to the extent possible.

Value of Evacuee Property and other Recoverable Dues transferred to States

*1738. **SHRI SURAJ BHAN :** Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the value of evacuee properties and other recoverable dues of Compensation Pool transferred to the Punjab Government ;

(b) the amount for which these were transferred to the State Government and

how much amount Punjab Government has realised for these properties and other dues ;

(c) the value of evacuee properties and other recoverable dues proposed to be transferred to the other state Governments ;

(d) the necessity of transferring this work to the State Government at such low percentage ; and

(e) whether the Central Government could not profitably make recoveries of these dues through their own staff and whether it is not a loss to the Compensation Pool and the refugees ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD). (a) to (e). The information is being collected and will be laid on the Table of the Sabha.

दिल्ली में सुपर बाजार के कर्मचारियों का धरना

*1739. **श्री योगन्द्र शर्मा :** क्या साहब तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सुपर बाजार दिल्ली के कर्मचारी अपनी मांगों को मनवाने के लिये धरना दे रहे हैं ;

(ख) यदि हां, तो उनकी मांगें क्या हैं ; और

(ग) उनकी मांगों को स्वीकार करने में प्रबन्धकों के सामने क्या कठिनाइयां हैं ?

साहब, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री एम. एस. गुरुप्रवर्धन) (क) इस समय सुपर बाजार, दिल्ली के किसी भी कर्मचारी द्वारा धरना नहीं दिया जा रहा है। तथ्यां, कनाट सर्कस शाखा पर कुछ कर्मचारियों द्वारा 26 अप्रैल, 1969 को धरना शुरू किया गया था, जो अंत में पहली मई, 1969 को उठा लिया गया था।

(ख) कर्मचारियों की मांग थी कि प्रबन्धकों की शिकायत पर पुलिस द्वारा चार कर्मचारियों के विरुद्ध भारतीय दण्ड संहिता की धारा 506 के अधीन जो मामला दर्ज किया गया था उसे वापिस ले लिया जाय।

(ग) चूँकि किया गया कथित अपराध अप्रशम्य है और यह केस नई दिल्ली के प्रथम श्रेणी मजिस्ट्रेट के पास न्यायाधीन है, अतः मांग को स्वीकार करना सम्भव नहीं है।

घरेलू कर्मचारी संघ, दिल्ली की मांगें

*1740. श्री चन्द्र शेखर सिंह : क्या अम तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि घरेलू कर्मचारी संघ, दिल्ली ने सरकार को अपनी मांगों का एक ज्ञापन भेजा है ;

(ख) यदि हाँ, तो उसका व्यौरा क्या है;

(ग) क्या सरकार ने उन मांगों पर विचार कर लिया है ; और

(घ) यदि हाँ, तो उनके बारे में सरकार की क्या प्रतिक्रिया है ?

अम रोजगार तथा पुनर्वास मंत्रालय में राज्य मंत्री (श्री भागवत झा आजाद) : (क) जी हाँ, अप्रैल, 1968 में।

(ख) इस यूनियन ने घरेलू कर्मचारियों की कार्य करने की दशाओं, जैसे काम के घंटों, साप्ताहिक विश्राम के दिन, सवेतन वार्षिक छुट्टी, प्रसूति छुट्टी, ग्रेज्युटी, सेवा की समाप्ति, आदि, को नियमित करने के लिए एक कानून बनाने की मांग की। इस यूनियन ने ट्रेड यूनियन अधिनियम के अन्तर्गत अपनी मान्यता की मांग भी की है।

(ग) और (घ). घरेलू कर्मचारियों को कानूनी रक्षण देने और उनकी दशा को सुधारने

के उपाय और साधन ढूँढने के प्रश्न पर केन्द्रीय सरकार व राज्य सरकारें समय समय पर विचार कर रही हैं। लेकिन इस सम्बन्ध में कोई कानूनी व्यवस्था करना संभव नहीं हो सका है। इसका मुख्य कारण यह है कि इस प्रकार के कानून को लागू करने में कठिनाई होगी और उस के बनाये जाने से घरेलू कर्मचारियों की बड़े पैमाने पर छंटनी होने की भी संभावना है। जहाँ तक यूनियन की मान्यता और पंजीकरण का प्रश्न है, इस मामले का ताल्लुक दिल्ली प्रशासन से है और उन्हें ज्ञापन की एक प्रति भेज दी गई है।

Sale of Edible oil in Blackmarket by Food Corporation of India

9695. SHRI K. M. Koushik : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that the Government of Gujarat had taken a levy of 6334 tonnes of edible oil from the producers for being sold to the consumers through the Food Corporation of India ;

(b) whether it is a fact that the said quantity of oil has been sold in the black market by the officers of the Food Corporation in collusion with private traders ; and

(c) if so, what steps have been taken by Government to bring the culprits to book ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) during 1966-67 and 1967-68 the Food Corporation of India was appointed as agent by the Government of Gujarat for purchase of groundnut oil under the Gujarat Groundnut Oil (Procurement) Orders, 1966 and 1967. The Corporation was also responsible for selling oil at the prices agreed to by State Government. The Corporation collected a quantity of about 23,300 tonnes of oil from the Millers under levy in 1967-68. Owing to sharp decline in prices of groundnut oil the offtake from the Fair Price Shops declined. The State Government suspended the levy and decided to dispose of oil in the

open market at the prices agreed to by them through the Corporation.

(b) No, Sir.

(c) Does not arise.

Use of Improved Methods of Production of Cotton

9696. SHRI RAM AVTAR SHARMA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that in a project in Virk Khera, Punjab, which is run by the Cotton Mills Federation, the yield of cotton has increased by 162 per cent ;

(b) whether Government have tried to find out the method by which the yield of cotton could be increased to this extent ; and

(c) if so, the steps Government are taking to utilise the method on an all India basis to increase the production of cotton ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNSAHIB SHINDE) : (a) The report on Cotton Development Project received from Indian Cotton Mills Federation for year 1967-68 claims that in a Project in Virk Khera, the yield of cotton has increased by 92 per cent only.

(b) The improved methods of cotton cultivation followed in the Indian Cotton Mills Federation's project were the same as were developed by States Agriculture Department and which are recommended for adoption by all the farmers.

(c) Improved methods of cotton cultivation are being popularised through the implementation of package programme under State and Centrally Sponsored Schemes which covered 10.28 lakh hectares during 1968-69. Because of limitation of resources the Government of India and the State Governments cannot provide the same degree of inputs over such larger areas as the Federation can manage for a very limited area.

Non-Uniformity in Base of Index Number for Wage and Price Level

9697. SHRI SHIVA CHANDRA JHA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether it is a fact that the base of the index number either of the wages or the price level has been changed many times, resulting in not giving any uniform picture of either the rise or decline of the wages, price-level and income relating to the 1939 prewar level ;

(b) if so, the reasons therefor ;

(c) whether Government will decide on any particular base year either 1950-51 or 1947-48 so that uniformity may be maintained in estimating the rise and decline in those sectors ;

(d) if so, when ; and

(e) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) and (b). According to the accepted principles the base of consumer price indices should be changed at intervals not exceeding 10 years in order to account for the change in consumption pattern. Accordingly in the past the bases of Consumer Price Index Numbers for the working class both at individual centres and as an all-India Index have been changed on more than one occasion. However, in each case there is a series of linking factors through which the particular index can be estimated on its original or interim base. As regards the index of wages and earnings of industrial labour compiled by the Labour Bureau, the base which was originally 1939=100 was changed to 1951=100 to accommodate the revised standard industrial classification and again to 1961=100 to accommodate change in coverage of the Payment of Wages Act.

(c) to (e). As explained above a particular base-year cannot be kept unchanged for all times. While deciding

on the fresh base-year. attempts are made to ensure that the base-years for the different index series are uniform or as near to each other as possible. However, by the method of arithmetical shifting the various series can always be converted to a common base period for purposes of comparison.

Prohibition of Cow Slaughter

9698. SHRI KANWAR LAL GUPTA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that the former Home Minister gave some assurances about prohibiting cow slaughter;

(b) if so, the details of those assurances;

(c) the action on those assurances ?

(d) whether Government have written to those States which have not prohibited cow slaughter so far; and

(e) if so, the details thereof and if not,

the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) and (b). In a statement made in the Parliament on 4th of November, 1966, Shri G. L. Nanda, former Union Minister for Home Affairs, *inter alia*, stated that the States which had not yet completely prohibited cow slaughter had been asked to bring forward legislation for the purpose of prohibiting the slaughter of cows and calves and other milch and draught cattle. He further stated that as far as the Union Territories were concerned, steps to undertake appropriate legislation would be taken immediately.

(c) to (e). The matter was duly pursued with such of the State Governments and Union Territories as had not completely prohibited cow slaughter to enact suitable legislation on the subject as per the details given below :—

| Date of Communication | By whom addressed | States/Union Territories |
|-----------------------|--|--|
| 31st August, 1966. | Addl. Secretary Ministry of Food and Agriculture (Department of Agriculture) | Chief Secretaries of Assam, Andhra Pradesh, Madras, Maharashtra, West Bengal, Kerala, Pondicherry, Nagaland, Goa, Daman and Diu. |
| 6-10-66 | Union Home Minister | Chief Ministers, Andhra Pradesh, West Bengal, Assam, and Maharashtra. |
| 10-10-66 | -do- | Chief Ministers of Himachal Pradesh, Goa Daman and Diu and Tripura. |
| 28-10-66 | -do- | Chief Ministers of Andhra Pradesh, Madras, Assam, West Bengal and Maharashtra (Reminders). |
| 7-5-67 | Union Minister of Food and Agriculture | Chief Ministers of Kerala, Goa Daman and Diu, Himachal Pradesh, Pondicherry and Tripura. |
| 7-5-67 | -do- | Chief Ministers of Andhra Pradesh, Assam, Maharashtra Tamil Nadu and West Bengal. |

The progress made so far in the States and Union Territories towards putting a ban on cow slaughter, has been indicated in the answer to Lok Sabha Unstarred Question No. 8271 given on 1st of May, 1969.

Thefts in Transcription and Programme Exchange Service of A. I. R.

9699. SHRI BABURAO PATEL : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the number and dates of thefts in Transcription and Programme Exchange Service of All India Radio since 1966 with nature, quantity and value of goods lost;

(b) the dates on which the thefts were reported to the police and the result of

police and the result of police investigations in each case;

(c) whether any theft of mylar tapes took place on the 18th November, 1967;

(d) if so, the number and value of tapes lost;

(e) whether this theft was reported to the police, if so, with what results;

(f) if not, the reasons therefor; and

(g) the action taken against the persons involved in theft ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a)

| No. of thefts | Dates on which thefts were discovered | Nature of goods lost | Quantity | Value |
|---------------|---------------------------------------|----------------------|----------|------------------|
| 1 | 2 | 3 | 4 | 5 |
| Five | 31-5-66 | Typewriter | One | Rs. P. 745.00 |
| | 18-3-68 | Tapes | 14) | 697.68 |
| | 25-3-68 | Tapes | 22) | |
| | 27-5-68 | Tapes | 48 | 473.16 |
| | 13-8-69 | Tapes | 80 | 963.00 |
| | | Transister | 1 | 390.00 |
| | | Stopwatch | 1 | 73.00 |
| | | Magnetic Tapes | 13 | 86.58 |

(b) The thefts were reported to the Police on the dates they were discovered, except in the case of theft on the 18th March, 1968, which was reported to the Police on 25th March, 1968. In respect of the thefts are reported to the police on 25-3-1968 and 27-5-1968, the Police have stated that no clue to the stolen property or culprits could be found. As regards the other thefts, the result of police investigation is awaited.

(c) and (d) Five Mylar Tapes valued

at Rs. 96.90 were found missing on 18-11-1967.

(e) and (f). The matter was not reported to the Police as the loss was attributable to negligence on the part of a member of the staff and not to theft.

(g) Departmental action will be taken against him after the result of police investigation in respect of the other thefts becomes available.

A. I. R. Programme in Dogri

9700. SHRI HEM RAJ : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether it is a fact that a 'large section of population of Jammu and Kashmir, Himachal Pradesh and Punjab speak Dogri;

(b) whether any time has been allotted for the relay of the Dogri broadcasts from the All India Radio;

(c) if not, the reasons therefor; and

(d) whether Government propose to allot some time for the relay of Dogri programme daily from the All India Radio ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) According to 1961 Census about 8,70,000 persons in Jammu and Kashmir and about 6,000 persons in Himachal Pradesh and the Punjab speak Dogri.

(b) Yes, Sir. Programms in Dogri are broadcast from Jammu station. News bulletins in Dogri are also broadcast from Delhi.

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

Damage caused to Rabi Crops and Orchards due to Unusual Rains

9701. SHRI HEM RAJ : Will the Ministry of FOOD AND AGRICULTURE be pleased to state :

(a) the amount of damage caused to the rabi crops and orchards in the States/Union Territories of Himachal Pradesh, Uttar Pradesh, Delhi, Punjab and Jammu and Kashmir due to unusual late rains, hailstorms and heavy snow-fall in the month of April; and

(b) if so, the assistance given by the Centre to the said States/Union Territories ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) and (b). The information is being collected and will be placed on the Table of the Sabha as soon as compiled.

'Vaidya' and 'Unani' systems of medicines in Mica Mines

9702. SHRI I. AHMAD : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether a provision exists for 'Vaidya' and 'Unani' systems of medicine in the mica mines of Kodarma area ;

(b) if so, how many units of Vaidya and Unani are working at present and at what places ; and

(c) whether the local advisory committee passed a resolution for opening 'Unani' system ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) Provision exists for Ayurvedic system of medicines only.

(b) Eight Units are working at present at Luxmipur, Pathaldiha, Dhuba, Charki, Charkitelaia, Singho, Chatkri and Domch.

(c) Yes. A scheme to give effect to the resolution is being formulated by the Mica Mines Labour welfare Fund.

Maps and Atlas of Indian Forests

9703. SHRI N. R. DEOGHARE : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that there has been a delay in the collection of information regarding the preparation of maps and atlases for the Indian forests ;

(b) if so, the reasons therefor ; and

(c) when these maps and atlas are likely to be completed ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) Yes, Sir.

(b) The preparation of maps and Atlases for Indian forests has been held up for want of information from States. Information is still awaited from five States.

(c) The maps and Atlases will be completed soon after the receipt of necessary information from the remaining five States.

Shortfall in Target of Forest Area

9704. **SHRI N.R. DEOGHARE :** Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that since the adoption of National Forest Policy Resolution in 1952, the total addition to forest area in the country has not been equal to the target of 33.1/3 per cent ;

(b) If so, the percentage increase in the forest area ;

(c) the reasons for not achieving the target of 33.1/3 per cent ; and

(d) when Government expect to achieve this target ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) Yes, Sir.

(b) The total area under forests in the Country in the year 1951-52 was 73.74 million hectares. The area under forests in 1966-67 is 75.35 million hectares. Thus the percentage increase in forest area comes to 2.6 per cent.

(c) Forests is a State subject under the Constitution. The Government of India

renders all possible technical guidance through Inspector General of Forests. The National Forest Policy lays down guiding principles for the State Governments for the management of forests and their utilisation.

There is constant pressure of growing population on the existing forest wealth in the Country. The population has risen from 363 million in 1951 to 511 million in 1967. Cattle population has also risen almost at the same rate. Also 1.07 million hectares had to be released during the last 15 years or so, for various major important purposes viz. Rehabilitation of displaced persons, cultivation of food crops, establishment of industries. Hydroelectric and irrigation projects etc. In spite of the above, there is a rise in the area under forests since the adoption of the National Forest Policy.

(d) In view of the facts detailed in reply to (c) above, though it may not be possible to indicate the period by which the prescribed target would be achieved undeterred efforts will be continued in this regard.

✓ Transport of Foodgrains in Open Wagons

9705. **SHRI N.R. DEOGHARE :** Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that about 25 per cent of the total quantity of foodgrains transported during the years 1967 and 1968 was moved in open wagons exposed to rains ;

(b) if so, the total quantity lost due to exposure to rains and its value in Rupees ; and

(c) what steps have been taken to avoid such losses of foodgrains in future ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) : Due to inadequate availability of covered wagons, out of the 8.88 million tonnes of foodgrains moved by

rail during 1957, 2.47 million tonnes was carried in open wagons i.e. about 27% of the total tonnage carried. During that year all open wagons when loaded with foodgrains were properly covered by tarpaulines. During 1958, out of 7.95 million tonnes of foodgrains moved by rail, 1.5 million tonnes was moved in open wagons or about 19% of the total tonnage carried. However, of 1.5 million tonnes of grain carried in open wagons, about 86,000 tonnes loaded in fair weather during the peak procurement period, particularly in Punjab and Haryana, could not be covered by tarpaulines because of an unprecedented rush of foodgrains in the mandis in those States necessitating some clearance in open wagons even without tarpaulins.

(b) The quantity of foodgrains damaged by rain in 1967 and 1968 was about 447 tonnes and about 9195 tonnes respectively. Claims for compensation were lodged with the Railways and are being settled by them on the merits of each case. The disposal of grain damaged in 1967 fetched Rs. 63500/- (Approx) against its estimated price of Rs. 2,23,500/- (Approx). It is not yet possible to state the loss during the year 1968 as all the grain has not yet been disposed of.

(c) The steps taken by the Government for the proper protection of foodgrains in transit include :—

- (i) Carriage in covered wagons to the maximum extent possible.
- (ii) Covering open wagons and trucks carrying foodgrains by good tarpaulins properly fastened and lashed.
- (iii) Loading of grain in open wagons in fair weather only and in bulk rakes with escorts so as to ensure proper checks at intermediate points.

Statistical Data of Forestry

9706. SHRI N. R. DEOGHARE : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that since the declaration of the National Forest Policy in 1952, statistical data in various fields of

forestry are either not available or wherever available are inaccurate and inadequate ;

(b) if so, the reasons therefor ; and

(c) the steps Government are taking to improve the method of collection of statistical data ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CORPORATION. (SHRI ANNASAHIB SHINDE). : (a) and (b) : No, Sir. Forest Statistics are initially compiled by the State Forest Departments and issued as annexures to their Annual Administration Reports. At the centre, the Directorate, of Economic and Statistics, Ministry of Food, Agriculture C. D. & Cooperation, coordinate and compile the data on forest statistics on the basis of returns received from the States. The principal forest statistics are those relating to area under forests, volume of standing timber, out-turn of timber, the quantity of minor forest produce, employment in forestry and forest industries, Revenue and expenditure and Foreign Trade in basic and derived forest products. The forest statistics are published in the form of "Indian Forest Statistics" issued by the Directorate of Economics and Statistics.

The States which are the primary agency for furnishing the statistics, did not have, by and large any machinery to collect statistics relating to forest resources, consumption and demand trends of forest products ; etc. methodically.

(c) The Directorate of Economics and Statistics has been attempting, close cooperation with inspector General of forests and Forest Research Institute, Dehra Dun to effect improvements in the coverage and contents of the statistics. With the concurrence of the Directorate of Economics and Statistics, a separate statistical Cell has been set up in the forestry wing of the Department of Agriculture for the last two years to coordinate, complete and maintain up-to-date data pertaining to forestry on all India basis. At the State level, separate statistical cells have been created in a few States and other States are actively considering to set up similar cells during the Fourth Five Year Plan period.

Exploitation of Forests in Himalayan regions

9707. SHRI N. R. DEOGHIARE : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is fact that large forest areas particularly some of the rich forests at higher elevations in Himalayas and other mountainous region remain unexploited on account of inaccessibility of those regions ;

(b) if so, the approximate areas of such regions ; and

(c) the steps being taken to improve the communications to link up these forest areas ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) Yes, Sir.

(b) It is estimated that about 16.3 million hectares of the country's forests are productive, but inaccessible. much of this area is left unexploited because of the lack of communications.

(c) At present average length of forest road is 1 km. for every 11 sq kms. of forests. As such during the Plan periods, great importance was attached to the construction and improvement of forest roads particularly in inaccessible areas. A sum of about Rs. 11 crores has so far been spent on construction and improvement of 43,800 kms. of forest roads during the period 1951-52 to 1967-68.

In some States, skyline cranes, ropeways and winches have been installed for extraction of forest produce from inaccessible forest areas.

A very large amount is required to build up a net-work of forest roads. A phased programme is, therefore, proposed to be adopted. A relatively larger provision is proposed to be made available for this activity during the Fourth Plan period.

Allotment of Land to Sindhis

9708. SHRI HEM RAJ : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the claims of Sindhis of Punjabi extraction have been assessed at par with Sindhis and allotted agricultural lands in Punjab and Haryana as Non-Punjabis;

(b) If so, whether Sindhis of Punjabi Extraction continue to be governed by the Central Government Rules as are applicable to non-Punjabis in regard to the price of land and allotted and sold to them ;

(c) whether it is a fact that for the excess area, non-Punjabis from Sindh settled in Punjab or Haryana pay Rs. 450 per standard acre; whereas Sindhis of Punjabi Extraction settled in Punjab are required to pay at Rs. 800 to Rs. 1500 per standard acre and in Haryana at Rs. 1200 to 2200 per standard acre; and

(d) if so, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JIJA AZAD) : (a) to (d). The information is being collected and will be laid on the Table of the Sabha, as soon as possible.

Accredited Press Representatives

9709. SHRI JUGAL MONDAL : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to refer to the reply given to Unstarred Question No. 4709 on the 21st August 1968 and state,

(a) whether the information about the accredited Press representatives has since been collected; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRIES OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) No record is maintained in the offices of the Directorate of advertising and Visual Publicity and Registrar of Newspapers for India of accredited press correspondents who call on those offices for business.

(b) Does not arise.

Lady Telephone Operators in Central Trunk Exchange New Delhi

9710. SHRI RAM CHARAN : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the number of temporary and permanent Lady Telephone Operators in the Central Trunk Exchange, New Delhi, who were served with one month's notice of discharge from service for taking part in the September, 1968 strike;

(b) the number of temporary and permanent Operators who were served with notice discharging them with immediate effect;

(c) the number of Operators who have been re-instated out of the ones referred to above ; and

(d) the number of operators still to be re-instated and the time likely to be taken ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI SHER SINGH) : (a) Such number of temporary employees is 72 and that of permanent employees is Nil.

(b) Such number of temporary employees is 3 and that of permanent employees is Nil.

(c) All the 72 temporary Lady Telephone Operators have been re-instated.

(d) The three temporary Lady Telephone Operators who were served with notice discharging them with immediate effect referred to against part (b) of the question are not eligible for re-instatement under the Govt. orders issued in this regard.

Lady Telephone Operators in Central Trunk Exchange, New Delhi

9711. SHRI JAGESHWAR YADAV : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the total strength of Lady Telephone Operators in the Central Trunk Exchange, New Delhi ;

(b) the percentage of permanent and temporary Operators who attended office on the 18th and 19th September, 1968 ; separately ; and

(c) the names of Operators who were granted leave or weekly off on the 18th and 19th September, 1968 ; separately ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI SHER SINGH) :

| | | | | |
|-----|-------------------|--------|---------|--------|
| (a) | Sanction strength | | 625 | |
| | Working strength | | 594 | |
| | (as on 1-9-68) | | | |
| (b) | 18-9-1968 | | 19-9-68 | |
| | <hr/> | | <hr/> | |
| | Pmt. | Tempy. | Pmt. | Tempy. |
| | 6% | 5% | 7% | 7% |

(c) Three statements are laid on the Table of the House. [*Placed in Library. See No. LT-1174/69*]

Assurances pending with Ministry of Information and Broadcasting

9712. SHRI ABDUL GHANI DAR : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the total number of assurances given on the floor of the House in reply to questions/Debates pending for over three months in respect of Ministry of Information and Broadcasting ; and

(b) the time by which these will be implemented ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a). Thirty-two.

(b) Efforts are being made to implement them as expeditiously as possible.

Qualifications of Mechanics in A.I.R.

9713. SHRI ABDUL GHANI DAR : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to refer to the reply given to Unstarred Question No. 6247 on the 28th August, 1968 and state :

(a) whether decision has since been taken regarding the revision of the qualifications for Mechanics ;

(b) if so, the details thereof ; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) No, Sir.

(b) Does not arise.

(c) The case of mechanics is being considered along with a number of other categories of Class III technical employees of A.I.R. and a decision will be taken early.

Central Assistance to Kerala for Agriculture and Minor Irrigation

9714. SHRI P. C. ADICHAN : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the details of the assistance given to the Government of Kerala for agricultural production including minor irrigation and land development for the years 1967-68 and 1968-69 ;

(b) the amount of assistance actually asked for by that Government for the purpose during these years and for 1969-70 ; and

(c) the amount sanctioned by Central Government as aid for these schemes against the said demand for 1969-70 ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNA-SAHIB SHINDE) : (a) Central assistance is released to State Governments for Centrally sponsored and Centrally aided (State Plan) Schemes. The central assistance given to the Government of Kerala for these schemes during 1967-68 and 1968-69 is given below :—

| Scheme | Rs. in lakhs | | | |
|-----------------------------------|-----------------|--------|---------|--------|
| | Amount released | | | |
| | 1967-68 | | 1968-69 | |
| | Loans | Grants | Loans | Grants |
| (i) Centrally aided (State Plan). | 180.82 | 163.19 | 205.20 | 169.05 |
| (ii) Centrally Sponsored. | 6.25 | 29.68 | — | 15.97 |
| | 187.07 | 192.87 | 205.20 | 185.02 |

(b) and (c). Central assistance is released to the States on the basis of the progress of expenditure reported by them. For the State Plan Schemes, the entire amount asked for by the State was released to them during the years 1967-68 and 1968-69. In the case of Centrally Sponsored

Schemes, the amount of assistance is fixed on the basis of pattern of assistance.

Under the new procedure for release of assistance to State Governments for State Plan Schemes introduced from the current financial year (1969-70), assistance will be

made available to the State Governments in block loans and grants for all sectors as a whole and will not be related to any individual programme or scheme. The exact amount of assistance to be released to the Government of Kerala during 1969-70 and the details of the procedure have not yet been finalised.

The details and the quantum of assistance to be made available to State for Centrally Sponsored Schemes during the year 1969-70 have also not been finalised as yet.

Production and Import of Wheat

9715. SHRI P. C. ADICHAN : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the total acreage of wheat sown in the country during the last rabi crops and how much of it was under High Yielding varieties, cultivation ;

(b) the total wheat yield from that rabi crops in the country and how much of it consisted of High Yielding wheat ;

(c) whether Government propose to import wheat during the current year ; and

(d) if so, to what extent the country is likely to remain dependent on imported wheat during the current year ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) and (b). Firm Estimates of area based on complete enumeration and production based on crop cutting survey result of wheat crop for 1968-69 would become available only after the close of the current agriculture year *i.e.* some of time in July-August 1969. However, according to the preliminary estimates the area under wheat during 1968-69 is estimated to be higher than that last year by 7%.

As regards the High Yielding Varieties of wheat, the target for the coverage of area under these varieties during 1968-69 was fixed at 10.09 million acres. Information regarding actual achievements against this

target has not been received from all the States. Estimates of production of these varieties are also not available.

(c) Yes.

(d) Imports of foodgrains (including wheat) for 1969-70 for public distribution and for building up of buffer stocks have, however, been proposed to be 5.2 million tonnes.

Assessment of Flour Mills

9716. SHRI P. C. ADICHAN : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that a Committee was set up by Government sometime back for a rational assessment of the flour mills in the county;

(b) if so, whether the report of the Committee has been received ; and

(c) if the reply to part (b) above be in the affirmative, when Government propose to implement the recommendations of the Committee ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) and (b). Yes Sir.

(c) Some of the recommendations have already been implemented. With regard to other recommendations, the matter is under consideration in consultation with the Ministry of Industrial Development, Internal Trade and Company Affairs.

Delay in Express Telegrams

9717. DR. KARNI SINGH : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether Government's attention has been drawn to fact that inordinate delays take place in the delivery of Express telegrams from Bombay, particularly Bombay-Delhi and Bombay-Bikaner sections ;

(b) if so, whether the Complaints have been investigated and if so, the result of the enquiry ; and

(c) whether any special steps have been taken to overcome the delay and redress the grievances of the public in this respect ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI SHER SINGH) : (a) Yes.

(b) Telegrams emanating from Bombay for Delhi and Bikaner are handled speedily and are not generally subjected to delays. Occasionally, however due to unavoidable prolonged failure of the coaxial route some delays are caused.

(c) The working condition on Bombay New Delhi circuits is normally good. Technical failures which cannot be ruled out completely do sometimes impede the clearance of traffic. However, steps are always taken of all levels to minimise such failures.

किसानों को ट्रैक्टरों तथा अन्य कृषि उपकरणों की सप्लाई के लिए सेवा सहकारी समितियों की योजना

9718. श्री बृज भूषण लाल :

श्री राम गोपाल शालवाले :

श्री जगन्नाथ राव जोशी :

श्री रणजीत सिंह :

श्री अटल बिहारी वाजपेयी :

श्री सूरज भान :

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सेवा सहकारी समितियों की कोई योजना विचाराधीन है जिसके अन्तर्गत गांव में छोटे किसानों को भी ट्रैक्टर तथा अन्य कृषि उपकरण नाममात्र के मूल्यों पर मिल सकें ;

(ख) यदि हा, तो उसका व्यौरा क्या है ; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

खाद्य, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री एम. एस. गरूपदस्वामी) : (क) चुनी हुई सहकारी समितियों द्वारा ट्रैक्टरों तथा अन्य कृषि यंत्रों के लिए सेवा केन्द्र स्थापित करने और कृषि यंत्रों में "कस्टम सर्विस" उपलब्ध करने की एक योजना राष्ट्रीय सहकारी विकास निगम द्वारा स्वीकृत की गई है। इस योजना के अन्तर्गत छोटे किसानों के लिए चुनी हुई सहकारी समितियों द्वारा उपलब्ध की जाने वाली "कस्टम सर्विस" की सुविधाओं का उपयोग निर्धारित भाड़ा अदा कर के करना सम्भव होगा। चुनी हुई सहकारी समितियों को राष्ट्रीय सहकारी विकास निगम द्वारा सम्बन्धित राज्य सरकारों के माध्यम से सहायता दी जाएगी।

(ख) योजना का व्यौरा सभा पटल पर रखा है। [पुस्तकालय में रख दिया गया। देखिये संख्या LT—1175/69]

(ग) प्रात नहीं उठता।

काश्मीर में विस्थापित व्यक्तियों का पुनर्वास

9719. श्री बृज भूषण :

श्री जगन्नाथ राव जोशी :

श्री अटल बिहारी वाजपेयी :

श्री सूरज भान :

श्री रणजीत सिंह :

क्या श्रम तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) पश्चिम पाकिस्तान को छोड़कर अन्य देशों से भारत में अब तक कुल कितने विस्थापित व्यक्ति आये हैं और प्रत्येक राज्य में कितने विस्थापित व्यक्ति बसाये गए हैं ;

(ख) क्या काश्मीर राज्य (जम्मू सहित) में बसाये गए विस्थापित व्यक्तियों की संख्या अन्य राज्यों की तुलना में कम है ; और

(ग) यदि हाँ, तो उसके क्या कारण हैं ?

अब, रोजगार तथा पुनर्वास मंत्रालय में राज्य मंत्री (श्री भागवत झा आजाद) : (क) अन्य देशों से स्वदेश लौटे भारतीय राष्ट्रिक तथा तिब्बत से आये शरणार्थी विस्थापित व्यक्तियों की श्रेणी में नहीं रखे गये हैं। इस लिये, पूर्वी पाकिस्तान से आये विस्थापित व्यक्तियों के बारे में जानकारी नीचे दी गई है :—

पूर्वी पाकिस्तान से आये विस्थापित व्यक्ति

अब तक पूर्वी पाकिस्तान से लगभग 50.24 लाख व्यक्ति आये हैं।

31.3.1958 तक आये 41.17 लाख व्यक्तियों में से पुनर्वास सहायता 6.68 लाख परिवारों को प्रदान की जा चुकी है। उनके मामले में पश्चिम बंगाल में जो बस गए हैं उन के बारे में कुछ अवशिष्ट कार्य की मदों के अतिरिक्त जिनका पुनर्विलोकन समीक्षा समिति द्वारा किया जा रहा है, अन्य राज्यों में प्रायः पुनर्वास कार्य पूर्ण हो चुका है।

1.4.1958 से 31.12.1963 तक भारत आये 0.61 लाख प्रवासी राहत तथा पुनर्वास सुविधाएं पाने के पात्र नहीं थे।

1.1.1964 या उसके उपरान्त आये 8.46 लाख व्यक्तियों में से पुनर्वास सहायता केवल उन परिवारों को ही स्वीकार्य है जिन्हें राहत शिविरों में प्रवेश दिया गया है। इस समय लगभग 35,321 परिवार (30,857 कृषक तथा 4,464 गैर कृषक) पुनर्वास स्थलों पर हैं।

एक विवरण, जिसमें पुनर्वास सहायता प्रदान किये गये परिवारों का राज्यवार व्योरा दिया गया है, सभा पटल पर रखा जाता है।

[पुस्तकालय में रख दिया गया। देखिये संख्या L-T—1176/69]

इसके अतिरिक्त 5,924 प्रवासियों को उद्योगों में रोजगार दिलाया गया है और 3,307 को सरकारी कार्यालयों तथा सार्वजनिक और निजी संस्थानों में रोजगार दिलाया गया है।

(ख) और (ग) . प्रश्न ही नहीं उठता, क्यों कि पूर्वी पाकिस्तान से आये किसी भी विस्थापित व्यक्ति को जम्मू और काश्मीर राज्य में नहीं बसाया गया है।

आलुओं का उत्पादन

9720. श्री महाराज सिंह भारती : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि वर्ष 1968-69 के सीजन में आलुओं का कितना उत्पादन हुआ और पिछले सीजन में कितना उत्पादन हुआ था ?

खाद्य, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री अन्ना-साहिब शिन्हे) : 1967-68 के दौरान आलू का उत्पादन 42.3 लाख मेट्रिक टन होने का अनुमान है। 1968-69 के दौरान आलू के उत्पादन के अन्तिम अनुमान अभी उपलब्ध नहीं हैं। आरम्भिक अनुमानों के अनुसार, 1968-69 के दौरान आलू का क्षेत्र पिछले क्षेत्र की अपेक्षा 10 प्रतिशत अधिक है।

पाकिस्तान में पशु पक्षी

9721. श्री ओम प्रकाश त्यागी :

श्री नारायण स्वरूप शर्मा :

श्री राम स्वरूप विद्यार्थी :

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राजस्थान के जंगलों में बाघों की संख्या दिन प्रति दिन घटती जा रही है ;

(ख) क्या यह भी सच है कि उनकी संख्या इसलिए घट रही है कि भूतपूर्व नरेशों

तथा उनके परिवारों पर शेरों का शिकार करने पर कोई प्रतिबन्ध नहीं है और उनकी संख्या और कम होने की आशंका है ;

(ग) यदि हां, तो क्या सरकार का विचार शिकार के मामले में उन पर भी प्रतिबन्ध लगाने का है ; और

(घ) यदि नहीं, तो उसके क्या कारण हैं ?

स्वाय, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री अन्ना-साहिब शिन्दे) : (क) जी हां ।

(ख) जी नहीं ।

(ग) यह कर दिया गया है ।

(घ) प्रश्न नहीं होता ।

शरणार्थियों का पुनर्वास

9722. श्री ओम प्रकाश त्यागी :

श्री नारायण स्वरूप शर्मा :

श्री राम स्वरूप बिलाथी :

क्या श्रम तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1968 के अन्त में भारत में प्रत्येक देश से आये हुए ऐसे कितने शरणार्थी थे, जिन्हें सरकार बसा नहीं सकी ;

(ख) सरकार का विचार प्रत्येक राज्य में कितने शरणार्थी बसाने का है ;

(ग) क्या सरकार यह सुनिश्चित करने का विचार कर रही है कि भविष्य में शरणार्थियों को तब तक किसी स्थान पर नहीं बसाया जायेगा जब तक कि वहां पर भूमि तथा पानी की व्यवस्था न की जाती है ; और

(घ) अन्दमान तथा निकोबार द्वीप समूह में कितने शरणार्थियों को बसाने का विचार है ?

श्रम, रोजगार तथा पुनर्वास मंत्रालय में राज्य मंत्री (श्री भागवत झा आजाद) : (क) और (ख). बर्मा, श्रीलंका तथा मोजम्बिक से स्वदेश लौटे भारतीय राष्ट्रिक शरणार्थियों की श्रेणी में नहीं आते हैं । इसलिये, पाकिस्तान तथा तिब्बत से आये शरणार्थियों के बारे में जानकारी नीचे में दी गई है :—

(i) पूर्वी पाकिस्तान से आये नये प्रवासी

1968 के वर्ष के अन्त में नये प्रवासियों के 10,607 परिवार राहत शिविरों में पुनर्वास की प्रतीक्षा में थे । इसके अतिरिक्त स्थायी दायित्व श्रेणी के 4,256 परिवार ये जिन्हें ग्रहों में रखना होगा । पुनर्वास किये जाने वाले परिवारों को आसाम, बिहार, मध्य प्रदेश, उत्तर प्रदेश में तथा दण्डकारण्य तथा महाराष्ट्र की कृषि विकास योजना में, बसाने का प्रस्ताव है । प्रत्येक राज्य में बसाये जाने वाले परिवारों की परिशुद्ध संख्या इस समय नहीं बतायी जा सकती ।

(ii) 1965 में हुए भारत पाक संघर्ष के फलस्वरूप पश्चिमी पाकिस्तान में अल्प संख्यक समुदाय के सदस्य, जो राजस्थान में आये ।

भारत-पाक संघर्ष के फलस्वरूप पश्चिमी पाकिस्तान से राजस्थान में आये अल्प संख्यक समुदाय के 80 परिवार वर्ष 1968 के अन्त में बसाये जाने की सहायता की प्रतीक्षा में थे उन्हें चालू वर्ष में राजस्थान में बसाया जायेगा ।

(iii) तिब्बत से आये शरणार्थी

वर्ष 1968 के अन्त में लगभग 15550 तिब्बती शरणार्थी पुनर्वास की प्रतीक्षा

में थे। इन परिवारों को मैसूर उड़ीसा, हिमाचल प्रदेश इत्यादि में बसाने का प्रस्ताव है। प्रत्येक राज्य में बसाये जाने वाले परिवारों की परिशुद्ध संख्या इस समय नहीं बतायी जा सकती।

(ग) यह सुनिश्चित करने के लिए भरसक प्रयत्न किया जाता है कि बसने वालों को ऐसी भूमियां प्रदान की जायें जो खेती के लिए उपयुक्त हों और पीने तथा कपड़े धोने इत्यादि के लिए पानी उपलब्ध हो।

(घ) 1969-70 के अन्तर्गत द्वीप समूह में 104 परिवारों को बसाया जाना प्रस्तावित है।

गौ-वध

9323. श्री ओंकार सिंह :

श्री कंवर लाल गुप्त :

श्री जि० ब० सिंह :

श्री शारदा नन्ध :

श्री वंश नारायण सिंह :

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1962-63 से 1967-68 तक की अवधि में प्रतिवर्ष कितनी गायों का, राज्य-वार, वध किया गया ;

(ख) क्या यह सच है कि कुछ राज्यों में जहां दुधारू गायों के वध पर प्रतिबन्ध है, ऐसी बहुत सी गायें बुचड़ खानों के अन्दर तथा बाहर मारी जाती हैं ;

(ग) यदि हां, तो इस प्रतिबन्ध को प्रभावशाली ढंग से लागू करने के लिये सरकार का विचार क्या व्यवस्था करने का है ; और

(घ) ऐसे अवैध कार्य के लिए अब तक कितने व्यक्ति गिरफ्तार किये गये हैं ?

खाद्य, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री अन्नासाहब

शिन्हे) : (क) से (घ). जानकारी एकत्रित की जा रही है और यथा समय सभा पटल पर रख दी जायेगी।

आकाशवाणी से स्थानीय समाचार

9724. श्री जगन्नाथराव जोशी :

श्री सूरजभान :

श्री रणजीत सिंह :

श्री अटल बिहारी वाजपेयी :

श्री बृज भूषण लाल :

क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) गत एक वर्ष में आकाशवाणी के दिल्ली केन्द्र से स्थानीय समाचारों के प्रसारण में स्थानीय समाचारों का अनुपात क्या है ;

(ख) उक्त अवधि में समाचारों के प्रसारण में महापौर तथा कार्यकारी पार्षदों द्वारा दिये गये वक्तव्यों का अनुपात क्या है ;

(ग) नगर निगम तथा महानगर परिषद के सत्र के दिनों में कार्यवाही के समाचारों तथा कार्यवाही की समीक्षा के लिए औसत कितना समय दिया गया है ; और

(घ) क्या महानगर परिषद, नगर निगम सम्बन्धी स्थानीय समाचारों तथा उक्त निकायों के महत्वपूर्ण अधिकारियों के भाषणों का अनुपात बताये जाने का विचार है ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य-मंत्री (श्री इ० कु० गुजराल): (क) फरवरी, 1968 से जनवरी, 1969 की अवधि के दौरान आकाशवाणी दिल्ली के प्रादेशिक समाचार बुलेटिनों में लगभग 58% औसतन स्थानीय समाचार थे।

(ख) इसमें से लगभग 4% महापौर और कार्यकारी पार्षदों के वक्तव्यों को दिया गया।

(ग) नगर निगम तथा महानगर परिषद् के सत्र की कार्यवाही के समाचारों तथा कार्यवाही की समीक्षा के लिए कोई निर्धारित समय नहीं है। निगम तथा परिषद् की बैठकों के समाचार प्रादेशिक समाचार बुलेटिनों में दिये जाते हैं।

(घ) बुलेटिनों में समाचारिक महत्व के समाचार शामिल किये जाते हैं और इनको शामिल किया जाता रहेगा।

नये ट्रांसमीटर स्टेशन

9725. श्री कंवरलाल गुप्त : क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) आगामी दस वर्षों में नये प्रसारण केन्द्र कहां-कहां स्थापित किये जायेंगे और उन पर कितना व्यय होगा ;

(ख) उन राज्यों के नाम क्या हैं जहां कोई प्रसारण केन्द्र नहीं है और उनकी स्थापना कब तक की जायेगी ; और

(ग) चीन तथा पाकिस्तान के शक्तिशाली ट्रांसमीटरों द्वारा किये जाने वाले प्रचार का खंडन करने के लिए सरकार द्वारा क्या कार्यवाही की जा रही है ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री इ. ०. भु. ० गुजराल) :

(क) अगले दस वर्षों की अवधि में नये केन्द्रों को स्थापित करने की कोई योजना तैयार नहीं की गई है। तथापि चौथी पंचवर्षीय योजना के दौरान एक नये केन्द्र की स्थापना करने के बारे में सूचना योजना को अन्तिम रूप दिये जाने के बाद दी जा सकती है।

(ख) हरयाणा, चौथी योजना के दौरान इस राज्य में रोहतक में एक केन्द्र स्थापित किया जायेगा।

(ग) देश के सीमावर्ती क्षेत्रों में प्रभावशाली प्रसारण की व्यवस्था इन क्षेत्रों में अनेकों केन्द्र स्थापित करके की जा रही है। इसके अतिरिक्त, शक्तिशाली शार्टवेव तथा मीडियम वेव ट्रांसमीटर स्थापित करके आकाशवाणी की वैदेशिक सेवा में सुधार किया जा रहा है। वैदेशिक सेवाएं और विदेशी भाषाओं में साधनों के उपलब्ध होने पर शुरू की जाएगी।

पूर्वी पाकिस्तान से शरणार्थी

9726. श्री हुकम चन्द कछवाय : क्या श्रम तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकारी भ्रांकों के अनुसार गत तीन वर्षों में पूर्वी पाकिस्तान से कितने शरणार्थी भारत आये ; और

(ख) उनमें से कितने व्यक्तियों को अब तक योग्य रोजगार दिया जा चुका है ?

श्रम, रोजगार तथा पुनर्वास मंत्रालय में राज्य मंत्री (श्री भागवत सा आजाद) : (क) 1966—68 के तीन वर्षों के अन्तर्गत पूर्वी पाकिस्तान से 43,706 व्यक्तियों के आने की सूचना मिली है।

(ख) 1-1-1964 से अब तक पूर्वी पाकिस्तान से लगभग 8.47 लाख व्यक्ति आये हैं। जनवरी, 1964 में जब पूर्वी पाकिस्तान से भारी संख्या में नये प्रवासियों का आना आरम्भ हुआ तो यह निश्चय किया गया कि पुनर्वास सहायता केवल उन नये प्रवासियों को दी जाएगी जो प्रत्यावासन पर अपने लिए खोले गये राहत शिविरों में जाकर राहत। पुनर्वास सहायता चाहेंगे। राहत शिविरों में जाने वाले नए प्रवासियों में से 36097 परिवारों को 31.3.1969 तक कृषि, छोटे मोटे कार्य इत्यादि में बसाया जा चुका था। इसके अतिरिक्त लगभग 3600 व्यक्तियों को रोजगार तथा उद्योग में राहत

प्रदान की गई थी। इस बारे में जानकारी सुलभ प्राप्य नहीं है कि पहले ही सहायता दिये जाने वाले परिवारों में कुछ ऐसे नये प्रवासी भी सम्मिलित हैं जो 1966—68 के तीन वर्षों के अंतर्गत आये थे और जिन्हें शिविरों में प्रवेश दिया गया था। उनके पुनर्वास को जनवरी, 1964 से शिविरों में प्रविष्ट किए गए नए प्रवासियों के पुनर्वास के कार्यक्रम तथा योजनाओं का एक भाग समझा जाता है। उन प्रवासियों को, जो उक्त तीन वर्षों के अन्तर्गत आये थे और जो ऊपर निर्दिष्ट सहायता द्वारा बसाये गये प्रवासियों का भाग है, संख्या के सम्बन्ध में विशिष्ट जानकारी एकत्रित करने में जो समय तथा श्रम लगेगा वह संभाव्य परिणामों के फलस्वरूप नहीं होगा।

दिल्ली दुग्ध योजना के पास टैंकर

9227. श्री हुकम चन्द कछवाय : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली दुग्ध योजना के पास इस समय कितने टैंकर हैं ; और

(ख) गत तीन वर्षों में कितने टैंकों का आयात किया गया तथा इनका मूल्य कुल कितना है ?

खाद्य, कृषि, सामुदायिक विकास तथा सह-कार मंत्रालय में राज्य मंत्री (श्री अन्नासाहिब शिन्डे) : (क) बीस।

(ख) कुछ नहीं।

दिल्ली दुग्ध योजना की सुरक्षा पर व्यय

9728. श्री हुकम चन्द कछवाय : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली दुग्ध योजना की सुरक्षा के लिए इस समय कितने पुलिस कर्मचारी प्रतियुक्त हैं ; और

(ख) दिल्ली दुग्ध योजना द्वारा उन पर प्रति वर्ष कुल कितनी राशि खर्च की जाती है ?

खाद्य, कृषि, सामुदायिक विकास तथा सह-कार मंत्रालय में राज्य मंत्री (श्री अन्नासाहिब शिन्डे) : (क) दिल्ली दुग्ध योजना के पास मजबूत कक्ष तथा एकत्रीकरण केन्द्र की सुरक्षा तथा रोकड़ को प्रतिदिन रिजर्व बैंक ले जाने के लिए एक पुलिसदस्ता है, जिसमें एक मुख्य-सिपाही एवं पांच सिपाही हैं। अन्य सुरक्षा कार्यों के लिए दिल्ली दुग्ध योजना का अपना दस्ता है।

(ख) दिल्ली दुग्ध योजना, दिल्ली पुलिस द्वारा प्रतिनियुक्त पुलिस दस्ते पर 17,771 रुपये प्रतिवर्ष व्यय करती है।

कोटा को डाक का भेजना

9729. श्री ओंकार लाल बेरवा : क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बूंदी, अजमेर तथा जयपुर से कोटा के लिए रेलवे द्वारा डाक भेजने में देर हो जाती है ; और

(ख) यदि हां, तो इस डाक को सीधे बसों द्वारा भेजने में सरकार को क्या आपत्ति है ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री शेर सिंह) : (क) जी, नहीं। बूंदी से कोटा के लिए डाक केवल बस से ही भेजी जाती है। अजमेर और जयपुर से कोटा के लिए जाने वाली डाक का प्रेषण रेल या हवाई जहाज से उनकी रवानगी के समय पर निर्भर रह कर इस उद्देश्य से किया जाता है कि डाक का यथासाध्य शीघ्रताशीघ्र पहुँचना सुनिश्चित हो जाए।

(ख) अजमेर और जयपुर से कोटा के लिए बस से डाक भेजने की बात विचाराधीन थी। इसी बीच तारीख 7-5-1969 से अजमेर और जयपुर से कोटा को जाने वाली डाक ले जाने के

लिए जयपुर और कोटा के बीच उपलब्ध दैनिक हवाई सेवा (वेस्टर्न एयर लाइन्स) का इस्तेमाल किया जा रहा है और इससे उन जगहों में वितरण जल्दी होगा और अब बस से ढाक ले जाने की जरूरत नहीं रहेगी।

श्रमिकों की बढ़ती हुई बेरोजगारी

9730. श्री रघुवीर सिंह शास्त्री : क्या श्रम तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि श्रमिकों की संख्या, जो वर्ष 1966 में 18.76 करोड़ थी, वर्ष 1976 में बढ़ कर लगभग 24 करोड़ हो जाने की सम्भावना है ; और

(ख) बेरोजगारी की वर्तमान स्थिति को देखते हुए बढ़ती हुई जन-शक्ति का ठीक दिशा में निर्देशन करने तथा उपयोग करने के लिए सरकार ने क्या दीर्घकालीन योजना बनाई है ?

श्रम, रोजगार तथा पुनर्वास मंत्रालय में राज्य मंत्री (श्री मागवत झा आजाद) : (क) जनसंख्या प्रलम्बन की विशेषज्ञों की समिति द्वारा बनाये गये सरकारी प्रलम्बन के अनुसार, मार्च, 1966 को 15-59 वर्ष के आयु वर्ग की अर्थोपार्जन में लगी श्रमशक्ति की अनुमानित संख्या 18 16 करोड़ है। जो पहली मार्च, 1976 तक बढ़ कर 23.10 करोड़ हो जायेगी।

(ख) चौथी पंचवर्षीय योजना तथा 1969-70 की केन्द्र एवं राज्य सरकारों की वार्षिक योजनाओं में सम्मिलित विभिन्न विकास कार्यक्रमों द्वारा बड़े पैमाने पर रोजगार अवसर उपलब्ध होंगे।

बुरहानपुर (मध्य प्रदेश) में टेलीफोन कनेक्शन

9731. श्री गं० च० दीक्षित : क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की

कृपा करेंगे कि :

(क) बुरहानपुर (मध्य प्रदेश) के निवासियों से टेलीफोन कनेक्शनों के लिए जनवरी, 1967 से अब तक कितने आवेदन पत्र प्राप्त हुए हैं ;

(ख) उपरोक्त तिथि से अब तक सरकार ने गैर-सरकारी व्यक्तियों को कितने टेलीफोन कनेक्शन दिये हैं और सरकारी संकल में कितने टेलीफोन लगाये हैं ; और

(ग) इस समय सरकार के पास कितने आवेदन-पत्र अनिर्णीत पड़े हैं ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री शेर सिंह) : (क)—71.

(ख) निजी पार्टियां—55

सरकारी — 2

और 6 का संस्थापन कार्य चल रहा है।

(ग)—115.

मध्य प्रदेश में भू-संरक्षण

9732. श्री गं० च० दीक्षित : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश को भू-संरक्षण के लिये 1968-69 में कितनी राशि दी गई है ;

(ख) उस वर्ष वस्तुतः कितनी राशि खर्च की गई ; और

(ग) क्या इस धन का प्रयोग उसी प्रयोजन हेतु किया गया था जिसके लिए इसकी स्वीकृति दी गई थी ?

खाद्य, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री अन्नासाहिब शिन्दे) : (क) 1968-69 के लिये राज्य योजनाओं के अन्तर्गत भूमि संरक्षण योजनाओं के लिये 250.00 लाख रुपये के कुल परिष्यय की स्वीकृति दी गयी थी। इसके अतिरिक्त घाटी योजनाओं के

संचिव क्षेत्रों में हीराकुड़ और चम्बल में और गलीदार भूमियों के सर्वेक्षण के लिये केन्द्र द्वारा प्रायोजित भूमि संरक्षण योजनाओं के अन्तर्गत मध्य प्रदेश सरकार को 50-50 लाख रुपये की राशि नियतित की गयी थी।

(ख) राज्य सरकार से प्राप्त रिपोर्टों के अनुसार राज्य प्लान स्कीमों के कार्यान्वयन में कुल 292.47 लाख रुपये और केन्द्र द्वारा प्रायोजित योजनाओं के अन्तर्गत 50.60 लाख रुपये का कुल उपयोग किया गया।

(ग) राज्य सरकार से प्राप्त प्रगति रिपोर्टों से प्रतीत होता है कि स्वीकृत कार्यों पर किये गये उपबन्धों का उपयोग सामान्यतः कर लिया जाता है।

✓ मध्य प्रदेश में खाद्यान्नों तथा वाणिज्यिक फसलों की उपज

9733. श्री गं० च० दीक्षित : खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1966-67, 1967-68 और 1968-1969 में मध्य प्रदेश से खाद्यान्नों तथा वाणिज्यिक फसलों की कुल कितनी उपज हुई ; और

(ख) वर्ष 1969-70 में मध्य प्रदेश में उपज बढ़ाने के लिए क्या कार्यवाही करने का विचार है ?

खाद्य, कृषि, सामुदायिक-विकास तथा सह-कार मंत्रालय में राज्य मंत्री (श्री अन्नासाहिब शिन्डे) : (क) मध्य प्रदेश में 1966-67 तथा 1967-68 की अवधि में खाद्यान्नों तथा व्यापारिक फसलों के अनुमानित उत्पादन को प्रदर्शित करने वाला एक विवरण सभा पटल पर रखा जाता है। [पुस्तकालय में रख दिया गया। बेल्सिये संख्या LT—1177/69]। 1968-69 के लिये ऐसे ही आंकड़े जुलाई-अगस्त, 1969 में किसी समय उपलब्ध होने की संभावना है।

(ख) 1969-70 में कृषि उत्पादन को

बढ़ाने के लिये किये जाने वाले प्रस्ताविक महत्वपूर्ण उपायों में खाद्यान्नों की अधिक उत्पादनशील किस्मों और बहु-फसलों के अन्तर्गत क्षेत्र को बढ़ाना, लघु सिंचाई का विकास करना, उर्वरकों, सुधरे हुए बीजों तथा खाद के प्रयोग को बढ़ाना और बड़े क्षेत्रों में पौध संरक्षण उपायों को अपनाना, कृषि ऋणों की व्यवस्था को बढ़ाना और अवस्थापना कार्यक्रमों जैसे अनुसंधान, शिक्षा, विस्तार, उन्नत मणियाँ, भण्डागारों और प्रोसेसिंग विषयक सुविधाओं आदि का विकास करना शामिल है।

राजस्थान नहर क्षेत्र में वन विभाग के लिए भूमि का आरक्षण

9734. श्री प० ला० बारूपाल : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) राजस्थान में राजस्थान नहर क्षेत्र में केन्द्रीय सरकार द्वारा वन विभाग के लिये कितने एकड़ भूमि रक्षित की गई है ; और

(ख) तहसीलवार तथा जिलावार उसका क्षेत्रफल कितना है ?

खाद्य, कृषि, सामुदायिक विकास तथा सह-कार मंत्रालय में राज्य मंत्री (श्री अन्नासाहिब शिन्डे) : (क) और (ख). अपेक्षित जानकारी इकट्ठी की जा रही है और यथा-समय सभा पटल पर रख दी जायेगी।

पदोन्नतियों में आरक्षण के सम्बन्ध में गृहकार्य के अनुदेश की क्रियान्विति

9735. श्री मोल्लू प्रसाद : क्या धर्म तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) गृह-कार्य मंत्रालय के दिनांक 11 जुलाई, 1968 को कार्यालय ज्ञापन संख्या 1-12-67 ऐस्टेब्लिशमेंट (सी) में किये गये उपबन्धों के अनुसार उनके मंत्रालय तथा उसके अधीन विभागों में विभाग वार तथा वर्गवार 15 मार्च, 1969 तक अनुसूचित जातियों तथा अनु-

सूचित आदिम जातियों के कितने अधिकारी तथा अन्य कर्मचारी पदोन्नत किये गये हैं ; और

(ख) ऐसे कर्मचारियों के नाम तथा पद नाम क्या हैं और वे किन-किन विभागों में काम कर रहे हैं ?

श्रम, रोजगार तथा पुनर्वास मंत्रालय में राज्य मंत्री (श्री भागवत झा आजाद) : (क) और (ख). आवश्यक सूचना एकत्र की जा रही है और सदन की मेज पर रख दी जायेगी ।

अनुसूचित जातियों-आदिम जातियों के उम्मीदवारों की पदोन्नति

9736. श्री मोलहू प्रसाद : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) गृह-कार्य मंत्रालय के दिनांक 11 जुलाई, 1968 के शासकीय ज्ञापनपत्र संख्या 1-12-67 स्थापना (सी) के उपबन्धों के अनुसार उन के मंत्रालय में तथा उस के अधीन 15 मई, 1968 तक अनुसूचित जातियों और अनुसूचित आदिम जातियों के लिये रक्षित पदों पर इन जातियों से सम्बन्ध रखने वाले कितने अधिकारियों तथा अन्य कर्मचारियों को विभागवार, अनुभागवार तथा श्रेणीवार पदोन्नति दी गई ; और

(ख) इन कर्मचारियों के नाम तथा जहां ये काम कर रहे हैं, उन विभागों के क्या नाम हैं ?

खाद्य, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री अन्नासाहिब शिन्दे) : (क) और (ख). जानकारी एकत्र की जा रही है और सभापटल पर रख दी जायेगी ।

Sanction of ceiling fans for Atulgrove Chummeries, New Delhi

9737. SHRI A. DIPA : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether it is a fact that second ceiling fan was sanctioned for Atulgrove Chummeries, New Delhi, early in 1968 ;

(b) the action taken by Government to instal the second fan ; and

(c) when the work is likely to be completed ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI SHER SINGH) : (a) Yes, the work was sanctioned on 7-9-68.

(b) and (c). Due to difficulty of procuring D. C. fans the same could not be installed earlier. However, some D. C. ceiling fans have been recovered from other buildings and action is being taken to instal them in the Chummeries. The work is expected to be completed in about a month's time.

मंत्रालय में संयुक्त सचिव को सहायक अनुवादक बना

9738. श्री मोलहू प्रसाद : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गृह-कार्य मंत्रालय के 6 जुलाई, 1968 के आदेशों के उपबन्धों के अनुसार उनके मंत्रालय में प्रत्येक विभाग तथा अनुभाग में प्रत्येक संयुक्त सचिव को एक सहायक अनुवादक दिया गया है ;

(ख) यदि हां, तो इस सम्बन्ध में ब्योरा क्या है ; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

खाद्य, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री अन्नासाहिब शिन्दे) : (क) से (ग). गृह मंत्रालय के कार्यालय ज्ञापन के प्राप्त होने के पश्चात् जिसमें कहा गया है "कि विभाग के प्रत्येक संयुक्त सचिव के अधीन हिन्दी अनुवाद सम्बन्धी सुविधाओं की व्यवस्था कराने के सम्बन्ध में विचार किया जा सकता है", इस मंत्रालय के समस्त विभागों के हिन्दी अनुभागों को सभा-पटल पर रखे गए विवरण के अनुसार यथोचित सुदृढ़ किया गया है । [पुस्तकालय में रख दिया गया । बेखिये संख्या

LT—1178/69] ये सुदृढ़ किये गए हिन्दो अनु-भाग अनुवाद का वे समस्त कार्य करते हैं जो उन्हें संयुक्त सचिव सीधा भेजते हैं। यदि बाद में आवश्यक समझा गया तो उन्हें और सुदृढ़ करने के लिए कदम उठाये जायेंगे।

Freedom for Trade Unions

9739. SHRI D. C. SHARMA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether he suggested a statutory framework for trade union freedom while addressing the Conference of Asian Labour Ministers in New Delhi on the 28th January, 1969 ;

(b) whether the suggestion was given due consideration ; and

(c) if so, with what results ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI HATHI) :

(a) I suggested the creation of a suitable statutory frame-work within which trade union freedom could be exercised ; to-day we have only a voluntary Code of Discipline in our country.

(b) Yes. This was considered by the Committee on Industrial Relations and Wage Determination set up by the Conference.

(c) The recommendations of the Committee were incorporated in a Declaration concerning Trade Unions and Industrial Relations which was adopted by the Conference. The Declaration recommended, *inter alia*, that "Governments should, without interfering with the basic principles of workers' freedom of association and right to bargain collectively, assist in maintaining reasonable stability in industrial relations, promote industrial productivity, prevent restrictive practices in industry both by employers and workers and discourage inter-union rivalry.

"Governments should encourage, and, if necessary, undertake in cooperation with workers' organisations, if they exist, education programmes to educate workers about their rights, duties and responsibilities.

"Governments should lay down procedures to settle disputes between trade unions for recognition as bargaining agents for collective bargaining with employers on behalf of workers.

"In the case of essential industries and services, where it becomes absolutely necessary, in the interests of the community, to place restrictions on the right of employees to strike, machinery should be established for the prompt examination of the legitimate demands of workers and for their just and fair settlement."

Production of Sugarcane and Jute

9740. SHRI BHOGENDRA JHA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the total production of sugarcane and jute in various States of the country and particularly in Bihar during the last three years ;

(b) the per acre yield of sugarcane and jute in various States ; and

(c) the total import of jute and export of jute goods and sugar during the above period ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) and (b). Statements I and II giving production and yield per hectare of Sugarcane (*gur*) and Jute in different States for the last three years ending 1967-68 are laid the Table of the House. [*Placed in Library. See No. LT—1179/69*]. Firm estimates of Crop production for 1968-69 are not yet available.

(c) Statements III, IV and V giving the required information are laid on the Table of the House. [*Placed in Library. See No. LT—1179/69*].

Co-operatives of Agricultural Labourers

9741. SHRI BHOGENDRA JHA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is proposed to organise the Co-operatives of Agricultural Labourers

throughout the country during the Fourth Plan period ;

(b) the special facilities which are to be provided for such Agricultural Labourers' Cooperatives ; and

(c) the efforts which are being made to ensure the formation of such Cooperatives in all the villages of the country ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI M. S. GURUPADASWAMY) : (a). No, Sir.

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

Extension of Shops and Commercial Act of Public Schools in Delhi

9742. SHRI BENI SHANKER SHARMA :
SHRI D. C. SHARMA :

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Delhi Administration was examining a proposal to bring public schools and missionary institutions within the purview of the Shops and Commercial Establishment Act to have a check on their acting arbitrarily at times and to provide security of service for employees working in them ;

(b) if so, the reaction of Government thereto ; and

(c) the steps proposed to be taken in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) to (c). A proposal to bring such institutions within the purview of the Delhi Shops and Establishments Act, 1954 is under consideration of the Delhi Administration.

Participation of Scientists in Research Work

9743. SHRI D.C. SHARMA : Will the Minister of FOOD AND AGRICULTURE

be pleased to state :

(a) whether the setting up of Staff Research Councils in the Agriculture and Animal Husbandry Research Institutes under the Indian Council of Agricultural Research has been suggested by the Head of these institutes to help in the collective participation by Scientists in the development of research work ;

(b) whether the suggestion has been considered ; and

(c) if so, with what results ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) Setting up of Staff Research Councils in all Research Institutes was considered extremely necessary by the first Conference of Directors of Research Institutes held in May, 1966.

(b) The unanimous recommendation made by the Conference of Directors has been implemented in the I.C.A.R. Institutes.

(c) The setting up of Staff Research Councils where they did not exist earlier have been extremely beneficial to the scientific work of the Research Institutes. The scientists get an opportunity to discuss the scientific programmes they are involved in their colleagues and this also gives a sense of participation to all the research workers.

Restrictions on Import of Rice from Nepal

9744. SHRI D. C. SHARMA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that Nepal was selling 1,43,000 tons of its surplus rice to China for the first time this year ;

(b) whether it is a fact that traditionally Nepal's surplus food was sold to India but this year owing to restrictions imposed by India, Nepal was exploring other markets ; and

(c) if so, the nature of these restrictions and the justification for the same ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) Unconfirmed reports have come to the notice of Government that Nepal was considering the question of selling some of its surplus rice to China this year.

(b) and (c). Nepal's surplus rice and paddy traditionally moves to India. There are no restrictions on such movement from Nepal to the bordering States in India. Inter-zonal restrictions on movement of rice and paddy within India have been in force for a long time. No new restrictions have been imposed this year. For movement of Nepal rice from Nepal to the States in India other than the bordering States, permits are required under the movement control order and these permits are issued by the appropriate State Government.

गया जिले के अरवाल पुलिस स्टेशन में टेलीफोन एक्सचेंज

9745. श्री चन्द्र शेखर सिंह : क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गया जिले के अरवाल पुलिस स्टेशन में एक टेलीफोन एक्सचेंज स्थापित करने का विचार है ;

(ख) यदि हां, तो कब तक ;

(ग) क्या यह सच है कि जहांबाद के रास्ते गया को अरवाल से मिलाने वाली एक दुहरी लाइन ही है ;

(घ) क्या यह भी सच है कि यदि अरवाल, पटना और डालमिया नगर को टेलीफोन द्वारा मिला दिया जाए, तो इससे सारे क्षेत्र की जनता को लाभ पहुँच सकता है ;

(ङ) यदि हां, तो क्या अरवाल में एक सी० बी० ए० लाइन की व्यवस्था की जायेगी ; और

(च) यदि हां, तो कब ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री शेर सिंह) : (क) और (ख). अरवाल में दस लाइनों की एक एक्सचेंज लाइन पहले से ही चालू है। इस नगर के पुलिस स्टेशन के लिए टेलीफोन कनेक्शन की कोई मांग नहीं है, इसलिए वहाँ कोई कनेक्शन नहीं है।

(ग) जी हां।

(घ) पटना और डालमिया नगर को भेजे जाने वाले ट्रंक काल जहानाबाद के मार्ग से प्राप्त होते हैं। अरवाल से इन स्थानों के लिए कुल परियात पर विचार करते हुए सीधी ट्रंक लाइनों का औचित्य नहीं है।

(ङ) और (च). प्रश्न ही नहीं उठता।

अरवाल में टेलीफोन एक्सचेंज का खोला जाना

9746. श्री चन्द्र शेखर सिंह : क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अरवाल टेलीफोन एक्सचेंज के बिना जनता को बड़ी असुविधा हो रही है ;

(ख) क्या यह भी सच है कि अरवाल क्षेत्र के लोगों को दिल्ली, पंजाब, बंगाल आदि से टेलीफोन संपर्क स्थापित करने के लिए लाइन नहीं मिलती ; और

(ग) क्या यह भी सच है कि इस समय वहाँ पर एक 10 लाइनों वाले कनेक्शन की व्यवस्था की गई है जबकि अरवाल, इमाम गंज और कुरचा को अरवाल एक्सचेंज से नियंत्रित किया जा सकता है ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री शेर सिंह) : (क) अरवाल में पहले से ही एक 10 लाइन का एक्सचेंज काम कर रहा है ।

(ख) ट्रंक सेवा के लिए अरवाल जहानाबाद के जरिये गया और पटना से जुड़ा हुआ है । दिल्ली और पंजाब तथा बंगाल के अन्य सभी स्थानों को जहानाबाद के जरिये मिलाया जा सकता है ।

(ग) अरवाल में केवल 10 लाइन का एक एक्सचेंज है । कुरथा सार्वजनिक टेलीफोन घर सीधे जहानाबाद एक्सचेंज से जुड़ा हुआ है । इमाम गंज में कोई सार्वजनिक टेलीफोन घर या एक्सचेंज नहीं है ।

Telephone Exchange at Jahanabad

9747. SHRI CHANDRA SHEKHAR SINGH : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether it is a fact that telephone line in Jahanabad remains free only for 2 or 4 hours out of 24 hours ;

(b) whether great inconvenience is being experienced there for want of a telephone exchange ; and

(c) whether it is also a fact that the Exchange in Jahanabad remains open only upto 10.00 o'clock and great inconvenience is being felt by the businessmen thereby ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATION (SHRI SHER SINGH) : (a) No. The average efficiency of the Trunk Telephone lines from Gaya and Patna to Jahanabad is over 80 per cent. There is copper wire theft menace in the area.

(b) There is a 100 line C.B. Exchange and there is no waiting list.

(c) The current working hours of the Exchange Jahanabad are from 0600 to 2400.

The question of providing service for 24 hours is under consideration.

टेकरी (जिला गया) में टेलीफोन एक्सचेंज का खोला जाना

9748. श्री चन्द्र शेखर सिंह . क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गया जिले के टेकरी नगर में लोगों को सैकड़ों टेलीफोन कनेक्शन दिए गए हैं किन्तु वहां पर अभी तक कोई टेलीफोन एक्सचेंज नहीं खोला गया है ;

(ख) क्या सरकार का विचार टेकरी में एक टेलीफोन एक्सचेंज खोलने का है ;

(ग) यदि हां, तो इसे सम्भवतया कब तक खोला जायेगा ; और

(घ) यदि टेकरी में टेलीफोन एक्सचेंज खोला जाता है, तो क्या उससे टेकरी, भोज, कोच, गोह आदि जैसे स्थानों को भी लाभ पहुंचेगा ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री शेर सिंह) : (क) जी नहीं ।

(ख) और (ग). जी हां । यदि 10-12 व्यक्ति टेलीफोन कनेक्शन लेने के लिए तैयार हों तो टेकरी में एक्सचेंज खोला जा सकता है । हालांकि कई मांग-पत्र जारी किये गए हैं, किन्तु अभी तक कोई अदायगी नहीं की गई ।

(घ) प्रस्तावित एक्सचेंज लगभग पांच किलोमीटर की अरीय दूरी के भीतर रहने वाले लोगों को टेलीफोन की सेवा प्रदान करेगा ।

आकाशवाणी से विज्ञापन प्रसारण

9749. श्री ओंकार लाल बेरवा :

श्री रा० कृ० सिंह :

क्या सूचना तथा प्रसारण और संचार मंत्री

यह बताने की कृपा करेंगे कि :

(क) क्या विदेशों की कुछ फर्मों ने भी अपने विज्ञापन आकाशवाणी के विज्ञापन प्रकरणों में शामिल करने के लिए भेजे थे ;

(ख) यदि हां, तो उनकी संख्या कितनी थी ;

(ग) क्या उन में से कुछ विज्ञापन सीलोन रेडियो स्टेशन द्वारा भी प्रसारित किए जाते हैं ;

(घ) क्या सीलोन रेडियो स्टेशन तथा आकाशवाणी की प्रसारण दरों में कोई अन्तर है ;

(ङ) यदि हां, तो कितना ; और

(च) उस अन्तर को दूर करने के लिए सरकार क्या कार्यवाही कर रही है ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री इ० कु० गुजराल) : (क) से (ग). सूचना एकत्र की जा रही है और यथा समय सदन की मेज पर रख दी जाएगी ।

(घ) और (ङ). आकाशवाणी से प्रसारित विज्ञापनों की दरें प्रत्येक केन्द्र में अलग-अलग हैं और रेडियो सीलोन की दरों से ऊँची हैं ।

(च) आकाशवाणी की दरें जिन आधारों पर निश्चित की जाती हैं वे ऐसी नहीं हैं जो रेडियो सीलोन की हैं । अन्तर दूर करने का कोई प्रश्न नहीं है ।

Unparliamentary and Objectionable Expressions used in replies

9750. SHRI ARJUN SINGH BHADORIA : Will the Minister of FOOD AND AGRICULTURE be pleased to refer to the reply given to Unstarred Question No. 5090 on the 22nd August, 1968 and to Unstarred Questions Nos. 1874 and 1875 on the 6th March, 1969 and state :

(a) whether he has received and complaint from some Members of Parliament regarding the unparliamentary and objectionable expressions used in the replies by the Minister of State for prominent Harijan leaders of Etawah, who are of country-wide repute ; and

(b) if so, the action taken thereon and officers responsible therefore ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI M. S. GURUPADSWAMY) : (a) A complaint was received from the Hon'ble Member about the language used in the Hindi replies to the questions referred to.

(b) A reply has been sent to the Hon'ble Member on 15th April, 1969.

Re-employment of Officers in the Ministry

9751. SHRI P. L. BARUPAL : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that officers in his Ministry who are none technical and are 62 years old have been re-employed for the second time against new posts of lower grade on an *ad-hoc* basis in order to circumvent U.P.S.C. and the Cabinet ; and

(b) if so, their number ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) and (b) . The information is being collected and will be placed on the Table of the Sabha in due course.

Production of Seeds at Suratgarh Farm

9752. SHRI P. L. BARUPAL : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that his Ministry had arranged for certification of seeds pro-

duced at Suratgarh by National Seeds Corporation at concessional rate but the Farm authorities did not get the seeds certified and assured the Ministry that all the seeds will be sold easily without certification by the National Seeds Corporation ;

(b) whether it is also a fact that about 6,000 quintals of high quality seeds remained unsold and sold later on at much lower rates for consumption and on this account the Farm has suffered a loss of over Rs. 5 lakhs ; and

(c) whether Government purpose to enquire and fix responsibility for this negligence ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) to (c). The information is being collected and will be laid on the Table of the Sabha as soon as it is collected.

Resettlement of Migrants from East Pakistan

9753. SHRI DEVEN SEN:
SHRI ONKAR LAL BERWA:
SHRI D.R. PARMAR
SHRI P.N. SOLANKI
SHRI KIKAR SINGH

Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) the number of new migrant families from East Pakistan who have been rehabilitated during the year 1968-69 and the manner of their rehabilitation;

(b) the area of land reclaimed for the rehabilitation schemes;

(c) the facilities which have been made available for the employment and training of the migrants;

(d) the total number of displaced persons now employed under various existing Industrial Units run by the Rehabilitation Industries Corporation.

(e) the number of Industrial Units under private sector which have been granted financial assistance for providing employments to the displaced persons; the quantum of assistance offered and employments provided by them till date;

(f) the progress of the implementation of the schemes for the development of plantations etc. in Andaman and Nicobar Island; and

(g) the progress of the integrated development schemes of Chanda District of Maharashtra ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) 3898 families were rehabilitated in agriculture and 578 families in small trade and agro-industries from 1.4.1968 to 31.3.1969.

In addition, employment was secured for 535 new migrants upto March 1969. About 70 new migrants were provided with rehabilitation assistance in industrial units and 516 persons were provided with training under various training schemes.

(b) 11,500 acres of forest land were reclaimed during the year 1968-69 by the Rehabilitation Reclamation Organisation. In addition, lands in some rehabilitation projects have been reclaimed manually.

(c) *Employment :*

The following concessions and facilities have been given to the new migrants from East Pakistan in the matter of employment :—

(i) Over-riding priority in priority category III has been accorded for employment under the Central Govt. offices through the Directorate General, Employment and training, New Delhi.

(ii) The Public Sector undertakings under the Central and State Govt.

ernments have been requested to give special consideration for employment of migrants.

- (iii) Permanent Displaced Government Servants from East Pakistan are given facilities for absorption under the Government of India.
- (iv) Age relaxation upto 3 years is granted for appointments through examinations conducted by the Union Public Service Commission.
- (v) Age limit for entry in Govt. service has been relaxed upto 45 years.

Training

New migrants are eligible for training facilities under the existing schemes indicated below :-

- (i) Industrial Training Institute, Mana, with a capacity of 508 seats.
 - (ii) Heavy Vehicle Mechanics-cum-Drivers Training Institute, Mana, with a capacity of 300 seats.
 - (iii) Centre for Training as Nurses and Midwives, with 40 seats at Mana.
 - (iv) Training in existing State Industrial Training Institutes.
- (d) 2,397 persons.

(e) A sum of Rs. 106.21 lakhs has been advanced by the Rehabilitation Industries Corporation Ltd. to 39 private industrialists for providing employment to displaced persons. Upto 31st March, 1969, 2,762 displaced persons have been employed by these private industrialists.

A sum of Rs. 77.37 lakhs has been advanced to a private industrialist, through the State Government concerned. The Industrial units has not gone into full production. 52 displaced persons from East

Pakistan are employed/under training there as on 31st March, 1969, apart from repatriates from Burma.

In addition, a sum of Rs. 20.60 lakhs has been advanced to three Co-operative Societies, through the State Government concerned, and they have undertaken to employ 725 displaced persons/repatriates. The industrial units have not yet gone into production.

(f) A scheme for a Rubber Research-cum-Development Station, covering 500 acres in south Andaman, is under implementation. Planting of rubber on the entire area of 500 acres has been completed. The plantations have come up very well. 37 families of repatriates from Burma are employed on the project.

A project for commercial plantation of rubber on about 6,000 acres in the Katchal Island has been approved. 150 acres have already been planted. 265 acres will be planted during the next working season.

(g) A programme of road construction in the Chanda District, costing Rs. 27 lakhs, has been sanctioned. The work is being executed through the Maharashtra Government.

Postage Stamps showing Indian Territories

9754. SHRI DEVEN SEN:
SHRI P.N. SOLANKI:
SHRI D.R. PARMAR:
SHRI KIKAR SINGH:
SHRI ONKAR LAL BERWA ;

Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to State:

(a) whether it is fact that Government of India issued in 1964 some postage stamps showing Indian territories;

(b) whether it is also a fact that in some of those stamps some portion of Andaman and Laccadive Islands were not shown as part of India;

(c) if so, the reasons therefor ; and

(d) whether necessary corrections have since been carried out and if not the reasons therefor and by when the corrections will be carried out ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF (SHRI SHER SINGH): (a) and (b). No such stamp was issued in 1964. Map of India series of postage stamps were however, brought out in 1957 on which the Andaman and Laccadive islands do not appear.

(c) The Map of India was only symbolically reproduced on these stamps.

(d) The printing of these stamps has, since been discontinued.

News about striking teachers of Bihar

9755. SHRI RAMAVATAR SHASTRI : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether it is a fact that 50 members of Lok Sabha had written a letter to the Minister of Education and Youth Services on the 9th April, 1969 in which they supported the demands of the striking college teachers of Bihar ;

(b) if so, the name of the member who had initiated the aforesaid letter ;

(c) whether it is also a fact that the press Trust of India had released the name of the member who had initiated this letter along with other prominent Members who had signed it ;

(d) whether it is also a fact that this news item had been broadcast in Hindi and English News-bulletins broadcast by the A. I. R. at 8.45 and 9.00 P. M. respectively on the 9th April, 1969 and the name of the member who had initiated the letter had not been broadcast in those news bulletins ;

(e) if so, the reasons therefor ; and

(f) the action taken by Government in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) Yes, Sir.

(b) Shri Ramavatar Shastri

(c) and (d). Yes, Sir.

(e) This was not a deliberate omission; because of limited time available only the names of a few signatories could be mentioned.

(f) It has been pointed out to AIR authorities that since Shri Shastri was the initiator of the move his name should have has been mentioned in the bulletin.

Supply of rice to U.P.

9756. SHRI VISHWA NATH PANDEY : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the quantity of rice supplied by the Central Government to the Government of Uttar Pradesh in 1968;

(b) the quantity of rice demanded by the State Government in that year ;

(c) whether rice is being supplied in smaller quantity in 1969 ; and

(d) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) and (b). Uttar Pradesh is normally self-sufficient in rice. During the years 1968 and 1969 the Government of Uttar Pradesh have contributed some rice to the Central pool.

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

Supply of Fertilizers to U.P.

9757. SHRI VISHWA NATH PANDEY : Will the Minister of FOOD AND

AGRICULTURE be pleased to state :

(a) the total quantity of chemical fertilisers supplied to Uttar Pradesh during the year 1968 ; and

(b) how this quantity compares with the supply for earlier years ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB

SHINDE) : (a) The total quantity of chemical fertilisers supplied from the Central Fertiliser Pool to Uttar Pradesh during 1968-69 is as follows :

| | |
|-------------------------------|-----------------|
| Nitrogen | 2,50,076 tonnes |
| P ₂ O ₅ | 64,309 " |
| K ₂ O | 30,283 " |

(b) the quantities of fertilisers supplied to the State Government during 1965-66, 1966-67, 1967-68 and 1968-69 are shown below :

| Kind of Fertilisers | 1965-66 | 1966-67 | 1967-68 | 1968-69 |
|-------------------------------|---------|---------|----------|----------|
| Nitrogen | 72,760 | 91,151 | 1,57,601 | 2,50,076 |
| P ₂ O ₅ | — | 23,796 | 47,892 | 64,309 |
| K ₂ O | — | — | 20,570 | 30,283 |

Television Programmes in Fourth Five Year Plan

9758. SHRI N. SHIVAPPA :
SHRI C. MUTHUSAMI ;
SHRI R. V. NAIK :
SHRI V. NARASIMHA RAO:

Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the number of cities that are likely to be served with television programmes during the Fourth Five Year Plan ; and

(b) the basis on which priority is likely to be determined in extending television facilities in various parts of the country.

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) Five, namely, Calcutta, Bombay, Madras, Kanpur or Lucknow, and Srinagar in addition to Delhi where TV has already been established.

(b) Concentration of population and equitable distribution over different parts of the country.

P & T Offices in Jhunjhunu Distt. (Rajasthan)

9759. SHRI R. K. BIRLA : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the number of Post Offices, and telephone exchanges and telephone connections at present in Jhunjhunu District in Rajasthan ; and

(b) the expansion scheme for Post Offices, telephone exchanges and telephone connections in that district during the Fourth Five Year Plan period ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI SHER SINGH) :

| | |
|-----------------------|-----|
| (a) Post Offices | 226 |
| Telephone connections | 530 |
| Telephone Exchanges | 9 |

(b) Subject to the fulfilment of the departmental standards and availability of funds 52 post offices are proposed to be established during 1969-70, 1970-71 and

1971-72. Target for the Fourth Plan period as a whole has not yet been fixed.

It is proposed to expand the capacity of 6 of the existing exchanges and also to set up 5 new telephone exchanges in this district during the IV Plan period. Depending upon the requirements more exchanges may be opened or expanded during the IV Plan period.

Amount spent on Warehouses/Godowns in U. P.

9760. SHRI VISHWA NATH PANDEY : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the amount spent for the Warehouses/godowns in the State of Uttar Pradesh owned by the Central Government and the Central Warehousing Corporation at present ;

(b) how far these godowns are from the Railway Stations ;

(c) the quantum of stocks at present in these godowns ; and

(d) the monthly expenditure on these godowns for their maintenance and the staff ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) The Central Government do not own any godowns in U.P. at present. The Central Warehousing Corporation own a warehouse only at Chandausi on the construction of which they have spent a sum of Rs. 12.05 lakhs upto 31.3.1969.

(b) About 1/4 K.M.

(c) 7,828 metric tons as on 30th April, 1969.

(d) Rs. 285.28 and Rs. 3,832.00 respectively, on an average per month during 1968-69.

Inter State Exchange and Visits of Farmers

9761. SHRI V. NARASIMHA RAO : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that a programme of inter-State exchange and visits of farmers has been sponsored for dissemination of the latest trends in farming amongst the farmers in the country ;

(b) if so, the name of the organisation sponsoring the programme and whether Government have extended any help to it ; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) Yes.

(b) The programme has been sponsored by the National Tonnage Club of Farmers.

No financial assistance was given by Government of India who have, however, extended technical assistance in organising the programme.

(c) Does not arise.

Setting up of a Committee on Automation in Industry

9762. SHRI V. NARASIMHA RAO : SHRI DEORAO PATIL :

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether there is any proposal to set up an Expert Committee consisting of representatives of Government, Employers and Employees to study the question of automation in industry ;

(b) if so, the terms of reference thereof ; and

(c) whether the study of the committee will cover all types of the industries or it will be restricted to specified industries only ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) to (c). A proposal to set up a Committee, representing all the interests concerned, together with a

sufficient number of Exports, and with the undermentioned terms of reference, is under consideration of the Government :

- (1) To review the total effects of the operation of automation in the enterprises in the public and private sectors in which it has been already introduced.
- (2) To recommend criteria for the determination of any specific are as and fields in which introduction of measures of automation including computers may be permitted or restricted with due regard to—

- (i) the need for raising efficiency and productivity in industry and trade, and in particular industries which are export-oriented ;
 - (ii) the requirements of scientific research and development ;
 - (iii) the need for the timely tabulation, analysis, study, etc., of the large masses of data that arise in modern industry, trade, transport, etc., and
 - (iv) the need for restricting import of foreign made equipment for automation and for encouraging the use of such equipment manufactured in the country.
- (3) To recommend safeguards for avoiding or minimising any harmful social effect of the introduction of automation :
 - (4) To consider and make recommendations on any other related matters.

अखिल भारतीय मिट्टी तथा भूमि प्रयोग सर्वेक्षण संगठन में फील्ड एसिस्टेंट

9763. श्री प्रकाशवीर शास्त्री :

श्री न० रा० देवधरे :

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अखिल भारतीय मिट्टी तथा भूमि प्रयोग सर्वेक्षण संगठन के भर्ती नियमों में फील्ड एसिस्टेंट के पद के लिए अर्हता मैट्रिक रखी गई है जब कि वास्तव में इन पदों पर कृषि में डिप्लोमा सहित मैट्रिक उत्तीर्ण अथवा इंटरमीडिएट (विज्ञान) प्रत्याशियों को नियुक्त किया जाता है ;

(ख) फील्ड एसिस्टेंटों को 150-300 रुपये के वेतनमान के स्थान पर 110-200 रुपये का वेतनमान देने के क्या कारण हैं ; और

(ग) क्या यह भी सच है कि उक्त संगठन में फील्ड एसिस्टेंटों की तुलना में कम अनुभव तथा अर्हता प्राप्त सर्वेक्षकों को 150-240 का वेतनमान दे दिया गया है और उनको 210-425 रुपये और 325-575 रुपये के वेतनमान वाले पदों पर पदोन्नत किया जाता है ?

खाद्य, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री अन्नासाहिब शिन्दे) : (क) फील्ड एसिस्टेंटों के पदों पर भर्ती के लिए निर्धारित अनिवार्य अर्हतायें मूलतः 'एफ० एस० सी० या हायर सैकण्डरी या कृषि में डिप्लोमा सहित मैट्रिक' थीं। 1967 में इन अर्हताओं में संशोधन कर लिया गया था और अब वे निम्न प्रकार हैं :—“मैट्रिक (विज्ञान विषय-सहित हो तो अच्छा है) तथा शस्य-उत्पादन में अनुभव। भर्ती नियमों के अनुसार उच्च अर्हताओं वाले उम्मीदवारों के चुनाव पर प्रतिबन्ध नहीं है।

(ख) फील्ड एसिस्टेंटों के पदों का वेतनक्रम 60-150 रुपये था। बाद में दूसरे वेतन आयोग की सिफारिशों को दृष्टिगत रखते हुए इस वेतन क्रम में संशोधन करके उसे 110-200 रु० कर दिया गया था।

(ग) सर्वेक्षणकर्ताओं के पदों के लिए निर्धारित अर्हतायें निम्न प्रकार हैं :—

1. मैट्रिक या उसके समतुल्य अर्हता ;
2. मान्यताप्राप्त औद्योगिक प्रशिक्षण संस्था या तकनीकी परीक्षा बोर्ड का सर्वेक्षण प्रमाण पत्र ;
3. सर्वेक्षण के क्षेत्र में लगभग 2 वर्ष का अनुभव ।

अतः सर्वेक्षणकर्त्ताओं के लिए फील्ड असिस्टेंटों से कम अर्हता नहीं रखी गई है । वास्तव में, सर्वेक्षणकर्त्ताओं के लिए जिस सर्वे-प्रमाण पत्र की आवश्यकता है, वह उच्चतर तकनीकी अर्हता मानी जाती है । इसके लिए 150-240 रुपये का उच्चतर वेतनक्रम है ।

Malaviya Committee on Agricultural Labour Welfare

9764. SHRI DEORAO PATIL : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Malaviya Committee on Labour Welfare has made some recommendations in regard to the agricultural labourers;

(b) if so, the details thereof; and

(c) the steps proposed to be taken by the Government to implement them ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) to (c). The Committee has not yet submitted its Report to the Government.

Growing of Poplars

9765. SHRI RAJDEO SINGH : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether being a member of the International Poplar Commission, Government have a proposal to activate the National Popular Commission; and

(b) whether in view of the fact that poplars have important commercial value,

Government would encourage the growing of these species in different States and Union Territories ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) Being a member of the International Poplar Commission, it has been possible to secure large number of clones (planting material) of different species and varieties of poplar hybrids for experimental purposes under Indian conditions. Investigations are currently in progress at Forest Research Institute as well as in the States of Uttar Pradesh, Himachal Pradesh and Jammu and Kashmir to study (i) the suitability of various poplar clones in different soil and climatic conditions (ii) the nursery techniques and (iii) propagation techniques. At Forest Research Institute, poplar hybrids which have given encouraging results are given below :—

P. casale 488
P. casale 214
P. yunnanensis
P. laevigate.
P. robusta.
P. casale 15
P. casale 30
P. deltoides.
P. regenerata.
P. rubrapoirot.

In the plain regions, nursery trials have been conducted in the States of Uttar Pradesh Andhra Pradesh, Madhya Pradesh, Assam, Bihar, Orissa, Maharashtra, Gujarat, Mysore and West Bengal. As a consequence of the encouraging results obtained in nursery trials in U. P., field scale trials of promising clones have been taken up since 1964 in the Northern Terai Regions of U. P.

(b) Yes, Sir.

Extent of Forest Area

9766. SHRI RAJDEO SINGH : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether the extent of forest area in the country is even today uncertain ;

(b) if not, whether, since the formulation of the National Forest Policy, the extent of forest-resources, rate of growth, consumption and demand trend of forest based industries have been assessed; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASHIB SHINDE) : (a) No, Sir. The forest area of the country as on 1-4-1967 is 75.35 million hectares.

(b) and (c). The important and valuable forests are covered by regular Working Plans which are revised periodically at intervals of ten to fifteen years. These are essentially management plans based on a detailed stock mapping of the forest areas supported by partial enumerations of the more economic and valuable species.

The average growing stock per hectare is 32 cubic metres (timber size) with an average annual increment of 0.53 cubic metre per hectare.

With a view to find out the current and anticipated demand of wood and wood products, a Timber Trend Survey was undertaken for the first time in 1958 (Timber Trends Study for the Far East, Country Report for India, Ministry of Food and Agriculture). Thereafter, the study on raw material requirements of wood based industries was conducted by an FAO Expert (Report on Integration of Forests and Forest Industries, 1960 by J. A. Von Monroy). In 1962 an estimate of fuelwood and industrial wood requirements for the period 1962-75 was made (Timber Trends and Prospects in India, Ministry of Food and Agriculture). In 1965, the Planning Commission conducted studies on Forest Raw Materials for Pulp, Paper and Newsprint and matchwood trends and prospects. The details of consumption and demand trends of various forest based industries have been incorporated in the above mentioned publications.

**Trunk Line between Joshipur and
Badampahar**

9767. SHRI R. R. SINGH DEO :
SHRI MAHENDRA MAJHI :

SHRI G. C. NAIK :

Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether there is any proposal to connect the Trunk Telephone line between Joshipur and Badampahar ; and

(b) if so, the progress made in this regard and how much time is required to complete the work ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI SHER SINGH) : (a) Yes, Sir.

(b) Necessary estimate for the work has been sanctioned and stores intended for. The work is likely to be completed within the current financial year.

Agro-Industries Corporation in M. P.

9768. SHRI NITIRAJ SINGH CHAUDHARY : Will the Ministry of FOOD AND AGRICULTURE be pleased to refer to the reply given to Starred Question No. 1154 on the 17th April, 1969 and state :

(a) whether the Agro-Industries Corporation in Madhya Pradesh has been entrusted with the distribution of imported tractors ;

(b) whether the said Corporation get full commission for the distribution of tractors ; and

(c) if not, the reasons therefor and the name of the organisation, Association, company or Firm sharing the Commission ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASHIB SHINDE) : (a) Yes, Sir.

(b) and (c). When the allotment of tractors to the M. P. State was finalised, the Agro-Industries Corporation had not been established in the State. The import of these tractors had been arranged through

the U. P. and Andhra Pradesh State Agro-Industries Corporations on behalf of the M. P. State. Now that the M. P. Corporation has been set up, the tractors will be distributed through that Corporation. For distributing these tractors, the Corporation will share the commission with other Corporations importing these tractors on its behalf on mutually agreed terms.

नेपाल से चावल तथा धान का आयात

9769. श्री भीठालाल मीना : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार द्वारा नेपाल सरकार के साथ किये गए एक करार के अन्तर्गत राजस्थान के लिए चावल तथा धान के आयात की अनुमति दी गई है ;

(ख) यदि हां, तो उसका व्यौरा क्या है ; और

(ग) उसके आयात के मामले में व्यापारियों द्वारा क्या प्रतिक्रिया अपनाई जायेगी ?

खाद्य, कृषि, सामुदायिक विकास तथा सह-कार मंत्रालय में राज्य मंत्री (श्री अन्नासाहिब शिन्दे) : (क) से (ग). भारत-नेपाल व्यापार तथा पारगमन सन्धि के अधीन नेपाल से चावल और धान का आयात करने के लिए नेपाल सरकार के साथ हाल ही में कोई करार नहीं किया गया है क्योंकि नेपाल से भारत को चावल और धान भेजने पर कोई संचलन प्रतिबन्ध नहीं लगा हुआ है। नेपाल से चावल और धान उत्तर-प्रदेश, बिहार और पश्चिमी बंगाल राज्यों की सीमा पर मुक्त रूप से आ सकता है और जाता है। देश में चावल और धान के संचलन पर क्षेत्रीय प्रतिबन्ध लगे होने के कारण इन किसी भी सीमावर्ती राज्यों से राजस्थान को नेपाली चावल भेजने के लिए सम्बन्धित राज्य सरकार से पारगमन परमिट लेना पड़ता है। राजस्थान

सरकार ने 1969 में उत्तर-प्रदेश सरकार द्वारा जारी किए गए निर्यात परमिटों के आधार पर नेपाली चावल के लिए दो आयात परमिट जारी किए हैं।

Agricultural Extension Literature in Regional Languages

9770. SHRI TULSIDAS DASAPPA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether there is any proposal to bring out all agricultural extension literature meant for farmers in all the regional languages of the country ; and

(b) if so, the time by which such literature will be ready for distribution amongst the farmers ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) No, Sir, However it may be pointed out that in a country like India with varied agro-climatic conditions, agricultural practices to be followed by farmers have to be specific according to the existing soil and climatic conditions. As such the recommendations vary from place to place.

The Farm Information Unit at the Centre in the Directorate of Extension is responsible for bringing out broad-based recommendations on agricultural practices. Such practices are revised by the State Departments of Agriculture in the light of specific local conditions and the recommendations made thereafter are published in local languages by the State Departments concerned to meet the demand of the farmers. The Farm Information Unit at the Centre, therefore, does not propose to bring out all the agricultural extension literature in regional languages of the country. It, however, brings out information literature in English and Hindi mostly and in certain cases in one or two other regional languages depending on the

importance of the subject concerned and the possibility of adoption of the recommendations by the farmers universally all over the country. The state Information Units and the Information Units in the IADP areas are responsible for bring out information literature meant for farmers use in their respective regional languages. The Farm Information Unit at the Centre, however, always keeps in touch with the publication programme of the state information units and helps them publish literature for the farmers by sending broad-based recommendations either in English or in Hindi.

(b) Does not arise.

Payment of Bonus to workers in Ratibati Colliery

9771. SHRI K. RAMANI :
SHRI BHAGABAN DAS :
SHRI MOHAMMAD
ISMAIL :
SHRI P. P. ESTHOSE :

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the total number of workers who received profit-sharing bonus of Rs. 50 for 1966-67 and other dues as per the settlement of the 13th November, 1967 reached between the Colliery Mazdoor Sabha and Management of Ratibati Colliery, Raniganj ;

(b) the reasons for not giving bonus to all the workers who were on the muster roll on the eve of lockout in 1967 ;

(c) whether Government have taken action against the management for violating the agreement ;

(d) if not, the reasons therefor ; and

(e) whether Government propose to take any action in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) Presumably, the profit-sharing bonus of Rs. 50 mentioned in the question refers to *ex-gratia* payment as agreed upon under the

settlement of 13th November, 1967. The total number of workers who have received payment is 847 out of the 1249 entitled to it in terms of the settlement agreement.

(b) to (e). The remaining workers have not so far claimed their dues and it is open to them to do so. The management is prepared to pay. The question of Government taking action against the management does not arise in the circumstances.

✕ **Middlemen in Procurement of Foodgrains**

9772. SHRI NITIRAJ SINGH CHAUDHARY : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether middlemen are eliminated in the procurement of foodgrains by Government agencies ;

(b) whether elimination of middlemen involves provision of other credit-advancing institutions ; and

(c) if so, the steps proposed to be taken in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) It is not possible to eliminate middlemen completely. However, it is the policy of the Government to reduce the number of intermediaries and purchase foodgrains directly from the producer as far as possible. The extent of success depends on the marketing and procurement system prevailing in the State.

(b) No, Sir.

(c) Does not arise

Main Dhemu Colliery

9773. SHRI BHAGABAN DAS : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether a worker of Main Dhemu Colliery of M/s Surajmali Nagarmal under P.S. Asansol died of hunger on the 19th

March, 1969 due to prolonged closure of the mines ;

(b) if so, steps taken by Government opening of the said mine ;

(c) whether it is a fact that the workmen were not paid their legal dues and in addition to the water and electricity connections were cut off by the Management ; and

(d) whether Government are contemplating any action against the Management ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) Information is being collected and will be laid on the Table of the House on receipt.

(b) On a dispute raised by the Colliery Mazdoor Congress and the Colliery Mazdoor Sabha over the closure of the mine, conciliation proceedings were held but the same ended in failure. The Government referred the issue of the closure of the mine for adjudication to the Industrial Tribunal, Calcutta on the 26th November, 1968. The Tribunal held that it was within the competence of the management to close down the business ; the workmen were entitled to compensation under Section 25FFF of the Industrial Disputes Act, 1947 and no more. It has not been possible to persuade the management to reopen the mine.

(c) and (d). On persuasion by the Assistant Labour Commissioner, however, the management has made some payments to cover the legal dues of the workers. Since the management have not fully paid the workers' legal dues, action is being pursued against the management. Claim petitions have already been filed under the Payment of Wages Act, Prosecution proposals for breach of para 9 (2) of Coal Mines Bonus Scheme, 1948 are under examination. Water and electricity connections were cut off by the management and they have not been restored till now, in spite of the efforts made by the local Assistant Labour Commissioner.

Zamindara Agriculture Cooperative Society, Daslooa, Himachal Pradesh

9774. SHRI PARTAP SINGH : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the amount involved in embezzlement in the Zamindara Agriculture Cooperative Society, Daslooa, Himachal Pradesh ;

(b) whether the embezzlement was detected before the death of the Secretary of the Society ;

(c) if not the reasons therefor ;

(d) the names of persons involved in it ;

(e) whether any enquiry has been conducted into the affairs of this Society ; and

(f) if so, the result of the inquiry and against the persons involved ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI M. S. GURUPADASWAMY) : (a) Rs. 18,225.62

(b) to (d). The embezzlement was detected after the death of the Secretary of the Society. The arbitrator appointed under the Punjab Cooperative Societies Act, 1961 has given an award of Rs. 10125.62 against heirs of Shri Dina Nath, Secretary of the cooperative society. For the balance of Rs. 8,100/- it was found that fixed deposit receipts involving this amount were signed by two other committee members of the society and the liquidator is taking action to hand over this part of the case to police for investigation.

(e) and (f). The earlier administrative enquiry ordered by the Government of Himachal Pradesh and conducted by the District Cooperative and Supplies Officer, Dharmasala, came to the conclusion that there was no departmental irregularity. The Government of Himachal Pradesh has now reported that the Registrar of Cooperative Societies, Himachal Pradesh, has been asked to depute an officer from the Headquarters, who had not been posted earlier in the area

where the society is located, conduct an enquiry into the affairs of the Society. The enquiry report is awaited.

Misuse of Tapes of National Leaders in Archives of All India Radio

9775. SHRI BABURAO PATEL : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the number of tapes now left in the archives of All India Radio from original stock of 15,000 and odd tapes of Mahatma Gandhi, Pandit Nehru, Sardar Patel, etc.

(b) what happened of the theft of 300 tapes reported to the police last year ;

(c) whether it is a fact that on the 1st December, 1968 an officer of A.I.R. called on the Cultural Officer of the United States Information Service, at his residence on Little Gibb's Road, Bombay-6, and handed over to him three tins of tapes and received Rs. 15,000 in cash ; and

(d) if so, the details thereof and the action Government have taken or propose to take in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) The number of recored tapes of eminent persons in the Archives of All India Radio is 16,335. No recorded tapes of eminent persons have been lost from the Archives.

(b) Loss of 177, and not 300 balnk tapes, was reported to the Police. In respect of two thefts resulting in the loss of 84 tapes Police has reported that no clue as to the stolen property or to the culprits could be found. Result of Police investigation in respect of the remaining tapes is awaited.

(c) Government is not aware of any such instance. However, enquiries are being made.

(d) Does not arise.

Selling of Seeds by National Seeds Corporation

9776. SHRI K. SURYANARAYANA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the price paid to the farmers by the Nationhl Seeds Corporation for the procurement of per quintal of high yielding varieties of paddy seeds during the last three years upto 31st March, 1969 ;

(b) the quantity and quality procured and sold to the farmers in various States and the prices per quintal at which the said collected seeds were sold to the needy growers ;

(c) the profit earned in this particular transaction by the National Seeds Corporation during the above period ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) :

| (a) | Year | Price paid per quintal |
|-----|-------------------------|------------------------|
| | 1966 | Rs. 56.25 |
| | 1967 | Rs. 56.25 |
| | 1968 (upto Kharif 1968) | Rs. 60.00 |

| (b) | Year Quality | Qty.proc. (in qtls.) | Total Qty. sold to States (in qtls.) | Price at which sold |
|-----|----------------------------|-------------------------|---|-------------------------------|
| | 1966 Taichung Native-1. | 99,000 | 72,600 | Rs. 100/- per qtl. |
| | 1967 TN-1/IR-8. | 38,070 | 38,700* | Rs. 100/- .. |
| | 1968 IR-8/IR-8. 68. | 34,371 | 26,000 9,000 } | Rs. 95/- .. **Rs. 100/- .. |

(c) Rs. 10,67,750/-. This amount excludes the expenditure incurred by the National Seeds Corporation on processing, treating, packing, sealing, storage, transport and other overhead expenditure etc., which comes to Rs. 32/- approximately per quintal.

भारत-पाक संघर्ष के कारण विस्थापित परिवारों को सहायता

9777. श्री हुकम चन्द कछवाय : क्या श्रम तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) 1965 में भारत और पाकिस्तान के बीच संघर्ष का राजस्थान, पंजाब तथा जम्मू और काश्मीर के कितने ग्रामों, नगरों, परिवारों तथा व्यक्तियों पर प्रभाव पड़ा ;

(ख) विस्थापित परिवारों को पुनः बसाने तथा उन्हें रोजगार देने के लिए केन्द्रीय सरकार ने उपर्युक्त राज्यों को अब तक अलग-अलग कितनी वित्तीय सहायता दी है ; और

(ग) वर्ष 1969-70 में उन राज्यों को कितनी सहायता दी जायेगी ?

श्रम, रोजगार तथा पुनर्वास मंत्रालय में राज्य मंत्री (श्री भागवत झा आजाद) : (क) लगभग 3,60,400 व्यक्तियों के लगभग 77,000 परिवारों के भारत-पाकिस्तान संघर्ष, 1965 में प्रभावित होने की सूचना प्राप्त हुई थी।

80 गांवों तथा एक नगर पर प्रभाव पड़ा था। जम्मू तथा काश्मीर और राजस्थान के बारे में इस प्रकार की जानकारी सुलभ प्राप्त नहीं है।

(ख) 31 मार्च, 1969 तक जम्मू तथा काश्मीर, पंजाब और राजस्थान की सरकारों को दी गई वित्तीय सहायता निम्न है :—

| | |
|-------------------|-----------------|
| जम्मू तथा काश्मीर | 1351.36 लाख रु० |
| पंजाब | 460.89 लाख रु० |
| राजस्थान | 35.22 लाख रु० |

योग 1847.47

(ग) 1969-70 के बजट अनुमानों में 5.15 लाख रु० की व्यवस्था की गई है।

Exploratory Tubewells Organisation's
Rig Stationed in Hoshangabad

9778. SHRI NITIRAJ SINGH CHAUDHARY : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the reasons why Exploratory Tubewells Organisation's rig stationed in Hoshangabad District of Madhya Pradesh was removed and in spite of an assurance it has not been replaced ;

(b) whether any rig will be sent by the Exploratory Tubewells Organisation in the above area ; and

*The figures include some quantities left over from procurement of previous year.

** (for IR-8-68-an improved strain).

(c) if so, when, and if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) to (c). The rig sent to Hoshangabad district during the year 1968-69 had to be diverted to meet the draught situation in an adjoining State. It is proposed to take up exploratory drilling during 1969-70 in Hoshangabad and Narisingpur areas of Madhya Pradesh and to deploy two rigs for this purpose. Arrangements are being made to send the rigs to the operational areas.

बिहार आदि में पम्पिंग सैटों का लगाना

9779. श्री ओंकार लाल बेरबा :

श्री अर्जुन सिंह मदीरिया :

क्या खाद्य तथा कृषि मंत्री 13 मार्च 1969 के अतारांकित प्रश्न संख्या 2864 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) चतुर्थ पंचवर्षीय योजना में बिहार, पश्चिमी बंगाल, उड़ीसा तथा उत्तर प्रदेश में कितने पम्पिंग सैट लगाए जाने का विचार है ; और

(ख) 1969-70 में कितने पम्पिंग सैट लगाये गए ?

खाद्य, कृषि, सामुदायिक विकास तथा सह-कार मंत्रालय में राज्य मंत्री (श्री अन्नासाहिब शिन्डे) : (क) और (ख). चतुर्थ पंचवर्षीय योजना के दौरान और 1969-70 में बिहार, पश्चिमी बंगाल, उड़ीसा और उत्तर प्रदेश की राज्य सरकारों द्वारा अस्थायी रूप से स्थापित किए जाने वाले प्रस्तावित पम्पिंग सैटों की संख्या नीचे दी गई है :—

| राज्य | पम्पिंग सैट के लिए लक्ष्य | |
|---------------|---------------------------|---------|
| | चतुर्थ योजना | 1969-70 |
| बिहार | 1,65,000 | 33,000 |
| पश्चिमी बंगाल | 35,000 | 13,000 |
| उड़ीसा | 6,000 | 1,200 |
| उत्तर प्रदेश | 1,55,000 | 30,000 |

राज्य सरकारों के चतुर्थ योजना के प्रस्तावों और चतुर्थ योजना के दौरान लघु सिंचाई के लिए प्रस्तावित परिव्यय की राशि को अभी अन्तिम रूप नहीं दिया गया है। अतः उपरि-लिखित आंकड़े बिल्कुल अस्थायी हैं और प्रत्येक राज्य के चतुर्थ योजना के अन्तिम रूप से अनु-मोदित प्रस्तावों को ध्यान में रखकर उन्हें बदला जा सकता है।

1969-70 में वास्तविक रूप से लगाये गए पम्पिंग सैटों की संख्या के बारे में जानकारी अभी उपलब्ध नहीं है।

Fast by the Workers of Main
Dhemo Colliery

9780. SHRI JYOTIRMOY BASU :
SHRI BHAGABAN DAS :

Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether it is a fact that five workers of the main Dhemo Colliery in Asansol are on fast in protest to the lockout declared by the owners ;

(b) if so, the steps Government have taken in this regard to safeguard the interest of the workers ; and

(c) whether it is also a fact that the fasting workers are in serious condition ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) Yes. Five retrenched workers of Dhemo Main Colliery had resorted to hunger strike from 20-3-69.

(b) On failure of conciliation, the Government referred the dispute regarding closure of the Colliery to the Central Government Industrial Tribunal, Calcutta for adjudication on 26.11.68. The Tribunal has given its award and held that it was within the competence of the management to close down the business; workmen were entitled to compensation under section 25FFF of the Industrial Disputes Act, 1947 and no more. Legal action has been initiated for realisation of unpaid dues to the workers.

(c) Out of 5 hunger strikers, the condition of 3 had deteriorated on 5.4.69 and they were hospitalised. The strike was called off on 8.4.69.

चांदनी चौक में नया टेलीफोन एक्सचेंज

9781. श्री शशि भूषण : क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या संचार विभाग ने दिल्ली विकास प्राधिकार को लिखा है कि चांदनी चौक दिल्ली में मैजिस्टिक सिनेमा के पीछे प्रस्तावित टेलीफोन एक्सचेंज के निर्माण के फलस्वरूप विस्थापित होने वाले व्यक्तियों को कोई वैकल्पिक स्थान दिया जाये ;

(ख) क्या संचार विभाग के उच्च अधिकारियों ने इस क्षेत्र का दौरा किया है ; और

(ग) यदि हां, तो इस बारे में सरकार की प्रतिक्रिया क्या है ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री शेर सिंह) : (क) डाक-तार विभाग ने चांदनी चौक टेलीफोन केन्द्र की इमारत के निर्माण के लिए मैजिस्टिक सिनेमा के पीछे की भूमि के अधिग्रहण के लिए दिल्ली प्रशासन से निवेदन किया है। अब यह दिल्ली प्रशासन पर है कि वह भूमि-अधिग्रहण अधिनियम के अन्तर्गत कार्रवाई करे और खाली कराई गई उस भूमि का अधिकार डाक-तार

विभाग के सुपेड़ करे। ऐसा अनुमान किया जाता है कि इस अधिग्रहण के फलस्वरूप जो लोग विस्थापित होंगे, उन्हें उस के बदले स्थान देने के लिए दिल्ली प्रशासन कार्रवाई करेगा।

(ख) और (ग). दिल्ली टेलीफोन जिले के एक वरिष्ठ अधिकारी ने इस स्थान को जा कर देख लिया है। फिर भी, कुछ वरिष्ठ तकनीकी अधिकारी भी इस स्थान पर जाएंगे और उसकी उपयुक्तता के बारे में अपना विचार प्रकट करेंगे।

Cases against some films in Courts

9782. SHRI DEVEN SEN : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to refer to the reply given to Unstarred Question No. 6667 on the 17th April, 1969 and state :

(a) whether it is a fact that the State Government filed cases in courts against some of the films approved by the Board of Film Censors ; and

(b) if so, the names of those films along with the names of their producers ; and

(c) decision given by the Courts ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) Except the States of Jammu and Kashmir, Kerala, Maharashtra, Madhya Pradesh and Rajasthan from whom information is still awaited, no State Government have filed cases in courts against the films certified by the Central Board of Film Censors ;

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

Films Exempted from Entertainment Tax

9383. SHRI DEVEN SEN : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATION be pleased to refer to the reply given to

Unstarred Question No. 5910 on the 10th April, 1969 and state :

(a) the number of films exempted from Entertainment Tax during 1967-68 by Government ;

(b) their names and the names of their producers ;

(c) the basis on which this was done in each case ; and

(d) whether such films included those also which have been produced with grants given by the Film Finance Corporation and if so, the number thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) :
(a) to (c). A statement containing the information in respect of all States/ Union Territories excluding Maharashtra and Jammu and Kashmir is laid on the table of the House. [*Placed in library. See No. LT-1180/69*]. Information in respect of these two States is being collected and will be laid on the Table of the House as soon as available.

(d) Information is being collected and will be laid on the Table of the House as soon as available.

Training facilities in Repairing and Servicing of Tractors etc.

9784. SHRI TULSIDAS DASAPPA :
SHRI DEORAO PATIL :

Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether Government have finalised a scheme to provide training facilities in a repairing and servicing of tractors, harvestors and power pumps ; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) A scheme for training facilities in servicing and maintenance of agri-

cultural machinery has been finalised and introduced recently in the Training Centres run by the Government of India at Budni and Hissar. The State Governments have also been requested to set up two training centres in each State for providing short duration training courses to agriculturists etc. on the operation and repair of tractors, pumps etc.

(b) The training course in agricultural machinery is intended for middle level and supervisory technical personnel of Agro-Industries Corporations, Cooperative Institutions, State Farms, etc. on operation and servicing and overhaul of agricultural machinery hire and repair centres.

Prime Minister's visit to Drought-Affected Areas in Tamil Nadu

9785. SHRI CHENGALRAYA NAIDU :
SHRI R. BARUA :
SHRI N.R. LASKAR :

Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that the Prime Minister visited drought-affected areas in Tamil Nadu in April, 1969 ;

(b) whether she has sanctioned Rs. two crores for giving relief to those areas ;

(c) whether it is also a fact that some parts of Uttar Pradesh, Rajasthan and Andhra Pradesh have also suffered drought ;

(d) if so, whether these States have also demanded some relief ; and

(e) if so, the reaction of Government thereto ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) Yes, Sir.

(b) Financial assistance to States affected by drought and other natural calamities is given on the recommendations of Central Teams. A sum of Rs. 3.25 crores has so far been released to the Government of Tamil Nadu for drought relief on the recommendations of a Central Team.

(c) Yes, Sir.

(d) and (e). Yes, Sir. A sum of Rs. 17.51 crores has been released to the Rajasthan Government for drought relief. The amount released to Andhra Pradesh Government is Rs. 16.55 crores. This was inclusive of some funds for cyclone relief. Regarding Uttar Pradesh, a Team visited Uttar Pradesh in January, 1969, but did not recommend any immediate release of funds. Another team has just visited and financial assistance will be given to Uttar Pradesh for drought relief in the light of the Team's recommendations. The Team has not yet submitted its report.

बिहार में डाकघर

9786. श्री क० मि० मधुकर : क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) गत दो वर्षों में नये डाकघर खोलने, शाखा कार्यालयों का स्तर बढ़ाने तथा टेलीफोन कनेक्शनों की व्यवस्था करने के लिए बिहार के मुख्य डाकपाल को कितने आवेदन-पत्र प्राप्त हुए हैं ;

(ख) उन में से कितनों पर कार्यवाही की गई है ;

(ग) क्या यह सच है कि बिहार के मुख्य डाकपाल द्वारा विभिन्न प्रयत्न किये जाने के बावजूद बहुत बड़ी संख्या में आवेदन-पत्रों पर कोई कार्यवाही नहीं हुई क्योंकि डाक विभाग के अधीक्षक अपने कार्य में रुचि नहीं लेते जिसके परिणामस्वरूप जनता को बड़ी कठिनाई का सामना करना पड़ता है ;

(घ) यदि हां, तो इस बारे में सरकार द्वारा अब तक क्या कार्यवाही की गई है ; और

(ङ) यदि कोई कार्यवाही नहीं की गई है, तो उसके क्या कारण हैं ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री शेर सिंह) : (क) प्राप्त हुए आवेदन पत्रों की संख्या—

(i) नए डाकघर खोलने के लिए 1188

(ii) शाखा डाकघरों का दर्जा बढ़ाने के लिए 74

(iii) टेलीफोन कनेक्शन देने के लिए 7868

(ख) I. नए डाकघर खोलना

(i) स्वीकृत प्रस्तावों और खोले गए डाकघरों की संख्या 533

(ii) ऐसे मामलों की संख्या जिनमें प्रस्तावों का मानकों के आधार पर औचित्य नहीं था, और अस्वीकृत कर देने पड़े 66

(iii) ऐसे मामले जिनमें डाकघर खोलने की मंजूरी दी जा चुकी है लेकिन जिन्हें अभी कार्यरूप दिया जाना है 16
जोड़ 615

II शाखा डाकघरों का दर्जा बढ़ाना

(i) डाकघरों का दर्जा बढ़ाने के लिए स्वीकृत प्रस्तावों की संख्या 33

(ii) ऐसे प्रस्तावों की संख्या जिन का मानकों के आधार पर औचित्य नहीं था और जिन्हें अस्वीकृत करना पड़ा 22
जोड़ 55

(III) टेलीफोन कनेक्शन

ऐसे आवेदन पत्रों की संख्या जिनको कनेक्शन दे दिए गए 6393

(ग) से (ङ). शेष आवेदन-पत्रों पर जांच हो रही है और पोस्टमास्टर जनरल पटना को

इनका शीघ्र निपटारा करने के लिए कह दिया है। फिर भी, यह कहा जा सकता है कि नए डाकघर खोलने और डाकघरों का दर्जा बढ़ाने के लिए यह आवश्यक है कि प्रेक्षण अवधि के दौरान विभिन्न श्रेणी के डाक परियात के आँकड़े रखे जाएँ और उनकी पड़ताल की जाए। इस कार्य में कुछ समय लगता है।

एक्सचेंज क्षमता और साधनों की कमी के कारण टेलीफोन कनेक्शनों की मांगों को जल्दी पूरा नहीं किया जा सका।

Allotment of Plots Lying Vacant in Delhi

9787. SHRI BAL RAJ MADHOK : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether it is a fact a number of renovated plots are lying vacant in some of the rehabilitation colonies of Delhi ;

(b) whether it is also a fact that some of these plots have been illegally occupied by some people and some have become dumping ground for garbage ; and

(c) if so, whether Government propose to take steps to either to give such plots to religious and social organisations on usual concessional terms or dispose them of to the needy displaced persons ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) to (c). A large number of housing colonies for displaced persons from West Pakistan were developed in the years following the Partition and Plots/houses were allotted/sold to the displaced persons. This work was, by and large, completed by 1955-56. Thereafter, the Department of Rehabilitation discontinued allotment of these plots, as rehabilitation work of displaced persons from West Pakistan had been almost completed. In this process, a small number of residential, commercial and other plots, meant for community purposes, remained undisposed of. It is understood that some of these vacant plots have come under un-

authorized occupation. The manner of disposal of these plots is under consideration of Government.

Release of long-term loans by Land Mortgage Banks

9788. SHRI JYOTIRMOY BASU : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(b) the method of release of Land Mortgage Bank loans in each State ;

(b) whether some States have prepared schemes for liberalising the procedure for release of long-term loans by the Land Mortgage Banks ; and

(c) if so, the details of the schemes drawn up by the States concerned ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI. M. S. GURUPADASWAMY) : (a) to (c). Information is being collected and will be laid on the Table of the House.

National Food Budget

9789. SHRI JYOTIRMOY BASU : Will the Minister of FOOD AND AGRICULTURE be pleased to refer to the reply given to Unstarred Question No. 4970 on the 22nd August, 1968 and state :

(a) the progress since made towards the formulation of National Food Budget ; and

(b) the future policy of Government in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) and (b). A scheme has been formulated for the preparation of more timely estimates of production and area sown. Efforts are being made to remove all the limitations on the preparation of a National Food Budget. This, however, is likely to take considerable time,

मध्य प्रदेश में छोटी सिंचाई योजनायें

9790. श्री नाथूराम अहिरवार: क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश सरकार का विचार चौथी पंचवर्षीय योजना में किन-किन छोटी सिंचाई योजनाओं को शामिल करने का है ;

(ख) क्या केन्द्रीय सरकार ने उन योजनाओं को चौथी पंचवर्षीय योजना में शामिल कर लिया है ; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

खाद्य, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री अन्ना-साहिब शिन्डे) : (क) से (ग). मध्य प्रदेश सरकार द्वारा चौथी योजना में शामिल करने के लिए निम्नलिखित लघु सिंचाई योजनायें प्रस्तावित की गई :—

(क) कृषि क्षेत्र

(1) कूओं, नलकूपों, बिजली के पम्पसैटों, डीजल पम्पसैटों और रहट जैसे निजी लघु सिंचाई कार्यों के लिए सीधे ऋण देने की व्यवस्था ।

(2) सहकारी समितियों को उठाव तथा बहाव सिंचाई के लिए ऋण ।

(3) कूओं को गहरा करना और बोरिंग ।

(4) भूमि बंधक बैंकों, कृषि पुनर्विघ्न निगम और कृषि उद्योग निगम के ऋण-पत्रों की खरीद ।

(5) विफल नलकूपों पर निष्फल व्यय के लिए उपदान ।

(ख) नलकूपों के निवेशक

(1) 7000 कम गहरे नलकूपों का कार्य-क्रम ।

(2) छत्तीसगढ़ के मंदानो में मार्गदर्शी नलकूपों का कार्यक्रम (संख्या 200) ।

(3) भूमिगत जल सर्वेक्षण ।

(ग) लोक निर्माण विभाग

(1) चालू योजनायें : (क) नलकूपों सहित तीसरी योजना की 60 बाकी योजनायें; (ख) 1966-67 से 1968-69 तक 167 नई शुरू की गई योजनायें; (ग) कमी के कार्यक्रमों के 150 अधूरे कार्य; (घ) सामुदायिक विकास और जन जाति विकास खण्डों के अधूरे कार्य; (ङ) सर्वेक्षण और खोज ।

(2) सिंचाई विभाग

नर्मदा घाटी में 62 गहरे नलकूप जो निश्चित मानदण्ड पर विभिन्न जिलों में बटे हुए हैं ।

फिर भी चौथी योजना को अभी तक अन्तिम रूप नहीं दिया गया है ।

मध्य प्रदेश में किसानों को बीजों की सप्लाई

9791. श्री नाथूराम अहिरवार : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मध्य-प्रदेश में किसानों को एस० 308 और एस० 227 कल्याण-सोन किस्म के गेहूं के बीज दिए गये हैं ;

(ख) यदि हां, तो इन उन्नत किस्मों के गेहूं की उपज को खरीदने के लिए सरकार ने क्या प्रबन्ध किये हैं ;

(ग) इस गेहूं का वसूली मूल्य क्या है ;

(घ) यदि इस गेहूँ को खरीदने का प्रस्ताव नहीं है, तो इसके क्या कारण हैं ?

साध्य, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (श्री अन्ना-साहिब शिन्डे) . (क) जैसा कि मध्य-प्रदेश सरकार ने मांग की थी, उसे कल्याणसोना और शबंती सोनारो किस्म के गेहूँ के बीज सप्लाई किए गये थे। एस० 308 किस्म की कोई भी मात्रा राज्य सरकार को सप्लाई नहीं दी गई थी।

(ख) और (ग). भारत सरकार उचित औसत किस्म के गेहूँ की उस समूची मात्रा को जोकि बिज्जी के लिए पेश की जाएगी, 1969-70 के विपणन मौसम के लिए निर्धारित 76 रुपये प्रति क्विंटल के अधिप्राप्ति मूल्य पर खरीद लेगी।

(ग) प्रश्न ही नहीं उठता।

Welfare of Workers in Manipur

9792. SHRI M. MEGHACHANDRA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the labour welfare measures adopted in the P. W. D. Workshops and Electricity Division, P. W. D., Manipur; and

(b) whether Government propose to appoint Labour Welfare Officers to look into welfare of the workers of the aforesaid establishments ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) and (b). Information is being collected and will be laid on the Table of the Lok Sabha.

Unemployment in Tripura

9793. SHRI KIRIT BIKRAM DEB BURMAN : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) the likely back-log of unemployed persons in Tripura, category-wise, at the beginning of the Fourth Five Year Plan and how it compares with corresponding figures at the end of the Third Five Year Plan; and

(b) the proposed employment programme as envisaged under the Fourth Five Year Plan for Tripura ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) Reliable estimates of unemployment in Tripura, or in the country as a whole, are not available. The Planning Commission have set up a Committee of Experts on Unemployment Estimates in August, 1968. The Committee will examine and make recommendations on the methodology of estimating unemployment, labour force growth and employment potential. The work of the Committee is in progress.

(b). The various developmental programmes included in the Fourth Plan of Tripura which is yet to be finalised are expected to generate more and more employment opportunities.

होटल उद्योग के लिए समान श्रमिक कानून

9794. श्री रामावतार शास्त्री :

श्री क० मि० मधुकर :

श्री योगेन्द्र शर्मा :

श्री चन्द्रशेखर सिंह :

श्री भोगेन्द्र झा :

क्या श्रम तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सब है कि 23 अप्रैल, 1969 में जयपुर में हुई अखिल भारतीय होटल और रेस्तराँ सम्मेलन में एक संकल्प पारित कर सरकार से यह मांग की थी कि देश में समस्त होटल उद्योग के लिये एक समान श्रमिक कानून बनाये जाने चाहिये ; और

(ख) यदि हाँ, तो इस बारे में सरकार की क्या प्रतिक्रिया है ?

अम, रोजगार तथा पुनर्वास मंत्रालय में
राज्य मंत्री (श्री भागवत झा आजाद) (क)
ऐसा कोई मांग प्राप्त नहीं हुई है।

(ख) प्रश्न नहीं उठता।

Working of Shop in Vegetable Markets in Delhi

9795. SHRI K. N. PANDEY : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether any notification was issued in July, 1966 regulating the shop hours of the whole sale dealers in fruit working in Indra Fruit and Vegetables Market and Darya Ganj Market, Delhi;

(b) if so, the details thereof; and

(c) why the shops of Commission Agents who are not wholesale dealers are open all the 24 hours in Indra Market, Delhi causing great hardships to the residence and employees ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) Yes.

(b) The Delhi Administration has fixed the opening hour at 4 a. m. and closing hour at 8.30 p. m.

(c) The Commission Agents of Indra Market, Delhi are not retail dealers of fruit and vegetables. They are wholesale dealers and as such covered by the present opening and closing hours fixed for wholesale fruit and vegetable merchants.

Foreign Exchange given to Film Producers

9796. SHRI JUGAL MONDAL : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether any foreign exchange has been given for shooting abroad to the Film

Producers of Calcutta during the last three years till April, 1968;

(b) if so, the names of those Producers; and

(c) the amount of foreign exchange given to each of them.

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) (a) No, Sir.

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

Foreign Exchange to Film Producers

9797. SHRI JUGAL MONDAL : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to refer to the reply given to Unstarred Question No. 4176 on the 11th December, 1968 and state :

(a) whether the information in respect of grant of foreign exchange to film producers has since been collected ;

(b) if so, the details thereof ; and

(c) if not, the reasons for the delay ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) and (b). A statement containing the information is laid on the Table of the House. [*Placed in the Library.* See No. LT—1187/69]

(c) Does not arise.

Coastal Survey for Fishries by Naval Hydrographic Organisation

9798. SHRI TULSIDAS DASAPPA : Will the Minister of FOOD AND AGRICULTURE be pleased to state ;

(a) whether the Naval Hydrographic Organisation has conducted coastal survey for fisheries recently ; and

(b) the places where the survey was conducted and the results thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT COOPERATION (SHRI ANNASAHIB SHINDE : (a) and (b). The information is being collected and will be placed on the Table of the Sabha.

Baby Indigenous Tractor

9799. SHRI TULSIDAS DASAPPA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether a young Uttar Pradesh farmer and an engineer have made a completely indigenous baby tractor of low price and simple mechanism ;

(b) the approximate price thereof ;

(c) whether Government propose to start the manufacture of these tractors ; and

(d) if so, the time by which the tractor will be ready for marketing ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD AGRICULTURE COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) ; (a) Yes, Sir.

(b) Only a proto-type of the tractor has been manufactured. The cost of the proto-type is naturally very high. The manufacturers hope to market the tractor around Rs. 9,000 when commercial production commences.

(c) No, Sir.

(d) Does not arise.

निमाड़ी भाषा में कार्यक्रम

9800. श्री शशि भूषण : क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा

करेंगे कि :

(क) क्या सरकार का ध्यान इस तथ्य की ओर दिलाया गया है कि पश्चिम निमाड़ क्षेत्र, जिसमें लगभग चार जिले आते हैं, में 50 लाख निमाड़ भाषा भाषी लोग रहते हैं ;

(ख) क्या उसका ध्यान इस तथ्य की ओर भी दिया गया है कि इन लोगों के लिए आकाशवाणी से पृथक प्रसारणों की अभी तक व्यवस्था नहीं की गई है ;

(ग) यदि हां, तो क्या सरकार का विचार खरगोन में निमाड़ी भाषा के लिये एक प्रसारण केन्द्र स्थापित करने का है जैसे कि मालवीय भाषा के लिये इन्दौर में और बुन्देली भाषा के लिये छतरपुर में किया गया है ; और

(घ) यदि हां, तो व्यौरा क्या है ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री इ० कु० गुजराल) : (क) जी, हां ।

(ख) पश्चिम निमाड़ क्षेत्र इन्दौर केन्द्र के प्रसारण क्षेत्र में आता है जो निमाड़ी बोली में कार्यक्रम प्रसारित करता है ।

(ग) जी, नहीं ।

(घ) सवाल नहीं उठता ।

Central Farm in the Sutlaj area of Punjab

9801. SHRI R. K. SINHA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether Government have sanctioned plans for the setting up of a Central Farm in the Sutlaj area of Punjab ;

(b) if so, the details thereof ; and

(c) whether Government would consider proposals for setting up a similar farm in the backward areas of Faizabad division of Uttar Pradesh ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD AND AGRICUL-

TURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNA-SAHIB SHINDE) : (a) Yes, Sir.

(b) It is proposed to obtain from the Punjab Government an area of about 10,000 acres in the Sutlaj Bed. This area will be developed over a period of 3 years. The U.S.S.R. Government have agreed to give free of charge machinery worth about Rs. 31 lakhs for the Farm. The main objective of the Farm is to produce quality seed.

(c) Government have recently decided not to set up, for the present, any new Central State Farms other than those which are in an advanced stage of planning. It will not, therefore, be possible to consider at present a proposal to set up a Central State Farm in Uttar Pradesh.

Aerial Sowing of Seeds and Spraying Pesticides

9802. SHRI LOBO PRABHU : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the reasons why the aircraft used for aerial spraying of pesticides should not be used during the off-season before the monsoon for aerial seeding of suitable tree varieties ; and

(b) any reason why the seeding should not take place at different times and different seeds so that success is assured through trial and error ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) and (b). In areas where broadcast method of seeding meets showing requirements, aerial seeding should ordinarily be possible any time of the year. Aerial spraying of seeds was in fact tried in the past but with little success due to adverse germination conditions. Renewed experiments are proposed to be undertaken for aerial spraying of seeds of suitable species in different areas and seasons to establish feasibility of the method.

Malpe Fishing Harbour

9803. SHRI LOBO PRABHU : Will the Minister of FOOD AND AGRICULTURE

be pleased to state :

(a) whether the project report for the Malpe fishing harbour has been received from the Mysore Government ;

(b) if so, the details thereof ; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) to (c). A brief report on the Malpe Fishing Harbour based on the preliminary project reports prepared earlier by firms of consultants was received from the Government of Mysore in March, 1969. The working plans and drawings were stated to be under preparation and some further studies were in progress in this connection. Detailed discussions were subsequently held by technical officers of the Central Government with their counter parts in the Government of Mysore. The lines on which the project report should be finalised have been discussed and a communication dated 30th April, 1969 has been issued to the Government of Mysore on the subject. The detailed project report is awaited.

Land under High-Yielding Variety programme in Manipur

9804. SHRI M. MEGHACHANDRA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the acres of land cultivated under the high yielding varieties programme in Manipur during 1968 and the amount of the seeds used ;

(b) the acres of land proposed to be cultivated during the year 1969 ; and

(c) the additional yield expected to be achieved during 1969 ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNA-SAHIB SHINDE) : (a) to (c). The information has been called for from the

Union Territory and will be placed on the Table of the Sabha as soon as it is received.

Allotment of Fertilizers to Manipur

9805. SHRI M. MEGHACHANDRA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the amount of fertilizers allotted to Manipur during 1968 and proposed to be allotted for 1969 ;

(b) the actual amount of fertilizer consumed in Manipur during 1968 ;

(c) the rate at which the same is made available to the farmers in the villages of Manipur ; and

(d) the acres of land cultivated with the use of fertilizer in Manipur in 1968 ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a). 2,130 tonnes of Urea (979 tonnes in terms of Nitrogen) were allotted from the Central Fertiliser pool to Manipur during 1968-69. For 1969-70, an allotment of 4,350 tonnes of Urea (2,000 tonnes in terms of Nitrogen) was allotted to Manipur Administration. The Administration has surrendered an allotment of 2,350 tonnes of Urea, thus retaining the allotment of 2,000 tonnes of Urea (920 tonnes in terms of Nitrogen) only.

(b) and (d). The information has been called for from the Manipur Administration and will be laid on the Table of the Sabha as soon as received.

(c) The prices which were charged by the Central Fertilizer Pool on the Manipur Administration for the fertilizers supplied to them and the corresponding retail prices to the farmers are given below :

| Kind of fertilizers | Price per tonne for farmers. |
|---------------------|------------------------------|
| Urea | 1. Upto 28-2-69 |
| | 2. From 1-3-69 |
| | Rs. 860 |
| | Rs. 943 |

Building for New Telephone Exchange at Jatni (Orissa)

9806. SHRI CHINTAMANI PANIGRAHI : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether steps have been taken to start the construction of building of new Telephone Exchange at Jatni in Orissa ;

(b) when the construction is like to be undertaken ; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI SHER SINGH) : (a) to (c). The present exchange of 200 line capacity is housed in a rented building having 600 sft accommodation, which is considered reasonably adequate for the present needs. However, the Postmaster General Cuttack is on the look-out for a piece of land for construction of a departmental building to meet future needs.

Films Produced in Bombay

9807. SHRI K. N. PANDEY : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the total number of films produced by the Bombay film industry during the year 1967 and 1968 till to-date ;

(b) whether any films produced by the Bombay film industry has been banned by the Central Board of Film Censors ;

(c) if so, the names of producers whose films have been banned and the names of such films ;

(d) whether any loan has been given by the Film Finance Corporation to the Bombay film producers during the above period ; and

(e) if so, the names of such films and their producers ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) 228 Indian feature films were certified by the Film Censor Board at Bombay during the period from 1.1.67 to 30.4.69.

(b) No, Sir.

(c) Does not arise.

(d) and (e). Information is being collected and will be laid on the Table of the House.

Films Produced by Madras Film Industry

9808. SHRI K. N. PANDEY : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the total number of films produced by Madras film industry during 1968 till to-date;

(b) whether any film produced during the above period has been exempted from entertainment tax in India;

(c) if so, the names of the producers who produced the above films together with the names of films;

(d) whether any foreign exchange has been given to the Madras film producers during the above period;

(e) if so, the names of producers and the amount of foreign exchange given to each; and

(f) whether they have fully utilised foreign exchange and if not, the action taken against each producers ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) to (f). Information is being collected and will be laid on the Table of the House.

Nomination to Government Bodies

9809. SHRI K. N. PANDEY : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the names of the members of Film Federation of India, Screen Actors Guild of India and Indian Motion Pictures Producers Association, Film Producers Guild of India, nominated to Government bodies during 1968-69; and

(b) if so, why film people have been nominated to Government bodies ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) and (b). Information is being collected and will be laid on the Table of the House as early as possible.

Import of Fertilisers

9810. SHRI K. P. SINGH DEO : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether Government propose to import fertilisers during 1969-70 to meet the gap between demand and indigenous production;

(b) if so, the details thereof;

(c) the expenditure likely to be incurred on the purchase of fertilisers from other countries; and

(d) the steps proposed to be taken by Government to step up the indigenous production of fertilisers ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) Yes, Sir.

(b) Tentatively, following quantities are intended to be imported : —

| | |
|-------------------------------|-------------------|
| Nitrogen. | 1,100,000 tonnes. |
| P ₂ O ₅ | 200,000 " |
| K ₂ O | 200,000 " |

These quantities are, however, subject to adjustment depending upon (i) availability in the foreign markets and (ii) progress of consumption within the country.

(c) Foreign exchange amounting to 263.80 million (equivalent to Rs. 197.85 crores) has been allotted for the import of fertilisers during 1969-70.

(d) Steps have been taken to establish additional capacity by setting up new fertiliser factories and expanding some of the existing ones to meet the demand of fertilisers in the Fourth Plan.

Timber Availability in Tripura

9811. SHRI KIRIT BIKRAM DEB BURMAN : Will the Minister of FOOD AND AGRICULTURE be pleased to refer to the reply given to Unstarred Question No. 7529 on the 24th April, 1969 and state :

(a) the reasons for not making a full assessment of timber availability during the Fourth Plan in Tripura ;

(b) when such assessment and working plans of Tripura forests during Fourth Plan period would made ;

(c) for how long the application of M/s. Jay Shree Tea and Industries Limited, for setting up a plywood factory in the private sector in Tripura has been under consideration ; and

(d) when a decision in the matter is likely to be taken ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) This is a time-consuming process

(b) Preparation of working plans for two Forest Divisions is in progress which are expected to be completed in the IVth Plan period.

(c) M/s. Jay Shree Tea and Industries Limited, Calcutta, applied for change of location of plywood factory from Madhya

Pradesh to Tripura on the 7th April, 1965. The Change of location was agreed upon by the Govt. of India on the 27th June, 1966.

(d) The terms of lease agreement to be executed between the Government of Tripura and M/s. Jay Shree Tea and Industries Limited Calcutta for the supply of raw materials for the proposed factory are being processed for finalisation.

Surplus Staff of Settlement Organisation

9812. SHRI SURAJ BHAN : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the posts of Scrutinisers, Junior Accountants, Junior Field Inspectors and Managing Officers (Grade II) in the Settlement Organisation of the Department of Rehabilitation are higher than the post of U.D.Cs. ;

(b) if so, the number of officials of these categories declared surplus as a result studies undertaken by the Staff Inspection Unit and the number of officials absorbed in other Departments on equivalent posts ;

(c) the number of officials out of them who have been absorbed on, or have been offered, the lower posts than those which they were holding before their being declared surplus ; and

(d) the efforts made to see that these persons are not reverted and are absorbed on equivalent posts according to the assurances given to the employees by the Minister and Deputy Minister from time to time ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) Yes, Sir.

(b) Fortyone officials in the categories of Scrutinisers, Junior Accountants, Junior Field Inspectors and Managing Officers (Grade II) were rendered surplus as a result of studies undertaken by the Staff Inspection Unit. Three officials were absorbed in other Departments on posts carrying higher scales of pay.

(c) and (d). Thirty eight officials were appointed to or offered the posts of Upper Division Clerks in the various offices, as the scale of Upper Division Clerks Rs. 130—300) generally corresponds to the scale held by these officials (Rs. 168—300).

In accordance with the scheme of re-deployment, every effort is made in individual placement to match the pay scale of individual with the pay scale of the recipient post. However, in cases where this is not possible and individuals are posted against lower posts, they are given the facility of carrying their previous pay scale along with them as personal to them. As re-deployment of the surplus staff has to take effect within the specified period of 6 months against vacancies available at the relevant point of time, posting of some officers against lower posts cannot be avoided altogether.

एक टेलीफोन एक्सचेंज की स्थापना के लिये दिल्ली के अदगदा मुहल्ले के निवासियों को अन्यत्र ले जाना

9813. श्री योगेन्द्र शर्मा :

श्री चन्द्र शेखर सिंह :

श्री क० मि० मधुकर :

श्री रामावतार शास्त्री :

क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने दिल्ली के अदगदा मुहल्ले के निवासियों को वहां से अन्यत्र ले जाने और वहां पर टेलीफोन एक्सचेंज स्थापित करने का निर्णय किया है ;

(ख) क्या यह भी सच है कि यह सुझाव दिया गया है कि प्रस्तावित टेलीफोन एक्सचेंज हाईंग पुस्तकालय के निकट अथवा नया बाजार की पीली कोठी में स्थापित किया जाये ; और

(ग) यदि हां, तो इस बारे में सरकार की क्या प्रतिक्रिया है ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री शेर सिंह) : (क)

चांदनी चौक के इलाके में टेलीफोन सेवा प्रदान करने के लिए एक टेलीफोन केन्द्र के निर्माण के लिए दिल्ली प्रशासन मेजेस्टिक सिनेमा के पीछे एक प्लॉट का अधिग्रहण कर रहा है। ऐसी संभावना है कि भूमि अधिग्रहण की कार्रवाई पूरी होने पर इस इलाके के निवासियों को दिल्ली प्रशासन किसी दूसरे स्थान पर स्थानान्तरित कर देगा।

(ख) दिल्ली प्रशासन ने कई स्थानों के बारे में विचार किया था जिनमें हाईंग पुस्तकालय के पास का एक खुला क्षेत्र और पीली कोठी भी शामिल हैं। दिल्ली विकास प्राधिकरण ने मास्टर प्लान को विचार में रखते हुए अपने प्रस्ताव सं० 166 दिनांक 6-5-68 के अनुसार प्रस्तावित टेलीफोन केन्द्र के लिए मेजेस्टिक सिनेमा के पीछे की जगह को सर्वाधिक उपयुक्त मानकर स्वीकृत कर दिया है।

(ग) चांदनी चौक के इलाके में टेलीफोन केन्द्र खोलने की तुरन्त जरूरत को मद्देनजर रखते हुए यह आवश्यक है कि चांदनी चौक के इलाके में एक उपयुक्त प्लॉट का अधिग्रहण किया जाए। फिर भी, कुछ वरिष्ठ तकनीकी अधिकारी उस स्थान का दौरा करेंगे और उसकी उपयुक्तता पर तकनीकी दृष्टि से अपनी राय देंगे।

Applications Pending for Establishment of Sugar Mills

9814. SHRI S. A. AGADI : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) the area under sugar-cane and the crushing capacity of Sugar Mills during the last three years, State-wise and year wise ; and

(b) the number of applications pending at present for establishment of Sugar Mills under Co-operative and Private Sectors in various States ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) Two statements I and II giving the required information are laid on the Table of the House [Placed in Library. See No. LT-1182/69].

(b) Statement III giving the required information is laid on the Table of the House. [Placed in Library. See No. LT-1182/69].

फरीदाबाद में कांग्रेस अधिवेशन की कार्यवाही का टेलीविजन से प्रसारण

9815. श्री ओंकार लाल बेरवा क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की करेंगे कि :

(क) क्या यह सच है कि फरीदाबाद में हाल ही में हुए कांग्रेस अधिवेशन की कार्यवाही टेलीविजन पर प्रसारित की गई थी ;

(ख) यदि हां तो जनसंघ के अधिवेशन की कार्यवाही टेलीविजन पर प्रसारित न किये जाने के कारण है ;

(ग) क्या यह भी सच है कि जनसंघ अधिवेशन की कार्यवाही को समय पर प्रतिदिन आकाशवाणी से प्रसारित नहीं किया जाता था ; और

(घ) यदि हां, तो इसके क्या कारण हैं ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री आई० के० गुजराल) :

(क) जी, नहीं । तथापि कांग्रेस अधिवेशन में उद्घाटन तथा खुले अधिवेशन की फिल्में 25 अप्रैल, तथा 28 अप्रैल, 1969 को टेलीविजन समाचारों में शामिल की गई थी ।

(ख) जन संघ के बम्बई अधिवेशन की फिल्में समाचारों के साथ दिखाने के लिए प्राप्त

नहीं की जा सकी । इस अधिवेशन का समाचार टेलीविजन पर दिया गया था ।

(ग) जन संघ अधिवेशन का समाचार 21 से 27 अप्रैल, 1969 तक प्रतिदिन बुलेटिनों में दिया गया था ।

(घ) प्रश्न नहीं उठता ।

Auction Of Central Hotel, Mall, Simla

9816. SHRI YAJNA DATT SHARMA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether it is a fact that the Central Hotel, Mall, Simla which was built to provide additional accommodation at the hill station, has been recently auctioned ;

(b) whether it is a fact that the Hotel's three parts out of four parts have been auctioned by the Assistant Valuation Officer even without following the proper rules expected to be observed in such auctions ;

(c) the names and addresses of buyers and the cost at which the same have been sold out ; and

(d) whether the remaining portion has also been sold out and if not, when the same is proposed to be auctioned and in case it has been rented out on what terms and conditions the deed has been finalized ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR EMPLOYMENT, AND REHABILITATION SHRI BHAGWAT JHA AZAD: (a) No, Sir. The Central Hotel, Simla, was not built to provide additional accommodation at the hill station. It was an evacuee property left by its Muslim owner on partition of the country and subsequently acquired under section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954. The main building was sold by public auction on 18th November, 1955, for Rs.67,225/-. Sale Certificate has also been issued in favour of the auction-purchaser.

(b) Three other parts of the Central

Hotel, viz.

(i) Central Hotel (Additional Houses),
(ii) Central Hotel (Stable and Quarters),
and (iii) Central Hotel (Annexe), were
separately sold in auction by the Department
of Rehabilitation several years ago.
The Assistant-Valuation Officer had nothing
to do with the actual auction of these

portions. It is also incorrect to say that
these portions were auctioned at throw
away prices. Proper procedure, as prescribed
in the Displaced Persons (Compensation
and Rehabilitation) Rules, 1955, was followed
in the matter of disposal by auction of
these portions.

(c) The information is given as under :—

| Name of the property | Name and addresses of the auction Purchasers | Sale price. |
|--|---|---------------|
| (i) Central Hotel (Main Building) | Shri K.R. Khanna 78, Sundar Nagar, New Delhi. | Rs.67,225.00 |
| (ii) Central Hotel (Additional Houses) | Shri J.K. Bakshi 15-A, Continental Hotel, The Mall, Simla. | Rs. 21,750.00 |
| (iii) Central Hotel (Stable and quarters). | Shri Dina Nath No. 1, Lehnu Bhawan, Simla. | Rs. 7,100.00 |
| (iv) Central Hotel (Annexe) | Shri Sukh Nidhan Singh, Laxmi Niwas, Simla-3 | Rs. 17,025.00 |

(d) Question does not arise as the entire
property has already been sold out as indicated
in the answers to parts (a), (b) and (c)
above.

Talks by journalists on A.I.R.

9817. SHRI R. BARUA : Will the Minister
of INFORMATION AND BROADCASTING AND COMMUNICATIONS be
pleased to state :

(a) whether persons from different
newspapers are invited for talks on A.I.R.
to present their own view point on topical
matters ;

(b) whether Government propose to lay
a list showing participation of persons from
different newspapers on such talks in 1967
and 1968 and the number of talks each paper

had during the year, indicating the number
of circulation of each paper ;

(c) whether the 'spotlight' programme
of 12th April 1969 is in accordance with
what the Home Minister said on the floor
of the House regarding Bengal affairs ; and

(d) if not, whether Government propose
to make a departure from the accepted
policy and allow A.I.R. to be used for
ventilating all shades of political opinion
and in that case what harm is there if A.I.R.
is handed over to an autonomous corporation
free from any Government control ?

THE MINISTER OF STATE IN THE
MINISTRY OF INFORMATION AND
BROADCASTING AND IN THE DE-
PARTMENT OF COMMUNICATIONS
(SHRI I. K. GUJRAL) : (a) Yes, Sir.

(b) A statement with respect to 'spotlight' programme for the years 1967 and 1968 is laid on the Table of the House. [Placed in Library. See No. LT-118/69]

(c) No, Sir.

(d) In its 'spotlight' programme, All India Radio allows free expression of all points of view on controversial subjects of public interest. Its being a Government department does not inhibit its freedom to provide a forum for healthy debate. The question of constituting it into an autonomous corporation is altogether a different issue.

I D.A. Loan for Tele-communications

9818. SHRI P. N. SOLANKI :
SHRI KIKAR SINGH :
SHRI D. R. PARMAR :
SHRI ONKAR LAL BERWA :
SHRI DEVEN SEN :

Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the quantum of loan advanced by the International Development Association for setting up telecommunication facilities and the terms and conditions in regard to the repayment ;

(b) how far the amount had been utilised detailing the major heads against which the amount had been spent ;

(c) whether the returns are enough to repay the loan advanced ; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI SHER SINGH). (a) Two credits for a total amount of U. S. dollars 75 million (approximately Rs. 35.71 crores pre-devaluation) were obtained from the International Development Association (an affiliate of the World Bank). The first loan was for \$42 million and the second for \$33 million.

The main terms of these credits are :

(i) The credits are interest-free but there is a service charge @ three-fourth of one per cent ($\frac{3}{4}$ of 1%) per annum on the principal amount of the credit withdrawn and outstanding from time to time.

(ii) There shall be no repayment during the first 10 years but the principal amount is to be repaid in half-yearly instalments over a period of 40 years thereafter.

(b) The credits were utilised to the extent of U. S. \$74.79 million (approx. Rs. 35.61 crores pre-devaluation) Details showing the major heads against which the credits were utilised are given in the statements I and II placed on the Table of the Lok Sabha. [Placed in Library See No. LT-1184/69].

(c) and (d). Foreign exchange loans are taken by the Government of India and repayment of these loans is also arranged by Government of India. The rupee investment for the Telecommunications Programme including the rupee equivalent of the Foreign exchange component, is met partly out of the Post and Telegraph Department's own resources and partly out of borrowings from the Government of India on which interest at the rate of 6.75% per annum is paid.

Death Relief Benefit

9819. SHRI V. NARASIMHA RAO : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether the Central Board of Trustees of Employees' Provident Fund has decided the liberalization of death relief benefit to the families of deceased members ;

(b) if so, the amount raised as relief ; and

(c) the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) and (b). At its meeting held on the 26th April, 1969,

the Board decided to recommend to the Government that the present limit for relief from the Death Relief Fund should be raised from Rs. 500/- to Rs. 750/-.

(c) The matter will be considered by Government on receipt of the proposal from the Board.

Intensive Agricultural District Programme in Orissa

9820. SHRI K.P. SINGH DEO : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether it is a fact that the Government of Orissa had recommended for the inclusion of Dhenkanal District and Utkal Sub-division in Orissa in the package programme of Intensive Agricultural District Programme ;

(b) if so, whether Government have agreed to the recommendation made by the Orissa Government ;

(c) the steps taken for its implementation ; and

(d) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) No, Sir. No such proposal has been received from the Government of Orissa.

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

Wild Life Board

9821. SHRI K.P. SINGH DEO : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether the Indian Board for Wild Life has been reconstituted ;

(b) whether it is a fact that this Board has not met for the last three years ; and

(c) if so, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) No, Sir. The matter is under the active consideration of the Government.

(b) Yes, Sir.

(c) At the last meeting of the Indian Board for Wild Life held at Dhikala (Corbett National Park) U.P. in June, 1965, the Government of Rajasthan extended invitation to the Board to hold its next Session at Sariska Sanctuary in Rajasthan. A meeting of the Standing Committee was subsequently held in November, 1965, along with the members of the Delegation of International Union for Conservation of Nature and Natural Resources in Delhi. The Government of Rajasthan was, therefore, requested in May, 1967, to arrange to hold the meeting of the Board in October, 1967, but they suggested that February 1968 would be convenient. Since the Ministry was extremely busy with the holding of the IX Commonwealth Forestry Conference at New Delhi till late January, 1968, they were approached with a request to hold the meeting of the Board in October-November 1968. Subsequently the Rajasthan Government indicated that the meeting can be held in February, 1969. The matter was actively pursued thereafter and it was only in April 1969 that the Rajasthan Government were able to express their inability to hold the meeting of the Indian Board for Wild Life due to drought conditions prevailing all over the State. Action is now being taken to hold the meeting as early as possible.

परती भूमि के वितरण के लिये सहायता

9822. श्री झारखण्डे राय : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि : खेतिहर मजदूरों तथा गरीब भूमिहीन व्यक्तियों को परती भूमि का वितरण करने के लिए राज्य सरकारों को क्या सहायता दी जा रही है ?

खाद्य, कृषि, सामुदायिक विकास तथा सहकार मंत्रालय में राज्य मंत्री (अन्नासाहिब

शिल्प) : भूमिहीन कृषि मजदूरों के साथ परती और बेकार पड़ी हुई कृषि योग्य भूमि का बन्दोबस्त करना अब एक राज्य क्षेत्र योजना है। चालू वर्ष से चलाई गयी योजना स्कीमों के लिए राज्य सरकारों को सहायता निर्मुक्ति हेतु नई विधि के अधीन, कुल मिलाकर समस्त क्षेत्रों के लिए, राज्य सरकारों को सहायता ब्लाक ऋण और अनुदानों में उपलब्ध की जायेगी और वह किसी विशेष कार्यक्रम या योजना से सम्बंधित नहीं होगी। 1969-70 के दौरान राज्य सरकारों को निर्मुक्त की जाने वाली सहायता की ठीक घन राशि को और इसकी विधि के ब्यौरे को अभी अन्तिम रूप नहीं दिया गया है।

Floor Price of Raw Jute

9823. SHRI INDRAJIT GUPTA : Will the Minister of FOOD AND AGRICULTURE be pleased to state ;

(a) whether the Agricultural Prices Commission has recommended that the 1969-70 floor price for raw jute of the Assam Bottoms variety should be fixed at Rs. 107.71 per quintal in Calcutta ;

(b) whether the Commission is of the opinion that this minimum price is essential to provide an incentive which will check diversion of jute growing land to paddy cultivation ; and

(c) if so, the action which Government propose to take in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) The Agricultural Prices Commission has recommended that the minimum price for raw jute for Assam Bottoms at Calcutta be maintained at Rs. 107.17 per quintal (Rs. 40.00 per md.) for the 1969-70 season and not Rs. 170.71 per quintal.

(b) According to the Commission, the minimum support price covers cost of

production and allows an adequate margin of profit.

(c) The recommendations of the Commission are under consideration of Government.

✓ Subsidy on Rice and Wheat supplies from Central Stock

9824. SHRI INDRAJIT GUPTA : Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether Government have decided to withdraw or reduce the subsidy hitherto given on rice and wheat supplies from Central stocks to the States for purposes of statutory rationing ;

(b) whether as a result, prices of rationed foodgrains in the Calcutta statutory rationing area will have to be raised ;

(c) the reasons for not maintaining the existing subsidy ; and

(d) whether at least the quantum of rationed cereals *per capita* in Calcutta will be augmented by large Central supplies in view of the easier stock position ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a). No, Sir. With the recent revision in Central Government issue prices of wheat and rice from first week of May, 1969, the Government is now incurring some subsidy on indigenous coarse rice also in addition to the subsidy hitherto borne by it in the distribution of imported rice.

(b) The retail issue prices of wheat and rice in the Calcutta rationed area have been revised with effect from 5-5-1969 consequent upon the revision in Central Government issue prices of these grains.

(c) Does not arise. Government policy is not to incur subsidy in the distribution of indigenously procured foodgrains. Even then, in case of distribution

of indigenous coarse rice, some subsidy is involved at present.

(d) The quantum of rationed cereals in Calcutta Rationed Area at present is 2600 grams per adult per week which is considered reasonable. There appears to be no need of any further increase in this quantum at present.

'Postal King' Device

9825. SHRI NITIRAJ SINGH CHAUDHARY : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether it is a fact that a device named "Postal King", exhibited in All-India Students Science Fair at Ashoka Hotel in February, 1969 can cancel 400 postal stamps a minute;

(b) whether this device was seen by Postal Authorities and if so, what are their reactions; and

(c) the cost of imported machines used for the purpose and the above device ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI SHER SINGH) : (a) Cannot be confirmed as no test has been carried out by the department.

(b) Yes, Sir. No comments as the machine has not been tested by the department.

(c) C. I. F. Cost per imported machine is Rs. 4,964/-. The cost of the device is not known.

Export of Sea Food

9826. SHRI S. K. TAPURIAH ;
SHRI HIMATSINGKA :

Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether sea food exports during 1968-69 have hit a new high;

(b) if so, the extent of exports in terms of quantity and the foreign exchange and other earnings obtained thereby during that year;

(c) how it compares with the respective figures for the preceding three years; and

(d) the targets of sea food exports item-wise, fixed for the year 1969-70 and the foreign exchange and other earnings expected therefrom ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) and (b). Yes, Sir. During 1968-69 our export of sea food was of the order of 26,811 tonnes valued at Rs. 24.70 crores.

(c) The figures of quantity and value of the export of sea food during the preceding 3 years, viz. 1965-66, 1966-67 and 1967-68 are as follows :—

| Year | Quantity (in tonnes) | Value (in Rs. crores) |
|---------|-------------------------|--------------------------|
| 1965-66 | 15,177 | 7.06 |
| 1966-67 | 21,116 | 17.37 |
| 1967-68 | 21,906 | 19.72 |

(d) No target has been fixed so far for the export of sea food for the year 1969-70.

Vivid Bharati Programme presented by Film Stars

9827. SHRI ARJUN SINGH BHADORIA : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) whether it is a fact that some Film Artistes present Programmes for Jawans in the Vivid Bharati Programmes of A. I. R.;

(b) if so, the names and addresses of those film artists who have presented those programmes during the period from November, 1968 to April, 1969 and the

amount paid to each of them as remuneration ;

(c) whether it is a fact that some leading film stars have refused to present their programmes ; and

(b) if so, their names and reasons for not presenting the programme ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) Yes, Sir.

(b) A statement is laid on the Table of the House.

(c) A few film stars have expressed their unwillingness to present the programme.

(d) The information is being collected and will be laid on the Table of the House. [Placed in Library. See No. LT—1185/69].

Banning of Film 'How to Steal A Million'

9828. SHRI ARJUN SINGH BHADORIA : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to refer to the reply given to Unstarred Question No. 3270 on the 4th December, 1968 and state :

(a) whether the Police has since investigated into the case regarding banning of foreign films of the type of 'How to steal a Million' ; and

(b) if so, the steps taken to prohibit the import of such films into India ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) The Police did not investigate the case of banning of any foreign films because it is not their business to carry on such investigation.

(b) Does not arise.

Banning of Foreign Films

9829. SHRI ARJUN SINGH BHADORIA :

SHRI K. N. PANDEY :

SHRI SITARAM KESRI :

Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the names of foreign films which have been banned by Government during the last six months till date ;

(b) the reasons for banning them ; and

(c) the names of the importers who imported the above films ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) No foreign film has been banned by the Central Government during the last six months.

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

Loans given to Film Producers by Film Finance Corporation

9830. SHRI ARJUN SINGH BHADORIA : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the total amount of loan given by the Film Finance Corporation to the Film Producers together with their names and addresses during the last six months till to-date ;

(b) the number of applications for loan received and the total amount of loan asked during that period together with the names and addresses of the applicants ; and

(c) the total amount of interest earned by the Corporation as a result thereof during the period and the amount of loan yet to be recovered ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) to (c). Infor-

mation is being collected and will be laid on the Table of the House.

Refusal of Permission for Screening of Hindi and Tamil Films

9831. SHRI K. N. PANDEY : Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state :

(a) the number of Hindi and Tamil films in respect of which the censoring authority refused permission for screening during the last six months till to-date ; and

(b) the names of such films and the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : (a) Nil.

(b) Does not arise.

आकाशवाणी केन्द्र, ग्वालियर से प्रसारित होने वाले कार्यक्रम

9832. श्री रामावतार शर्मा : क्या सूचना तथा प्रसारण और संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आकाशवाणी के ग्वालियर केन्द्र से कार्यक्रमों को केवल 'रिले' किया जाता है ;

(ख) क्या सरकार का विचार उपर्युक्त केन्द्र को प्रसारण केन्द्र बनाने का है जिसे स्थानीय कलाकारों की प्रतिभा का उपयोग किया जा सके ; और

(ग) यदि नहीं, तो इस सम्बन्ध में क्या कठिनाइयाँ हैं और क्या इन कठिनाईयों को दूर करना सम्भव नहीं है ?

सूचना तथा प्रसारण मंत्रालय और संचार विभाग में राज्य मंत्री (श्री इ० कु० गुजराल) :

क) और (ख) : जी, हाँ ।

(ग) सवाल नहीं उठता ।

Sugar Quota for West Bengal

9833. SHRI BHAGABAN DAS : SHRI JYOTIRMOY BASU :

Will the Minister of FOOD AND AGRICULTURE be pleased to state :

(a) whether there was an enhancement in the State quota of sugar during last January-February ;

(b) if so, the percentage of increase for each State ; and

(c) the quantity actually supplied during the last three months to West Bengal as against the allotted quota ?

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI ANNASAHIB SHINDE) : (a) and (b). Yes, Sir. Levy quotas of sugar of States/Union Territories were increased by 26,000 tonnes from January, 1969. The apportionment of the additional quantity was mainly on population basis. The percentage increase in each case is given in the statement laid on the Table of the House. [Placed in Library. See No. LT-1186/69].

(c) During the last three months the following quantities of sugar were allotted to West Bengal :

| | |
|----------------|---------------|
| February, 1969 | 13,167 tonnes |
| March, 1969 | 18,433 " |
| April, 1969 | 15,199 " |

The allotment orders are valid for 45 days and are revalidated at the request of the State Governments for a further period and despatches against the quotas allotted each month are still continuing.

**Correction of Answer to Unstarred Question
No. 1930 dated 6-3-1969 regarding Employ-
ment Exchange in Laccadive Islands**

**THE MINISTER OF STATE IN THE
MINISTRY OF LABOUR, EMPLOY-
MENT AND REHABILITATION (SHRI
BHAGWAT JHA AZAD) :** I would like to
draw attention to the reply given by me on
the 6th March, 1969, to Part (c) of the
Unstarred Question No. 1930 by Shri P. M.
Sayeed and Shri Virbhadr Singh regarding
Employment Exchange in Laccadive Islands.
I had stated that "there are about 50 un-
employed matriculates and one unemployed
graduate in the Islands". This was based
on a wireless message received from the
Laccadive Administration. The subsequent
formal written communication received from
the Laccadive Administration, however, re-
vealed that there are no unemployed gradu-
ates in the Islands.

My reply may therefore be corrected to
read :

"There are about 50 unemployed
matriculates in the Islands".

12:12 hrs.

**CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE
REPORTED SINKING OF KASHMIR
PLATEAU**

**SHRI JYOTIRMOY BASU (Diamond
Harbour):** Sir, I call the attention of the Min-
ister of Petroleum and Chemicals and
Mines and Metals to the following matter
of urgent public importance and I request
that he may make a statement thereon :

"Reported sinking of Kashmir Plateau."

**THE MINISTER OF STATE IN THE
MINISTRY OF PETROLEUM AND
CHEMICALS AND MINES AND MET-
ALS (SHRI JAGANATH RAO) :**
It is reported by the State Government
of Jammu and Kashmir that following the
unprecedented heavy snowfall on April 29,
1969 and the rapid melting of snow and
continuous wet weather conditions thereafter,
land slides have occurred at a number of

places in the Srinagar and Baramulla dis-
tricts of Jammu and Kashmir. Small bits
of land are affected in areas of about 53
villages in the two districts. In most areas
the slides are in agricultural or forest lands.
However, in five villages of Srinagar district
and four villages of Baramulla district 170
and 85 houses respectively have been
threatened by the landslides.

It is reported that these landslides have
been caused by the recent heavy and out
of season snowfall. The sudden melting of
the snows had also accentuated undercutting
by erosion at some points, resulting in
localised slumping of the ground. Regular
winter snows generally over-lie firmly frozen
ground which is sealed to the waters from
the melting snow above. In these cases
since the snowfall took place after the spr-
ing had commenced, water could directly get
into the strata. Further the snowfall itself
was heavy and the melting was also rapid,
so that the inflow of water into the underly-
ing strata was unusually rapid, resulting in
the unsettling of the delicate balance ensuring
stability in such formations on hill slopes
where the structure and the topography render
the area liable to sliding. These occurrences
are reported to be localized phenomena and
do not constitute the sinking of Kashmir
Plateau.

The State Government have reported
that they have taken special precautionary
measures so as to prevent loss of life in
case some of the slides assume dangerous
proportions. The affected areas and those
likely to be affected have been evacuated
and the residents housed in tents and other
available accommodation. Observation
teams of officers of concerned Departments
are reported to have been posted at Lalipora
and at a central point in the Baramulla dis-
trict. These teams are in constant touch
with the district authorities. Once the
emergency caused by the slides is over, the
State Government propose to undertake
surveys so as to determine long term mea-
sures that should be taken particularly in
areas where population may be threatened.

SHRI S. M. BANERJEE (Kanpur) : Sir,
this statement should be circulated. It is
a long statement. It is a sinking business.

MR. SPEAKER : There is no time. Let us proceed ; let us see how deep it is sinking already.

SHRI JYOTIRMOY BASU : There had been heavy rainfall all over the country beside the Kashmir valley. Why is it that this particular place has suffered ? Srinagar also had similar snowfall and rainfall earlier. So, the argument put forward by the Minister is far from convincing. In 1963, in the same area, there had been an earthquake and there were cracks and potholes and subsidence and landslides. At that time, there was a talk of bringing experts from outside the country also to come and examine the whole thing. Has that been done ? We have been told that the Geological Survey of India also nibbled at the thing, but it did not systematically follow the whole thing. Why this has happened, the Minister should tell us. I want also to know the area involved, the number of heads of population involved and the extent of damage done. At the same time, there is an apprehension in our minds, because in Gilgit the U-2 base is being demolished by the US authorities, whether that demolition vibration has affected the subsoil strata in these areas.

SHRI JAGANATH RAO : As I stated in my main statement, it is only a surface phenomenon and not a geological phenomenon which has resulted because of the unprecedented snowfall, rapid melting of snow in the spring season and the resulting seepage of water into the substrata. We have been assured by the State Government and the Geological Department and other concerned departments of the State Government are at it and there is no danger to life or property, apart from what I have already indicated.

SHRI JYOTIRMOY BASU : May I know why the Japanese experts were not asked to come ?

MR. SPEAKER : All experts—American, Japanese and others—will come.

Now, Mr. Shastri.

श्री रघुवीर सिंह शास्त्री (बागपत) : श्रीमन्, अखबारों से यह पता चलता है, इन्होंने बताया

कि 29 तारीख को इस प्रकार का हितपात शुरू हुआ और यह आपत्ति आई, अखबारों की रिपोर्ट से पता चलता है, 10 मई के दिल्ली के अखबारों में निकला कि वहाँ के निवासी दस रातों से बिना सोये रात काट रहे हैं, तो क्या यह इस बात का प्रमाण नहीं है कि सरकार की इतनी बड़ी असावधानी है कि 53 गावों के लोग दस रात से बिना सोये रात काट रहे हैं और सरकार ने उनकी सहायता का, उन की रक्षा का कोई उपाय नहीं किया ?

दूसरे, मैं यह पूछना चाहता हूँ, यह जो सरकार के पास रिपोर्ट आई है यह काश्मीर राज्य के माल मुहकमे ने भेजी है या आप ने वहाँ कुछ भूगर्भ-वैज्ञानिक, ज्यालाजिस्ट्स भी भेजे थे जो जाकर देखें कि इसका कारण क्या है ?

तीसरी बात—आपने कहा कि ज्यादातर खेतों की ओर जंगलों की भूमि घंस रही है। मैं पूछना चाहता हूँ कि कितना रकबा घंस रहा है, किसानों का कितना नुकसान हुआ है और उसके लिये सरकार किसानों को कितना मुआवजा और राहत देने जा रही है ? एक जगह श्रीनगर और बारामूला के बीच सोपुर के पास श्रीनगर-बारामूला सड़क घंस रही है। इससे क्या यह साबित नहीं होता कि सारा एरिया जो है उसके अन्दर ऐसी खराबी है कि जिसके लिए बहुत जल्दी ऐक्शन लेना और एहतियात करना जरूरी है ? मैं सरकार से पूछना चाहता हूँ कि इन सब चीजों के लिये सरकार क्या स्थाई उपाय कर रही है जिससे कि इस तरह की विपदायें न घायें और जो आपद्ग्रस्त लोग हैं उनको बसाने या दूसरे प्रकार सहायता देने के लिए सरकार क्या विचार कर रही है ?

SHRI JAGANATH RAO : Newspapers reports evidently do not seem to be correct. The State Government have assured us that this occurrence was only local at one or two places and they have taken the necessary

[SHRI JAGANATH RAO]

precautions to see that persons who are likely to be affected were evacuated from the area and housed elsewhere. About prevention of recurrence of such things, I have said that steps will be taken by the Geological Department of the State and the Geological Survey of India to see that such things do not recur. There is no likelihood of any threat of slumping of major land blocks elsewhere in the Kashmir Valley.

श्री रघुवीर सिंह शास्त्री : अध्यक्ष महोदय, मेरी बातों का जवाब नहीं दिया एक तो यह कि अखबारों की रिपोर्ट है कि दस रातों से उन गांवों के लोग बिना सोये रहे, इसका क्या कारण है, सरकार क्यों इतनी लापरवाही बरतती रही ? दूसरे मैंने पूछा कि जंगलों की ओर किसानों की कितनी भूमि घंसी है और कितना नुकसान हुआ है ?

SHRI JAGANATH RAO : When there is heavy rain and likelihood of flood, naturally people in those areas would be spending sleepless nights; We can understand that. But I can assure the House that no damage was caused to any person.

श्री प्रकाश वीर शास्त्री (हापुड़) : यह भी तो बताइये पाप तो बहुत नहीं बढ़ गए वहां ?

SHRIMATI ILA PALCHOUDHURI (Krishnagar) : It has been reported that another 1000 people in District Lulipura are going to be affected and 4 or 5 village in that district are threatened by the mud that is coming through. So, altogether a total number of practically 8,000 to 10,000 people are going to be affected. What is the Government going to do to give them alternative accommodation somewhere ? Has any arrangement been made about that ? The report says that small children are suffering very badly in that area due to the shifting. I want to know whether any arrangement has been made to provide some particular medicines and clothing to small children.

SHRI JAGANATH RAO : All those measures that were required were taken by the State Government, and the damage caused, according to the State Government,

is not so much as stated by the hon. Member. The press reports may be on the high side, but all necessary steps have been taken and will be taken.

12.21 hrs.

PAPERS LAID ON THE TABLE

STATEMENT CONTAINING PRINCIPAL RECOMMENDATIONS OF THE AERONAUTICS COMMITTEE

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) : Sir, on behalf of Sardar Swaran Singh, I beg to lay on Table a statement containing principal recommendations of the Aeronautics Committee. [Placed in Library. See No. LT—1164/69].

REPORT OF THE COMMISSIONER FOR SCHEDULED CASTES AND SCHEDULED TRIBES

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND IN THE DEPARTMENT OF SOCIAL WELFARE [DR. (SHRIMATI) PHUL RENU GUHA] : I beg to lay on the Table a copy of the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1967-68 Vols. I and II, under Article 338(2) of the Constitution. [Placed in Library. See No. LT—1165/69].

REPORT OF NATIONAL COAL DEVELOPMENT CORPORATION COMMITTEE

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS (SHRI JAGANATH RAO) : I beg to lay on the Table—

- (1) A copy of the Report of National Coal Development Corporation Committee. [Placed in Library. See No. LT—1166/69].
- (2) A copy of the Mineral Concession (Third Amendment) Rules, 1969, published in Notification No. G. S. R. 939 in

Gazette of India dated the 12th April, 1969, under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957. [*Placed in Library. See No. LT—1167/69*].

STATEMENT SHOWING TOTAL INVESTMENTS OF THE LIFE BUSINESS OF THE LIFE INSURANCE CORPORATION OF INDIA

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI JAGANNATH PAHADIA) : Sir, on behalf of Shri P. C. Sethi : I beg to lay on the Table a statement (Hindi and English versions) showing total investments of the life business of the Life Insurance Corporation of India as on the 31st March, 1968 in loans and debenture and shares in each of the first ten groups arranged in order of their assets, listed in the Monopolies Enquiry Commission's Report as well as the total investments of the Life Insurance Corporation of India in 75 groups mentioned in that Report. [*Placed in Library. See No. LT—1168/69*].

NOTIFICATIONS UNDER SECTION 3 OF THE ESSENTIAL COMMODITIES ACT, 1955

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI ANNASAHIB SHINDE) : I beg to lay on the Table—

(1) A copy each of the following Notifications under sub-section (6) of section 3 of the Essential Commodities Act, 1955 :—

(i) G. S. R. 2181 (Hindi and English versions) published in Gazette of India dated the 12th December, 1968.

(ii) G. S. R. 449 (Hindi and English versions) published in Gazette of

India dated the 22nd February, 1969 making certain amendments to Notification No. G. S. R. 2181 dated the 12th December 1968.

(iii) G. S. R. 764 (Hindi and English versions) published in Gazette of India dated the 5th March, 1969.

(iv) G. S. R. 999 published in Gazette of India dated the 18th April, 1969.

(v) G. S. R. 1000 published in Gazette of India dated the 19th April, 1969.

(vi) The Assam Roller Mills Wheat Products (Price Control) Order, 1969, published in Notification No. G. S. R. 1035 in Gazette of India dated the 23rd April, 1969.

(vii) The Roller Mills Wheat Products (Price Control) Second Amendment Order, 1969, published in Notification No. G. S. R. 1036 in Gazette of India dated the 23rd April, 1969.

(viii) The Inter-Zonal wheat and Wheat Products (Movement Control) Amendment Order, 1969, published in Notification No. G. S. R. 1039 in Gazette of India, dated the 24th April, 1969.

(ix) The Cold Storage (Amendment) Order, 1969, published in Notification No. S. O. 1564 in Gazette of India dated the 26th April, 1969.

(2) A statement showing reasons for delay in laying the Notifications mentioned at (i) to (iii) of (1) above. [*Placed in Library. See No. LT—1161/69*]

STATEMENT SHOWING REASONS FOR DELAY IN LAYING THE REPORTS OF DEVELOPMENT COUNCIL FOR INORGANIC CHEMICAL AND HEAVY ELECTRICAL INDUSTRIES

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT

LOPMENT INTERNAL TRADE AND COMPANY AFFAIRS (SHRI BHANU PRAKASH SINGH) : I beg to lay on the Table a statement showing reasons for delay in laying the reports of (1) Development Council for Inorganic Chemical Industries and (2) Development Council for Heavy Electrical Industries, for the years 1967-68, in pursuance of an assurance given by him on the 22nd April, 1969. [Placed in Library. See No. LT-1170/69].

12.23 hrs.

PRESIDENT (DISCHARGE OF FUNCTIONS) BILL

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : Sir, I beg to move* :

"That the Bill to provide for the discharge of the functions of the President in certain contingencies, be taken into consideration."

श्री मधु लिमये (मुंबेर) : अध्यक्ष महोदय, जो विषयक सम्बन्धी बातें हैं, वे तो बहस के दौरान कहीं जायंगी, लेकिन दो-तीन बातें हैं यदि उन के सम्बन्ध में गृह मंत्री महोदय खुलासा करेंगे तो मेरा ख्याल है कि इस मामले पर काफी रोशनी पड़ेगी।

ता० 4 को अखबारों में मैंने पढ़ा कि राष्ट्र-पति डा० जाकिर हुसैन की मृत्यु के बाद, जिस को लेकर हम सभी लोगों को बहुत अफसोस और दुख है, उपराष्ट्रपति श्री वी० वी० गिरि साहब को शपथ दिलाई गई और अखबारों में जो कुछ आया है, उसके अनुसार उन्होंने निम्न शपथ ली—ऐसा मुझे लगता है—

"I, V.V. Giri, do swear in the name of God that I will faithfully execute the office of the President."

अध्यक्ष महोदय, हमारे संविधान के अनुसार इस तरह की शपथ लेने की क्या आवश्यकता थी और क्या औचित्य था—यह मेरी समझ में नहीं

आ रहा है। क्योंकि हमारे संविधान की धारा 65 में यह बात बिल्कुल साफ है कि वी० वी० गिरि साहब राष्ट्रपति के निघन के बाद राष्ट्रपति के नाते काम करने की स्थिति में आये, राष्ट्रपति नहीं बने। हमारे संविधान में उप-राष्ट्रपति के बारे में दो बातें कही गई हैं—जब राष्ट्रपति हट जाते हैं, इस्तीफा दे देते हैं या उन का निघन हो जाता है या जब वह विदेश बगैरह जाते हैं तो उपराष्ट्रपति "एक्टिंग एज प्रेजिडेंट" होते हैं। राष्ट्रपति के नाते काम करते हैं, प्रेजिडेंट के फक्शनज को डिस्चार्ज करते हैं।

ऐसी हालत में मैं सब से पहले एक सवाल उठाना चाहता हूँ—इन्होंने राष्ट्रपति के नाते शपथ क्यों ली? उस दिन उप-प्रधान मंत्री और काबीना के अन्य मंत्री भी वहां उपस्थित थे, मैंने तस्वीर में देखा है। क्या इस के औचित्य के बारे में उन्होंने एटार्नी जेनरल या कानून मंत्रालय से राय प्राप्त कर ली थी कि इस तरह शपथ लेना उचित था? क्योंकि एक दफा उप-राष्ट्रपति संविधान के प्रति शपथ ले चुके हैं और संविधान में यह लिखा हुआ है कि वे वफादार रहेंगे। जब इस तरह की शपथ पहले ले चुके थे तो वे काम कर सकते थे, इस नई शपथ की कोई आवश्यकता नहीं थी।

दूसरी बात—राष्ट्रपति डा० जाकिर हुसैन के निघन के बाद हमारे इस सदन में कल के कम्पनी बिल को लेकर कुल पांच बिल पास हो चुके हैं—1. फाइनेन्स बिल, 2. स्टेट ड्यूटी बिल, 3. रजिस्ट्रेशन आफ़ बर्थस बिल, 4. यूनियन टैरिटरिज बिल और 5. कल का कम्पनी बिल। इन में से मुझे पता नहीं राज्य सभा ने कितने बिल पास किये हैं, लेकिन एक बिल के बारे में मैं जानता हूँ—फाइनेन्स बिल पर वहां चर्चा हुई थी और चर्चा के बाद पास हुआ था और जैसा हमारे संविधान में लिखा हुआ है उन्होंने उसे वापस यहां भेज दिया।

* Moved with the recommendation of the

President.

उस के वापस भेजने के बाद जैसा नियम 128 में लिखा हुआ है—

“(1) When a Bill is passed by the Houses and is in possession of the House the Bill shall be signed in duplicate by the Speaker and presented to the President :

Provided that in the absence of the Speaker from New Delhi, the Secretary may, in case of urgency, authenticate the Bill on behalf of the Speaker.

“(2) One copy of the Bill so assented to by the President shall be preserved for verification and record and shall not be allowed to pass out of the custody of the House without the permission of the Speaker.”

इस बिल को निश्चित रूप से सम्मति के लिए, असेन्ट के लिए श्री बी० बी० गिरि साहब के पास भेज दिया गया होगा। मैं जानना चाहता हूँ कि क्या यह बात सही है कि जब आपने नीचे लिखा था कि ‘वाइस प्रेजिडेंट एक्टिंग एज प्रेजिडेंट’ उस को गिरि साहब ने काट करके प्रेजिडेंट कर दिया ? मैं बहुत गम्भीरतापूर्वक कहना चाहता हूँ कि हमारे संविधान के अनुसार बिलकुल ठीक लिखा हुआ था—लेकिन बी० बी० गिरि साहब ने “एक्टिंग एज प्रेजिडेंट” काट कर प्रेजिडेंट लिख दिया। क्या इसके बारे में एटार्नी जनरल ने कुछ कहा है ? क्या उसने भी यही राय दी है कि वह प्रेजिडेंट नहीं लिख सकते हैं, ‘वाइस प्रेजिडेंट एक्टिंग एज प्रेजिडेंट’ लिख सकते हैं

अब मैं आल इण्डिया रेडियो के बारे में कहना चाहता हूँ—

एक माननीय सदस्य : अध्यक्ष महोदय, यह सक्सेशन का बिल है।

श्री मधु लिमये : अध्यक्ष महोदय, एक्स-ट्रेनिंग्स कैसे हैं ? मैं खतम कर रहा हूँ। मैंने

सुना है कि राष्ट्रपति भवन से आल इण्डिया रेडियो को यह पत्र लिखा गया था कि हमारा उल्लेख “एक्टिंग एज प्रेजिडेंट,” के नाम से क्यों होता है, प्रेजिडेंट के नाम से होना चाहिए।

अध्यक्ष महोदय, यह संबंधानिक पहलू है। इस पर आप निर्णय ले चुके हैं। एक दफा यह बिल इसी आधार पर वापस हो चुका है, और उसके बाद सही उपाधि, डेजिगनेशन लिख कर आया है। मैं चाहता हूँ कि गृह मंत्री महोदय अपने भाषण में इसके बारे में खुलासा करें।

MR. SPEAKER : I only want to say that this has nothing to do with the Bill before the House, which is about succession. Whether the Bill was signed by the Vice-President, President or Shri V. V. Giri is extraneous to the consideration of the present Bill. There is no point in taking time of the House like this. If Shri Kundu wants to raise a point of order regarding this Bill, let me hear it.

SHRI S. KUNDU (Balasore) : I would like to submit that the present Bill is incompatible with the Constitution. Clause 3 of the Bill says :

“...the Chief Justice of India or, in his absence, the seniormost Judge of the Supreme Court of India available shall discharge the functions of the President until a new President elected...”

My contention is that the Chief Justice cannot be appointed under this Bill to discharge the functions of the President. Article 126 of the Constitution says :

“When the office of Chief Justice of India is vacant or when the Chief Justice is, by reason of absence or otherwise, unable to perform the duties of his office the duties of the office shall be performed by such one of the other Judges of the Court as

[Shri S. Kundu]

the President may appoint for the purpose."

Here we have suggested in the Bill that the Chief Justice will be appointed as President. But we have not provided that that person shall cease to hold the office of Chief Justice when he becomes the President. The Chief Justice will be functioning as the President and, at the same time, the Chief Justice will be also acting as the Chief Justice of the Supreme court. There should be, automatically, a provision of the Chief Justice. Unless there is a specific provision, there is a vacuum. Here, it says, "or otherwise". We have to specifically make a provision how otherwise.

MR. SPEAKER : Now, Shri Nath Pai ; I understand what you say.

SHRI S. KUNDU : Let me finish, Sir.

MR. SPEAKER : We should finish at some stage. There should be some limit. Don't repeat it. It is commonsense.

SHRI S. KUNDU : Commonsense is good as law but not always the law.

MR. SPEAKER : He cannot be both, the Chief Justice and the President ; he cannot function in both the capacities. I can understand that.

Shri Nath Pai.

SHRI S. KUNDU : Unless specifically mentioned.

Secondly, under the Constitution, the President acts on the advice of the Council of Ministers...

MR. SPEAKER : Why don't you argue when the clause comes ? Don't take time now and again then also. There is no point of order. In the name of point of order, you are discussing the merits of the Bill and a particular clause. Will you resume your seat please ? There is no point of order as such. You are going into the merits of the Bill now itself. You are entitled to discuss the merits of the Bill, I

have no objection, but at a different stage, not now. Shri Nath Pai.

SHRI NATH PAI (Rajapur) : Sir, before I say something relevant to the Bill I want to bring to your notice a serious difficulty I encountered while proceeding to discharge my duties as a Member in the House. I find one of the Lobbies is crowded with din, turmoil, jostling and pushing. I think, some party, one of the many parties in the House, is holding some elections. Parliament should not be reduced to such an absurdity...(Interruption) I must say I am very serious ; I am not ridiculing. We should make an effort to be serious sometime. The Lobby is a part of the House. I want you, Sir, to give us protection and also help us in maintaining order. The kind of jostling, pushing and catching people by the neck, that is going on...(Interruption) I am not a wrestler. Sir, you are the custodian of Parliament ; the Lobby is a part of the House.

MR. SPEAKER : The Lobby will be kept free for the Members.

SHRI NATH PAI : Now, Sir, I wrote to you a letter requesting you to direct the Home Minister to supply us a copy of the exact oath that the present incumbent, the Vice-President acting as President took. You just now remarked, and there is great substance in your observation, that we should try to limit ourselves at this stage to only what is pertinent and to discuss the merits of the Bill. That Stage will come latter on. But I want to tell you I have much to say because you have upheld my contention yesterday that the Vice-President must be designated as the Vice-President acting as President of India. None-the-less, all that I have to submit later on in my main submission, this letter from you is very germane to this. Did he utter, "I will faithfully execute the office of the President or I will discharge the functions of the President" ?

Sir, I requested you to direct the Home Minister to give us a copy of the exact oath that was taken by him. In your letter, it says, the Vice-President acting as President has been inducted. I was not present there ; I do not know the oath taken. The bulletin says, the Vice President acting as President. But did he utter, "I will faithfully execute

the office of the President or discharge the functions of the President"? There is an alternative given to him. I am not aware which he chose.

MR. SPEAKER : That is all.

SHRI NATH PAI : My second request also remains. I will try to be brief. I appreciate your impatience but kindly try to be a little more tolerant. I also want a copy of the Finance Bill. I want to know how it is signed. Day before yesterday, I Produced for your verification an original copy of the Appropriation Bill, not one but two Appropriation Bill, which are in your custody, one signed by the late Dr. Zakir Husain and another signed by Dr. Kadhakrishan, both Vice-Presidents discharging the functions of President. For my point to be developed, I need your assistance. Nobody can help, Sir, except you. Before I proceed to participate in the debate, you will be pleased to direct the authorities concerned to give me the copies.

SHRI SAMAR GUHA (Contai) : On a point of order. My submission to you is.....

MR. SPEAKER : It is a submission, not a point of order. What is the point of order? I think, I will have to be more strict about point of order.

SHRI SAMAR GUHA : The Bill that has been moved in this House is *ultra-vires* of the provisions of the Constitution. This Bill cannot be moved in this way. Only a Constitution (Amendment) Bill can be moved...

MR. SPEAKER : This was argued by Mr. Nath Pai on that day.

MR. SAMAR GUHA : In article 70 it has been clearly mentioned that Parliament may make such provision...

MR. SPEAKER : You are making a speech. There is no point of order. Point of order is raised with reference to Rules of Procedure and not with reference to Constitution. You have a right to argue that this Bill cannot come in this shape and all that. But there is no point of order here...

SHRI SAMAR GUHA : You are the custodian of this House. It contravenes the provision of the Constitution.

MR. SPEAKER : The stage at which you can say all these things is over already. It was withdrawn and again it was introduced. Now the motion has been moved for consideration.

SHRI SAMAR GUHA : It was argued yesterday...

MR. SPEAKER : I do not want you to bring in any argument now. Please sit down.

SHRI NATH PAI : What about the request to call the Attorney-General?

MR. SPEAKER : I am coming to that. Mr. Nath Pais, points may be important. But how are they relevant to this Bill?

श्री नथ लिमये : यह बताने की इजाजत दीजिए—एक मिनट में हम बताते हैं। आप सवाल तो पूछने हैं लेकिन जवाब नहीं देने देते हैं।

MR. SPEAKER : I am on my legs. I am not asking any question. I am giving my decisions. Questions have been asked. Decisions are being given.

My point is this. The President died on a particular date, and on that date somebody else was sworn in. What was the language of swearing-in, that has nothing to do with this Bill. This Bill is about succession, who should succeed and how he should succeed—ABC, XYZ and all that. What oath the successor should take, what type of language must be used, that is a different point. I entirely agree that that must be clarified—what type of oath must be given to the successor, whether he is 'acting' or 'discharging his duties'. There are so many ticklish questions. We will have to get the opinion of the Attorney-General, Law Secretary and all that, but on a different occasion, not today.

SHRI NATH PAI : What about the request to call the Attorney-General? I wrote to you.

MR. SPEAKER : Not on this issue.

SHRI NATH PAI : It is an inherent right of this House...

MR. SPEAKER : The Home Minister will reply now.

SHRI S. M. BANERJEE (Kanpur) : They are all potential successors.

MR. SPEAKER : Yes ; every one of us.

SHRI Y. B. CHAVAN : May I begin with one straight explanation...

MR. SPEAKER : You can begin with a reply to the two points raised by Mr. Nath Pai.

SHRI Y. B. CHAVAN : I might incidentally deal with them when I develop.

Mr. Nath Pai has the great art of creating doubts about arguments of others. But this time he has planted a doubt in his own mind and he is trying to confuse himself and others. I will tell him how. The first point that he raised was about oath. These people are very intelligent people... They are not wrestlers, I am very glad...but they are missing the obvious things. If you see article 60, you will find this:

Article 60 says :

"Every President and every person acting as President or discharging the functions of the President shall, before entering upon his office, make and subscribe in the presence of the Chief Justice of India or, in his absence, the seniormost Judge of the Supreme Court available, an oath or affirmation in the following form, that is to say—"

In this matter he was acting as President and he has to take oath under Article 60. He was not discharging the functions of the President. He is acting as President. Therefore, this oath was legitimately taken. He wanted the information.

SHRI NATH PAI : Thank you for supplying the information.

SHRI Y. B. CHAVAN : You wanted the information. I have given the information. It is a very legitimate and correct procedure that was followed.

SHRI NATH PAI : That is most germane. Thank you.

SHRI Y. B. CHAVAN : Everything is left to you. What else can I do.

SHRI NATH PAI : You have come determined to get angry.

SHRI Y. B. CHAVAN : I am not angry. I am merely arguing. You are interrupting I am not interrupting. I am legitimately in the possession of the House. You are interrupting, I am not interrupting. What is the basic purpose of this thing ? Let us come back to the position. Article 70, really speaking, authorises bringing of this Bill. What is art. 70 meant for ? Art. 70 is meant for making provision for the contingencies which are not provided in the Constitution. What are the contingencies that are provided in the Constitution ? One is when a vacancy is caused by the death, resignation or removal, of the President. That time the Vice-President is supposed to act as President. The other contingency that is provided for also is one when the President is disabled, is not in a position to work. That time the Vice-President can discharge his functions. These are the two things which are provided for in the Constitution. Therefore, we have got three persons, in inverted commas, legal persons. One is the "President" ; one is "Vice-President acting as President" and the third is "Vice-President discharging the functions of the President."

SHRI J. B. KIRPALANI (Guna) : When he discharges the function, is he acting or not acting.

SHRI Y. B. CHAVAN : When he discharges the function, he is not acting. That is the constitutional position. What can I do ? Even then in all these three categories, however we designate them in the constitutional frame, the office of President functions. Let us not forget that. This Bill tries to provide for three different types of contingencies. First is when the vacancies of both President and Vice-President occur,

what is to be done about that.

AN HON. MEMBER : Which the makers of the Constitution did not visualise...

SHRI Y. B. CHAVAN : But they did visualise as to when a non-visualised situation arises, what should be done. Our founding father were wiser than what we can think of.

The second contingency that is provided for in this Bill is when the Vice-President, while discharging the functions of the President, dies or resigns or is removed. We have seen a situation that even when there is no vacancy in the Presidentship and when the President is disabled, the Vice-President is discharging his functions. In that case, when he is removed, resigns or dies, some arrangement has to be made. That is the second contingency that is provided for. The third is when the Vice-President either acting as President or while discharging the functions of the President is unable to discharge his functions. In these two cases the third contingency can be contemplated. This Bill provides for certain arrangements to carry on the work of the office of the President. This is really speaking the general scheme of the Act.

In this connection I would like to make one submission. It is popularly called the Succession Bill. According to my light, this is not a Succession Bill. This is to provide for certain arrangement for certain contingencies. While we take the analogy of what happens in America and other places, we have to remember, what they provide for is a regular succession. The elective element and non-elective element can certainly be gone into. These are the two views and these are two legitimate views. I don't say that there is anything wrong about it. Somebody can legitimately say that Speaker can be there. The other view is there that the Chief Justice can be there. Government took a particular view and they took a particular view because this is not a regular succession. We had certain precedents. In the case of Governors the Chief Justices come and take their places.

We thought this arrangement would be much better and more convenient.

SHRI SURENDRANATH DWIVEDY (Kendrapara) : Governor is not elected...

SHRI S. KUNDU : From the constitutional point of view it is wrong.

SHRI Y. B. CHAVAN : Your view can be taken. But Government has taken this view. This is not a regular succession as such. That is why it was thought, while making certain arrangements, it is much better to go by certain practices we have followed in case of Governors. Therefore the question of elective element was not considered and contemplated. This is the position. For these two important objections that they have raised, I have these submissions to offer. So, I request the honourable House to consider the Bill as it is.

MR. SPEAKER : Motion moved :

"That the Bill to provide for the discharge of functions of the President in certain contingencies, be taken into consideration."

SHRI SRIRAJ MEGHRAJJI DHARAN-ADHRA (Surendranagar) : We are to enact a law under Art. 70 of the Constitution to provide for a second person in the line of succession to the Presidency. I rise to support the Government Bill which seeks to fill the lacuna which should have been filled long ago. Indeed there should have been no lacuna in the Constitution.

This is a matter on which I have been long exercised. The proposal put forward by Government, which I support is not, in my view, the best arrangement.

I have in mind a Bill for the separation of the offices of Vice-President and the Chairman, of the Rajya Sabha. I had made this suggestion to the late Pandit Jawaharlal Nehru but he was not then exercised by it. I will not say anything more about this here, except that in a vast country such as ours there is need for a full time office of Vice-President or Pro-President to share and lighten the burdens of the President and to deputise for him in all kinds of duties and contingencies.

[Shri Siraj Meghraj ji]

As to the Chief Justice of India being the second in line of succession, while some cogent things have been said against it in this House, they are not such as to invalidate the proposal of the Government, we already have the precedents in the State that the Chief Justice officiates for the Governor when the need arises.

If we create a new and different practice and precedent for the Union, the same presumably should sooner or later be followed by the States.

Sir, your office, the office of Speaker, is a key office. How crucial this office can be and how critical a role it is sometimes called upon to play can be seen from our own experience of the events in certain State Legislatures, how majorities change, resulting in the fall and rise of Governments. The central figure in these eventualities is the Speaker. Fortunately such an eventuality has not yet overtaken the Lok Sabha. So we have no immediate experience of it. But we can learn from the experience in the States.

It is important, therefore, not to bring any interference in the office of the Speaker.

The Judiciary, on the other hand, is a stable and a permanent body. If the Chief Justice does briefly officiate as President and it will always be brief—it will in no way impair the judicial branch of Government. As President, he can always reserve Bills for his permanent successor. And as Chief Justice he need not adjudicate in matters arising out of a law enacted by him.

On the other hand, the translation of the Speaker to the Presidency would certainly impair the legislative branch.

Sir I, therefore, support the Bill as a good stop-gap arrangement.

श्री प्रकाशवीर शास्त्री (हापुड़) : अध्यक्ष महोदय, मैं अपनी तीन शंकाओं को प्रमुख रूप से आपके सामने रखना चाहता हूँ। मैंने अपना एक संशोधन भी दिया है लेकिन पता नहीं वह मेरा संशोधन क्यों नहीं वितरित किया जा सका? प्रमुख रूप से मेरे संशोधन की पृष्ठभूमि

यह है कि संसद तीन हिस्सों में विभक्त है, एक लोक सभा, दूसरा राज्य सभा और तीसरा राष्ट्रपति इन तीनों ग्रंथों को मिला कर संसद बनती है। इस में जुडिशियरी का या न्यायालय का किसी प्रकार से समावेश नहीं है। इसलिए मेरा पहला तो सुझाव यह है कि अगर किसी समय ऐसी स्थिति आये कि जब राष्ट्रपति न रहें और राष्ट्रपति का स्थान उप-राष्ट्रपति लें तो उप-राष्ट्रपति की जगह यदि खाली हो तो संसद के इन तीनों भागों में से ही कोई व्यक्ति को लेकर उस स्थान की पूर्ति हो। चाहे उसकी पूर्ति इस रूप में हो कि उपराष्ट्रपति के स्थान पर लोक सभा के अध्यक्ष या राज्य सभा का जो उप-सभापति हो वह उस स्थान को ले या फिर राष्ट्रपति ने अपने जिन सहयोगियों को राज्यपाल के रूप में नियुक्त किया है, वरीयता के क्रम में, उन में से किसी व्यक्ति को ले लिया जाय। लेकिन जुडिशियरी के किसी आदमी को लेना संसद के अधिकारों में हस्तक्षेप करना है क्योंकि संसद उन्हीं तीन भागों में विभक्त है और जुडिशियरी का प्रत्यक्ष या अप्रत्यक्ष रूप से कोई समावेश नहीं है।

दूसरी बात जो मैं विशेष रूप से कहना चाहता हूँ वह यह कि जब आप सर्वोच्च न्यायालय के प्रमुख न्यायाधीश को राष्ट्रपति बनायेंगे या उपराष्ट्रपति की शपथ दिलायेंगे तो अब तक की परम्परा यह रही है कि जो व्यक्ति राष्ट्रपति की शपथ लेता है तो सर्वोच्च न्यायालय का प्रमुख न्यायाधीश उनको शपथ दिलाने के लिए आता है। इससे यह बात स्पष्ट हो जाती है कि राष्ट्रपति का पद पृथक है और सर्वोच्च न्यायालय के न्यायाधीश का स्थान पृथक है। लेकिन जब वह स्वयं राष्ट्रपति के रूप में शपथ लेगा तो उनका जो अपने नीचे का न्यायाधीश है वह उस समय प्रमुख न्यायाधीश के रूप में प्रमुख न्यायाधीश को राष्ट्रपति के पद की शपथ दिलायेगा जो कि संबैधानिक दृष्टि से बिल्कुल

अवस्थ परम्परा हो जायगी और इस दृष्टि से भी यह गलत होगा।

तीसरी बात यह है कि हमारे देश की स्थिति इस प्रकार की है कि अब तक जो राज्यपालों की नियुक्ति होती है वह उनको राष्ट्रपति अपने प्रतिनिधि के रूप में नियुक्त करता है। अगर इस विधेयक के रूप में यह बात आती कि उपराष्ट्रपति के हट जाने पर या उपराष्ट्रपति के न रहने पर जो बरीयता के क्रम से या सीनियरिटी के क्रम से सबसे प्रमुख राज्यपाल होगा वह उपराष्ट्रपति के स्थान को लेगा अगर इस क्रम न रहे तो उससे दूसरी जो बरीयता के क्रम से राज्यपाल होगा वह उस स्थान को लेगा तो संवैधानिक परम्पराओं की रक्षा हो सकती थी लेकिन जुडिशियरी को या न्यायालय को उस बीच में लाकर बिलकुल एक संविधान की भावना के प्रतिकूल काम करना होगा।

एक अन्य बात जो मैं विशेष रूप से कहना चाहता हूँ कि उपराष्ट्रपति के इस पद की अब तक आवश्यकता क्यों थी, अब तक उपराष्ट्रपति की आवश्यकता इसलिये थी कि राष्ट्रपति यदि किसी समय न रहे तो उपराष्ट्रपति राष्ट्रपति के कृष्यों का निर्वहन करेंगे इस लिए यह उपराष्ट्रपति का पद बनाया गया था। चूँकि उपराष्ट्रपति के पास कोई और कार्य नहीं था इसलिए उनको राज्य सभा का चेयरमैन भी बना दिया गया ताकि उपराष्ट्रपति केवल मात्र उस समय की प्रतीक्षा में ही न रहे कि जब राष्ट्रपति समाप्त हो जाय उस समय हम अपना कार्य प्रारम्भ करेंगे। इस बीच में उनको कुछ काम भी सौंप दिया जाय और इसके लिए राज्य सभा का सभापति उपराष्ट्रपति को बना दिया जाता है। अब आज की स्थिति क्या है क्योंकि संविधान इस विषय में मौन है? आज भारत इस समय बिना उपराष्ट्रपति के है और राज्य सभा की जो उपसभापति थी वह राज्य सभा के सभापति का कार्य कर रही हैं। इसका स्पष्ट अभिप्राय

यह है कि उपराष्ट्रपति का जो पद था उस की अब तक किसी प्रकार से कोई आवश्यकता विशेष अनुभव नहीं की गई। आज जब आप यह कह रहे हैं कि उपराष्ट्रपति भी यदि न रहें तो जो सर्वोच्च न्यायालय के प्रमुख न्यायाधीश हैं उन को उस स्थान पर लगाया जाय। मेरा कहना है कि इस दृष्टि से तो इस उपराष्ट्रपति के पद को समाप्त ही कर दिया जाय। आज जब हमारे देश में यह परम्पराएं प्रारम्भ हो रही हैं कि विधान परिषदें समाप्त हो रही हैं तो देश के ऊपर अनावश्यक रूप से जो पद रक्खे हुए हैं उनको भी समाप्त कर दिया जाय। क्योंकि उपराष्ट्रपति के न रहने पर जैसे आप न्यायालय से किसी को लेंगे तो उसी तरीके से राज्यपालों में से किसी को ले लें या लोक सभा के अध्यक्ष को ले लें या राज्य सभा के उपसभापति को ले लें और इस तरह उसकी पूर्ति हो सकती है। उपराष्ट्रपति का पद, उसके लिए इतना बड़ा वेतन, इतनी सुविधाएं, इन सब की किसी प्रकार से कोई आवश्यकता नहीं है। इस दृष्टि से यह जो विधेयक है वह बड़ा त्रुटिपूर्ण है। मैं चाहता हूँ कि सरकार इन सारी बातों पर विचार करे। इस परम्परा को इस रूप में रक्खे कि उपराष्ट्रपति की यदि कभी आवश्यकता हो या राष्ट्रपति का कार्य करने वाला उपराष्ट्रपति भी किसी समय यदि न रहे तो लोक सभा के अध्यक्ष या राज्य सभा के उपसभापति से उसकी पूर्ति की जाय या राज्यपालों में से लेकर पूर्ति की जाय। बहरहाल जो संसद की अपनी एक परिधि है जिसके अन्दर लोक सभा, राज्य सभा और राष्ट्रपति आते हैं, इनके अतिरिक्त और किसी में से इन पदों में से किसी स्थान की पूर्ति न की जाय।

SHRI VIKRAM CHAND MAHAJAN (Chamba) : The present Bill is a very timely one, especially under the present circumstances. Many objections have been raised to the Chief Justice being put in the line of succession.

SHRI NATH PAI : May I know how much time has been allotted for the discussion of this Bill ?

MR. SPEAKER : Let us see.

SHRI NATH PAI : The Business Advisory Committee did not discuss it and did not allot any time for this. So, it is a solutely within your discretion.

MR. SPEAKER : We have 4 hours at disposal. Let us see.

AN HON. MEMBER : So, 4 hours will be available for this Bill.

MR. SPEAKER : The fact that we have four hours does not mean that we should take all the 4 hours for this Bill. We can dispose of it earlier also.

SHRI VIKRAM CHAND MAHAJAN : An objection has been raised that the Chief Justice should not be put in the line of succession. Article 126 of the Constitution was read out in this connection by one hon. Member. Under the Constitution, it was argued that the Chief Justice could not act as President. Article 223 which makes a similar provision in regard to the Chief Justice of the States reads as follows :

"When the office of Chief Justice of a High Court is vacant or when any such Chief Justice is, by reason of absence or otherwise, unable to perform the duties of his office, the duties of the office shall be performed by such one of the other Judges of the Court as the President may appoint for the purpose."

Article 126 contains a similar provision. But we have the constant practice in India that whenever there is a vacancy in the post of a Governor, the Chief Justice of the High Court of the State is made as acting Governor. No objection has so far been raised to that practice. For the first time when a similar provision is being made at the Centre, we find that objections are being raised.

There are equally good alternative suggestions that the speaker of the Lok

Sabha or the Governor should be made acting President. One cannot say that they are not equally competent or they are not good alternative suggestions. But when they are five or six good alternatives, Government in their wisdom have thought it better to follow a policy which could create the least amount of displacement. For example, if the Speaker of the Lok Sabha is put in the line of succession, then we all know what will happen to Lok Sabha.

SHRI PRAKASH VIR SHASTRI : The Deputy-Speaker is here.

SHRI VIKRAM CHAND MAHAJAN : I am not casting any aspersion on anyone, but we all know what will happen. Then, there will be a vacancy in the office of the Deputy-Speaker, and then there would be another displacement and so on.

When the Chief Justice acts as President, then there is a regular set of Judges who will do the work ; when the Chief Justice goes, the next judge comes in, and if he goes, the next one comes and so on, and thus there is no such thing as displacement of office, and there is no displacement of the work that is going on. So, if the Chief Justice acts as President, there will not be a back-log of work in the Supreme Court, because the others will be there to carry on the work.

A question was raised when he acts as President and passes certain Acts then how later on he will sit in judgment on those very Acts ? My hon. friend who raised that point forgets that it is a settled practice in courts that one does not judge what one does oneself. If he has done something as President, then he will not sit in judgment on it in the court. For example, if he passes an Act, he will not sit in the Supreme Court and sit in judgment on the very Act. Perhaps, some of my hon. friends have raised this point out of ignorance. One hon. Member has asked what type of oath he will take as President, and he has suggested that that should be read out in the House. If only he would have read the Constitution a little more carefully, he would have found that out for himself. But sometimes even angels make slips, and so a human being can also sometimes make a slip here and there.

SHRI NATH PAI : He thinks that judicial knowledge is hereditary ? Let him not have that arrogance.

SHRI VIKRAM CHAND MAHAJAN : I have categorised him as an angel. But he does not want to take the compliment. At least let him have good grace to accept the compliment.

Another objection has been raised on the ground that there are three branches, namely the executive, the judiciary and the legislature.....

MR. SPEAKER : The hon. Member may continue his speech after lunch.

13 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at Four minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the chair]

RE. ALLEGED ARREST AND BEATING UP OF DEMONSTRATORS IN FRONT OF PARLIAMENT HOUSE.

SHRI S. M. BENERJEE (Kanpur) : I rise to a point of order. This is a very serious matter. I want that the debate on the particular motion before the House be adjourned to discuss a very serious matter.

As you are aware, unemployed youths, both men and women, have come from various parts of the country from 15 States. They wanted to knock at the door of this august House to highlight their hunger and starvation. A delegation met the Prime Minister yesterday when they handed over memorandum to her. She gave them a sympathetic hearing and has promised to do something, if there is anything in her hands.

The point is that they wanted to present a memorandum to the elected representatives of the people. As you know, the tradition in this House has been that people come outside and seek to meet us. You have been a number here since long and you yourself have addressed many such meetings.

In this way they wanted to meet us on this occasion also.

Now, what has happened. Immediately they came in, they have been arrested. I have nothing against the arrest, section 144 is in force. But the entire building has been converted into a concentration camp.

SHRI VIKRAM CHAND MAHAJAN: (Chamba) : For whom ?

SHRI S. M. BANERJEE : For the elected representatives of the people. What is this ? Can they not approach us ? Can they not knock at our door ? Under Sec. 144 they could have been just arrested. But they have been beaten up and manhandled. Our sisters were there. They have also been manhandled.

I wanted to table a call attention or adjournment motion. But because we are adjourning tomorrow, I would request you to kindly ask the Home Minister to make a statement on this very serious matter. After all, the rights and privileges of Members cannot be infringed in this manner. Can we not meet them ? Can they not meet us ? This is the Gandhi Centenary Year. We now dealing with a Bill deciding the succession to the President of this country.

SHRI J. M. BISWAS (Bankura) : I was personally present on the spot. Let me be heard. I saw people being beaten up.

SHRI INDRAJIT GUPTA (Alipore) : Under sec. 144 they were arrested but they cannot be beaten and manhandled, as they have been.

SHRI BAL RAJ MADHOK (South Delhi) : You know we are a sovereign elected Parliament. The people have a right to approach Parliament with their difficulties. The problem of unemployment has assumed very grave proportions. The other day, the Prime Minister was good enough to say that they are taking care of it in the Fourth Plan. But we also heard the hon. Labour Minister say this morning that they do not have any data as to whether there is unemployment or not.

Now lakhs of people are unemployed, particularly youngmen and women. They have come here. They have a right to be conc-

[Shri Balraj Madhok]

ned about it. When they want to come and place their grievances before us, they are not allowed to come near Parliament. Section 144 is imposed over the whole area. This is very bad.

This kind of blanket ban on any kind of meeting or demonstration in front of Parliament should go. I would appeal to Government to lift it. Government should make a statement as to what they propose to do about the situation.

SHRI H. N. MUKERJEE (Calcutta North East) : Could I point out that representatives of this very group of people, among whom so many have been arrested and beaten up, which is most reprehensible, met the Prime Minister yesterday ? She gave them a patient hearing. If that hearing is worth anything, it should certainly be followed up by some kind of sympathetic action, some kind of symbolic expression of the Government's desire to tackle this problem.

Are we to be reconciled to this position that Parliament House would be barricaded against everybody ? Are we to function in a democracy, about which so many superlatives are being wasted, if people cannot approach us and Section 144 is clamped down all over the place in the manner it has been down ? I am not reopening the matter, but apart from Sec. 144, this beating up business is going a little too much. It is happening over and over again and Members of Parliament have just to look on unable to do anything.

SHRI J. M. BISWAS : I was present on the spot. Let me be heard.

MR. DEPUTY-SPEAKER : Shri Kundu.

SHRI S. KUNDU : Sometime ago I had written to the Prime Minister to waive Sec. 144 from the precincts of Parliament House so that the delegation could come and meet the Prime Minister and us. I did not receive a reply. But I was told that the Central Government could not do anything ; it had been done by the Delhi authorities. It

is not so. I think it has been done by the local authorities with the consent of the Central Government.

The demonstrators are peaceful. Their declared purpose is peaceful and legitimate to present a petition to the Prime Minister and the House. But members taking part in this sort of demonstration have been man-handled. This is really shocking.

As you know, in this House, the problem of unemployment has been raised. These are hungry people. This is the Gandhi Centenary year. I remember what Gandhiji used to say about a hungry man. For a hungry man, all talk of culture, civilisation and so on is a mockery. Unless these young men and women are given some sort of employment, food, clothing and shelter, they will not understand the kind of nice speeches we make in this temple of democracy. It is in the interest of democracy that we see that something is done to satisfy their genuine urges and they are not roughly handled or manhandled by the police.

श्री क० ना० तिवारी (बेतिया) : डेमोक्रेसी में सब को हक हासिल है कि अपनी डिमांड्स को पेश करे। सैक्शन 144 यहां लगा हुआ है। उसके बावजूद भी अगर डेमंडेशन हुआ है और लाठी चार्ज किया गया है तो होम मिनिस्टर को वस्तुस्थिति को स्पष्ट करते हुए स्टेटमेंट देना चाहिये। अपनी प्रीवेंसिस के बारे में अगर वे कुछ कहना चाहते हैं तो उनको कहने का मौका मिलना चाहिये। उनके रिप्रिजेंटेटिव्स को मौका दिया जाना चाहिये कि उन्हें जो कहना है, गवर्नमेंट से या प्राइम मिनिस्टर से या होम मिनिस्टर से या पार्लियामेंट के मੈम्बरों से आकर कहें।

श्री शिव चन्द्र झा (मधुबनी) : उपाध्यक्ष महोदय, अगर आप को कहीं पर डंडा राज देखने की इच्छा हो, तो आप इस पार्लियामेंट हाउस के गेट के सामने डंडा राज का बिल्कुल नमूना रूप देख सकते हैं। वहां पर पुलिस द्वारा विद्या-

यियों को बुरी तरह पीटा गया, उन पर इस तरह से धोड़ा-चार्ज किया गया, जिसका शब्दों में वर्णन नहीं किया जा सकता है। मैंने लाबी में श्री शुक्ल से कहा कि क्या यही जनतंत्र है कि नौजवानों को इतनी बुरी तरह से पीटा गया है। मुझे याद है कि जब 1942 में हम लोग पटना में सेक्रेटेरियट की तरफ जलूस निकाल कर जा रहे थे, तो गोलघर के सामने पुलिस के घुड़सवारों ने हम पर हमला किया। ठीक वही दृश्य आज पार्लियामेंट हाउस के सामने प्रस्तुत कर दिया गया—इस सरकार और यह मंत्री की नाक के नीचे। यह हमारे लिए शर्म की बात है। पार्लियामेंट के इर्द-गिर्द तो ऐसा वातावरण होना चाहिए कि सिपाही और कर्मचारी आदि सब जनतान्त्रिक भावना से काम करें, मानव की डिगनिटी, प्रतिष्ठा, का भ्रादर हो और हमारे मूल्यों की इज्जत हो। लेकिन अभी पार्लियामेंट हाउस के दरवाजे के सामने इन सब का खात्मा हुआ है। मैं मांग करता हूँ कि यह मंत्री, श्री चव्हाण, सदन में आकर इस बारे में वक्तव्य दें।

SHRI S. KANDAPPAN (Mettur) : What has happened in the vicinity of Parliament is unfortunate and I hold the Government entirely responsible for it. This is not a new phenomenon. For the past two weeks we have been seeing many persons wanting to represent to the Government. We had also heard that youngmen from Kerala who came here in deputation to see the Minister had been arrested. It is that kind of frustration that is at the back of these demonstrations. Even today during the question hour we found how the Minister in charge of Labour contributed to this kind of frustration. When we seek some clarification on the thinking of the Government about the Fourth Plan, instead of trying to assuage the fears of the unemployed in this country, they try to increase their fears. There is no concrete thinking or constructive suggestions from that side. Those things have led to this kind of unfortunate situation. I think it is very pertinent for us to demand that the Home Minister should make a statement right now.

SHRI HEM BARUA (Mangaldai) : Not only the Government but you, Mr. Deputy-Speaker, and the hon. Speaker are also responsible for allowing the Government to impose Section 144 here. You should advise them to withdraw it.

SHRI GANESH GHOSH (Calcutta South) : I had also been to that place and the mounted police were used to beat them up. This is absolutely shameful for this Government. There is Section 144 and we can understand people being arrested. But why are they beaten up? Is there any reason for that? This Government claims to be a civilised Government. I hope you would direct the Home Minister to explain the whole thing.....(Interruptions.)

MR. DEPUTY-SPEAKER : The Government have taken note of what has been said. The Minister of State is also here; he has taken note of it. He says that he has no information. (Interruptions).

Order, order. All the Members of the concerned about it. (Interruption).

SHRI J. M. BISWAS : The House House are should be adjourned.

SHRI S. M. BANERJEE : Sir, I am least interested in who is to become the President after the death of the President. I am more interested in the situation caused by the unemployment among the youth. I move for the adjournment of the House.

SHRI S. KANDAPPAN : Let the Minister make a statement.

SEVERAL HON. MEMBERS rose.—

MR. DEPUTY-SPEAKER : This is not fair.

SHRI S. M. BANERJEE : Please hear me for a minute.** (Interruption).

MR. DEPUTY-SPEAKER : No more hearing. Nothing will go on record. Now, Some Members came in and agitated manner and reported to me that these are the facts.

**Not recorded.

[Mr. Deputy-Speaker]

Whether they are correct or not, I do not know. I know Section 144 is there.

SHRI S. KANDAPPAN : There are many Members who have come from the spot.

MR. DEPUTY-SPEAKER : I am only saying that you have said what you have seen. (*Interruption*).

SHRI J. M. BISWAS : After their arrest, they have been beaten up. After having taken them into custody, they beat them. (*Interruption*).

SHRI A. DIPA (Phulbani): You say that what a Member of Parliament is saying is not correct ?

MR. DEPUTY-SPEAKER : Who has said that ? Nobody has said that.

श्री शिव चन्द्र झा : गृह मंत्री एक घंटे के अन्दर यहां पर स्टेटमेंट दें ।

SEVERAL HON. MEMBERS *rose*—

MR. DEPUTY-SPEAKER : No, no. This is not the way. I will stop it here. Mr. Jha, I had given you an opportunity.

श्री शिव चन्द्र झा : उपाध्यक्ष महोदय, आप समय निर्धारित कर दीजिये कि गृह मंत्री एक या दो घंटे के अन्दर यहां पर वक्तव्य दें ।

SHRI D. N. PADODIA (Jalore) : It is terribly annoying that while the mounted police has been used, the Minister chooses to sit silent. I therefore suggest that in your wisdom, if you can direct the Minister to make a positive statement at a fixed time say within one or two hours, that will be a fine solution.

MR. DEPUTY-SPEAKER : As I said earlier, the matter has been raised by several Members who have seen what has happened. Whether the facts are correct or not, I cannot say. But we know one thing that there is Section 144 in force roundabout. It there is violence, the Government is free to deal with it in the manner they like. But if a

peaceful demonstration is there, when people are coming to meet their own representatives in Parliament, it is a matter which must be taken into consideration by the Government. Because of the allegations that are made here,—the Minister of Parliamentary Affairs is here and the Minister of State in the Ministry of Home Affairs is also here—I would suggest that the Government can ascertain the facts on this particular aspect—

SHRI S. KANDAPPAN : Before 3.30.

MR. DEPUTY-SPEAKER : Let him take his time. (*Interruptions*) Take your own time. Something has been happening nearabout Parliament, and the representatives of the parties from this side are saying that this has happened, and nothing is stated on behalf of the Government. It is not good ; it is not proper. Therefore, I would like very much that the Government comes out with a factual statement at the earliest opportunity.

SHRI J. M. BISWAS : I want an assurance from the Minister through you that those who have been taken into custody will no more be assaulted.

MR. DEPUTY-SPEAKER : That is a hypothetical case.

SHRI J. M. BISWAS : At least 200 people were taken into custody. They must not be assaulted any more.

SHRI S. M. BANERJEE : Will the Minister make a statement or not ?

MR. DEPUTY-SPEAKER : Order, order. Shri Mahajan.

SHRI NATH PAI (Rajapur) : Sir, you have summed up the situation very well. It is not a demonstration that we are interested in; but the point is that the people were on their way to go to Parliament which is the highest forum for the citizens of this country, and they were trying to reach Parliament to make representations. You said that allegations were made. There is a difference between making an allegation and giving facts. We never made any allegations. It is alleged that force was used. In the light of this, I would request the Home Minister to say, "Since it has been alleged, I will

enquire and place the facts before the House". If what is alleged is true, it is a very serious and grave matter. It is contempt of the House if citizens coming to Parliament are prevented from reaching Parliament. There is hardly any use in having a Parliament in that case. May I request him to say that he will enquire and place the facts before the House.

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH) : As my colleague has already stated, we have no prior information. None of us were eye-witnesses. But certain things have been stated. Naturally he will enquire into it, ascertain the facts and inform the House.

SHRI S.M. BANERJEE : When ? It must be done today.

SHRI RAGHU RAMAIAH : Facts must be ascertained first. He is a responsible Minister and you should leave it to him. You cannot put down a limit like 15 minutes or half an hour.

MR. DEPUTY-SPEAKER : Once the assurance has been given that after ascertaining the facts, a statement will be made, is it not enough ? I have already directed him to find out what really happened and whether the facts narrated here are correct. He will find out the facts and explain the position of the Government *vis-a-vis* the alleged high-handedness—that was the word used—of the police authorities.

SHRI BAL RAJ MADHOK : May we presume that the Minister of State for Home Affairs has gone dumb and he cannot stand up and say "I will enquire" ? Why should the Parliamentary Affairs Minister deputise for him ? This is an insult to the House.

SHRI RAGHU RAMAIAH : He has taken note of whatever has been said...

SHRI S.M. BANERJEE : He is more than a stenographer to merely take notes. (*Interruptions*). He is a Minister of State.

SHRI RAGHU RAMAIAH : Sir, you in your wisdom referred to me also and therefore, I have a right to say something,

MR. DEPUTY-SPEAKER : All the group leaders of the opposition parties have taken it up in a serious manner. It is a serious matter. May I take it that the Home Minister will be able to make a statement before we adjourn today ? (*Interruptions*).

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : It is completely useless to say things which hon. members opposite have said. Once you in your wisdom have directed the Government, there is no other way for the Government. Government will collect facts and make a statement.

SOME HON. MEMBER : When ?

SHRI VIDYA CHARAN SHUKLA : I cannot say by what time I will be able to collect sufficient facts and report to this House. I will try to do it as quickly as possible. But I cannot say whether it can be done today or it will have to be done tomorrow. (*Interruptions*).

SHRI J.M. BISWAS : It must be done today.

MR. DEPUTY-SPEAKER : He has given an assurance that he will collect the facts and make a statement as early as possible. I think hon. Members must be satisfied with that assurance (*Interruptions*).

SHRI BAL RAJ MADHOK : Let him make the statement before the House adjourns today.

SHRI J.M. BISWAS : If he cannot give this assurance he should quit office.

SHRI H.N. MUKERJEE : Sir, what is his difficulty in coming to the House today evening ? He has four hours' time today. At the next door things have happened. He can easily find out and place it before the House before the House adjourns today.

MR. DEPUTY-SPEAKER : As I have already said, if possible before we adjourn for the day he will make the statement. That must satisfy hon. Member, (*Interruptions*). I take it hon. Minister said that he

[Mr. Deputy Speaker]

will gather information and before we adjourn for the day he will make a statement before the House. Whatever information he can gather he will place before the House.

SHRI R.D. BHANDARE (Bombay Central) : Sir, I rise on a point of order. Shri Banerjee while referring to the Minister said that "he is more than a stenographer".

SHRI S.M. BANERJEE : I said "he is more than a stenographer". Every hon. Member including Shri Bhandare is more than a stenographer.

SHRI R.D. BHANDARE : So far as the record is concerned, that a Minister should be bound with a stenographer is something the record should not be burdened with.

SHRI S.M. BANERJEE : I rise on a point of personal explanation. I have all regard for Shri Shukla. What I said was, when the hon. Minister of Parliamentary Affairs said that he has taken note of it, we see the stenographers taking note of everything and that is why I said "the Minister is more than a stenographer". What did I say? What is unparliamentary in that?

MR. DEPUTY-SPEAKER : Let us proceed with the business now.

14.28 hrs.

THE PRESIDENT (DISCHARGE OF FUNCTIONS) BILL—Contd.

MR. DEPUTY-SPEAKER : Shri Mahajan may continue his speech.

SHRI VIKRAM CHAND MAHAJAN : Sir, I was submitting that there are three or four equally good alternatives for the appointment in the line of succession of those persons who can discharge the functions of the President. There is the Speaker of the Lok Sabha, there are the Governors and there is the Chief Justice. The position of the Home Minister is like that of a person who has three or four girl friends and he has to marry one of them. If he chooses one of them it is not an aspersion on the others. Similarly the Government of

India has chosen a particular line of succession, a particular line that Chief Justice or the Senior-most Judge would succeed or discharge the functions of the President until a new President is elected. It is not an aspersion on anybody else. It is not an aspersion on any other equally competent person.

Lastly, the present Bill has been introduced under article 70. The question is whether the present Bill is sufficient for the purpose or a constitutional amendment is necessary. Here I would like to read both articles 65 and 70 because that would clarify the position. Article 70 reads :

"Parliament may make such provision as it thinks fit for the discharge of the functions of the President in any contingency not provided for in this Chapter."

Article 65(1) says :

"In the event of the occurrence of any vacancy in the office of the President by reason of his death, resignation or removal, or otherwise, the Vice-President shall act as President until the date on which a new President elected in accordance with the provisions of this Chapter to fill such vacancy enters upon his office."

So, this provision says that the Vice-President shall act as the President. In what contingencies are death, resignation or removal. Article 65(2) is more important. It says :

"When the President is unable to discharge his functions owing to absence, illness or any other cause, the Vice-President shall discharge his functions until the date on which the President resumes his duties."

So, article 65(2) talks of discharging the functions of the President by the Vice-President on certain contingencies, the contingencies being absence, illness or any other cause.

The Constitution has created a distinction between article 65(1) and 65(2). While 65(1) deals with death, resignation or remo-

val 65(2) deals with absence, illness or any other cause. Since the Constitution has created these two distinctions, I submit that under article 70 possibly the present Bill may not lie. Therefore, Government should consider whether articles 65(1) and (2) have the the same meaning, whether "discharging" and "acting" are synonyms. If they are synonyms, then the present Bill is competent under the article 70. But if they are not synonyms then government will have to reconsider this aspect because otherwise it will be struck down by courts.

We should not have any controversy on the question of who should act as the President in the event of certain contingencies. If there is a controversy, it will unnecessarily create unpleasantness. So, we should make a choice in good grace. I submit that the choice of the Government is a fair one in the sense that the Chief Justices of the States have been performing the functions of the Governor in the absence of the Governors. Therefore, we are following only a good precedent. With these words, I support the Bill.

SHRI BAL RAJ MADHOK (South Delhi) Mr. Deputy-Speaker, Sir, ours is a very comprehensive Constitution. It is one of the longest constitutions which any country has. But even a very long or big Constitution cannot provide for every contingency, every eventuality. Now an eventuality has risen in which it is felt that certain provisions have to be made if, for example, both the President and Vice-President are not there and therefore, this Bill has been brought in. That there is need that some provision should be made to meet that contingency is undisputed, indisputable and in that sense I welcome this Bill.

But, then, before I come to the principles of the Bill or the merits of the Bill, I would like to make one or two observations about the office of the President. The President, as envisaged by the Indian Constitution, is not just a figure-head he is something much more, and anyone who studies the provisions of the Constitution and also the discussion that took place in the Constituent Assembly will be convinced about it. It is true that during the last twenty years the President has acted just as a constitutional head, because for the first ten

years we had a head-strong Prime Minister and we had a President who was too good and, therefore, no match to him. Because of that kind of personal equation, the office of the President was too some extent denigrated and the position or status given to him was not actually, what he should have got; actually, it was much less than what he should have got. I, therefore, think that the time has come when a review or study should be made of the real powers and functions and status of the President. Such a suggestion was made by Dr. Rajendra Prasad during the last days of his tenure but, then, no attention was paid to that at that time. But now in the days to come the office of President may assume very great importance. He may have to play a role which, perhaps, he has not played all these years. Therefore, I would submit that a study in regard to the exact powers and constitutional position of the President should be undertaken by some jurists and we should see that proper conventions are established so that difficulties do not arise in later days.

Secondly, since the demise of the late President, a number of suggestions have been made that we should have this man or that man because he belongs to that caste or that community and the word 'secularism' is being roped in. I want to submit that it is very wrong to think of this high office in those terms. Actually, the way the word 'secularism' is being bandied about in this country creates doubts in one's mind as to whether the people who bandy about the word 'secularism' are really secular or not. Anyone who believes in our Constitution, anyone who is a nationalist, has to be secular. In this country, we have never seen theocracy. Theocracy came in the country with the advent of certain semitic religions. Otherwise, we never had any kind of theocracy in this country. Any Indian worth his name is secular and has to be secular. When you go on bandying about the word 'secularism' and justify the choice of this man or that man on that account, then a doubt comes in one's mind what the Government wants whether they want to fill the vacancy on the principle of communalism. I think, communalism is very much writ large over the ruling party.

[Shri Balraj Madhok]

They talk of secularism. But what kind of secularism they have, I got an idea in reply to my Starred Question No. 1708 of yesterday. My Question was :

"(a) whether it is a fact that an Indian delegation attended the International Islamic Conference held at Kula Lampur recently ;

(b) If so, who selected the members of the delegation ;

(c) the capacity in which they attended the Conference ; and

(d) who paid their expenses."

And the reply of the External Affairs Minister was ;

"On an invitation from the Malaysian Government a delegation of Indian Muslims selected by the Government of India to represent Indian Muslims participated in the International Islamic Conference held in Kula Lampur recently.

The Malaysian Government bore the expenditure on local hospitality. Other expenses were borne by the Government of India."

This is the Government of India. Then, this Government claims to be secular. I say, this Government is not secular. They are not secular ; they believe in communalism...

SHRI K. NARAYANA RAO (Bobbili):
What is the relevancy of it here ?

SHRI BAL RAJ MADHOK : Let them bear with me. You will have your turn. Then you can say that what you have got to say. This is very much relevant. This Bill refers to the office of the President and, I think, an occasion is coming when we have to elect a new President. This is a very opportune time and relevant time when we can say something about it.

What I would like to submit is, please don't bring in such considerations in the choice of the high office of President. The office of President is a very important office.

It is a non-party office. He is to be the head of the State and not the head of any particular party. Therefore, the selection for the high office should be made entirely on the basis of merit.

He should be a man who has distinguished himself in public life, who has an administrative experience and who is impartial and who can inspire confidence in the people as a whole, not in a particular community or a particular party.

Secondly, in the situation as it is developing in the country, it is also very important that the man who holds the office must have a deep commitment to democracy. We are a democracy and have a democratic Constitution. The President is to be elected on that basis. If he does not have a deep commitment to democracy, it will help the forces and factors that are raising their heads in the country who do not have faith in democracy and who want to subvert democracy. Therefore, it is very important that the man who holds the office has a deep commitment to democracy.

Thirdly, he must be a man who should be incorruptible. Yesterday, the hon. Home Minister made a statement here how certain foreign countries and foreign powers have been trying to influence individuals and parties in the country through money. If they can influence a Member of Parliament; if they can influence a party, they may be able to influence the President also who holds a high office and who, under certain circumstances, can declare Emergency, dismiss the Government and dissolve the Parliament. Therefore, it is very important that the man who holds the high office of President is incorruptible. He should be a man of absolute integrity. This consideration is also very important.

Then, he must be robust and he must be a nationalist whose nationalism cannot be doubted and who will see that the interest of the country and the unity of the country is maintained.

I would submit to the ruling party that while making a choice, in the first place, they should not think of it as a party office. They should try to develop a consensus in the country. There should be a consensus so

that we can choose a President who enjoy the confidence of the entire country and the entire House. Even if they cannot arrive at a consensus, they must see to it that no petty, partisan, communal, sectarian or caste considerations are brought in while make a selection for this high office.

With these preliminary remarks, I come to this Bill. So far as this Bill is concerned, here the provision is made as to who will take the place if both the President and the Vice President are not there, because, in the Constitution, there is no provision for this. Here in this Bill we have provided that, in case both the President and the Vice President are not there, then the Chief Justice of India or, if he is also not available, the seniormost judge of the Supreme Court, should hold that office. I think, this has been done on the basis of the analogy that prevails in the States. If there is no Governor, we generally have the Chief Justice of the High Court to act as, or discharge the duties of, the Governor. But there is a clear distinction between the office of Governor and the office of President. The President's office is an elective office; the Governor's is not an elective office. When the Constitution was being framed, the question of having elected Governors did arise, but in their wisdom the founding fathers of the Constitution decided that Governors should not be elected persons and that they should be the nominees of the President. So, in their case, in the place of one nominee, a second nominee comes and, therefore, nobody can have any objection to that. But the President's office is an elective office. If you read the provisions of the Constitution, you will find that only a person who is capable of being elected to this House can be elected as President. Therefore, I would submit that only a person who has some elected position should hold the office of President even for a very temporary period. Arguments were put forward by my esteemed friend, Mr. Nath Pai, the other day very cogently as to why a judge should not be made the President; that will create difficulties for the judge himself. I cannot improve upon those arguments which he gave. He is a legal pundit. I am not. But purely from the pragmatist's point of view, from the realistic and practical point of view, I would submit that the Government itself should bring an amendment so as to see that if

both the President and the Vice-President are not unfortunately available, then the Speaker of the Lok Sabha and if the Speaker is not available, the Deputy-Speaker, should hold that office. While deciding this, I would submit that we should not bring in personalities. There should be no subjective thinking in this matter. May be some people have some liking for the President or the Speaker or the Chief Justice of India. I would that I have high respects for the Chief Justice, I have high respects for the Speaker. But it is not a question of individuals. We are taking of principle. As a matter of principle, I think, when both the President and the Vice-President are not available, the Speaker, whoever be the Speaker, who is an elected Member of the Lok Sabha, should hold that office. Here we have an analogy. When the Constituent Assembly was there, we had as our Speaker Dr. Rajendra Prasad. When our Constitution came into being, that Speaker of the Constituent Assembly, which also acted as our Parliament, was elected to the high office of President. If the Speaker becomes the President for a short period, there will be nothing wrong. It is said that we have a provision in the Constitution that one who holds the office of President should vacate his office in the Lok Sabha or Rajya Sabha or in the Legislature. That is true. But when we talk of the Speaker holding the office of President for a short time, it does not mean that he should vacate his office of Speakership. If he is permanently elected, then he has to vacate his office in the Lok Sabha or Rajya Sabha or Legislature. Here it is not a question of permanent office. Here we are thinking of a man who will discharge the duties of President for a short time. Therefore, for that purpose this provision in the Constitution that he should vacate his elected seat in the Lok Sabha or Rajya Sabha or Legislature does not become a bar. Therefore, I submit that the Government itself should bring an amendment to this Bill providing for the Speaker to take the office of President, to discharge the functions of the President, when the Vice-President is not available. If that kind of amendment is brought forward, I think, the whole House will agree to this and this Bill, which should be a non-controversial Bill, will be unanimously passed. Therefore, I would appeal to the Home Minister to bring forward such an amendment.

MR. DEPUTY-SPEAKER : Before I call the next speaker, I would like to set the time-limit. The same arguments need not be repeated. I think, ten minutes for each are quite enough. I will request the hon. Members to confine their remarks to ten minutes only.

SHRI K. NARAYANA RAO (Bobbili) : This Bill should have been brought long ago but perhaps by inadvertence it has not been done so. Certainly I welcome it at this juncture.

This legislative measure has been brought under Art. 70 of the Constitution. As the hon. Home Minister earlier mentioned, the framers of the Constitution did envisage a situation like this and accordingly they have given an enabling power to the Parliament. So far as Art. 70 is concerned, it provides for any contingencies not provided in this Chapter. Parliament can make provision as it thinks fit for the discharge of the functions of the President. Here in a parliamentary democracy 'wherever the Parliament thinks fit' is used. We may conveniently and comfortably say 'as the Government thinks fit'. Now the hon. Minister has just now stated that the Government has thought it fit to fix the Chief Justice to fill up this gap. Just now my hon. friend Shri Mahajan stated that the hon. Home Minister has to make a choice between three girls and he has chosen one. What I cannot understand is that in making the choice the qualitative considerations, the character and the beauty should come into the picture. So far as I can see, positively there is no evidence before the House to suggest that in this context the Chief Justice is the ideal choice. About the various arguments raised so far as the Constitution is concerned, it has not expressly prohibited, I agree. But I would like to know whether there is an implied authority to fit him into this switch-over to the executive sphere. I have grave doubt about the situation.

I am coming to the Speaker. If the framers of the Constitution considered that any one of the functionaries provided under the Constitution with so much functions can be entrusted in contingencies like this, they should have easily said so. The fact that no one of these is clearly chosen shows that

it is open to the Parliament to provide for such a situation. If at all any one amongst these functionaries can be trusted in this particular context, I think the Speaker will come nearer to the scheme of the Constitution. Apart from that personally I feel that probably both Houses may elect a panel of people analogous to the election of the Vice-President so that we may be nearer to the intention of the framers of the Constitution.

Mr. Nath Pai has pointed out that so far as Art. 70 is concerned, it makes a provision only for the functioning of the President. In other words it does not say so in so many words about a situation where a person has to act as President. There is a distinction between the two expressions. But what I can understand from this is now in this Bill you have been providing for a situation where a person has to discharge the functions of the President which in the normal course would require a person to act as President. In the case of a clear vacancy on the part of the President, the Constitution has provided that the Vice-President shall act as President. In other words, wherever there is a vacancy there should be somebody to act as President. So far as Art. 70 is concerned, it confines itself to the discharge of the functions only. *Prima Facie* the argument is very attractive. But I would like to say that if you look into the problem rather deeply you may be able to get out of the difficulty. Why should there be two exceptions? What is the distinction? I hope Mr. Nath Pai will be able to enlighten us on this later on.

SHRI NATH PAI : I wanted to enlighten you ; but you were in a hurry to go for lunch. What could I do ?

SHRI K. NARAYANA RAO : The Bill provides for a situation where the Vice-President has to act as President and in another case, where the Vice-President has to discharge the functions of the President. The distinction is this. When there is a vacancy on the part of the President, the Vice-President has to act. The Vice-President virtually is a shade less than the elected President. We have made certain arrangements and under this arrangement the Vice-President has to act as President in certain contingencies. What has he to do ? There-

[Shri K. Narayana Rao]

fore, we have created another office called the Chairman of the Rajya Sabha, Logically there is no connection between the two. The Vice-President is the ex-officio Chairman of the Rajya Sabha; as he will be normally idle, he must be assigned certain functions. That is the reason why he has been assigned the office of the ex-officio Chairmanship of the Rajya Sabha,

Any person who has to act in pursuance of Art. 70—even in the contingency of a vacancy in the office of the President—cannot act as the President, but he can only discharge the functions of the President as such. This is my reading of the situation as I understand it.

In England, when a King dies, they used to say, the King is dead; but long live the Crown.

Here, Article 52 says that there shall be a President of India. The office of the President is always there, although the physical Incumbent may not be there at a given point of time. There will be a temporary devolution of all the powers, privileges, functions and immunities of the President on the Vice-President though for legal purposes we may maintain that the Vice-President acts as President and we may not call him as President. So, in a situation like this, Parliamentary legislation cannot make any other person to act as the President. But it can only empower him to discharge the functions of the President. There is nothing unconstitutional in this Bill. When there is an incumbent in the office of the President, the Vice-President cannot act as the President. But only he can discharge the functions of the President. Only when that incumbent is not there can the Vice-President act as the President.

In the other situation there is no President. Only the Vice-President is enabled to act as the President. In no other circumstances—even in the case of vacancy in the office of the President, by virtue of this legislation—can we empower any other person to act as the President.

Here there is one anomalous situation. In the analogous situation in the office of the Speaker, it is in the reverse order. The

Article, Article No. 95 provides that in case of vacancy in the office of the Speaker, the Deputy Speaker shall discharge the functions of the Speaker. Where the Speaker is absent, the Constitution provides that Deputy Speaker shall act as the Speaker. Which of these two must be taken to represent the correct judicial position? Both cannot be taken to be the correct position. Of these two, what is provided in the context of the President, seems to be the proper regulation. You cannot have the same thing in a reverse order as is done in the case of the Speaker. Whatever it may be, the distinction is clear and it is deliberately meant to be there. So far as the present position is concerned, virtually, for all practical purposes, Vice President is a shade less than the President and all his powers have devolved on the Vice-President and therefore in such a situation we can never think of any other person under these circumstances.

With these remarks, I welcome this Bill.

SHRI S. KANDAPPAN (Mettur) : Sir, it is bad enough that Government has not thought of any contingency of this type. Even at this stage when they are bringing this Bill, I am afraid they have not bestowed so much thought on this matter of such great importance, though we are not, as the Home Minister himself said, providing by this measure for some permanent arrangement. The Home Minister said that this is not really succession Bill, though it is called as such, but is only an arrangement to meet some eventuality.

While initiating this Bill the Home Minister conceded that it might be argued as forcefully as the Government is arguing in favour of the Chief Justice acting as the President that the Speaker may also come into the picture. What I am surprised at is that the Government which always makes a fetish of consensus on certain small issues, never thought it fit to consult the Opposition Leaders before they formulated this Bill. Even for a smaller thing, as salaries of Members we have been told that since there is no consensus of all the Parties, the salaries and emoluments of the Members cannot be increased. Is it such a serious issue for which the Government think that

[Shri S. Kandappan]

concesus is of very great importance, as if it is paramount and imperative for such a Bill? But in this case, I do not know why the Home Minister did not think that a sort of consensus should be arrived at before he formulated this Bill. If he had consulted the Opposition leaders, I think a better kind of Bill could have been presented. It is quite possible.

Now, there are many arguments. Some Congress members and some from this side also argued that it is better that it should be left to the Chief Justice. The Hon. Member who proceeded me rather gave an idea as to the thinking of Government. They are, specifically, thinking of the analogy of the Chief Justice of the High Court taking over as the Governor and on the same lines they probably thought that in a contingency in the Centre the Chief Justice of the Supreme Court can take over. I am afraid, this will create a very serious anomaly. Even in the States, we should remember one thing. In the case of a State, when the Governor is not there to discharge his functions, the period concerned will only be for a short duration. Even if he is incapacitated or completely absent, then somebody has to be nominated and this could be done within a matter of days or weeks, not more than that. In that case, the Chief Justice will fill up the vacancy only for a short duration and therefore it will not create serious problems. But here at the Centre, if you are going to ask the Chief Justice of India to act as the Electoral College will elect the President, then a period of six months will elapse and in between there will be a lot of Bills and other things which will have to go to him for his signature. Here, what is not clear to me is this and I hope the Home Minister will clarify this point. When the Chief Justice takes over the Presidency, will he cease to be the Chief Justice or not? If he does not cease to be the Chief Justice, will it not create some kind of anomaly? After he has been in office for some time as acting President, what will be the fate of the acting President, when the President elected in accordance with the Constitution takes over a regular elected President? Will he retire, or will he go back to his post as Chief Justice?

15 hrs.

AN HON. MEMBER : He will go back.

SHRI S. KANDAPPAN : Then, I would like to pose this question. Suppose he goes back to his post of Chief Justice, suppose he had assented to certain Bills during the tenure of his office as President, and suppose somebody challenges the Validity of those Acts in the Supreme Court, then will he sit in judgment on those cases? If he is going to sit in judgment over those cases then I am afraid that it will lead to a lot of complications. As Shri Bal Raj Madhok has pointed out, the President of India is the head of the different elements enumerated in the Constitution of India. And the Supreme Court is the interpreter of the Constitution, and their words have got to prevail. Any clash between the legislature and the executive and the citizen would come to them for judgment. In such a situation, it would not be proper to put the Chief Justice as the acting President because it will create embarrassment for him as well as for others. As hon. Members have argued, there should at least be an element of elective principle in this. Even today, a view has been advanced, though I do not subscribe to that view, that the judges should also be elected for the High Courts. That being the sentiment at least among a section of the House, I feel that the basic democratic elective principle should have been introduced in this Bill. I hope, therefore, that Government would concede the demand of all the Opposition Parties that in place of the Chief Justice, the Speaker should be made the acting President.

I would like the Home Minister to clarify what what difficulties he envisages in case the Speaker is made the acting President, or the Deputy-Speaker of the Lok Sabha or the Vice-Chairman of the Rajya Sabha or the Deputy Chairman of the Rajya Sabha. After all, we are not discussing this Bill in any subjective atmosphere. We do not envisage any such eventuality where this Bill would be put into operation within a short period. There is, therefore, no question of the Opposition Members thinking in terms of the present Speaker or the Deputy-Speaker. In fact we do not know

for which period we are making this legislation. We are enacting this measure so that we may not be taken unawares in case such an eventuality arises. That being the case there is no question of any subjective thinking involved in this when we say that the Speaker should be put in place of the Chief Justice. I would like the hon. Minister to explain what difficulties he envisages in the case Speaker or the Vice-Chairman of the Rajya Sabha or the Deputy-Chairman of the Rajya Sabha is made acting President, in place of the Chief Justice of India as proposed in this Bill. I should like to repeat what I said earlier that in a measure of this type a certain amount of consensus would be good for the country. Government, I presume, want consensus and consultation with the Opposition parties and that kind of thing. I am sorry to say that in this particular matter they have not consulted us. I think they stand on false prestige. Otherwise they need not oppose the proposal from Mr. Nath Pai and other opposition Members.

SHRI MOHSIN (Dharwar South) : This is a simple Bill. Article 70 of the Constitution says that Parliament make provision for the discharge of the functions of the office of the President and this Bill seeks to do that. It wants to make provision for the discharge of the functions of the President and the Vice-President if they fall vacant. Such a contingency has not arisen so far ; it may arise in the future. We have to make provision for such a contingency and so there can be no dispute about the purpose of the Bill.

Mr. Madhok brought in considerations not relevant to this Bill and he discussed about secularism and communalism as factor in the election to the office of the President. He spoke as if he stood for secularism. We know what his party stands for. If there is really a change of heart we are glad. If his party stands for secularism in this country it is a matter for a great joy for all.

Somehow or the other he brought in the Islamic Conference held in Malaysia and the persons who were deputed to attend that Conference from this country. Secularism does not mean irreligion or no religion : it only means that people are free to profess their own religion. Muslim in India number six crores and thus

they form a sizeable population in India. When an Islamic Conference was held in Malaysia India could not sit quiet especially when there was an invitation from a friendly country like Malaysia. It was in the fitness of things that this Government deputed some Muslims to attend that Conference. Of course they could not send Mr. Madhok or his partymen.

SHRI BALRAJ MADHOK : Will the Government do the same thing if there is a Christian Conference or a Sikh Conference ? You can ask them and if they are prepared to pay the whole bill for sending Members to such Conferences in the case of other religion also I have no objection.

SHRI MOHSIN : If a Hindu Conference is held some where we should try to send some delegates from this Country. Likewise if a Buddhist Conference is held I appeal to the Government to send some delegates. If Mr. Madhok proposed sending similar delegations I would have really appreciated it. But he took a different view. He asked why should the Government send Muslim delegations to the Islamic Conference in Malaysia. That was not expected of him.

As regards the Bill, it proposes that the Chief Justice of the Supreme Court the senior most Judge would discharge the functions of the Vice-President in certain contingencies. Some persons argue that when some States have got non-Congress Governments the office of President assumes unusual importance. In their opinion the person who becomes the President may be subject to criticism. If the Speaker or the Deputy-Speaker officiates as President or Vice-President he may also be subject to criticism because they also will form part of the Government. The Speaker and the Deputy-Speaker are impatrial and they are not part of the Government now, they have to treat all the parties equally. If any of them becomes President and thus form part of the Government as I said earlier they will be liable to criticism. I do not know what the intentions of the hon. Members are. *(Interruption)* they are elected but that is only for the time being. The Chief Justice or the senior most Judge is not going to be a permanent President. The period will be not more than 6 months

[Shri Mohsin]

at any time. I do not want the Speaker or the Deputy-Speaker to be subject to criticism as part of the Government even for this period.

I heard some Members Speaking about oath. The Chief Justice takes the oath before the President, but also they cannot forget that the President takes the oath before the Chief Justice. Taking the oath does not mean that one is subordinate to the other. Whether it is oath of secrecy or allegiance, it is not a question of subordination of one to the other; it is not that one belongs to a higher grade and the other is of a lower grade. That question does not arise at all. It is only a matter of convenience. One has to take the oath before somebody. The highest man has to take the oath somewhere, and that is done only before the Chief Justice. I feel that if the Chief Justice or the seniormost judge of the Supreme Court is selected, it is because they are the most appropriate persons, they are men of the judiciary, and they are selected to this post because they are men of integrity. Such men of integrity are necessary, and I think the Bill should be passed in toto and with no amendments.

SHRI VASUDEVAN NAIR (Peermade):

Mr. Deputy-Speaker, Sir, as a preface to the discussion, and before the expression of views on the actual operative clause, I wish to make our position clear on a particular matter. It seems that at least some of us are trying to give too much power and privilege, which are not there actually in the Constitution, which were not there actually in the minds of the framers of the Constitution, to the President of India. Of late, it is a fashion with some people in this country to add to the powers of the President which were not meant for him. Even in this House, Prof. Madhok who was speaking earlier to me said that the President is going to occupy a place of importance much more than in the past, as far as the future is concerned. I can understand the ideology of the Jan Sangh. They stand for a unitary Constitution and all that, and what he said may fit in there. But that is far from the idea that is contained in the Constitution.

Let us be very clear in our minds that the President of India is a decorative head,

is an ornamental head. Excuse me for saying this if somebody feels that it is perhaps too blunt, that this is perhaps too frank an expression. But this is the reality. If somebody wants to give him much more than what is really there, then one cannot agree to that.

I do not want to spare the Government of India also in this respect. They have to bear part of the guilt, because, unfortunately in the game of power-politics that was going on in this country, especially after the 1967 elections, they tried to use the Governors in many States in a way which gave them powers that really did not vest in the Governors. We have very often criticised this policy of the Government. That does not mean that we should follow one wrong by another wrong. Only if we remember that the President has to follow the advices given by the Council of Ministers absolutely and he is only a figure-head can we have a dispassionate discussion on this issue. But quite naturally our own political ideas are brought into this discussion. May be our point of view is quite contrary to the view of Mr. Bal Raj Madhok, but as far as we are concerned, our point of view falls in line with the present Constitution.

I remember a late President at one time wanted to interpret the Constitution in a different way and there was a constitutional controversy between the late President and a late Prime Minister. I remember the late Prime Minister and the Government under him at that time put their foot down and made it clear that the President's position is that of a figure-head and he has to carry on according to the advice given by the Council of Ministers. If that is the position, there is not much to get excited over this matter. That is how we should look at it. Even then the question of a successor—if you call it by that word, which may not be very apt—is important. In a contingency when there is neither the President nor the Vice-President, they should fill that very important post? Even if the President does not have much executive function, he represents the culcuret, the integrity and the wisdom of this country and we should choose the most suitable personality for that post no doubt. We should give serious consideration to the question from that point of view.

Several arguments were given by Mr. Nath Pai. The Home Minister said on behalf of the Government of India that they just made a choice and the choice fell on the Chief Justice. Perhaps, when there are two choices, the Government of India has a knack of making the bad choice. I will put it differently. When a decision is to be taken, they have a knack of taking the wrong decision. If it is left to us, we may say that the Speaker is preferable, not because he is an elected person. If we give too much weight to that argument, the decorative character of the President disappears. But the Speaker in the normal course is expected to be a person who is very much in public life. It is quite possible that only such persons are elected to that particular post. He should be in public life so that he contests for Parliament, he is elected by the people and he is with them for many years so that the person chosen as Speaker of the House of People is one who has a tradition of public work, who has a popular image. We will prefer such a person to be the President of the country. Even if he is acting as President for a brief period let us have persons like that.

On another occasion also when I was participating in another debate I made it very clear that we always prefer such persons to people in the judiciary. I do not mean any disrespect to our people in the judiciary but my personal view is—though it may not be shared by many—that many of them were brought up in a certain conservative atmosphere, especially on matters of social change—I hope at least some will agree with me—on social problems, on matters of fundamental economic change and many other matters. They have been brought up in a particular groove it is very difficult for them to look beyond that. I do not mean that they are going to do wonders in the short period of being President, but it is preferable to have a person who was with the people, who worked with them, who knows what they feel, who knows their pulse and their feelings. That is why he came to the House of the People. It is quite possible normally such persons come here—I do not know, there may be exceptions. As I said, normally such persons come here and from among them we generally choose the most suitable person to be elevated to the post of Speaker.

Sir, when we discuss these things we never keep personalities in mind. So our preference is for the Speaker. But again I want to make it clear that as far as we are concerned this is not an issue which is of such vital importance that there should be division over the matter, that there should be a fight to the finish over the matter between the Government and the Opposition.

SHRI GEORGE FERNANDES (Bombay South) : The Government should yield.

SHRI VASUDEVAN NAIR : I agree with Shri Fernandes that Government also can concede. I also agree with Shri Kandappan when he said that Government should have consulted the leaders of the Opposition on this question. It was really a serious mistake on the part of the Government not to have consulted leaders of the Opposition on this question. On this question they are not going to lose anything if they consult the Opposition.

The main point that we want to reiterate is that the tendency to import into the office of the President powers which really do not exist is a tendency that is not good for the healthy development of the parliamentary system that our Constitution wants us to develop, and when we discuss the question of the Institution of the President let us be very clear in our mind that our President is just the head of the State, a figurative and ornamental post.

So, Sir, our preference is for the Speaker.

AN HON. MEMBER : And then the Deputy-Speaker.

SHRI VASUDEVAN NAIR : Of course the order will follow. But my difficulty comes in when my hon. friend Shri Hem Barua wanted the Panel of Chairmen.

SHRI HEM BARUA (Mangaldai) : Being a member of the panel of the Chairman already I was nursing that hope.

MR. DEPUTY-SPEAKER : The Chair is a piece of furniture. It is continuous. Whoever sits there discharges very important functions. So, the subjective element need not be brought into this discussion.

SHRI R. D. BHANDARE (Bombay Central) : Sir, I think the whole House agree with the necessity and importance of such a measure. I know that in this matter Government have already made up their mind and have incorporated their thinking into the Bill. But I would like to suggest that two principles must always be considered and adhered to in all such matters. One is the separation of powers which is adumbrated in the Constitution itself ; in fact, that is the basis of our Constitution. The second is the elective principle, which is the basis for democracy. When we are discussing such an important Bill as succession to the office of the President, it is very necessary that we adopt these two principles.

15 27 hrs.

[**SHRI VASUDEVAN NAIR** in the Chair]

There are very weighty reasons why the theory of separation of powers should be accepted in this Bill. The theory of separation of powers was first propounded by Montesquieu. He has very clearly mentioned that if the executive and the judiciary are to be combined together, that is the end of liberty. That ought to be remembered because that is the very basis of our Constitution. I am not suggesting any new innovation or change. It is a principle which is enshrined in our Constitution itself. We should incorporate that principle in this Bill.

I am not able to think of any difficulty for the government in accepting this principle when it is already enshrined in the Constitution. Under the theory of separation of powers the legislature should be different from the executive ; the executive should be different from the legislature and the judiciary. So, the executive should not be amalgamated with the judiciary. Here I am not suggesting something new or revolutionary.....(*Interruption*). How mistaken my learned friend is ! Whenever there is a question of principle, I do not think I will be cowed down..... (*Interruption*) The Opposition is not even prepared to listen to reasons and wisdom. They are jumping to the conclusion that as soon as I pronounce a principle which is already

enunciated and enshrined in the Constitution, I must also vote with them. (*Interruption*)

AN HON. MEMBER : You should have courage.

SHRI TENNETI VISWANATHAM (Visakhapatnam) : His grammar was not all right. He said, cowed down ; he must say, bullied down.

SHRI R. D. BHANDARE : Therefore, I am urging upon the Government what difficulty is there in translating the principle which is enshrined in the Constitution itself.

The second principle is of elective principle. It is very common knowledge—It is not necessary to repeat—that the office of the Chief Justice is the highest office but, at the same time, it is not an elective office.

SHRI DHIRESWAR KALITA : (Gauhati) : Appointed by the President.

SHRI R. D. BHANDARE : It is an appointed office ; Therefore, if at all we want to translate democratic principle ; namely, the elective principle, I think, the line of succession shall have to be changed. There is also no difficulty. Only a practical difficulty may arise.....(*Interruption*) It is a question of "discharging the functions" which words are used in article 70...

SHRI Y. B. CHAVAN : When we are discussing a constitutional aspect of the principle, when you use words, you should use words with a precise meaning.

SHRI NATH PAI : I am glad he has converted himself in 48 hours to believe that words have precise meaning in the Constitution.

SHRI R. D. BHANDARE : I am thankful to the hon. Home Minister for that. I would suggest, as to who should discharge the functions—I am using simple language now—in the absence of the president and the Vice-President on whom the duty and functions should devolve, naturally, my answer will be that he should be an elected person, that is, the Speaker himself.

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : There is also a question of separation of power of the executive and the legislature.

SHRI R. D. BHANDARE : I beg your pardon. So far as the Speaker is concerned, the Speaker is an elected person both by the people and also elected by the representatives of the people sitting here in this House. Therefore, even though the Speaker presides over the legislature and he is a part and parcel of the legislature, he has no powers and functions beyond the powers and functions of the House itself. When we make a law, the Bill is either brought forward by the Government or by a private Member. If the Bill is accepted after going through the processes laid down in the Rules of Procedure, then it becomes a law after the assent of the President. In that sense only, to that extent, he is a part and parcel of the legislature. Otherwise, we cannot say that he is a legislator. The House is a legislative body and the House legislates for the whole of the country. I am quite aware of the fact.....(Interruption) There is only one difficulty and I am aware of that. It may be said that the office of Speakership may disqualify him to be the President because, in that event, he will incur a disqualification. But for that, I have a suggestion that by a small piece of legislation that disqualification could be removed. There is no difficulty, whatsoever. Therefore, in order that these principles may be accepted, I suggest that, after the Vice-President, the Speaker should be the person who should occupy the seat of power for the purpose of discharging the functions of the President.

SHRI P. RAMAMURTI (Madurai) : It is a very simple issue that we are considering. We are not considering the question of succession. Succession is decided by elections. Even when the Vice President acts as the President, he has not succeeded him as President. We are only considering this simple question : In the event of the Vice President also not being able to discharge the functions of the President when there is no President, what is the arrangement that we shall have ? The Home

Minister, this morning, while he was canvassing for the Bill, said that Government had nothing in view ; it was just thinking as to what arrangement could be made and then on the analogy of the States where in the absence of the Governor, by convention, the Chief Justice acts as the Governor, they have brought the same thing here also. But I would point out that, as far as the States are concerned, the position is different. Firstly the President nominates the Governor or appoints the Governor and when, for any reason, the Governor is not there, it is the President again who nominates somebody or who makes the arrangement for a temporary period. It is not done by law. It is open to the President to nominate somebody else as Governor ; it is not necessary that the Chief Justice of the State must always act as Governor in the absence of Governor. There is no legal provision like this. It is left to the sweet will and pleasure of the Central Government acting through the President of India. Therefore, that analogy does not hold good at all.

To my mind, this question has to be looked at from two points of view. Firstly, we should think of a person whose normal functions do not conflict with the functions of the President. This is a very important point—to select a person whose normal functions will not come into conflict with the functions that the President is supposed to discharge in this country. Take, for example, the judiciary, the Chief Justice of the Supreme Court. The President of India will have to give his assent to all the laws passed by Parliament. I remember very well, a few days ago or one or two months ago, when a question arose in the West Bengal Assembly, when the Governor refused to read certain portions of the Address prepared by the Ministry, it was justified. On what ground was it justified. We pointed out that, after all, the Governor is an impersonal person and what was done by the Governor previously had nothing to do with it, the Governor is an impersonal person and, therefore, when he reads it, he would not be indicting himself. But we were told : 'Do you expect any reasonable person to do this ? Even though he has done it on the advice

[Shri P. Ramamurti]

of the Ministry, even though he has not acted in his personal capacity, do you expect a self-respecting man to indict himself?" This is what those portions that were omitted by the Governor amounted to. That is the argument that was adduced when the Governor of West Bengal refused to read out certain portions of the speech. When the Chief Justice of India, when he happens to act as the President of this country gives assent to certain Bills, to certain enactments are we sure that everyone of those enactments will not be questioned in the Supreme Court by somebody or the other in this country? Later on when these things are going to be questioned, the President will consider 'I have given an assent to this Bill. How can I sit in judgment over this Bill?'. This is a natural question. That is why in the case of the Chief Justice there is a conflict of functions between the Chief Justice and the President of India. Therefore, naturally you should not select a person whose functions are in conflict with the functions of the president of India.

The second question I would like to highlight upon is the analogy that the Governor is being nominated. After all in the entire Constitution the President unlike the office of the Governor is an elected office. The President may be figure-head but he happens to be head of the State. Therefore, he gets the authority of the Head of the State on the basis of the will of the entire people of this country expressed through the Members of the Legislatures and Members of Parliament who elect him. It may be an indirect election but the President of India gets his authority, gets that office; otherwise the President will not carry that prestige with him. Therefore, even for a temporary period whether it be one month or half a day or one hour if you want to give to that office of President that kind of stature which is derived from the fact that he carries the support of the entire people of this country, how can the Chief Justice of India command that stature? He may be an eminent person. After all he is a creature of the Government. He is a nominee of the Government. He has been appointed by the Government. In that case the President may be nominated by the Majority party, no need of an election and all that. If you want

to continue even for a short period the authority of the Presidentship—I am not saying that the President has great powers and all that—even as the head of the State if you want to continue the prestige of the Head of the State, it is but necessary that the elective element must be there. It may be stated that he may be somebody who commands the confidence of the majority of the people of this country and acts through the legislature. But that does not cut much ice. Therefore, I do not think the Government should resist this amendment. I do not know why they are resisting this amendment. Article 59 says.

"The President shall not be a member of either House of Parliament or of a House of the Legislature of any State, and if a member of either House of Parliament or of a House of the Legislature of any State be elected President, he shall be deemed to have vacated his seat in the House on the date on which he enters upon his office as president."

The wording is very important because the entire section deals with the President who is elected and this Particular clause also says that the President shall not be a member of either House and if a Member of either House is elected as President, he shall cease to be a Member. We are not talking of electing a temporary President. The question of election does not arise. It is entirely an arrangement to be made. Who will discharge the functions of the President during the temporary short period when certain contingencies arise which we do not wish to arise? I do not think even there is any necessity for making any such provision as Mr. Bhandare said. This clause is no bar at all for electing the Speaker as President. There is no constitutional bar. When there is no necessity for amending the Constitution, I do not see any reason at all why the Government should oppose this so vehemently.

SHRI Y. B. CHAVAN : That was not the Government's argument.

SHRI P. RAMAMURTI : All that I am saying is that there is no constitutional bar. When there is no constitutional bar. I do not see any reason why the Government is opposing this suggestion so very vehemently.

I don't see any reason at all. I would request the Government of India, particularly, the Home Minister to think of this. It is not an important thing whether Chief Justice is there or some other person is there. I would therefore urge upon them to reconsider this whole question. We can take some time more over it. We can adjourn today and it does not matter. We need not pass this Bill today itself. This can be considered tomorrow. They can come forward again and within five minutes we can pass this Bill. Let them rather accept our amendment. Why have all this discussion?

श्रीमती तारकेश्वरी सिन्हा (बाढ़) : सभापति महोदय, मैं भी इस विषयक के बारे में जो सुझाव नाथ पाई जी और दूसरे साधियों के आए हैं, उनका समर्थन करती हूँ। मैं इस लिए समर्थन कर रही हूँ कि यह एक बड़ा महत्वपूर्ण प्रश्न है और राजनीतिक दलों के पहलू से इस का कोई सम्बन्ध नहीं है।

15.46 hrs.

[SHRI R. D. BHANDARE in the Chair]

यह मौका पहली बार हमारे सामने आया है और पहली बार हम ने यह महसूस किया है कि ऐसी परिस्थिति भी पैदा हो सकती है और इसी परिस्थिति में यह बिल लाया गया है, यद्यपि इतना समय भी नहीं दिया गया है कि इसके बारे में कुछ ज्यादा सोच-विचार किया जा सकता। यह बहुत महत्वपूर्ण प्रश्न है और सदन को इसके बारे में सोच-विचार करने का केवल यही मौका मिला है।

सभापति जी, संसदीय प्रणाली में हर बार पार्टी या दल के दृष्टिकोण से कोई बात नहीं होती है। संसदीय प्रणाली की एक बहुत बड़ी खूबी यह है कि दल और पार्टी के ऊपर उठकर भी हम सदन में काम करते हैं। इस लिये यह एक ऐसा अवसर है जब कि दलगत दृष्टि से इसको देखने की जरूरत नहीं है। यह सही कहा गया है कि इन अग्रेजमेन्ट्स के आने से एक

नया पहलू हमारे सामने आया है जिस पर हम को गम्भीरता से सोचना चाहिये। आज राष्ट्रपति का जो महत्व है, वह महत्व इसी लिये है कि राष्ट्रपति का चुनाव होता है, उप-राष्ट्रपति का चुनाव होता है। विरोधी दलों के कई सदस्यों ने यह बात कही कि एक राज्यपाल में और राष्ट्रपति और उप-राष्ट्रपति में बड़ा अन्तर है। चूँकि राज्यपाल मनोनीत किये जाते हैं राष्ट्रपति के द्वारा, संविधान की धाराओं के अन्तर्गत राष्ट्रपति उनकी बहाली करते हैं। इस में कोई शक नहीं है वे राष्ट्रपति के द्वारा मनोनीत किये जाते हैं, जबकि राष्ट्रपति और उप-राष्ट्रपति का चयन जनता के द्वारा होता है, इस लिए राष्ट्रपति और उप-राष्ट्रपति के पद में तथा राज्यपाल के पद में बहुत बड़ा अन्तर है। राज्यपाल अगर किसी जगह पर नहीं होता है तो उस स्थान की रिक्तता भरने के लिए हाई कोर्ट के न्यायाधीश को बुलाया जाता है—यह बात कुछ दूर तक समझ में आनेवाली है, वैसे मैं तो यह कहूँगी कि हमें इस पर भी सोच-विचार करना होगा कि न्यायालयों को एक्जीक्यूटिव के इतना नजदीक, शासन के इतना नजदीक आने दें या न आने दें। मैं तो समझती हूँ कि यह जो तरीका चल गया है कि हर बात में न्यायाधीशों को बहाल कर देते हैं, एन्क्वायरी कमीशन बैठते हैं तो उसमें न्यायाधीशों को बहाल किया जाता है, एक-एक न्यायाधीश की बहाली 6-6 और 8-8 साल तक होती जाती है—एक तरीका बन गया है। मैं किसी के चरित्र पर आक्षेप नहीं करना चाहती हूँ, लेकिन सभापति महोदय, मैं देखती हूँ कि कई न्यायाधीश, जिनकी बहाली कमीशन में हुई है, इस समय मुल्क में कई कमीशन चल रहे हैं—मेरा अपना तजुर्बा है—25 मिनट या आधा घंटा बैठते हैं और एडजान कर देते हैं। जो काम एक साल में हो सकता है, उसमें पांच-पांच साल लगे हैं। मैंने देखा है कि कई न्यायाधीश जिनको ट्रिब्यूनल में नियुक्त किया गया है, वे जानबूझ कर जिस चीज को 6 महीने में खत्म किया जा

[श्रीमती तारकेश्वरी सिन्हा]

सकता है, उस में 4-5 साल लगा देते हैं। मैं उनके चरित्र पर आक्षेप नहीं करती, परन्तु इस तरह की बात हमारे अन्दर शक पैदा करती है, इतनी आराम-तलबी से काम क्यों होता है। बिहार में एक ट्रिब्यूनल काम कर रहा है—बिहार के कुछ कांग्रेस के सदस्यों, कांग्रेस के कार्यकर्ताओं और नेताओं के बारे में एन्क्वायरी कर रहा है। एन्क्वायरी होनी चाहिये, इस में किसी को एतराज नहीं हो सकता, परन्तु जो काम 6 महीने में किया जा सकता है, उसको वर्षों तक ले जाने से एक भ्राम्यी का कान्फीडेंस आघात हो जाता है। आघात घण्टे के बाद वह सिटिंग को एडजानर कर देते हैं। आघे घण्टे के बाद ट्रिब्यूनल एडजर्न हो जाता है या उस दिन की कार्यवाही स्थगित हो जाती है। इस काम को ठीक करने में वर्षों लगेंगे। यह न्याय नहीं है कि इस तरह से किसी भ्राम्यी को त्रिशंकु बना दिया जाये। इससे उसको बड़ा ह्यूमिलिएशन होता है। लोगों की इज्जत पर कुठाराघात होता है। उसकी वजह से उनको जो परेशानियाँ होती हैं उनको लौटाया नहीं जा सकता है। जैसा कि साल्वे जी कह रहे हैं—जस्टिस डिलेड इज जस्टिस डिनाइड—इसमें कोई शक नहीं है। इसलिये मैं इस सदन में कहना चाहती हूँ कि बहुत सोच समझ कर ही न्यायाधीश को इस तरह का काम सुपुर्द करना चाहिए। आज न्यायाधीश यह सोचते हैं कि रिटायरमेंट के बाद उनको कोई पदवी मिल जायेगी। मैं जानती हूँ कि हाई कोर्टों के न्यायाधीश दिल्ली आकर बैठते हैं कि उनको हाई कोर्ट का मुख्य न्यायाधीश बनाया जाये। न्यायालयों को हमें अलग और निष्पक्ष रखना चाहिए, न्यायाधीशों को शासन से अलग रखना चाहिए। सीताजी के चारों तरफ जिस तरह से लक्ष्मण ने रेखा खींची थी, हमारे चान्हाण साहब भी न्यायालयों के चारों तरफ एक लक्ष्मण रेखा खींचें ताकि न्यायालयों और न्यायाधीशों की तरफ कोई भी उंगली न उठा सके।

एक माननीय सदस्य : सीताहरण हो जायेगा।

श्रीमती तारकेश्वरी सिन्हा : अगर उनका शासन से इतना नजदीकी सम्बन्ध हो जायेगा तो सीताहरण भी हो सकता है, उसकी भी नौबत आ सकती है। इसलिए मैं आपसे कहूंगी कि न्यायालयों को बिल्कुल अलग रखा जाना चाहिए। न्यायाधीश जो हैं वे चुनकर नहीं आते हैं। हमारे राष्ट्रपति का चुनाव होता है इसलिए हमारी यह जिम्मेदारी है कि एक चुने हुए व्यक्ति को ही उस जगह भेजें—जिस तरह से भी वह सम्भव हो। मैं चन्हाण साहब से दोबारा अपील करूंगी कि वे इस बात पर दोबारा सोचें और संसद में एक ऐसी प्रणाली कायम करें कि ऐसे महत्वपूर्ण विषय पर हमने विचार किया तो सभी की राय लेकर हम एक नतीजे पर पहुँचें। इसमें विरोधी दल या कांग्रेस की इज्जत और प्रतिष्ठा का कोई सवाल नहीं है और इसी दायरे में रखकर इस प्रश्न पर विचार किया जाना चाहिए।

इस विधेयक की धाराओं के बारे में मुझे बहुत कुछ नहीं कहना है। बहुत अच्छी तरह से इसकी धारायें लाई गई हैं। लेकिन मेरे इस सुझाव को मान लें कि मुख्य न्यायाधीश की जगह पर संसद के अध्यक्ष और डिप्टी स्पीकर के नाम को सस्पेंडीयूट कर दिया जाये।

एक माननीय सदस्य : आपने शेर नहीं पढ़ी।

श्रीमती तारकेश्वरी सिन्हा : सीताहरण की बात पर जब ये हंसे थे तो मुझे कुछ खयाल आया था :

जुनू का दौर है, किस-किस को जायें समझाने
इधर भी अक्ल के दुश्मन, उधर भी दीवाने।

श्री शिवचन्द्र झा (मधुबनी) : सभापति जी, जो विधेयक हमारे सामने है, उस पर हम जरा

ऐतिहासिक दृष्टिकोण से विचार करें। इस विधेयक के साथ जो मेमोरैंडम दिया गया है उसमें कहा गया है कि जाकिर हुसेन साहब गुजर गए और उसके बाद दिया है :

Government considered it necessary to enact urgently legislation under Article 78 of the Constitution.

यह बात सही है कि डा० जाकिर हुसेन साहब गुजर गए... (व्यवधान)... इसलिए कि मैं कन्निस्तान पर था और मैंने भी मिट्टी दी है। लेकिन इसमें सत्य को छिपाया गया है। आधा सत्य कहा गया है, पूर्ण सत्य नहीं कहा गया है। इससे साबित होता है कि यह सरकार तथ्य से घबराती है और सत्य को छिपाने की कोशिश करती है। राष्ट्रपति जी तो गुजर गए और अब वाइस प्रेसीडेंट राष्ट्रपति बने हैं लेकिन अब उनकी या तो तन्दुरुस्ती खराब है या फिर कोई दूसरा व्यक्ति प्रेसीडेंट होने जा रहा है और सरकार को यह अन्दाज लग गया है कि वे इस्तीफा दे देंगे इसलिये ऐसी परिस्थिति पैदा हो गई है कि हो सकता है दोनों जगहें खाली हो जायें—एक जगह तो खाली है ही, दूसरी जगह भी खाली हो जाये। यह परिस्थिति है जो कि पूर्ण सत्य है जिसको कि सरकार ने छिपाया है और सही रूप में हमारे सामने नहीं रखा है।

अब सवाल यह है कि इस परिस्थिति में ये आप लोग चीफ जस्टिस आफ इण्डिया को इसके लिए लाना चाहते हैं। जनतंत्र में मुख्य न्यायालय का एक अलग अंग है और उसको अलग ही रखा जाना चाहिए। यदि आप चीफ जस्टिस को ले आते हैं तात्कालिक रूप में, जब तक कि दूसरा प्रेसीडेंट बाकायदा चुना नहीं जाता है तो उसका मतलब यह होता है कि आप एक स्प्लिट जुडीशियरी बना रहे हैं—चीफ जस्टिस की एक स्प्लिट फर्ननेलिटि बना रहे हैं और एक स्प्लिट जस्टिस कायम करने जा रहे हैं जबकि जस्टिस पूर्ण होनी

चाहिए, स्प्लिट नहीं होनी चाहिए। जैसा कि श्री नाथ पाई ने कहा चीफ जस्टिस के सामने एक केस आता है जिसमें वह मुजरिम को फांसी की सजा देता है लेकिन उसी बीच में वह राष्ट्रपति हो जाता है तो राष्ट्रपति की हैसियत से वह उस को माफ कर देता है लेकिन चीफ जस्टिस के रूप में जब वह वापिस जाता है तो उसका कांशस कहता है कि कानून और इन्साफ के अनुसार उसको फांसी होनी चाहिए लेकिन राष्ट्रपति के पद से वह उसको माफ कर चुका है। तो इस प्रकार से आप इस देश में स्प्लिट जस्टिस, स्प्लिट फर्ननेलिटि और स्प्लिट जुडीशियरी की शुरूआत करने जा रहे हैं। इसलिए मैं इसके पूर्ण विरुद्ध हूँ। मैं समझता हूँ कि जुडीशियरी को बहुत हद तक निष्पक्ष होना चाहिए, उसको एग्जीक्यूटिव में नहीं घसीटना चाहिए। चीफ जस्टिस को इसमें लाना, चाहे वह थोड़े समय के लिए ही क्यों न हो, ऐसी परम्परा को जो सरकार डालना चाहती है, मैं उसका पूर्ण रूप से विरोधी हूँ।

यहां पर सभी सदस्यगण स्पीकर को ढोल बजा रहे हैं और हो सकता है कि वह संशोधन पास भी हो जाये कि स्पीकर को ले आओ लेकिन निजी तौर पर मैं इसका विरोध करता हूँ क्योंकि जो चीफ चीफ जस्टिस के साथ है वही बात इस कुर्सी के साथ भी है। जनतंत्र में अगर हायस्ट इम्पाशेलिटि की कोई कुर्सी है तो वह स्पीकर की है लेकिन आप उसको भी घसीटना चाहते हैं। चाहे थोड़े समय के लिए ही सही, लेकिन इससे आप वहां पर राजनीति की गन्दगियों को फैलाना चाहते हैं और स्प्लिट फर्ननेलिटि कायम करना चाहते हैं। तो इसलिए इसमें स्पीकर के भी आने की कोई जरूरत नहीं है।

अब सवाल यह आता है कि चीफ जस्टिस न आये, स्पीकर न आये तो फिर आये कौन ? यह गांधी का देश है। हम डेमोक्रेसी में विश्वास

[श्री शिवचन्द्र भा]

करते हैं। हमारे देश में और समाज में हायस्ट लेवल के सोशल वर्कर मौजूद हैं जोकि समाज के सेवक हैं, उनको हम बड़े मजे में यहां पर ला सकते हैं। जैसे विनोबा जी हैं, जयप्रकाश नारायण जी हैं और दूसरे लोग हैं जो कि निष्पक्ष हैं और इस वातावरण से दूर रह कर दिन-रात समाज के लिए काम करते हैं, ऐसे लोगों को हम ला सकते हैं। इसके मुतालिक मेरा संशोधन है इसलिए इस वक्त ज्यादा नहीं कहूंगा लेकिन मैं इतना कहना चाहता हूँ कि जुडीशियरी को इसमें न लाया जाये और स्पीकर को कतई न लाया जाये बल्कि किसी सोशल वर्कर को ही प्रेसीडेंट के रूप में लाया जाये।

आखिरी बात मैं यह कहना चाहता हूँ और मैं चाहूंगा कि गृह मंत्री जो उसका क्लेरिफिकेशन दें, कि इधर जो कठिनाईयां आई हैं जैसे बाइस प्रेसीडेंट ऐक्टिंग एंड प्रेसीडेंट दस्तखत किए लेकिन झाल इण्डिया रेडियो से जब कहा गया तो उन्होंने कहा कि उप-राष्ट्रपति के रूप में नहीं बल्कि राष्ट्रपति के रूप में मेरा नाम लिया जाये। तो ऐसी बातों का आप क्लेरिफिकेशन दें। इन शब्दों के साथ मैं चाहूंगा कि तात्कालिक रूप में आप, जो आल इण्डिया स्तर पर सामाजिक कार्यकर्ता हैं उनको ही राष्ट्रपति बनावें।

16 hrs.

SHRI NATH PAI (Rajapur) : Mr. Chairman, I am grateful to those who have been good enough to take an objective view of the matter we are discussing and have extended support to the line I have taken regarding this Bill. I am grateful to you for pointing out the principle involved in this Bill, of course bearing in mind the inhibition under which you were labouring because of the party whip when you were down below—none-the-less you were good enough to point out the principle involved.

MR. CHAIRMAN : Then you are not right.

SHRI NATH PAI : I am grateful to those who have supported the point of view I have been trying to put before the House. I must mention here the very eloquent support I received from Shrimati Tarkeshwari Sinha.

It speaks volumes for the distorted sense of priority of a section of this House that when we are discussing one of the most important matters that Parliament has ever discussed, there is greater interest evinced in the election of office-bearers of one of the parties in Parliament. This reflects on the sense of priorities at least of a section of this House. There are far more members in the Lobby where a particular party's election of office-bearers is going on when we are engaged discussing this very important matter here.

MR. CHAIRMAN : How is it relevant?

SHRI NATH PAI : I am talking about the importance of the Bill.

I would have appreciated it if the Home Minister had taken the initiative in holding discussions and negotiations with leaders of all parties and if possible, time permitting, called the Chief Ministers of different States for discussion before he reached a conclusion regarding the provision which he is proposing in this Bill.

The office of President in India is assuming unusual importance. It is true the President of India in normal times is the head of State. But comparative studies are reaching the conclusion that there is no head of state in any other country who enjoys powers comparable to those of the President of India. In an emergency, the powers of the President of India have no parallel anywhere else. Even a de Gaulle or a Nixon can be jealous and envious of the powers the Constitution of India confers on the President of India. This in an emergency. It is no use alluding to the similarity between the Sovereign in the U. K. and the President of India.

In this context, I should like to draw the attention of the House to the fact that the Supreme Court deliberated over this and has laid down the correct position in two very important judgments—in Kapur vs. the State of Punjab and in Amritlal's

case. The first was decided in 1955 and the second in 1964. I will be talking later about these.

When we are discussing, therefore, the most important elective office in the country, it does require serious attention on our part. I am not going to accuse Government on this score, that with the short time at their disposal they did not try to bestow the attention which was possible for them to bestow upon it. The contingency was not foreseen by anybody. It came. My complaint if they are taking shelter under art. 70 is that it was there all these 20 years and such a provision could have been made.

Shri Chavan made some observations. I make an appeal to him. Normally he is very affable, even under provocation and attack.

SHRI J. B. KRIPALANI : No.

SHRI NATH PAI : Dada says 'no', but that is my experience. But today he was irritable under criticism—I am glad to have the assurance that he was not.

He has given a good advice to Prof. Bhandare when he was speaking from the floor. The Home Minister told him that words have a meaning and significance, particularly in the context of the Constitution. I hope he will not accuse me of quibbling with words. It was precisely this I tried to remind him about, that words have the greatest importance. In our Constitution, words have been used after the experience of many democracies and the greatest care bestowed on them by our constitution-makers. We had a minor satisfaction yesterday when the Law Minister's minor slip was ordered to be rectified. May I submit to him that if there are many minor slips it becomes a slippery path. We must see that there are not many minor slips in one single Bill.

Apart from saying that Mr. Chavan ought to have taken all of us into confidence and consulted us, I want to say this. If he thinks it is necessary to call the leaders of the opposition to consult on the need to provide for the necessary powers for the

Government to deal with the so-called Naxalites, the provisions regarding the office of President are for more important and serious and consultation was called for. I think the Home Minister had been a little remiss in his duties.

Before I come to the substantive part of my submission, I should point out that we the private Members, back-benchers in this House have some handicaps. I have given a Bill. It is possible to move a substitute motion when there is a Government motion. Can we not, with your guidance, amend the rules that if there is a Bill and if another Bill is there, the second Bill can be offered as a substitute Bill, as a substitute motion. This is a matter to which the House should give thought because if I were to bring in a Bill today, technically under rule 67 I shall be stopped from bringing it here because his Bill is now pending and this amounts to a great injustice; even if a private Member takes great initiative, this is what happens. This is not my individual complaint. This is a thing to which the House should apply its mind. My Bill was given notice of more than five days before the Home Minister's Bill came. None-the-less the House will not be allowed to discuss my Bill because of certain archaic and obsolete rules.

16.08 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Definitions are the most important things and let us begin by defining things. I have taken the stand that in this Bill there are certain anomalies. My second important point is that what Mr. Chavan is trying to do by an ordinary Bill can only be done by a constitutional amendment; I am submitting so in all seriousness and going to cite all the authority...(Interruptions) This morning mockingly he said: here is the oath that was administered by the Chief Justice to the President who is now acting as our President. I want to submit to him that when he gave me that information which I seriously wanted, he has colossally strengthened my point of view.

The oath in India is of two kinds; there is no use saying that there is a single oath. The words offered in the one are: I shall

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act ; in another the words are : I shall discharge the function. Words have their meaning in our Constitution. If the words were identical, why did the Constitution-makers use two different words : I shall act ; I shall discharge. There are two different contingencies. Two different situations were visualised by the constitution-makers. Since there are different contingencies, different oaths are provided.

SHRI Y. B. CHAVAN : That is accepted.

SHRI NATH PAI : I am glad you agree. The oath the President took was the first oath—that he was acting. But there is a second oath also available—that I shall discharge the function. He therefore agrees that there is a distinction and I am glad he is in a mood to see that what I am saying was not the result of my own confusion but of serious study about it...(*Interruptions*). I agree that I can be confused ; confusion is not the monopoly of the Treasury Benches and we are all liable to confusion and become confused. I reckon it. Somebody modestly reminded me about my ignorance. I am more conscious of my ignorance. I constantly remind myself that our ignorance is like the ocean and our knowledge, in spite of all our efforts, is like a pebble Mr. Mahajan was trying to remind me, but when I told him in the lobby what I was saying, he in his goodness said there is a distinction.

There are two contingencies, and therefore, there are articles 65 (1) and 65 (2). I am going to appeal to the hon. Home Minister. If he wants sober common sense to help him, let him do it, and see the sober reaction. I have very great regard for Mr. Govinda Menon, but when he sits as a Minister he completely forgets the education and training as a lawyer ; the hon. Minister, Mr. Chavan, has to disregard him. Whispering is the surest way of being misled, I warn you. It has happened in the past and it may happen again too. Mr. Menon is a good lawyer, and I have very great regard for him. He is a very studious type of Minister, but somehow, when he sits as a Minister here, he will only say that a Minister can do no wrong. That is my

concern. Please, therefore, ignore him and let your common sense guide you. Of course you may twit me by saying that I am not a legal pundit.

Now, I want to draw the attention of the House to this. I hope to be excused by the House for saying one or two things which I said the day before yesterday. The other things will be new. It is this. Article 65 (1) says thus :

"In the event of the occurrence of any vacancy in the office of the President by reason of his death, resignation or removal, or otherwise, the Vice-President shall act as President....." etc.

Then there is article 65 (2). What does it say ? It says :

"When the President is unable to discharge his functions owing to absence, illness or any other cause,..." etc.

These are two distinctive clauses ; two distinctive situations, two distinctive consequences, two distinctive kinds of oaths provided. I may submit to you that even the oath provides two different things. Article 60 says :

"Every President and every person acting as President or..."

Then comes "or". "Or discharging the functions of the President..." Therefore, the oath also provides two alternatives. I am reading article 60. In article 60, there are therefore different situations visualised : it may be the President ; it may be a person acting as President ; or it may be a person discharging the functions of the President. Now, if you are providing for vacancy in the Presidency of India, then, you cannot take shelter or avail yourself of article 70. I will tell you why. Let us see what article 70 says. It says :

"Parliament may make such provision as it thinks fit for the discharge of the functions of the President..."

I want to submit that discharge of the functions arises only when there is a Presi-

dent of India but he is unable—through inability—to discharge the functions. Then comes the Vice-President. What does the article say? It is very important. Article 70 makes provision for article 65 (2). It was not necessary to bring an Act. I submit that you can do it by ordinary resolution, because it never says “by an Act of Parliament.” When the Constitution wants us to do anything by an Act of Parliament as under article 140, it categorically lays down that parliament “may by law” provide, etc. “Parliament may by law” make provision; this is article 140. But article 70 says, “Parliament may make such provision...” without referring to “by law”. That means we could have achieved what you are trying to achieve—so far as article 65 (2) is concerned, enabling someone to discharge the functions of the President—even by ordinary resolution of Parliament. This is what the Constitution says. But if we are providing for the contingency, when there is a vacancy as contemplated and for foreseeing such a thing as article 65 (1), what is to be done? It was not confusion; I am giving you evidence for this purpose. Article 65 (1) demands that only a constitutional amendment is called for.

You may say, “Where do I do it?” I know that there has been clever drafting. I did not ridicule it yesterday. I have no such kind of supercilious attitude towards other people's knowledge. They have a very clever jugglery. What is it? They begin by talking of “vacancy” and then they talk of discharging of functions. Therefore, they think an ordinary Act will achieve the purpose. They have never used the word “act” during the body of the Bill. Therefore, how is article 65 (1) affected? If there is a vacancy, the—Chief Justice will discharge the functions. That is what they say.

I have cited seven articles which draw a distinction between “acting” and “discharging the functions”. Acting arises when there is a vacancy and discharging the functions follows inability. Once we accept the distinction, the Bill would have been totally different. Article 160 throws important light on the intention of the Constitution-makers. It says :

“The President may make such provision as he thinks fit for the discharge of the functions of the Governor of a State in any contingency.....”

The Governor's is a nominated office. Somebody can discharge his functions. Here it is doubly clear. Governor is a temporarily nominated person who can be removed by the President during his pleasure. But the President of India cannot be removed by anybody unless there is death or resignation or impeachment by Parliament, whereas a Governor holds office during the pleasure of the President and can be summarily dismissed by the President. There were many Governors who deserved to be dismissed, but because of your massive protection, they have escaped. That is another matter. Article 160 says “President may make such provision...”. No law is required to be passed for that. This is identical with article 70. Even an ordinary law is not required for this purpose. Otherwise, the article would have said “by law”.

Sir, for those who want to keep their minds open, I have drawn the distinction between acting as President following a vacancy and temporarily discharging the functions of the President following some inability. If the Home Minister accepts this distinction and the authority and evidence I have shown, the consequences are very clear and he should not shrink them. Even belatedly, he can accept my Constitution (Amendment) Bill. But he can discard mine; let us completely forget the subjective part of it. He can bring a Bill to amend the Constitution. Is there any fear in the mind of Government that a Constitution (Amendment) Bill requires a two-thirds majority and they are not so sure of mustering it and therefore, they are trying to do it by an ordinary Act, which they cannot do?

Sir, supposing the Vice-President acting as President for any reason decides to resign. I do not know the information which some others know; I do not have such sources. But suppose for reasons which are beyond our contemplation, the Vice-President acting as President decides to resign, his real difficulty is not Mr.

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Chavan. His real difficulty is, under the Constitution there is nobody to whom he can tender his resignation. The present incumbent is prevented from resigning, if he wants to, because under the Constitution the President can submit his resignation to the Vice-President and the Vice-President can submit his resignation to the President. How can Mr. Giri hand over his resignation to himself? This is the first time I have referred to his name. Otherwise, I have always been saying the present incumbent. Let us see the difficulties in the Constitution. Good as it is, comprehensive as it is, exhaustive as it is, even that Constitution could not have foreseen every eventuality and every contingency. When we come across this kind of difficulty, we have to take a very broad and perspective view.

Mr. Deputy-speaker, I would like to submit now why this line is wrong. Apart from these constitutional difficulties there are other difficulties there are other difficulties in Shri Chavan's Bill. He wants the Chief Justice of India to succeed in this contingency. I fully agree that it is not to succeed but to fill the temporary vacancy to discharge the functions or act, whichever word he prefers to use.

In the first place, Sir, the judiciary of India is conceived as a body completely and totally removed, separate and independent of the two other branches of the State of India, namely, the executive and the legislature. This is a point to which adequate reference has been made by Shri Bhandare and Shrimati Tarkeshwari Sinha I do not want to say all that. There are some difficulties now coming up. I pointed out some day-before-yesterday, and now I would like to point out to you some other difficulty. Let us look at article 359. This is an article on which every good judge of the High Court and Supreme Court has commented adversely. What is that article? I would like the Home Minister and the Law Minister to look at it. It says :

"Where a Proclamation of Emergency is in operation, the President may by order declare that the right to move any court for the enforcement of such of the rights conferred by

Part III as may be mentioned in the order and all proceedings pending in any court for the enforcement of the rights so mentioned shall remain suspended for the period during which the Proclamation is in force or for such shorter period as may be in the order."

The article lays down clearly that, "all proceedings pending in any court for the enforcement of the rights so mentioned shall remain suspended." One of the vital rights given by articles 226 and 32 is the right of an aggrieved citizen to seek redress against his grievances either by a High Court or the Supreme Court. But when there is a proclamation of Emergency this right is taken away. When you go with a writ petition either to a High Court or the Supreme Court time without number they have declared "we agree with you that there is something wrong but we are inhibited by article 359". Now, under the provisions of this Bill there may be a Chief Justice who may be temporarily acting here as President of India. Shri Chavan, the Home Minister may find justification to proclaim emergency because of Pakistan or China. Then a man who condemns article 359 as the Chief Justice, as a good jurist, is obliged to uphold that proclamation. A man who says that he should never take away a citizen's right to go to the judiciary is then compelled just to deny that. That means dualism. It is also conceivable that as in the case of Bengal and as it can happen in the case of Kerala, there may be a report required. Is the Chief of Justice of India to act on the report of the Governor? Will it not be even temporarily, of the holder of the highest office of the Chief Justice of India, the symbol of India's independent judiciary? This is what we have to take into account.

Now I come to the question of Speaker. It has been said that my provision cannot be accepted because the Speaker is elected. They pointed out to this article which says :

"The President shall not be a member of either House."

I agree. But a little careful study of this article will show that this applies to the

President elected under 54 and 55. If this applies to the Speaker, *mutatis mutandis* it applies to the Chief Justice also. So there is no question of disqualification. I hope the hon. Home Minister had some time to look at my amendment. This is a misapprehension that is being spread. In the first place, I want to say that it is a disability to be incurred only by the man who is elected as the President and enters the office as the president. I am glad the hon. Minister agrees with me. This was the misapprehension, misunderstanding that was systematically spread. If the hon. Minister agrees; there are so many points on which we agree. We have seen the necessity of a constitutional amendment. We have seen a distinction of it. The oath administered was one of the two possible oaths. That you did because there was a reason. Day before yesterday I produced before the House a constitutional authority—a book—produced an Appropriation Bill, I produced a Bill signed by the Vice President and I produced two copies of the Gazette. What did I produce? What was the evidence I tried to bring to your notice? The evidence was that between the available designations one was deliberately, consciously, knowingly, realising the consequences chosen by the Government. Dr. Zakir Husain signed as what? Dr. Zakir Husain signed as "Vice President discharging the functions of the President". He did not sign as "acting President". The means, that there is a clear distinction and I think I have established it. I think "discharging the functions" comes up only in one contingency for which even a Bill is not necessary. But if it is "acting" then, I submit in reason to you that a constitutional amendment is required.

Before I conclude, I want to draw your attention to one thing more. Is there a distinction between "functions" and "powers" or not? I think even the Law Minister will agree that there is a great difference between "functions" and "powers". What are the functions of the President? He goes and receives the Shah, Queen or King of some other country; he inaugurates some maternity home; he lays the foundation stone of all school for children; these are his functions. But these are totally different from his powers. Actually the President, if he were the President according to Shri Chavan, as he tried to make out day before yesterday, he should never have

gone to receive the Duke of Kent. I know that he came here as the representative of the Queen; but he was not the Head of the United Kingdom and the President should receive only the head of another country, be it the United Kingdom or any other country. The President of India should not and does not receive anybody less. But his action he has admitted that he was not the President. You cannot have it both ways. Sir, I hope you will now agree with me about the distinction between "powers" and "functions". Then "discharging function" is not "executing powers". That also you will readily concede. If all these points conceded, I do not know what logic you can say that Shri Nath Pal is confused. If this is logic, if this is the reason, if these are the authorities, if these are the experiences and if all this is confusion, then I plead guilty that I am a little confused.

In conclusion, I would like to say that there are two amendments which have been moved to my amendment. Shri Hem Barua has pointed out a slight mistake in my amendment to Shri Chavan's Bill. In the temporary discharge of the functions of the President, according to my amendment, the order is: Speaker of the Lok Sabha to be followed by the Deputy-Speaker. I would like to accept Shri Hem Barua's amendment when it will read: Speaker of the Lok Sabha, the Deputy Chairman of the Rajya Sabha and the Deputy-Speaker of the Lok Sabha.

Let us adhere to the elective principle for the Presidentship of India. Let us not permit, even temporarily, the combination between the office of President of India and the Chief Justice of India. Never even for a temporary period even, let us ignore the essence of the Constitution. Throughout this Constitution the elective, representative and democratic principle has been enshrined. By following the line which I am pleading, namely Speaker of Lok Sabha, Deputy Chairman of Rajya Sabha and the Deputy-Speaker of Lok Sabha, this principle will be upheld. Today it is being violated. I hope Shri Chavan and the Law Minister will not follow a partisan approach to this kind of Bill, which is on a constitutional matter. Perhaps we do not have sufficient time, but within the limited

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time at my disposal I am plead with him that in the light of the massive support I have received from the speakers of his own party, he will be good enough either, to accept the suggestion I am making and withhold his Bill or come with a Constitution Amendment Bill, I hope that not party loyalty but national interest will weigh with the Home Minister.

DR. KARNI SINGH (Bikaner) : Mr. Deputy-Speaker, Sir, the passing away all of a sudden our esteemed President, Dr. Zakir Husain, made us realise that the Constitution has many lacunas. It also made us realise that the founding fathers of the Constitution have very wisely provided ways and means of solving these problems.

I will be moving an amendment which seeks to provide in the line of succession for the President, the Vice-President, the Chief Justice of India and, after him, the Speaker of the House of the people. I will give the reasons for this. The position of the President is an exalted one and in the event of the President and the Vice-President not being there, this exalted position must be filled by an eminent citizen of this country, who is known for his honesty and integrity. I only hope that some suitable provision will be made to see that when the Speaker of the Chief Justice ceases to be the acting President, they automatically come back to their own posts.

As time goes on, we will see that the post of the President is not purely a figurehead. Dr. Zakir Husain became a symbol of our secular unity. He was a great President who set very high standards of public morality. But we have to accept some facts that as the Centre gets weaker, a strong man who is always known for his integrity, a man who can become a symbol of India's unity, should occupy the exalted office of the President. Many of us fear that in 1972, no one political party will have a majority in this House. In such a situation and, particularly, for the sake of restoring national confidence in the country, the choice of a suitable President becomes very very important.

We know that the Centre-State relations are extremely delicate and may even continue

to become more delicate in the years to come. Therefore, the choice of a President or to establish a suitable line of succession of equally eminent men becomes incumbent upon us today.

I have a feeling, and I hope this is not going to be so, and if the situation in our country demands that in the years to come, the Parliament in its own wisdom bestows greater powers on the President, then such suitable steps can at that time be taken to preserve the unity.

I do feel, with the position that our esteemed Speaker occupies in the House, a man of the choice of everybody here, he must be in the line of succession. Therefore, I have suggested that he should be the fourth in the line of succession.

I conclude by just making one very small observation. Immediately on the passing away of Dr. Zakir Hussain, there was a certain amount of comment about as to who would be the next President. I thought it was in very bad taste that immediately of the passing away of a great man, this matter should have been raised. However, the suggestion made that a man should come from a particular class or a caste or a community or a religion was highly degrading for the high position of the President. I only hope that we will establish healthy traditions of a secular nature in the country so that whenever the choice of a President comes up, he must be a man known for his integrity and honesty and not that he belongs to a particular religion or a caste or a community.

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : Mr. Deputy-Speaker, Sir, it has been a very interesting and useful debate and I want to clarify some of the ideas which were mentioned in the course of the debate.

I, personally, would like to consider the arguments advanced by the hon. Member, Shri Nath Pai. It was a pleasure to listen to him expounding his interpretation of the Constitutional law. I have got all regard for his knowledge of the Constitutional law. I can only say I beg to differ from the interpretation that he gave.

Sir, the basic difference starts from the interpretation of article 70. We have always conceded the position that these are two different functions, one acting as President and the other discharging of functions. These are the two specific contingencies contemplated by the Constitution. When a vacancy occurs in the office of the President and, if there is the Vice-President, he acts as President and, in case the President is disabled, the Vice-President discharges his functions. These are the two specific contingencies that are provided in the Constitution. Now, what is the role of article 70? It is not the role as he thinks. My interpretation of article 70 is, It is a residual article giving an authority to Parliament to provide for all the contingencies that are not provided for in the Constitution. Therefore when he says that whenever there is a vacancy in the office of the President, there must be somebody to act as President and, when there is a disability, there must be somebody to discharge his functions, I do not agree with him. It is true, in the two particular contingencies provided for in the Constitution, it is so. But in a contingency which is not provided under these two categories, in case there is a vacancy in the office of the President and there is no Vice-President to act as President, somebody, a third party, will have to discharge the functions, not to act as President. This is the interpretation which is, really speaking, a very simple and correct interpretation. I do not think that one requires a very sophisticated knowledge of law. This is my sober commonsense...*(Interruptions)* This is my "sober interpretation. I heard him with patience. I must admire the way he tried to explain. That is why I said that he has the capacity to confuse the others also. This is a great capacity, I should say.

SHRI NATH PAI : Today I seem to have failed.

7 SHRI Y. B. CHAVAN : Then he said that Parliament might provide even by a Resolution. That is quite possible. I do not deny that. But may I point out to him a very difficult situation. Suppose—nothing like this should happen ; we are only trying to contemplate the contingency—there happens to be a vacancy in the office of President and there is also a vacancy in the office

of Vice-President when the Parliament is not sitting—this is quite possible—, when Parliament is prorogued, who calls the Parliament ? In order to enable the Parliament to pass a Resolution, at least Parliament must be in session. Therefore, we thought, it is very wise, instead of depending on such a possibility and contingency, that Parliament provides by law ; at least that provision does not debar the Parliament from passing a law. I can understand that certainly Parliament can, by Resolution, provide for it. I entirely accept it. So, as far as this interpretation is concerned, this is my answer to it.

I will come to the elective point later on, because that is a very valid point raised. I do not dispute that. I will now take up the point that was raised by certain hon. members—Mr. Bhandare and others—about separation of judiciary and executive. They were saying, here we are asking the Chief Justice to do and all that. There is a subtle distinction in this matter. First of all, executive function and judicial functions have different roles. When the Chief Justice of India discharges the functions of the President, though he does not cease to be the Chief Justice, he does not function as the Chief Justice. This is the clear distinction that we must try to understand. When we say separation of judiciary from the executive, what is the exact meaning ? Is the President's office an executive office ? President is not the Head of the executive ; President is the Head of the State....

SHRI NATH PAI : The executive power of the Union shall vest in the President.

SHRI Y. B. CHAVAN : That is there. Even then, he is the Head of the State.

SHRI NATH PAI : Also the Head.

SHRI Y. B. CHAVAN : Really speaking, the Head of the Government is the Prime Minister. If the functions of the Chief Justice and the functions of the Prime Minister are tried to be mixed up, then one can say that there is the mixture of judiciary and executive. This is rather taking the whole argument to an extreme position. As far as I have understood it, I should say that the extreme doctrine of separation of the

[Shri Y. B. Chavan]

power of judiciary, executive and legislature is not, really speaking, accepted by our Constitution. The separation of judiciary from the executive is certainly a practical proportion which can be implemented as a policy. (*Interruptions*). There is the possibility of overlapping.

Coming to the elective principle, as I have said, I do not say that there is anything wrong about that principle. It is a valid principle. My only argument this morning was, and which I would like to repeat is this. If it were a real succession, I can understand the point of elective principle. It is not real succession. It is discharging the functions for a temporary period somebody who is not the President or Vice-President, is supposed to be discharging the functions for a temporary period.

Possibly, within a few weeks, the Vice-President could be elected so that he could start acting as the President. So far much a temporary period to think in terms of elective principles and try to make it an elaborate sort of thing is no good. We took a view, we could have taken the other view also. I do not say there is anything wrong about it. But we have taken this view and I am giving the reasons for this view.

SHRI NATH PAI : You only said you have taken the view.

SHRI Y. B. CHAVAN : When we thought that this is a temporary thing we went by a practice which is already established in respect of Governors where the Chief Justice acts as Governor. We thought it much better to follow the same principle here also.

SHRI S. KANDAPPAN : A superficial analysis.

SHRI NATH PAI : You agree that the Governor is a nominee of the President holding office during the pleasure of the President as against the President holding office for five years.

SHRI Y. B. CHAVAN : There is nothing like 'acting' as Governor. Does he become Governor? Here he does not become President.

SHRI NATH PAI : I thought I have read the article. Art. 60 says very clearly that a man will discharge the functions. He does not even act. Please look at Art. 160. The President may make such provision as he thinks fit for the discharge of the functions of the Governor. He does not even act. He discharges.

SHRI Y. B. CHAVAN : It is not under that Article that the Chief Justice is appointed.

SHRI P. RAMAMURTI : When the Chief Justice becomes the Governor he has got to be reappointed. He cannot be both. When the President asks the Chief Justice to function as Governor for a temporary period, he does not become a Governor. He only discharges the function. Otherwise what would happen? The Chief Justice will not be the Chief Justice. He will have to resign. He cannot have two posts.

SHRI Y. B. CHAVAN : In this case he discharges the function. He does not act as the Chief Justice but at the same time he does not cease to be the Chief Justice.

The argument of elective principle is something very valid. But I gave the reasons why we came to the conclusion which is legitimate, right and just. I have nothing more to add.

SHRI S. KANDAPPAN : I feel the Home Minister has not answered some of our points. Many members made that point. I am only posing a question. Just for example, tomorrow we pass the Bill moved by Mr. Nath Pai the Constitution Amendment Bill. The Bill is passed. It goes to the assent of the President. The Chief Justice is acting as President. He feels very strongly on that score. He feels that the Parliament has no business to tamper with the fundamental rights and to take upon itself the right of amending the fundamental rights. Then what will happen? Will it not create a very embarrassing situation for him as well as for us?

SHRI Y. B. CHAVAN : I do not think anything will happen. The President is supposed to act on the advice of the Government. (*Interruptions*). Then he discharges

the functions of the President. When he functions as Chief Justice he functions as Chief Justice. These are separate distinct roles.

SHRI J. B. KRIPALANI : When he again reverts to the position of Chief Justice can he not again reverse that opinion ?

SHRI Y. B. CHAVAN : Yes, of course.

श्री मधु लिमये : उपाध्यक्ष महोदय, मैं मंत्री महोदय से एक सफाई चाहता हूँ। मैंने तीन सवाल उठाये थे, एक का इन्होंने जवाब दिया है और संविधान की धारा 60 का हवाला देते हुए आपने कहा कि तीन श्रेणियाँ होती हैं—पहली—प्रेजिडेंट, दूसरी—परसन एक्टिंग फौर प्रेजिडेंट और तीसरी—परसन डिस्वाजिग—फंक्शनज-आफ-दी प्रेजिडेंट। आप ने कहा कि एक्टिंग के लिये यह शपथ लेना जरूरी है, डिस्वाजिग वाले के लिये नहीं। वह अलग है इससे बात बिल्कुल साफ नहीं हुई है। इस वक्त हमारे उपराष्ट्रपति केवल राष्ट्रपति के नाते काम कर रहे हैं, इसलिए उन को राष्ट्रपति कहना उचित नहीं होगा। आल इण्डिया रेडियो और हमारे बिलों के बारे में आपने कोई जवाब नहीं दिया है, लेकिन मैं आपकी बातों से निष्कर्ष निकाल सकता हूँ। फिर भी यह अच्छा होगा कि सब लोगों के लिये जो कानूनी स्थिति है वह स्पष्ट हो जाय। मैं आप से कोई मतभेद नहीं रख रहा हूँ, लेकिन चाहता हूँ कि यह बात स्पष्ट हो जाय। अध्यक्ष के निर्णय के बाद और उस को आप द्वारा मान लिये जाने के बाद उस का स्पष्ट होना जरूरी है। क्योंकि अगर वह प्रेजिडेंट हैं तो फिर वेकेंसी नहीं है, रिक्त स्थान नहीं है, तो चुनाव का सवाल कहाँ आता है।

SHRI Y. B. CHAVAN : I think that position has become clear. He is a Vice-President acting as President. That position is now accepted.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill to provide for the discharge of the functions of the President in certain contingencies, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : I would like to say one thing. All the amendments were covered during the general discussion. What I would suggest is this.

SHRI P. RAMAMURTHI : You persuade him to accept the amendment.

MR. DEPUTY-SPEAKER : Now, for the sake of orderly debate, I would like to suggest something.

SHRI NATH PAI : Both the things are equally important. Why should there be any bar ?

MR. DEPUTY-SPEAKER : For your persuasive skill, as well as arguments, he has paid you compliment. He has already taken note of it.

SHRI NATH PAI : I did not make a speech for compliment.

MR. DEPUTY-SPEAKER : What I would suggest is this. Instead of trying to debate Clause-by-Clause, I would like to provide an opportunity at the final stage of passing, for some Members who want, even at that last stage, to say something.

SHRI S. KUNDU : I rise on a point of order. It is 5 0' clock now...

MR. DEPUTY-SPEAKER : Your party representative has taken more time. He deserves it. No doubt. You will get it. What I suggest is, let us pass Clause-by-Clause as it is and then at the final stage, even at the last stage, let us give opportunity to all who do not agree to make a final appeal, instead of wasting time on the Clauses.

SHRI NATH PAI : Why do you say, we pass the Clauses as they are, why not be with the amendments.

MR. DEPUTY-SPEAKER : With amendments.

SHRI S. M. BANERJEE : Nothing was decided in the Business Advisory Committee.

MR. DEPUTY-SPEAKER : I am not raising the question of time. Only we are on the point of convenience and procedure.

श्री मधु लिमये : मेरा प्रस्ताव कल लिया जाय, आज इस में सिर्फ आधा घंटा मिलेगा ।

MR. DEPUTY-SPEAKER : That we shall see.

SHRI S. M. BANERJEE : There are 52 amendments. I have got the complete list with me. None of us who wanted to move the amendment were allowed to speak. I only appeal to you that we should be given a chance to speak on certain amendments. What is the specific hurry about it ?

MR. DEPUTY-SPEAKER : I have not said that. I am sorry, you have not followed the full discussion here. You are not following the debate. Every amendment that was moved has been discussed in General Debate. Those who want to move are not being prevented. Let us follow that procedure.

SHRI S. M. BANERJEE : What is the time allotted ?

MR. DEPUTY-SPEAKER : We will pass it today. That is all.

SHRI S. M. BANERJEE : Every Bill which comes in this House we have to pass—whether it is Finance Bill or Budget. Let them organise a meeting in the Central Hall and pass all the Bills.

MR. DEPUTY-SPEAKER : This is unfair. So far as this debate is concerned, every clause was given full consideration and all the points of view have been expressed. The function of the House is to scrutinise legislation. That has been fully discharged.

Now, there are no amendments to Clause 2 of the Bill. I will put Clause 2 to the vote of the House.

The question is:

"That clause 2 stand part of the Bill."

The motion as adopted.

Clause 2 was added to the Bill.

Clause 3—(Discharge of President's functions in certain contingencies.)

SHRI NATH PAI : I beg to move :

Page 1, lines 10 to 12—

for "the Chief Justice of India or, in his absence, the seniormost Judge of the Supreme Court of India available shall discharge the functions of"

substitute—

- "(1) The Speaker of Lok Sabha.
- (2) The Deputy-Speaker of Lok Sabha.
- (3) The Deputy Chairman of Rajya Sabha in that order shall act as" (1)

Page 2, lines 1 and 2—

for "the Chief Justice of India or, in his absence, the seniormost Judge referred to in sub-section (1)"

substitute—

- "(a) The Speaker of Lok Sabha
- (b) The Deputy-Speaker of Lok Sabha
- (c) The Deputy-Chairman of Rajya Sabha.

"in that order"(2)

Page 2, lines 9 to 11,—

for "the Chief Justice of India or, in his absence, the seniormost Judge referred to in sub-section (1) shall discharge the said functions"

substitute—

- "(i) The Speaker of Lok Sabha
- (ii) The Deputy-Speaker of Lok Sabha
- (iii) The Deputy Chairman of Rajya Sabha.

"in that order shall discharge the same functions" (3)

SHRI SHRI CHAND GOYAL (Chandigarh) : I beg to move :

Page 1, line 10,—

after "otherwise", insert—

"The Speaker of the Lok Sabha or, in his absence", (4)

Page 1, line 12,—

omit "available" (6)

Page 1, line 18,—

after "office," insert—

"the Speaker of Lok Sabha or, in his absence" (7)

SHRI HEM BARUA : I beg to move
Page 1, lines 10 to 12,—

for "Chief Justice of India or, in his absence, the seniormost Judge of the Supreme Court of India available"

substitute—

"Speaker of the Lok Sabha or, in his absence, the Deputy Chairman of Rajya Sabha, or the Deputy-Speaker Lok Sabha." (10)

SHRI GEORGE FERNANDES : I beg to move

Page 1, lines 10 to 12

for "Chief Justice of India or in his absence, the seniormost Judge of the Supreme Court of India available"

substitute—

"Speaker of the House of the People or, in his absence, the Deputy-Speaker of the House of the People or, in the absence of the latter, the Deputy Chairman of the Council of States" (12)

Page 2, lines 1 and 2—

for "Chief Justice of India or, in his absence, the senior most Judge referred to in sub-section (1)"

substitute—

"Speaker of the House of the People or, in his absence, the Deputy-Speaker of the House of the People or, in the absence of the latter, the Deputy Chairman of the Council of States" (13)

Page 2, lines 9 and 10,—

for "Chief Justice of India or, in his absence, the seniormost Judge referred to sub-section (1)"

substitute—

"Speaker of the House of the People or, in his absence, the Deputy-Speaker of the House of the People or, in the absence of the latter, the Deputy Chairman of the Council of States" (14)

SHRI SHIVA CHANDRA JHA : I move,

Page 1, lines 10 to 12.—

for "Chief Justice of India or, in his absence, the seniormost Judge of the Supreme Court of India available"

substitute—

"social worker of the all India status" (15)

DR. KARNI SINNH : I move:

Page 1, line 11,—

after "in his absence", substitute—

"the Speaker of the House of the People, or in his absence", (16)

SHRI SHIVA CHANDRA JHA : I move:

Page 2, lines 1 and 2,—

for "Chief Justice of India or, in his absence, the senior most Judge referred to in sub-section (1)"

substitute—

"social worker of the all India status"(19)

Page 2, lines 9 and 10,—

for "Chief Justice of India or, in his absence, the seniormost Judge referred to in sub-section(1)"

substitute—

"social worker of the all India status"(21)

SHRI SHINKRE (Panjim) : I move:

Page 1, lines 10 to 12,—

for "Chief Justice of India or, in his absence, seniormost Judge of the Supreme Court of India available"

substitute—

"Speaker of Lok Sabha or, in his absence, the Deputy-Speaker"(25)

Page 2 line 1,—

for "Chief Justice of India or, in his absence, the senior most Judge"

substitute—

"Speaker of Lok Sabha or, in his absence, the Deputy-Speaker"(28)

Page 2, lines 9 and 10,—

for "Chief Justice of India or, in his absence, the seniormost Judge"

substitute—

"Speaker of Lok Sabha or, in his absence, the Deputy-Speaker"(30)

SHRI K. NARAYANARAO : I move:

Page 1, line 11,—

for "the seniormost Judge of the Supreme Court of India"

substitute—

"the eldest of the available retired Chief Justice of India"(32)

Page 2, line 1,—

for "the seniormost Judge referred to in sub-section(1)"

substitute—

"the eldest of the available retired Chief Justices of India"(36)

Page 2, line 20,—

for "section" *substitute* "Act"(39)
Page 2, line 21 and 22,—

omit "have all the powers and immunities of the President and"(40)

Page 2,—

for lines 23 and 24, *substitute—*
"are"(41)

SHRI SAMAR GUHA : I beg to move:

Page 1, lines 10 and 11,—

for "Chief Justice of India or, in his absence, the seniormost Judge of the Supreme Court of India"

substitute—

"Speaker of Lok Sabha or, in his absence, the Deputy-Speaker of Lok Sabha"(43)

Page 1, line 12,—

for "discharge the functions of the President" *substitute* "act as the President"(44)

Page 2, line 1,—

for "Chief Justice of India" *substitute—*
"Speaker of Lok Sabha"(45)

Page 2, line 1,—

for "senior most Judge" *substitute—*
Deputy-Speaker of Lok Sabha"(46)

Page 2, line 2,—

for "discharge the said functions"
substitute "act as President"(47)

Page 2, line 9,—

for "Chief Justice of India" substitute
"Speaker of Lok Sabha"(48)

Page 2, line 10,—

for "seniormost judge" substitute
"Deputy-Speaker of Lok Sabha"
(49)

Page 2, line 19,—

for "discharging the functions of"
substitute "acting as"(50)

Page 2, lines 20 and 21,—

for "discharging the said functions"
substitute "action as the President"
(51)

Page 2,—

after line 25, insert—

"(5) The Vice-President of India or the Speaker of Lok Sabha or, in his absence, the Deputy-Speaker of Lok Sabha, as the case may be, shall be known as the Vice-President acting as the President of India or the Speaker of Lok Sabha acting as the President of India or the Deputy-Speaker of Lok Sabha acting as the President of India."(52)

SHRI NATH PAI : Sir, I have moved all my three amendments. Let them be prepared because I will ask for division on all the three amendments.

MR. DEPUTY-SPEAKER : If you are going to demand division, it is your right.

SHRI NATH PAI : I would not take much time of the House because the House has been very indulgent to me, and as you have pointed out already, I am in agreement with you that the specific points have already been advanced.

The Home Minister was fair enough to state towards the conclusion of his speech to this effect that Government saw both the

alternatives, both were equally just and equally good, that is the provision that the Chief Justice will officiate or discharge the functions of President or act as President, whichever word he likes, or the provision that we suggested which gave the line of succession as the Speaker, the Deputy Chairman and the Deputy-Speaker, but Government decided that it should be the Chief Justice. May I ask him now, because that is the amendment on which I am now speaking, why if he has agreed that both are good, he insists that it is his view that must prevail?

I am reminded of what Edmund Burke said :

"Reason is tired, argument exhausted but obstinacy is not won."

This was what Edmund Burke had stated, and not Shri Nath Pai, if I had said it then there would have been howling 'Arrogance, impertinence etc.'. But this was said by the greatest master of the English language in the House of Commons. This is only part of it.

SHRI PILOO MODY (Godhra) : One could learn many other things also from him.

SHRI NATH PAI : Some people do not know even this. If the Home Minister agrees that there are two choices and if he has found that short of the whip or the party discipline, there is the greatest support for the line of succession that I have suggested, and if he concedes that the elective principle is more in mine than in his, what reason can he advance, except that it is his view, to suggest that it is his view that must prevail? Is that not a sufficiently good argument? Leave aside the actual division. If he has found by now that everybody who has spoken including two very important and senior Members of his party, has agreed with me and if he concedes that this is also good, then what is the difficulty in agreeing to it except that it is his view? I do not think it is a good enough argument if one says that it is his view and, therefore, that must be accepted.

SHRI PILOO MODY : The Swatantra Party does not agree.

SHRI NATH PAI : Shri Piloo Mody should take a little more serious interest at least periodically and temporarily. I met the Swatantra spokesman, the Maharaja of Dhurangadhra, and after his brilliant contribution to the debate, I asked him whether he had heard what I had submitted.

16.57 hrs

[**SHRI GADILINGANA GOWD** *in the Chair*]

SHRI S. M. BANERJEE : What about the statement of the Home Minister? Mr. Deputy-Speaker, Sir, you are going away. What about the statement of the Home Minister?

SHRI NATH PAI : I would like to pick up the thread which was interrupted by the transfer of power at the Chair. The Maharaja of Dhurangadhra said 'I did not know all this; I did not know about the provisions; I was ordered at five minutes' notice to come and speak. Had I known your line of argument, I would have fully and completely upheld it.

SHRI PILOO MODY : Off the record.

SHRI NATH PAI : It was off the record but this is the essence of it.

SHRI PILOO MODY : Merely hearsay.

SHRI NATH PAI : It is off the record that many people speak the truth; truth is often found only off the record.

SHRI PILOO MODY : Terribly confused.

SHRI NATH PAI : I plead with you, Sir, that Shri Y. B. Chavan should show some kind of accommodation when the majority of Members in this House are accepting the line which I am suggesting, and which is being repeated in the arguments put forward by many Members. I hope that at least for once he will rise to the occasion and accept the amendment that I have moved.

SHRI S. M. BANERJEE : Before you call the next speaker, I would like to make a submission. A very solemn promise was

made by the hon. Minister of State in the Ministry of Home Affairs, Shri Vidya Charan Shukla, that he will try to gather some information about today's arrest etc. and then make a statement, or Government will make a statement. My information is that 250 men have been arrested, and some people have been lathi-charged. Since the Home Minister is here, I would request you to ask him to make a statement.

17 hrs.

MR. CHAIRMAN : Not in the midst of this Bill. After the Bill is passed, he would make the statement.

SHRI S. M. BANERJEE : Is it conditional? If we do not pass this, will he not make the statement?

MR. CHAIRMAN : This is the business before the House now.

SHRI P. RAMAMURTI : After the business is over, he may make the statement, not necessarily after the Bill is passed.

SHRI SHRI CHAND GOYAL : I am dealing with amendments Nos. 4 and 7. In a successful democracy, the Opposition must be constructive and responsible and Government should be responsive. Here, we are faced with a strange anomaly that even after realising the logic and the rationality of the arguments advanced by the Opposition, the Home Minister is not prepared to concede the demand of the Opposition. It is in fact not the demand of the Opposition alone, but the members of his own party have also lent their full support to this point of view.

We have to realise one thing. I was going through about 25 democratic constitutions of various countries and found that in almost all of them, in such an eventuality, arrangement is made for an immediate election. It is only in the Indian Constitution that a timelag of six months has been provided. In the others, almost immediately, within a week or fortnight or at the most a month, there is election. Only in one or two there is a period of 60 days limit provided. But here the timelag is six months. In view of this, the office of the person who discharges these functions mean while assumes

importance in our Constitution. Here, I would also request the Home Minister to reduce this timelag. I can understand our country being a big country and the framers of the Constitution having provided a longer period, but since no fresh rolls are required to be prepared, I do not see any difficulty in arranging an election within two months.

This Bill was prepared in a hurry. When the Home Minister discovered that Shri Nath Pal had moved a Bill on the subject, he himself directed his Ministry to prepare Bill so that the credit for having the imagination and initiative in this matter should be denied to the Opposition. In haste, therefore, he had a Bill drafted and brought forward in this House.

As I said, I have gone through 25-30 of the constitutions and in each of them I find that in such an eventuality provision is made for entrusting this office to the Speaker or President of the Assembly rather than to the Chief Justice. There is only one exception—that of the constitution of Burma. There in such an eventuality, provision has made for a commission; even that commission consists of the Chief Justice of the High Court and the two Speakers of the two Houses. Even there it is a commission.

I shall now give references from about 10-12 constitutions as to what is contemplated and what arrangements are conceived of in similar circumstances. These are from a famous book *Modern Constitutions of Nations* By A. G. Peacock. I shall first invite attention to the constitution of Austria, p. 124. Art. 64 of it says :

“When the Federal President is unable to perform his duties or in case of a permanent vacancy of his office, the function of the—Federal President devolve for the time being upon the Federal Chancellor”.

The Federal Chancellor is the person who occupies the second position. There they have upheld the elective principle. They have vested these powers in a person who has been elected by popular vote and not in the Chief Justice.

“In case of a permanent vacancy in the federal Presidentship, the Federal

Government shall immediately arrange for an election of a new Federal President and after the new Federal President has been elected, the Federal Chancellor shall immediately convene the Assembly...”

We move on to the constitution of Bolivia, page 191, art. 91.

Article 91 of the Bolivia, Constitution says :

“Should the President of the Republic be unable to fulfill his duties or remain temporarily absent, either before or after the proclamation, he shall be replaced in the interim by the Vice-President and, if the latter is not available, by the President of the Senate or by the president of the Chamber of Deputies, if the latter cannot act.”

They have made provision for the discharge of the functions by the President of the Senate rather than by the Chief Justice of Supreme Court.

MR. CHAIRMAN : Please be brief.

SHRI SHRI CHAND GOYAL : I have worked on it ; so I request you to allow me some time. In Brazil Article 79 of the Constitution reads as follows :

“In case of impediment or vacancy in office of the President and of the Vice President of the Republic, the president of the Chamber of Deputies, the Vice president of the Federal Senate and the president of the Federal Supreme Court shall be successively called to the exercise of the presidency.”

In a situation similar to ours, the Chief Justice has been given a third place and the first two places have been given to the presiding officers of the two Houses.

In Burma as I submitted earlier there is provision for a Commission to discharge the functions of the President and it shall consist of the Chief Justice of the Supreme Court

[Shri Shri Chand Goyal]

and the two presiding officers of the two House. Now we come to Article No. 69 of the Constitution of Chile. I refer to page 495 of this book. It says :

"If the President-elect finds himself prevented from taking possession of the office, he shall be substituted meanwhile, under the title of Vice-President of the Republic, by the President of the Senate, and, in his default, by the President of the Chamber of Deputies, and, in his default, by the President of the Supreme Court".

The Supreme Court comes last.

SHRI P. RAMAMURTI : May I make a suggestion to the Home Minister to accept his amendment so that we may be saved from hearing the Constitution of all the countries.

SHRI NARENDRA KUMAR SALVE (Betul) : The hon. Member may mention the names of countries which do not support his view, that will be less cumbersome.

SHRI SHRI CHAND GOYAL : After the perusal of all the Constitutions I have not been able to find out a single Constitution in which the Chief Justice of the Supreme Court has been invested with the powers for discharging the functions of the President. Invariably in all the Constitutions without exception it is the presiding officers who are invested with such powers.

SHRI PILOO MODY : If you come to 'I' you will find India in that list.

SHRI SHRI CHAND GOYAL : Similar is the position in Costa Rica even though there are two Vice-Presidents there.

There is provision for two Vice-Presidents in the Constitution of Costa Rica, and they have gone further and made a provision that in the default of both, if neither of the Vice-Presidents can fill the temporary or permanent absence, the position shall be held by the President of the Assembly. That is the position there.

Similar is the position in Cuba. In the absence of the President or the Vice-Presi-

dent or in the case of incapacity or death or absence, the President of the Congress there has been invested with the power to discharge the functions of the President. Similar is the position in Finland and Germany.

SHRI P. RAMAMURTI : What about Denmark ? You have left in out,

SHRI SHRI CHAND GOYAL : Similar is the position in Israel and Turkey. In all these countries that is the position. So, my submission will be this. The Home Minister accepts that both the positions are equally good and equally tenable. They have made the provision and they did it when they did not know the view-points of the Opposition and the other Members of this House. Now that the Members of this House and the entire Opposition are lending support to to the line of succession which has been suggested by me or by Mr. Nath Pai, let the Government consider it.

My amendment is to the effect that the name of the Speaker should be inserted. I am not depriving even the Chief Justice of India. I am just suggesting that the word "Speaker" should be inserted, and that it should find the first place ; after the Vice-President, it should be the Speaker of the Lok Sabha and then the Chief Justice of India. That will meet the two points of view which the hon. Home Minister has in mind. Therefore, I would appeal to him that he should accept this amendment and should not deprive the Speaker of our House.

Another point in this aspect is this. The Chief Justice is not supposed to apply his mind as Chief Justice of India to the various problems which the country has to face. It may be an economic problem ; it may be a foreign affairs problem, or it may be a social problem. Since he is cut off from the national problems, if he is suddenly called upon to exercise his mind over these problems, he will not be able to do full justice to those problems, and so it is desirable that the Speaker who is an elected officer should be included in this line of succession. He can apply his mind to all these various problems and therefore it is desirable that he should also find a place in this, and he may be given preference,

SHRI HEM BARUA (Mangaldai) : Mr. Chairman, Sir, Mr. Nath Pai and others who have supported this measure have elaborately dealt with the problem. The problem is a problem of suggesting an amendment to these clauses. I agree with the Home Minister completely when he said that this Bill should not be described as a succession Bill. Because this is not a matter of succession. This is only an interim *bandobust* Bill. (Interruption) Whatever it may be, we are opposed to this fact ; the fact of the Chief Justice being in the line because the parallel of the Chief Justice of a State does not fit in here. As has been pointed out, the Governor of a State is some body who has been nominated or appointed by the Central Government. But the President is somebody who is elected. There is the principle of election involved in it. Since we are in a democracy and our Constitution says that we should defend the principle of democracy in this country, and in order to defend the principle of democracy, the Speaker of the Lok Sabha should be in the line. After the Speaker—although I know that people do not die so suddenly and many of our people are not going to die so suddenly—I have suggested the Deputy Chairman of the Rajya Sabha or the Deputy-Speaker of the Lok Sabha should be in the line ; not the Chief Justice, because though the Chief Justice in the judiciary, at the same time, if you go on giving temptations to the members of our judiciary like this, that might sharpen their appetite and vitiate justice in this country. Therefore, I would appeal to the Home Minister, who is a democrat and who has already said that the amendments suggested by us are as good as the provisions in the Bill, to accept our amendments, because that would show his magnanimity and his belief in democracy.

श्री शिव चन्द शा : सभापति महोदय, इस विषयके क्लॉज 3 में मेरे संशोधन हैं कि जहां जहाँ यह शब्द है :

Chief Justice of India or in his absence, the seniormost Judge of the Supreme Court of India available.

उस की जगह मैं चाहता हूँ कि गृह मंत्री जी उस को सबस्टीट्यूट कर के

"social worker of the all India status"

रख दें। चीफ जस्टिस को आप थोड़े ही अरसे के लिए बनाएंगे, क्या झमेला होगा जूडिशियरी को किस दिशा में वह कदम ले जाएगा यह सब बातें यहां आ गई हैं। मैं उसकी तफसील में नहीं जाना चाहता। साथ साथ स्पीकर की भी बात आई है कि स्पीकर को लाया जाय चूँकि वह एलेक्टेड है। आप जानते हैं स्पीकर का पद बहुत इम्पॉर्शियल पद होता है, निष्पक्षता की आखिरी कुर्सी वह होती है। थोड़ी देर के लिए आप कह सकते हैं कि वह पोलिटिकल निर्माण की कुर्सी होती है, अब उनको भी आप वहाँ ले जाते हैं और थोड़े ही अरसे के लिये, ऐक्टिंग प्रेसीडेंट के रूप में ले जाते हैं तो प्रेसिडेंट होने पर भले ही वह निष्पक्ष हमारा राष्ट्रपति हो जाता है लेकिन जिस मशीनरी के जरिये वह ऐक्टिंग प्रेसीडेंट होगा वह पोलिटिकल पार्टी होगी, पोलिटिकल मैनिपुलेशन होगा। उस में गन्दगी होती है और कुछ भी टुकड़ा स्पीकर के सामने फँकेंगे कि उसे हम ऐक्टिंग प्रेसीडेंट बनाते हैं तो वह लार टपकने लगेगी कि हम क्यों नहीं परमानेंट प्रेसीडेंट हो जायें, क्यों नहीं पूरे समय के लिए हम प्रेसीडेंट हो जायें। फिर निष्पक्षता की कुर्सी जो वह है वह बिगड़ने लगेगी और सकल चलेगा पद लोलुपता का जो आखिर में चाहेगा कि हम प्रेसीडेंट ही क्यों न हो जायें। तो मैं इसका भी विरोध करना चाहता हूँ।

मेरा संशोधन यह है कि हमारे समाज में, यह गांधी का देश है इस समाज में ऐसे लोग हैं और ग्रामने वाले कई साल तक ऐसे लोग रहेंगे जो संसदीय तरीके में न जाकर के, उस के बाहर रह कर के अपनी जिन्दगी को समाज सेवा के लिए कुर्बान करेंगे, उनको न पद की चिन्ता है, न पद का लोभ है, न और किसी तरह के अधिकार का लोभ है, सिर्फ समाज का काम वह लोग करना चाहते हैं, जैसे दिया जलता है,

[श्री शिव चन्द्र भा.]

वह अपने जल जाता है लेकिन प्रकाश दूसरों को देता है। इस तरह के लोग हमारे समाज में हैं और जो परिस्थिति हमारे देश की है, केन्द्र और राज्य के ताल्लुक को ले कर के, सीमा को ले कर के और आर्थिक परिस्थिति तो है ही, इन तमाम बातों को मद्देनजर रख कर के यह लाजिमी ही है कि इस परिस्थिति में हमारा राष्ट्रपति भले ही वह थोड़े अरसे के लिए क्यों न हों, ऐसा व्यक्ति हो जिस के पीछे इतिहास हो जिस के पीछे जनता की भावना और श्रद्धा हो और जिस का हिन्दुस्तान के लिए सेवा करने का पुराना इतिहास हो, ऐसे लोग हमारे बीच में हैं। तो हर तरह से मसला हमारा हल हो जाता है, यह मंत्री का मसला हल हो जाता है। चीफ जस्टिस को लेकर न जूडिशियरी को खराब करें न स्पीकर को ले कर स्पीकर की जो एक जगह जनतंत्र में है, उस को खराब करें, बल्कि सामाजिक कार्यकर्ता अखिल भारतीय पैमाने पर जो हमारे देश में हैं, जैसे जयप्रकाश जी हैं, आप उनको लाएं, ऐक्टिंग प्रेसीडेंट के रूप में और पूरे समय के लिए उन को हम प्रेसीडेंट बनाएं। इसीलिए मेरा संशोधन है कि आप सोशल वर्कर जो हैं अखिल भारतीय पैमाने पर उन को लाएं ताकि नई परम्परा चलेगी और हमारे देश की जो राजनीति बहुत हद तक ग्रसित होती जा रही है, उस में नई लहर आयेगी, नई रोशनी आयेगी और ऐसा व्यक्ति राजनीति को नई दिशा ही नहीं दिखलायेगा, बल्कि विश्व और मानवता को भी दिशा दिखलायेगा।

SHRI S. KUNDU (Balasore) : Mr. Chairman, Sir, I rose on a point of order earlier. My point of order has been still strengthened after I listened to the reply of the Home Minister. The Home Minister said that the office of the Chief Justice does not cease.

MR. CHAIRMAN : Is the hon. Member speaking on the Clause or raising a point of order ?

SHRI S. KUNDU : I am speaking on clause 3 and amendments. I am speaking in support of Shri Nath Pal's amendment. I said that there must be a provision here in this Bill, if you want to introduce that the Chief Justice must discharge the functions of the President that for the period the Chief Justice discharges the functions of the President he should not simultaneously act as Chief Justice also. I have only two or three points to make in support of my contention. According to our Constitution there cannot be two offices for the Chief Justice discharging two separate functions. The Chief Justice presides over the Supreme Court and certain powers have given to him under the Constitution. Once he goes and discharges the function of the President he should immediately cease to be the Chief Justice. If there are two parallel functions for the Chief Justice we are going to import certain new things into the Constitution which the framers of the constitution never dream of.

The second point which I want to urge before you is that under article 71 the head of the Supreme Court who is the Chief Justice will decide disputes relating to the election of President and Vice President. A situation may arise where the Chief Justice who was acting as President may come back as Chief Justice and decide such disputes that has arisen during his tenure as President. The Law minister may say that he may not preside over that matter but there is no rule which prevents him. If the Chief Justice wants to preside over that Bench he can do so. This will create a lot of confusion and a lot of complications. Therefore I would humbly suggest, if you want to say that the Chief Justice should discharge the functions of the President you should immediately say that the Chief Justice for all time should cease to function as Chief Justice. This is a very pertinent point. In support of my contention I will cite only one paragraph from the U.S. Code relating to similar circumstances. There they have specifically said that there must be resignation. This is what is said :

"If by reason, of resignation death, removal from office, inability or failure to qualify there is neither President nor Vice President to discharge the powers and duties of the office of President then the Speaker of the House of

Representatives shall upon his resignation as Speaker and as representative in Congress act as President"

हो गई है वरना इसको लाने की जरूरत नहीं थी ।

At that time the Speaker ought to go and act as President. Here even though it is only for a temporary period, if the Chief Justice is to discharge the functions of the President as contemplated in the U.S. Code he must resign and in all fairness there should have been such a provision here.

I do not want to take up the point of impersonality that has been argued. Although Shri Chavan says that the President has enormous powers in times of need, the President, as he said correctly, is going to act on the advice of the Council of Ministers. More so, when he is a party man and he is advised by the party which controls the government. Therefore, in such circumstances, even though it is for a temporary period, if the Chief Justice acts in an office which is advised by a political party, there is a lot of possibility of the administration of justice being impaired. Therefore, in all fairness, I would urge the acceptance of the amendment moved by Shri Nath Pal, in which he mentions the Speaker of the Lok Sabha in the order of succession.

श्री स० मो० बनर्जी : सभापति महोदय, मैंने श्री नाथ पाई के भाषण को बड़े गौर से सुना । मैं समझता हूँ कि जो सुझाव उन्होंने दिए हैं और इस बिल को लाने से पहले भी उन्होंने जो बिल पेश किया था—अध्यक्ष महोदय के सामने उसको भेजा भी था—अगर उसी को सरकार मान लेती तो शायद इतनी बहस की जरूरत नहीं होती । सदरे जमहूरिया के बारे में कहा गया कि उनका इन्तकाल हो गया तो क्या हो । हम चाहते हैं कि ऐसी परिस्थिति हमारे देश में कभी न आये लेकिन आखिर में लोग अमर तो हैं नहीं, कभी न कभी वे मरेंगे ही इसलिए उसकी जरूरत हो सकती है । हमारी चिंता इसलिए ज्यादा हो गई है कि हमारे ऐक्टिंग प्रेसीडेंट की उम्र भी काफी

इसमें स्पीकर साहब की बात इसलिए कही गई है कि जिस दिन स्पीकर साहब का चुनाव हो जाता है वे पार्टी से अलग हो जाते हैं । आप पर सभापति महोदय, अगर भगवान प्रसन्न हो जायें और आप स्पीकर हो जायें तो उस दिन आप भी पार्टी में नहीं रह सकते हैं क्योंकि हमारे यहां का यह कन्वेंशन है, आपको भी स्वतंत्र पार्टी छोड़नी ही पड़ेगी चाहे रंगाजी नाराज ही क्यों न हो जायें । उसके बाद आप इन्डेपेन्डेंट हो जायेंगे और इन्डेपेन्डेंटली सदन को चलाने की कोशिश करेंगे । नाथ पाई जी ने स्पीकर का जो नाम दिया है वह मैं समझता हूँ सोच समझ कर दिया है कि वे सदरे जमहूरिया के हकदार हो सकते हैं । या तो फिर हमारे देश में ऐसी परम्परा होती कि हमारे जो सदर साहब हों वह बिल कर जाते कि उन के बाद कौन प्रेसीडेंट बनेगा । लेकिन ऐसी परम्परा हमारे यहां नहीं है । बिल में अगर लिखा होता कि चव्हाण साहब प्रेसीडेंट होंगे या कोई दूसरा होगा तो वह बिल की बात भी यहां पर नहीं है । हमारे सामने तो कांस्टीट्यूशन है और उसी के मातहत हम को चलना है । हमारी सुप्रीम कोर्ट के आला हाकिम जो कि इस देश में जूडिशियरी के लिए सब से बड़े माने जाते हैं अगर हम उन को 15 दिन के लिए ले आएंगे और उस बीच में आप चुनाव कर लीजिए तो यह भी एक अजीब चीज होगी । मैं प्रधान मंत्री के संबंध में आप से कहना चाहता हूँ कि हमारे नन्दा जी का ऐसा सौभाग्य रहा है कि वह कुछ दिनों के लिए दो बार प्रधान मंत्री बन चुके । हमारे यहां हिन्दुओं में ब्राह्मण की बड़ी इज्जत होती है लेकिन श्राद्ध कराने जो ब्राह्मण आता है उस को महाब्राह्मण कहते हैं । उस की बड़ी इज्जत होती है, उसको पूजते हैं लेकिन जहां श्राद्ध समाप्त हो जाता है,

[श्री स० मो० बनर्जी]

तो फिर कहते हैं कि महाब्राह्मण जी, आप हमारे घर में कभी घुसना नहीं। उसी प्रकार से हमारे नन्दा जी दो चार दिन के लिए प्रधान मंत्री हो गए और फिर हट गए। यह इसलिए हुआ कि हम ने सोच समझ कर काम नहीं किया। इसलिए आज अगर ऐसी स्थिति उत्पन्न हो जाय तो आप किसी चुने हुए नुमाइन्दे को ही उस में लाइये। मान लीजिये आज बेरूबाड़ी का मसला है हो सकता है कि वह सुप्रीम कोर्ट में जाय और वहां पर वह एक फैसला देते हैं और फिर वह सदरे जम्हूरिया की हैसियत से वह फैसला देंगे जो कि कौंसिल आफ मिनिस्टर्स का फैसला होगा। क्योंकि प्रेसीडेंट का काम कौंसिल आफ मिनिस्टर्स के फैसले पर मुहर लगाना ही होता है। एक क्लर्क को भी डिस्चार्ज करना होता है तो लिखा जाता है प्लेजर आफ दि प्रेसीडेंट जब कि उन को उस के बारे में मालूम भी नहीं होता है। मैं उन के ऊपर कोई एस्पेक्शन नहीं कर रहा हूं लेकिन मैं यह कहना चाहता हूं कि प्रेसीडेंट की हैसियत से वे एक फैसला लें और सुप्रीम कोर्ट के चीफ जस्टिस की हैसियत से दूसरा फैसला लें वह बहुत गलत है। तो वह गलत है। इसलिये मैं समझता हूं कि सभापति महोदय, जो लाइन आफ सक्सेशन किया गया है कि अगर ऐसी चीज हो जाय तो विरासत किस को मिलेगी, कौन आयेगा। और लाइन आफ सक्सेशन में कौन है? स्पीकर आफ दी लोक सभा, जो चुन कर आए हैं। यह नहीं कि ऐसे ही चले आए हैं कहीं से। डिप्टी स्पीकर कौन हैं? चुने हुए हैं और डिप्टी चेयरमैन आफ राज्य सभा, हालांकि उन का इन्डायरेक्ट इलैक्शन जरूर हुआ लेकिन वह भी चुने हुए नुमाइन्दे हैं और चुने हुए नुमाइन्दों को जो जनता से सहयोग रहेगा, और देश के सब से बड़े पद पर बैठेगा, उसी को रखना चाहिये। और जो चुनाव न लड़ा हो वह राष्ट्रपति नहीं होना चाहिये। इस लिए मैं कहना चाहता हूं कि क्लज तीन बहुत

महत्वपूर्ण है और मैं सोचता हूं कि कल सोचकर हम लोग आये और तब इस पर वोटिंग हो। वरना वोटिंग में भले ही वह हरा दें, यह हार जीत का सवाल नहीं है बल्कि देश का सवाल है। आज क्या हालत है? राष्ट्रपति भवन में कोई झंडा नहीं है। वह जो लाल बत्ती जला करती थी वह बन्द है। राष्ट्रपति भवन मालूम होता है कि किराये के लिये खाली है, हालांकि टु लेट का बोर्ड उस में नहीं लगा है। इसलिये मैं चाहता हूं कि आज ऐडजर्न करें और कल सोच समझ कर हम और सरकार के लोग आये, माननीय नाथ पाई भी हम लोगों से बात करें और अगर किसी नतीजे पर पहुंच सकते हैं तो अच्छा ही है। इसलिए मैं चाहता हूं यह मंत्री जी कल इस पर जवाब दें।

श्री शिंदरे (पंजिम) : सभापति जी, अब तक इस विधेयक पर और इसके क्लज पर जो बहस हुई उससे मालूम होता है कि मेरे जैसे आदमी को इस क्लज पर कुछ बोलने को ही नहीं रहा। इसलिए मैं यही कहूंगा यह मंत्री जी से कि मैंने जो संशोधन पेश किया है वह ऐक्सेप्ट कर लें। क्योंकि मैं आज ही पहली दफा देख रहा हूं कि यह मंत्री जी की मनः स्थिति दुविधा में है। वह डिवाइडेड हो गए। क्योंकि मैं देखता हूं कि हमारे यह मंत्री जी हमेशा जो नर को नर कहते हैं और कुंजर को कुंजर कहते हैं लेकिन आज जो भाषण उनका सुना उससे उन की दुविधा वाली मनः स्थिति नहीं रहनी चाहिए। हमें ऐसा यह मंत्री चाहिए जो नर को नर कहे और कुंजर को कुंजर कहे और यही मौका उन्हें आज मिला है।

हम लोग गोआ में क्या करते हैं कि जब हमारी मनः की स्थिति दुविधा में होती है तो लौटरी निकालते हैं और लौटरी में जो कुछ आता है बही करते हैं। तो उन्होंने कबूल किया है कि दोनों ही आर्गुमेंट्स स्ट्रांग हैं, और ऐसा समय जब आता है तो मैं तो ऐसा कहूंगा कि वह

दूसरों की भी आवाज सुनें। हमारे मराठी में कहते हैं कि "पंचमुखी परमेश्वर"।

तो जो अपोजीशन में बैठे हैं सब ने कहा है कि इस क्लाइम में स्पीकर और डिप्टी स्पीकर को भी लाइन ग्राफ सक्सेशन में आना चाहिए। तो पंचमुखी परमेश्वर कहा जाता है। कहा जाता है कि किसी मुख में राम का नाम रहता है। बगल में छुरी भी रहती है लेकिन उस का उल्लेख मैं नहीं करूंगा। लेकिन हम ने देखा है कि सब पार्टी के लोग यही संशोधन को स्पॉट कर रहे हैं। अतः मेरी प्रार्थना है कि मेरे जो संशोधन हैं उन को मान लें।

SHRI K. NARAYANA RAO : just now my hon. friend suggested legislation by lottery. It was very shocking to me to here that...

SHRI S. M. BANERJEE : There is no half-an-hour discussion today. We can sit longer.

MR. CHAIRMAN : The Bill has to go to the Rajya Sabha. It has to be passed today.

SHRI K. NARAYANA RAO : My amendment is that for the words 'the seniormost Judge of the Supreme Court of India', the words 'the eldest of the available retired Chief Justices of India' should be substituted. I shall explain the reason why I have brought forward this amendment. In this Bill, the seniormost Judge of the Supreme Court has been placed as an alternative to the Chief Justice of India, in a situation when the Chief Justice of the Supreme Court is not there. The real difficulty will be while taking oath. I would, in this connection, draw your attention to article 60 of the Constitution. Article 60 says :

"Every President and every person acting as President or discharging the functions of the President shall, before entering upon his office, make and subscribe in the presence of the Chief Justice of India, or, in his absence, the seniormost Judge of the

Supreme Court available, an oath or affirmation..."

Virtually, the wording in this particular provision has been bodily lifted from article 60. For instance, in a contingency as anticipated by this particular provision, the seniormost Judge of the Supreme Court has to discharge the functions of the President. Under article 60, he is expected to take the oath before the seniormost Judge of the Supreme Court. This is the difficulty. It will be very difficult to get out of such a situation. Therefore, in order to get over this particular predicament, I have suggested this amendment.

SHRI SAMAR GUHA : I do not usually take interest in legal matters and nor do I have the acumen for it. But on going through the Bill, and also the Constitution I felt a little interested. It appears to me that this Bill has been hurriedly drafted and also hastily thought out. By using a little bit of my common-sense, I find that if this Bill is enacted, if and any intelligent citizen of India challenge the Act in the Supreme Court it will be scuttled. (*Interruption*)

SHRI NARENDRA KUMAR SALVE : What will happen if a knowledgeable person challenges it ?

SHRI SAMAR GUHA : It will be scuttled.

At the time of introduction of the Bill, I tried to point out this. The Home Minister tried to interpret the contingency as has been provided in article 70 of our Constitution. In article 70, it is clearly stated :

"Parliament may make such provision as it thinks fit for the discharge of the functions of the President in any contingency not provided for in this Chapter."

About discharge of the functions of the President, it has been very clearly enunciated under what circumstances the functions of the President will be discharged. Only in the case of casual vacancy, the functions will be discharged by the Vice President. Therefore,

[Shri Samar Guha]

if this Bill is enacted, It will, I should say, the *ultra vires* of the provisions of our Constitution. Only this Bill could be brought before the House in the form of a Constitutional amendment Bill. The Home Minister said why the words 'discharge the functions' have been used in different clauses. Because in the Constitution It was not visualised that the offices of President and Vice-President would fall vacant simultaneously, what will happen? The Home Minister tried to interpret that contingency but, Sir, I have already stated that even that contingency cannot be interpreted according to Art. 70. Only I repeat that it would be interpreted if it could be brought out in the form of a constitutional amendment Bill. The founding fathers of our Constitution were eminent men, wise men and many of them were great men too. They really could not visualise that such a situation may arise when the offices of the President and Vice President may both fall vacant simultaneously. The Home Minister also has said that the incumbent would be just temporary. But, Sir, It may so happen that nobody can visualise unforeseen circumstances. It may so happen due to certain accidental coincidence that the President the Vice President and the Chief Justice.

MR. CHAIRMAN : Please be brief.

SHRI SAMAR GUHA : It may so happen that due to certain unforeseen circumstances a tragic incident takes place and all these three dignitaries holding the high office in our country may lose their life. In that situation all the three offices will fall vacant simultaneously. What will happen? That has not also been taken into consideration.

I am coming to the last point. The Home Minister said that when there is no President, any person who will be holding the office of the President temporarily will not act as President but will discharge the functions of the President. But the Constitution categorically says in what circumstances a person holding the office of President will discharge his functions. That is in the event of casual vacancy only, i.e. in the case of illness or in the case of absence. But Art. 61 (1) categorically mentions that in the case of removal, death or resignation when the office of the President falls

vacant, the Vice-President shall act as President. Even the Speaker or the Chief Justice of India can hold the office of the President for a temporary period. But in what circumstances? That is due to illness, or due to death or resignation or removal of the President or Vice-President that office has fallen vacant. If the words 'discharge of the functions' are used, then, I should say, it will not fulfil the conditions that have been laid down in Article 65 (1) and (2). So, wherever the words 'discharge of the functions' are there, I have given my amendment to substitute it as to 'act as President.'

SHRI Y. B. CHAVAN : Most of the arguments have been repeated. Only one point I would like to make. One was the suggestion enabling the Speaker to discharge to functions of the President. The other suggestion was for selecting some eminent social worker, of national status. I think the hon. Member has completely misunderstood the purpose of this amendment. Suppose we accept this amendment, who makes the choice of that eminent social worker?

SHRI NATH PAI : Don't deliberately confuse. Deal with one by one and first please take the Speaker. Please deal with the Speaker first.

SHRI Y. B. CHAVAN : He has made a very eloquent argument. A man of integrity, a man who has dedicated his life for the service of humanity, so on and so forth, have been mentioned. These are good qualities or qualifications for persons to be eligible for being considered as President, and nobody has barred it.

Therefore, I accept all his arguments, except his amendment.

As far as the other suggestions for Mr. Goyal are concerned, it was really a very interesting journey through all the countries of the world and he has tried to understand the Constitution of the world expect India's perhaps. Really speaking, all those Constitutions are speaking in terms of successors to the President. We are not trying to specify successors to the President. We are trying to make an arrangement.....

SHRI SHRI CHAND GOYAL : In most of those cases also it was successor of the Vice-President. Not of the President.

SHRI Y. B. CHAVAN : I thought you have understood all the constitutions of all the countries. I must now dispute that proposition, even. Coming back to the same points of Speaker I need not repeat but I would like to refer to the point made by Shri Shinkre. I am not in two minds. I tried to see the good points of your arguments. I made up my mind. At the same time I see the validity of the argument made by you. At the same time I am trying to explain the validity of my approach.

MR. CHAIRMAN : I will put all the amendments to the vote of the House. There are 3 amendments of Shri Nath Pai. Which do you want to press ?

SHRI NATH PAI : I have arguments for providing a perfect line of succession, which he has unfortunately rejected. If you proceed with the arguments, we will have to take them up in the same order. We were on Clause (3). I have got 3 amendments on Clause (3).

MR. CHAIRMAN : Which amendment would you like to press for Division ?

SHRI NATH PAI : Let me see later on. I have amendment No. 2 also.

MR. CHAIRMAN : Then I will put all the other amendments to vote.

SHRI SHRI CHAND GOYAL : We want you to put our amendments also. (Interruptions).

SHRI NATH PAI : I beg your pardon. I want to make it clear. I don't want to make speeches. They are on different context and giving different meanings.

17.50 hrs.

[MR. DEPUTY SPEAKER in the Chair]

MR. DEPUTY SPEAKER : The question is :

"Page 1, lines 10 to 12,

for "the Chief Justice of India or, in his absence, the seniormost Judge

for the Supreme Court of India available shall discharge the functions of"

substitute—

"(1) the Speaker of Lok Sabha.

(2) The Deputy Speaker of Lok Sabha.

(3) The Deputy Chairman of Rajya Sabha.

in that order shall act as" (1)

The Lok Sabha divided

Division No. 27] AYES [17.55 hrs.

Ahmed Shri J.
Atam Das, Shri
Banerjee, Shri S. M.
Barua, Shri Hem
Bharti, Shri Maharaj Singh
Brij Bhushan Lal, Shri
Chakrapani, Shri C. K.
Dwivedy, Shri Surendranath
Fernandes, Shri George
Goel, Shri Shri Chand
Guha, Shri Samar
Gupta, Shri Kanwar Lal
Jha, Shri Bhogendra
Jha, Shri S. C.
Joshi, Shri S. M.
Kalita Shri Dhireswar
Kameshwar Singh, Shri
Kandappan, Shri S.
Khan, Shri Ghayoor Ali
Kiruttinan, Shri
Kundu, Shri S.
Kushwah, Shri Y. S.
Lakkappa, Shri K.
Madhukar, Shri K. M.
Menon, Shri Vishwanatha
Misra, Shri Srinibas
Molahu Prasad, Shri
Nair, Shri Vasudevan
Nath Pai, Shri
Nihal Singh, Shri
Paswan, Shri Kedar
Patil, Shri N. R.
Samanta, Shri S. C.
Sharda Nand, Shri
Sharma, Shri Yogendra

Shastri, Shri Seopujan
Sivasankaran, Shri
Sondhi, Shri M. L.
Subravelu, Shri
Thakur, Shri Gunanand
Viswanatham, Shri Tenneti

NOES

Ahirwar, Shri Nathu Ram
Aga, Shri Ahmad
Ahmed, Shri F. A.
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Basumatari, Shri D.
Baswant, Shri
Bhagat, Shri B. R.
Bhandare, Shri R. D.
Bhanu Prakash Singh, Shri
Bhargava, Shri B. N.
Bhola Nath, Shri
Chanda, Shrimati Jyotsna
Chandrika Prasad, Shri
Chaturvadi, Shri R. L.
Chaudhary, Shri Nitiraj Singh
Chavan, Shri D. R.
Chavan, Shri Y. B.
Choudhary, Shri Valmiki
Choudhary, Shri J. K.
Dalbir Singh, Shri
Damani, Shri S. R.
Dar, Shri Abdul Ghani
Das, Shri N. T.
Dasappa, Shri Tulsidas
Dass, Shri C.
Desai, Shri Morarji
Deshmukh, Shri B. D.
Deshmukh, Shri Shivajirao S.
Dhillon, Shri G. S.
Dinesh Singh, Shri
Dixit, Shri G. C.
Gandhi, Shrimati Indira
Ganesh, Shri K. R.
Ghosh, Shri Bimalkanti
Ghosh, Shri P. K.
Girja Kumari, Shrimati
Gudadiumi, Shri B. K.
Gapta, Shri Lakhna Lal
Heerji Bhai, Shri
Hem Raj, Shri
Himatsingka, Shri
Jadhav, Shri Tulsidas
Jadhav, Shri V. N.
Jagjiwan Ram, Shri
Jamir, Shri S. C.

Kahandole, Shri Z. M.
Kamble, Shri
Kamla Kumari, Shrimati
Karan Singh, Dr.
Kasture, Shri A. S.
Katham, Shri B. N.
Kedaria, Shri C. M.
Kesri, Shri Sitaram
Khanna, Shri P. K.
Kinder Lal, Shri
Krishnan, Shri G. Y.
Kurjel, Shri B. N.
Lalit Sen, Shri
Laxmi Bai, Shrimati
Lutfal Haque, Shri
Mahadeva Prasad, Dr.
Maharaj Singh, Shri
Malhotra, Shri Inderjit
Mandal, Dr. P.
Marandi, Shri
Masuriya Din, Shri
Mehta, Shri P. M.
Melkote, Dr.
Menon, Shri Govinda
Minimata, Shrimati Agam Dass Guru
Mirza, Shri Bakar Ali
Mishra, Shri Bibhuti
Mohsin, Shri
Mondal, Shri J. K.
Mritunjay Prasad, Shri
Mudrika Singh, Shri
Murti, Shri M. S.
Nageshwar, Shri
Naghnoor, Shri M. N.
Nahata, Shri Amrit
Naidu, Shri Chengalraya
Oraon, Shri Kartik
Pahadia, Shri
Palchoudhary, Shrimati Ila
Pandey, Shri K. N.
Pandey, Shri Vishwa Nath
Panigrahi, Shri Chintamani
Pant, Shri K. C.
Paokai Haokip, Shri
Parmar, Shri Bhaljibhai
Partap Singh, Shri
Parthasarathy, Shri
Patel, Shri Manubhai
Patel, Shri N. N.
Patil, Shri A. V.
Patil, Shri C. A.
Patil, Shri Deorao
Patil, Shri S. B.
Patil, Shri S. D.
Patil, Shri T. A.
Poonacha, Shri C. M.
Pramanik, Shri J. N.

Prasad, Shri Y. A.
 Qureshi, Shri Shaffi
 Radhabai, Shrimati B.
 Raghu Ramaiah, Shri
 Raj Deo Singh, Shri
 Rajani Gandha, Kumari
 Rajasekharan, Shri
 Raju, Shri D. B.
 Ram Dhan, Shri
 Ram Dhani Das, Shri
 Ram Sewak, Shri
 Ram Swarup, Shri
 Rana, Shri M. B.
 Roa, Shri K. Narayana
 Rao, Shri Muthyal
 Rao, Shri J. Ramapathi
 Rao, Shri Thirumala
 Raut, Shri Bhola
 Reddy, Shri Ganga
 Reddy, Shri M. N.
 Rohatgi, Shrimati Sushila
 Roy, Shri Bishawananth
 Roy, Shri mati Uma
 Sadhu Ram, Shri
 Saigal, Shri A. S.
 Saleem, Shri M. Y.
 Sambasivam, Shri
 Sanjit Rupji, Shri
 Sankata Prasad, Dr.
 Sapre, Shrimati Tara
 Sarma, Shri A. T.
 Sayeed, Shri P. M.
 Sayyad Ali, Shri
 Sen, Shri Dwaipayam
 Sen, Shri P. G.
 Sethuramae, Shri N.
 Shah, Shrimati Jayaben
 Shambhu Nath, Shri
 Shankranand, Shri
 Sharma, Shri M. R.
 Sharma, Shri Neval Kishore
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Sher Singh, Shri
 Shinde, Shri Annasahib
 Shiv Chindika Prasad, Shri
 Shukla, Shri S. N.
 Siddayya, Shri
 Siddheshwar Prasad, Shri
 Solanki, Shri S. M.
 Sonavane, Shri
 Supakar, Shri Sradhakar
 Sursingh, Shri
 Swaran Singh, Shri

Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Venkatasubbaiah, Shri P.
 Verma Shri Prem Chand
 Virbhadr Singh, Shri
 Vyas, Shri Ramesh Chandra
 Yadav, Shri Chandra Jeet

SHRI SRINIBAS MISRA : The whole thing is wrong.....

MR. DEPUTY-SPEAKER : Why ?

SHRI SRINIBAS MISRA : Because, more than half the House is not here.

MR. DEPUTY-SPEAKER : This is not a Constitutional amendment.

SHRI SRINIBAS MISRA : It is Constitutional amendment—nothing more, nothing less.....

MR. DEPUTY-SPEAKER : How can that be.....

SHRI SURENDRANATH DWIVEDY (Kendrapara) : You must hear him. He is raising a Point of Order.

MR. DEPUTY-SPEAKER : During the process of voting, no Point of Order could be raised.

SHRI SURENDRANATH DWIVEDY : Only announcement of the result remains, there is no process of voting.

SHRI NATH PAI : Election Commission has shown us that the results can be withheld.

MR. DEPUTY-SPEAKER : If it is an ordinary law, there is no question.

SHRI SURENDRANATH DWIVEDY : He is going to point out to you...

MR. DEPUTY-SPEAKER : The result* of the division is : *Ayes* : 41; *Noes* : 164. The 'Noes' have it, the 'Noes' have it. The amendment is lost.

*The following Members also recorded their votes.

AYES : Shri Gulam Mohammad Bakshi.

NOES : Sarvashri Randhir Singh, B. R. Kavade, and N. K. P. Salve.

The motion was negatived.

SHRI NATH PAI : Withold the results.

SHRI SRINIBAS MISRA : I am raising a point of order under rule 155.

MR. DEPUTY-SPEAKER : Which is that rule ?

SHRI SRINIBAS MISRA : Rule 155.

SHRI S. M. BANERJEE : Rule 155; tempering with ballot boxes.

SHRI SRINIBAS MISRA : What is being sought to be done in this Bill is really a constitutional amendment, which is sought to be brought under article 70. It has been made clear to you that article 65 (1) and (2) envisages two different functions; one is acting as President in the case of a vacancy and the other is discharging the functions of the President, in case of inability of the President. These two distinctions have been made clear throughout the Constitution. When there is a vacancy somebody would act. Our Constitution envisages only these two cases. When there is temporary inability then someone discharges the functions of the President. In this Bill, the question of acting is there. Clause 3 of the Bill says 'While he is acting'. That means that the Bill provides for acting, and, therefore, it is a constitutional amendment, whatever you may write on it. If it amends the constitution or does anything to the Constitution then it is a constitutional amendment, and it has been defined like that. It cannot become an ordinary law. Supposing you amend the Constitution without saying that it is a constitutional amendment, will you hold that it is not a constitution amendment Bill ?

SHRI TENNETI VISWANATHAM (Vishkapatnam) : There is another point also. This can be done only by an amendment of the Constitution. To circumvent that they have introduced the Bill, instead of introducing a constitution amendment Bill, for fear of not getting the required majority. Therefore, it amounts to a constitutional amendment.

MR. DEPUTY-SPEAKER : Fear of not getting the required majority is no argument for it.

SHRI NATH PAI : Why not adopt the constitution amendment Bill moved by me ?

MR. DEPUTY-SPEAKER : That is a different matter. When this point was argued and a nice distinction was pointed out by Shri Nath Pai, even then he did not plead that this was a constitution amendment Bill. I was here when he was speaking, and though he had argued and brought out the distinction between the articles of the Constitution and the phrases used therein namely 'acting' and 'discharging the functions', he had never questioned this and said that this amounted to an amendment of the Constitution. That is what I understand if I have followed him correctly.

SHRI NATH PAI : I did say that it was a *khichdi*.

MR. DEPUTY-SPEAKER : But this point he never mentioned. I was here when he was speaking.

SHRI NATH PAI : I said that it was a *khichdi*.

MR. DEPUTY-SPEAKER : Whether it is *khichdi* or whatever else it may be, that is a different matter altogether.

He had never argued this point earlier. The argument that it is a constitutional amendment, and the further argument raised by Shri Tenneti Viswanatham that for fear of getting the required majority they have introduced this as an ordinary Bill are no arguments now. Therefore, I over rule it. Now, we shall go on to the next amendment.

SHRI S. KUNDU : I suggest that the Attorney-General may be called to the House to explain whether it is a constitution amendment Bill or not.

SHRI HEM BARUA : When you have not announced the result, how can you pass on to the next amendment ?

MR. DEPUTY-SPEAKER : There are about 32 amendments I would like to know which of them are going to be pressed for division.

SHRI S. M. BANERJEE : On a point of order. When you were announcing the result, you only said 'The 'Noes' have it', the 'Noes' have it, but you did not announce the result. What was the result ?

MR. DEPUTY-SPEAKER : It is lost. That is all.

SHRI S. M. BANERJEE : By the time you announced the result, Shri Srinibas Misra had raised a point of order.

MR. DEPUTY-SPEAKER : I appreciate his sense of humour, but not at this hour.

SHRI S. M. BANERJEE : But you had announced the result.

MR. DEPUTY-SPEAKER : I had announced it.

18 hrs

MR. DEPUTY-SPEAKER : Which amendments to be put to vote by division ?

SHRI NATH PAI : 2.

SHRI SHRI CHAND GOYAL : 4.

MR. DEPUTY-SPEAKER : I shall now put amendment No. 2 to clause 3 to the vote of the House.

Amendment No. 2 was put and negatived.

MR. DEPUTY-SPEAKER : The question is :

"Page 1, line 10,—

after "otherwise", insert—

"The Speaker of the Lok Sabha or, in his absence,"(4)

The Lok Sabha divided :

Division No. 28] AYES [18.05 hrs.

Ahmed, Shri J.
Atam Das, Shri
Banerjee, Shri S.M.
Barua, Shri Hem
Brij Bhushan Lal, Shri
Chakrapani, Shri C. K.
Dwivedy, Shri Surendranath
Goel, Shri Shri Chand
Guha, Shri Samar
Gupta Shri Kanwar Lal
Janardhanan, Shri C.
Jha, Shri Bhogendra
Joshi, Shri S. M.
Kameshwar Singh, Shri
Kandappan, Shri S.
Khan, Shri Ghayoor Ali
Kirutinan, Shri
Kushwah, Shri Y. S.
Lakkappa, Shri K.
Madhukar, Shri K. M.
Menon, Shri Vishwanatha
Misra, Shri Srinibas
Molahu Prasad, Shri
Nair, Shri Vasudevan
Nath Pai, Shri
Nihal Singh, Shri
Patil, Shri N. R.
Sayeed, Shri P.M.
Sharda Nand, Shri
Sharma, Shri Yogendra
Shastri, Shri Sheopujan
Sivasankaran, Shri
Sondhi, Shri M. L.
Subravelu, Shri
Viswanatham, Shri Teaneti
NOES

Ahirwar, Shri Nathu Ram
Aga, Shri Ahmad
Ahmed, Shri F. A.
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Basumatary Shri D.
Baswant, Shri
Bhagat, Shri B. R.
Bhandare, Shri R. D.
Bhanu Prakash Singh, Shri
Bhargava Shri B. N.
Bhola Nath Shri
Chanda, Shrimati Jyotsna
Chandrika Prasad, Shri
Chaturvedi, Shri R. L.
Chaudhary, Shri Nitiraj Singh
Chavan, Shri D. R.

- Chavan, Shri Y. B.
 Choudhary Shri Valmiki
 Choudhury, Shri J. K.
 Dalbir Singh, Shri
 Damani, Shri S. R.
 Dass, Shri N.T.
 Dassapa, Shri Tulsidas
 Dass, Shri C.
 Desai, Shri Morarji
 Deshmukh, Shri B.D.
 Deshmukh, Shri Shivajirao S.
 Dhillon, Shri G. S.
 Dinesh Singh, Shri
 Dixit, Shri G. C.
 Gandhi, Shrimati Indira
 Ganesh, Shri K. R.
 Ghosh, Shri Bimalkanti
 Ghosh, Shri P. K.
 Girja Kumari, Shrimati
 Gupta, Shri Lakhna Lal
 Gupta, Shri Ram Kishan
 Hari Krishna, Shri
 Heerji Bhai, Shri
 Hem Raj, Shri
 Himatsingka, Shri
 Jadhav, Shri Tulsidas
 Jadhav, Shri V. N.
 Jagjiwan Ram, Shri
 Jamir, Shri S. C.
 Kahandole, Shri Z. M.
 Kamble, Shri
 Kamla Kumari, Shrimati
 Karan Singh, Dr.
 Kature, Shri A. S.
 Katham, Shri B. N.
 Kavade, Shri B. R.
 Kedaria, Shri C. M.
 Kesri, Shri Sitaram
 Khanna, Shri P. K.
 Krishnan, Shri G. Y.
 Kureel, Shri B. N.
 Lakshmikanthamma, Shrimati
 Lalit Sen, Shri
 Laskar, Shri N. R.
 Lutfal Haque, Shri
 Mahadeva Prasad, Dr.
 Maharaj Singh, Shri
 Mandal, Dr. P.
 Marandi Shri
 Masuria Din, Shri
 Mehta, Shri P. M.
 Melkote, Dr.
 Menon, Shri Govinda
 Minimata, Shrimati Agam Dass Guru
 Mirza, Shri Bakar Ali
 Mishra, Shri Bibhuti
 Mohsin, Shri
 Mondal, Shri J. K.
 Mrityunjay Prasad, Shri
 Mudrika Singh, Shri
 Murti, Shri M. S.
 Nageshwar, Shri
 Naghnoor, Shri M. N.
 Nahata, Shri Amrit
 Naidu, Shri Chengalraya
 Oraon, Shri Kartik
 Pahadia, Shri
 Palchoudhuri, Shrimati Ila
 Pandey, Shri K. N.
 Pandey, Shri Vishwa Nath
 Panigrahi, Shri Chintamani
 Pant Shri K. C.
 Paokai Haokip, Shri
 Parmar, Shri Bhaljibhai
 Partap Singh, Shri
 Parthasarathy, Shri
 Patel, Shri Manubhai
 Patel, Shri N. N.
 Patil, Shri A. V.
 Patil, Shri C. A.
 Patil, Shri Deorao
 Patil, Shri S. B.
 Patil, Shri S. D.
 Patil, Shri T. A.
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Prasad, Shri Y. A.
 Qureshi, Shri Shaffi
 Radhabai, Shrimati B.
 Raghu Ramalab, Shri
 Raj Deo Singh, Shri
 Rajani Gandha, Kumari
 Rajasekharan, Shri
 Raju, Shri D. B.
 Ram Dhan, Shri
 Ram Dhani Das, Shri
 Ram Sewak, Shri
 Ram Swarup, Shri
 Rana, Shri M. B.
 Randhir Singh, Shri
 Rao, Dr. K. L.
 Rao, Shri K. Narayana
 Rao, Shri Muthyal
 Rao, Shri J. Ramapathi
 Rao, Shri Thirumala
 Raut, Shri Bhola
 Reddy, Shri Ganga
 Rohatgi, Shrimati Sushila
 Roy, Shri Biswanath.
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Salgal Shri A. S.
 Saleem, Shri M. Y.
 Salve, Shri N. K. P.

Sambasivam, Shri
 Sanjit Rupji, Shri
 Sankata Prasad, Dr.
 Sapre, Shrimati Tara
 Sama, Shri A. T.
 Savitri Shyam, Shrimati
 Sayyad Ali, Shri
 Sen, Shri Dwaipayan
 Sen, Shri P. G.
 Sethuram, Shri N.
 Shah, Shrimati Jayaben
 Shambhu Nath, Shri
 Shankaranand, Shri
 Sharma, Shri M. R.
 Shastri, Shri B. N.
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Sher Singh, Shri
 Shinde, Shri Annasahib
 Shiv Chandika Prasad, Shri
 Shukla, Shri S. N.
 Siddayya, Shri
 Siddeshwar Prasad, Shri
 Solanki, Shri S. M.
 Sonavane, Shri
 Swaran Singh, Shri
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Venkatasubbaiah, Shri P.
 Verma, Shri Prem Chand
 Virbhadr Singh, Shri
 Vyas, Shri Ramesh Chandra
 Yadav, Shri Chandra Jeet

MR. DEPUTY-SPEAKER : The result* of the division is : Ayes 35 ; Noes 165.

The motion was negatived.

SHRI SHIV CHANDRA JHA : I seek leave of the House to withdraw my amendment No. 15.

The amendment No. 15 was, by leave, withdrawn

MR. DEPUTY-SPEAKER : I shall now put all the other amendments to clause 3 to vote.

Amendments Nos. 3, 6, 7, 10, 12, 13, 14, 16, 19, 21, 25, 28, 30, 32, 36, 39 to 41 and 43 to 52 were put on negatived.

MR. DEPUTY-SPEAKER : Now I shall put clause 3 to vote.

SHRI NATH PAI : We want voting on that clause ; it is a crucial clause.

SHRI S. M. BANERJEE : Many hon. Members are outside.

MR. DEPUTY SPEAKER : Then, let the Lobbies be cleared. The question is :

"That clause 3 stand part of the Bill"

The Lok Sabha Divided :

Division No. 29] AYES [18.10 hrs.

Ahlrwar, Shri Nathu Ram
 Aga, Shri Ahmad
 Ahmed, Shri F. A.
 Azad, Shri Bhagwat Jha
 Bobunath Singh, Shri
 Basumatary, Shri D.
 Bhagat, Shri B. R.
 Bhandare, Shri R. D.
 Bhanu Prakash Singh, Shri
 Bhargava, Shri B. N.
 Bhola Nath Shri
 Chanda Shrimati Jyotsna
 Chandrika Prasad, Shri
 Chaturvedi, Shri R. L.
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri D. R.
 Chavan, Shri Y. B.
 Chaudhary, Shri Valmiki
 Chaudhury, Shri J. K.
 Dalbir Singh, Shri
 Damani, Shri S. R.
 Dass, Shri N. T.
 Dasappa, Shri Tulsidas
 Dass, Shri C.
 Desai, Shri Morarji
 Deshmukh, Shri B. D.

*The following Members also recorded their votes :—

AYES : Sarvashri Gunanand Thakur and Kedar Paswan ;

NOES : Shri Kinder Lal

Deshmukh, Shri Shivajirao S.
 Dhillon, Shri G. S.
 Dinesh Singh, Shri
 Dixit, Shri G. C.
 Gandhi, Shrimati Indira
 Ganesh, Shri K. R.
 Ghosh, Shri Bimalkanti
 Ghosh, Shri P. K.
 Girja Kumari, Shrimati
 Gudadinnal, Shri B. K.
 Gupta, Shri Lakhman Lal
 Gupta, Shri Ram Kishan
 Hari Krishan, Shri
 Heerji Bhai, Shri
 Hem Raj, Shri
 Himatsingka, Shri
 Jadhav, Shri Tulshidas
 Jadhav, Shri V. N.
 Jagjiwan Ram, Shri
 Jamir, Shri S. C.
 Kahandole, Shri Z. M.
 Kamble, Shri
 Kamala Kumari, Shrimati
 Karan Singh, Dr.
 Kasture Shri A. S.
 Katham, Shri B. N.
 Kavade, Shri B. R.
 Kedaria, Shri C. M.
 Kesri, Shri Sitaram
 Khanna Shri P. K.
 Kinder Lal, Shri
 Krishnan Shri G. Y.
 Kureel, Shri B. N.
 Lakshmikanthamma, Shrimati
 Lalit Sen, Shri
 Laskar, Shri N. R.
 Laxmi Bai, Shrimati
 Lutfal Haque, Shri
 Mahadeva Prasad, Dr.
 Maharaj Singh, Shri
 Mandal Dr. P.
 Marandi, Shri
 Masuria Din, Shri
 Mehta, Shri P. M.
 Melkote, Dr.
 Menon, Shri Govinda
 Minimata, Shrimati Agam Dass Guru
 Mirza, Shri Bakar Ali
 Mishra, Shri Bibhuti
 Mohsin, Shri
 Mondal, Shri J. M.
 Mrityunjay Prasad, Shri
 Mudrika Singh, Shri
 Murti, Shri M. S.
 Nageshwar, Shri
 Naghnoor, Shri M. N.
 Nabata, Shri Amrit

Naidu, Shri Chengafraya
 Oraon, Shri Kartik
 Pahadia, Shri
 Pal Choudhuri, Shrimati Ita
 Pandey, Shri K. N.
 Pandey, Shri Vishwa Nath
 Panigrahi, Shri Chintamani
 Pant, Shri K. C.
 Paokai Haokip, Shri
 Parmar, Shri Bhaljibhai
 Partap Singh, Shri
 Parthasarathy, Shri
 Patel, Shri Manubhai
 Patel, Shri N. N.
 Patil, Shri A. V.
 Patil, Shri C. A.
 Patil, Shri Deorao
 Patil, Shri S. B.
 Patil, Shri S. D.
 Patil Shri T. A.
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Prasad, Shri Y. A.
 Qureshi, Shri Shaffi
 Radhabai, Shrimati B.
 Raghu Ramajiah, Shri
 Raj Deo Singh, Shri
 Rajani Gandha, Kumari
 Rajasekharan, Shri
 Raju Shri D. B.
 Ram Dhan, Shri
 Ram Dhani Das, Shri
 Ram Sewak, Shri
 Ram Swarup, Shri
 Ramshekhar Prasad Singh, Shri
 Rana, Shri M. B.
 Randhir Singh, Shri
 Rao, Dr. K. L.
 Rao, Shri K. Narayana
 Rao, Shri Muthyal
 Rao, Shri J. Ramapathi
 Rao, Shri Thirumala
 Raut, Shri Bhola
 Reddy, Shri Ganga
 Rohatgi, Shrimati Sushila
 Roy, Shri Bishwaaath
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saigal, Shri A. S.
 Saleem, Shri M. Y.
 Salve, Shri N. K. P.
 Sambasivam, Shri
 Sanjit Rupji, Shri
 Sankata Prasad, Dr.
 Sapra, Shrimati Tara
 Sarma, Shri A. T.
 Sayeed, Shri P. M.

Sayyad Ali, Shri
 Sen, Shri Dwaipayana
 Sen Shri P. G.
 Sethuramae, Shri N.
 Shah, Shrimati Jayaben
 Shambhu Nath, Shri
 Shankaranand, Shri
 Sharma, Shri M. R.
 Shastri, Shri B. N.
 Sheo Narain, Shri
 Sher Singh, Shri
 Shinde, Shri Annasahib
 Shiv Chandika Prasad, Shri
 Shukla, Shri S. N.
 Siddayya, Shri
 Siddeshwar Prasad, Shri
 Solanki, Shri S. M.
 Sonavane, Shri
 Sursingh, Shri
 Swaran Singh, Shri
 Tiwary, Shri K. N.
 Venkatasubbaiah, Shri P.
 Verma, Shri Balgovind
 Verma Shri Prem Chand
 Virbhadra Singh, Shri
 Vyas, Shri Ramesh Chandra
 Yadav, Shri Chandra Jeet

Kandappan, Shri S.
 Khan Shri Ghayoor Ali
 Kirutinan, Shri
 Kundu, Shri S.
 Kushwah, Shri Y. S.
 Lakkappa, Shri K.
 Madhukar, Shri K. M.
 Menon, Shri Vishwanatha
 Misra, Shri Srinibas
 Molahu Prasad, Shri
 Nair, Shri Vasudevan
 Nath Pai, Shri
 Nihal Singh, Shri
 Paswan, Shri Kedar
 Patil, Shri N. R.
 Sen, Dr. Ranen
 Sharda Nand, Shri
 Sharma, Shri Yogendra
 *Shastri, Shri Ramanand
 Shastri, Shri Sheopujan
 Sivasankaran, Shri
 Sondhi, Shri M. L.
 Subravelu, Shri
 Thakur, Shri Gunanand
 *Tiwary Shri D. N.
 Viswanatham, Shri Tenneti

NOES

Ahmed, Shri J.
 Atam Das, Shri
 Bakshi, Shri Ghulam Mohammad
 Banerjee, Shri S. M.
 Barua, Shri Hem
 Baswant, Shri
 Bharti, Shri Maharaj Singh
 Brij Bhushan Lal, Shri
 Chakrapani, Shri C. K.
 Dwivedy, Shri Surendranath
 Fernandes, Shri George
 Goyal, Shri Shri Chand
 Guba, Shri Samar
 Jha, Shri Bhogendra
 Joshi, Shri S. M.
 Kalita, Shri Dhireswar
 Kameshwar Singh, Shri

MR. DEPUTY-SPEAKER : The result**
 of the division is :

Ayes : 167 ; Noes 143.

The motion was adopted.
 Clause 3 was add to the Bill.

SHRI SHRINIBAS MISRA : I raise the
 same objection.

MR. DEPUTY-SPEAKER : Is Prof.
 Samar Guha moving his amendment to
 clause 1 ?—No. I shall put then clause 1,
 the Enacting Formula and the Long Title
 to the vote of the House.

SHRI NATH PAI : Sir, when was
 clause 4 put to the vote ? This is a great
 impropriety.

*Wrongly voted for 'NOES'

**The following Members also recorded their votes ; AYES : Sarvashri D. N. Tiwary
 and Ramanand Sastri.

NOES : Shri Shiv Chandra Jha.

MR. DEPUTY-SPEAKER : Where is clause 4 ? You are misleading. There is no clause 4. It is only sub-clause (4) of clause 3. Now, the question is :

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI Y. B. CHAVAN : Sir, I move :

"That the Bill be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the B'll be passed"

Those for the motion will say "Aye."

SOME HON. MEMBERS : Aye.

MR. DEPUTY-SPEAKER : Those against the motion will say "No".

SOME HON. MEMBERS : No. (*Inter-
ruption*).

SHRI NATH PAI : What is this, Sir ? We have got to speak on the third reading.

SHRI SURENDRANATH DWIVEDI : What about the third reading ? Victory is theirs, but glory is ours.

SHRI NATH PAI : He has made the motion that the Bill be passed. But the House has got every right and opportunity to speak on the third reading. I want to Huse my right.

SHRI TENNETI VISWANATHAM
rose—

MR. DEPUTY-SPEAKER : All right. Mr. Viswanatham will speak on behalf of all.

SHRI TENNETI VISWANATHAM : I shall speak on behalf of myself. Sir, my

first point is that if this Bill is passed, it will be *ultra vires* of the Constitution, because article 70 has made a distinction. It says, "Parliament may make such provision as it thinks fit ..." There is a distinction between this and "provide by law". Some articles have been already pointed out to you. Similarly, there are other articles like 247, 262, 312, 315 and 343 and so on. Wherever the Constitution has given the power to Parliament to provide by law, it is specifically stated so. Therefore, by the law of exclusion, by what is called *Parise-shak Nyaya* in Sanskrit,—since article 70 does not provide for making law by Parliament—article 70 does not authorise the Parliament to make any law under that provision in the regular legislative process.

The second point is, you are trying to create a constitutional authority. You cannot do it by legislative process. You can do it only by the constitutional process, that is to say, you must amend the Constitution. You cannot create a constitutional authority by resorting to this device simply because you cannot get a majority and you cannot get a regular voting strength. Whether this is deliberate or not, I cannot say, but still, this is a device to which you are resorting. Where the Constitution demands that a constitutional provision should be made and where by the language used in article 70 it excludes the power of making law under that you have taken to this recourse and therefore, this is unconstitutional.

As regards article 70, the Home Minister might say "This is my reading of article 70". I say this is our reading. But the final reading will be of the court. The final interpretation will be that of the court. So, when such a grave Bill is being discussed, I would ask them to see the consequences of doing things in a lighthearted manner. What happens ? Tomorrow, when this contingency happens, and when the Chief Justice is there and he might give his assent to several Bills ; probably under the powers vested in him, and when they become Acts, possibly several people might be put into jails. They will go to the Supreme Court and the whole process will have to be gone through again. Government will have to come before Parliament to make a constitutional amendment. We say, why not do it now ?

There is no hurry. Why do you fear that this contingency will arise today or tomorrow? You can bring a regular Constitution Amendment Bill in the next session.

Then, article 70 says, you can make that provision only when a contingency arises. No contingency has arisen now. It is bad from that point of view also. For possible contingency, article 70 does not provide.

So far as the Chief Justice and Speaker are concerned, we all voted for the Speaker. The Home Minister was good enough to say that both are equal. No; the Speaker is slightly better than the Chief Justice. The objections against the Speaker are fewer in number than the objections against the Chief Justice.

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : You have said it is an unconstitutional Bill. Why go into all this?

SHRI TENNETI VISWANATHAM : I have no doubt it will be declared *ultra vires*. But whether it is the Chief Justice or the Speaker, it must be done only by a Constitution Amendment Bill. We will be with you in that. We have to provide for a contingency, but let us do it in a regular constitutional manner by amending the Constitution. Although several green votes have passed the Bill, still the voice of this House is against the provisions of the Bill.

SHRI SRINIBAS MISRA : Sir, the question to be decided is whether it has to be an amendment of the Constitution or not. For that purpose, kindly refer to article 368, which says :

"An amendment of this Constitution may be initiated only by the introduction of a Bill for the purpose in either House of Parliament, and when the Bill is passed in each House by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting, and it shall be presented to the President..."

It has to be seen whether this really amends the Constitution or not. I have no doubt that this Bill amends the Constitution. Even if article 70 gives the power to this House to pass such a law like this, without conforming to article 368, there is still Rule 155 of the Rules of Procedure which lays down :

"Each clause or schedule or clause or schedule as amended, as the case may be of a Bill seeking to amend the Constitution shall be put to the Vote of the House separately and shall form part of the Bill if it is passed by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting."

Rule 155 has no particular reference to article 368. There are some amendments of the Constitution which come under article 368 and there are others which do not come under that. But rule 155 applies to all amendments of the Constitution. Therefore, all the clauses of this Bill must be passed by a division, by a majority of the total membership and by a majority of not less than two-thirds of the members present and voting. Clause 2 was passed by voice vote and there was no division. Clause 3 was defeated because it was not passed by two-thirds majority nor was it passed by a majority of the total membership.

Article 70 says :

"Parliament may make such provision as it thinks fit for the discharge of the functions...", not for acting.

It has not been argued by the Home Minister that acting and discharging the functions are the same. It was accepted by him that they are different.

MR. DEPUTY-SPEAKER : On this point, I have given my ruling. All this hair-splitting was made by Mr. Nath Pai.

SHRI SRINIBAS MISRA : They are very natural, very valid points. Clause 2 has been passed by a voice vote. Rule 155 has not been followed and article 368 is also not followed. Clause 3 has been passed not

[Shri Srinivas Misra]

by a majority according to article 368 or rule 155. Therefore, the whole Bill cannot be accepted now and cannot be passed.

SHRI TENNETI VISWANATHAM :
The acting President should not give his assent to the Bill.

श्री योगेन्द्र शर्मा (बेगुसराय) : उपाध्यक्ष महोदय, इस बिल पर जो बहस हो रही है, उस को कम किया जा रहा था, उसको दूर किया जा सकता था, यदि यह मंत्री इसके बारे में एक जनतान्त्रिक दृष्टिकोण अस्त्यार करते। जिन माननीय सदस्यों ने इस बिल के सम्बन्ध में अपने विचार प्रकट किए हैं, उनका कहना है कि कुछ विशेष परिस्थितियों के लिए आयोजन नहीं करना चाहिये। हम सब वह आयोजन करना चाहते हैं और इस बारे में दो रायें नहीं हैं। दो रायें इस विषय में हैं कि वह आयोजन किस तरह से करना चाहिए और किस को लेकर करना चाहिए। मंत्री महोदय नामिनेटिड एथारिटी को लेकर करना चाहते हैं। जब कि विरोधी बेंचों से हम, और शासक बेंचों से जिन्होंने अपने विचार व्यक्त किये हैं, उन में से अधिकतर, इलेक्टिड एथारिटी को लेकर यह आयोजन करना चाहते हैं।

यह एक बहुत ही गम्भीर सैद्धान्तिक और महत्वपूर्ण प्रश्न है। इस प्रश्न पर जो विचार प्रकट किए गये हैं, उनकी रोशनी में कोई भी निष्पक्ष व्यक्ति कह सकता है कि कामरेड नाथ पाई की नैतिक विजय हो चुकी है। यदि यह मंत्री एक जनवादी दृष्टिकोण अस्त्यार करते, तो वह कम से कम इस सुझाव को मान लेते कि हम थोड़ी देर बैठ कर इस बारे में कुछ और विचार लें। हम भी चाहते हैं कि उस विशेष परिस्थिति के लिए कोई न कोई इंतजाम किया जाये। मगर वह मुख्य न्यायाधीश को लेकर क्यों हठधर्मी करना चाहते हैं? हमने स्पीकर की बात कही। यदि किसी विशेष कारण से उनको स्पीकर की बात मान्य नहीं है, तो हम कोई

दूसरा विकल्प सोचने के लिए तैयार है। हम आज रात बैठ सकते हैं, कल सुबह बैठ सकते हैं और सब मिल कर एक राय से एक नतीजे पर पहुंच सकते हैं। मंत्री महोदय अपने बहुमत के जरिये से हठधर्मी के द्वारा इस बिल को पास तो करा रहे हैं, लेकिन वह पूरे देश और प्रजातन्त्र को बहुत कठिन परिस्थिति में डाल रहे हैं।

SHRI Y. B. CHAVAN : Sir, I have nothing more to add.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be passed".

The motion was adopted.

SHRI NATH PAI : Sir, the buttons have voted for Shri Chavan's Bill but the minds of all those who are present have voted for us.

18.21 hrs.

MESSAGE FROM RAJYA SABHA

SECRETARY : Sir, I have to report the following messages received from the Secretary of Rajya Sabha :—

- (i) "I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 15th May, 1969, has passed the enclosed motion referring the Architects Bill, 1968, to a Joint Committee of the Houses and to request that the concurrence of the Lok Sabha in the said motion and the names of the Members of the Lok Sabha to be appointed to the said Joint Committee may be communicated to this House.

Motion

"That the Bill to provide for the registration of architects and for purposes connected therewith be

referred to a Joint Committee of the Houses consisting of 45 members; 15 members from this House, namely :—

1. Shri M. Ruthnaswami
2. Shri Prem Manohar
3. Shri Rewati Kant Sinha
4. Shri Narinder Singh Brar
5. Shri U. N. Mahida
6. Shri Mohan Dharia
7. Shrimati Vidyawati Chaturvedi
8. Shri Anand Chand
9. Shri Mudumala Henry Samual
10. Shri Baharul Islam
11. Shri N. Sri Rama Reddy
12. Shri Syed Hussain
13. Shri Sinam Krishna Mohan Singh
14. Shri A. C. Gilbert
15. Shri C. L. Verma

and 30 members from the Lok Sabha ;

that in order to constitute a meeting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee ;

that in other respects, the Rules of Procedure of this House relating to Select Committees shall apply with such variations and modifications as the Chairman may make ;

that the Committee shall make a report to this House by the 29th day of August, 1969 ;

that this House recommends to the Lok Sabha that the Lok Sabha do join in the said Joint Committee and communicate to this House the names of members to be appointed by the Lok Sabha to the Joint Committee." ' .

- (ii) 'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 15th May,

1969, has passed the enclosed motion referring the Hire-purchase Bill, 1968, to a Joint Committee of the Houses and to request that the concurrence of the Lok Sabha in the said motion and the names of the Members of the Lok Sabha to be appointed to the said Joint Committee may be communicated to this House.

"That the Bill to define and regulate the rights and duties of parties to hire-purchase agreements and for matters connected therewith or incidental thereto be referred to a Joint Committee of the Houses consisting of 45 members 15 members from this House, namely :—

1. Shri Suraj Prakash
2. Shri Devi Singh
3. Shri Banka Behary Das
4. Shri M. R. Venkataraman
5. Shri S. A. Khaja Moideen
6. Shri R. T. Parthasarathy
7. Shri Sanda Narayanappa
8. Chaudhary A. Mohammed
9. Shri Sher Khan
10. Shri B. S. Savnekar
11. Shri Bhupinder Singh
12. Shri A. G. Kulkarni
13. Shri B. K. Kaul
14. Shri Jogendra Singh
15. Shri Biren Roy

and 30 members from the Lok Sabha ;

That in order to constitute a meeting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee ;

That in other respects, the Rules of Procedure of this House relating to Select Committees shall apply with such variations and modifications as the Chairman may make ;

that the Committee shall make a report to this House by the 30th day of August, 1969 ; and

[Secretary]

that this House recommends to the Lok Sabha that the Lok Sabha do join in the said Joint Committee and communicate to this House the names of Members to be appointed by the Lok Sabha to the Joint Committee." "

- (iii) 'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 15th May, 1969, has passed the enclosed motion referring the Code of Civil Procedure (Amendment) Bill, 1968, to a Joint Committee of the Houses and to request that the concurrence of the Lok Sabha in the said motion and the names of the Members of the Lok Sabha to be appointed to the said Joint Committee may be communicated to this House.

Motion

"That the Bill further to amend the Code of Civil Procedure, 1908, be referred to a Joint Committee of the Houses consisting of 45 members; 15 members from this House, namely :--

1. Shri Balachandra Menon
2. Dr. B. N. Antani
3. Shri Rattan Lal Jain
4. Shri B. N. Mandal
5. Shri Jagat Narain
6. Shri Syed Ahmed
7. Shri Purnananda Chetia
8. Shri Rizaq Ram
9. Shri V. T. Nagpure
10. Shrimati Seeta Yudhvir
11. Shri Joachim Alva
12. Shrimati Annapurna Devi Thimmareddy
13. Shri T. K. Patel
14. Shri P. C. Mitra
15. Pandit S. S. N. Tankha

and 30 members from the Lok Sabha;

that in order to constitute a meeting of the Joint Committee the quorum shall be one-third of the

total number of members of the Joint Committee;

that in other respects, the Rules of Procedure of this House relating Select Committees shall apply with such variations and modifications as the Chairman may make;

that the Committee shall make a report to this House by the 30th day of August, 1969; and

that this House recommends to the Lok Sabha that the Lok Sabha do join in the said Joint Committee and communicate to this House the names of members to be appointed by the Lok Sabha to Joint Committee." "

- (iv) 'In accordance with the provisions of rule 115 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 15th May, 1969, agreed to the following amendments made by the Lok Sabha at its sitting held on the 7th May, 1969, in the Registration of Births and Deaths Bill, 1968 :-

Enacting Formula

1. Page 1, line 1,—

for "Nineteenth" substitute
"Twentieth"

Clause 1

2. Page 1, line 6,—

for "1968" substitute "1969"

Clause 10

3. Page 6,—

omit lines 8 and 9

4. Page 6, line 10,—

for "(iii)" substitute "(ii)"

5. Page 6, line 13,—

for "(iv)" substitute "(iii)".

18.24 hrs.

STATEMENT RE. ARREST OF DEMONSTRATORS NEAR PARLIAMENT HOUSE

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : Mr. Speaker, Sir, according to information furnished by the Delhi Administration, the All India Youth Federation and All India Students' Federation organised a procession and a rally at the Boat Club lawns, Raj Path, New Delhi, on May 15, 1969, as part of their country-wide campaign against unemployment. After the rally was over, three patches tried to enter the area covered by prohibitory orders under section 144 Cr. P. C. They were requested to disperse by the Magistrates on duty. On their refusal to do so, they were arrested. In all

about 190 persons, including 11 women and 8 minors, were arrested for defiance of prohibitory orders.

I am informed that that there was no lathi charge by the police nor was any demonstrator injured as a result of the action taken by the police in effecting the arrests. Some hon. Members had in the afternoon stated that mounted police was used against the demonstrators. According to information available to me, though the mounted police was present near the parliament Gate at Vijay Chowk, as was usual on such occasions, it was not used against the demonstrators. The arrested persons are today being produced before the magistrate and further action according to the law will be taken.

18.26 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, May 16, 1969 /Vaisakha 26, 1891 (Saka).