

LOK SABHA DEBATES

(Sixth Session)



पार्लियामेंट

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LOK SABHA DEBATES

1

LOK SABHA

Wednesday December 11, 1968¹ Agrahayana
20, 1890 (SAKA)

The Lok Sabha met at Eleven of the Clock,
[MR. DEPUTY SPEAKER in the Chair]

Indian Press Comments on Soviet Intervention in Czechoslovakia

*663. SHRI A. SREEDHARAN : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the U. S. S. R. had invited Government's attention to the adverse comments that had appeared in the Indian Press on the Soviet policies in relation to Czechoslovakia and have sought India's support at the U. N. General Assembly Session on the issue of Russia's military intervention in Czechoslovakia;

(b) if so, the Soviet reaction to the comments in the Indian Press on the question and what specific request had been made about seeking India's support on the question at the General Assembly; and

(c) Government's reaction thereto ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) No, Sir.

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

SHRI A. SREEDHARAN : When it comes to such important questions and when the Government is in a muddle, they always give this stock reply, "No; it does not arise". The Soviet military intervention in Czechoslovakia is not only a political event but also a challenge to the conscience of the mankind...

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : Are we discussing foreign Affairs ?

2

SHRI A. SREEDHARAN : ...and the stand taken by the Government of India on this issue is a dastardly betrayal and abject surrender of the policies pursued by this great country which produced Mahatma Gandhi and Buddha... (Interruptions)

MR. DEPUTY-SPEAKER : He should put his question. This is not a debate...

SHRI S. KANDAPPAN : This is an important question.. (Interruptions)

AN HON. MEMBER : Just a preface.

MR. DEPUTY-SPEAKER : The preface must be relevant to the question.

SHRI A. SREEDHARAN : Government says that no pressure was brought upon the Government by the Soviet Union, but it is clear from the stand taken by this Government on the Czechoslovakia issue in the United Nations that pressure was brought upon India because of our long standing economic dependence on the Soviet Union. Now I would like to ask the Government whether economic pressure was brought on the Government of India to accept that abject neutrality which we pursued in the United Nations and if not, what reasons persuaded India to take such a stand which was detrimental to the interests and prestige of this country.

SHRIMATI INDIRA GANDHI : Sir, the hon. Member is obviously taking this opportunity to express his views on matters which are not relevant to the specific question asked. The question asked was whether the Soviet Union had invited Government's attention to the adverse comments. The answer has been given very clearly, as no. And I have nothing to add to that.

SHRI A. SREEDHARAN : My first question was not answered. My first question does not confine merely to newspaper reports. My question specifically mentions about comments in the Indian Press on the Soviet policies in relation to Czechoslovakia and asks whether USSR have sought India's support at the UN General Assembly Session on the issue of Russia's

military intervention in the Czechoslovakia. Sir, that part of the question has not been answered.

MR. DEPUTY-SPEAKER : It has been said already.

SHRIMATI INDIRA GANDHI : It is in the answer which the Deputy Minister read out.

SHRI A. SREEDHARAN : If the Soviet Union has not sought Indian support in the UN General Assembly, I would like to know this from her, because the Soviet troops are in Czechoslovakia and the suzerainty and sovereignty of that country has been violated. (*Interruption*) I would like to know whether the Government of India could abstain from voting on a vital issue in the UN General Assembly and take a stand which is against the prestige and honour of this country.

SHRIMATI INDIRA GANDHI : If the hon. Member has sat through and listened to the debates and read my statement at the UN, and he still comes to the conclusion to which he has come, I can only be sorry. What he is saying is very far from the truth. We had talks with the Foreign Minister of Czechoslovakia and he does not agree with the hon. Member. (*Interruptions*)

MR. DEPUTY-SPEAKER : Mr. Swell.

SHRI SWELL : At the time of the Soviet military intervention of Czechoslovakia we heard reports of a serious difference of opinion between the Prime Minister Mr. Kosygin and the party chief Mr. Brezhnev, and this morning the *Times of India* carried the news that Mr. Kosygin has resigned or has offered his resignation. I would like to know whether the Government has any information about this and whether the rift has arisen over the attitude of the Soviet Union towards other communist countries, particularly Rumania and Yugoslavia.

MR. DEPUTY-SPEAKER : The first part does not arise out of this question.

SHRIMATI INDIRA GANDHI : We have no information on this matter.

SHRI S. KANDAPPAN : Sir, while making a statement on the situation of Czechoslovakia some months back on the floor of the House, and on which we had a discussion, the Prime Minister had clearly indicated that the army that has intervened in Czechoslovakia and located within the territory of Czechoslovakia should be withdrawn. I would like to know, whether as a friendly nation the Prime Minister has pursued her statement further with Russia and if so, what is the position now ?

SHRIMATI INDIRA GANDHI : The position is known to the hon. Members. Some of the troops have been removed and some are still there. We have made our own view very clear to the Soviet Government as well as to other Governments and I also spoke on this matter at the United Nations.

SHRI CHINTAMANI PANIGRAHI : For Part (a), the answer was emphatically no. May I ask the hon. Prime Minister, should they ask the Soviet Government why they did not invite the attention of the Government of India... (*Interruption*)

MR. DEPUTY-SPEAKER : Please repeat your question.

SHRI CHINTAMANI PANIGRAHI : For Part (a), the answer of the Prime Minister was emphatically no. I ask the hon. Prime Minister, would they ask the Soviet Government why it is that they have not invited the attention of the Government of India. (*Interruption*)

SHRI GEORGE FERNANDES : Why don't you go to Moscow and ask it there ? (*Interruption*)

MR. DEPUTY SPEAKER : Order, order.

श्री रवि राय : आप मास्को जाएँ ।
रूस के साथ बैठिए जाकर ।

SHRI HEM BARUA : Sir, it is a very important matter. May I submit, Sir...

SHRI LOBO PRABHU : Sir, it is an important question. The country is anxious to know the attitude of this democracy, when the sovereignty of another democratic nation is being thwarted by Soviet Russia.

MR. DEPUTY-SPEAKER : All questions are equally important. Those who put these questions consider their questions equally important and they have been placed on the Order Paper for replies. We are now following the procedure that we must complete ten questions. Otherwise, we are doing injustice to others who take the trouble of putting questions.

SHRI LOBO PRABHU : Would you permit me to tell you.....

MR. DEPUTY-SPEAKER : There was an opportunity provided here and this question was discussed threadbare. So, I am not prepared to listen to anything further on this matter.

SHRI C. C. DESAI : On a point of order.....

MR. DEPUTY-SPEAKER : There is no point of order during Question Hour.

SHRI C. C. DESAI : Are you going to fix a time-limit of six minutes for each question in order that ten questions may be covered in a day ?

SHRI HEM BARUA : A question relating to this matter was submitted by me but that has been disallowed. I expected that my name would be clubbed with the other names here. But that has not been done. If you shut us out then there would be no end to it.

MR. DEPUTY-SPEAKER : I have provided reasonable opportunity to four Members to ask questions. If I were to continue it, it would take another fifteen minutes. So, let us now proceed to the question.

**नई दिल्ली के सिनेमाओं में चलचित्र
अधिनियम का उल्लंघन**

७६६. **श्री अटल बिहारी वाजपेयी :**

श्री बलराम मचोक :

श्री युगल मंडल :

**क्या सूचना और प्रसारण मंत्री २८
अगस्त, १९६८ के अतारांकित प्रश्न संख्या**

६१८९ के उत्तर के सम्बन्ध में यह बताने की
कृपा करेंगे कि :

(क) चलचित्र अधिनियम का उल्लंघन
करने पर नई दिल्ली नगरपालिका द्वारा
सिनेमा-घरों के बारे में की गई जांच के
क्या परिणाम हैं, और

(ख) इस सम्बन्ध में क्या कानूनी
कार्यवाही की गई है अथवा करने का
विचार है ?

**THE DEPUTY MINISTER IN
THE MINISTRY OF INFORMATION
AND BROADCASTING (SHRIMATI
NANDINI SATPATHY) :** (a) The
Delhi Administration have reported
that there was no infringement of
the provisions of the Cinematograph Act
by the cinemas in the jurisdiction of the
New Delhi Municipal Committee. Nor
was any case referred to the Central Bureau
of Investigation for investigation.

(b) Does not arise.

श्री अटल बिहारी वाजपेयी : क्या यह
सच है कि नई दिल्ली में एक सिनेमाघर ने
बिजली लेने के सम्बन्ध में नई दिल्ली
म्युनिसिपालटी के जो नियम बने हुए थे,
उनका उल्लंघन किया तथा इस बारे में
जांच की गई ? क्या यह भी सच है कि यह
मामला किसी अदालत में चल रहा है ?

SHRIMATI NANDINI SATPATHY :
No, there is no such case.

SHRI HEM BARUA : There is one
case like that.

श्री अटल बिहारी वाजपेयी : कंस
नहीं चल रहा है या आपको जानकारी नहीं
है ? दिल्ली एडमिनिस्ट्रेशन की कुछ जान-
कारी मुझे भी है और मुझे पता है कि एक
सिनेमाघर का विस्तार किया गया था,
विस्तार के समय जितनी बिजली उसको दी
गई थी, उससे अधिक बिजली का उसने
उपयोग किया। इस बारे में जांच भी की

जा रही है। मैं मंत्री महोदय से यह जानना चाहता हूँ कि क्या वह स्वयं अंधेरे में हैं या इस सदन को अंधेरे में रखना चाहती हैं ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : My hon. friend should bear with me because we have to depend upon the Delhi Administration. We referred the case to the Delhi Administration and we have got the correspondence with them also, and we had sent the specific question to the Delhi Administration. The only point that they had referred to was that in the case of the Plaza Cinema it was found that the seating arrangements were not in conformity with the Cinematograph Rules, but an appeal was made to the Lt. Governor Mr. Jha, and he has held in favour of the Plaza Cinema. This is the only information that we have. If the hon. Member has some specific instances, we shall again make inquiries and let the House know.

श्री बलराज मधोक : श्री के० के० शाह साहब ने अभी स्वयं माना है कि प्लाजा सिनेमा के बारे में सिनेमोटोग्राफ एक्ट का उल्लंघन करने की शिकायत थी। आपने यह भी कहा है कि गवर्नर ने बीच में कहा है कि आगे कार्यवाही की जरूरत नहीं है क्या दिल्ली एडमिनिस्ट्रेशन की यह मांग थी कि यह मामला सी० बी० आई० को रेफर किया जाय, क्योंकि इसके पीछे बड़ा सिरियस गोल-माल है, मगर होम मिनिस्ट्री के दबाव से और चूंकि दिल्ली के ढाँचे में अगर गवर्नर से थोड़ा मत-भेद हो तो उसकी ही बात चलती है, इस सिनेमा के खिलाफ कोई कार्यवाही नहीं की गई, हालांकि उन्होंने कानून को तोड़ा था, मगर चूंकि उनके पीछे कुछ शह थी, बैंकिंग थी, इसलिये सी० बी० आई० को रेफर न करके मामले को रफा-दफा किया जा रहा है।

SHRI K. K. SHAH : Usually, my hon. friend Shri Bal Raj Madhok does not see a red rag behind every bull. The Lt. Governor is the appellate authority under

law. If intentions and motives are attributed to the appellate authority, then where else can the appeal be filed ? If it has been decided by the Lt. Governor in favour of Plaza Cinema, then I hope the hon. Member should not grudge it.

SHRI BALRAJ MADHOK : The Delhi Administration wanted an impartial inquiry; what stood in the way of holding an investigation through the CBI ?

SHRI K. K. SHAH : If the appeal is again preferred to the Home Minister against an order of the Lt. Governor one can understand, but no appeal has been preferred. That else can be done now ?

श्री ओम प्रकाश त्यागी : क्या सरकार के पास इस क्रिम की शिकायतें आई हैं कि दिल्ली के सिनेमाघरों में जब अन्त में राष्ट्रीय ध्वज प्रदर्शित होता है तो बहुत से ऐसे लोग जिनकी लायल्टी इस देश के साथ नहीं है वे राष्ट्र-ध्वज का अपमान करने की दृष्टि से राष्ट्रगान के समय सिनेमा हॉल छोड़कर चले जाते हैं। मैं सरकार से जानना चाहता हूँ कि आप उस नियम को एन्फोर्स कराने के लिये क्या कार्यवाही कर रहे हैं और यदि उसका पालन नहीं करा सकते तो क्या सिनेमाघरों में राष्ट्रगान और राष्ट्रध्वज का प्रदर्शन बन्द कराने का आप विचार रखते हैं ?

श्री के० के० शाह : यह ठीक है कि कई लोग जब हमारा फ्लैग फहराता है तब बाहर निकल जाते हैं.....

श्री सु० कु० तापड़िया : गेट बन्द करवा दीजिये, निकलने मत दीजिये।

श्री के० के० शाह : लेकिन यह लोकल एडमिनिस्ट्रेशन के हाथ की बात है। फिर भी हम ने ऐसा रखा है कि दरवाजा बन्द करना चाहिये और वह तब ही खुले जब फ्लैग का फहराना पूरा हो जाय।

SHRI BAL RAJ MADHOK : There are instances like that, and I feel like beating up those people who do not stand up. अगर कोई डेलीवेटली ऐसा न करे, कहने पर भी खड़ा न हो तो क्या आपके पास कार्यवाही करने के लिये कोई कानून है ?

श्री के० के० शाह : तब आप शिकायत करेंगे कि सिनेमाघर में भी पुलिस रखते हैं। इसलिये ऐसा रास्ता पकड़ा है जिस रास्ते से आप भी नाराज न हों और मकसद भी पूरा हो जाय।

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : All citizens should help in this matter.

West German News Agency

*666. **SHRI ONKAR LAL BERWA :**
SHRI YASHPAL SINGH :

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

(a) whether it is a fact that the West German news agency "Dienst Aus Deutschland" with the co-operation of two Indian news services, the Universal Press Service and Tarun Press are carrying on propaganda against the integrity and sovereignty of the country;

(b) if so, whether any investigations have been made by Government in this regard; and

(c) if so, the result of the investigations made by Government and the action taken in the matter ?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRIMATI NANDINI SATPATHY) : (a) to (c). Enquiries reveal that the Universal Press Service of Madras is distributing material received by it from the "Dienst Aus Deutschland" of Hamburg, and the Tarun Press of Calcutta is distributing

material received by it from the Tarantel International Press of Berlin to Indian newspapers. No anti-Indian activity on the part of "Dienst Aus Deutschland" has come to the notice of Government. Further enquiries are however being made about both the Agencies.

श्री ओंकार लाल बरवा : यह न्यूज एजेंसी हमारे भारतीय समाचार पत्रों को वहां से डायरेक्ट न्यूज भेजती है। पिछले दिनों जब पाकिस्तान का हमला हुआ और उसके पहले चीन का हमला हुआ, इन्होंने हमारे अखबारों को वे खबरें तो नहीं दीं, बल्कि दूसरी खबरें भेजते रहे, जिससे हमारे भारतीय समाचार पत्रों का भारतीय जनता पर बुरा असर पड़ा मैं जानना चाहता हूं कि आप इनके बारे में क्या सोच रहे हैं ?

सूचना और प्रसारण मंत्री श्री के० के० शाह : इन के बारे में हमारे पास दूसरे हाउस में भी शिकायतें आईं थी—इसलिये होम मिनिस्ट्री ने इनके बारे में जांच की और जवाब भी दिया। हमने इन दोनों एजेंसियों को भी लिखा था लेकिन उन्होंने डिनाई किया है। अब अगर आपके पास कोई ऐसा मंटीरियल हो, जिससे ऐसी बात साबित हो सके, तो आप हमारे पास भेज दें। आप इस मामले में हमारी मदद करें।

श्री ओंकार लाल बरवा : उपाध्यक्ष महोदय, इनके पास शिकायतें भी आईं, इन्होंने जांच भी की लेकिन परिणाम कुछ नहीं निकला। मैं जानना चाहता हूँ कि जब आप के पास शिकायतें आईं तो आपने क्या कार्यवाही की ? उन दिनों में हमारे देश को बदनाम करने के लिये इन्होंने हर तरह के प्रयत्न किये, जिसकी खबरें न हमारे समाचार पत्रों को दी गईं और न मिनिस्ट्री बालों को दी गईं और उससे हम बदनाम होते रहे। जाली मंटर लिखने से काम नहीं चलता है, आपको सख्त कार्यवाही करनी चाहिये थी। मैं जानना चाहता हूँ कि आपने

क्या कार्यवाही की, कितने केसेज पकड़े, क्या जांच की ?

श्री के० के० शाह : मालूम होता है कि माननीय सदस्य ने जवाब के ऊपर ध्यान नहीं रखा। मैंने जवाब दिया कि हमने तलाश की, हमारी तलाशी में हमें कोई मदद नहीं मिली है इसलिये आप से प्रार्थना है कि यदि आप के पास कोई मैटिरियल है तो आप हमें दे दीजिये।

श्री यशपाल सिंह : मैं यह जानना चाहता हूँ कि सरकार का एक रूल है कि सरकार की मर्जी के खिलाफ किसी प्रेस को डायरेक्ट पेपर्स नहीं आ सकते, न जर्मनी से, न चाइना से। तो किसी तरह से डायरेक्ट पेपर्स आ गये और सरकार को इसका पता अखबारों से लगा। और यहां मेम्बरों से सरकार इमदाद मांग रही है, सर्वोच्च सत्ता प्राप्त सरकार। तो मैं जानना चाहता हूँ कि आप का इंटेलीजेंस ब्यूरो क्या कर रहा है, सी० आई० डी० क्या कर रही है, सरकार सरकार क्या कर रही है चाहे कोई चाइना से खबर भेज दे, चाहे जर्मनी से भेज दे, दुश्मन के यहाँ से भेज दे। इसका क्या कारण है ?

श्री के० के० शाह : मैं यही कह सकता हूँ कि या तो आप की जानकारी ठीक नहीं है और हमारी जानकारी को सही मान लीजिये तब तक जब तक कि आप के पास इसके खिलाफ कुछ सबूत न मिले। कोई फोरैन एजेंसी डायरेक्टली यहाँ पर कुछ काम नहीं करती They function through an agency in India. और फोरैन एजेंसी को डायरेक्ट कोई सुविधा नहीं मिलती है।

They have to function through an agency in India.

SHRI BEDABRATA BARUA : The Minister's reply is rather surprising because

he says inquiry is being held and he also said that the Home Ministry is being consulted. It is very clear that so far as the Tarun Press is concerned, they circulated a map of a 'United sovereign state of Bengal' including Assam and other areas only two years back. It was headed as a TP publication. If this is not anti-Indian activity against the sovereignty of India, what else is? Government must have had some information. Government should inform us about what steps are being taken to curb such agencies which are trying to disintegrate the country.

SHRI K. K. SHAH : Again the same question is raised. I do admit this was raised in the other House. We tried to find out if such a map was available. My hon. friend has asked the same question. Why does he not hand over a copy of that map ?

SHRI BEDABRATA BARUA : It was circulated to all people; it was handed over.

SHRI SAMAR GUHA : In reply to one of my questions asked in this House as to material supplied by the foreign press as also embassies in our country, after a year Government has supplied me an answer in which there are certain startling facts revealed. As regards the USA, they publish 11 periodicals in our country having a circulation per month of 50 lakhs; the USSR circulate over 42 periodicals in our country having a circulation of more than 2.25 crores. I want to ask Government whether in the case of these foreign journals and others, Government will set up a screening system in order to inquire and investigate the material supplied by the foreign press as also the foreign embassies in our country to see whether they are against the interest, dignity and in certain cases, the sovereignty of our country? Some material also contains propaganda in favour of a certain kind of political ideology and political activities, the result of which we are finding in Kerala, Nagaland and so on in the shape of activities which we call Naxalite activities and others.

SHRI K. K. SHAH : It is a fact that all foreign embassies do publish and

circulate periodicals and other things. It is also true that we are going through them to the extent it is possible—you know how many are published. As to what is the general line that should be taken, this will be a suggestion for action and I will convey it to the concerned authorities.

Meeting of Tamilnad Congress Committee Chief with President of World Bank

*667. SHRI KAMESHWAR SINGH : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that Tamilnad Congress Committee Chief met the World Bank President in Washington in September, 1968;

(b) if so, the details of the talks held; and

(c) the capacity in which the Tamilnad Congress Committee Chief had talked with the World Bank President ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) Yes, Sir.

(b) and (c). These talks were conducted in Shri C. Subramaniam's personal capacity and not on behalf of Government.

श्री कामेश्वर सिंह : उपाध्यक्ष महोदय, मलयलम में एक कहावत है "पुच्छक इन्तानु पुन्नू बिलकनदत्तू ।" "what has a cat to do where gold is sold ?" बिल्ली को क्या कहना है जहाँ सोना बिकता है । यदि केरल के मुख्य मंत्री किसी से भी बात करते हैं तो उनको कहा जाता है कि वह एक अ भारतीय कार्य करते हैं परन्तु यहां पर जो कांग्रेस प्रधान हैं तमिलनाडु के, उनको सरकारी मान लिया

जाता है । कोई भी कांग्रेस का आदमी बाहर जाता है तो समझा जाता है कि वह सरकार का कोई पदाधिकारी है । मैं जानना चाहता हूँ प्रधान मंत्री जी से कि जब वर्ल्ड बैंक के प्रेसीडेंट से उनका कोई मतलब नहीं था तो वह उनसे क्यों मिले और उनसे क्या बातें कीं ? इसके बारे में क्या उन्होंने तमिलनाडु के कांग्रेस के प्रधान से पता लगाया है या नहीं ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा बंबेशिक कार्य मंत्री (श्रीमती इन्दिरा गांधी) : क्या माननीय सदस्य का यह सुझाव है कि जो लोग बाहर जाते हैं उन्हें दूसरे व्यक्तियों से मिलने से रोका जाये ? मेरे ख्याल से यह तो राय नहीं है । हमने किसी को मिलने से नहीं रोका है । अगर "पी" फार्म का प्रश्न होता तो उसका जवाब देती । इस समय तो वह सवाल नहीं है सवाल यह है कि श्री सुब्रह्मनियम ने श्री मंकुनेमारा से बातचीत की ? मैंने बता दिया कि वह अपनी पर्सनल कैपेसिटी में गये ।

श्री कामेश्वर सिंह : पहला अनुरोध मेरा आप से यह है कि प्रधान मंत्री हमारे प्रथम सवाल का जवाब दें ।

MR. DEPUTY SPEAKER : His question was regarding Mr. Subramaniam's meeting with the World Bank President.

श्री कामेश्वर सिंह : क्या प्रधान मंत्री बतलायेंगी कि तमिलनाडु कांग्रेस के प्रधान जो गये थे और उनसे बातें कीं, उन पर कितनी विदेशी मुद्रा खर्च की गयी ? क्या वह सदन को पता लगा कर बतायेंगी कि क्या बातें थीं क्योंकि इस देश में ऐसी घटनायें घट रही हैं जिससे मुझे शक होता है कि गलत बातें की जाती हैं ।

श्रीमती इन्दिरा गांधी : विदेशी मुद्रा कितनी खर्च हुई, मुझे मालूम नहीं है । मेरे

स्कूल से जो सब बाहर जाने वालों को दी जाती है उतनी ही होगी, उससे ज्यादा नहीं हो सकती। (व्यवधान) जो उनकी बातचीत हुई जैसा मैंने कहा, कि जब पर्सनल कैपेसिटी में लोग जाते हैं और बात करते हैं तो उससे सरकार का सम्बन्ध नहीं होता है।

SHRI TENNETI VISWANATHAM : The question is : what was the content of the talks, but the answer is that it was in his personal capacity. In his personal capacity what did he talk? Was it anything about India, Indian finance, Food Corporation, Steel and Iron or about what?

SHRIMATI INDIRA GANDHI : I have fully understood the question, and my reply was that we are not concerned with private conversations.

SHRI HEM BARUA : The President of the Tamilnad Congress did not have any business to go to Washington to meet the President of the World Bank. Surely he did not go there to arrange the marriage of his son or daughter, if he has any, I do not know.

SHRI KANDAPPAN : That was arranged here.

SHRI SHRI CHAND GOYAL : You are not a candidate anyway.

SHRI HEM BARUA : I am too old for that.

SHRI S. K. TAPURIAH : How do you know? Are you not younger than Onasis?

SHRI HEM BARUA : May I know whether the President of the Tamil Nad Congress had consultations with the President of the World Bank for money to subvert the Government in Tamil Nad?

SHRIMATI INDIRA GANDHI : No, Sir. Certainly not.

Dovetailing of Certain Civil and Defence Production Schemes

*668. **SHRI SHRI CHAND GOYAL :** Will the PRIME MINISTER be pleased to state :

(a) whether the Planning Commission is dovetailing certain civil and defence production schemes in order to reduce external assistance; and

(b) if so, the names of such major schemes?

THE DEPUTY MINISTER (DR. SAROJINI MAHISHI) : (a) and (b): In order to promote the fuller utilization of capacities which are already created in the public and private sectors and to reduce the pressure on external as well as domestic resources, the Planning Commission is exploring the possibilities of greater co-ordination between civilian and defence production.

SHRI SHRI CHAND GOYAL : Considering that our Planning Delegation which went on an aid-hunting mission to Russia did not succeed as much as we wanted, and considering that we are not getting as much foreign aid for our Plan as we expected, and also considering that the resources mobilisation position in view of the agricultural prices and the industrial recession is not favourable, are we going to change our outlook towards the approach to the Fourth Five Year Plan? And in that change, are we going to safeguard the interests of the poor labourer, the landless labourer and the poor farmer and also the unemployed people?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : This is a question and not a general discussion on planning. The hon. Member knows that the country is facing certain difficulties with regard to resource mobilisation and also that aid expected is much less. This question of reduced aid has got its good points also, as it will urge us to redouble our efforts to stand on our own feet. Obviously

such a change-over that is, the resolution does create other difficulties. But the Planning Commission, as well as the Government of India, constantly have in view the needs of the poorer sections of the people and those who are underprivileged.

SHRI SHRI CHAND GOYAL : Another question I would like to ask is as to what steps are we going to take to check this price rise and also what are we going to do to remove the imbalance between various States.

SHRIMATI INDIRA GANDHI : It does not really arise from this question.

SHRIMATI SHARDA MUKERJEE : We understand that the Defence plan for the five years has been stepped up from Rs. 6200 crores to Rs. 6500 crores. The hon. Minister answered the question that there is going to be a co-ordination with the public sector regarding defence sector production. There is no active Defence cell as far as we know in the Planning Commission and in the past the Planning Commissions has never been consulted about the Defence requirements. Now, is there going to be this change and may we know from the hon. Prime Minister if a new active defence cell has been created in the Planning Commission and how it proposes to co-ordinate the defence production with public sector production.

SHRIMATI INDIRA GANDHI : There is no scheme for the Planning Commission to advise on defence production. What we want to assure is that defence needs can be met from different areas. We are aware of the problems. Various studies have been undertaken and some of these problems have been identified. We have also located certain areas where defence needs could be fulfilled by non-defence producers. These items are now being processed. There is no Defence Cell as such in the Planning Commission.

SHRI LOBO PRABHU : I would request the hon. Defence Minister to collaborate in the answer. In defence production there is always a margin

reserved to meet the exigencies of destruction and attribution during active operation. The predecessor of the learned Minister, Mr. Krishna Menon, used this capacity to make coffee percolators. (*Interruptions*) In other countries this reserve capacity is created in the private sector without strain on the tax-payer. I would like to ask two questions from the Defence Minister : Firstly, whether there is any study made of the reserve capacity, unutilised capacity in the defence production and whether there is any scheme to utilise it.

Secondly, may I know whether there is any scheme to increase the production in the private sector, since it is only one per cent at present ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : Any surplus capacity in defence production is utilised for producing for other organisations like the police or the Border Security Force or sometimes even for the railways. We are concentrating primarily to meet the defence requirements. There was some surplus capacity in the clothing factories and the like, and so that was diverted to production of some uniforms and the rest for non-defence users. So far as the private sector is concerned, as the Prime Minister has already mentioned, it is our desire to utilise the capacity that might be existing in the private sector, and our intention is not to duplicate those capacities in defence production organisation. A great deal of study in this respect has been made by a committee under the chairmanship of Member (Industries) of the Planning Commission in which the Secretary, Defence, Secretary, Defence Production and the Secretary, Industries, have been participating. Whatever capacity is available in the private sector will be utilised to fill the gaps that might be there in the defence production. Several non-ferrous metals, for instance, the extrusion capacity and the rolling capacity which exist in the private sector are intended to be utilised for defence needs.

SHRI S. M. BANERJEE : Sir, I should first like to register my protest emphatically against the remarks made against our Ex-Defence Minister, Shri Krishna Menon,

by Shri Lobo Prabhu. Not as a Member of Parliament but as an ex-employee of the Defence Department, I can say that it was he who laid sound foundations for defence production. (*Interruption*)

AN HON. MEMBER : Coffee percolator.

SHRI S.M. BANERJEE : That was only one of the items; many items have been forgotten. Now, I would like to know whether it is the policy of the Defence Minister and the Planning Minister to see that those items which can be manufactured in the ordnance factories are not given to the private sector, and can the Defence Minister assure the House that the ordnance factories will not suffer because of off-loading the ordnance factories in the name of the private sector ?

SHRI SWARAN SINGH : I hope I did not imply in the reply that I gave anything to that effect. The capacity of the ordnance factories has to be utilised to the maximum but there are several gaps which can be rightfully filled and supplied by mobilising the capacity that might exist in the private sector. I think I made the position quite clear.

SHRI S. M. BANERJEE : Sir, my question has not been answered. At present, all the clothing factories are suffering because many items have been given to the private sector because that is supposed to be cheap. In view of the fact that many items were declared surplus in the ordnance factories—it is to the tune of 40 per cent now—will the Minister assure us that all that surplus capacity will be utilised and only when the ordnance factories refuse to take any work, that will be given to the private sector ?

SHRI SWARAN SINGH : I have said it, broadly; but I would also like to inform the House that this matter has been under the consideration of the Public Accounts Committee and they have made certain recommendations about farming out some of the work which at present is being undertaken in some of these factories to the private sector. So, there can be a difference of approach in this respect.

SHRI S. M. BANERJEE : Only camouflage nets.

SHRI SWARAN SINGH : As I have said already, it will be our endeavour to utilise to the maximum the capacity that already exists in the ordnance factories. Normally, whatever we produce in the ordnance factories cannot be farmed out to outsiders because that will create unemployment problem in the ordnance factories. That is the general attitude that we are adopting in this respect.

SHRI RANJIT SINGH : The tragedy of this country is that we have been basing all our defence programmes on the reactions to situations as they develop. In 1962, when we were attacked, we launched an elaborate plan for seeking the co-operation of the private sector. I remember that the Zenith Factory of Bombay and Indian Tube Company joined together and spent lakhs of rupees on designing for our army a rocket tube. After the Chinese danger died down, we gave up that production programme completely. All that money, energy, effort and knowledge was wasted. The organisation that was set up for it was wasted and we are still short of these rocket tubes. We are always thinking that adequate warning will be given to us when an enemy attacks. We have seen on two occasions that no such warning is possible. Would the Government wake up at last and start long-term planning? For the purpose of seeking the aid and utilising the production capacity and reorientation of the production capacity of the private sector for defence production, would they set up a committee, may be a part of the Planning Commission or a cell as suggested by Mrs. Mukerjee, to bring about better defence preparedness in the field of production ?

SHRI SWARAN SINGH : Without joining issue about the introductory part, I would like to answer the specific question which came at the end. It was a rather long question in which he wanted to give information rather than to ask anything from me.

SHRI RANJIT SINGH : I have to, because you do not have the information.

SHRI SWARAN SINGH : I am generally grateful, but not for elementary things. This has always been our policy to have long-term planning to meet our defence requirements. There is nothing new that is being suggested in this respect. As I said, it is our endeavour to utilise the capacities in the private sector to meet our defence requirements. In this respect, if any reorientation is required, that will certainly be done.

परमाणु शक्ति केन्द्र

*670. श्री महाराज सिंह भारती : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विद्युत तथा परमाणु शक्ति के लिये विभिन्न विभागों पर जिम्मेवारी सौंपने तथा राज्य विद्युत बोर्ड पर अन्तिम जिम्मेवारी डालने की वर्तमान प्रणाली से परमाणु शक्ति केन्द्रों के विकास में बाधा पड़ रही है; और

(ख) यदि हाँ, तो क्या सरकार का विचार ऐसी व्यवस्था आरम्भ करने का है जो परमाणु शक्ति केन्द्र स्थापित करेगी तथा उनका संचालन करेगी और राज्य विद्युत बोर्ड को भी बिजली उपलब्ध करेगी।

THE DEPUTY MINISTER (DR. SAROJINI MAHISHI) : (a) and (b). The Department of Atomic Energy has been made responsible not only for setting up atomic power stations, but also for operating them through organisations established by it and for supplying power from atomic power stations to State Electricity Boards. The present arrangement has not retarded the development of atomic power stations.

श्री महाराज सिंह भारती : उपाध्यक्ष महोदय, वह पुराना जमाना तो लड़ गया जब केवल बिजली उत्पादन के लिए बिजली घर बना करते थे। गर्वनेमेंट आफ इंडिया भविष्य में एटोमिक कोम्प्लेक्स बनाने जा रही है जिन पर कि वह विचार

कर रही है। अब खालिस एटोमिक बिजली-घर आप नहीं लगायेंगे उसके साथ बहुत सी फैक्टरियाँ भी होंगी और 10 लाख किलोवाट से कम का उत्पादन आप नहीं करने जा रहे हैं तो बिजली पैदा करना और उसको बाँटना तो काम है राज्य विद्युत बोर्ड का और केवल एटोमिक बिजलीघर आप लगायेंगे और चलायेंगे और वह बिजली उनको दे देंगे तो भविष्य में जो एटोमिक बिजली रोड़ बनने जा रही है और बिजली कितनी पैदा हो और कैसे बँटे वह जिम्मेदारी सूबों की है तो यह बड़ा भारी कांटेडिक्शन है जिसको यह पता नहीं है कि कितनी बिजली किस सूबे को चाहिए तो मैं जानना चाहता हूँ कि भविष्य में चूँकि एटोमिक बिजलीघर बड़े पैमाने पर बनने जा रहे हैं और एटोमिक कोम्प्लेक्स बनने जा रही तो आप कौन सी ऐसी व्यवस्था कायम करने जा रहे हैं जो सूबों का सही माँग का अन्दाजा आप को चल जाय जिससे कि आप के और सूबों के बीच में ठीक तालमेल रह सके ? इसके लिए आप क्या नई व्यवस्था करने जा रहे हैं ?

DR. SAROJINI MAHISHI : According to the Atomic Energy Act, 1962, the Department of Atomic Energy has wide powers. It has got power to chalk out a uniform national policy for the whole country and also to bring about coordination among all such agencies which are working in this connection. It is within the powers of the Department of Atomic Energy to bring about coordination and it will be looking after it.

As the hon. member says, there will not be overlapping or any duplication in the functions carried out by the State Electricity Boards and atomic energy department.

श्री महाराज सिंह भारती : उपाध्यक्ष महोदय, मेरा प्रश्न यह नहीं है कि सविधान में किस के क्या अधिकार हैं। मेरा सीधा प्रश्न यह है कि एटोमिक इनरबी हमारा

बेस बनाने जा रही है और बिजली की माँग कितनी है कितनी बिजली की जरूरत है यह काम सूबों का है यह आप का नहीं है। ओवरलैपिंग का सवाल नहीं है। ऐटोमिक कोम्प्लेक्स की तकनीक को आप और डेवलप करने जा रहे हैं वह बेस बनेगी हमारी सारी ऐटोमिक इनर्जी की इसलिए सवाल यह नहीं है कि संविधान ने क्या अधिकार दिये हैं, वह तो संविधान ने आप को भी अधिकार दिया है और उनको भी अधिकार दे रखा है और संविधान के दिये हुए अधिकारों में संशोधन भी किया जा सकता है, इसलिए सुबाल संविधान के अधिकार का नहीं है। मैं राष्ट्रीय हित में जानना चाहता हूँ कि इतने बड़े पैमाने पर बिजली की जरूरत है, बिजली के जब यह दो मालिक बना दिये तो एक टाँग आप की इधर रहे और एक टाँग सूबों के पास उधर रहे और दोनों के बीच कोई समन्वय नहीं है तो आप किस तरह से समन्वय स्थापित करेंगे? मंत्री महोदय इसका सीधा जवाब न देकर संविधान के अधिकार बता रहे हैं।

प्रधान मन्त्री, अणु शक्ति मन्त्री, योजना मन्त्री तथा बंदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : माननीय सदस्य इस तरह से गुस्सा न हों.....(व्यवधान)

एक माननीय सदस्य : आपके उत्तरप्रदेश के हैं।

श्रीमती इन्दिरा गांधी : माननीय सदस्य का यह पूछना सही है कि स्टेट एलेक्ट्रिसिटी बोर्ड और ऐटोमिक एनर्जी डिपार्टमेंट में क्या सम्बन्ध है। यह बात जाहिर है कि जब कोई कार्यक्रम बनता है, तो वह मिल करके बातचीत करके ही होता है। स्टेट गवर्नमेंट और जो ऐसी ऐंथारिटीज हैं उनमें बातचीत होना जरूरी है और ऐसा ही होता है। लेकिन अगर माननीय सदस्य के कहने का यह मतलब है कि यह पूरे

प्रयोजन स्टेट एलेक्ट्रिसिटी बोर्ड को दे दें, तो यह सम्भव नहीं है.....

एक माननीय सदस्य : समन्वय के लिए उन्होंने कहा है।

श्रीमती इन्दिरा गांधी : कौआरडिनेशन के लिए जो उन्होंने पूछा है, तो जाहिर है कि ऐसा हो गया है क्योंकि उसके बगैर काम नहीं हो सकता।

श्री महाराज सिंह भारती : मेरे सवाल का जवाब नहीं आया है। मेरा मतलब सिर्फ इतना है.....

MR. DEPUTY SPEAKER : The hon. Member should remember that hon. Members sitting around him are creating such a disturbance that perhaps he was not followed properly. If he is not satisfied with the reply, he can ask again. But he has to see that there is no disturbance on that side.

श्री महाराज सिंह भारती : जी हाँ, मैं ग्रीपिट ही कर रहा हूँ। प्रधान मंत्री जी, मेरा मतलब यह था कि जो बिजली की जरूरत होती है क्या वह सूबे वाले अपनी बिजली की जरूरत आपके ऐटोमिक कमिशन को भेजते हैं ऐटोमिक डेवलपमेंट के लिए और तब आप गौर करते हैं? ऐसा कहीं भी किसी जगह पर नहीं है लेकिन अगर ऐसा हो तो आप बतलाइये। लेकिन अगर ऐसा नहीं है तो फिर कौन सी व्यवस्था कौन सा सिस्टम आप कायम करने जा रहे हैं ताकि सूबों की बिजली की माँग और आप की ऐटोमिक बिजली का विकास इन दोनों का तालमेल रखा जा सके?

श्रीमती इन्दिरा गांधी : जो सिस्टम आज चालू है वह यह है कि मिनिस्ट्रो फॉर इरीगेशन एंड पावर, प्लानिंग कमिशन और स्टेट गवर्नमेंट यह सब लोग मिल जुल कर

निर्णय करते हैं कि बिजली की क्या जरूरतें हैं और जो प्लानिंग होती है वह आल इंडिया लेबिल पर होती है।

श्री प्रेमचन्द वर्मा : मैं मंत्री महोदय से जानना चाहता हूँ कि किस-किस प्रान्त में इस वक्त हमारे ऐटोमिक बिजली घर हैं और उनकी कितनी कैपैसिटी है और आगे कौन-कौन से प्रान्त में हम बिजली लगाने जा रहे हैं और उनकी कैपैसिटी क्या होगी ?

डा० सरोजनी महिषी : ऐटोमिक बिजलीघर महाराष्ट्र, राजस्थान व मद्रास में लगाये जा रहे हैं.....

श्री अटल बिहारी वाजपेयी : उत्तर प्रदेश में कब होगा ?

डा० सरोजनी महिषी : बिजली का उत्पादन महागुप्तर में तारापुर में लगाये जा रहे बिजलीघर से अगली जून तक शुरू होगा।

श्री प्रकाशचौर शास्त्री : पीछे उत्तर-प्रदेश, दिल्ली, हरियाणा और राजस्थान इन चार राज्यों को परमाणु शक्ति के द्वारा उत्पन्न होने वाली बिजली सप्लाई करने के लिए उत्तर प्रदेश की सरकार ने एक सुझाव यहां पर भेजा था और कहा था कि अलीगढ़ के पास नौरोरा में इस प्रकार का केन्द्र बनाया जाए और वह प्रश्न आपके विभाग में बहुत समय से विचाराधीन चला आ रहा है। मैं जानना चाहता हूँ कि क्या उस पर कोई अन्तिम निर्णय हो गया है या नहीं ? यदि नहीं तो कब तक अन्तिम निर्णय हो जाएगा ?

डा० सरोजनी महिषी : विचाराधीन है और उस पर अभी तक कोई अन्तिम निर्णय नहीं लिया गया है।

SHRI INDER J. MALHOTRA : May I know the basic criteria on which a decision is taken or priority is given for

the location of atomic power stations in various parts of the country ?

DR. SAROJINI MAHISHI : There is not only one thing but a number of things on which the location is decided.

SHRI INDER J. MALHOTRA : What are the basic factors on which priority is given or a decision for the location of atomic power stations is taken ? I know that there are many things but let us know the very few basic things.

DR. SAROJINI MAHISHI : It is not based on one particular thing but on a number of considerations like the availability of raw material, that production of electricity should be cheaper in that particular area of nuclear station is located, distance from concentrated population and a number of other considerations.

SHRI GIRRAJ SARAN SINGH : I would like to ask the hon. Prime Minister what arrangements have been made for the disposal of waste radioactive material produced from atomic power stations and how the individual in the vicinity will be saved.

DR. SAROJINI MAHISHI : Proper measures have been taken. I do not think the hon. Member would like us to disclose all those things.

MR. DEPUTY-SPEAKER : Shri Sheo Narain. Last supplementary.

SHRI SAMAR GUHA : You should allow me one question.

MR. DEPUTY-SPEAKER : This is not proper.

श्री शिव नारायण : हमारी सरकार समाजवादी व्यवस्था में विश्वास रखती है। नेशनलाइजेशन के पक्ष में वह है। अभी माननीय सदस्य ने पूछा था कि तालमेल नहीं खाती है यह चीज। एटोमिक एनर्जी और बिजली में तालमेल नहीं है। मैं जानना चाहता हूँ कि जो बिजली है इसको सरकार अपने कंट्रोल में क्यों नहीं करती है। यह

बोर्डों का संसद क्यों पाला है। इसको सरकार खत्म क्यों नहीं करती है ?

MR. DEPUTY-SPEAKER : Next question. Shri Bibhuti Mishra.

श्री शिव नारायण : मेरे प्रश्न का उत्तर आना चाहिये, उपाध्यक्ष महोदय।

MR. DEPUTY-SPEAKER : Government has taken note of your suggestion.

राजदूतों के प्रशिक्षण के लिए संस्था

*671 श्री बिभूति मिश्र : क्या बंबईशक कार्य मन्त्री यह बताने की कृपा करेंगे कि : (क) क्या यह सच है विभिन्न देशों में ऐसे व्यक्तियों को राजदूत नियुक्त किया जाता है जिनको बंबईशक मामलों की जानकारी नहीं होती है; और

(ख) यदि हाँ, तो क्या सरकार का विचार इस प्रयोजन हेतु सैद्धान्तिक तथा व्यावहारिक प्रशिक्षण देने के लिए एक उपयुक्त प्रशिक्षण संस्था स्थापित करने का है ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) The vast majority of the Heads of our Missions and Posts are Foreign Service Officers of requisite experience and seniority. However, a certain number of non-Service persons drawn from other walks of life are also appointed. Before taking up their assignments, they are briefed in great detail about India's political, economic, commercial and cultural policies.

(b) Presumably, the Hon'ble Member's suggestion for a suitable training institute is meant for the non-career Heads of Missions and Posts. Government do not consider this to be necessary.

श्री बिभूति मिश्र : हिन्दुस्तान का बहुत एकसपट काम रहा है। हिन्दुस्तान वह देश

है जिसमें चाणक्य पैदा हुआ है। लेकिन अब हमारी सरकार ने जिन-जिन राजदूतों को बाहर भेजा है, मैं नहीं समझता हूँ कि उन राजदूतों ने हिन्दुस्तान का वह कल्याण किया है जो चाणक्य ने इस देश में रह कर कल्याण किया था। हमारे यहां जो मिनिस्टर चुनाव में हार गए थे उनको राजदूत बना कर बाहर भेज दिया गया। मैं जानना चाहता हूँ कि क्या इस ब्रीफिंग से राजदूतों का काम होगा ? इनके काम के लिए सरकार विशेष रूप से कौन सी ट्रेनिंग देती है। सबसे पहला राजदूत दुनिया में हुआ हनुमान जो लंका में गया। मैं जानना चाहता हूँ कि सरकार इस सम्बन्ध में क्या कर रही है ?

श्री अटल बिहारी वाजपेयी : उपाध्यक्ष महोदय, हनुमान के बाद हनुमन्तैया जी को भेजा जाए।

SHRI SURENDRA PAL SINGH : As regards the training of those persons who have been inducted from public life, as I have already said, there is no need for a training institute for them. But a number of steps are taken to brief them properly and to have consultations with them. The briefing is given in political, economic and cultural activities of the country. This action is taken. These people are very eminent people. It is not necessary for them to go to an institute to get training. They are already aware of the activities going on in this country. The briefing that we give them is quite sufficient.

श्री बिभूति मिश्र : मैं जानना चाहता हूँ कि क्या राजदूतों को बहाली सरकार पब्लिक सर्विस कमिशन द्वारा करायेगी ? क्या ऐसे लोगों को राजदूत बनाया जाएगा जो सारे राज शास्त्र के जानकार हों, चाहे हिन्दुस्तान का राज शास्त्र हो चाहे विदेशी राज शास्त्र हो ? क्या कुछ देखकर सरकार इनकी बहाली करती है। क्या पब्लिक

सर्विस कमीशन के जरिये इनकी बहाली का प्रबन्ध सरकार करेगी ?

SHRI SURENDRA PAL SINGH : As regards the career diplomats we all know they are taken in the service through the Public Service Commission. In regard to people who are taken from public life, the criterion is that whoever in the Government's opinion is considered to be competent enough to carry out the Government's policies is taken in.

SHRI K. LAKKAPPA : It has been our experience that political, defeated Congress leaders have been appointed as Ambassadors who have no elementary knowledge of Indian culture and Indian life. It has also been the experience of the Members who visit foreign Embassies including the Congress President, Mr. Nijalingappa, who was harassed in Japan, that India's image has been pulled down. May I know whether the Government of India will take a firm action and determine that they will not appoint political men and also those who are defeated Congress candidates hereafter as Ambassadors ? I want a categorical assurance from the Prime Minister.

SHRI SURENDRA PAL SINGH : It is correct that some defeated Congress candidates have been appointed as Ambassadors. Their number is 4 out of 75. But the main question is whether a person is competent for the post or not. These people fought an election for a specific purpose. It is true they were defeated. But it does not necessarily mean that the defeat in elections disqualifies them for holding these posts. They are very competent and eminent people.

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS, (SHRIMATI INDIRA GANDHI) : The hon. Member spoke specifically of Japan. I would like the hon. members to know that we have a career diplomat there.

SHRI KANWAR LAL GUPTA : So what ? (*Interruptions*) Is it the proper reply ? Are you satisfied with the reply of the Prime Minister, Sir ?

MR. DEPUTY-SPEAKER : He put a certain question. The reply has come from this side.

Mrs. Sushila Rohatgi,

SHRIMATI SUSHILA ROHATGI : Apart from briefing the Ambassadors on the present history and position of India, I would like to know whether the Ministry also briefs the Ambassadors regarding our religion, culture, past heritage and all the things which are of intrinsic value to us. Do they also make it incumbent on the Ambassadors that they should lead essentially an Indian life so that they become the true emissaries of our country there ?

SHRI SURENDRA PAL SINGH : The briefings are comprehensive. All these things are taken care of.

SHRI TENNETI VISWANATHAM : The question of defeated candidates being appointed as Ambassadors has arisen. Our contention is not that a person, once he is defeated, is totally undeserving of anything; he may be the most deserving and he may have got an undeserving defeat. But when he goes as an Ambassador of this country to another country, what is the flavour that he takes with him when the people there know that he is a man who was turned out at the polls ? What is the image which he can build when the other countries know that he is a man who has been defeated at the polls and, therefore, has been shunted out ?

SHRIMATI INDIRA GANDHI : I can assure the hon. Member that there is no such bad image. In fact, a number of other countries also do this.

MR. DEPUTY-SPEAKER : The Question Hour is over.

SHRI HEM BARUA : I am not putting a question. The ignorance of the Indian diplomats is proverbial. There was an incident of an Indian diplomat introducing to his audience Shri Vatsayana our noted poet, as the author of *Kama Sutra*. Mr. Tariq is also being appointed as Ambassador of Iran.

श्री कंवरलाल गुप्त : काफ़्टेल पार्टियों के अलावा और कोई काम नहीं होता है।

WRITTEN ANSWERS TO QUESTIONS

**युनिवर्सल प्रेस सर्विस तथा तरुण भारत
को प्राप्त विदेशी मुद्रा**

*661 श्री हुकम खन्व कछबाय : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अन्य समाचार अभिकरणों की तुलना में युनिवर्सल प्रेस सर्विस अथवा तरुण भारत को अधिक विदेशी मुद्रा प्राप्त हुई है, और

(ख) यदि हाँ, तो इनको सरकार द्वारा एकत्र आँकड़ों के आधार पर 1961 से लेकर अब तक अनुदान के रूप में तथा किसी अन्य प्रकार से कितनी विदेशी मुद्रा तथा भारतीय मुद्रा प्राप्त हुई है ?

सूचना और प्रसारण मंत्री (श्री के० के० शाह) : (क) और (ख). अपने आयात प्रार्थना पत्र में युनिवर्सल प्रेस सर्विस द्वारा दी गई जानकारी के अनुसार, उसे पश्चिमी जर्मनी से निम्नलिखित आय हुई :

वर्ष	रुपए
1961	25,235.00
1962	1,48,737.27
1963	1,76,142.60
1964	1,98,283.00
1965	1,85,776.00
1966	2,22,741.00
1967 (2 जून, 1967 तक)	1,37,713.25

कचकड़ा के तरुण प्रेस द्वारा प्राप्त विदेशी मुद्रा या दोनों एजेंसियों द्वारा

भारतीय मुद्रा में प्राप्त धन राशियों के बारे में जानकारी उपलब्ध नहीं है।

Migration of Hindus from Pakistan

*662. SHRI KANWAR LAL GUPTA :
SHRI SHARDA NAND :
SHRI J. B. SINGH :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) the total number of Hindus who migrated from Pakistan into India since Nehru-Liaquat Pact of 1950;

(b) the number of muslims migrated from India into Pakistan since 1950;

(c) whether it is a fact that non-Muslim population in Pakistan has come down considerably since 1950 and the Muslim population in India has gone up; and

(d) if so, the latest figures thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) and (b). It was only after the introduction of the Indo-Pakistan Passport and Visa Scheme in October, 1952, that we have maintained the statistics of the annual movement of migrants between India and Pakistan. Thus between January 1953 and August 1968, 17,07,076 non-Muslims migrated from Pakistan to India and 2,15,470 Muslims migrated from India to Pakistan.

(c) Between 1951 and 1961, the percentage of the non-Muslim population in Pakistan decreased from 14.1% to 11.9%. During the same period, the population of Indian citizens of the Muslim faith rose from 9.93% to 10.07%.

(d) According to the census of 1961, the population of non-Muslim population in Pakistan was 11.16 million, and the Muslim population in India was 46.9 million. It is estimated that the Muslim population of India is now about 60 million.

बंदेशिक-कार्य मंत्रालय में भ्रष्टाचार के मामले

*664 श्री राम स्वरूप बिद्यार्थी :

श्री हरबयाल देवगुण :

श्री भारत सिंह चौहान :

श्री रामसिंह अयरवाल :

क्या बंदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) 1 जुलाई से 30 सितम्बर, 1968 को अवधि में उनके मंत्रालय में भ्रष्टाचार, रिश्वतखोरी, चोरी और अन्य दंडनीय अपराधों के कितने मामलों का पता चला है ;

(ख) कितने मामलों में मुकदमे चलाये गये हैं और केन्द्रीय जांच ब्यूरो कितने मामलों की जांच कर रहा है ; और

(ग) ऐसे मामलों को रोकने के लिये क्या उपाय किये जा रहे हैं ?

बंदेशिक-कार्य मंत्रालय में उप-मंत्री (श्री सुरेन्द्रपाल सिंह) : (क) और (ख). इस अवधि में विदेश मंत्रालय की जानकारी में तीन शिकायतें आई थीं। दो मामलों में केन्द्रीय जांच ब्यूरो और तीसरे मामले में दिल्ली पुलिस जांच कर रही है। ये जांच अभी चल रही है।

(ग) मंत्रालय में और इसके संबद्ध कार्यालयों में तथा विदेश-स्थित सभी मिशनों और केन्द्रों में भी सतर्कता के प्रबन्धों पर बराबर ध्यान रखा जाता है और उन्हें मजबूत किया जा रहा है।

आकाशवाणी से संस्कृत में प्रसारण

*669 श्री जयन्ताच राय जोशी : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) आकाशवाणी के सभी केन्द्रों से संस्कृत के प्रसारण के लिये कुल कितना समय दिया जाता है, और

(ख) संस्कृत तथा प्रादेशिक भाषाओं के पढ़ाने पर कितना-कितना समय दिया जाता है ?

सूचना और प्रसारण मंत्री (श्री के० के० शाह) : (क) और (ख). सदन की मेज पर एक विवरण रख दिया गया है जिसमें यह सूचना दी गई है कि आकाशवाणी के सभी केन्द्रों द्वारा संस्कृत के प्रसारणों को कितना समय दिया जाता है और इन केन्द्रों से संस्कृत को पढ़ाने के लिये कितना समय दिया जाता है। [पुस्तकालय में रखा गया। देखिये संख्या LT-2647/68] आकाशवाणी के केन्द्रों द्वारा प्रादेशिक भाषाओं को पढ़ाने पर कितना समय दिया जाता है। इस बारे में सूचना एकत्र की जा रही है और यथा-समय सदन की मेज पर रख दी जायेगी।

Land Acquisition in Cantonment Areas and Democratisation of Cantonment Boards

*672. SHRI MADHU LIMAYE : Will the Minister of DEFENCE be pleased to state :

(a) whether Government have received any memo/letter about land acquisition/utilisation/new construction etc., in the Cantonment areas including Jabalpur;

(b) whether Government propose to change the rules and introduce a new Bill to democratise the Cantonment Local Government;

(c) if so, the approximate date by which these changes will be made/Bill passed; and

(d) the other remedial measures to modify the orders in regard to the Subjects mentioned in part (a) above with a view to remove anomalies and injustices ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) Representations have been received regarding renewal of agricultural leases in Jabalpur Cantonment and also regarding constructions on lands held under 'old grant' terms.

(b) It is proposed to make comprehensive amendments to the Cantonments Act, 1924, with a view, *inter-alia*, to further democratise the Cantonment administration.

(c) It is not possible to indicate a firm date though the work is in hand.

(d) The agricultural leases in Jabalpur Cantonment have been extended by a year. As regards constructions on Old Grant sites, there is no anomaly or injustice.

Film Finance Corporation of India Ltd.

***673. SHRI PREMCHAND VERMA :** Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) when the Film Finance Corporation of India Ltd., was set up and its aims and objects ;

(b) whether any foreign collaboration was involved in the setting up of the Corporation and if so, the names of countries which collaborated, the terms of collaboration and how much foreign exchange as aid was received ; and

(c) whether there are any difficulties with which the Corporation is faced at present and how Government propose to remove them ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) The Film Finance Corporation was set up in March, 1960 with the object of promoting and assisting film industry by providing, financial or other facilities for the production of films of good standard and quality with a view to raising the standard of films.

(b) No, Sir.

(c) The difficulties faced by the Corporation are mainly financial. There was some initial delay in the recovery of loans due to delayed completion of films and inadequate distribution facilities as well as in getting sufficient funds regularly. Government and the Corporation are seized of both these difficulties. Pace of recoveries has been accelerated and avenues of ensuring regular financial support are being explored.

Congress President's Visit to Japan

***674. SHRI GEORGE FERNANDES :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government have received a report from Shri Nijalingappa, Congress President on his visit to Japan in August, 1968 ;

(b) whether any report has been received on the visit from the Indian Embassy in Tokyo ;

(c) whether it is a fact that Shri Nijalingappa has complained at the the attitude of the Indian Embassy officials in Tokyo ; and

(d) whether Government had authorised Shri Nijalingappa to discuss with the Japanese Government on economic co-operation between the two countries ?

THE PRIME MINISTER MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) and (d). Shri Nijalingappa visited Japan at the invitation of the Indo-Japanese Association. The visit and the discussions were not undertaken on Government's behalf. On his return he conveyed his impressions confidentially to the Prime Minister.

(b) It is the normal practice for our missions abroad to send reports among other matters, about the visits of important individuals or delegations from India.

(c) No, Sir.

उच्च शक्ति के ट्रान्समीटर

*675. श्री प्रकाशबीर शास्त्री : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उच्च शक्ति के ट्रान्समीटर लगाने सम्बन्धी उस प्रस्ताव की क्रियान्विति में कोई प्रगति हुई है जो पिछले अनेक वर्षों से विचाराधीन है,

(ख) यदि नहीं, तो उसमें मुख्य क्या बाधाएँ हैं ?

(ग) सरकार उच्च शक्ति वाले ट्रान्समीटरों को कब तक लगा देगी, और

(घ) क्या यह सच है कि उच्च शक्ति वाले ट्रान्समीटर न होने के कारण सीमा-क्षेत्रों तथा देश के अन्य भागों में भारतीय प्रसारण उतने स्पष्ट सुनाई नहीं देते जितने स्पष्ट चीन तथा पाकिस्तान के कार्यक्रम सुनाई देते हैं ?

सूचना और प्रसारण मंत्री (श्री के० के० शाह) : (क) जी, हाँ । चालू विकास कार्यक्रम के अन्तर्गत, तीन अति शक्तिशाली ट्रान्समीटर चालू हो चुके हैं तथा एक और शीघ्र ही चालू होने वाला है । शेष 12 शक्तिशाली ट्रान्समीटरों के लगाने का कार्य चल रहा है ।

(ख) सवाल नहीं उठता ।

(ग) उम्मीद है कि ये ट्रान्समीटर उत्तरोत्तर लगाते 3-4 वर्षों में लग जाएंगे ।

(घ) जी, हाँ, चीन और पाकिस्तान से अगले कुछ क्षेत्रों में, इन ट्रान्समीटरों के चालू होने पर स्थिति में उत्तरोत्तर सुधार हो जाएगा ।

Gandhi Centenary Programme
of A. I. R.

*676. SHRI S. C. SAMANTA : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) the reason that while various countries of the World will be taking up Gandhi Centenary programmes in the year commencing from the 2nd October, 1968 the All India Radio and Television are to intensify work only from October 1969; and

(b) the broad outlines of the plan already prepared in the A. I. R. and Television for the Gandhi Centenary and how many hours are to be devoted to the programme ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) All India Radio is observing the year beginning 2nd October, 1968 as part of the International Gandhi Centenary Year under the aegis of UNESCO. The National Gandhi Centenary period will be observed from 2nd October, 1969 to February 22, 1970. The difference in the dates is due to the fact that U. N. O. observes the beginning of the year whereas we observe at the end.

(b) The sound broadcasting plan includes talks, both live and recorded, by eminent personalities in India and abroad on the life and teachings of Gandhiji; features depicting Gandhiji as apostle of truth and non-violence; orchestral composition in memory of Gandhiji and a miscellany of programmes to be broadcast in English and other regional languages from various stations of All India Radio. The Television plans include serial presentation of the long film on Gandhiji, short programmes produced locally and also documentary material to be obtained from different TV organisations of the world, interviews and discussion with persons drawn from different sections of the community and coverage of celebrations in India and abroad. The programmes have not been planned on the basis of any fixed duration.

गणतन्त्र दिवस परेड के लिए प्रवेशपत्र

*677. श्री रघुवीर सिंह शास्त्री : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को अनेक संसद सदस्यों से इस आशय की शिकायतें मिली हैं कि उन्हें 26 जनवरी 1968 को गणतन्त्र दिवस परेड देखने के लिए समय पर निमन्त्रण पत्र नहीं मिले थे;

(ख) क्या सरकार को पता है कि गणतन्त्र दिवस की परेड के बहुत से निमन्त्रणपत्र अप्राधिकृत व्यक्तियों को प्राप्त हो जाते हैं और ये निमन्त्रण पत्र वहाँ पर बेचे भी जाते हैं; और

(ग) गणतन्त्र दिवस की परेड के लिये प्रवेशपत्र जारी करने की प्रक्रिया को ठीक करने के लिए सरकार क्या कार्यवाही कर रही है ?

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) :

(क) 21 जनवरी 1968 के आसपास कुछ संसद् सदस्यों से यह शिकायत मिली कि उन्हें गणतन्त्र दिवस परेड देखने के लिए निमन्त्रण पत्र प्राप्त नहीं हुए हैं। उन संसद् सदस्यों को तुरन्त ही निमन्त्रण पत्र भेज दिये गए। किसी भी संसद् सदस्य से ऐसी शिकायत नहीं मिली जिसमें कि यह कहा गया हो कि निमन्त्रण पत्र के न मिलने के कारण वे परेड न देख सके।

(ख) कुछ मामलों में कार्ड गलत चले गए थे, तथापि निमन्त्रण पत्रों की बिक्री का कोई मामला सरकार के सामने नहीं आया है।

(ग) प्रतिवर्ष गणतन्त्र दिवस समारोह के समाप्त होने के बाद सारी प्रबंध व्यवस्था का पुनर्बिलोकन किया जाता है और जहाँ आवश्यक होता है कमियों को दूर करने के लिए उपाय किये जाते हैं।

मध्य प्रदेश में भूतपूर्व सैनिकों का पुनर्वास

*678. श्री नारायण स्वर्ण शर्मा : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मध्य प्रदेश सरकार भूतपूर्व सैनिकों के पुनर्वास के लिए भूमि देने पर सहमत हो गई थी; और

(ख) यदि हाँ, तो इस सम्बन्ध में अब तक कितनी प्रगति हुई है ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री म० र० कृष्ण) : (क) तथा (ख). पंजाब तथा हरयाणा के भूतपूर्व सैनिकों के पुनर्वास के लिए मध्य प्रदेश सरकार ने एक ही स्थान पर लगभग 2000 एकड़ भूमि प्रदान की है। इस योजना के आर्थिक पहलू पर मध्य प्रदेश, पंजाब और हरयाणा सरकारों से परामर्श लेकर विचार किया जा रहा है।

Manufacture of Sophisticated Equipments

*679. SHRI RABI RAY : Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that Naval authorities have a programme to manufacture indigenously all the sophisticated equipments being imported from U. K. at present; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) : (a) The possibility of indigenous manufacture of sophisticated Naval equipment is kept under continuous review.

(b) A programme of manufacture of indigenous equipment has been drawn up in respect of Engines and Gearing, Auxiliary Machinery and Electrical Switch Boards, Navigational Aids and other equipment for the Leander Class Frigate being built in India. Certain other equipment appertaining to other Naval vessels are also being indigenised.

Uniform Rate of Entertainment Tax***680. SHRI HIMATSINGKA :****SHRI RAMAVATAR SHASTRI :**

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

(a) whether *ad-hoc* Committee of the Delhi-U. P. exhibitors of motion pictures association had approached Government to reduce the entertainment tax at least to the level of 20 per cent of the takings on a uniform level throughout the country as a step to end the crisis in the film industry;

b) if so, whether Government have considered this proposal with a view to introduce a uniform rate of entertainment tax throughout the country;

(c) if so, Government's decision in this regard ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) Yes Sir.

(b) and (c). The matter concerns the State Governments. A uniform entertainment tax of 20% throughout the country was also recommended by the Film Enquiry Committee, 1951. The Central Government have been in correspondence with the State Governments on the subject of rationalisation of Entertainment Tax but in view of the resultant loss in revenues, the State Governments are averse to accept the proposal. However, efforts are continuing.

Construction of Broad Gauge Railway Lines in Nepal with Indian Aid

681. SHRI DHIRESWAR KALITA :*SHRI R. K. SINHA :**

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether there is a proposal to construct a 44-mile Broad Gauge railway lines in Nepal connecting Bayaul and Hithuasa with Indian aid;

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

(c) the nature and extent of aid proposed to be given to Nepal in this respect ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) A proposal to examine the feasibility of constructing a Railway line connecting Raxaul in India to Hitauda in Nepal, a distance of about 40 miles, was tentatively broached with the Railway Minister by the Prime Minister of Nepal when the Railway Minister accompanied the President to Nepal in October this year. In keeping with the declared policy of the Government of India to assist the economic development of Nepal, which is a friendly and close neighbour, the Government of India have informed His Majesty's Government of Nepal that they would consider the matter with sympathy in the light of any firm proposal which the Nepal Government might wish to make in the overall context of the Indian co-operation programme in Nepal. No formal proposal has been received by the Government of India so far.

(b) and (c). Do not arise at this stage.

Electronic Computers in Defence Establishments

***682. SHRI S. M. BANERJEE :** Will the MINISTER OF DEFENCE be pleased to state :

(a) whether there is any proposal to use Electronic Computers in the Defence Establishments;

(b) whether this will result in mass retrenchment; and

(c) if not, the steps taken to safeguard the interest of the workers ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) A few Electronic Computers have already been

installed in certain Defence Establishments and installation of a few more Computers in these Organisations is in progress. A pilot study of Electronic Data Processing System on Inventory Control in the Central Ordnance Depot, Delhi Cantt. has also been sanctioned. Further extension of the system in the Defence Services will depend upon the results obtained by this study.

(b) No, Sir.

(c) Does not arise.

Design and Blue Print of Vijayanta Tank

*683. DR. SUSHILA NAYAR : Will the MINISTER OF DEFENCE be pleased to state :

(a) whether Government have seen the press reports that the Design and Blue Print of Vijayanta Tanks have been sent to Pakistan;

(b) whether Government have enquired into the circumstances as to how it has happened; and

(c) the action taken or proposed to be taken by Government in this regard ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) Yes, Sir.

(b) and (c). The enquiries made by Government do not substantiate the Press reports.

Assam-West Bengal Water Transport through East Pakistan

*684. SHRI SITARAM KESRI : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government have taken up with the Government of Pakistan the question of resuming the Assam-West Bengal Water Transport Service through East Pakistan; and

(b) if so, Pakistan's response thereto ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) and (b). Yes Sir, ever since the signing of the Tashkent Declaration, we have been repeatedly requesting the Government of Pakistan to discuss the resumption of air, land, and river communications, alongwith other matters, in order to normalise relations between the two countries. Pakistan has not responded positively.

Diplomatic Relations with Countries

*685. SHRI GADILINGANA GOWD : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) the new countries with which Government have established diplomatic relations during 1967-68; and

(b) whether proposals for establishing diplomatic missions in some of the Latin American Countries after her visit are under consideration of Government ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) During 1967-68 diplomatic relations have been established with Congo (Brazzaville) Gabon and the People's Republic of Southern Yemen.

(b) It has been decided to establish resident Missions in Venezuela and Peru.

भारत-बर्मा सीमा का सीमांकन

*686. श्री रामावतार शर्मा :

श्री रा० रा० सिंह देव :

श्री रामचन्द्र बोरप्पा :

क्या बंदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत-बर्मा सीमा के सीमांकन के बारे में बातचीत पूरी हो चुकी है ;

(ख) यदि हां, तो क्या भारतीय प्रति-निधिमंडल ने सरकार को इस सम्बन्ध में कोई प्रतिवेदन प्रस्तुत किया है; और

(ग) यदि हां, तो तत्सम्बन्धी व्यौरा क्या है।

वैदेशिक-कार्य मंत्रालय में उप मंत्री (श्री सुरेन्द्र पाल सिंह) : (क) से (ग). भारत-बर्मा सम्मिलित सीमा आयोग की बैठकों का दूसरा दौर रंगून में 20 से 26 अक्टूबर, 1968 के बीच हुआ था। इन बैठकों में दोनों प्रतिनिधिमंडलों ने जमीन पर सीमा के वास्तविक अंकन से सम्बद्ध विभिन्न व्यौरों पर विचार विमर्श किया था जिनमें संभार-तंत्र (लाजिस्टिक) और सुरक्षा विषयक प्रबंध भी शामिल हैं। इस बात पर सहमति हुई थी कि वर्तमान क्षेत्र-कार्य मौसम में, नवम्बर, 1968 से अप्रैल, 1969 तक, दक्षिण की ओर करीब 240 मील की सीमा की निशादेई कर दी जाए। दोनों ओर के सर्वेक्षण दल इस काम को शुरू करने के लिए नवम्बर आखीर में संबद्ध क्षेत्र में चले गए थे।

“पड़ोसिन” चलचित्र

*687. श्री रामगोपाल शालवाले : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि चलचित्र “पड़ोसिन” में महान हिन्दू विभूतियों ‘हिन्दू’ शब्द और हिन्दुओं की परम्पराओं के प्रति अनादर दिखाया गया है और यह चलचित्र राजधानी में तथा देश में बहुत से अन्य स्थानों में दिखाया जा रहा है;

(ख) यदि हां, तो क्या इस चलचित्र को दिखाये जाने पर प्रतिबन्ध लगाने का बचवा इसका पुनः सेंसर करने का सरकार का विचार है; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

सूचना और प्रसारण मंत्री (श्री के० के० शाह) : (क) जी नहीं। केन्द्रीय फिल्म सेंसर बोर्ड के निर्णयानुसार नहीं।

(ख) तथा (ग). प्रश्न नहीं उठते।

लेह हवाई अड्डा

*688 श्री कुशोक बाकुला : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सैनिक एवं असैनिक आवश्यकताओं की पूर्ति करने के लिये लेह हवाई अड्डे को सब मौसमों के लिए उपयुक्त हवाई अड्डा बनाया गया है; और

(ख) यदि नहीं, तो इसके क्या कारण हैं ?

प्रति रक्षा मंत्री (श्री स्वर्ण सिंह) : (क) तथा (ख). लेह में हवाई अड्डे को इस समय उतना ही विकसित किया जा रहा है जितना कि आवश्यक है।

Indians in South Africa

*689. SHRI R. K. AMIN : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that Indians in South Africa have been threatened with commercial squeeze;

(b) if so, the details thereof; and

(c) the reaction of Government thereto ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) to (c). According to recent press reports, the South African Community Development Minister if stated to have threatened persons of Indian origin to turn them out

of their normal and lawful commercial activities if they did not leave their professions willingly. He is reported to have warned South African Indians that unless they took to other occupations such as those of clerks, road-workers, fitters, turners, etc., he would reconsider the entire matter of issuing trading licences to them. The Minister's statement, if true, is yet another example of the unrelenting pursuit of the cruel and unjust policy of apartheid against which India, along with the vast majority of members of the U. N., have been fighting.

Buildings Built by Muslim Princes in Arab for Hajees

*690. SHRI ABDUL GHANI DAR : Will the MINISTER of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that some previous Muslim princes built good accommodation for the Indian Muslim Hajees in Arab specially at Macca-sharif and Madina-sharif ;

(b) if so, how many such buildings were built before 1947 and whether these buildings are under Indian Government control and if not, why;

(c) whether these buildings are available for the stay of the Indian Hajees; and

(d) if not, whether Government are taking any steps in this regard ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) :

(a) Yes, Sir. Some Rubats (guest houses) were built in Macca and Medina by the former Ruler of Hyderabad, Bhopal and others for charitable purposes and for the use of Indian Hajees.

(b) These Rubats are not in good condition and Government have no definite information as to when they were built. These properties are in the category of endowments owned by the former Rulers and managed by Nazirs appointed by them. Under the local Waqf Rules, only Saudi nationals can be appointed Nazirs.

(c) Some of the them are available for the stay of Indian Hajees.

(d) oDes not aries.

Meetings of the Committee on Science and Technology

4090. SHRI R. R. SINGH DEO : Will the PRIME MINISTER be pleased to state :

(a) whether any meeting of the Committee on Science and Technology was held recently;

(b) if so, the subjects discussed and the decision arrived at; and

(c) Government's reaction thereto ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) Since its formation on August 17, 1968, the Committee on Science and Technology has held four meetings.

(b) The main topics discussed and the conclusions reached thereon relate to the following :

(i) Identification of areas of science and technology having greatest potential for contributing towards economic growth.

(ii) Laying down procedures and guidelines for (1) utilisation of research grants from foreign organisations and (2) accepting foreign assistance and securing services of foreign experts.

(iii) In the light of recommendations made by the CASTASIA, formulation of measures for forging an effective link between universities, national laboratories and the industries, and undertaking of studies on science budgetary allocation mechanisms and the structure of research and development expenditure.

(iv) Strengthening of the existing Centres in the field of Type Culture collections and Tissue Culture instead of establishing a separate Institute for Type Culture Collection and Tissue Culture.

(v) Setting up of two groups of experts, with representatives of Ministries concerned, to examine some of the main issues relating to the working of the Kolar Gold Mines and the Hindustan Zinc Ltd. which have been highlighted by the Working Group set up by the SACC on Non-ferrous Metals.

(c) The recommendations made by the Committee have been brought to the notice of Ministries/Departments concerned for appropriate action.

All India Radio

4091. SHRI ABDUL GANI DAR : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether it is a fact that A. I. R. has divided its stations in regions and Zones;

(b) if so, the details thereof;

(c) the number of class I, II and III technical posts in each Zone; and

(d) the number of posts lying vacant in each Zone and when they will be filled ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) and (b). Administratively, AIR stations/offices have not been divided into regions and zones. But on engineering side, the following four regions have been created :

(i) NORTHERN REGION comprising J. & K., Punjab, Haryana, Himachal Pradesh, U. P., Chandigarh, Delhi and Rajasthan;

(ii) EASTERN REGION comprising Assam, NEFA, Orissa, Nagaland, Manipur, Tripura, West Bengal and Bihar;

(iii) WESTERN REGION comprising Maharashtra, Gujarat, Madhya Pradesh, Goa, Daman and Diu; and

(iv) SOUTHERN REGION comprising Andhra Pradesh, Mysore, Madras, Kerala, Laccadives, Minicoy and Amindiv Islands, Andaman & Nicobar Islands and Pondicherry.

Each region has been placed in charge of a Deputy Chief Engineer. The regional offices are responsible for project work which was earlier looked after by the respective Project Circles, and in addition some maintenance and administrative functions have been entrusted to them.

(c) and (d). The information is being collected and will be laid on the Table of the House.

Scheduled Castes and Scheduled Tribes Draughtsmen in A. I. R.

4092. SHRI ABDUL GANI DAR : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) the total number of posts of draughtsmen and tracers reserved for Scheduled Castes and Scheduled Tribes in A. I. R.;

(b) if not, the reasons therefore; and

(c) the number of posts reserved for Scheduled Castes and Scheduled Tribes lying vacant in A. I. R. ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) to (c). The required information is being collected and will be laid on the Table of the House.

**Scheduled Castes and Scheduled Tribes
Draughtsmen in A. I. R.**

4093. SHRI ABDUL GANI DAR : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) the total number of Scheduled Castes and Scheduled Tribes persons in Drawing Offices of All India Radio who are qualified Draughtsmen;

(b) the number of representations received from them for their promotions;

(c) the action taken thereon; and

(d) if not, the reasons therefor?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) Six belonging to the Scheduled Castes and none belonging to the Scheduled Tribes.

(b) Four representations from three persons since 1st January, 1967.

(c) These representations were considered. In one case the person concerned is likely to be promoted soon. In the remaining two cases it has not been possible to agree to their requests.

(d) Does not arise.

**Expansion of A. I. R. Stations in
Madhya Pradesh**

4094. SHRI G. C. DIXIT : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether any schemes have been formulated for the improvement and expansion of A. I. R. stations in Madhya Pradesh during the Fourth Plan; and

(b) if so, the broad details thereof ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) The schemes are in the process of being formulated.

(b) Does not arise.

मध्य प्रदेश के पिछड़े क्षेत्रों का विकास

4095 श्री गं० च० बीक्षित : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश सरकार ने राज्य के पूर्व और पश्चिम निमाड़ जिलों के पिछड़े क्षेत्रों के विकास के लिये कोई योजना/योजनाएं प्रस्तुत की है;

(ख) यदि हाँ, तो उसका व्यौरा क्या है और इस पर क्या खर्च होगा;

(ग) यदि भाग (क) का उत्तर नकारात्मक है तो क्या मध्य प्रदेश सरकार से पिछड़े क्षेत्रों की कोई सूची प्राप्त हुई है ताकि उन क्षेत्रों में भी देश के अन्य विकसित क्षेत्रों के समान शीघ्र विकास का कार्य आरम्भ किया जा सके; और

(घ) यदि हाँ, तो क्या उपर्युक्त भाग (क) में निदेशित क्षेत्रों को उक्त सूची में शामिल किया गया है ?

प्रधान मंत्री, अशु शक्ति मंत्री, योजना मंत्री तथा वंदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) जी, नहीं।

(ख) प्रश्न नहीं उठता।

(ग) और (घ) . जी हाँ। राज्य सरकार ने पिछड़े जिलों की जो सूची प्रस्तुत की है, उसमें पश्चिमी निमाड़ क्षेत्र शामिल है।

**मध्य प्रदेश में मूलपूर्व संसिकों को कृषि
भूमि का आबंटन**

4096. श्री गं० च० बीक्षित : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश के पूर्वी निमाड़ जिले में कितने जवानों को कृषि तथा रिहायश के लिये भूमि आबंटित की गई है;

(ख) जवानों के कितने आवेदन पत्र अभी विचाराधीन हैं ; और

(ग) उन पर कार्यवाही न किये जाने के क्या कारण हैं ?

प्रति रक्षा मंत्रालय में उपमंत्री (श्री मं० रं० कृष्ण) : (क) से (ग) . अपेक्षित जानकारी राज्य सरकार से मांगी जा रही है और उसके प्राप्त होने पर उसे सभा के पटल पर रख दिया जाएगा ।

मध्य प्रदेश में आकाशवाणी केन्द्रों के स्थानीय कलाकार

4097 श्री मं० च० दीक्षित : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को कोई ऐसी शिकायतें मिली हैं कि स्थानीय कलाकारों की उपेक्षा की जा रही है और उन्हें मध्य प्रदेश में आकाशवाणी के केन्द्रों में कम समय दिया जा रहा है, और

(ख) यदि हां, तो इस बारे में सरकार की प्रतिक्रिया क्या है ?

सूचना तथा प्रसारण मंत्री (श्री को० के० शाह) : (क) सरकार भोपाल तथा इन्दौर के स्थानों के अतिरिक्त, जहां आकाशवाणी के केन्द्र स्थापित हैं, अन्य स्थानों के कलाकारों की इन भावनाओं से परिचित हैं कि उनको अधिक समय दिया जाना चाहिये ।

(ख) इन कलाकारों को और अधिक समय दिये जाने की वांछनीयता स्वीकार की जाती है परन्तु आकाशवाणी के लिये इस प्रकार का पग उठाने के लिये वित्तीय साधनों की कमी सबसे बड़ी बाधा है ।

Films Produced in Madras

4098. SHRI JUGAL MONDAL : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether any film produced by Madras Film Industry has been exempted from entertainment tax during the last five years;

(b) whether any loan has been given by the Film Finance Corporation to the Madras Producers during the above period; and

(c) if so, the names of such films and their producers ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) to (c). The required information is being collected and will be laid on the Table of the House in due course.

Films Produced in Bombay

4099. SHRI JUGAL MONDAL : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether any films produced by the Bombay Producers have been exempted from entertainment tax during the last three years and if so, their names;

(b) whether any foreign exchange has been given to these producers during the above period;

(c) if so, the amount given to each producer and whether this foreign exchange has been fully utilised by them; and

(d) if not, the action taken against each producer ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) to (d) . Information is being collected and will be laid on the Table of the House in due course.

महाराष्ट्र के यवतमाल जिले में प्रति व्यक्ति की आय

4100 श्री देवराव पाटिल : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) 1966-67 तथा 1967-68 में में महाराष्ट्र राज्य के यवतमाल जिले में प्रति व्यक्ति आय कितनी थी;

(ख) क्या यह राष्ट्र की प्रति व्यक्ति आय से कम है अथवा अधिक; और

(ग) प्रति व्यक्ति आय में वृद्धि करने के लिए क्या कार्यवाही की गई है ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा बंदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) और (ख) . यवतमाल जिले के बारे में प्रतिव्यक्ति आय के अनुमान अभी उपलब्ध नहीं हुए हैं ।

(ग) राज्य सरकारों से कहा गया है कि वे अपने योजना प्रस्तावों में अवस्थापना (इन्फ्रा-स्ट्रक्चर) सुविधाओं के निर्माण और असमानताएं कम करने के लिए पिछड़े क्षेत्रों के प्राकृतिक साधनों का पर्यवेक्षण और विकास करने के कार्यक्रमों पर विशेष ध्यान दें ।

Lapses by Army Personnel Deployed for Floods in West Bengal

4101. SHRI SAMAR GUHA : Will the Minister of DEFENCE be pleased to state :

(a) whether the Committee set up by the West Bengal Government under the chairmanship of Shri S. N. Ray has pointed out certain serious lapses of duty on the part of the Army authorities working in North Bengal during the October, 1968 floods; and

(b) if so, the steps which have been taken by Government to implement those recommendations of the Committee with respect to Army stationed in North Bengal area ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) and (b). The Report of Shri S. N. Ray mentions that there was some delay in the giving of aid by the Army during the floods in October, 1968. However, taking into account the operational commitments of the Army units located in the area and the equipments available with them, it is evident that the Army rushed the maximum possible assistance without delay. In spite of the fact that the troops had to move at night in heavy rains on uncertain roads and on the basis of scanty information, they managed to reach most places with commendable speed to render assistance.

Sikh Gurdwaras in Pakistan

4102. SHRI BABURAO PATEL : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government are aware of the statement made by Shri Gurdev Singh Bedi, leader of the 1268 Sikh pilgrims who recently visited the Sikh shrines at Nankana Sahib that Pakistanis were slowly changing the shape of minarets of Sikh Gurdwaras to make them appear like mosques;

(b) if so, whether any protests have been made to the Government of Pakistan; and

(c) if so, the reaction thereto ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) and (b). We have seen a press report about it, but we have not received any official information from the SGPC or any of its representatives who visited Nankana Sahib recently. The Government will decide upon action to be taken on receipt of full facts.

(c) Does not arise.

महाराष्ट्र में परमाणु बिजली घर

4103. श्री देवराव पाटिल : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या महाराष्ट्र राज्य में एक परमाणु बिजली घर स्थापित करने का कोई प्रस्ताव सरकार के विचाराधीन है और

(ख) यदि नहीं, तो क्या चतुर्थ पंच-वर्षीय योजना में ऐसे किसी प्रस्ताव पर सरकार विचार करेगी ?

प्रधान मंत्री, अखु शक्ति मंत्री, योजना मंत्री तथा बंदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) तारापुर में इस समय निर्माणाधीन परमाणु बिजली घर के इलावा महाराष्ट्र में अन्य कोई बिजली घर स्थापित करने का कोई प्रस्ताव नहीं है ।

(ख) चौथी पंच वर्षीय- योजना की अवधि में कार्यान्वित किये जाने वाले बिजली कार्यक्रम का निर्णय हो जाने के बाद ही महाराष्ट्र राज्य में और परमाणु बिजली-घर स्थापित करने के प्रश्न पर विचार किया जा सकता है ।

प्रतिरक्षा संगठनों के कर्मचारियों द्वारा
सांकेतिक हड़ताल

4104. श्री हुकम चन्द कछवाह :

श्री नीतिराज सिंह चौधरी :

श्री बेबेन सेन :

श्री म० सा० सौधी :

क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सरकारी कर्मचारी संघ द्वारा आयोजित 19 सितम्बर, 1968 एक दिन की सांकेतिक हड़ताल में प्रतिरक्षा संग-

ठनों के कितने असैनिक कर्मचारी शामिल हुए; और

(ख) हड़ताल में शामिल होने के कारण कितने कर्मचारी मुअत्तिल किये गये और कितनों की सेवायें समाप्त की गई ?

प्रति रक्षा मंत्री (श्री स्वर्ण सिंह) :
(क) लगभग 20900 ।

(ख) विभिन्न अभियोगों के सम्बन्ध में विभागीय जांच कार्य पूरे होने तक के लिए 176 कर्मचारियों को मुअत्तिल किया गया है । 476 अस्थाई कर्मचारियों की सेवाएं, उन पर लागू होने वाले सर्विस नियमों के ही अनुसार, समाप्त की गई हैं ।

केन्द्रीय सरकार के कर्मचारियों द्वारा
सांकेतिक हड़ताल में हिस्सा लिया जाना

4105. श्री हुकम चन्द कछवाह : क्या बंदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय के कितने कर्मचारियों ने 19 सितम्बर, 1968 को केन्द्रीय सरकार के कर्मचारियों के महासंघ द्वारा आयोजित हड़ताल में भाग लिया था ;

(ख) पुलिस द्वारा इस संबंध में कितने कर्मचारी गिरफ्तार किये गये और कितने कर्मचारियों के विरुद्ध न्यायालय में मुकदमे चल रहे हैं;

(ग) कितने कर्मचारियों को क्रमशः मुअत्तिल और बर्खास्त किया गया है; और

(घ) पुलिस की कार्यवाही के कारण उन के मंत्रालय के कितने कर्मचारी मारे गये और कितने कर्मचारियों को चोटें आईं ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वंदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) तीन ।

(ख) एक—डिप्टी कमिश्नर, दिल्ली से इस मामले को खत्म करा देने के लिए निवेदन किया गया है । क्योंकि यह कर्मचारी पुलिस द्वारा उस समय गिरफ्तार कर लिया गया था जबकि वह 18 सितम्बर 1968 को शास्त्री भवन की ओर से होकर आ रहा था । यह कर्मचारी सरकारी काम से जा रहा था ।

(ग) कोई न ।

(घ) कोई नहीं ।

Kenyans of Asian Origin

4106. SHRI SRADHAKAR SUPAKAR : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) how many Kenyans of Asian Origin having British passports are at present in India on temporary visa pending immigration permits to the United Kingdom under the new Immigration Act; and

(b) how many have come to India with Indian passports for settlement in this country after the passing of the Kenya Immigration Act ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) 28 persons of Indian origin holding British passports who arrived in India from Kenya have applied to the U. K. High Commission in New Delhi for immigration permits for the U. K. 16 have already been given the necessary permits and the cases of the remaining 12 are under consideration.

(b) 1095 Indian passport holders have come to India but since no check on their movements is required, precise information regarding those who have settled down is not available.

अश्लील अंग्रेजी चलचित्र

4107. श्री रामस्वरूप बिद्यार्थी :

श्री हरबयाल देवगुण :

श्री भारत सिंह चौहान :

श्री राम सिंह अयरवाल :

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

(क) क्या यह सच है कि गत वर्ष देश में ऐसी बहुत सी अंग्रेजी फिल्में दिखायी गई थीं जिन्हें भारतीय संस्कृति तथा परम्पराओं की दृष्टि से अश्लील कहा जा सकता है,

(ख) यदि हां, तो ऐसी फिल्मों के प्रदर्शन पर प्रतिबन्ध न लगाने के क्या कारण हैं,

(ग) क्या जनमत को ध्यान में रखते हुए सरकार यह सुनिश्चित करेगी कि भविष्य में देश में नग्न तथा अश्लील चलचित्र न दिखाये जायें; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

सूचना तथा प्रसारण मंत्री (श्री कै० कै० शाह) : (क) से (घ). सार्वजनिक प्रदर्शन के लिये फिल्मों को स्वीकृति देने सम्बन्धी निदेशों में नग्न और अश्लील दृश्यों को निकालने की व्यवस्था है और केन्द्रीय फिल्म सेन्सर बोर्ड इन निदेशों का विधिवत् पालन करता है । यह सच है कि निर्णय लेते समय विषय-वस्तु के स्थान की सांस्कृतिक परम्पराओं एवं ऐतिहासिक पृष्ठभूमि और सामाजिक परिस्थितियों का ध्यान रखा जाता है । इस समय एक समिति फिल्म सेन्सरशिप के सूचके प्रश्न पर विचार कर रही है और उसकी रिपोर्ट भीघ्र ही प्राप्त होने वाली है ।

योजना आयोग की हिन्दी में रिपोर्ट

4108 श्री रामस्वरूप विद्यार्थी :

श्री हरदयाल देबगुण :

श्री भारत सिंह चौहान :

श्री राम सिंह अयरवाल :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) योजना आयोग द्वारा 1967 और 1968 में अब कितनी रिपोर्टें प्रकाशित की गयीं और उनमें से कितनी रिपोर्टों का हिन्दी संस्करण भी निकाला गया;

(ख) अब तक शेष रिपोर्टों का हिन्दी संस्करण न निकालने के क्या कारण हैं; और

(ग) शेष रिपोर्टों को हिन्दी में प्रकाशित करने की व्यवस्था करने में कितना समय लगेगा ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वैदेशिक कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) योजना आयोग ने 1967 और 1968 के वर्षों के दौरान अठारह प्रतिवेदन/अध्ययन प्रकाशित किये। इनमें से एक प्रतिवेदन, यानी "1967-68 के दौरान किये गये महत्वपूर्ण कार्यक्रमों और अध्ययन की समीक्षा" पहले ही हिन्दी में प्रकाशित किया जा चुका है और अन्य सात प्रतिवेदनों का हिन्दी रूपान्तर और अन्य दो प्रतिवेदनों का हिन्दी में सारांश निकालने का प्रस्ताव है। नौ प्रतिवेदन/अध्ययन मुद्रित किये जा रहे हैं।

(ख) और (ग) . बाकी प्रतिवेदन या तो मुख्यतः परियोजना अधिकारियों के लिए परियोजनाओं और कार्यक्रमों का तकनीकी अध्ययन हैं या इसी प्रकार के सीमित परिचालन के लिए हैं। योजना आयोग जनसामान्य से सम्बन्ध रखने वाले प्रकाशनों को

अधिक संख्या में हिन्दी में निकालना चाहता है।

राजनयिक पारपत्र जारी करना

4109. श्री कंवर लाल कुपत : क्या वैदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राजनयिक पारपत्र जारी करने की सरकार के पास स्वविवेकीय शक्तियां हैं; और

(ख) यदि हां, तो स्वविवेकीय शक्तियों से अन्तर्गत पिछले तीन वर्षों में किन व्यक्तियों को पारपत्र दिये गये थे ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वैदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) जी हां।

(क) 1-11-1965 से 31-10-1968 की अवधि के दौरान स्वविवेक अधिकार से जिन-जिन व्यक्तियों को राजनयिक पासपोर्ट स्वीकृत किए गए हैं उनकी एक सूची सभा पटल पर रखी है। [पुस्तकालय में रख दी गयी। देखिये संख्या LT-2642/68]।

परमाणु शक्ति केन्द्र

4110. श्री अटल बिहारी वाजपेयी :

श्री जगन्नाथ राव जोशी :

श्री नारायण स्वर्ण शर्मा :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत के परमाणु शक्ति केन्द्रों द्वारा लाभप्रद प्रयोजनों के लिये इस समय कितनी परमाणु शक्ति पैदा की जा रही है

और परमाणु शक्ति का उत्पादन कब तक होने लगेगा; और

(ख) यह शक्ति किन कार्यों में उपयोग करने का विचार है ?

प्रधान मंत्री, अखु शक्ति मंत्री, योजना

मंत्री, तथा वैदेशिक कार्य मंत्री (श्रीमती इम्बिरा गांधी) : (क) इस समय देश में तीन परमाणु बिजली घर स्थापित किये जा रहे हैं। इन बिजलीघरों की क्षमता तथा निर्माण कार्य पूरा होने की अनुमानित तिथियां नीचे दी जाती हैं :

बिजली घर का नाम	बिजली घर की क्षमता	निर्माण कार्य पूरा होने की अनुमानित तिथि
1. तारापुर परमाणु बिजलीघर (पहला तथा दूसरा यूनिट)	380 मेगावाट	सन् 1969 के मध्य तक
2. राजस्थान परमाणु बिजलीघर (पहला यूनिट)	200 मेगावाट	सन् 1971 के आरम्भ में
(दूसरा यूनिट)	200 मेगावाट	1973
3. मद्रास परमाणु बिजलीघर	200 मेगावाट	1972-73

(ख) बिजली सामान्य औद्योगिक, कृषि तथा घरेलू प्रयोग के लिये ग्रिड से सप्लाई की जायेगी।

(b) The attention of the hon. Member is invited to the statement laid on the Table of the House on 12-11-1968 in respect of Unstarred Question No. 1874 answered on 31-7-1968.

Dismissal of Employees of Sainik School, Tilayya

4111. SHRI BHOGENDRA JHA : Will the Minister of DEFENCE be pleased to refer to the reply given to Unstarred Question No. 1874 on the 31st July, 1968 and state :

(a) whether the information regarding dismissal of employees of Sainik School, Tilayya has been collected;

(b) if so, the details thereof and Government's reaction thereto;

(c) whether litigations are also going on there in that connection; and

(d) if so, the steps being taken to restore normalcy ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) Yes, Sir.

(c) and (d). One of the dismissed employees has filed a Writ Petition in the High Court. The Police have also filed two cases in connection with certain offences committed by these employees. Normalcy has been restored in the Campus and the school is functioning smoothly.

Recruitment to Commercial Sections of Indian Missions Abroad

4112. SHRI KAMESHWAR SINGH: Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that for Commercial sections in our Missions abroad, personnel are recruited from business houses;

(b) if so, the total number of such recruitments during the last ten years;

(c) whether I. F. S. Officers are trained for commercial work from early stages in service; and

(d) if so, how many are undergoing training at present and the reasons for recruiting personnel for commercial sections from business houses ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) No, Sir.

(b) Does not arise.

(c) Yes, Sir. Apart from 'International Trade' being an item of the syllabus for the Indian Foreign Service Officers during their probationary period, they are also attached to the Ministry of Commerce and the Indian Institute of Foreign Trade for practical training. Such training is also given to officers of the IFS (B).

(d) There are 80 Officers in the IFS including officers of Grade I, IFS (B) and above 50 officers in the Section Officers/Private Secretaries Grade, who have experience of commercial work. At present there are 14 officers, including 9 Section Officers, who are posted in the Ministry of Commerce. Ten officers of the 1967 batch will shortly be sent for training at the Institute of Foreign Trade.

Reduction in Staff in Indian High Commission, London

4113. SHRI KAMESHWAR SINGH :
SHRI S. S. KOTHARI :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that the staff of the Indian High Commission and other Missions such as Purchase etc. in London has not so far been reduced;

(b) if so, the reasons therefor;

(c) if so, the steps which are being taken by Government to rationalise the allocation of work and transfer surplus hands to other places; and

(d) the total expenditure incurred on that Mission in 1966-67 and 1967-68 ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) No, Sir. Reduction of staff has been effected in the various wings of the High Commission in London.

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

(d) The total expenditure incurred on our High Commission in London is as shown below :

<i>Year</i>	<i>Expenditure in & Sterling</i>
1966-67	1,544,183
1967-68	1,517,248

अणु शक्ति केन्द्र

4114. श्री महाराज सिंह भारती :

श्री मनुभाई पटेल :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) चौथी पंचवर्षीय योजना के दौरान किन-किन स्थानों पर अणु-शक्ति केन्द्र स्थापित करने का प्रस्ताव है और उन केन्द्रों की क्षमता कितनी-कितनी होगी; और

(ख) प्रस्तावित अणु शक्ति के केन्द्रों की स्थापना में कितने प्रतिशत विदेशी मुद्रा की आवश्यकता होगी ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा बंधेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) चौथी पंचवर्षीय योजना के दौरान स्थापित किये जाने वाले परमाणु बिजलीघरों के स्थान तथा क्षमता का निर्णय चौथी पंचवर्षीय योजना को अन्तिम रूप दिये जाने के बाद ही किया जायेगा।

(ख) इस समय इस का प्रश्न ही नहीं उठता ।

परमाणु ईंधन

4115. श्री महाराज सिंह भारती : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) कितने स्थानों पर परमाणु ईंधन के भंडारों का पता चला है, स्थानवार उनकी मात्रा का ब्योरा क्या है और जिन भंडारों का भारत लाभ उठा रहा है उनका ब्योरा क्या है ;

(ख) क्या यह सच है कि बड़े पैमाने पर भंडारों को देखते हुए हम उनका बहुत कम मात्रा में प्रयोग कर रहे हैं; और

(ग) यदि हां, तो क्या यह तकनीकी जानकारी के अभाव में अथवा विदेशी मुद्रा की कमी अथवा जानकारी अथवा धन की कमी के कारण है ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वैदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) और (ख). यूरेनियम तथा थोरियम भण्डारों का पता चलने के बारे में सूचना समय-समय पर परमाणु ऊर्जा विभाग की वार्षिक रिपोर्टों में दी जाती रही है । वर्तमान परमाणु बिजली कार्यक्रम की आवश्यकताओं को पूरा करने के लिये जादू-गुडा स्थित यूरेनियम भण्डारों से धातु निकाली जा रही है ।

(ग) जी नहीं ।

मोनाजाइट रेत

4116. श्री महाराज सिंह भारती : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केरल के अतिरिक्त किसी अन्य तट पर भी मोनाजाइट रेत मिला है

और क्या भारत के तटवर्ती प्रदेशों का सर्वेक्षण पूरा हो गया है ;

(ख) समुद्र से मिलने वाले मोनाजाइट रेत निक्षेपों से अनुमानतः कितना मोनाजाइट प्राप्त होगा ; और

(ग) क्या सरकार ने उस मूल स्रोत का पता लगाने का प्रयास किया है जहां से यह रेत समुद्र में आया ।

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वैदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) पूर्वी तट पर भी मोनाजाइट रेत मिली है । सर्वेक्षण किये जा रहे हैं ।

(ख) केवल एक स्थान में जांच के आधार के सिवाय कहीं पर भी पानी के अन्दर निक्षेप सम्बन्धी सर्वेक्षण नहीं किया गया है ।

(ग) यह विचार है कि मोनाजाइट रेत का स्रोत सागर तट से दूर चट्टानों का जमाव है ।

परमाणु इंजीनियरों और वैज्ञानिकों का प्रशिक्षण

4117. श्री महाराज सिंह भारती : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) अणुशक्ति के भविष्य के विकास को ध्यान में रखते हुए क्या परमाणु इंजीनियरों, तकनीशनों और वैज्ञानिकों के प्रशिक्षण सम्बन्धी योजना चौथी पंचवर्षीय योजना में शामिल की गई है अथवा शामिल करने का प्रस्ताव है ; और

(ख) क्या सरकार प्रत्येक वर्ग में अपेक्षित संख्या में विशेषज्ञों को प्रशिक्षित करने में समर्थ होगी ?

प्रधान मंत्री, अखु शक्ति मंत्री, योजना मंत्री तथा बंधेशिक-कार्य मंत्री (श्रीमती इन्डिरा गांधी): (क) भाभा परमाणु अनुसंधान केन्द्र में न्यूक्लीय इंजीनियरों तथा वैज्ञानिकों को प्रशिक्षण देने के लिये प्रशिक्षण स्कूल में प्रशिक्षणाधियों की संख्या बढ़ाने का विचार है। परमाणु ऊर्जा आयोग द्वारा स्थापित किये जा रहे विभिन्न संयंत्रों और रिऐक्टरों में काम करने के लिये परिचालकों को प्रशिक्षण देने के उद्देश्य से नियमित प्रशिक्षण कार्यक्रम भी आयोजित किए जाते हैं।

(ख) उपरोक्त उपायों से आने वाले वर्षों में अधिक विशेषज्ञ मिल सकेंगे।

Hindustan Aeronautics Ltd.

4118. SHRI PREM CHAND VERMA: Will the Minister of DEFENCE be pleased to state :

(a) when the Hindustan Aeronautics Ltd. was floated, who were the Members on its Board of Directors at that time and how long the same Board continued; and

(b) who are the members of the Board of Directors at present and who is the Chairman or Managing Director of the Corporation, when were they appointed and what is their tenure and terms of employment ?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L.N. MISHRA) : (a) Hindustan Aeronautics Ltd. came into being on 1st October, 1964 with the amalgamation of erstwhile Hindustan Aircraft Ltd., Bangalore, and Aeronautics India Ltd. New Delhi. The names of the Members of the Board of Directors as on 1-10-1964 are given below. The dates up to which they have continued to hold the office are also given against each :—

Chairman

Shri S. S. Khara — up to 1-11-1967.

Directors

Dr. S. Bhagavantam	still continuous; appointed as Chairman with effect from that date.
Dr. S. Dhawan	Continuing.
Air Marshal Arjan Singh —	up to 30-11-1966
Shri M. K. Hariharan —	up to 3-4-1968
Shri H. C. Sarin —	up to 30-11-1966
Shri R. B. Vaghaiwalla —	up to 10-11-1964

(b) The Board as at present constituted consists of :—

Chairman

Dr. S. Bhagavantam 10-5-1968

Directors

Dr. S. Dhawan	1-10-1964
Air Marshal R. Rajaram	30-11-1966
Shri J. P. Kacker	30-1-1968
Shri V. N. Sukul	3-4-1968
Shri K. T. Satarwala	16-9-1967

Managing Director

Air Marshal P. C. Lal 26-9-1966

Under Article 97 (2) of the Articles of Association of Hindustan Aeronautics Ltd. at every Annual General Meeting of the Company, every Director appointed by the President, unless he has been appointed to the office of Chairman or Managing Director under Article 107 (1), shall retire from office. A Director appointed under Article 107 (1) as Chairman or Managing Director shall retire on ceasing to hold the office thereof. A retiring Director shall be eligible for reappointment.

Hindustan Aeronautics Ltd.

4119. SHRI PREM CHAND VERMA: Will the Minister of DEFENCE be pleased to state :

(a) how much loss the Hindustan Aeronautics Ltd., suffered on account

of (i) irregularities, (ii) theft, (iii) stock shortage, (iv) fire or any other such causes since its inception;

(b) whether these matters were looked into; and

(c) if so, the result thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISRA) : (a) to (c). A statement furnishing the required information is placed on the table of the House.

Statement

The losses suffered by HAL on account of irregularities theft, stock shortage, fire and other causes during the three years following the inception of the Company on 1-10-1964 are as follows :—

	1965-66 Rs.	1966-67 Rs.	1967-68 Rs.
Irregularities	Nil	Nil	886
Theft	200	23,501	15,076
Stock shortage	21,406	32,516	20,812
Fire	Nil	Nil	Nil
Other causes	Nil	Nil	68,356

Theft cases were reported to the police and three persons involved in thefts were convicted by court and a part of the stolen property recovered.

Stock shortages were due to normal store keeping discrepancies. The amounts involved are insignificant compared to the total inventory.

The break-up of losses due to other causes is as follows :—

(a) Loss to the extent of Rs. 38,368 was due to rain and storm and this was written off with the approval of the Board of Directors.

(b) Loss to the extent of Rs. 30,000 was caused by damage to AC sheets and glass panes in a heat treatment shop while blasting of foundation. This is still under investigation.

The requisite information for 1964-65 is being collected.

Hindustan Aeronautics Ltd.

4120. SHRI PREM CHAND VERMA : Will the Minister of DEFENCE be pleased to state :

(a) whether the Hindustan Aeronautics Ltd. has proper rules of staff recruit-

ment for jobs carrying more than Rs. 500/- p. m. and for purchase, contracts and sales;

(b) if so, what are those; and

(c) if not, whether there is any proposal to draft the rules and if so, when?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISRA): (a) to (c). Yes, Sir. The rules which are called "Hindustan Aeronautics Limited recruitment and promotion rules, 1967" are applicable to recruitment to all posts in Hindustan Aeronautics Limited including those connected with Purchase Contracts and Sales.

Hindustan Aeronautics Ltd.

4121. SHRI PREM CHAND VERMA: Will the Minister of DEFENCE be pleased to state:

(a) whether a general assessment of the working of the Hindustan Aeronautics Ltd., has been made;

(b) if so, the result thereof; and

(c) if not, whether Government have any proposal to secure the services of any expert in order to find out the drawbacks and to bring about improvements in its working?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISRA): (a) to (c). The working of Hindustan Aeronautics Ltd., has been constantly under review. A detailed examination of the Bangalore Division was undertaken recently and certain measures

have been taken to improve its performance. In particular, Production Planning Department is being reorganized with the assistance of a team from the Administrative Staff College, Hyderabad. The Aeronautics Committee has also made certain recommendations regarding the organization of HAL, and based on these recommendations, necessary changes are being made in the organizational structure of the Company. The Committee is expected to make further recommendations to improve the working of Hindustan Aeronautics Ltd., and for this purpose the advice of some experts has been obtained.

Prosecution of Armed Forces Officers for Selling Defence Secrets

4122. SHRI GEORGE FERNANDES: Will the Minister of DEFENCE be pleased to state:

(a) the names and ranks of the officers and other ranks of the Army, Navy and Air Force who have been court-martialled or prosecuted for selling or otherwise disclosing defence secrets to foreign powers or to any other sources during the last ten years;

(b) the punishment given to these delinquents; and

(c) the steps taken to prevent leakage of military intelligence into enemy hands?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) and (b). 11 Service personnel have been punished with dismissal and rigorous imprisonment for various terms up to a maximum of 14 years after trial by Court-Martial or prosecution. 1 Serviceman is at present being court-martialled.

The names, ranks and punishments awarded are as follows :—

Name and Rank	Punishment
Captain Gurdial Prasad	Dismissed from service and awarded 10 years R.I.
Sepoy Bhajan Singh	Dismissed from service and awarded 3 months R.I.
Pilot Officer P. N. Sharma	Cashiered from service and awarded 14 years R.I.
Hav. Bibhuti Bhusan Ghosh	Awarded 2 years R. I.
L/NK. Shivaji Sawant	Awarded 10 years R. I.
Ex-Hav. Kulwant Singh	Awarded 3 months R. I.
Nb. Sub. I. D. Saddique	Dismissed and awarded 3 years R. I.
Cpl. P. K. Koshy	Dismissed and awarded 14 years R. I.
Sgt. J. M. Majumdar	Dismissed and awarded 14 years R. I.
Sepoy Sohan Singh	Dismissed and awarded 7 years R. I.
Nk. Mange Ram	Dismissed and awarded 10 years R. I.
Hav. Mangat Ram	Being Court martialled.

(c) Apart from deterrent punishments awarded in cases coming to light, constant vigilance is kept to prevent leakage of information of security value with the help of specific security instructions and security units which form a part of the Armed Forces.

Nuclear Blast Technology

4123. SHRI SAMAR GUHA : Will the PRIME MINISTER be pleased to refer to the reply given to Unstarred Question No. 6256 on the 28th August, 1968 and state :

(a) whether experimental knowledge about mass fission for developing Nuclear Blast Technology has been acquired by the Atomic Energy Commission;

(b) whether fission technology has been mastered by the Atomic Energy Commission to the extent of handling nuclear fusion process in conducting practical experiment with lower fusionable atoms in requisite mass; and

(c) if so, the details thereof and if not, the reason for the same?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) to (c). The Atomic Energy Commission keeps itself abreast of the latest technological developments in the entire range of the peaceful uses of atomic energy.

भारतीय वायु सेना के लिये लड़ाकू विमान

4124. श्री रघुबीर सिंह शास्त्री :

श्री बी० चं० शर्मा :

श्री बेनीशंकर शर्मा :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) भारतीय सीमाओं पर गम्भीर खतरे को देखते हुए भारतीय वायु सेना को मजबूत बनाने के लिए भारतीय आवश्यकताओं तथा परिस्थितियों के उपयुक्त लड़ाकू तथा परिवहन विमान बनाने के लिए क्या की गई है;

(ख) ऐसे विमानों का व्यौरा क्या है और इनका निर्माण कब तक शुरू हो जायेगा; और

(ग) उनकी उतरादन क्षमता क्या है ?

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) :
(क) से (ग). गत कुछ वर्षों के दौरान आधुनिक प्रकार के लड़ाकू विमानों को वायु सेना में शामिल किया गया है, जिससे भारतीय वायु सेना और सुदृढ़ हुई है। नाट, एच एफ-24 तथा मिग 21 जैसे कुछ प्रकार के विमानों को देश में ही बनाने का काम चल रहा है। इसके अतिरिक्त और अधिक व्यौरा देना जनहित में न होगा।

सुम्बन सम्बन्धी वृत्त चित्र

4125. श्री ओम प्रकाश श्यामी :

श्री रामगोपाल शालवाले :

क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि ;

(क) क्या यह सच है कि भारतीय चरित्र निर्माता (इंडियन मोशन पिक्चर्स प्रोड्यूसर्स एसोसिएशन, बम्बई के सभापति, श्री आई० एस० जोहर, सुम्बन कला पर एक वृत्त चित्र तैयार कर रहे हैं और उन्होंने बहुत से नवयुवकों और नवयुवतियों को इस काम के लिये नियुक्त किया है;

(ख) क्या सरकार ने इस प्रकार के चलचित्र के निर्माण और प्रदर्शन को अनुमति प्रदान कर दी है, जिसका जनता के नैतिक चरित्र पर प्रतिकूल प्रभाव पड़ने की सम्भावना है और जो भारतीय संस्कृति के विरुद्ध है; और

(ग) यदि हाँ, तो इसके क्या कारण हैं ?

सूचना तथा प्रसारण मंत्री (श्री के० के० शाह) : (क) इस आशय का एक समाचार समाचार पत्रों में छपा था।

(ख) फिल्म बनाने के लिये पूर्वानुमति की आवश्यकता नहीं है। तथापि, फिल्म दिक्कत सेन्सरशिप कोड के अनुसार, फिल्म दिखाये जाने से पहले उसको केन्द्रीय फिल्म सेन्सर बोर्ड से प्रमाणित करना पड़ता है। अभी तक बोर्ड को इस बारे में प्रार्थना नहीं की गई है।

(ग) प्रश्न नहीं उठता।

"The Shield and the Sword" by Lt. General P. S. Bhagat, V. C.

4126. SHRI RANJIT SINGH : Will the Minister of DEFENCE be pleased to state :

(a) whether the book entitled "The Shield and the Sword" written by Lt. General P. S. Bhagat, V. C. has been studied by Government; and

(b) whether Government propose to implement the recommendations of this senior General as given in the said book?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) Yes, Sir.

(b) The book contains the personal views of the officer on the fighting in 1965 and the changing pattern of war through the ages. The re-organisation and the modernisation of our armed forces is a continuous process based on the strategic appreciation and latest tactical doctrines. The views of the senior army officers are taken into account when any changes are made.

Over Flying of Pak Planes

4127. SHRI RANJIT SINGH : Will the Minister of DEFENCE be pleased to state.

(a) since when Government are permitting overflights through Indian territory to Pak military planes;

(b) how many such overflights have taken place since the 1st January, 1966;

(c) their number in 1966, month-wise; and

(d) how many Indian Air Force aircraft and of what types have been permitted overflights in Pakistan during the above period?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) Since partition, Pakistani military aircraft have been transiting through Indian territory, with a technical landing within India. Overflights, i. e. without a technical landing within India, were restricted to V.V.I.P. flights only.

(b) Overflights	None
Flights with technical landing in India.	... 57
(c) March, 1966	... 3
May, 1966	.. 1
June, 1966	... 1
July, 1966	... 1
September, 1966	... 2
TOTAL	... 8
(d) Overflights in 1966	2
Flights with technical landing in 1966	.. 21
TOTAL	... 23

All these flights were made by transport aircraft.

New British Formula on Rhodesia

4128. **SHRI HIMATSINGKA :**
SHRI S. K. TAPURIAH :
SHRI INDRAJIT GUPTA :
SHRI DHIRESWAR KALITA :
DR. RANEN SEN :
SHRI HEM BARUA :

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

(a) whether Government's attention has been drawn to the new formula enunciated by the British Prime Minister in a White Paper for resolving the Rhodesian problem whereunder Rhodesian minority Government has been asked to take steps for gradual establishment of majority rule in Rhodesia;

(b) whether Government's attention has also been drawn to the sharp reaction of the African leaders including the Zambian President to this new plan, who have condemned it as being in total disregard of the U. N. Charter and the Universal Declaration of Human Rights; and

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

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): (a) Yes, Sir.

(b) Yes, Sir.

(c) We are of the opinion that the recent talks of the British Prime Minister, Mr. Wilson with Mr. Ian Smith which took place on board "FEARLESS" at Gibraltar implied the recognition of the minority racist regime in Southern Rhodesia and were a denial of Britain's earlier pledge of 'no independence before majority African rule' (NIBMAR). The Government of India continue to be of the firm view that the only effective and speedy way of putting an end to the illegal regime in Rhodesia is through the use of force by Britain and that Britain should not grant independence to the colony except on the basis of majority rule, enshrining the principle of 'one-man-one-vote'.

Death by Food Droppings

4129. **SHRI HIMATSINGKA :**
SHRI D. C. SHARMA :

Will the Minister of **DEFENCE** be pleased to state :

(a) whether it is a fact that a child was killed and at least 8 other persons were

injured when food bags, being dropped from air, hit a group of people which had gathered at the Makliganj Helipad, where the Union Food Minister and the Governor were to have landed in October 1968;

(b) whether it is also a fact that since Makliganj Town had already become accessible by road there was no need for airdropping food at that place;

(c) the circumstances in which the food bags were dropped and whether any enquiry has been instituted in this matter; and

(d) if so, at what level and the terms of reference of the enquiry ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) Yes, Sir. One child was killed and six persons were injured.

(b) to (d). The supply dropping was done by the IAF at the request of the Government of West Bengal. A Court of Inquiry was ordered in accordance with the Air Force Rules by the Air Force to investigate, amongst others, the circumstances and the cause of the accident and to make recommendations for avoiding recurrence of accidents of a similar nature.

Artists of Song and Drama Division

4130. SHRI GADILINGANA GOWD : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) the amount incurred on the salaries and allowances of artists maintained by the Song and Drama Division of A.I.R. in 1967-68; and

(b) the number of artists in that division and how many of them belong to Southern Region ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) Rs. 8,28,157.35 (including travelling allowance).

(b) 375 as on 1-4-67 of whom 22 belonged to the State of Andhra Pradesh, Madras, Mysore and Kerala.

TV Sets for M. Ps. and Ministers

4131. SHRIGADILINGANA GOWD :
SHRI PRAKASH VIR SHASTRI:
SHRI SHIV KUMAR SHASTRI:

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

(a) whether it is a fact that Government have offered to instal television sets in the bungalows and flats of Ministers and Members of Parliament on a monthly rent of Rs. 50/-;

(b) if so, how many requests for television sets have been received so far and how many sets have already been installed; and

(c) the probable period within which the requests of Members of Parliament will be complied with ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) Yes, Sir.

(b) 81 Members of Parliament have so far requested for supply of TV sets on rent, 10 on hire-purchase and 5 on out-right purchase basis. No sets have so far been installed.

(c) Three months. The delay has been due to non-realisation of expectations regarding availability of TV sets.

लेह में आकाशवाणी केन्द्र

4132. श्री कुशोक बाकुला : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि क्या सरकार का विचार आजाद काश्मीर रेडियो द्वारा दिये जा रहे भारत-विरोधी अन्धश्रुति प्रचार को निष्प्रभाव करने तथा उसका मुकाबला करने के लिये

निकट भविष्य में लेह में एक रेडियो स्टेशन स्थापित करने का है ?

सूचना तथा प्रसारण मंत्री (श्री के० के० शाह) : जी, हां। लेह में रेडियो स्टेशन स्थापित करने के लिये कार्रवाई शुरू कर दी गई है।

हिन्दू धर्म शास्त्रों के बारे में दक्षिण अमेरिका में उठाये गये प्रश्न

4133. श्रीरामगोपाल शालवाले : क्या बंदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दक्षिण अमरीका के देशों के निवासियों ने उस दल के सदस्यों से, जो उनकी लातीनी अमरीकी देशों की हाल की यात्रा में प्रधान मंत्री के साथ गया था, गोता और उपनिषदों के बारे में कुछ प्रश्न पूछे थे ;

(ख) क्या यह भी सच है कि उस दल के सदस्य उन प्रश्नों का उत्तर देने में असमर्थ रहे हैं ;

(ग) यदि हां, तो ऐसे लोगों को, जिन्हें भारतीय संस्कृति और भारतीय धार्मिक ग्रन्थों का ज्ञान नहीं होता, विदेशों में भेजने का क्या औचित्य है ; और

(घ) क्या मंत्रियों आदि के साथ केवल ऐसे लोगों को ही भेजने का सरकार विचार कर रही है, जिन्हें भारतीय संस्कृति, भारतीय ग्रन्थों, वेदों आदि का पूर्ण ज्ञान हो ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा बंदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) और (ख). जी नहीं। (ग) और (घ). प्रश्न नहीं उठते।

Appointment of Shri D. P. Dhar as India's Ambassador to U. S. S. R.

4134. SHRI R. K. AMIN : Will the Minister of EXTERNAL AFFAIRS pleased to state :

(a) whether it is a fact that Pakistan has protested against the appointment of Shri D. P. Dhar as India's Ambassador to U. S. S. R. ; and

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

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) According to our information it has not done so.

(b) Does not arise.

Indian Trainees in West Germany

4135. SHRI R. K. AMIN : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that every one of the 3,000 Indian trainees working in factories in West Germany will be invited to stay with German families during the ensuing Christmas;

(b) if so, whether there is any similar plan in India; and

(c) if so, the details thereof ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) No, Sir,

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

Indigenous Production of Defence Requirements

4136. SHRI R. K. AMIN : Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that there is no close association between Indian

industrialists and the authorities of defence production;

(b) whether Government have any machinery to accelerate the indigenous production of almost all our requirements in defence; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) : (a) No Sir. In actual fact close liaison is maintained between the industry and the various authorities procuring defence stores.

(b) and (c). A separate department of Defence Supplies has been set up in the Ministry of Defence, to take steps to accelerate the indigenous production of all defence stores hitherto imported. Sample Rooms in which imported items are displayed have been established at Delhi, Calcutta, Bombay and Madras to which industrialists are invited. Procurement procedures have been simplified and technical guidance is provided to firms before and during the process of manufacture.

Radio Active Minerals in U. P.

4137. SHRI VISHWA NATH PANDEY: Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that radio active mineral have been found in certain areas of the Chamoli District (U.P.) bordering Tibet ; and

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

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) and (b). Detailed surveys are being undertaken in this area.

Buses for the Proof and Establishment Employees of Chandipore (Orissa)

4138. SHRI S. KUNDU : Will the Minister of DEFENCE be pleased to state :

(a) whether Government have decided to provide two buses for the benefit of the Proof and Establishment employees of Chandipore, Balasore in Orissa;

(b) if so, from which date the buses will be available;

(c) why the buses were not available within August, 1968 as committed by Government earlier; and

(d) whether Government propose to institute a departmental enquiry for such a lapse?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) : (a) Yes, Sir.

(b) The buses are now expected to be ready by March, 1969.

(c) Although the chassis were released on the 19th February 1968 by the D. G. S. & D. these were actually received by the Body Building Contractor only in May-June, 1968 with the result that the bus bodies could not be completed by August, 1968. Some further delay was caused due to discrepancies in drawings. These discrepancies have however since been resolved by discussions with Body Building Contractor.

(d) No, Sir.

बालासोर में सैनिक अधिकारियों का बाढ़ में बह जाना

4139. श्री शारदानंद : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारतीय सेना के सैनिक अक्टूबर, 1968 में राइफलों

तथा गोला बारूद के साथ बालसोन नदी में बहा गये थे; और

(ख) यदि हां, तो सरकार ने उनके परिवारों को क्या वित्तीय सहायता दी है ?

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) : (क) जी नहीं। (ख) प्रश्न नहीं उठता।

चीनी दूतावास द्वारा प्रचार सामग्री का बांटा जाना

4140. श्री शारदानंद : क्या बंदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) चीनी दूतावास ने माओवाद के प्रचार सामग्री के लिए पुस्तकों और प्रचार सामग्री को बांटा और 1 जनवरी 1968 तक इस प्रकार की कितनी सामग्री अधिकारियों द्वारा पकड़ी गई ;

(ख) क्या यह सच है कि चीनी दूतावास अब प्रचार के ऐसे तरीके अपना रहा है जो राजनीतिक परम्पराओं के विपरीत है; और

(ग) यदि हां, तो इस बारे में सरकार की क्या प्रतिक्रिया है ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा बंदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) से (ग). सभी राज्य सरकारों/केन्द्र शासित प्रदेशों से अपेक्षित सूचना मांगी गई है और आ जाने पर सदन की मेज पर रख दी जाएगी।

पाकिस्तान को नावों का वापस लौटाना

4141. श्री हुकम चंद कछवाय : क्या बंदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अगस्त 1968 में भारत ने जिन 28 नावों को विमुक्त किया था पाकिस्तान ने उन्हें अब तक वापिस नहीं लिया है; और

(ख) यदि हां, तो उसके क्या कारण हैं तथा उनका कुल मूल्य कितना है ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा बंदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) ये पाकिस्तानी मछिरे भारत आ गए हैं अपनी नावों का बच्चा लेने की कार्रवाई में लगे हैं।

(ख) अब जो 27 नावें वापिस सुपुर्द की जा रही हैं, भारतीय सीमाशुल्क विभाग ने उनकी कुल कीमत अनुमानतः 6,96,000/- रुपये (छह लाख छियानवें हजार) आकी है।

संघ राज्य-क्षेत्रों और राष्ट्रपति शासन के अधीन अन्य राज्यों में सिनेमाघर

4142. श्री रामावतार शास्त्री : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) संघ राज्य-क्षेत्रों और राष्ट्रपति के शासनाधीन राज्यों के सिनेमाघरों की कुल संख्या क्या है;

(ख) उन संघ-राज्य क्षेत्रों और राज्यों के सिनेमाघरों से मनोरंजन कर के रूप में कितनी वार्षिक आय होती है;

(ग) क्या मनोरंजन कर की दरें समान हैं; और

(घ) यदि नहीं, तो प्रत्येक संघ-राज्य क्षेत्र और राज्यों में उनकी क्या दरें हैं ?

सूचना तथा प्रसारण मंत्री (श्री के० के० लाह) : (क) से (घ). एक

विवरण, जिसमें अपेक्षित जानकारी दी हुई है, सदन की मेज पर रख दिया गया है।
[पुस्तकालय में रख दिया गया देखिये संख्या LT-2643/68]

Recruitment and Conditions of Service of Officers in Army

4143. SHRI NITIRAJ SINGH CHAUDHARY : Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that the source of recruitment and terms and conditions of service for various categories of officers for the Army are the same;

(b) whether the Officers after training are sent to various Arms and Services by the authorities on their own and not necessarily by the choice of the trainees;

(c) the methods and criteria for the above allotments;

(d) whether it is a fact that discriminatory treatment is accorded to the services, A.S.C. Ordnance and E.M.E. in the allotment of Officers to them from the O. T. S. & I. M. A. and also thereafter for purposes of promotions in the general cadre i.e. Cols. and above; and

(e) whether many capable service officers having good experience have or are being retired as they could not be promoted in the general cadre ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) There are different sources of recruitment of officers in the Army and the age limits, educational qualifications and selection procedures prescribed for these are different. The terms and conditions of service of officers serving in the various Arms and Services of the Army (other than Army Medical Corps, Army Dental Corps and Army Veterinary Corps) are broadly similar.

(b) and (c). Allotment to the different Arms and Services is made by a Board of

senior officers with due regard to various factors such as the choice of the cadets, their aptitude, performance during training, their age groups, availability of vacancies and the special needs of the particular Arm or Service.

(d) There is no discrimination either in the allotment of officers to the Services or in the matter of their promotions. The officers belonging to the Services are normally considered for promotion in their own Corps, but those with requisite experience and qualifications are also considered for posting in Staff/Extra Regimental Employment appointments in the General Cadre.

(e) Does not arise.

Pay Scales of Sailors, Soldiers and Airmen

4144. SHRI NITIRAJ SINGH CHAUDHARY :

SHRI LAKHAN LAL GUPTA :

Will the Minister of DEFENCE be pleased to state :

(a) the reasons for the difference in the pay scales of soldiers, sailors and airmen;

(b) why they are not being rationalised and

(c) whether the present disparity in pay scales is justified and if not, the reasons therefor ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) to (c). Pay scales of soldiers, sailors and airmen are related to the trades, educational standards, technical knowledge, training and skill required of them. Specific groups have been formed in respect of such requirements and within each such group the pay scales are the same for all personnel. There is therefore no existing disparity or case for renationalisation.

Defence Production

4145. SHRI NITIRAJ SINGH
CHAUDHARY :

SHRI LAKHAN LAL GUPTA:

Will the Minister of DEFENCE be pleased to state :

(a) whether Government have taken any steps to check waste and to streamline defence production; and

(b) if so, the results thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) : (a) Streamlining of production is a continuous process. A check on expenditure, *inter alia* with a view to eliminate waste, is exercised through a system of internal audit in the Public Sector Undertakings. In the Ordnance Factories, a Central Planning Cell in the DGOF's Hqrs. watches and reviews unavoidable percentage rejections fixed for each item of production. This enables the rejections to be kept to the minimum and compatible with the standards of production and also remedial measures being taken. Methods Cells have been set up at factories and DGOF Hqrs. to study and analyse various systems of production schedules with a view to simplify and/or reduce the numbers of operations in production.

(b) The cost of manufacture in Defence Undertakings generally compares favourably with trade cost or the FOB price.

साम्प्रदायिकता के प्रचार के लिए समाचार पत्रों को अखबारी कागज का कोटा तथा विज्ञापन

4146. श्री रामाबतार शास्त्री : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय सरकार तथा राज्य सरकारों ने साम्प्रदा-

यिकता का प्रचार करने वाले समाचारपत्रों को विज्ञापन तथा अखबारी कागज का कोटा देना बन्द कर दिया है;

(ख) यदि हां, तो उन समाचारपत्रों तथा पत्रिकाओं के नाम क्या हैं; और

(ग) वे किस-किस भाषा में किस-किस स्थान से प्रकाशित होते हैं ?

सूचना तथा प्रसारण मंत्री
(श्री के० के० शाह) : (क) से (ग). केन्द्रीय सरकार की यह नीति है कि ऐसे समाचार पत्रों को विज्ञापन न दिये जाएं जो साम्प्रदायिकता का विषैला प्रचार करते हुए हिंसा को उकसाते हों। इन पत्रों के नाम बताना जन-हित में न होगा। राज्य सरकारें अपने विवेक से समाचारपत्रों को विज्ञापन रिलीज करती हैं। जहाँ तक अखबारी कागज को देने से मना करने का सम्बन्ध है, मामले के सभी पहलुओं पर विचार किया जा रहा है।

बिहार में फिल्म उद्योग

4147. श्री रामाबतार शास्त्री : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि फिल्म उद्योग के मामले में बिहार पिछड़ा राज्य है;

(ख) यदि हां, तो क्या बिहार में इस उद्योग के विकास के लिये सरकार ने कोई योजना तैयार की है;

(ग) यदि हां, तो उसका व्यौरा क्या है; और

(घ) यदि नहीं, तो उसके क्या कारण हैं ?

सूचना तथा प्रसारण मंत्री (श्री के० के० शाह): (क) यह सच है कि भोजपुरी बोली में कुछ फिल्मों बिहार में बनाई गई थीं, परन्तु इस राज्य में कोई संगठित फिल्म उद्योग नहीं है।

(ख) से (घ). जब तक राज्य सरकार बिहार में इस उद्योग के विकास के लिए कोई कार्रवाई नहीं करती, तब तक भारत सरकार के प्रयत्न असफल नहीं हो सकते।

News Broadcasts

4148. SHRI SHIV CHARAN LAL : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether it is a fact that the news-items broadcast from the All India Radio contain more than one-third foreign news;

(b) whether the important news in the country which are against Government are not broadcast and if so, the reasons therefor;

(c) whether the names of Members of Opposition parties in Parliament are broadcast less as compared to those belonging to ruling party; and

(d) if so, the reasons therefor ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) There is no uniform proportion. All news, domestic or foreign, are included in the bulletins, judged by their news value.

(b) and (c). No, Sir.

(d) Does not arise.

Meeting between Mirza Afzal Beg and Pak. High Commissioner

4149. SHRI BENI SHANKER SHARMA : SHRI D. C. SHARMA :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government's attention has been drawn to the recent meeting

between the High Commissioner for Pakistan in India and Pro-Pakistan Plebiscite Front leader, Mirza Afzal Beg;

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

(c) the action taken in the matter ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) Yes, Sir.

(b) and (c). Mirza Afzal Beg has not informed the Government what was discussed. He is a free citizen who is not precluded from meeting foreign diplomats.

Declaration of Panchmahal District as Backward District

4150. SHRI NARENDRA SINGH MAHIDA : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that Panchmahal District of Gujarat has been declared as a backward District;

(b) if so, the financial provision made by the Central Government for the said District during 1966-67 and 1967-68 ; and

(c) the items on which the same amount was spent ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) Nine out of 11 Talukas of Panchmahal District have been declared by the state Government, as backward for purposes of accelerated development.

(b) and (c). The Central assistance is related to the State Plan as a whole which includes the provision for the development of these areas also.

Support for South African Liberation Movement

4151. SHRI HIMATSINGKA :

SHRI S. K. TAPURIAH :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Afro-Asian block had moved a draft Resolution calling for more political and material aid to the forces of the South African liberation movement opposing the apartheid policy at the U. N. Special Political Committee in the second week of November, 1968 ;

(b) if so, the stand taken by the Indian delegation thereat; and

(c) the out come of the move ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) Yes, Sir.

(b) and (c). India co-sponsored the 49-nation draft resolution, and voted in its favour. Our representative reiterated India's consistent stand against apartheid. The Special Political Committee adopted the Afro-Asian resolution by an overwhelming majority vote of 95 to 1, with 15 abstentions.

"University of A. I. R." Talk

4152. SHRI BABURAO PATEL : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether it is a fact that the All India Radio broadcasts every week a talk "University of A.I.R." from Delhi and Madras Stations for the benefit of students taking correspondence courses;

(b) if so, the reason why this talk is not broadcast from other Stations particularly for the benefit of Rajasthan where there are over 600 students taking correspondence course;

(c) whether it is a fact that the Delhi University Correspondence Course Students' Literary Association Rajasthan, had requested him for the broadcast of this weekly talk in Rajasthan;

(d) if so, the reasons why the request was turned down; and

(e) the prospects of broadcasting this feature in the near future for Rajasthan ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) 'University of the AIR' programme is broadcast from Delhi and Madras Stations on five days in a week.

(b) Largest concentration of students taking up the Correspondence Course is in Delhi, Madras and U. P. The number of such students in other areas including Rajasthan is not large enough to warrant broadcast of this programme from Stations in those areas. However, for the benefit of students in Rajasthan and other neighbouring areas of Delhi, AIR, Delhi, has started broadcasting this programme on more powerful transmitters with effect from 19-8-68. This was done at the request of Delhi University Correspondence Course Students' Literary Association, Rajasthan.

(c) Yes, Sir.

(d) The proposal was not found feasible on account of heavy existing programme commitments, inadequacy of resources and the fact that the number of students taking these courses in Rajasthan was comparatively small.

(e) Not in near future.

Criteria for determining Backwardness of any Region

4153. SHRI R. K. SINHA : Will the PRIME MINISTER be pleased to state :

(a) the criteria for determining the backwardness of any region or area;

(b) the guidelines of the plans for the economic development of such regions, or areas; and

(c) the special schemes if any, desired for tackling the special problems of such areas?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): (a) A statement setting out the indicators of development evolved some time ago for identifying markedly backward areas within a State is placed on the Table of the House. [*Placed in Library.* See No. LT-2644/68]

(b) Attention is invited to the reply given to part (c) of Unstarred Question No. 485 on 13-11-1968.

(c) The Planning Commission have emphasised upon State Governments, the need for building up infra-structure facilities and conserving and developing natural resources of the areas adjudged to be backward within a State, with the object of reducing disparities. State Governments are expected to evolve schemes accordingly, which in their view are best suited to local conditions in each case and can be expected to accelerate the development of the markedly backward areas.

Development of Faizabad Division of U.P.

4154. SHRI R. K. SINHA : Will the PRIME MINISTER be pleased to state :

(a) whether according to the criteria fixed by Government for determining a backward area the Faizabad Division in Uttar Pradesh is considered a backward area; and

(b) if so, the steps proposed to be taken for the development of that area?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS, (SHRIMATI INDIRA GANDHI): (a) The State Government propose to treat the Faizabad Division (except for Barabanki Division) as a backward area for purposes of planning & development, as a part of Eastern U. P.

(b) The special needs of the area will be kept in view by the State Government in the allocation of the provision for different areas under the State's Fourth Five Year Plan which has yet to be finalised.

Export of Rare Earth by Indian Rare Earths Ltd.

4155. SHRI MAHANT DIGVIJAY NATH : Will the PRIME MINISTER be pleased to state :

(a) the total value of rare earths exported by the Indian Rare Earths Ltd. during 1967-68;

(b) the amount of foreign exchange earned thereby;

(c) the names of the countries to which the rare earths have been exported; and

(d) the steps being taken by Government for increasing the export of rare earths during the next three years?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): (a) to (c). Foreign exchange to the extent of Rs. 94.04 lakhs was earned by the Indian Rare Earths Limited from export of rare earths chlorides to countries in Europe, USA and Japan during 1967-68.

(d) The following steps are under consideration :—

- (i) reduction in the cost of production,
- (ii) separation of individual rare earths to the extent economically advantageous,
- (iii) diversification,
- (iv) modifying the quality of product to suit the consumer's needs, and
- (v) the establishment of personal contacts with the large consumers of rare earths products.

**Promotions in different branches of
Indian Air Force**

4156. SHRI ABDUL GANI DAR :
Will the Minister of DEFENCE be
pleased to state :

(a) whether any discrimination is
made in (a) Equipment (b) Education,
(c) Technical, and (d) Administrative
Branches of Air Force in the matter
of promotions;

(b) whether the persons working
in the Administrative Branch are
adversely affected due to such dis-
criminations; and

(c) if so, the steps taken by
Government to remove discrimination?

THE MINISTER OF DEFENCE
(SHRI SWARAN SINGH) : (a) No.

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

**सवाई माधोपुर (राजस्थान) का तेजी से
विकास**

4157. श्री मोठा लाल मोना : क्या
प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 1968-69 के दौरान राज-
स्थान के जिला सवाई माधोपुर का, जिसे पिछड़ा
घोषित किया गया है, तेजी से विकास करने
के लिये कोई व्यवस्था की गई है ;

(ख) क्या उक्त जिले के विकास के
लिये चौथी पंचवर्षीय योजना में किसी
योजना को शामिल करने का विचार है;
और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना
मंत्री तथा वैदेशिक-कार्य मंत्री (श्रीमती
इन्दिरा गांधी) : (क) राज्यों की चौथी
पंचवर्षीय योजना के लिए प्रावधानों को

अन्तिम रूप देने के बाद ही जिलावार
आवंटन किया जायेगा ।

(ख) और (ग). जिलावार आवंटनों
को करते समय, राज्य सरकार द्वारा जिले
की आवश्यकताओं और क्षमताओं को ध्यान
में रखने की सम्भावना है । इस सम्बन्ध में
दिनांक 13-11-1968 के अतारंकित प्रश्न
संख्या 485 भाग (ग) के उत्तर की ओर भी
ध्यान दिलाया जाता है ।

**Statement on Kashmir by North Vietnamese
Delegation in Lahore**

4158. SHRI P. C. ADICHAN :
Will the Minister of EXTERNAL
AFFAIRS be pleased to state :

(a) whether Government's attention
has been drawn to the statement on
Kashmir by a North Vietnamese
Delegation in Lahore on the 10th
November, 1968 supporting the so-
called "right of self-determination of
the people of Kashmir" ; and

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

THE PRIME MINISTER, MINISTER
OF ATOMIC ENERGY, MINISTER OF
PLANNING AND MINISTER OF
EXTERNAL AFFAIRS (SHRIMATI
INDIRA GANDHI) : (a) Government
have seen Pakistani press reports of this
effect.

(b) We have taken up the matter with
the Government of the Democratic Repub-
lic of Vietnam through its Consulate
General here.

Staff Artistes of A. I. R.

4159. SHRI VALMIKI CHOUDHARY :
Will the Minister of INFORMATION
AND BROADCASTING be pleased to
state :

(a) Whether the All India Radio
Broadcasters and Telecasters Guild at a
recent Press Conference have made
demands for improving the lot of staff
artists of the A. I. R. ; and

(b) if so, what are their demands and Government's reaction thereto ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) and (b). According to a Press report, the All India Radio Broadcasters and Telecasters Guild held a convention on the 16th and 17th November, 1968 at which certain resolutions are understood to have been adopted. Copies of resolutions passed at the convention have been received recently which are laid on the Table of the House. [Placed in Library, See No. LT—2645/68] The points made therein will be looked into by Government.

आयुध कारखाने

4160. श्री मोलहू प्रसाद : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हिन्दुस्तान एयरोनौटिक्स लिमिटेड के अधीन 27 आयुध कारखाने चल रहे हैं ;

(ख) यदि हां, तो इनमें से प्रत्येक कारखाने में किन-किन उपकरणों का निर्माण किया जा रहा है; और

(ग) इनमें से प्रत्येक कारखाने में अलग-अलग श्रेणीवार अनुसूचित जातियों, अनुसूचित आदिम जातियों और अन्य जातियों के कितने-कितने कर्मचारी हैं ?

प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री ल० ना० मिश्र) : (क) 27 आर्डनेन्स कारखाने, महानिदेशक, आर्डनेन्स कारखानों के प्रशासकीय नियंत्रण में हैं न कि हिन्दुस्तान एरोनाटिक्स लिमिटेड के। आर्डनेन्स कारखाने रक्षा उत्पादन विभाग के अधीन विभागीय संस्थाएं हैं जबकि हिन्दुस्तान एरोनाटिक्स लिमिटेड इसी विभाग के अधीन सरकारी क्षेत्र की संस्थाएं हैं।

(ख) आर्डनेन्स कारखाने रक्षा सेनाओं तथा अन्य विभागों के लिए कई प्रकार के

उपकरण बनाते हैं, उनमें विभिन्न प्रकार के हथियार और गोलाबारूद, बस्त्र, पैराशूट, चमड़े का सामान, प्रकाशीय तथा आग बुझाने के यन्त्र, केबल आदि शामिल हैं।

(ग) सूचना एकत्रित की जा रही है।

Goodwill Missions

4161. SHRI D. N. PATODIA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether with a view to keep up momentum of friendly contacts, Government are proposing to send a good number of goodwill missions to foreign countries;

(b) if so, whether in planning these visits of such goodwill missions, due weightage is given to the Asian countries near home than the far off countries; and

(c) if so, how many such missions are proposed to be sent in the near future and how many to Asian countries ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) Yes, Sir.

(b) Due weightage is given to all countries friendly to India.

(c) About seven, out of which five will be to the countries in the Asian region.

Pay Scales of A. I. R. Artists

4162. SHRI MAHANT DIGVIJAI NATH : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether it is a fact that the scales of pay of All India Radio artistes have not been revised for the last 25 years ;

(b) if so, the reasons therefor; and

(c) the steps which Government propose to take for the revision of scales of pay of the artistes ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) No, Sir.

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

Extension of Time Schedule in A.I.R.

4163. SHRI MAHANT DIGVIJAI NATH : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether it is a fact that the All India Radio has extended its time schedule from 6.30 A. M. to 6.00 A.M.

(b) if so, the reasons therefor ;

(c) whether such a change is on a temporary or permanent basis ;

(d) whether Government propose to extend the time in the evening and night also if so, when ; and

(e) how much of the extended time will be given to the songs and other features of national bravery and heroism?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) and (b). There has not been any general extension in the transmission hours of AIR stations. However, some cut in morning transmission hours which was imposed with effect from 17th December, 1967 by starting transmission at 6.30 A.M. instead of at 6.00 A.M. as a measure of economy has been restored, and as a result Delhi 'A', Ahmedabad-Baroda, Calcutta 'A', Bhuj and Rajkot have reverted to old timings and have started their morning transmissions from 6.00 A.M. instead of 6.30 A.M.

(c) Changes in the transmission hours of AIR stations are made from time to time, depending upon programme requirements and technical considerations.

(d) No, Sir.

(e) There is no hard and fast rule about this. Songs and other features about national bravery and heroism find place in the general programme pattern.

International Atomic Energy Agency

4164. SHRI HIMATSINGKA :

SHRI P. C. ADICHAN :

Will the PRIME MINISTER be pleased to state :

(a) whether India has suggested to the International Atomic Energy Agency to set up a regulatory body to permit nuclear explosions for peaceful purposes; and

(b) if so, the reaction of the International Atomic Energy Agency thereto ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) Yes, Sir.

(b) The precise reaction of the International Atomic Energy Agency is not yet available.

Indians in Czechoslovakia

4165. SHRI R. BARUA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) the total number of Indians who were residing in Czechoslovakia at the time when the forces of Warsaw Pact countries entered that country recently;

(b) whether those Indians were affected in any way in the event of occupation of Czechoslovakia by the Soviet-led forces and if so, in what way; and

(c) whether Government had taken any steps to protect the interests of Indians in that country and if so, the details thereof ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) to (c). The information is being collected.

Indian Immigrants in U. K.

4166. SHRI M. L. SONDHI : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that the Britishers desire that immigrants in U. K. should be sent back home;

(b) if so, the reaction of Government so far as the Indian immigrants are concerned; and

(c) the number of such Indian immigrants involved ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) No, Sir. By and large public opinion in Britain is not in favour of the suggestion that the immigrants in U. K. should be sent back.

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

Pak. offer for 'No war pact' with India

4167. SHRI D. N. PATODIA :
SHRI R. K. SINHA :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government have completed examination of the speech of the Pakistan President delivered on the 20th October, 1968 reportedly offering to sign a 'No War Pact, with India; and

(b) if so, whether Government have found the offer acceptable for implementation ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) and (b). The conditional proposal made by the President of Pakistan on October 26, 1968 regarding India's offer of a 'No War Pact' is under consideration.

Mobilisation of Additional Resources for Fourth Plan

4168. SHRI D. N. PATODIA : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that serious differences have arisen on the question of mobilising additional resources through taxation;

(b) whether as a result of the differences, the decision on the size of the Fourth Plan is being delayed;

(c) if so, what are the precise points of difference; and

(d) when they are likely to be resolved ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) (a) to (d). The various suggestions on the question of mobilisation of resources for the Fourth Plan are being examined by the Planning Commission, in consultation with the Union Government and the State Governments with a view to arriving at an appropriate assessment. The question has been discussed in the Committee of the National Development Council. It is not true that there has been any delay on account of any divergent views on the subject. Work on the Fourth Plan is proceeding apace and the Draft Plan is expected to be brought out as scheduled.

**Central Assistance to States
for Fourth Plan**

4169. SHRI D. N. PATODIA :
SHRI N. K. SANGHI :
SHRI R. R. SINGH DEO :

Will the PRIME MINISTER be pleased to state :

(a) whether the quantum of assistance to be given during the Fourth Plan period to the different States has been determined according to the criteria fixed for the purpose; and

(b) if not, when a decision in this regard will be taken ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) and (b). The Statewise allocation of assistance will be worked out after relevant data in respect of various criteria fixed for the purpose become available.

Import of Foreign Films

4170. SHRI K. N. PANDEY : Will the Minister of INFORMATION AND BROADCASTING be pleased to state the number of foreign films imported from abroad during the last eleven months in respect of which the Censoring authority refused permission for screening together with their names and reasons therefor ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : Eight films viz. (1) "The Greatest Jewel Robbery", (2) "Death laid an Egg", (3) "The Jackals", (4) "Massacre Time", (5) "Crossfire in Caracas", (6) "Navajo Joe", (7) "Angels on the Move" and (8) "The Incident" imported from abroad were refused certificates by the Central Board of film Censors during the last eleven months. Of the above, on receipt of an appeal from the importers, against the decision of the Board

refusing to grant a certificate of public exhibition, in respect of the film "The Incident", the Central Government under section 5C of the Cinematograph Act, 1952, have ordered the Board to grant a certificate for public exhibition restricted to Adults only.

The Board have refused certificates for public exhibition in respect of the above films as each one of them did not comply with or contravened the provisions of the Cinematograph Act and rules made thereunder.

Indo-Ceylon Talks

4171. SHRI D. N. PATODIA :
SHRI CHENGALRAYA NAIDU :
SHRI R. K. SINHA :
SHRI N. K. SANGHI :
SHRI K. P. SINGH DEO :
SHRI BENI SHANKER SHARMA :
SHRI E. K. NAYANAR :
SHRI R. R. SINGH DEO :
SHRI SHIVA CHANDRA JHA :
SHRI MUHAMMAD SHERIFF :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that the Indo-Ceylon talks were held recently to review the implementation of 1964 agreement concerning the Indian settlers in Ceylon; and

(b) if so, the main decisions taken at the meeting ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) Yes, Sir.

(b) (i) The Prime Ministers noted that matters pertaining to the implementation of the Agreement have been satisfactorily dealt

with by the Joint Committee in Colombo and through discussions among the officials and expressed their determination to continue to implement the Agreement in a spirit of mutual cooperation and goodwill as hitherto.

- (ii) The Ceylon Government agreed to expedite the grant of Ceylon citizenship to persons whose applications were pending. The High Commission of India in Ceylon will also continue to grant Indian citizenship in respect of pending applications.
- (iii) The Prime Minister of Ceylon stated that the repatriates returning to India under the 1964 Agreement would now be able to transfer all their assets to the full limit permitted under the current Exchange Control Regulations (Rs. 75,000= Ceylon) without purchasing Foreign Exchange Entitlement Certificates for the purpose.
- (iv) It was also agreed that the question of 150,000 persons of Indian origin in Ceylon, who were not covered by the 1964 Agreement will be taken up when some further progress has been made in the implementation of that Agreement.

Sino-Pak Joint Defence Strategy

4172. SHRI BENI SHANKER SHARMA :

SHRI D. N. PATODIA :

Will the Minister of DEFENCE be

pleased to state :

(a) whether Government's attention has been drawn to the reported agreement between General Yahia Khan of Pakistan and General Huan Yung Shen, the Chief of Chinese Liberation Army that in case of a renewed struggle between India and Pakistan, there would be joint defence strategy between their two countries ;

(b) if so, whether Government have since verified the authenticity of this news ; and

(c) the steps, if any, which Government are taking to meet this new menace ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) to (c). While Government are aware of the growing military links between Pakistan and China and the consequent threat to our security, they have no information of the reported agreement. Our defence plans take into accounts the threat from Pakistan and China.

Pension to Military Personnel

4173. SHRIMATI NIRLEP KAUR : Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that pension is granted to military personnel only after completing a certain minimum period of service ; and

(b) if so, after how much period of service ?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) : (a) Yes.

(b) The following minimum period of qualifying service is required for military personnel to earn a pension :—

(i) Permanent Regular Commissioned Officers	..	20 years.
(ii) Permanent Regular Commissioned late entrant Officers		15 years.
(iii) Jcos and other Ranks		15 years.
(iv) Non-Combatants (Enrolled) personnel		20 years.
(v) Reservists		15 to 20 years combined colour and reserve qualifying service according to their terms of engagement.

फिल्मी गीतों पर प्रतिबन्ध

4174 श्री कारीनाथ पाण्डेय : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कुछ राज्य सरकारों ने अपने राज्यों में कुछ फिल्मी गीतों पर प्रतिबन्ध लगा दिया है ;

(ख) यदि हां, तो इसके क्या कारण हैं; और

(ग) उन फिल्मों के नाम क्या हैं, जिनके गीतों पर विभिन्न राज्यों में प्रतिबन्ध लगाया गया है तथा किस-किस राज्य में किन-किन फिल्मों में गीतों पर प्रतिबन्ध लगाया गया है ?

सूचना तथा प्रसारण मंत्री
(श्री के० के० शाह) : (क) से (ग) : सूचना राज्य सरकारों से एकत्र की जा रही है और यथासमय सदन की मेज पर रख दी जाएगी ।

State Film Awards

4175. SHRI BASUMATARI : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) the names of the Film people who got State Film Awards during the last five years ;

(b) the details thereof ; and

(c) the names of the Film Stars and Film Producers who got cash awards and the amount thereof ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) to (c). A statement containing the requisite information is placed on the table of the House. [Placed in Library. See No. LT—2646/68].

Grant of Foreign Exchange to Film Producers

4176. SHRI BASUMATARI :
SHRI JUGAL MONDAL :

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

(a) whether any foreign exchange has been given for shooting abroad to the film producers:

Sarvashri (i) H. S. Rawail, (ii) Devander Goel, (iii) B. R. Chopra, (iv) Ramanand Sagar, (v) Devanand, (vi) Raj Kapoor, (vii) R. D. Bansal, (viii) T. C. Barjatya, (ix) I. S. Johar, (x) K. Asif, (xi) S. Krishnamorthy, (xii) Bimal Roy, (xiii) G. P. Sippy, (xiv) N. N. Sippy, (xv) Pacchi, (xvi) Nasir Khan, (xvii) Mohan Sehgal, (xviii) R. K. Nayyar, (xix) Kuljit Paul, (xx) Vasu Menon and (xxi) Kewal P. Kashap ;

(b) if so, to which of these producers and the amount of foreign exchange given during the last five years; and

(c) whether any film produced by these film producers has been exempted from entertainment tax and if so, the name of the film and name of the Producer thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) to (c). Information is being collected and will be laid on the Table of the House in due course.

Article on Indian Muslims in New York Times

4177. SHRI BABURAO PATEL : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) the name of the Delhi correspondent of the New York Times who wrote an article on Indian Muslims describing them as living in "rejection and isolation" on the 28th October, 1968; and

(b) Government's reaction thereto and the steps taken by the Government in the matter?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) Joseph Leyveld :

(b) The Government do not view the article as a correct representation of the situation. The correspondent has been spoken to in this matter.

Illegal Seizure of Indian Properties in East Pakistan

4178. SHRI BENI SHANKER SHARMA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the question of referring the illegal seizure and sale of Indian properties in East Pakistan to the International Court of Justice has been considered; and

(b) if so, the decision taken in the matter?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) and (b). The question is under consideration of the Government.

Republic Day Parade

4179. SHRI MAHANT DIGVIJAI NATH :

SHRI RAM GOPAL SHALWALE :

SHRI PRAKASH VIR SHASTRI :

SHRI OM PRAKASH TYAGI :

Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that the Delhi

Administration have shown their unwillingness to send a tableau on the coming Republic Day Parade;

(b) if so, the reasons therefor ;

(c) whether such denials have also been received from other States; and

(d) if so, the names of the States and the reasons therefor ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) and (b). The proposal of the Delhi Administration for putting up a tableau in the Republic Day Parade, 1969, was considered by the Committee constituted for considering proposals for tableaux and Folk Dances. The Committee considered that it would be more impressive if the Delhi Administration put up a tableau on the theme suggested by the Committee. Delhi Administration have not so far intimated whether they would put up a tableau on the theme suggested by the Committee.

(c) and (d). Certain State Governments/Union Territories viz., Andaman & Nicobar Islands, Dadra & Nagar Haveli, Kerala, Orissa and Pondicherry, have intimated that they would not be able to put up tableaux in Republic Day Parade, 1969. They have, however, not given any specific reasons.

Release of Jawans in the Air Force

4180. SHRI E. K. NAYANAR : Will the Minister of DEFENCE be pleased to state :

(a) whether Government propose to release the Jawans in the Air Force who are unwilling to continue in service after their first engagement; and

(b) if not, the reasons therefor ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) and (b). Airmen who are unwilling to continue in service on completion of their initial engagement, are being released from service progressively, subject to the requirements of the service.

Chitrapuri Colonies

4181. **SHRI V. NARASIMHA RAO :**
Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether there is any proposal to construct Chitrapuri colonies to encourage film production in different States in the Fourth Five Year Plan on the pattern of Bramhananda Chitrapuri in Andhra Pradesh;

(b) if so, the details thereof; and

(c) whether the Central Government would participate in it ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) and (b). Information is being collected from the State Governments and will be laid on the Table of the House.

(c) No, Sir as at present advised.

Atomic Plant in Bihar

4183. **SHRI SHIVA CHANDRA JHA :**
Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that the Bihar Government have requested the Central Government to set up an Atomic Plant in Bihar; and

(b) if so, the response of Government thereto ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) No, Sir.

(b) Does not arise.

Minorities in Sind, West Pakistan

4184. **SHRI D. C. SHARMA :**
Will the Minister of EXTERNAL

AFFAIRS be pleased to state :

(a) whether Hindu-Sikh minorities in Sind District, West Pakistan are being maltreated;

(b) whether it is a fact that Pakistani police has been taking money forcibly from shopkeepers of these minority communities;

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

(d) the action taken or proposed to be taken in the matter ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) Government are aware that the minorities in Sind area of West Pakistan, have been suffering from a sense of insecurity and are subjected to all kinds of harassment.

(b) The Government have not received any such complaint. However, reports have been received that whenever there is any drive for collection of funds for Government or for non-official functions, Hindus are forced to pay more than the other communities.

(c) and (d). The Government have repeatedly taken up with the Government of Pakistan the question of the treatment of the minorities in Pakistan. There has, however, been no encouraging response from the Pakistan Government.

India Settlers in Nepal Terai

4185. **SHRI D. C. SHARMA :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the question of Indian settlers in Nepal Terai was taken up with Nepal recently; and

(b) if so, the decision taken in the matter ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) The question of Indian settlers in Nepal Terai is the subject of a continuous exchange of views between the two Governments, and was most recently discussed at the highest level during the President's State Visit to Nepal from Oct., 12 to 16, 1968.

(b) His Majesty's Government of Nepal assured the Indian side that it was not the intention of His Majesty's Government of Nepal to displace or to deprive any Indian settler from property if he was already in possession and enjoyment thereof.

Use of Computers for Defence Expenditure

4186. SHRI D. C. SHARMA : Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that defence expenditure could be greatly reduced and stocks controlled more effectively through the use of computers;

(b) if so, whether the desirability of the use of computers has been examined ; and

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

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) to (c). A pilot study of Electronic Data Processing System on Inventory Control in the Central Ordnance Depot, Delhi Cantt. has been sanctioned. The extent to which Defence expenditure can be reduced and the stocks controlled more effectively through the use of computers will be known after the result of the pilot study have been evaluated. Further extension of the system will also be considered depending upon the results obtained.

Advertisements

4187. SHRI INDRAJIT GUPTA : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) the total annual value of advertising business in this country;

(b) how much of this is handled by the foreign advertising agencies operating in India;

(c) how many and which of these agencies have collaboration agreements with Indian interests;

(d) whether it is a fact that many leading public sector enterprises give the bulk of their advertising business to such agencies; and

(e) whether Government consider foreign technical know-how essential in this field also ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) Government have no information on the subject. According to an unofficial survey the total annual value of all forms of advertising business is estimated at Rs. 50 crores.

(b) to (d). Information is being collected and will be laid on the Table of the House shortly.

(e) No, Sir.

Guidance System of Aircraft

4188. SHRI NITIRAJ SINGH CHAUDHARY : Will the Minister of DEFENCE be pleased to state :

(a) whether Gyroscopes and accelerometers used as sensors in inertial navigation guidance system of aircraft are unreliable;

(b) whether they have been replaced with promethium 147 fuelled heaters; and

(c) if not, the reasons therefor ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) Inertial navigation system is not installed in any of the IAF Aircraft.

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

Film "Khana-E-Khuda"

4189. SHRI BASUMATARI : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether Government have exempted from all taxes the film entitled "Khana-e-Khuda" which is being exhibited in Delhi and other places; and

(b) if so, the names of these States where this film has been exempted from all taxes and the reasons therefor ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) and (b). This is a matter which concerns the State Governments. Information is being collected from them and will be laid on the Table of the House in due course.

Exhibition of Hindi Films in South

4190. SHRI BASUMATARI : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) the latest position regarding the agitation which was launched in the South against the exhibition of Hindi Films and the broadcasts of Hindi songs on the Radio; and

(b) the total loss suffered by the Madras film industry on this account ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) and (b). The situation is now normal. No estimate of the loss suffered by the Madras film industry on this account has been made nor it is feasible to do so.

Ban on Foreign Films

4191. SHRI BASUMATARI : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) the names of foreign films which have been banned by Government during the last five years; and

(b) the reasons for banning them ?

THE MINISTER OF INFORMATION AND BROADCASTING (SARI K. K. SHAH) : (a) The following films were uncertified by the Central Government for public exhibition under the revisional powers vested in them under section 6 of the Cinematograph Act, 1952, though initially certified by the Central Board of Film Censors.

1963-64 to 1966-67 Nil.

- 1967-68
1. Women by Night.
 2. Universe by Night.
 3. Orient by Night.
 4. Paris Champagne.
 5. Sweet, Sweet Nights.
 6. Tokyo by Night.
 7. Copacabana Palace.
 8. America by Night.
 9. World by Night.
 10. World by Night II.
 11. Women of the World.
 12. The Naked Prey.

(b) The above films except the film "The Naked Prey" were banned as these displayed night club life in the various countries showing dances with scanty dresses etc. The film "The Naked Prey" was banned as it wounded the susceptibilities of the nationals of some friendly countries.

Compensation to a Defence Personnel killed in a Police Firing

4192. SHRI ARJUN SINGH BHADORIA : Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that one of the Defence personnel was killed in

Police firing at Pathankot on the 19th September, 1968; and

(b) if so, whether any compensation has been given to the family of the deceased?

THE MINISTER OF DEFENCE
(SHRI SWARAN SINGH) : (a) No.

(b) Does not arise.

Electronic Equipments

4193. SHRI ARJUN SINGH BHADORIA : Will the Minister of DEFENCE be pleased to state :

(a) the details of production of electronic equipments in the year 1968 and how do this production compares with that of the previous year ; and

(b) the target of production of electronic equipments during 1968 ?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) : (a) During the financial year 1968-69 which is not yet over, production is expected to be of the order of Rs. 85 crores. Production of the previous year was Rs. 65 crores.

(b) The target of production has been laid down in the Bhabha Committee Report as doubling of production every three years and this target has been more than fulfilled.

Per Capita Income in the Etawah District (U. P.)

4194. SHRI ARJUN SINGH BHADORIA : Will the PRIME MINISTER be pleased to state :

(a) the *per capita* income in the District of Etawah of Uttar Pradesh as in 1960 and 1967 ; and

(b) how it compares with the National Income as in 1960 to 1967 ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) and (b). Estimates of *per capita* income are prepared by the Statistical Bureaux of the states for the state as a whole and not districtwise. It is, therefore, not possible to compare the *per capita* income at the national level with *per capita* income of Etawah district of Uttar Pradesh.

Charges of Genocide Against India by Pakistan

4195. SHRI ARJUN SINGH BHADORIA : Will the Minister of EXTERNAL AFFAIRS be pleased to states :

(a) whether President Ayub Khan of Pakistan made a speech in Dacca on the 25th September, 1968 making serious charges of genocide against India ; and

(b) whether any protest has been made about this speech and if so, what ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) Yes, Sir. According to reports in the Pakistan press, President Ayub Khan declared at Dacca on September 22 (not on September 25 as stated in the question) that India, by resorting to genocide of Muslims, was practising history's worst apartheid policy. The President was speaking at the East Pakistan Muslim League Council's Inaugural Session.

(b) A protest has been sent to the Government of Pakistan deeply deploring such unfounded and inflammatory utterances on the part of the Head of State of Pakistan which are in contravention of the Tashkent Declaration and are not calculated to foster a climate of goodwill and understanding between India and Pakistan.

Release of certain Films by Central Board of Film Censors

4196. SHRI JUGAL MONDAL : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether it is a fact that the Central Board of Film Censors have released the films (i) Charulata, (ii) Saat Pake Bandha, (iii) Majhli didi, (iv) Panchaswar, (v) Dever, (vi) Amane Samane, (vii) Neel Kamal, (viii) Teen Bahuraniyan, and (ix) Khandan, (x) Waqt, produced by Indian Producers for exhibition;

(b) whether any of the above films have been granted loans by the Films Finance Corporation; and

(c) if so, the names of the films and reasons for giving the loans?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) Yes, Sir.

(b) Charulata; Saat Pake Bandha; Majhli didi and Panchaswar were granted loans.

(c) The above films were given loans keeping in view the basic objective of the Corporation to facilitate production of films of good standard and quality with a view to raising the standard of films produced.

Release of Certain Films by the Central Board of Film Censors

4197. SHRI JUGAL MONDAL : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether it is a fact that Central Board of Film Censors has released the films (i) Upkar, (ii) Mere Hamdam Mere Dost, (iii) Bassana, (iv) Aulad, (v) Baazi, (vi) Mere Hazur, (vii) Hasina Maan Jayagi, (viii) Aabroo, (ix) Raja Aur Rank, (x) Hum Saya, produced by Indian producers for exhibition;

(b) if so, names of the producers of these films;

(c) whether any of the above films have been banned by any State and if so, the names of such films; and

(d) whether any of the above films have been exempted from entertainment tax in any State and if so, the names of such films?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) Yes, Sir. Certificates in respect of films "Ham Saya" and "Hasina Maan Jayagi" are about to issue.

(b) The Producers are as follows :

Name of Film**Name of the Producer**

1. Upkar	...	Vishal Pictures.
2. Mere Hamdam Mere Dost	...	Kewal Kumar, Kewaljit Production.
3. Vaasna	..	Kuljit Pal.
4. Aulad	...	Kundan Kumar.
5. Baazi	...	Kamaluddin Kazi alias Tommywal.
6. Mere Hazur	...	Movie Mughals.
7. Aabroo	...	B. L. Rawal.
8. Raja Aur Rank	...	Prasad Production.
9. Hamsaya	...	Joy Mukherjee Production.
10. Hasina Maan Jayagi.	...	Mangatram films.

(c) Power to ban a film under the Cinematograph Act, 1952 does not vest in the State Governments. Exhibition can, however, be suspended by the State authorities for a period not exceeding two months as provided under sub-section (1) and (3) of Section 13 of the Act if the film is likely to cause breach of peace.

(d) Information is being collected and will be laid on the Table of the House shortly.

Doctors and Teachers for Somalia

4198. SHRI N. R. LASKAR : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that the Prime Minister of Somalia while visiting Delhi has requested the Prime Minister of India to send doctors and teachers to their country ; and

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

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) and (b). The Somali President (and not the Prime Minister as is referred to) had, during his recent visit to India, asked for the services of 10 additional secondary school teachers and 5 doctors and Government agreed to the request.

C. B. I. Enquiry Against Officers of Proof and Establishment of Chandipore, Balasore (Orissa)

4199. SHRI S. KUNDU : Will the Minister of DEFENCE be pleased to state :

(a) whether the C. B. I. enquiry into certain charges of corruption against the former officers of the Proof and Establishment of Chandipore, Balasore, Orissa, has been completed ;

(b) if so, the steps taken to act on the report of the enquiry ; and

(c) the broad features thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) : (a) C. B. I. has completed the enquiry in one of the two cases concerning former officers of the Proof and Experimental Establishment, Balasore. The other case is still under investigation of C. B. I.

(b) The S. P. E's report on the first case is under consideration.

(c) It is considered that it will not be desirable to disclose even the broad features of the report on the floor of the House before the investigation is completed.

Talks With Nagas

4200. SHRI N. R. LASKAR : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that leaders of the newly formed Revolutionary Government of underground Nagas have declared recently that they will not seek Pakistan and Chinese arms ;

(b) if so, whether they have suggested to Government to start the talks with them for the solution of the Naga problem ;

(c) if so, whether Government have examined their statement ; and

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

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) to (d). Government have seen reports in a section of the Press, said to be based on information given by Dr. Aram, Convener of the Peace Observers' Group that the leaders of the new underground faction in Nagaland

have stated that they would not seek arms from China or Pakistan. The leaders of the new organisation have indicated that they would aim at a 'peaceful solution of the Naga problem' and 'resumption of talks with the Government of India'. The situation is being watched by the Government.

12 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

ANTI-INDIAN PROTESTS IN NEPAL OVER THE ARREST OF FOUR NEPALESE AT SUSTA NEAR THE INDO-NEPAL BORDER

SHRI BENI SHANKER SHARMA (Banka): Sir, I call the attention of the Minister of External Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:

"Anti-Indian protests in Nepal over the arrest of four Nepalese at Susta near the Indo-Nepal border".

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH): On 23rd November, 1968, our Embassy in Kathmandu noticed a news item on the front page of the newspaper "RISING NEPAL" reproducing a report from the New Agency Rashtriya Sammad Samiti. The news item read:—

"Four Nepalese abducted from Susta by Indian officials. Indian officials intruded into Nepalese territory of Susta in Naval Parasis District arrested four persons and took them to Betiya Jail in Bihar a few days ago, according to a deputation of Ex-Servicemen from Susta."

On 25th November the Nepal Government newspaper "RISING NEPAL" came out with an editorial which was hostile and based on a distortion of facts. It was claimed that the Nepalese had been kidnapped from Nepalese

territory by Indian officials. The newspaper also demanded an apology from the Indian side.

Telephonic enquiry on 26th November from the Bihar Government revealed that on charges of trespass under I. P. C. Section 143 and 447, read together with Section 33 of the Indian Forests Act, seven persons,—four Nepalese nationals and three Indians—were arrested on October 26, 1968 in village Rampurva in district Champaran, Bihar. After being remanded to custody, the case came for hearing before the Sub-divisional Officer's Court, Bettiah, on November 14, 1968. On the same day, the Liaison Officer of Nepal posted at VALMIKI-NAGAR saw the District Magistrate, CHAMPARAN, and requested him to arrange release of the arrested Nepalese. All the arrested persons were ordered to be released on bail by the Sub-divisional Officer, Bettiah on November 21, 1968 and the Liaison Officer at Valmikinagar was informed accordingly. The Nepalese nationals, however, continued to remain in custody because the bail bonds have not been furnished to-date.

On the 26th November our Embassy in Nepal received a formal Note Verbale dated the 24th November, 1968 from His Majesty's Government of Nepal. The Note from His Majesty's Government of Nepal described the detention of the four Nepalese as "illegal" and asked for their release, at the same time, requesting the Government of India to withhold all actions pending the demarcation of the border.

On 27 November, our Embassy informed His Majesty's Government in a written Note that there was no question of their being in "illegal" detention as the four Nepalese along with three Indian nationals, were arrested well within Indian territory in the normal course of law on charges of trespass.

In the meanwhile, press comments continued in the Nepalese Press. Several Nepalese newspapers castigated the irresponsible attacks launched against India and rebuked the "RISING NEPAL"

and the News Agency Rashtriya Sammad Samiti for their tendentious misleading reports.

At an interview with the Honourable the Foreign Minister of Nepal on December 1, when the Foreign Minister demanded the release of the four Nepalese arrested in Bihar, our Ambassador told him that they had been arrested in accordance with the law. It was also explained to the Hon. Foreign Minister that on many occasions Indian nationals had also been arrested in Nepal and had to face due process of law and the Courts. On December 2, a protest meeting was arranged in the bazar in Kathmandu city. A large number of the audience heckled the organizers of the protest meeting, disturbed the meeting and made speeches questioning the representative character of the organizers of the anti-Indian meeting. The Nepalese Police effectively intervened and took the unruly elements into custody.

Similar anti-Indian protests and processions were also arranged on subsequent days in Patan and Bhaktapur, suburban towns of Kathmandu. In one of these the personnel and cameramen from a certain Embassy hostile to India were prominently present. No popular support was given to these anti-Indian demonstrations by the people of Kathmandu or of its suburbs; on the contrary popular sentiment against these anti-Indian meetings was much in evidence.

On 6th December, the Royal Nepalese Ambassador called on the Foreign Secretary to the Government of India. He assured the Foreign Secretary that the Government of Nepal had no intention to disturb the *status quo* in this area and was anxious to settle the matter amicably and the mutual satisfaction at a joint meeting of the officials of the two sides to be held on the spot in the first week of January. The Foreign Secretary to the Government of India welcomed this assurance and reciprocated the sentiments expressed by the Royal Nepalese Ambassador.

In view of the assurances given by the Royal Nepalese Ambassador and to facilitate the satisfactory settlement of this matter at the meeting of the officials of both sides in early January, the Government of India in accordance with law, are considering sending these four Nepalese nationals back to Nepal, in the belief that such trespasses will not be repeated and that both Governments will maintain the *status quo* in this area until the matter is amicably settled between the two countries. Over the long stretch of the Indo-Nepal boundary which is completely delineated on the maps agreed to by both sides, over the years, some boundary pillars have become damaged or have been washed away by floods or are otherwise missing. The main task, therefore, now is to locate all the points where boundary pillars, for various reasons, are not in place and to reinstall them on the basis of mutual agreement with the help of maps and survey officials. According to established tradition between India and Nepal, such work is carried out by the District officials of the two sides who have the authority to establish direct contact and settle the matter of re-fixing pillars or of repairing them. Numerous such meetings between Border officials of the two sides have taken place during the past decades and the same process is to be continued in the future. The Government of India would like to state that they have no boundary problem with Nepal and there is no point of dispute which is not susceptible to amicable settlement by mutual discussion.

SHRI BENI SHANKER SHARMA :
From what the hon. Minister has said it appears that these arrests were made while pursuing Some ordinary Criminals which had nothing to do with the people at large as such. We find, however that there have been anti-Indian demonstrations in many of the places. I would like to quote from *The Statesman* dated the 9th December, 1968 which reads as

follows :

[Shri Beni Shanker Sharma]

"About six policemen were injured at Bhaktpur, a town in the Khatmandu Valley when a small police party tried to prevent an anti-Indian demonstration over the arrest of four Nepalese at Susta near the Indo-Nepal border. This was the third such incident in the Valley since the beginning of the month. The other two were in Bhaktpur and Lalitpur. According to reports here, the Bhaktpur demonstration was organised by a dozen students who shouted anti-Indian slogans partly against Mrs. Gandhi, and they burnt the pictures of Mrs. Gandhi....."

This was not a symptom of an ordinary crime, so far as the report goes.....

MR. DEPUTY-SPEAKER : May I point out that after the longish statement in which the hon. Minister has explained everything and stated that everything has been more or less settled amicably, the hon. Member should make his question very brief.

SHRI BENI SHANKER SHARMA : The answer was long, as such I have to give some little back ground.

Very recently, our President had visited Nepal and that visit was followed by the visit of one of the Cabinet Ministers Shri B. R. Bhagat. A joint communique was issued using high-sounding phraseology telling us that the relations between Nepal and India were good and they were getting better and they were going to be the best. I want to ask whether it is a sign of our good relations with the people of Nepal that such things happened over a trifling incident. The question is, whether we have been able to win their hearts in spite of our pouring crores of rupees.....

MR. DEPUTY-SPEAKER : Let the hon. Member resume his seat for a while. Whatever incidents may have taken place there, the hon. Minister has made it very clear in his statement that everything has been settled. So, the hon. Member need not draw any conclusions from a certain incident or demonstration which had taken place. Our relations with Nepal are very friendly, and nothing should be said or done here to disturb those good relations.

SHRI BENI SHANKER SHARMA :

Now, Sir, I want to ask three questions. Just two days before these demonstrations, the Pecking Radio had made a broadcast in the Nepalese language. I want to know whether it is a fact that it had incited the Nepalese to resort to hooliganism on this insignificant issue ? May I also know whether our Ambassador in Nepal brought this Chinese broadcast in Nepalese to the notice of the Nepalese Government and whether the Susta village in respect of which the hon. Minister has said that some boundary has to be adjusted again is being claimed by Nepal as being within the Nepal border or whether it is on the Indian side ?

SHRI SURENDRA PAL SINGH : I have already stated that there were a few anti Indian demonstrations in Nepal. But I want to make it clear that those demonstrations were organised and engineered by certain elements in Nepal who are against Indo-Nepalese friendship.....

AN HON. MEMBER : Which are those elements ? Let him name them.

SHRI SURENDAR PAL SINGH : ... and who are trying to do mischief, but the common people of Nepal are against these anti-Indian demonstrations. Our relations with Nepal are very friendly and very cordial. It is unfortunate that this small incidents has taken place. But about that, we are in touch with the Nepalese Government and I am very hopeful that a settlement will be arrived at very soon.

SHRI M. L. SONDHI (New Delhi) : It does not cause much of a surprise that our policy in Nepal is upside down. With your indulgence, I would like to point out that here is the photograph of the hotel where Shrimati Indira Gandhi had stayed where the Indian flag was flying upside down. I do not think that any person in charge of affairs would tolerate this.

Coming now to Nepal, since Shri Shastri took office in this country, responsible people welcomed the fact that

a realistic attitude had been developed by this country towards its closest neighbour Nepal with whom we share ties of perennial philosophy and ancient veneration for the Himalayas which we share in common with them. But there are forces at work against us. There are forces which want to disrupt that relationship, forces operating in China and forces operating in certain other countries. There was a book published by a certain gentleman called Mr. Mehali called *Foreign Aid and Politics in Nepal*. This book tried to show that Indians were exploiting Nepal and that Indian policies in Nepal did not encourage economic co-operation and economic development. May I know whether this has been considered at a high enough level? After all these are symptoms of something that is wrong. When the students and others get excited and there is provocation, that has to be answered by our policies being explained there properly. May I know how much we have spent on encouraging cultural relationship between the two countries, and how much we have spent in extending our policy of economic co-operation and finally whether there will be a change in the attitude of some of our bureaucrats trained in the old colonial way? For instance, our Ambassador lives there in the imperial style. Does this bring India and Nepal closer together? What are the urgent projects, and are funds made available for those projects which would create an impact on the youthful Nepalese and on the young people in Nepal and which would make them feel that the ties between India and Nepal are unbreakable and shall endure as long as the sun shall shine and the water shall flow in the rivers of India?

SHRI SURENDRA PAL SINGH : We are all aware of the close and friendly ties which exist between India and Nepal. There are no two opinions about it. What we are doing for the development of Nepal has already been explained on behalf of Government on a number of occasions. We are participating and co-operating with Nepal in a number of development projects in Nepal and whatever we are called upon to do we are doing particularly from the monetary and technical point of view by way of

technical aid. So, everything is being done from our side to make these ties much closer and stronger than they are even today.

As regards this question of demonstrations, certain elements are working against the Indo-Nepalese friendship. I have already stated that there are certain elements which are trying their best to bring about some kind of strained relationship between India and Nepal but they are in a minority, and I am sure they will not succeed in their nefarious designs.

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : I did not stay in any hotel there.

SHRI M. L. SONDHY : Shall I lay the photograph on the Table?

MR. DEPUTY SPEAKER : The Prime Minister has said that she did not stay in any hotel there.

SHRI M. L. SODHI : Are our flags to fly upside down?

The name of the Hotel is Carlyle Hotel.

AN HON. MEMBER : She lived in the palace and not in the hotel.

SHRI A. SREEDHARAN (Badagara) : Nepal is a friendly country. In view of that this is a very delicate situation. Also, if anybody is to be blamed for creating this situation and if anybody is responsible to some extent for creating this situation, it is the unimaginative measures taken by the Government of India. The hon. Minister himself has stated that boundary demarcations are sometimes washed away; pillars are washed away and sometimes everything seems to be disappearing into thin air. But I would like to tell him that they are not washed away; Indian capitalists have helped some of the Nepalese to set up mushroom industries on the Indo-Nepalese border—this is connected with that, because three Indians were also arrested.....

MR. DEPUTY-SPEAKER : That matter was raised and discussed separately. I cannot allow the hon. Member to extend the scope of this calling-attention-notice.

SHRI A. SREEDHARN : I am coming to it. This is connected with that.

SHRI S. KUNDU (Balasore) : This is an important matter. So, please give him a chance.

MR. DEPUTY-SPEAKER : I shall allow him but he should not extend the scope of the discussion.

SHRI A. SREEDHARAN : These smugglers are removing the demarcation marks on the Indian frontier and these black-marketeers go Scot-free. I would like to know whether this Government, which has promptly arrested these Nepalese, has any permanent arrangement on our Indian border. I am shocked and surprised at the state of affairs. This is how border disputes arise. Does the Government have any permanent organisation or arrangement on one Indian border to supervise the Indian border and ensure that the demarcation marks are there, and steps are taken to put them again when they are damaged or washed out? Or does Government wake up to the reality only when these marks disappear?

SHRI SURENDER PAL SINGH : The entire border along Nepal has been demarcated on the ground. Pillars and boundary posts are there all along the boundary. But sometimes due to rains or some other causes, these pillars get washed away or get damaged. For their refixing and for their repair, there is a permanent machinery also. As I said in my statement, district officials of both sides meet frequently and in consultation with each other and with the help of maps and records refix the posts wherever they have been removed. This process is a continuous one and goes on from year to year. Very soon we will have another meeting of this nature to go into and decide these matters.

SHRI HEM BARUA (Mangaldai) : If the pillars have been washed away, it means they are not deep enough.

श्री यशवन्त सिंह कुशावाह (मिड) : सुस्ता क्षेत्र में जहां सीमा के खम्बों के बारे में कुछ गड़बड़ हो गई है—क्या भारत सरकार और नेपाल सरकार के बीच में पत्र-व्यवहार होकर यह मान लिया गया है कि दोनों देशों के अधिकारी और सर्वेअर्स मिलकर फिर से खम्बे लगाने का काम करेंगे ? अगर ऐसा मान लिया गया है तो क्या यह गिर-फ्तारी ऐसे क्षेत्र के अन्दर हुई है जहां सीमा के खम्बों में कुछ गड़बड़ है ? क्या वह खेती का क्षेत्र है या जंगलों का क्षेत्र है ? जो गिरफ्तारी भारतियों की हुई है, उसका क्या कारण है, अगर उनको छोड़ दिया गया है तो उसका क्या कारण है ? जो नेपाली गिर-फ्तार हुए हैं उन्हें फिर क्यों नहीं छोड़ा गया ? जैसा अभी बताया गया कि नेपाल के राजदूत महोदय और भारत सरकार के विदेश सचिव के बीच में चर्चा हुई है—क्या उस चर्चा में सचिव महोदय ने नेपाल के राजदूत को यह विश्वास दिलाया है कि ये चारों व्यक्ति नेपाल की सीमा में पहुंचा दिये जायेंगे ? क्या उनको उस वचन के मुताबिक पहुंचा दिया गया है ? नेपाल में प्रदर्शन होने की बात कही गई है—क्या उसके बारे में नेपाल सरकार ने यह स्पष्ट कर दिया है कि भारत की प्रधान मंत्री श्रीमती इंदिरा गांधी की फोटोज नहीं जलाई गई हैं ?

श्री सुरेन्द्रपाल सिंह : यह बात सही है कि सुस्ता के इलाके में कुछ बाउण्ड्री पिलर्स हट गये हैं। उनको दोबारा लगाने के लिये यह तय पाया है कि नेपाल और हिन्दुस्तान के अधिकारी जनवरी के पहले हफ्ते में मिलेंगे और तय करेंगे कि उनको कहां लगाया जाय।

श्री यशवन्त सिंह कुशवाह : माननीय उपाध्यक्ष, मंत्री महोदय ने मेरे पूरे प्रश्न का उत्तर नहीं दिया, केवल एक अंश का उत्तर दिया है। अधिकांश महत्वपूर्ण भाग छोड़ दिया गया है, कृपया उसका उत्तर दिलाया जाय।

12.24 hrs.

RE. BANARAS HINDU UNIVERSITY AND SITUATION IN HARYANA

SHRI S. M. BANERJEE (Kanpur) : While a statement was allowed to be made by the Minister of State in the Ministry of Education, Shri Bhagwat Jha Azad, the other day, Mr. Speaker said that some discussion would be allowed. Now the situation there has further deteriorated. So many leaders have been arrested. Police have entered the campus and beaten up students.

I would request you to allow a discussion immediately. Or let the Minister make a statement on these developments. The teachers, strike which is going on in spite of the assurance of the Prime Minister, has not been withdrawn. In UP today 3,000 teachers are in Jail.

SHRI RAM SEWAK YADAV: rose—

MR. DEPUTY SPEAKER : It is not necessary to take up time now.

श्री रामसेवक यादव (बाराबंकी) : आप एक मिनट के लिए मेरा निवेदन सुन लें। कल यहाँ पर राज्य शिक्षा मंत्रीजी ने प्रतिवेदन प्रस्तुत किया था, उस पर कोई प्रश्न या सफाई पूछने का मौका नहीं मिला। बनारस हिन्दू विश्वविद्यालय की हालत बिगड़ती जा रही है और वह अब काशी विद्यापीठ में भी फैल गई है। कल काशी विद्यापीठ में भी पुलिस बुली और उसने विद्यार्थियों को पीटा और गिरफ्तार किया। साथ ही साथ राजनीतिक दलों के नेताओं को—ज्ञात तौर से उत्तर प्रदेश के भूतपूर्व

गृह-उप-मंत्री रस्तम सतीन तथा दूसरे नेताओं को गिरफ्तार किया गया। अध्यापकों की हालत भी बिगड़ती जा रही है—यह सरकार, नीतिविहीन होने के कारण कुछ नहीं कर रही है। इसलिये मेरा निवेदन है कि इस पर सरकार की ओर से कुछ बयान आना चाहिये, कुछ सन्तोषजनक उत्तर आना चाहिये, सफाई होनी चाहिये, यहाँ पर बहस होनी चाहिये।

श्री अटल बिहारी वाजपेयी (बलरामपुर) : उपाध्यक्ष महोदय, बनारस हिन्दू विश्व-विद्यालय में जो कुछ हो रहा है, हम उस पर चर्चा चाहते हैं। कल भागवत झा आजाद महोदय ने वक्तव्य दिया था, आप उस पर चर्चा का समय तय करें तथा यह चर्चा जल्दी होनी चाहिये।

एक बात और—कल स्पीकर महोदय ने कहा था कि हरियाणा की विधान सभा सात दिन के भीतर बुलाई जानी चाहिये। मगर राज्यपाल महोदय कहते हैं कि विधान सभा बुलाने की कोई जरूरत नहीं है। हरियाणा की विधान सभा में किस का बहुमत है यह कौन तय करेगा—अल्प मत में कौन है और बहुमत में कौन है इस का निर्णय क्या राजभवन में होगा या विधान भवन में होगा? राज्यपाल महोदय विधान मंडलों के अध्यक्षों के निर्णय को कार्यान्वित करने के लिये सलाह देने को तैयार नहीं हैं। मैं चाहता हूँ कि आप हरियाणा की स्थिति पर चर्चा करने का मौका दें।

मुझे पता लगा है कि गृह मंत्री कहते हैं कि जिस मुख्य मंत्री के बहुमत के बारे में सन्देह है, वह मुख्य मंत्री विधान सभा को भंग करा सकता है—यह न तो विरोधी दलों के नेताओं की जो समिति बनी है उसने निर्णय किया है और न अध्यक्षों ने यह सिफारिश की है—गृह मंत्री महोदय को अपने

[श्री अटल बिहारी वाजपेयी]

वक्तव्य के बारे में स्पष्टीकरण करना चाहिये इस लिये आप सदन को चर्चा का मौका दें।

श्री रामसेवक यादव : उत्तर प्रदेश की कल की घटनाओं के बारे में गृह मंत्री से बयान आना चाहिये और उस पर फोरन बहस होनी चाहिये।

SHRI RANGA (Srikakulam) : I support the suggestion made by my hon. friend Shri Vajpayee in regard to Haryana. In the light of the observations made by the Speaker here when this question was sought to be raised, it is only fair to the House that, if the Assembly in Haryana is not going to be convened, this House at least should be given an opportunity, and an early opportunity, to discuss this matter.

श्री रवि राय (पुरी) : उपाध्यक्ष महोदय, वाजपेयी साहब ने जो सुझाव दिया है, मैं उसकी तारीफ करता हूँ। कल स्पीकर साहब ने सलाह दी थी—विधान सभा के अध्यक्षों की सिफारिश को सरकार के सामने रखा था, लेकिन वहाँ के मुख्य मंत्री बंसी लाल का बयान आया है कि विधान सभा 27 जनवरी को ही बुलाई जायगी। चूँकि साहब आज यहाँ मौजूद नहीं हैं, शायद जान-बूझ कर नहीं आये हैं.....(व्यवधान)..... मैं अनुरोध करूँगा कि स्पीकर साहब की जो सिफारिश थी उस पर कार्यवाही होनी चाहिये तथा 27 जनवरी को विधान सभा बुलाने की जो बात है, उसकी जगह 7 दिन के अन्दर विधान सभा को बुलाने के लिये आप गृह मंत्री को आज्ञा दें।

SHRI H. N. MUKERJEE (Calcutta North East) : Mr. Speaker was pleased to indicate yesterday the likelihood of discussions both on conditions in the Banaras Hindu University and the Haryana matter.

In regard to Banaras, I have received a message from so esteemed a personality as Shri Nabha Krishna

Choudhury who is deeply perturbed over what is happening in Banaras and who wants the Centre to do something about it immediately.

In regard to Haryana, we have a feeling that political operators are on the rampage in a manner which this Parliament has got to take notice of. Quite apart from the rights and wrongs of certain constitutional issues which have cropped up which we are also entitled to discuss, the Congress Party is here, its leadership is represented in the Government, and the Congress Party leadership is going on making all kinds of statements which are giving a handle to this business of political banditry which we have seen in Madhya Pradesh, in Haryana and so many other places. This whole matter is extremely relevant to the idea of parliamentary democracy in this country, and this has got to be discussed in this House, because if we are going to have proprieties straightened out, then we should have that debate.

श्री प्रकाशवीर शास्त्री (हापुड़) : उपाध्यक्ष महोदय, जहाँ मैं इस बात से सहमत हूँ कि बनारस हिन्दू विश्वविद्यालय और उत्तर प्रदेश में चल रहे अध्यापकों और छात्रों के आन्दोलन के सम्बन्ध में, क्योंकि उत्तर प्रदेश में इस समय कोई सरकार नहीं है, पार्लियामेंट को विस्तार से विचार करना चाहिये, वहाँ मैं यह बात भी विशेष रूप से कहना चाहता हूँ कि पीछे हरियाने में सामान्य चुनाव जो आरम्भ हुए थे उससे पहले कांग्रेस ने एक बड़ी स्वस्थ परम्परा का प्रारम्भ किया। अब कांग्रेस ही हरियाने के अन्दर अपना बहुमत बनाने के लिये उस स्वस्थ परम्परा का गला अपने हाथों से घोटना चाहती है। कल, परसों दया कृष्ण चौधरी के उदाहरण से स्पष्ट हो गया है कि पहले आया राम और गया राम थे, लेकिन अब दयाराम भी आ गये हैं। इस प्रकार की स्थिति चल रही है। तो मेरा कहना है कि आप कांग्रेस हाई कमान्ड को नहीं बल्कि

केन्द्रीय सरकार को निर्देश दें इस विषय का तत्काल ही इस प्रकार का कोई निर्णय लें जिससे हरियाणा की अस्वस्थ परम्परा जो अभी कई दूसरे राज्यों में चुनाव होने जा रहे हैं उनमें न दोहराया जाय। और देश के अन्दर जनतंत्र को बचाये रखने के लिये जो स्वस्थ निर्णय आवश्यक है वह लिये जा सकें।

MR. DEPUTY-SPEAKER : Mr. Hem Barua.

SHRI R. D. BHANDARE : (Bombay Central) : Are we not entitled to speak ?

MR. DEPUTY-SPEAKER : There is no question of entitlement. Please resume your seat.

SHRI HEM BARUA (Mangaldai) : The political embroglio in Haryana has become a matter of concern for us and it is not a question of whether the Chief Minister can advise the Governor to dissolve the Assembly if he wants to. But the trouble is that there are deep fissures in the ruling Party there. The best way to decide is to call a meeting of the legislative body which the Government there has refused to do and the Governor has not submitted any report to the Central Government so far. Attempts are now being made (Interruptions) to make. Gayaram as Ayaram. Therefore, we, being the supreme and sovereign forum of the nation, we should take interest in it and see that democracy is not destroyed there in Haryana by the selfish interests of certain people.

श्री रणधीर सिंह (रोहतक) : यह हमारे घर का मामला है। बड़े घर में कोई राजी होता है तो कोई नाराज होता है। लेकिन जब पूरा घर इकट्ठा होकर बैठ जाता है तो नाराज जो हैं उनको मना लेते हैं। जो भाई थोड़े बहुत गुमराह हैं उनको मना लेंगे। इनको क्यों सामन्तवाद की पेशवा हो रही है। इनको किस बात का दर्द है ?

इन को हमसे क्या हम दर्द है। हरियाणा इन्कलाबी सूबा है, कोई न कोई नई बात होती है और यह.....

श्री रवि राय : श्री भगवत दयाल शर्मा को पूछ लीजिये।

श्री रणधीर सिंह। यह डिफेक्शन को क्यों ऐनकरेज करते हैं।

SHRI R. D. BHANDARE : This question of Haryana was raised yesterday. The Speaker just mentioned the guidelines which have been decided by the Speaker's Conference. One of the elements of the guidelines was that within 7 days the Assembly should be convened. Therefore, the opposition has got to wait for 7 days. (Interruptions) It is mandatory. They are just making political capital out of nothing. They have got to wait for seven days.

SHRI UMANATH (Pudukkottai) : Both the questions of Banaras Hindu University developments and Haryana are very very urgent because in the Banaras Hindu University though things are taking place for a long time, no effective steps have been taken by the Government.

But the latest developments indicate that Central Government is resorting to political conspiracy to give it a particular political turn. So far, it was the SSP that was there. So far, it was the SSP that was attacked. Yesterday, offices of the community party of India and the communist party (Marxist) were raided and all the leaders have been arrested. What is happening is this. (Interruption) While we are not given an opportunity to discuss this situation which we are entitled to, the Central Government is creating a situation by which they want to show that it is the leftist parties that are responsible for all these things, and they are taking police action. We gave both Calling Attention Notice and adjournment Motion Notice,

[Shai Umanath]

but both have been rejected. So, we must have a discussion on this matter. That is the first point.

Secondly, on the question of Haryana, apart from all that has been said by my colleagues on this side, which I support, the point is that we are not given an opportunity to discuss the situation in Haryana which is having various phases of development. Yesterday, over the All India Radio, a news was suddenly put up to the effect that the Home Ministry circles feel that if the Chief Minister thinks that large scale defections have taken place, he can advise the Governor and the Governor must accept his advice to dissolve the Assembly. This is put out through the Home Ministry over the AIR and in the press.

But my point is, when we are not allowed to discuss the situation here under various pretexts, on the other hand, the Home Ministry is deliberately doing this. So far, in such crises, they were merely advising the Governors, but now, through the AIR they are advising the Governor and saying, "Our Chief Minister will advise you and you must accept his advice. I therefore request that this matter should be discussed here and now; otherwise there will be serious repercussions.

श्री श्रीचन्द्र गोयल (चन्डीगढ़) : एक मिनट आप हमारी बात भी सुन लें। एक मिनट आप ने रणधीर सिंह जी को भी दी है।

MR. DEPUTY-SPEAKER : Order, order. I have given an opportunity to your leader. Please resume your seat. Shri Sezhiyan.

SHRI SEZHIYAN (Kumbakonam) : After the disquieting developments that had taken place in Haryana, which were referred to here, the Speaker said yesterday that the Assembly was there and it was seized of the matter and within seven days it may meet. (Interruption) But, as Shri Umanath has said, the Government of India through their spokesmen, have expressed a certain

opinion which has come out over the AIR and has been published in the newspapers; because this is being used as a handle to bring pressure on Haryana. (Interruption) The Government of India itself feel, through their spokesmen, that the Governor can dissolve the Assembly. If such an opinion is given, it will be hanging like a Damocles sword on the persons there. Therefore, a situation might arise out of this statement. Therefore, I want a categorical statement from the Home Minister whether he approves of the statement issued by the spokesmen of the Home Ministry. I should like to know what he has to say. We are entitled to know, the Parliament is entitled to know, the opinion of the Government through the Home Minister and not through the AIR or through the newspapers. On that point, I want a categorical statement from the Government and the Home Ministry as to what they propose to do, whether they are going to follow in the footsteps indicated by the Home Ministry's officials. I want a clear statement on this matter.

श्री इसहाक सम्भली (अमरोहा) : पूरे यू० पी० में ऐजुकेशनल इंस्टीट्यूशन्स बन्द हैं मुरादाबाद जिले में एक कालेज के अन्दर।

MR. DEPUTY-SPEAKER : No, no. I have given an opportunity to your party.

श्री इसहाक सम्भली : मुरादाबाद जिले में एक कालेज के अन्दर पुलिस ने घुसकर...

MR. DEPUTY-SPEAKER : Nothing will go on record.

श्री इसहाक सम्भली : **

SHRI THIRUMALA RAO (Kakinada) : Sir how long will this rambling talk go on in this House? Are you going to conclude it or not at any time?

MR. DEPUTY-SPEAKER : Order, order. So far as the events about the Banaras Hindu University are concerned,.....

श्री जार्ज फरनेन्डोज (बम्बई-दक्षिण) :
उपाध्यक्ष महोदय, तार आ रहे हैं, उनकी
गिरफ्तारी हो रही है। उनको मारा जा
रहा है। उत्तर प्रदेश में कोई सरकार है
ही नहीं।

MR. DEPUTY-SPEAKER : After the
statement from the Education Minister,
the Speaker had observed that he will
consider about giving an opportunity.
Banaras Hindu University is a central
university.

श्री जार्ज फरनेन्डोज : उपाध्यक्ष
महोदय, शिक्षक.....

MR. DEPUTY-SPEAKER : What is
this nonsense? There must be some
restraint. (*Interruption*)

AN HON. MEMBER : It is a nuisance.

MR. DEPUTY-SPEAKER : It is not
a nuisance. (*Interruption*)

Mr. Nambiar, you are irrepressible.
Please resume your seat.

SHRI HEM BARUA : You will agree,
Sir, if I say that the word "non-sense"
coming from the Chair is very bad. It
should be expunged. (*Interruptions*).

MR. DEPUTY-SPEAKER : You
shouted about the dignity of the House
yesterday. You are not keeping it now.

श्री अटल बिहारी वाजपेयी : उपाध्यक्ष
महोदय, आप बोलिए, हम शांति से सुनेंगे।

MR. DEPUTY-SPEAKER : It is a
central university and some statement
was made. All of us are very much
concerned about the happenings in
Banaras. The House is concerned about
them. The Business Advisory Committee
will be consulted and we will fix
some time as far as possible during this
week for this matter, because this matter
should not be kept pending for a long
time. An opportunity should be given
as early as possible to discuss it. There

is no difference of opinion about that.
(*Interruptions*).

श्री जार्ज फरनेन्डोज : शिक्षकों के बारे
में ?.....(व्यवधान).....

श्री रवि राय : हरियाणा के बारे
में ?.....(व्यवधान).....

MR. DEPUTY-SPEAKER : Yesterday
the Speaker has made an observation.
In the Presiding Officers' Conference—I
was there—certain decisions were taken
after a good deal of deliberation. The deci-
sions are based basically on the sovereignty
of the local legislature and the represen-
tatives of the people. In the final analysis,
if certain steps are not taken, who are
the people who are the masters of the
situation? The representatives there are
the masters. The Assembly is still in
existence. Every now and then what
happens there and what things are said
there, we are not concerned with.
(*Interruptions*). At the present juncture,
when the legislature is existing there, this
House has no *locus standi* in that matter.
This Parliament is not in the picture at
all. (*Interruptions*).

SHRI UMANATH (Pudukkottai) : At
that time, when the West Bengal Assembly
was in existence, this House discussed
the developments there.

SHRI ATAL BIHARI VAJPAYEE :
This is double standard. The Home
Minister should be summoned to the
House to explain.

.....(व्यवधान).....

श्री रवि राय : उपाध्यक्ष महोदय,
बन्धु साहब ने बयान दिया है। मेरे पास
यह खबर है :

"Bansi Lal within his right to advise
dissolution".

फिर यह कैसे होगा ? ... (व्यवधान) ...

MR. DEPUTY-SPEAKER : I do not
know whether it is correct or not.

SHRI BAL RAJ MADHOK (South Delhi) : This is a direct encouragement to them to come back to the ruling party. This is something bad and immoral. This is hoodwinking the House. (*Interruptions*).

SHRI RANGA (Srikakulam) : What I cannot understand is this. (*Interruptions*) You go on with all this discussion and in the end you say that this House has no *locus standi*. I would just like to discuss that point as briefly as I possibly can.

True, if the Haryana Assembly is given an opportunity of discussing this matter or this House is given the assurance that that House is going to be convened and would be given an opportunity, I am prepared to appreciate the strength of your point that we need not go into this matter and we cannot consider it as of no *locus standi* for ourselves. But what we want to be assured is only this.

Today who is competent to convene that Assembly ? You kindly refresh your own memory about our own practice. Members are not free to get the session to be convened. The Chief Minister alone can convene it. The Governor can convene it on the advice of the Chief Minister. Even without the Chief Minister's advice, as happened in West Bengal, the Governor can direct the Chief Minister to convene the Assembly. We would like to have that assurance that the Governor is taking the necessary steps or the Chief Minister is prepared to take the necessary steps to convene the Haryana Assembly within those seven days that my hon. friend had already referred to, as had been the recommendation of the Speakers' Conference. If we have that assurance this House need not insist upon itself going into this matter and asking you to give it an early opportunity. In view of the fact that the Government is not prepared to give that assurance and the Prime Minister was foolish or unwise enough.....(*Interruption*)..... certainly, I would have said, irresponsible, but I am not using it...that does not matter; the Prime Minister is the Leader of the House and when this question, a very important question, was being raised and

you were good enough to ask so many of us to express our views, she simply walks away and leaves the burden, this baby, to be nursed by the Deputy Prime Minister. I do not understand this business. Therefore it is only right that we should request you to give us the earliest possible opportunity of either discussing the matter or call the Minister of Parliamentary Affairs to your Chamber, take counsel with the Deputy Prime Minister or the Prime Minister, assure yourself that they are going to call the Assembly there within those seven days. If they do not call it, please give an opportunity to this House to discuss this matter.

SHRI SHEO NARAIN (Basti) : Sir, on a point of order. Professor Ranga, a learned Member of this House, used the word 'foolish' for the Prime Minister. Is it justified? He must withdraw it.

SHRIMATI SUCHETA KIRPALANI (Gonda) : He should withdraw that.

SHRI RANGA : The word I have used is not unparliamentary but since it hurts my friends, I withdraw it. She was unwise to have gone away.

MR. DEPUTY SPEAKER : You have not followed what the Speaker said yesterday.

श्री रवि राय : आप देख लीजिए उसको उपाध्यक्ष महोदय ।

MR. DEPUTY-SPEAKER : I know. I was present here. I can repeat it.

As some Members are agitated about it, we shall consider it tomorrow in the Business Advisory Committee.

Papers to be laid.

SHRI SAMAR GUHA (Contai) : Mr. Deputy Speaker.

MR. DEPUTY-SPEAKER : Shri Jaganatha Rao.

12.49 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER UTTAR PRADESH
AVAS EVAM VIKAS PARISHAD
ADHINIYAM ETC.

THE DEPUTY MINISTER IN THE
MINISTRY OF WORKS, HOUSING
AND SUPPLY (SHRI IQBAL SINGH :
Sir, on behalf of Shri Jaganath Rao,
I beg to lay on the Table :—

(1) A copy each of the following
Notifications (Hindi and English versions)
under sub-section (3) of section 94 of
the Uttar Pradesh Avas Evam Vikas
Parishad Adhiniyam, 1965, read with
clause (c) (iv) of the Proclamation dated
the 25th February, 1968, as varied by
Proclamation dated the 15th April, 1968,
issued by the President in relation to
the State of Uttar Pradesh :—

(i) The Uttar Pradesh Avas Evam
Vikas Parishad (Grant of loans
and advances) Rules, 1968,
published in Notification No.
14-H/XXXVII-16 (IX)-8-66 in
Uttar Pradesh Gazette dated the
20th April, 1968.

(ii) The Uttar Pradesh Avas Evam
Vikas Parishad (Determination
of Rate of Interest and Instal-
ments for Recovery of Expenses
of Improvement) Rules, 1968,
published in Notification No.
0-304-H/XXXVII-26-HB-65 in
Uttar Pradesh Gazette dated the
31st August, 1968.

(2) A statement showing reasons for
delay in laying the Notification at (i) of
item (1) above. [*Placed in Library See*
No. LT-2640/68]

DEMANDS FOR SUPPLEMENTARY GRANTS (GENERAL), 1968-69

THE DEPUTY PRIME MINISTER
AND MINISTER OF FINANCE (SHRI
MORARJI DESAI : I beg to present a
statement showing Supplementary Demands
for Grants in respect of the Budget
(General) for 1968-69.

MESSAGES FROM RAJYA SABHA

SECRETARY : Sir, I have to report
the following messages received from the
Secretary of Rajya Sabha :—

(i) 'In accordance with the provisions
of rule 127 of the Rules of
Procedure and Conduct of
Business in the Rajya Sabha,
I am directed to inform the
Lok Sabha that the Rajya Sabha,
at its sitting held on the
9th December, 1968, agreed
without any amendment to the
Deposit Insurance Corporation
(Amendment) Bill, 1968, which
was passed by the Lok Sabha
at its sitting held on the 21st
November, 1968.

(ii) 'In accordance with the provisions
of rule 127 of the Rules of
Procedure and Conduct of
Business in the Rajya Sabha,
I am directed to inform the
Lok Sabha that the Rajya Sabha,
at its sitting held on the 10th
December, 1968, agreed without
any amendment to the Indian
Railways (Amendment) Bill, 1968,
which was passed by the Lok
Sabha at its sitting held on the
28th November, 1968.'

12.50 hrs.

PETITION RE. ESSENTIAL SERVICES MAINTENANCE BILL

MR. DEPUTY-SPEAKER : Shri George
Fernandes.

श्री जार्ज फर्नेन्डिस (बम्बई दक्षिण) :
मेरा ब्यवस्था का प्रश्न है।

MR. DEPUTY-SPEAKER : Not at
this stage. I am not permitting you
to do it. If you have any doubts
about presentation of the petition, do
not present it. You will get that
opportunity when the Bill comes up.

जार्ज फरनेन्डीज : उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। इस याचिका पर भाषा को लेकर मेरा व्यवस्था का प्रश्न है।

MR. DEPUTY-SPEAKER : You are presenting your petition. At the same time, how can you raise a point of order? It is not possible. I can hold it over till tomorrow, if you like. But I will not permit a point of order. This is my final decision. I will not permit you. If you want to present it today, do it now. Tomorrow we will consider the point of order.

श्री जार्ज फरनेन्डीज : भाषा को लेकर मेरा व्यवस्था का प्रश्न है।

MR. DEPUTY-SPEAKER : You may raise it on some other occasion; not now. Does he want to present his petition now?

श्री जार्ज फरनेन्डीज : याचिका तो मैं पेश करना चाहता हूँ।

MR. DEPUTY-SPEAKER : Let him write to me. I will consider it. Now let him present his petition.

श्री जार्ज फरनेन्डीज : लेकिन कल मुझे कैसे बतलाया कि आज मैं उसे उठा सकता हूँ? आज मुझे पेटिशन की भाषा के सम्बन्ध में व्यवस्था सम्बन्धी प्रश्न को उठाने नहीं दे रहे हैं तो ऐसा करके उपाध्यक्ष महोदय आप संविधान के नियमों को तोड़ रहे हैं,...

MR. DEPUTY-SPEAKER : Is he presenting his petition or not?

श्री जार्ज फरनेन्डीज : मैं पेश कर रहा हूँ। लेकिन मुझे व्यवस्था का सवाल न उठाने देकर आप संविधान के नियमों को तोड़ रहे हैं।

MR. DEPUTY-SPEAKER : I will not listen to any point of order. Let him present it.

श्री जार्ज फरनेन्डीज : मैं श्री बालकृष्ण रामचन्द्र डंडावाटे तथा अन्य लोगों की ओर से एसेशियल सर्विसेज मेंटेनेन्स बिल, 68 के सम्बन्ध में एक याचिका प्रस्तुत करता हूँ।

12.52 hrs.

STATUTORY RESOLUTION RE.
ESSENTIAL SERVICES ORDINANCE—Contd.

MR. DEPUTY-SPEAKER : Yesterday, after about three hours of debate on the point of order raised by Shri S. M. Banerjee, I had reserved my ruling.

SHRI S. M. BANERJEE (Kanpur) : I submitted further materials.

MR. DEPUTY SPEAKER : I have considered all materials, including those sent by him.

When Shri S. S. Kothari moved following Resolution, a point of order was raised by Shri S. M. Banerjee that it could not be discussed as the Ordinance was pending adjudication before many courts of law :

"This House disapproves of the Essential Services Maintenance Ordinance, 1968 (Ordinance No. 9 of 1968) promulgated by the President on the 13th September, 1968."

I allowed a full discussion on the point of order in which several hon. Members from both sides, including the Law Minister, took part. I am obliged to the hon. Members for their contribution to the discussion. The arguments of hon. Members who raised and supported the point of order was that the Ordinance had been challenged in a court of law, and it would not be appropriate to discuss the same matter on the proposed resolution at this stage. In support of their argument they stated that the Speaker had previously ruled in

connection with a motion of Shri Madhu Limaye that it could not be discussed as the subject matter of that motion was pending in a court of law. The hon. Members who opposed the point of order contended that the present resolution was distinguishable from the previous motion in as much as the present resolution related to legislation and the rule of *sub-judice* did not apply to legislation.

I have given careful consideration to the whole matter and the arguments that were advanced for and against the point of order. I have also looked into the precedents and the other references on the subject.

Under the Constitution, Parliament is supreme and sovereign in the exercise of its legislative powers and cannot be paralysed by reason only of the fact that a writ petition against the constitutionality of the existing legislation is pending in a court of law. The Constitution has given power to Parliament to disapprove of an Ordinance and in exercising its constitutional power, Parliament does not in any way interfere with or prejudice the jurisdiction of the courts in declaring an Ordinance void or unconstitutional for infringement of Fundamental Rights of citizens or any other constitutional provisions. There is therefore, no conflict between the powers and functions of Parliament under article 123 and powers of the courts under articles 32 and 226 of the Constitution.

According to the precedents in this House, the Speaker has held that discussion on a Bill the subject matter of which is *sub-judice* by virtue of an appeal pending in the Supreme Court is in order provided Members refrained from referring to the facts of the particular case in appeal, as thereby the debate in the House could not prejudice the hearing of the appeal by the Supreme Court (Lok Sabha Debate dated 26-9-1955). The Speaker has also held that a Bill seeking to replace an Ordinance can be discussed

in the House notwithstanding the fact that the Ordinance had been challenged in a Court of Law and the Court had issued a rule nisi to the Government (Lok Sabha Debate dated 22-11-1965).

The above rulings and the precedents are clear that this House is not prevented from discussing legislation the subject matter of which is the same as in the Ordinance which it seeks to replace and which may be pending before a Court of Law.

Now the question arises whether the resolution which has been moved under Article 123 of the Constitution disapproving the Ordinance can be discussed when the Ordinance has been challenged in a Court of Law.

It is clear from the rulings that the rule of *sub-judice* does not apply to legislation and the resolution under the Constitution to disapprove the Ordinance is in the nature of a legislation because all it seeks to do is to disapprove the Ordinance *i. e.* to appeal the legislation which is in force. It is well known that the Ordinance has the same force as a law of Parliament. A law of Parliament can be repealed by a repealing Bill, and the rule of *sub-judice* will not apply to such Bill. The Constitution, however, provides that an Ordinance can be repealed after the Houses have passed a Resolution disapproving the Ordinance. Therefore, the constitutional resolution disapproving the Ordinance is nothing else but a repealing measure. I, therefore, hold that the rule of *sub-judice* does not apply and the resolution can be discussed in the House.

We shall now proceed with the Resolution. Shri S. S. Kothari.

श्री आर्च फरने-डीज (बम्बई इलिय) :
मैं जरा एक खुलासा चाहता हूँ। कल के
आर्डर पेपर में यह लिखा था कि बोय ने बी
टेकन टुगेवर। आइटम नम्बर 7 और 8,
मे बी डिस्कस्ड टुगेवर। ऐसा लिखा हुआ
है। मैं यह जानना चाहता हूँ कि पहले जो

[श्री जार्ज फरनेन्डोज]

हम लोगों ने प्रस्ताव पेश किया था उस पर बहस होगी और उसके पास या न पास करने के बाद इस विधेयक को पेश करेंगे या वह प्रस्ताव और विधेयक दोनों पेश हो जायेंगे और दोनों पर बहस चलेगी !

MR. DEPUTY-SPEAKER : We have previously done like this. To save the time of the House, we have discussed the Resolution and the Bill together,

SHRI S. M. BANERJEE : Has he moved the Bill ?

MR. DEPUTY-SPEAKER : He will move it after he makes the speech.

SHRI S. M. BANERJEE : When he moves it, I have a point of order on the Bill also.

श्री जार्ज फरनेन्डोज : अगर वह अपने उस विधेयक को पेश करना चाहेंगे तब हमारी व्यवस्था रहेगी ।

श्री रवि राय (पुरी) : बिल तो स्वतंत्र है और बिल के ऊपर व्यवस्था का प्रश्न उठाया जा सकता है ।

MR. DEPUTY-SPEAKER : The point of order raised yesterday covered both. It covers both. (*Interruptions*)

SHRI S. M. BANERJEE : We raised the points of order only on the Ordinance, that is, the Resolution.

MR. DEPUTY-SPEAKER : Please read the ruling carefully. I will give you a copy.

SHRI SAMAR GUHA (Contai) : On a point of order, Sir. (*Interruptions*)

MR. DEPUTY-SPEAKER : There cannot be a point of order on the ruling. (*Interruptions*) That is a hypothetical question. That motion is not before the House. So far as this ruling is concerned, it is on whether this House is competent to discuss the Ordinance or legislation

replacing the Ordinance. On that, I have given the ruling.

SHRI UMANATH (Pudukkottai) : On a point of order, Sir... (*Interruptions*)

13 hrs.

SHRI SAMAR GUHA : On a point of order.

MR. DEPUTY-SPEAKER : I am calling Mr. Kothari.

SHRI SAMAR GUHA : On a point of order.

SHRI UMANATH : On a point of order.

MR. DEPUTY-SPEAKER : Let the motion come up. If you have any other point, then we shall consider....

SHRI SAMAR GUHA : Whether that motion can come or not, that is the point.

SHRI UMANATH : You said that the ruling that you have given covers both the Resolution as well as the legislation. Yesterday, repeatedly, you in your wisdom told the members on this side as well as on that side that the discussion and point of order was limited only to Resolution. That is why many of us did not talk about its applicability to the legislation, because that would come later. Having said that--and that is on record--having restricted us to the point of Resolution, now for you to come and say that your ruling applies to the legislation as well is not in order. I will tell you why. Even if you feel that this particular thing will apply to the legislation as well, it is for us to raise this question, the point of order, again when the legislation comes up and then for you to consider our view points on that aspect and then give your ruling. Without allowing us to give our viewpoints, how can you... (*Interruptions*)

MR. DEPUTY-SPEAKER : That, we shall consider later. Now the other motion is before the House. Why should we anticipate ? Let it come before the House.

SHRI UMANATH : You should not anticipate.

MR. DEPUTY-SPEAKER : The other motion has yet to come before the House. Your right to raise a point of order is not taken away.

Now, the House stands adjourned to meet again at 2.00 P. M.

13.03 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

— — —

The Lok Sabha reassembled after lunch at three minutes past Fourteen of the Clock

[SHRI R. D. BHANDARE in the Chair]

STATUTORY RESOLUTION RE.
ESSENTIAL SERVICES
ORDINANCE—*Contd.*

SHRI SAMAR GUHA : Sir, I have a point of order. (*Interruption*)

MR. CHAIRMAN : Shri Kothari to resume his speech. Let the hon. Member please resume his speech. Otherwise I will declare that he is not prepared to speak. There cannot be any point of order on the Ruling at all. The Resolution is before the House.

SHRI SAMAR GUHA : Not on the ruling, Sir...

MR. CHAIRMAN : On what subject do you want to raise the point of order ?

SHRI SAMAR GUHA : On the procedure of the House...

MR. CHAIRMAN : The Resolution is before the House. Have you any point of order on the Resolution itself ? Please resume your seat. If you have a point of order on the Resolution then you may say.

SHRI SAMAR GUHA : On the Resolution. My point of order is this. When

the Deputy Speaker asked Mr. Kothari to move the Resolution he simultaneously announced that after the Resolution is moved the Bill will be moved.

MR. CHAIRMAN : There is no point of order. The hon. Member is in the midst of his speech on the resolution. So, let the hon. Member resume his seat.

SHRI S. M. BANERJEE : I am raising a point of order on the resolution. I have nothing to say against the ruling which has been given by the Deputy Speaker.

MR. CHAIRMAN : He cannot say anything against it.

SHRI S. M. BANERJEE : Please do not interrupt me like this because I get derailed. In his ruling, the Deputy Speaker...

MR. CHAIRMAN : Again he is dealing with the ruling. Let him leave that aside. If he has any point of order on the resolution he can raise it.

SHRI S. M. BANERJEE : I am leaving the ruling aside. I would invite your kind attention to rule 188. It reads thus :

"No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions...shall ordinarily be permitted to be moved..."

MR. CHAIRMAN : The hon. Member may sit down. There is no point of order. That has been determined already.

SHRI S. M. BANERJEE : I would draw your attention to one particular aspect. Kindly hear me. It is a very important point. Regarding the High Courts, I am not touching them after the ruling from the Chair. The Deputy Speaker has said that even if the matter is before a High Court, it could be discussed in this House.

The rule further says :

".....or any commission....."

MR. CHAIRMAN : Why does he want to travel to the other subjects ? Let him confine himself to the resolution. He can state his point of order on the resolution. He can state his point of order on the resolution briefly.

SHRI S. M. BANERJEE : Kindly hear me. I have seen you raising points of order, and you have taken at least two or three minutes to formulate it; you have not been able to do it more quickly. So, kindly give me one minute at least. The word "commission" does not necessarily mean a commission appointed under the Commissions of Inquiry Act. Now, there are two commissions in the country...

MR. CHAIRMAN : Commission is not a subject before the House.

SHRI S. M. BANERJEE : That is true. But there are two commissions in the country. One is the Commission on Labour and the other is the Administrative Reforms Commission. After the strike when the ordinance was passed and people were being arrested and so on, this particular aspect of the problem whether Central Government employees should have any right to strike or not has been referred to the Administrative Reforms Commission.....

MR. CHAIRMAN : We are not discussing now whether the employees should have the right to strike.....

SHRI S. M. BANERJEE : Kindly hear me.....

MR. CHAIRMAN : Let the hon. Member kindly listen to me. I shall allow him to raise a point of order dealing with the resolution. Whether the employees should be allowed to strike or not is not a matter before the House.

SHRI S. M. BANERJEE : You have not heard me correctly. I say that this resolution cannot be discussed even after the ruling from the Chair.

There are two commissions in the country, one headed by Shri Hanumanthaiya, an hon. Member of this House and

an ex-Chief Minister of Mysore; and another commission is presided over by a former Chief Justice of the Supreme Court, Shri Gajendragadkar, namely the commission on Labour.

MR. CHAIRMAN : Everybody is aware of these two commissions. Why does he want to deal with that whole thing now ?

SHRI S. M. BANERJEE : I do not want to educate you, Sir, but I want to educate others.

MR. CHAIRMAN : The others are also quite aware.

SHRI S. M. BANERJEE : You may be an encyclopaedia but others are not. So, I am trying to educate them. There are two commissions, one is the National Commission on Labour and the other is the Administrative Reforms Commission...

SHRI SHEO NARAIN (Basti) : Let him go to some university to educate others.

SHRI S. M. BANERJEE : Shri S. M. Joshi and I have received and the central trade unions have received a letter from the member of the Administrative Reforms Commission to express our views on this. So, both the commissions are seized of this problem.

I want to have a ruling from you as to what will happen to these two commissions, whether their present terms of reference are being withdrawn by Government before proceeding with this Bill. I want your ruling on this.

MR. CHAIRMAN : I am giving my ruling. There is no point of order dealing with the resolution.

SHRI S. M. BANERJEE : It cannot be discussed under this rule, namely rule 188.

MR. CHAIRMAN : I have already determined the point. There is no point of order.

श्री जार्ज फरनेन्डीज : अध्यक्ष महोदय,
मेरा व्यवस्था का प्रश्न है 376 और 307
(1) में।

SHRI S. M. BANERJEE : What is the argument? There should be some argument. The Deputy Speaker had spent a sleepless night on his ruling. You should tell us the argument also.....

MR. CHAIRMAN : I have already determined that point. He has no right to challenge it now. Let the hon. Member resume his seat now.

14.11 hrs.

POINT OF ORDER RE. PETITION

श्री जार्ज फरनेन्डीज (बम्बई दक्षिण) :
मेरा व्यवस्था का प्रश्न 376 और 307 (1)
के अन्तर्गत है। आज सुबह मैंने एक याचिका
इस सदन में पेश की है.....(व्यवधान)....
मैं उसकी भाषा को नहीं उठा रहा हूँ। यह
भाषा पर नहीं है। यह हमको अभी नोटिस
आफिस से मिला है।

MR. CHAIRMAN : He has every right to raise a point of order on a subject before the House. The subject which he is raising is not before the House. His petition is not before the House.

श्री जार्ज फरनेन्डीज : अध्यक्ष महोदय,
रूल 376 पर मैं खड़ा हूँ। मैं पेटिशन पर नहीं
बोल रहा हूँ। आप रूल 376 देखिए।

'A point of order shall relate to the interpretation or enforcement of these rules or such articles of the Constitution as regulate the business of the House.....'

MR. CHAIRMAN : Let the hon. Member resume his seat. The meaning of rule 376 is this.

श्री जार्ज फरनेन्डीज : आप मेरी बात
सुन लीजिए। मैं इस वक्त हाउस के बिजनेस

को लेकर और रूल के एन्फोर्समेंट को लेकर आपके सामने अर्ज करना चाहता हूँ। आज सुबह मैंने याचिका पेश की। अभी लोक सभा सेक्रेटरिएट ने मेरी याचिका को यहां पर सजुसेट किया है.....

MR. CHAIRMAN : The meaning of rule 376 is this. If there is any subject before the House or if there is a constitutional question he can raise a point of order. Since that particular subject is not before the House, there can be no discussion on it now, and let the hon. Member resume his speech.

श्री जार्ज फरनेन्डीज : नहीं, अध्यक्ष महोदय, मुझे दूसरा कोई समय नहीं मिलेगा इसको उठाने का। आप मेरी बात को एक बार सुन लें। मैं रूल के एन्फोर्समेंट को लेकर सवाल उठा रहा हूँ। आप उसको पढ़ लें।

"A point of order shall relate to the interpretation or enforcement of these rules or such articles of the Constitution as regulate the business of the House and shall raise a question which is within the cognizance of the Speaker".

अब मैं एक वाक्य को पढ़ कर सुना देना चाहता हूँ जिस को स्पीकर के आफिस ने बांटा है...

MR. CHAIRMAN : Again, he is dealing with an extraneous matter.

श्री जार्ज फरनेन्डीज : अध्यक्ष महोदय,
यह मामला सदन के सामने है इस वक्त।

MR. CHAIRMAN : He can raise it by a separate notice. I shall analyse it. Let him kindly sit down. The business before the House is the resolution of Shri S. S. Kothari and he is in the midst of his speech; therefore, there can be no point of order.

SHRI S. M. BANERJEE (Kanpur) : We are raising a point of order on that.

श्री जार्ज फरनेन्डोज : अध्यक्ष महोदय, अगर नियमों का भंग इस वक्त होता है तो मैं व्यवस्था का प्रश्न खड़ा करने का अधिकार रखता हूँ।

MR. CHAIRMAN : I have already given the ruling.

श्री जार्ज फरनेन्डोज : इस वक्त नियमों का भंग हो रहा है। एक क्षण भी सदन बैठा है और नियमों का भंग हो रहा है तो मुझे व्यवस्था का प्रश्न उठाने का अधिकार है।

MR. CHAIRMAN : The hon. Member is raising a point of order on a matter which is not before the House.

श्री जार्ज फरनेन्डोज : मेरी बात को बिना सुने हुए आप यह कह रहे हैं। मैंने सुबह एक याचिका पेश की.....

MR. CHAIRMAN : He is raising a point of order on something which is not before the House.

SHRI S. M. BANERJEE : It is there on the Order Paper.

MR. CHAIRMAN : He is also challenging the ruling of the Chair. He may kindly resume his seat.

श्री जार्ज फरनेन्डोज : आप अध्यक्ष, महोदय, नियम 307 (1) देखिए।

"The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may direct that it be circulated".

MR. CHAIRMAN : This is a very simple matter. It does not require explanation. On any subject before the House, a point of order could be raised. Since his petition is not before the House, no point of order could be raised on it.

SHRI GEORGE FERNANDES : It is before the House.

MR. CHAIRMAN : No. Rule 307 does not come in.

श्री जार्ज फरनेन्डोज : अध्यक्ष महोदय, आप मेरी बात को न सुनते हुए व्यवस्था दे रहे हैं। इससे कई झंझट खड़े हो जाएंगे। यह पेपर आपके हाथ में नहीं मिला होगा***

MR. CHAIRMAN : He can accuse me of quickly grasping his point.

श्री जार्ज फरनेन्डोज : मैं आप पर आरोप नहीं कर रहा हूँ। मैं अपनी परेशानी को रख रहा हूँ। यह लोक सभा के सेक्रेटरिएट के जरिए अभी बांटा जा रहा है। इस पर लिखा हुआ है :

"Petition presented by Shri George Fernandes.....is circulated in pursuance of the Speaker's Direction under Rule 307 (1) of the Rules of Procedure and Conduct of Business".

अब मेरी आप से यह अर्ज है कि 307 (1) में इसको सर्कुलेट नहीं किया जा सकता है और जब यह किया जा रहा है, नियमों का भंग हो रहा है तो मैं 376 में इस प्रश्न को उठा सकता हूँ।

MR. CHAIRMAN : I have already decided that the petition is not before the House. There are a number of pieces of papers circulated. On those pieces of papers, no point of order can be raised.

SHRI S. M. BANERJEE : Kindly read the petition. What is the prayer ?

SHRI GEORGE FERNANDES**

MR. CHAIRMAN : Nothing that he says is to be recorded.

SHRI GEORGE FERNANDES**

MR. CHAIRMAN : I know as much as he does. What is to be expunged under rule 380 ?

SHRI GEORGE FERNANDES**

MR. CHAIRMAN : That rule deals with expunging.

SHRI GEORGE FERNANDES**

MR. CHAIRMAN : Rule 379 is a presumption in favour of the Secretary. Let him kindly sit down.

SHRI S. M. BANERJEE : Nothing that he says is being recorded. But your observations are going on record. This is not fair.

MR. CHAIRMAN : Shri Fernandes is powerful enough to make out his case. He does not need the hon. Member's help.

SHRI S. KUNDU (Balasore) : What is this going on. What we say is not being recorded. But what you say is being recorded.

SHRI SHEO NARAIN (Basti) : He must obey the Chair.

MR. CHAIRMAN : I am drawing the attention of the House to rule 389 which states :

"All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct."

At the same time, the Speaker has power to rule any point of order which is raised on a subject which is not before the House out of order.

SHRI S. M. BANERJEE : After hearing.

STATUTORY RESOLUTION RE. ESSENTIAL SERVICES ORDINANCE—Contd.

SHRI S. S. KOTHARI (Mandsaur) : Rarely in the annals of parliamentary working have we come across the strange spectacle of the Treasury Benches fighting hard to save an opposition member's resolution. I thank the Government, and I hope that they would continue to support me till the end.

Time and again we on this side of the House, have deprecated the tendency of this Government to rule by ordinances. Ordinances constitute a negation of democracy, and legislation by the backdoor. Still Government persists in it.

On 30th August, 1968 the Lok Sabha adjourned. Barely two weeks elapsed, and this Government promulgated an ordinance suppressing the rights of workers to strike, their legitimate rights. May I submit that in the statement explaining the reasons for promulgating the ordinance the Government has said that for some months past they had been aware that employees, organisations were preparing to strike? If they were aware a few months before, why did they not come before the last session of Parliament with the Bill which they have now brought? It means that they deliberately wanted to legislate by ordinance, by the backdoor and to avoid coming before the House with this Bill, which is a draconian measure.

Secondly, the statement states that there was an emergency. What kind of synthetic emergency was there? It was a token strike for one day. Would that one-day strike have resulted in shaking the foundations of this Government? And then you find that the Bill is to be operative for five years. Is the emergency to last for five years? What does it mean? It is all a camouflage. All that it means is that

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there was no emergency, no necessity whatsoever for this ordinance. They should have brought a Bill in the regular course in the last session of Parliament before the House. They failed to do that.

Under the shelter of the ordinance, the Government has put loose repression on the employees. Even today you find about 7,000 workers are facing suspension and notices of dismissal, and 4,000 temporary workers have actually been dismissed. The Government should not stand on prestige and must relinquish the idea of trying to teach the employees a lesson because that would only aggravate matters. Actually the ordinance exacerbated matters because it constituted a challenge to the employees which they took up.

AN HON. MEMBER: Mr. Sheo Narain, don't go.

SHRI SHEO NARAIN : Please ask him to behave.

MR. CHAIRMAN : Do not take any notice of him.

SHRI SHEO NARAIN : Who is he ? I bow to the Chair and I go, I am not the Law Minister.

SHRI S. S. KOTHARI : The ordinance makes excessive delegation of authority and is unconstitutional. From various legal pronouncements it is seen that the primary duty of law-making has to be discharged by this hon. House itself. When legislative powers are delegated, they must be enunciated with sufficient accuracy and clarity, and the delegation must also indicate intelligible limits of authority. That has been the ruling of the courts. What is remarkable about this Bill is that Clause 2 (1) (a) (ix) confers upon the Central Government the power to declare any service as essential if it is of the opinion that it would result in infliction of grave hardship on the community.

The connotation of the term 'infliction of grave hardship to the community' is

indistinct and undefined. Therefore, the Government has been given wide powers; it is excessive delegation of authority. Besides the distinction between an essential service and a non-essential service is blurred. If this is blurred, it means no intelligible limits of delegated authority have been prescribed. Therefore, I submit that this clause is unconstitutional and it would vitiate the Bill. May I submit that when this Bill was introduced in the House, there were objections regarding its constitutionality....

MR. CHAIRMAN : The ordinance is before the House.

SHRI S. S. KOTHARI : The Bill is identical with the ordinance. However, I will try not to refer to it. The ordinance is unconstitutional because it violates a number of articles of the Constitution. I would go into that at a later stage. May I submit : are we in this House concerned merely with the legalistic view of the legislation that we enact, are we to forget the entire gamut of democratic traditions that we have inherited, are we to forget that this House is here to uphold human dignity, human rights and the fundamental rights... (Interruptions) There is always a danger that the government of the day would seek to reduce these human and fundamental rights, to circumscribe them and to whittle them down. It is precisely for this purpose that Parliament must always be alert. It should ensure that human rights, and the fundamental rights are not whittled down by the government of the day, by legislation or otherwise. The eminent British political philosopher, Laski, states that rights are not merely, or even greatly, a matter after written record. Musty parchments will doubtless give them greater sanctity; they will not ensure their realisation." That is an important point. The 15th amendment of the American constitution gave equal rights to the coloured people of the south but even to-day those rights have hardly been enforced either by the executive or by the judiciary. That itself indicates that the maintenance of a right is more a question of habit and tradition rather than the written word. Therefore, I would submit that basically fundamental rights can only be maintained, firstly, if Parlia-

ment resists the erosion of those rights by legislation or otherwise. Secondly, the people should stand up against the encroachment of those rights. Are we to be idle spectators when the Government is seeking to curb the right of more than 26 million workers to go on strike if their emoluments are insufficient, they are suffering from interminable poverty and are unable to make both ends meet. The right to strike was won after considerable hard struggle and if in the latter half of the 20th century this Government comes before the House and says that these rights should be curbed, are we going to allow this to happen? Whatever be the legal position, whatever be the penalties imposed, if the employees feel with considerable intensity that justice is not being done to them, that their emoluments are insufficient and their cause is just and righteous, they are bound to go on strike. Therefore I submit that there are two conditions which have to be ensured if the strikes are to be averted. Firstly it is necessary that the conditions of work and pay must be improved. Not only they must be improved but the workers should have the satisfaction that there is reasonable scope and possibility of such improvement.

Secondly, it is necessary that the Government must confer a large degree of self-government on the services, which means, in other words, bodies in the nature of Whitley Councils have to be actively worked and the workers representatives should be given proper opportunity at all stages and at various levels. There should be negotiations, and in case of difference of opinion, there should be adjudication and arbitration. That is necessary if you want to avert strikes in the future. Otherwise, what would happen is that periodically you will have to face this problem, as in the past.

I have always held that socio-economic factors lie at the root of all these movements. Even with regard to this movement, it is basically poverty that is responsible for it, but the Government could have averted the strike had it handled it with sympathy and imagination, but that was lacking. Actually, the joint consultative machinery failed precisely because the Government was not prepared to submit to

arbitration the demand for a minimum need-based wage, and that was something to which the Government was already committed.

The principal demands of the employees related, firstly, to arbitration on the issue of a need-based minimum wage, then, merger of DA with pay, and thirdly, full neutralisation of the rise in cost of living and lastly, retirement. It is indeed regrettable that over all these years, the Government has not been able to evolve a satisfactory machinery for resolving such disputes. The Government must be a model employer. It should set an example to the industrialists and various other sectors in society by providing a need-based minimum wage to its workers; but, instead of being a model employer, this Government is a retrograde employer.

SOME HON. MEMBERS : Shame, shame.

SHRI S. S. KOTHARI : Article 43 of the Constitution casts upon the Government the sacred duty to "endeavour to secure, by suitable legislation . . . or in any other way, to all workers, . . . work, a living wage, conditions of work ensuring a decent standard of life" and so on. Article 39 provides "that the citizens, men and women equally, have the right to an adequate means of livelihood." But far from making efforts to secure a living wage or even a need-based minimum wage for the employees, this Government is unable to progress itself in this direction, and if the Government asserts that the economy has not yet reached the stage where the Government could afford a need-based minimum wage, it means that its economic and other policies have failed completely. During these two decades that the Government has been in power, actually the economy has deteriorated rather than improved.

Out of 26.6 lakh workers, about 24 lakh workers are able to earn or are getting a wage between Rs. 135 and Rs. 200. What is the need-based minimum wage that they want? Of course, the Government delineates it as something fantastic. Actually, it is nothing much; as Dr. Aykroyd has worked out, it comes to about 14 ounces of

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cereals, three ounces of pulses, 10 ounces of vegetables and a few ounces of some nutritional products like milk, sugar and meat to give a balanced diet, and 18 yards of cloth per annum. In monetary terms, it works to about Rs. 200 or Rs. 250 a month. Is that too much? I think it is a very reasonable, modest and ordinary demand. Is there anyone in this House who can say that Rs. 200 per month—I ask the hon. Members on either side—is too much for an employee? (*Interruption*).

The value of the pre-war rupee today is about 12 paise, which means that due to the unbridled inflation that has been generated in this economy, due to the mistakes and faulty planning policies of the Government, the wage of Rs. 135 in terms of the pre-war rupee, works out to about Rs. 17 per month.

Can you imagine what it means? Inflation is the most insidious form of taxation. It adversely affects in the worst manner the fixed income groups. Prices have been rising during the last 7 or 8 years by about 11 to 12 per cent every year. The consumer price index (Base 1949 equal to 100) rose from 126 in 1961 to 218 in 1968. With every spurt in prices, the pitiful amount of goods that the employees can secure with their pay is still further depleted. Ultimately what matters is the amount of goods they can get. If because of inflation these goods are reduced, how can they sustain themselves and their family?

Why does not this Government at least subsidise the foodgrain prices for Central Government employees? I submit it is a basic tenet of justice, an inherent part of an unwritten contract, that the Central Government compensates its employees for every rise in the cost of living, i.e. the rise in the cost of living shall be fully neutralised. But the Central Government fails to discharge this legitimate duty. It not only violates the canons of social justice but also the unwritten contract. Other countries have gone far ahead with social security measures. But this Government is trying to balk the Central Government employees, with obscure arguments, repression and this type of Bill, of the legitimate amount due to them on account of full

neutralisation and their legitimate wages as also the right to strike for their well-being and improvement in conditions of life.

It is a very curious argument that need-based minimum wage cannot be given to all sections of society and therefore, it should not be given to Central Government employees also. Is it ever possible in any society that every body will simultaneously be given this need-based minimum wage? Naturally it has to come gradually to various sections, as society advances. On Bombay side, we find most industries are actually paying the need-based minimum wage. If those industries can pay and still flourish, I do not see why it should not be given to other sections of society. The Government can, of course, begin with their own employees. As productivity increases, it will be given to larger and larger sections of society.

Article 16 of the JCM scheme provides that compulsory arbitration shall be limited to pay and allowances, weekly hours of work and leave of a class or grade of employees. The obvious interpretation of this clause is that the employees are entitled to a need-based minimum wage and if that is not given, the Central Government must agree to arbitration. But the Central Government says that it does not mean that they are committed to this wage. Then, why not take the issue to the Supreme Court for clarification? It is not prepared to do so because the Government knows that its case is weak. They give the excuse that the issue is before the National Commission on Labour. But the fact is that the terms of reference of the commission do not include this issue. May be it is there in some form as a side issue and they may or may not deal with it. A colleague of ours in this House said—he was on the commission and he ought to know that it is definitely not there in the terms of reference and the commission is not bound to report on that.

Keeping that in view, the stand taken by the Central Government is most unreasonable. The Joint Consultative Machinery provided that if the arbitration went against the Government, it could come to Parliament and clarify its difficulties in accepting and implementing the

arbitration. Parliament could ultimately decide how it should be implemented, in what stages it should be implemented, whether progressively or in some other manner. If Parliament felt that the economic conditions in the country did not warrant its implementation, it could decide to keep it in abeyance for some time. The employees then would have had the reasonable satisfaction that there is a possibility and there is scope for realisation at some time or other. Then, the things would not have come to this crisis.

Therefore I submit that the Government has gone back on its commitment of need-based minimum wage. It has gone back on its assurance given in the J. C. M. I now submit a very important point. The employees did not ask for need-based minimum wage. What they actually asked for is that this issue should be referred to arbitration. Why should the Government shove the issue by not accepting the legitimate demands of its employees?

By not accepting this legitimate demand, the Government forced the workers to go on strike. Therefore, I submit that the responsibility for the strike rests squarely upon this Government.

The Government repeatedly asserts and says—my hon. friend, Shri Lobo Prabhu also quite often does that—that the financial resources of the Government do not warrant need-based minimum wage. Sir, the Government, which is prone to waste resources, is bound to find itself in financial stringency and would be unable to meet the legitimate demands of its employees; it would have to resort to such an Ordinance and such a type of legislation. This Government can afford to lose Rs 60 crores in Hindustan Steel in two years; it can afford to lose Rs. 6 crores a year in Heavy Electricals, Bhopal. It can afford to permit the High Commissioner in London to have a retinue of staff which even rulers would envy; it can also permit the Iron and Steel and Coal Controllers to have huge staff without sufficient work for all of them and to whom Parkinson's law is eminently applicable. Besides, few are the unfortunate Ministers who cannot manoeuvre to have a foreign trip every year

in the right season. This reminds me of an item which appeared in the New Delhi Diary of *The Statesman*. It reads: "No fewer than 18 Ministers, Ministers of State and Deputy Ministers went overseas in the space of 12 weeks between August and November last year". At the end of the item, it reads, "The Deputies" trips abroad, if not those of others, perhaps lend weight to the slogan 'join the Cabinet and see the World'.

Sir, if properly managed, the public undertakings with an investment of Rs. 3000 crores at 12% returns could yield about Rs. 360 crores a year. Financial discipline has become with this Government an exercise in convenience. It is an instrument for depriving the workers, for hauling them of their reasonable demands. How long, I ask, would this Government continue to take shelter behind its so-called limitations?

The incidents in Indraprastha Bhavan must rouse the conscience of this Government. There was a reign of terror let loose by the guardians of law in violation of law. People in Indraprastha Bhavan were surrounded on all sides like trapped animals and were mercilessly beaten. Even the Press Photographers, the Press reporters and even women were not spared. The Police entered bathrooms, in fact broke into bath rooms where the terror-stricken people had taken refuge and beat them. Who were these workers? They were innocent and loyal workers, who were performing their normal duties.

SHRI ATAL BIHARI VAJPAYEE (Balrampur): That is why they were beaten. They should have joined the strike.

SHRI S. S. KOTHRI: It is surprising that in a civilised society such things can be prepared by the Police.

to crown it all, a Central Government employee was also killed.

The police atrocities at Indraprastha Bhawan do not constitute an isolated instance; it is only a link in the long chain of police misbehaviour from time to time in various parts of the country. It

[Shri S. S. Kothari]

appreciates that the very admittance to the ranks of the police has a brutalising, dehumanising effect upon persons. Thanks to the ugly traditions inherited from the days of British raj, the police force tends to isolate itself from the public at large; actually, it revels in committing atrocities upon the people. On the slightest pretence, they go on arampage and indiscriminately beat the people. The Home Ministry has failed to divest the police force of these undemocratic imperialist traditions. The Government must reform the police force and inculcate in it a sense of public service.

The least that the Government can do in the present instance is to institute a judicial enquiry into Indraprastha Bhawan incidents and bring to book the guilty. Shri Chavan stated the other day that no enquiry was necessary as all the facts were known. The non-official committee in its report has stated that all the facts are not known. How was Arjan Singh killed? Who were the senior police officers responsible for ordering this terrorism and inhuman beating? These facts are not known.

Besides, it is learnt that the Additional District Magistrate, who has been transferred, has been paid additional emoluments to the tune of Rs. 200 per month, probably for the services rendered! I do not know, it is for the Home Minister to explain how the A D M is getting an extra amount when there is an inquiry against him and when this hon. House has been informed that he has been transferred because of what he had done.

Coming now to the police action in Pathankot and other places, it is customary that firing should be aimed at the legs so that casualties do not occur as far as possible. Even that elementary precaution was not taken and brutal firing was resorted to. According to Government figures—I do not know whether they are accurate—in Pathankot five persons were killed and 19 injured, in Bikaner one died and 23 were injured and we are told that in Shadol and Gauhati nobody died; I do not know how many were wounded by bullet injuries in these places. These figures are also not available. I submit

that a judicial inquiry is necessary in all these cases of firing and exemplary punishment must be given to those officials who are found guilty.

Sir, imagine the interplay of the torment of the misery of poverty and the government's exercise of the tyranny of power. Not only the government fails to take cognisance of this misery, but it also is unable to control its instruments of authority. The physical suffering it has imposed on the workers in Indraprastha Bhawan I have tried to show. But the psychological havoc that the Indraprastha, Pathankot and Bikaner incidents have caused on the minds of the employees needs to be registered with the hon. Members here. Sir, it has wrought iron in the souls, not only of workers who were subjected to inhuman beatings and bullets but also thousands who have been suspended or dismissed or against whom action has been taken. Their hearts are lacerated and where hopes are defeated, frustration and desperation fill the void. This misery, this iron in the soul, this frustration, this desperation would provide the volatile substance which, if ignited, may explode. That tide, when it rises, the government would not be able to control even with its machinery of repression. By brute majority in this House, the government may escape its just deserts now, but it would have one day to answer to the people, who are the ultimate masters.

SHRI NAMBIAR (Tiruchirappalli) :
That day is not far off.

SHRI S. S. KOTHARI : Shri Nambiar says that day is not far off.

What is the record of the Home Ministry during the last year and a half, not to delve further into the past? The illegal adjournment of the Rajasthan Assembly, the unconstitutional dismissal of the West Bengal Government, the police misdemeanour and brutality in the States of Uttar Pradesh and Bihar, the maltreatment of harijans and failure to act in Gauhati and safeguard human rights and property are only some of the

instances. To crown it all, comes this Ordinance and the handling of the Central Government strikers and suspension and dismissal of employees in disregard of the rights of the workers and the material well being of their families which are the other instances of the performance of the Home Ministry. I say only this to the Home Minister. Are these the footprints he is going to leave on the sands of time? What would be the verdict of history? Let him ponder.

With regard to the unconstitutional aspect of this Ordinance, I do not have time; I hope, my hon. friends would expand that point. I would only say that this is unconstitutional in that it violates certain constitutional provisions.

I would make some positive suggestions and conclude. Firstly, the Bill should be operative only for six months instead of five years as provided. Secondly—this is a very important point—the Government should not unilaterally take away the right to strike without providing alternative provisions or machinery in the Bill itself for consideration of the legitimate problems and grievances of its employees and for arbitration of legitimate demands in case of differences. Then, the Government must agree to progressive implementation of need-based minimum wage within a specified period of time: if it does not agree to this, it must accept arbitration of the issue. Clause 2 (1) (a) (ix) must be deleted.

Parliament must uphold human rights and not allow the Government to circumscribe or erode them through legislation or otherwise. Strikes and liberty are inseparable. Countries where there are no strikes are countries where there is no liberty.

The hon. Prime Minister in the tradition of that great humanitarian Jawaharlal Nehru—I appeal in the name of Nehru—is reputed to have liberal views and a degree of sympathy with the workers and the downtrodden.

Let her not be guided in this matter by the hard hearted officials in the Home Ministry. Let her exercise her own judgement. An integration of softness and firmness alone can lead to good administration and correct decisions. I appeal to her in the name of the 24 million Central Government employees and their families, who, in this inflationary era, are unable to make their two ends meet and exist in interminable poverty. On humanitarian grounds I appeal to the Prime Minister to end all victimisation. Those who have been dismissed and suspended must be taken back. Let the Government not stand on false prestige. Compassion and humanism at the right moment bless both him that gives and him that takes, as that great lady in Shakespear truly said.

Finally, in the name of democracy and human rights, I appeal to Chavan Sahib, who has the reputation of a great democrat, not to go ahead with this Bill which would be written in bold black letters in the annals of parliamentary working and in the history of country. He should not proceed with this Bill; he should not present the Bill before the House, because it may be struck down by courts of law as being against the Constitution.

I appeal to this hon. House to throw out this Ordinance and not to let the Government proceed with the Bill.

श्री मधु लिमये भुं.गेर: सभापति महोदय,
इस पर मेरा व्यवस्था का प्रश्न है।

MR. CHAIRMAN: On what?

श्री मधु लिमये: इस वक्त जो बिजनेस हाउस के सामने चल रहा है यानी कोठारी साहब का प्रस्ताव तथा श्री यशवन्त राव चव्हाण का वह विषयक।.....

सभापति महोदय: अभी वह पेन नहीं किया गया है।

श्री मधु लिमये : उनके पेश करने के समय में अपनी व्यवस्था उठाऊंगा ।

SHRI SRINIBAS MISRA : On a point of order, Sir.

14.55 hrs.

ESSENTIAL SERVICES MAINTENANCE BILL

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : Sir, on behalf of Shri Y. B. Chavan, I beg to move :

"That the Bill to provide for the maintenance of certain essential services and the normal life of the community, be taken into consideration."

श्री जार्ज फरेन्डोज (बम्बई दक्षिण) : मेरी व्यवस्था सम्बन्धी आपत्ति है । वह पेश नहीं हो सकता है ।

MR. CHAIRMAN : Let him move it. (*Interruptions*)

SHRI VIDYA CHARAN SHUKLA : May I complete my submission ? I have uttered only the first sentence.

श्री मधु लिमये (मुंबई) : जी नहीं, भाषण के पहले प्वाइंट आफ आर्डर है ।

SHRI VIDYA CHARAN SHUKLA : May I complete my submission ?

SHRI SRINIBAS MISRA (Cutback) : It cannot be discussed.

MR. CHAIRMAN : Let it be before the House.

SHRI MADHU LIMAYE : It is before the House now.

SHRI VIDYA CHARAN SHUKLA : I have only uttered the first sentence. I have to complete my speech.

SHRI MADHU LIMAYE : No, no. (*Interruptions*)

The question is that the Bill involving expenditure shall be accompanied by a Financial Memorandum. It is to be seen whether this Bill involves expenditure or not. It is not that who will decide it. It is not the sweet-will of the Minister to say whether it will involve expenditure or not. The provisions of the Bill involve expenditure. Kindly look at the rules. Rule 69 (2) says about expenditure from the Consolidated Fund of India, Rule 69 (2) does not apply. Rule 69 (1) says about the expenditure. I do not know whether the Home Minister in collusion or in consultation with the Food Minister and the Health Minister has devised a mean by which people in jail will go without food or they will take their nutrition from air. We do not know that. But there are the provisions in the Bill which require that the people will be put in Jail. It will involve expenditure. It is more serious that it will not involve expenditure from the Central Fund but it will involve expenditure from the Consolidated Fund of States which we cannot do.

MR. CHAIRMAN : Where is the provision that the expenditure involved will be from the Consolidated Fund of States?

SHRI SRINIBAS MISRA : There are clauses 4 and 5. Clause 4 of the Bill says :

"Any person who commences a strike which is illegal under this Act or goes or remains on, or otherwise takes part in, any such strike shall be punishable with imprisonment for a term which may extend to six months..."

So, these people will go to jail. They must be fed there. Somebody must take them to jail. There must be some conveyance. They must be given some food. It must involve expenditure. Of course, I am conscious of the fact that they cannot say how many people they intend to put in jail. They might put all the persons....

MR. CHAIRMAN : This is the first point. Then, go to the second point.

SHRI SRINIBAS MISRA : I am coming to it.

These are the Rules of the House. This is a salutary provision. If the House is apprised of the expenses that will be incurred, the House may withhold the consent of the Bill. We do not know what expenditure will be involved. I am conscious of the other fact. They will say, "We do not know what will be the expenditure". But that means there will be Financial Memorandum saying, "At present, we do not know how much will be the expenditure".

SHRI VIDYA CHARAN SHUKLA : This point of order will involve more expenditure than the jails.

15 hrs.

SHRI SRINIBAS MISRA : He is not answering to my question. Is this not according to the rule? According to the rule, what is to be there? This matter has been discussed time and again in this House. There have been rulings given asking the Minister to submit the Financial Memorandum. Here, there will be expenditure. A Bill involving expenditure shall be accompanied by a Financial Memorandum. Will you now say that this Bill will not involve expenditure? It is not left to the sweet will or discretion of the Minister to say whether a Bill involves expenditure or not. It will have to be decided by you whether these provisions will involve expenditure or not.....

MR. CHAIRMAN : Which rule are you referring to?

SHRI SRINIBAS MISRA : Rule 69 (1). This is a Bill which involves expenditure. As soon as this is decided that it involves expenditure, which is a fact, then it should be accompanied by a Financial Memorandum, so that we will have an idea about the expenditure involved. Without the Financial Memorandum there cannot be any discussion.

There is another point also, but I shall come to that later.

श्री मधु सिमये : सभापति महोदय, मैं आपका ध्यान नियम 70 की ओर दिलाना चाहता हूँ, जो इस प्रकार है :

"A Bill involving proposals for the delegation of legislative power shall further be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character".

15-02 hrs.

[Mr. DEPUTY SPEAKER in the Chair]

MR. DEPUTY SPEAKER : I shall give opportunity to all the members to raise their points of order—Mr. Misra is there Mr. Limaye is there and there are some other members also. But what I suggest is this and this would be the proper procedure also. Mr. Misra is the master of procedure. Let the Minister make his motion..... (Interruptions) He has uttered only one sentence; that is not enough; let him make his motion because he will explain so many things.... (Interruptions) He must make his speech.....

श्री रवि राय (पुरी) : मोशन के बाव मिश्र जी को इजाजत दी गई थी ।

श्री जार्ज करनेन्डीज : हमारा यह व्यवस्था का प्रश्न है कि उनका मोशन ही नहीं आ सकता है ।

MR. DEPUTY SPEAKER : I am prepared to listen to everybody. But let him make his motion.

श्री जार्ज करनेन्डीज : बिजिनेस बीफोर दि हाउस यह है कि उनका मोशन आ जाए । व्यवस्था मैं यही उठाना चाहता हूँ कि वह मोशन आ ही नहीं सकते हैं ।

श्री मधु सिमये : हमारा प्वाइंट आफ

आर्डर खत्म करने के बाद स्पीच होगी।
मोशन तो हो गया है।

SHRI NAMBIAR (Tiruchirapalli) :
There are various varieties of motions.....
(Interruptions)

MR. DEPUTY SPEAKER : I pointed
out on the very first day, but nobody
abides by this rule.....(Interruptions)

श्री रवि राय : मोशन तो हो गया है।

MR. DEPUTY SPEAKER : I have
followed everything that has happened
in the House.

SHRI NAMBIAR : Please hear me,
Sir.....

MR. DEPUTY SPEAKER : Please
resume your seat. I shall give you an
opportunity.....

SHRI NAMBIAR : My submission
is that there is a point of order.....

MR. DEPUTY SPEAKER : I know
everything.

I know everything. I was following the
debate. The question is, what is the practice
that we follow. There are certain serious
objections to this measure on constitutional
grounds or delegation of power or on
financial provisions. Now, all these will
come once a proper motion is made.
He just uttered one sentence.

श्री मधु लिमये : मेरा प्वाइंट आफ
आर्डर आप इसी सदन की प्रक्रिया के बारे
में सुनिए। कच्छ के बारे में सवाल उठा
था.....

श्री शिव नारायण (बस्ती) : चार लाख
कल खर्च हुआ और चार लाख आज खर्च हो
जाएगा इसी में।

श्री मधु लिमये : तब मुझे सिर्फ
प्रस्ताव पढ़ने दिया गया था। मैंने तब बिनती
की थी कि मेरे भाषण के बाद प्वाइंट आफ

आर्डर उठे लेकिन गोविन्द मेनन साहब ने
कहा था कि नहीं मोशन आपने कर दिया
है, अब हमारा प्वाइंट आफ आर्डर आएगा।
उसी तरह मैं कहता हूँ कि जो कल से हो रहा
है, मेरी समझ में नहीं आ रहा है। एक का
चेहरा अच्छा लग रहा है, एक के चेहरे से
नफरत है.....

MR. DEPUTY SPEAKER : This is
not correct. Don't blame the Chair.
Many of us are sitting in this House
for long. Senior Members like Shri
H. N. Mukerjee are there. The practice
that we follow is this.....

श्री मधु लिमये : प्रक्रिया तो सब के
लिए एक रहेगी या नहीं ?

उपाध्यक्ष महोदय : प्रक्रिया एक रहेगी।

Usually, the last sentence will be,
"with these words, I make the motion".
This is the last sentence usually. That is
the practice we follow. On some occasions
if injustice had been done, I do not
know anything about that. What I
suggest is this. Let him fully explain.
You will get an opportunity. (Interruption)
I will give opportunity to everybody.
Shri Madhu Limaye rightly pointed out
some deviation from the usual practice.
But, what I say is this. (Interruption).

SHRI S. M. BANERJEE (Kanpur) :
Our objection is basic. Our point of
order is basic.

Mr. DEPUTY SPEAKER : There are
contradictions on this side.....

SHRI UMANATH (Padakkottai) :
There is no contradiction or consistency
or unanimity. Each one has got his
point of view and his point of order.
Where is the question of unanimity ?

MR. DEPUTY SPEAKER : If Shri
Banerjee's objection is to some item on
the order paper, then, he is within his
right to raise it at that stage. But, before
coming to that, it seems, he has begun
his speech. One sentence he has said.

श्री आर्ज करनेन्डीज : हम तो पेश करने के ही विरुद्ध हैं। अगर भाषण हो गया तब तो यह ज्यादा बड़ा जुल्म हो जाएगा।

MR. DEPUTY SPEAKER : I will go one by one. Mr. C. C. Desai.

SHRI C. C. DESAI (Sabarkantha) : That the motion has been made is a fact. I understand, you have been informed, that the motion has been made.

MR. DEPUTY SPEAKER : Motion is made after a speech.

SHRI LOBO PRABHU (Udipi) : Will my hon. friends enlighten the House as to why they object to this motion ? The time of the House is very precious. Taxpayers' money is involved. And yet every day they go on like this.

SHRI UMANATH : The fundamental right of the taxpayers is involved. So, it is not a question of their money only.

SHRI SRINIBAS MISRA : We are entitled to raise point of order as soon as the matter is before the House. In order that the matter should be before the House, the hon. Minister got up and said that he moved. As soon as he has said 'I move', it becomes a matter before the House. So, we can raise points of order.

MR. DEPUTY SPEAKER : The practice that we have been following is this. After the speech normally we allow the point of order to be raised. But if he is insisting, I shall allow him now.

SHRI SEZHIYAN (Kumbakonam) : Yesterday, what happened was this. I am reading out from the proceedings.

SHRI S. M. BANERJEE : On a point of order.

MR. DEPUTY SPEAKER : But there is no business before the House. Let Shri S. S. Kothari move his resolution. Then, I shall give him an opportunity to raise his point of order.

SHRI S. M. BANERJEE : My point of order is that this motion cannot be discussed.

MR. DEPUTY SPEAKER : If that is the point, I shall consider. First, let Shri S. S. Kothari move his motion; let him get up and say that he moves it. Then, he can raise the point of order. Then, Shri S. S. Kothari got up and said 'I beg to move', and then Shri S. M. Banerjee raised his point of order. Shri S. S. Kothari had just said one sentence, and then Shri S. M. Banerjee was allowed to raise his point of order.

MR. DEPUTY--SPEAKER : I know all that.

SHRI S. KUNDU : The hon. Minister has not moved the motion; so, it may be ruled out.

श्री मधु लिये : उपाध्यक्ष महोदय, आप को याद होगा कि उस दिन की बहस में हम लोग संविधान के मामले में बोल रहे थे और आप ने संविधान के बारे में ही अपना निर्णय दिया है। चूंकि मंत्री यहोदय ने अपना विषयक विचारार्थ पेश कर दिया है इस लिए मैं नियम 70 के अन्तर्गत अपना आक्षेप आपके सामने रखना चाहता हूँ।

नियम 70 इस प्रकार है :

"A Bill involving proposal for the delegation of legislative power shall further be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character".

इस बिल की क्लॉज 2 (1) (ए) (9) में सरकार ने अपने हाथ में इतने ज्यादा अधिकार ले लिये हैं कि सरकार द्वारा यह कहना कि ये साधारण अधिकार हैं, नार्मल अधिकार हैं, असाधारण नहीं हैं, यह इसमें एक विस्कुल झूठ बात आ गई है। इसलिए इसको बदला जाये। सरकार यह झुठूस करे

कि ये असाधारण, एक्स्ट्राडिनरी, अधिकार हैं, ताकि सब लोग सबेते होकर इसकी ओर तवज्जह दें। आप मंत्री महोदय को इसका बुझीकरण करने के लिए कहिए। उसके बाद प्रस्ताव पर बहस हो।

MR. DEPUTY SPEAKER : So far as delegation of power is concerned, the hon. Member has referred to clause 2 (1) (a) (ix) which reads thus :

"any other service connected with matters with respect to which Parliament has power to make laws and which the Central Government being of opinion that Strikes therein would prejudicially affect the maintenance of any public utility service, the public safety or the maintenance of supplies and services necessary for the life of the community or would result in the infliction of grave hardship on the community, may, by notification in the Official Gazette, declare to be an essential service for the purposes of this Act;"

I must concede this point that according to this rule, the hon. Minister must give some specification regarding the delegation of powers. So, I would request the hon. Minister to clarify the position because that clarification is very necessary.

SHRI VIDYA CHARAN SHUKLA : I shall clarify it.

SHRI SRINIBAS MISRA : Regarding financial memorandum, I have already raised a point of order.

MR. DEPUTY SPEAKER : Let us follow some procedure. I will look into the aspect of the financial memorandum. The hon. Minister also will examine it. The debate will not conclude today. So he will meet the hon. Member's objection raised here.

SHRI SRINIBAS MISRA : Whether they are liable to submit a financial memorandum or not has to be decided.

MR. DEPUTY SPEAKER : I will have to look into it.

SHRI SRINIBAS MISRA : Without a decision on that we cannot proceed.

श्री मधु लिमये : अगर एक आब्जेक्शन ससटेन होता है—मेरा होता है या माननीय सदस्य का होता है,—तो हम आगे क्यों बढ़ें?

MR. DEPUTY SPEAKER : While making all the other submissions, he will have to deal with this also. Otherwise, on that point Shri Limaye can block the progress of the Bill.

श्री मधु लिमये : मैं अभी ब्लाक कर रहा हूँ।

MR. DEPUTY SPEAKER : Not, now, not like this. I have asked the Minister to consider this point which needs further explanation under the rules.

SHRI UMANATH : Suppose you uphold the point of order raised by Shri Misra, we cannot proceed with the Bill. So till then whatever we have done will be a waste of money.

MR. DEPUTY SPEAKER : It is not a waste. If he can explain away the question of delegation...

SHRI MADHU LIMAYE : Explain, not explain away.

MR. DEPUTY SPEAKER : On the question of financial memorandum, let him get an opportunity while making his broad submission. If the House is not satisfied, within the rules, certainly I will have to look into it. By 'House' I mean 'Chair' in this case.

SHRI SHEO NARAIN (Basti) : Are we not Members of this House? We have been standing up and trying to catch your eye. But you are listening only to the other side. Is this the way to conduct proceedings?

MR. DEPUTY SPEAKER : I am prepared to listen. But every member should take it quietly. If Shri Narayana Rao wants to speak, he must come

forward. Otherwise, I cannot follow him.

SHRI SHEO NARAIN : Are the opposition the masters of this House ?

MR. DEPUTY SPEAKER : I will call one by one. Shri Himatsingka.

SHRI S. M. BANERJEE : I will raise my point of order when you call me. But I have now a submission to make.

MR. DEPUTY SPEAKER : Let us go a little quietly.

SHRI SHEO NARAIN : Is this the respect they are showing to the Chair? You have called an hon. Member from this side. But he is not allowed to speak.

MR. DEPUTY SPEAKER : Cannot Shri Banerjee wait for a while?

SHRI S. M. BANERJEE : I want to make a brief submission to you now.

SHRI VIKRAM CHAND MAHAJAN (Chamba) : You have called Shri Himatsingka. But he is not allowed to speak.

MR. DEPUTY SPEAKER : He will be called.

SHRI S. M. BANERJEE : My submission is that two points of order have been raised, one by Shri Misra regarding financial memorandum and another by Shri Limaye. You have referred to the Minister piloting the Bill. But may I quote previous rulings in this House on the subject? When a very important matter is raised by way of a point of order, it has to be disposed of first. Otherwise, what will happen in this case. Suppose the financial memorandum is necessary; suppose you come to the conclusion that it is necessary. Then there is no escape.

MR. DEPUTY SPEAKER : Why does he presume? I will order accordingly.

SHRI S. M. BANERJEE : If you come to the conclusion that financial memorandum is not necessary, but delegation of powers is necessary.....

MR. DEPUTY SPEAKER : On every issue I will apply my mind at the proper time.

SHRI S. M. BANERJEE : I am simply saying that it will be a bad precedent we will be setting, asking some questions and then asking the Minister to reply later. Points of order have been raised by two hon. Members with a specific purpose that the Bill should be dropped, that Bill cannot be proceeded with. The points of order have first to be disposed of. Do not give the Minister time to think over it.

MR. DEPUTY SPEAKER : I have followed him.

As I have said, two points have been raised. Mr. Limaye says that under the Rules of Procedure, and he has quoted the rule, this delegation is something extraordinary. So it needs further clarification, explanation or enumeration of the delegation of power.

SHRI S. KUNDU (Balasore) : So, let us first dispose of that point of order.

MR. DEPUTY SPEAKER : The points of order relate to matters of procedure. One after the other I will dispose of them.

श्री जार्ज फरेन्डो : अध्यक्ष महोदय, अगर आप ने मधु लिमये के पक्ष में निर्णय दिया तो बिल का क्या होगा ?

MR. DEPUTY SPEAKER : The general debate is there. It has not come to the voting stage. Before that I will give my ruling.

SHRI HIMATSINGKA (Godda) : The point raised by Mr. Limaye is not valid because you will find that there is a memorandum attached to the Bill regarding delegated legislation.

श्री जार्ज करमेश्वरी : यह समझे ही नहीं हैं।

SHRI S. KUNDU : Does it mean that you are allowing a discussion on his point of order ?

SHRI HIMATSINGKA : Rule 70 says :

"A Bill involving proposals for the delegation of legislative power shall further be accompanied by memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character."

Here there is a memorandum explaining the position.

SHRI S. M. BANERJEE : Kindly read the last part of it.

SHRI HIMATSINGKA : It has explained under what circumstances this power will be used, that the powers are of a normal character. They may not agree, but so far as the Bill is concerned, it has explained it.

MR. DEPUTY SPEAKER : I have already ruled that this is not delegation of a normal character, and I have therefore asked the Minister to explain. How can you leave everything to the executive when the question of the services is concerned ?

SHRI K. NARAYAN RAO (Bobbili) : May I submit one thing ?

MR. DEPUTY SPEAKER : About what ?

SHRI K. NARAYANA RAO : About the Financial Memorandum.

MR. DEPUTY SPEAKER : I am not allowing anything on the Memorandum of Delegated Legislation or the Financial Memorandum. He will resume his seat.

SHRI S. M. BANERJEE : A point of order, Sir.

MR. DEPUTY SPEAKER : What is the point of order ?

SHRI S. M. BANERJEE : He has already moved that the Essential Services Maintenance Bill be taken into consideration. May I invite your kind attention to the preamble. It says a Bill to provide for the maintenance of certain essential services and the normal life of the community. I emphasize 'the normal life of the community'. But if you read the contents of the Bill and the various clauses of the Bill there is no reference. How an abnormal situation was created because of the ordinance...

MR. DEPUTY SPEAKER : You must bear with me. If you have any amendment, you may say that.

SHRI S. M. BANERJEE : No amendments. This cannot be discussed. That is what I said. These are all very delicate arguments. (*Interruptions*)

SHRI SHEO NARAIN : He is not a law graduate.

SHRI S. M. BANERJEE : I did not say that I am a Law graduate.

The question is to provide for the maintenance of certain essential services and the normal life of the community. The normal life of the community was disrupted because of the ordinance.

There is an Act of this House called Industrial Disputes Act, 1947. It says how the essential services, the public utility services, are to be maintained. Chapter 5, Industrial Disputes Act 1947, page 20, Section 22 (1) says :

'No person employed in a public utility service shall go on strike in breach of contract :—

(a) without giving to the employer notice of strike, as hereinafter provided, within six weeks before striking; or

(b) within fourteen days of giving such notice; or

(c) before the expiry of the date of strike specified in any such notice as aforesaid; or

(d) during the pendency of any conciliation proceedings before a conciliation officer and seven days after the conclusion of such proceedings."

2 (d) of Section 22 says :

"during the pendency of any conciliation proceedings before a conciliation officer and seven days after the conclusion of such proceedings."

The Government have the power to declare a strike illegal if it is not in the interests of the country. Then they can immediately refer the dispute, as they have very rightly done in the case of insurance employees, for arbitration to a national tribunal. To declare a strike to be illegal there is a provision. When this Act was passed, there were discussions in this very august House by a renowned member of the House, a founder of the Constitution. They realised this: when they were giving the power to the workers, supposing the powers were misused, they cannot say that the community should be disturbed. Then they brought the legislation. Now, what are the punishments as a consequence of an illegal strike?

MR. DEPUTY--SPEAKER : Does it apply to the Government servants also? That is what I want to know.

SHRI S. M. BANERJEE : Everybody.

SHRI NAMBIAR : Yes; to the railway workshops also.

श्री जार्ज फरेन्स्टीज : इस में उनका नाम लिया है। रेलवे, पी० एण्ड० टी० और तमाम कर्मचारियों का नाम लिया है—आप शेड्यूल (1) को पढ़िये।

SHRI S. M. BANERJEE : Then, clause 23 of the Industrial Disputes Act says that no workman who is employed in any industrial establishment shall go on strike in breach of a contract and no employer of any such workmen can declare a lock-out." Now, what are the punishments?

MR. DEPUTY--SPEAKER : Let us keep in mind the Bill that is before us. There is no use in confusing the issue.

SHRI NAMBIAR : Railway workshop is an industrial workshop; the railways are included. It is covered in the Industrial Disputes Act, and the Factories Act. The railway workshops are covered.

SHRI S. M. BANERJEE : It is said that 'essential services' means any service which is declared by law as essential by the Government in power. If you read Schedule I, you will find that all establishments are covered. Now, what are the punishments? The punishments are the same as those which are consequential to a strike, as when a strike is declared illegal after referring this matter to adjudication under section 10 of the Industrial Disputes Act. You, Sir, put a very correct question. (Interruption)

SHRI K. NARAYAN RAO : Clause 8.

MR. DEPUTY SPEAKER : Be brief. We had seven hours at our disposal; we have finished five hours.

SHRI S. M. BANERJEE : I am actually raising three points in support of my contention for the abrogation of this measure. What does the proposed Bill on the floor of the House say? Let me read clause 7 of the Bill which says :

"Notwithstanding anything contained in the Code of Criminal Procedure, 1898, any police officer may arrest without warrant any person who is reasonably suspected of having committed any offence under this Act."

And clause 8 says :

"The provisions of this Act and of any Order issued thereunder shall have effect notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act, 1947; or in any other law for the time being in force."

What is the Government doing, and how is the misuse of powers done?

The preamble says, "to provide for the maintenance of certain essential services and the normal life of the community".

MR. DEPUTY SPEAKER : I have heard sufficiently. There is no point of order. There is no substance in your argument. When the clauses are taken up, he can make his points; not like this.

SHRI S. M. BANERJEE : I have three points. I have to mention all of them now. What is the use of troubling you afterwards ? My second point is this : I will not take more than two minutes. If you kindly read the Statement of Objects and Reasons, you will find as follows :

"The Bill seeks to replace the Essential Services Maintenance Ordinance, 1968 by a temporary Act. It has always been the endeavour of Government to provide comprehensive and positive arrangements for the consideration of the legitimate problems and grievances of its employees."

You, in your wisdom, said and it has been quoted in editorials of newspapers and you have been applauded, you have been raised for giving a decision.

Where is the arrangement for the consideration of the legitimate problems and grievances of its employees ?

MR. DEPUTY SPEAKER : While the hon. Minister moves the motion, in his speech, I am expecting that he will give a reply to this about the alternative arrangements.

SHRI S. M. BANERJEE : So, the preamble is wrong and the statement of objects and reasons is wrong. The last clause 9 (2) is absolutely wrong. Clause 9 (1) says,

"The Essential Services Maintenance Ordinance, 1968, is hereby repealed."

Well and good. But sub-clause (2) says :

"Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been

done or taken under this Act, as if this Act had come into force on the 13th day of September, 1968".

May I read out a portion from the stay order issued by the Andhra High Court ? It says :

"Petition praying that in the circumstances stated in the affidavit filed therewith, the High Court will be pleased to extend the interim stay granted in on 22-10-68. Petition to direct the respondents herein, viz., 1. The Union of India represented by the Secretary to the Ministry of Home Affairs, Government of India, New Delhi and 2. The State of Andhra Pradesh, represented by the Chief Secretary to the Government of Andhra Pradesh, Hyderabad, not to take any penal proceedings either departmental or criminal against the members of.....etc.

Order : This petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and the order of the High Court dated 20-10-68 and made herein and upon hearing the arguments of.....etc., it is ordered that the said advocates for the respondents shall be at liberty to file the counter-affidavit within three weeks from the date of this and that the interim stay already granted by the High Court on 22-10-68 will continue till then".

Yesterday, the Law Minister misguided the House, whether out of ignorance or innocence. When you put a pertinent question to him as to what is before the Andhra High Court, he said, in Andhra a writ against the termination of services under the ordinance is pending.

श्री रवि राय : उन्होंने सदन को गुमराह किया है।

श्री जार्ज करमेलीज : उपाध्यक्ष महोदय, व्यवस्था के प्रश्न को हम उठा सकते हैं हम इस विधेयक के बारे में स्पष्टीकरण का प्रश्न उठा रहे हैं।

SHRI S. M. BANERJEE : I have already sent it to you.

MR. DEPUTY-SPEAKER : All the representatives were there in the Business Advisory Committee. You knew, you could anticipate, what would be the trouble in the House.

SHRI S. M. BANERJEE : I am just finishing, Sir. If clause 9 (2) is passed, what will happen ? All these orders which have been issued by the Andhra High Court will be nullified and made ineffective ? Are we to pass such a legislation ? Therefore, this cannot be discussed in the House, because it is going to prejudice the cases before the courts.

SHRI SHANTILAL SHAH : (Bombay North West) : I am replying to the point of order.

श्री जार्ज फरनेन्डीज : हम रिप्लाई ला मिनिस्ट से सुनना चाहेंगे ।

MR. DEPUTY-SPEAKER : So far as Mr. Shah is concerned, he was in the Trade Union movement and I want to hear his views.

श्री जार्ज फरनेन्डीज : उपाध्यक्ष महोदय, यह तो हड़ताल तोड़ो मंत्री रहे हैं ।

SHRI S. M. BANERJEE : He was called by the people in Bombay as *dalal*.

श्री जार्ज फरनेन्डीज : इनको सुनने से क्या फायदा होगा ।

SHRI RANDHIR SINGH (Rohtak) : I protest against the use of the word *dalal*.

SHRI NAMBIAR : Why should Mr. Shah replace the Law Minister ? Let the Law Minister do his job.

SHRI RANDHIR SINGH : Mr. Banerjee must withdraw the word *dalal* or he must withdraw from the House.

MR. DEPUTY SPEAKER : Mr. Banerjee, you talk of maintaining decorum in the House. Why should you use such words ?

SHRI RANDHIR SINGH : It must be expunged.

MR. DEPUTY-SPEAKER : You must withdraw this word. We are considering vital issues. Why do you bring in such words ?

SHRI S. M. BANERJEE : I did not call him *dalal*. I said that the people in Bombay call him *dalal*.

श्री जार्ज फरनेन्डीज : बम्बई में जब चव्हाण साहब मुख्य मंत्री थे तो हमने लिख कर दिया था कि यह मालिकों के दलाल हैं ।

MR. DEPUTY-SPEAKER : When we are considering vital issues, why should you prejudice your case by using such language ?

SHRI UMANATH : Yesterday, when the Law Minister went away waving his hand, you did not take exception to that. He also did not explain. If that can be permitted, the use of the word *dalal* is less harmful than that. I was called a liar by Ramakrishna Bajaj and when I raised that issue, the Deputy Prime Minister said that there was nothing wrong in that and the word 'liar' could be used in the sense that he uttered untruth. Why should Mr. Banerjee withdraw this word *dalal* ? He should not withdraw.

MR. DEPUTY-SPEAKER : I appeal to Mr. Banerjee to withdraw that word.

SHRI S. M. BANERJEE : I never meant anything about Mr. Shah. He is as honourable as any Congressman.

MR. DEPUTY-SPEAKER : Whatever you want to say, you say it yourself. Why bring in others ? I take it that you have withdrawn.

SHRI NAMBIAR : What has happened to my privilege motion, which is before the House ?

SHRI SHANTILAL SHAH : I would like to be heard by you and by the House as soon as order is restored. I was referring to Rule 70 which deals with delegated legislation.

MR. DEPUTY--SPEAKER : On this point, as I have said, I have not given any final ruling. Looking at clause 2 (1) (a) (ix), I have said that the Minister concerned will have to explain it further, because this power is broad-based. After listening to him we can have a debate on that. I am postponing that debate for the present.

SHRI SHANTILAL SHAH : I am trying to explain the implications of this Rule. The hon. Minister in charge of the Bill will explain to you whether it is normal or abnormal, I am trying to explain how delegated legislation is being dealt with these days. Delegated legislation is one of the modern legislative drafting techniques.

Almost every law passed by this House specifies something to be done by the executive. It may be of the nature of legislation or it may be of the nature of executive action. This Bill itself has got two types of clauses. Clause 2 (1) (a) (ix) refers to delegated legislation. The other clause, if the Central Government is satisfied that in public interest it is necessary, it may by order prohibit strikes, that is an executive action.

Now, when you come to delegated legislation, what is required to be done is, that the Bill shall contain a note explaining the nature of the legislation and whether it is normal or abnormal. If it is normal, then the House will accept it. If the House thinks that it is abnormal, the House will not delegate that power. When the House is being told "this is what we seek to be delegated to us by executive action", after reading the clause in the Bill and the explanation given in the memorandum, the House has got to decide whether these powers should be delegated or should not be delegated. Therefore, if, as you said, it is abnormal, it is up to the House to refuse it.

MR. DEPUTY SPEAKER : I have not said anything of that nature. I said that it is a type of blanket power. That is the only expression I have used.

SHRI SHANTILAL SHAH : If the House feels that these powers are

abnormal, the House will refuse to delegate these powers. Even if the House gives excessive powers under the delegated legislation, it can be challenged in a court of law.

MR. DEPUTY SPEAKER : The point raised by Shri Banerjee is an important one. Are you replying to that ?

SHRI SHANTILAL SHAH : May I submit about delegated legislation ? I was not referring to right or wrong. The House may come to the conclusion that it is abnormal. I am pointing out what are the instances of normal delegation and abnormal delegation. Whenever there is normal delegation, then the House lays down the guidelines within which the executive has to act.

MR. DEPUTY SPEAKER : I said that some enumeration of it is called for.

SHRI SHANTILAL SHAH : Whether it is there or not the House has to decide.

Then, there are two other ways of delegated legislation. One is what is known as anterior delegation and the other is posterior delegation. Anterior delegation is like this. Government can issue a notification, which is laid before the House, and if it is not amended then it becomes law. That is anticipatory or anterior delegation. What is posterior delegation is this. They issue a notification. It becomes a law. Then it is placed before the House. The House can approve or disapprove of it. If the House disapproves it, it becomes null and void from the beginning.

This is a case where it has been provided that any notification issued under this Act shall be laid on the Table of the House for a period of thirty days and the House can agree or disagree, approve or disapprove. Assuming it is abnormal, to what extent the delegation is proper or necessary the House will decide. The House may see whether it is unusual. Even, then the

House may say that since it is an extraordinary circumstance, we shall agree to it. But it has to be laid before the House for thirty days. Then it may be approved or disapproved. Whether it is normal, or abnormal, proper or improper, it is for the House to decide. Even if the Government says it is normal, we are not bound to agree to it. The House may say it is abnormal and reject it. But that is not done at the stage of introduction. At the stage of consideration of the clauses the Government should explain how it is normal.

श्री जार्ज फरनेन्डीज : रूल 70 भी पढ़ ल माननीय सदस्य। महोदय, मेरा व्यवस्था का प्रश्न है इसलिये समय की बात नहीं आ सकती।

श्री मधु लिमये : इन्होंने कबूल किया है कि एक्स्ट्राऑर्डिनरी है।

SHRI S. KUNDU : Sir, I want only two minutes.

MR. DEPUTY-SPEAKER : If they go on raising points of orders for delaying the motion what can I do ?

श्री जार्ज फरनेन्डीज : मैं डिले नहीं करना चाहता हूँ। यह बिल यहां आ ही नहीं सकता। हम तो इसको खत्म करना चाहते हैं।

SHRI S. KUNDU : Sir, if you hear my point of order, you will agree that I am trying to help in the conduct of business in the House.

MR. DEPUTY-SPEAKER : But there are several others already before you. I will hear them one by one.

SHRI SHANTILAL SHAH : About financial powers, rule 70 refers to expenditure which has to be indicated in the financial memorandum.

MR. DEPUTY-SPEAKER : I have asked you a specific question about Shri Banerjee's point of order. On two points I have already ruled. On that point I have

not yet ruled. I want to dispose of that point. If you have anything to say on the point raised by Shri Banerjee, I can allow you but not on the financial memorandum.

SHRI SHANTILAL SHAH : About the Industrial Disputes Act, the Industrial Disputes Act governs some Government servants but not all. The railway servants or those servants in the Government who come within the definition of industry are covered but all Government servants are not covered by the Industrial Disputes Act.

SHRI GEORGE FERNANDES : Such as ?

SHRI SHANTILAL SHAH : Such as the civil servants or those who are in the Secretariat services. That is the best example one can give.

It is open to this House to say that instead of that Act this Act will apply. This Bill in clause 8 says :—

“The provisions of this Act and of any Order issued thereunder shall have effect notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force”.

That it is to say, by this clause all those laws are superseded and this clause becomes operative. It is for the House to say whether we want to supersede that law or not. We can omit clause 8 if we like when we come to clause-by-clause consideration.

MR. DEPUTY-SPEAKER : Shri Banerjee has raised two or three issues but only one issue is relevant. The other day I had observed that when you ban a strike, some alternative must be provided.

श्री मधु लिमये : मैंने इस पर अमेन्ड-मेंट दिया है, जैसा आपने कहा था, उसी के अनुसार(स्ववचन).....

MR. DEPUTY-SPEAKER : Therefore I expect the Minister concerned to give an explanation when he moves the motion.

SHRI SHRI CHAND GOYAL (Chandigarh) : The point which has been raised by Shri Shantilal Shah.....
(*Interruption*).

SHRI S. M. BANERJEE : What is your ruling about (b) ?

SHRI SHRI CHAND GOYAL : Shri Shantilal Shah has not realised the implication of delegated legislation.

MR. DEPUTY-SPEAKER : The power of delegated legislation in sub-clause (ix) is so wide that I used the word 'blanket power'. I have said that the Minister should better explain and enumerate it. We will take up this at that stage. At this stage there can be no debate on that. I have also told Shri Shantilal Shah the same thing about delegated legislation. We will consider it later. You may come forward then with a better alternative. Just now I cannot anticipate the hon. Minister.

SHRI SHRI CHAND GOYAL : What I am suggesting at the moment is that we should make use of article 143 of the Constitution, which says :—

"If at any time it appears to the President that a question of law or fact has arisen, or is likely to arise, which is of such a nature and of such public importance that it is expedient to obtain the opinion of the Supreme Court upon it, he may refer the question to that Court for consideration and the Court may, after such hearing.....(*Interruption*).

MR. DEPUTY-SPEAKER : This is a suggestion. This is not a point of order.

SHRI SHRI CHAND GOYAL : Kindly hear me. You have permitted others for so long.

MR. DEPUTY-SPEAKER : You said that there is some point of order. This is a suggestion. You can pass it when you make a speech, not at this stage.

SHRI S. KUNDU : I draw your attention to clause 2 (ii) which says :

"any railway service or any other transport service for the carriage of passengers or goods by land, water or air". These things are covered by List II which is the State List.

MR. DEPUTY-SPEAKER : It cannot be raised at this stage.

SHRI S. KUNDU : I have never seen a judge giving judgment before hearing the case. What is this ?

MR. DEPUTY SPEAKER : When we take up the clause, we shall consider that objection, not at this stage. I call now Shri Tenneti Viswanatham. The Minister has moved a motion that this Bill be taken into consideration. He has yet to make the speech. If you have any objection on this particular motion, I will hear you.

श्री जार्ज फरनेन्डीज : आप उपाध्यक्ष महोदय, मेरी तरफ नहीं देख रहे हैं। मेरा पटिकुलर आव्जेक्शन है; मैं कबसे खड़ा हो रहा हूँ।

MR. DEPUTY-SPEAKER : If you challenge, I will stop reporting.....
(*Interruption*). Since this morning, I have been observing it everytime Members go on challenging. This is not proper.

श्री जार्ज फरनेन्डीज : मैं बड़ी देर से खड़ा हो रहा हूँ। फिर आप नाराज हो जायेंगे।

MR. DEPUTY-SPEAKER : If you want to pursue a course, you must have patience and perseverance. Shri Viswanatham.

SHRI TENNETI VISWANATHAM (*Visakhapatnam*) : Sir, I would draw your attention to today's Order Paper. There are two distinct subjects, items (7) and (8).. ..

श्री जार्ज फरनेन्डीज : उपाध्यक्ष महोदय, ला मिनिस्टर फिर जा रहे हैं।...(*व्यवधान*)...

SHRI NAMBIAR : This is *Ayaram* and *Gayaram*; *Ayaram*, he comes; *Gayaram*, he goes.

MR. DEPUTY--SPEAKER : This is not a proper comment. From this side also, the Members leave the House for tea or something else.

SHRI TENNETI VISWANATHAM : There are two distinct subjects, namely, item (7) and item (8) with an asterisk and a foot-note that they will be discussed together. This thing happened yesterday also. Yesterday, you de-linked item (7) from item (8). Yesterday, we were on item (7). Today you gave the ruling. Now, at 2.20 P. M. today, when I entered the House, the disapproval motion was being discussed and MR. S. S. Kothari was making his speech till 3 O' Clock, a very short speech. That motion was not disposed of. Suddenly, the Minister rose and said, "I move" and then, all these points of orders were raised. But what I want to know is whether this House will make it a permanent practice to have more than one subject at a time. Every time we raise this thing, the point is somehow or other simply explained away...

16 hrs.

MR. DEPUTY--SPEAKER : I will tell you...

SHRI TENNETI VISWANATHAM : Kindly do not give a ruling. Yesterday, for very good reasons, you made a distinction between the motion and the Bill. That motion has not yet been disposed of; only Mr. Kothari has spoken and nobody else has spoken; it has not yet been disposed of; it has not yet been put to the vote of the House by the Chair; it has been neither rejected nor accepted. But, in the meantime, another subject has come. Suppose, another Minister comes and says, for instance Mr. Ramaswamy comes and says, that courts are also involved here and that he be allowed to move his motion also, namely, item 9 of the order paper and that all the motions be discussed together then what will happen? Simply

because an asterisk is put, can more than one subject be discussed? My reason is very strong. Unless that motion is disposed of, we are not on clear grounds at all. If the House rejects Mr. Kothari's motion, then there is a green signal to move this Bill, but if that motion is passed then we cannot take this Bill at all. That is the reason why a healthy rule has been made in all Parliaments that more than one subject cannot be discussed at a time. You know about it more than anybody else, and I am not able to understand why you are submitting to this asterisk procedure.

MR. DEPUTY--SPEAKER : I will explain.

SHRI TENNETI VISWANATHAM : Kindly explain, but do not rule. Unless one subject is disposed of, people in the centre— I mean those who do not belong to this side or to that side—cannot make up their minds. We are not accustomed to the procedure of having more than one subject at a time. Moreover, here one is contingent on the other; if Mr. Kothari's motion is passed, then this Bill cannot be taken up at all. Therefore, I submit this. Let us have some little understanding. Please give me enlightenment on this and also please give me another chance to explain before you rule it out.

SHRI RANDHIR SINGH : On a point of order. Can an hon. Member demand an explanation from the Chair? He can request for a ruling but cannot demand an explanation. He was saying, "Kindly explain; do not rule".

MR. DEPUTY--SPEAKER : We have been following this practice for long. The motion is disapproval of the Ordinance that was promulgated. The Bill is to enact the same thing. So, the substance is the same. This is one point.

Another thing is this. Yesterday I also pleaded that both the motions be placed before the House, but there was an objection; they said that they wanted to raise the point of order at that stage only on the first motion. So, I do not want to rule in that sense whether this practice is good or bad; I do not want to say anything, but for the

[MR. DEPUTY--SPEAKER]

sake of convenience and saving the time of the House, we have followed it for long.

SHRI TENNETI VISWANATHAM : I will complete my argument. You have been pleased to say how this practice started. The practice was all right; there was no harm, when there were no proceedings pending in the court... (*Interruptions*) But today there is a special problem, and it only proves that our original rule is very good and, therefore, we must stick to the original rule, namely, that two subjects cannot be taken up at the same time. This is my view. I am entirely in your hands.

MR. DEPUTY-SPEAKER : On that point, on the question of *sub judice*, I have already ruled; I have dealt with it exhaustively in my ruling. So far as the question that something is in the High Court or the Supreme Court regarding this Ordinance is concerned, that will not be raised here now because I have already dealt with it exhaustively.

SHRI VIKRAM CHAND MAHAJAN : Three points have been raised. One point is whether the essential services as contemplated by the Bill covers a normal activity. The object of the Bill is to provide for the maintenance of certain essential services and the normal life of the community. What is the essential service and what is the normal life of the community? The normal life of the community is that a community is entitled to normal postal, telegraph and telephone service; a community is entitled to...

MR. DEPUTY--SPEAKER : Please resume your seat. I have overruled Mr. Banerjee's point of order. Do not repeat that. You can raise it during general debate.

SHRI VIKRAM CHAND MAHAJAN : My second point is...

MR. DEPUTY--SPEAKER : Shri Umanath. Please be brief.

SHRI UMANATH : Please rely on our *bona fides*.

MR. DEPUTY--SPEAKER : You are very sincere. Everybody will accept. Whether it is applicable or not that is a different thing.

SHRI UMANATH : My point of order is this. This House has no authority to pass or discuss or adopt any legislation which is beyond the bounds of the constitution. My point is this, namely, this particular legislation, not this clause or that clause, but the whole legislation itself is beyond the bounds of certain articles of the constitution. When I say this, nobody should say, it is for the courts to decide because, we have got every right here.

MR. DEPUTY--SPEAKER : On what ground, you tell me.

SHRI UMANATH : I am on Article 14 of the Constitution. Let me not be misunderstood that I am trying to repeat the same points of order which were raised earlier at the introduction stage. On that, I am not speaking. I am on different point. That point of order was raised with regard to the description between one kind of employees and another kind of employees. I am not on that point of order. Article 14 reads like this :

"The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India." My point is this. This whole legislation, this whole Bill is violative of this particular Article, not just one or two items alone, but this entire legislation. When I go through the history of these Articles, I find that these have been modelled on the basis of the British and the American constitution. Here is the phrase, equal protection of law. What does it mean? This is what it says :

"Equal protection of the laws : As has been already explained, this expression means the right to equal treatment in similar circumstances." They say; right to equal treatment in similar circumstances. This is the ruling

from the United States in one of these cases. There is another one, in which it has been said like this :

"Equal security to everyone in his private rights—It implies not only that the means which the laws afford for such security shall be accessible to them, but that no one shall be subject to any burden or charges than such as are imposed upon all others under like circumstances."

They say, placed under like or similar circumstances. There should not be any law which will treat people differently who are placed under similar circumstances.

This law says that it is meant for the purpose of maintenance of essential services and for normal life of the community, it means, to prevent the strike. According to this, the Government will use this power to declare a particular industry as an essential service, that is, for the purpose of maintaining its uninterrupted functioning. Now, if the industry, which is, declared essential service, is to be uninterrupted, so far as the worker is concerned, it is by strike. It gets disrupted according to them. Then, there is another category placed in the same industry which is declared essential service, namely the employer. That employer can lock out. Thereby he can stop the industry. Now, the industry declared essential under this category contains both these elements namely employer and employee. The employee by his strike can stop the industry. The employer can stop the industry by his lock out. There are umpteen decisions of the Supreme Court. Under the Industrial Disputes Act this matter went up to the Courts. They have declared that lock-out is a weapon which is exactly similar to the strike which the worker is enjoying in the particular industry. So, my point is this. So far as the aim of this Bill is concerned, to protect normal life, both the employer and employee in the industry which is sought to be declared essential and protected, are placed on equal footing.

MR. DEPUTY-SPEAKER : I have followed his point.

SHRI UMANATH : That is why apart from the Supreme Court, the ID Act says

on this matter. When they refer to prohibition, they refer both to the employee and the employer. It says that no employee in a public utility service shall go on strike. Immediately following, it says that no employer carrying on any public utility service shall lock out any of his workmen. Again the terms used are—notice of lock-out or strike. Everywhere the two are used together.

This law seeks to discriminate when both the employer and the employee are placed in similar circumstances. So it is violative of Art. 14. For purpose of maintaining essential services, this law discriminates one section, one element of the industry, against another. That is my point.

MR. DEPUTY-SPEAKER : I have followed him.

SHRI UMANATH : I have not yet completed.

MR. DEPUTY-SPEAKER : All right.

SHRI INDER J. MALHOTRA (Jammu) : But you were so unkind to Shri Mahajan.

SHRI UMANATH : Because he did not raise a point of order.

SHRI VIKRAM CHAND MAHAJAN : Only when this sort of tactics are adopted, you allow them to continue. I sought to raise my point of order. But I was not allowed to complete it. Now he has taken half an hour with his point of order.

SHRI UMANATH : It is not only a question of administration of law, but even the question of the legislation itself. My final point is on that.

There are certain classes which may be classified and legislation brought in. Here is a ruling which says : class legislation discriminating some and favouring others is prohibited; legislation which in carrying out a public purpose is limited in its application is not prohibited; if within the sphere of its operation it affects alike all persons similarly situated.

SHRI K. LAKKAPPA (Tumkur) : On a point of order.

MR. DEPUTY-SPEAKER : I have first to dispose of the point raised. What Shri Umanath has raised is not a point of order. This is a matter which should and will be decided ultimately at the highest judicial level.

SHRI UMANATH : No.

MR. DEPUTY-SPEAKER : This House is not competent to decide. Whether certain action taken by the executive is in the public interest or the interest of the community or not...

SHRI UMANATH : That is for the citizen, not for this House. The citizen affected by the law, wherever he feels that it is violative of his rights, will seek judicial remedy. But for us, we have every right to discuss and decide this. Yesterday you were canvassing for the supreme right of this House. So far as the citizen is concerned, he has got every right to go to the Supreme Court and canvass that this legislation is violative of his rights. But in this House we are entitled to decide here and now whether it is within the Constitution or not. Why do you want to take away that right from us?

MR. DEPUTY-SPEAKER : As to whether the right of equality before the law has been infringed, as to whether the House agrees with it or not, I cannot anticipate. In case, the House agrees that it is not infringed, it is open to the court to decide on the point. What he has raised is a very nice point, but not a point of order.

SHRI S. M. BANERJEE : I have already tabled a Motion saying that the Attorney-General should be called. I did so this morning.

MR. DEPUTY-SPEAKER : That is a different matter.

SHRI GEORGE FERNANDES

THE MINISTER OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (DR. RAM SUBHAG SINGH) : We should proceed with the business now. We have already taken more than 3 hours.

श्री जार्ज फर्नेन्डिस : मैं सबसे पहले श्री उमा नाथ ने जो प्रश्न उपस्थित किया है उस पर आपके सामने सुप्रीम कोर्ट के फैसले को ही पेश करना चाहता हूँ यह बतलाने के लिए कि जो विधेयक यहाँ पर आया है वह बिल्कुल गैर कानूनी है। यह फैसला जस्टिस बांचू ने 1966 में दिया है। इसमें कहा गया है :

"It is too late in the day now to stress the basic freedom of an employer to impose any condition which he likes on labour. It is always open to industrial adjudication to consider the conditions of employment of labour and to vary them if it is found necessary unless the employer can justify the extraordinary conditions."

इतना ही मैं बताना चाहता हूँ कि श्री उमा नाथ द्वारा जो प्रश्न उपस्थित किया गया है उसके सम्बन्ध में जब तक कर्मचारियों के एडजुडिकेशन वाले मामले पर सरकार की ओर से इस विधेयक में या इस विधेयक के साथ-साथ कोई भी दूसरी व्यवस्था हम लोगों के सामने नहीं आती है...

MR. DEPUTY-SPEAKER : You give them an opportunity, they will reply.

श्री जार्ज फर्नेन्डिस : मैं बता रहा हूँ। इस वक़्त जो विधेयक है यह जस्टिस बांचू द्वारा दिये गये फैसले के बिल्कुल विपरीत है। मेरी व्यवस्था का प्रश्न संविधान की धारा 350. हमारे नियम 160, 169 और 307 (1) के अन्तर्गत आता है। मैं चाहता हूँ कि बहुत गम्भीरता से इस व्यवस्था पर आप अपना निर्णय दें।

जो विधेयक आज सदन में इस वक्त बहस के लिए आया है.....

MR. DEPUTY-SPEAKER : You are referring to rule 168 ?

SHRI GEORGE FERNANDES : 160.

MR. DEPUTY-SPEAKER : Rule 160 is about scope of petitions. We are not dealing with petitions. I will be very firm here. If you want to raise some extraneous thing and take the time of the House, I will not permit. This is absolutely extraneous.

श्री जार्ज फरनेन्डीज : कैसे एक्सट्रेनियस है। किसी भी विधेयक पर किसी भी नागरिक को अपना मत व्यक्त करने का अधिकार है। अपनी राय व्यक्त करने का अधिकार है। हमको व्यवस्था का प्रश्न उठाने का अधिकार है। कैसे आप इस अधिकार को छीन सकते हैं।

MR. DEPUTY-SPEAKER : I have given ample opportunity to raise every conceivable objection. Now I will call Mr. Shukla.

Mr. Shukla. You will have to stick to your guns. Do not resume your seat.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : As long as you are with me, I will go ahead. (Interruptions)

MR. DEPUTY-SPEAKER : I will have to take firm action against all of you with the concurrence of the House. This is not the way. I have given full latitude. Mr. Shukla may go ahead. (Interruptions)

SHRI VIDYA CHARAN SHUKLA : Various employees' organisations of the Government of India were preparing to organise a general strike on the 19th September.

श्री जार्ज फरनेन्डीज : आप हमें सुनें या नहीं... (व्यवधान) यह नहीं हो सकता

है। यह गलत आप कर रहे हैं... (व्यवधान) यह बिल्कुल गलत काम होगा... (व्यवधान) आप हमारी बात को सुनकर फैसला करें, तब मैं समझ सकता हूँ... (व्यवधान)

SHRI VIDYA CHARAN SHUKLA : A call was given. They called it a token strike, but it was meant to be a total strike, and the total strike was to completely paralyse the life of the community in the country.

श्री जार्ज फरनेन्डीज : आप तमाम नियमों को तोड़ रहे हैं। सभी नियमों को तोड़ कर यह काम आप चला रहे हैं... (व्यवधान) कैसे आप हमारी बात को सुनें ? कोई तरीका होता है सदन में काम चलाने का... (व्यवधान) मर्जी आए तब किसी को बुलायें, यह नहीं हो सकता है... (व्यवधान)

SHRI VIDYA CHARAN SHUKLA : We know that this so-called token strike was a prelude to general strike and then indefinitely the life of the whole community would have been paralysed.

श्री रामसेवक यादव (बाराबंकी) :
 उपाध्यक्ष महोदय.....

श्री जार्ज फरनेन्डीज : कुछ तो निमय होना चाहिये। यह सदन है। यह लोक सभा है। चाहे जैसे अपनी मर्जी से चलायें, यह कैसे हो सकता है (व्यवधान) एक्सट्रेनियस है या नहीं, यह आप पहले से कैसे कह सकते हैं। बात सुन कर ही कह सकते हैं... (व्यवधान) संविधान में दिये गये अधिकारों का मैं प्रयोग कर रहा हूँ (व्यवधान) यह कैसे चल सकता है.....

SHRI VIDYA CHARAN SHUKLA : What happened ? We had no alternative except to negotiate with them. We kept on negotiating till the very last minute. You might remember that these negotiations went on and the Home Minister had a meeting with the employees' representatives in his room in South Block.

[Shri Vidya Charan Shukla]

There I was also present. After that meeting we tried our best to see that somehow we reach some agreement. *(Interruptions).*

SHRI K. LAKKAPPA : I will not allow the Minister to speak. *(Interruptions).*

MR. DEPUTY-SPEAKER : Nothing that is said by those members who have defied the chair will go on record for the coming eight days. *(Interruptions).*

SHRI VIDYA CHARAN SHUKLA : In order to meet the emergency created by the situation the Essential Services Ordinance of 1968 had to be promulgated by the President on September 13. It was not as if we were trying to have an ordinance of this kind or a law of this kind. The hands of the Government were forced by these people who are shouting in the house. We did not want any ordinance of this kind nor did we want any law of this kind. They wanted to indicate as if this ordinance we have brought or the law which I have the privilege to move prevents strike. I want to clarify that this Bill that I have brought forward in this house does not prevent any strike. It is only a permissive provision and it does not prevent the strike *per se*. That is why when a particular service considered essential from the point of community service is..... *(Interruptions)* threatened by strike..... *(Interruptions)* There is no need for such kind of excitement. I do not know what is the motive, whether they want really to block this Bill or they have something else in their mind. If they go purely on merits... *(Interruptions)* there is no such need. *(Interruptions)* These people who are trying to create an emergency situation in our country are not able to realise the life of the country. We want to give a suitable forum to the Government employees. We are considering to bring forward a law to provide a good, suitable machinery for positive discussion. We want to put this machinery on a statutory basis so that the Government employees have a machinery, so that all their grievances can be discussed between the Government side and the staff side and possible agreement can be achieved.

All these matters which have to be agitated outside the statutory bodies can be now agitated inside the body which we are contemplating to make in our law. It is our intention to bring a Bill of this kind and come before this hon. house for its approval.

I would like to explain some of the clauses. You had asked me to explain the point of order that was raised by the Opposition members and particularly that clause... *(Interruptions)*

SHRI KAMALNAYAN BAJAJ (Wardha) : We are not able to hear his speech.

MR. DEPUTY-SPEAKER : You resume your seat.

SHRI VIDYA CHARAN SHUKLA : About the point of order raised by Shri Madhu Limaye regarding the delegated legislation, may I, with your permission, clarify the position ? I would invite your attention to clause 2, sub-clause (1) and the various sub-clauses under it. All these sub-clauses enumerate the Essential Services. May I read it for the information of this House. Sub-clause (1) (a) enumerates the Essential Services and defines them.

“(a) ‘Essential Service’ means—

- (i) Any postal, telegraph or telephone service;
- (ii) Any railway service or any other transport service for the carriage of passengers or goods by land, water or air;
- (iii) any service connected with the operation or maintenance of aerodromes, or with the operation, repair or maintenance of aircraft;
- (iv) any service connected with the loading, unloading, movement or storage of goods in any port;

- (v) any service connected with the clearance of goods or passengers through the customs or with the prevention of smuggling;
- (vi) any service in any mint or security press;
- (vii) any service in any defence establishment of the Government of India;
- (viii) any service in connection with the affairs of the Union, not being service specified in any of the foregoing sub-clauses.

The point of order raised by Mr. Madhu Limaye is this:

any service in connection with the affairs of the Union, not being a service specified in any of the foregoing subclauses."

And then comes the point on which Shri Madhu Limaye has raised his point of order:

"any other service connected with matters with respect to which Parliament has power to make laws and which the Central Government being of opinion that strikes therein would prejudicially affect the maintenance of any public utility service, the public safety or the maintenance of supplies and services necessary for the life of the community or would result in the infliction of grave hardship on the community, may, by notification in the Official Gazette, declare to be an essential service for the purpose of this Act;"

Now, I will invite your further attention to sub-clause (2) of clause 2 which says that all such notifications issued under sub-clause (ix) of clause (a) of sub-section (1) shall be laid, as soon as may be, after it is issued before each House of Parliament for the consideration of the House. As you know, this is our procedure: any notification, any paper, which is laid on the Table of the House containing rules can be discussed by Parliament, and Parliament in its wisdom can amend them or approve them and if they do not wish to

discuss them, they can ignore them. But the Parliament has the opportunity to do so.

I will also invite your attention to a judgment given by the Bombay High Court in 1962 in a similar case: S. D. Mittal, V/s Vasudevan. With your permission, I shall quote from the judgment, which clearly puts the mind of the hon. Member to rest as far as this particular matter of Shri Madhu Limaye is concerned.

I quote from AIR 1962 Bombay 53, paragraph 39, at page 64:

"In our view, the President has laid down with sufficient definiteness the legislative policy and that policy is maintenance of certain essential services for the purpose of ensuring normal life of the community. The President is at pains to enumerate Essential Services in Section 2 () (a) (i) to (viii). It cannot be disputed that maintenance of these services is essential for ensuring normal life of the community. After having enumerated these services, the President has in Section 2 (1) (a) (viii) empowered the Central Government to enlarge this list to a certain extent, but again it has to be noticed that it is not left at the sweet will of the executive to include any and every service under this category. It must be such a service that strike therein would prejudicially affect the maintenance of any public utility service or would result in the infliction of grave hardship on the community. A further safeguard is also provided by making it obligatory on the Central Government to place before each House of Parliament the notification issued under this clause. It has then been provided in sub-section (1) of Section 3 that if the Central Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special order, prohibit strikes in any essential service specified in the Order i. e. specified in Section 2(1) (a) (i) to (viii). When these provisions are read together it is abundantly clear that the President has not delegated any essential legislative function to the Central Government. The

[Shri Vidya Charan Shukla]

Central Government has to act within the ambit of the legislative policy laid down in the Ordinance. The limits of delegated powers have been specifically stated in the Ordinance. In our judgment, therefore, the Ordinance is not bad on account of excessive delegation of legislative power to the Central Government. The contention raised on behalf of the petitioners by Mr. Singhvi, therefore, also must fail."

This is an identical point that has been raised by Shri Madhu Limaye, and since...

MR. DEPUTY-SPEAKER : What about the financial memorandum ?

SHRI VIDYA CHARAN SHUKLA : I will come to that. I wanted to come one by one. These essential services are enumerated and then certain powers are given and in pursuance of those powers if any notification is issued, that notification comes before the House, and the House has the opportunity to approve of it or disapprove of it. So, no extraordinary powers have been taken by the Government as far as this particular matter is concerned.

So far as the persons who are detained in the prison are concerned, this Bill does not provide for any expenses for their feeding, etc. The provisions for feeding these people who are arrested flow from the Prisons Act, the Jail Manual, etc. which have been passed by the respective State legislatures. The money to be spent on the prisoners will be provided according to the provisions of the Prisons Act, Jail Manual, etc. (*Interruptions*). This Bill does not provide for any feeding of the people who are arrested. It has completely nothing to do with that kind of thing. That is why we did not consider any financial memorandum necessary. We consulted the Law Ministry and we were told that no financial memorandum would be necessary. Therefore, I humbly submit that no financial memorandum is needed in this matter. These are the few points I wanted to make. (*Interruptions*).

This Bill before the House has got nine clauses. May I explain the various provi-

sion of the Bill ? Clause 1 says the duration of this legislation will be five years. As I submitted earlier, it is a temporary and enabling measure. Clause 1 says, it shall be in force for five years.

Clause 2 defines "essential services" and "strike".

Clause 3 defines the functions which have to be performed. Clause 3 actually gives the power to prohibit strikes in certain employments which I have already explained in my main remarks. (*Interruptions*):

SHRI S. M. BANERJEE : What is he saying, Sir ?

SHRI VIDYA CHARAN SHUKLA : You will read that in the proceedings. (*Interruptions*).

Clause 4 deals with the penalties for illegal strikes. It provides for a punishment with imprisonment which may extend to six months, etc. for illegal strikes.

Clause 5 provides penalty for instigation to strike, etc.

Clause 6 provides penalty for giving financial aid to the illegal strike.

Clause 9 is a general Repeal and Saving Clause.

I have described in brief the provisions of the Bill which I have brought before the House. I have attempted to reply to the various points of order that you directed me to reply and clarify. I would request the House to pass this Bill.

MR. DEPUTY-SPEAKER : You have mentioned in your remarks that some alternative scheme is there. (*Interruptions*). May I request you to spell it out further, because that is the main point from this side ? Can you give some outline about the alternative machinery ? That would be beneficial for the discussion here.

SHRI VIDYA CHARAN SHUKLA : Now or in my reply ?

MR. DEPUTY-SPEAKER: Tomorrow you can do that.

SHRI VIDYA CHARAN SHUKLA: Yes, Sir; tomorrow I will mention it.

MR. DEPUTY-SPEAKER: The motion has been made.

Motion moved :

"That the Bill to provide for the maintenance of certain essential services and the normal life of the community, be taken into consideration."

SHRI SHRI CHAND GOYAL: I beg to move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th February, 1969." (1)

SHRI DEVEN SEN (Asansol): I beg to move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 10th February, 1969." (2)

SHRI GEORGE FERNANDES: I beg to move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th March, 1969." (3)

SHRI S. KUNDU: I beg to move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th March, 1969." (7)

SHRI NAMBIAR: I beg to move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st March, 1967." (8)

SHRI SHRI CHAND GOYAL: I beg to move :

"That the Bill to provide for the maintenance of certain essential services and the

normal life of the community, be referred to a Select Committee consisting of 20 members, namely :—

Shri S. M. Banerjee,
Shri Bibhuti Mishra,
Shri Y. B. Chavan,
Shri Abdul Ghani Dar,
Shri G. S. Dhillon,
Shri Surendranath Dwivedy,
Shri Indrajit Gupta,
Shri Hem Raj,
Shri Kameshwar Singh,
Shri V. Krishnamoorthi,
Shri Vikram Chand Mahajan,
Shri P. Govinda Menon,
Shri Piloo Mody,
Chaudhary Nitiraj Singh,
Chaudhari Randhir Singh,
Smt. Sushila Rohatgi,
Shri Prakash Vir Shastri,
Shri Sheo Narain,
Shri Vidya Charan Shukla, and
Shri Shri Chand Goyal,

with instructions to report by the first day of the next session." (9)

SHRI VISHWA NATH PANDEY (Salempur): I beg to move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 2nd April, 1969." (148)

MR. DEPUTY-SPEAKER: All these motions along with the resolution are before the House.

SHRI S. KUNDU: You should hear us. You should be fair to us.

MR. DEPUTY-SPEAKER: I can understand that there is stiff opposition to this measure. Upto a limit I permitted discussion on every point raised. Exercising my patience to the utmost degree, I have given the maximum latitude. Even then, when some Members rise on frivolous issues, am I to yield and stall the proceedings of the House? That is not possible. One at a time I am prepared to listen. The respected leaders of Opposition were there in the Business Advisory Committee when the time factor was fixed and they did not raise any objection at that time. There must be some limit.

[Mr. Deputy Speaker]

As I said just now, both the motions and the circulation motions are before the House. The objection can be only to the discussion of these motions; nothing else.

SHRI ANBAZHAGAN (Tiruchenugode): So many points of orders have been raised on the Bill as well as the Resolution. Whether they are frivolous or approvable the fact remains that certain questions or points have been raised. So, they should be taken up and disposed of first. Then only the discussion on the Bill and Resolution can be taken up. Naturally, some hon. Members are frustrated because the points of orders raised by them are not disposed of. I would request you to take up and dispose of those points of orders before allowing the discussion to take place.

MR. DEPUTY-SPEAKER : I would have conceded your point. But remember what is happening here. Even during the presentation of a petition, when a point of order is raised by Shri George Fernandes, which has nothing to do with the petition itself, am I supposed to hear that point of order? Is it not outside the scope of that business? Still, he would not listen. Even in such a situation, I was so patiently hearing every responsible Member and I gave an opportunity to as many hon. Members as I can. Still, there is some method of doing it. I can understand the feelings of the hon. Members. But they should remember one thing, especially the leaders of groups. When we are sitting here, people are watching us, here as well as outside. Are we functioning here with some sense of dignity, decorum and order? Is this the way to function in Parliament? So far I have taken every point into consideration but there is a stage where one breaks and that breaking point has come. I have tried to listen to everyone and I am prepared to listen to everyone in the course of the debate. But if nobody else is prepared to listen, I cannot help it. So, I cannot accommodate any further. The business before the House is the two motions and the circulation motions. I am prepared to hear hon. Members only on that. I am going to call Shri C. C. Desai.

SHRI S. KUNDU : Sir, the earlier points of orders have not been disposed of.

MR. DEPUTY-SPEAKER : So far as that stage is concerned, nothing remains.

SHRI S. KANDAPPAN (Mettur) : You may first dispose of the points of orders.

MR. DEPUTY-SPEAKER : That stage is over. How can you raise a point of order on a matter which is already disposed of? If anybody says something new, I am prepared to listen to it.

SHRI SRINIBAS MISRA : Sir, where is the order by which you disposed of the points of orders? When points of orders are raised, they should be disposed of before the next stage is taken up. How can you say that stage has passed? Unless we get the financial memorandum, we cannot discuss this.

SHRI S. KANDAPPAN : Sir, they are seeking some clarification from the Minister, because they are not satisfied with his answer.

MR. DEPUTY-SPEAKER : Satisfaction or dissatisfaction is not the question. As I explained, the leader of the DMK just now said in all seriousness that it would have been better if I had disposed of the points of orders before taking up the next stage. There were points of orders by Shri Srinibas Misra, Shri Limaye, Shri Umanath, Shri S. M. Banerjee, Shri Goyal and Shri Viswanatham.

Have I not disposed of all the points of order?

SHRI S. M. BANERJEE : You disposed of the majority of the points of order, including the point of order raised by Shri Umanath. We may or may not agree with your ruling.....(Interruption). But there were two points of order on which we have not had any ruling from

you. One was raised by Shri Misra which was about the financial memorandum. The other was raised by Shri Madhu Limaye under rule 70 of the Rules of Procedure with regard to the delegation of powers. You expected some reply from the Minister on that point before you disposed of the point of order by giving your ruling. This House has not heard—it may or may not have heard—the Minister. But we are not concerned with the Minister. The Minister can explain the point of order, but under the rules the ruling has to come from the mouth of the hon. Speaker.

The second point is about your stopping Shri Fernandes. May I request you to consider what he wanted to raise. I was reading those documents. He was not talking of the petition, because the petition is irrelevant. He presented the petition and it has been referred to the Committee. You will circulate it to the Committee. But what is the prayer in the petition? The prayer in the petition is that the Essential Services Maintenance Bill, in view of what the petitioner has said, may be withdrawn or at least be circulated for eliciting public opinion. Shri Fernandes was quoting the ruling. You are always so kind to us but I do not know why when Shri George Fernandes raised that point of order, rather unusually you became angry today.....(*Interruption*).

SHRI RANDHIR SINGH : The hon. Member is incorrigible. I take pity on you.....(*Interruption*).

SHRI S. M. BANERJEE : He is just an apprentice.....(*Interruption*).

MR. DEPUTY-SPEAKER : You should not use language of that type.....(*Interruption*).

SHRI S. M. BANERJEE : Neither you nor we are responsible; Government is responsible for bringing forward this legislation. But in your anger you ruled that nothing said by Shri George Fernandes in this House will be recorded for eight days. People hear Shri George Fernandes with patience. He is hardly irrelevant.

MR. DEPUTY-SPEAKER : About that you can appeal to me later on. I will consider it at the appropriate time, not now.

SHRI S. M. BANERJEE : I request you to give your ruling on those two points of order.

SHRI DATTATRAYA KUNTE (Kolaba) : When the hon. Member, Shri Srinibas Misra, raised his point of order as regards the Bill being presented to this House without a financial memorandum, you were pleased to say that you would hear the hon. Minister in charge of the Bill and after that you would allow us also to have our says. That is how you stifled Shri Shantilal Shah in the midst of his argument. This is one point which has not yet been disposed of. Before that is disposed of if you ask us to consider the motion for circulation and the merits of the Bill, it is something different from what you had promised.

MR. DEPUTY-SPEAKER : I have not forgotten that.

SHRI DATTATRAYA KUNTE : Another point is whether the delegated legislation authority granted to Government under this Bill, if it becomes an Act, is in normal circumstances or not. About it you yourself had doubts. I tried to hear the hon. Minister. Beyond quoting a judgement of the Bombay High Court he has not explained how the latter part of sub-clause (ix) of clause 2 (1) (a) becomes normal circumstances.

I might just mention to you, after having enumerated so many services, there are services which the Minister today does not know whether they will be essential or not. That is his lack of knowledge, lack of imagination and, on the subsequent imagination that might down upon Government, they might issue an Order. What did the Minister say? He said that it will be placed on the Table of the House and that will be there for 40 days. But the clause does not say that it will not come into operation till it is voted

[Shri Dattatraya Kunte]

out which means that action would be taken under that Order. There is a saving clause that anything done under that Order is protected. It is a very dangerous position about which the Minister does not know.

Sir, this reminds me of the Defence of India Act introduced by the Government of India then in 1939. There were only two sections, one was the preamble and the other section allowed Government to make all the rules in the interest of defence of India. This Bill should have been better worded that way. I am not going into the merits of the Bill. I am only saying that these two major points of order regarding Financial Memorandum and delegation of powers should be disposed of first. The Minister said that clause 9 is only a saving clause. I must point out to him that any action taken under the Ordinance, though the Ordinance is repealed, will be taken as if this Act came into force on 13th September, 1968.....

MR. DEPUTY-SPEAKER : Retrospective effect.

SHRI DATTARAYA KUNTE : Then, Sir, even if the Minister writes a postcard worth 10 p. to someone saying that this Act comes into force and all that it is an expenditure. Even if he takes a bit of paper, it is an expenditure. There will be a little expenditure, no doubt, but to say that the Bill, when it becomes an Act, does not involve financial expenditure is really ignorance of the financial business of the Government. Therefore, before the debate starts, these two major points of order should be disposed of.

MR. DEPUTY-SPEAKER : The hon. Member; Mr. S. M. Banerjee, also raised the similar points. You have given more explanation. I have followed you in general terms. Tomorrow everybody will get the text of the speech. I have also suggested to him, about the alternative arrangement he

suggested, to better spell it out, because, simultaneously, it must come before the House. He has agreed. He will spell it out. On these two points only, about the financial memorandum and the delegation of powers, if necessary, I will ask.....
(Interruption)

SHRI SEZHIYAN : You have asked the Minister to spell out the alternative arrangement they have got...*(Interruption)*.

MR. DEPUTY-SPEAKER : He will spell it out tomorrow. That is not the point of order.

SHRI VIDYA CHARAN SHUKLA : I have made my submission regarding these two points which the hon. Members made. They are on record. After you see them; if you think that further explanation is needed, you direct me and I will be glad to give further explanation.

SHRI HARDAYAL DEVGUN (East Delhi) : We have not heard him.

MR. DEPUTY-SPEAKER : It will be circulated.

श्री देवेन सेन : उपाध्यक्ष महोदय, प्रीएम्बल और बिल दोनों एक दूसरे के होरटाइल हैं इसलिये यह बिल अशुद्ध है।

MR. DEPUTY-SPEAKER : We have gone far ahead.

SHRI DEVAN SEN : The Bill has been introduced.

प्रीएम्बल में है 'मेन्टेनेन्स आफ दी नार्मल लाइफ आफ दी कम्युनिटी'। और बिल के जरिये से, जो व्यवस्था थी कि इंडस्ट्रियल डिस्प्यूट ऐक्ट में हम लोग नोटिस देकर हड़ताल कर सकते थे, अब वह चीज उठा दी गई और इसको ऐबनार्मल कर दिया गया है। यह नार्मल नहीं रखा गया है। मेरे कहने का अर्थ यह है कि जो चीज नार्मल थी उसको उठा कर यह बिल ऐबनार्मल

सिचुएशन क्रीएट करता है। इसलिये प्रोपेम्ब्रल और बिल दोनों कंटाडिक्टरी हैं और इसलिये यह बिल अशुद्ध है।

SHRI SRINIBAS MISRA : I am not raising any point of order. Let it be understood that the other points of order that we wanted to raise could not be raised because of the circumstances. Some of them were important points of order.....

MR. DEPUTY-SPEAKER : We do not reopen any issue. There are only two points about which I have already said.

SHRI SRINIBAS MISRA : I am not reopening. My request to you is that, when different clauses come, before they are taken up, we may be permitted to raise the points of order.

MR. DEPUTY-SPEAKER : That is a different matter. How can I hypothetically say whether you have some point of order under Clause 5 or whatever it is? You have a right to raise a point of order.

SHRI SRINIBAS MISRA : We will raise all of them. We want your permission to raise them again when the relevant clauses come.

SHRI NAMBIAR : About your ruling about not recording the speeches of Mr. Fernandes and Mr. Lakkappa for eight days...

MR. DEPUTY-SPEAKER : I will consider that, but not now. I will consider it.

SHRI TENNETI VISWANATHAM : What has been done to my point of order? I raised a point of order which was very good. What did you do about that?

MR. DEPUTY-SPEAKER : About two motions being taken up at the same time?

SHRI TENNETI VISWANATHAM : Yes.

MR. DEPUTY-SPEAKER : As I said, I want to follow the practice. I do not go into the merits whether it is right or wrong. I have already said that. You said that I should not just give a ruling. I have only quoted the practice, and I am adhering to it. Beyond that, there is nothing.

Shri Shantilal Shah rose—

MR. DEPUTY-SPEAKER : You want to say something?

SHRI SHANTILAL SHAH : I wanted to speak on the merits of the Bill.

MR. DEPUTY-SPEAKER : You can speak tomorrow. Now we have to take up another item.

16.57 hrs.

MOTION RE: MODIFICATION TO CIVIL DEFENCE RULES—Contd.

MR. DEPUTY-SPEAKER : Now we take up further consideration of the following motion moved by Shri Srinibas Mishra on the 20th November, 1968, namely:—

“This House resolves that in pursuance of section 20 of the Civil Defence Act, 1968, the following modification be made in the Civil Defence Rules, 1968, published in the Gazette of India by Notification No. G. S. R. 1277, dated the 10th July, 1968 and laid on the Table on the 26th July, 1968, namely:—

In rule 13, after ‘The Central Government’ insert ‘or the State Government.’

This House recommends to Rajya Sabha that Rajya Sabha do concur in this resolution.”

Mr. Srinibas Mishra.

SHRI SRINIBAS MISRA (Cuttack) : The other day while I was moving this motion you asked the Government to see whether the rule to be modified was beyond the Statute. My contention was that this was discriminatory. In addition to what I have already submitted, I want to prove how this is beyond the Act which authorised the Government to make the rules...

MR. DEPUTY-SPEAKER : I remember, I had held it over for that purpose. On that day Mr. Ramaswamy was here and I had asked him to come prepared and explain the Government's position because I was not myself sure. If the Minister wants to explain, let him explain and then we can continue the debate...

SHRI SRINIBAS MISRA : I agree. Let him first explain.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : The Law Minister will explain.

THE MINISTER OF LAW SHRI GOVINDA MENON : Mr. Deputy-Speaker, Sir, I have gone through the papers because I understand that you suggested that I might be available for elucidation at 5 P. M. today...

MR. DEPUTY-SPEAKER : I said, if they think so.

17 hrs.

SHRI GOVINDA MENON : Yes.

The Civil Defence Act is an Act passed in exercise of the defence power which is only vested in the Union Government. This is a matter with respect to Defence and this is in exercise of the defence power which is solely located in the Union List according to the Constitution; and the rules framed also will be part of the law. And wherever the Union Government has to exercise its executive power which is derived from the subjects enumerated in List I to the Seventh Schedule, they cannot do it in vacuum. They have to do it in the territory of India which is apportioned between different States, except in the Union Territory. Therefore, exercise of Union

power would have to be in the States also. No State can take objection to the exercise of the Union power. To give a simple example, it is within the union power to establish post offices. It has to be established at the States. So also, it is within the Union power to make provisions regarding the Defence of India. This is Civil Defence.

MR. DEPUTY-SPEAKER : I may point out to you that your analogy is wrong. Post Office is not in the concurrent list. If you go to Section 4, I would draw your attention to that; there are certain things which are concurrent. So, don't give false analogies. Shall I read it out ?

SHRI GOVINDA MENON : I have got it with me. (*Interruption*)

श्री रवि राय (पुरी) : मन्त्री महोदय तैयार होकर नहीं आते है ।

SHRI GOVINDA MENON : I have got Section 4 with me. I am sorry that you did not understand me properly.

MR. DEPUTY-SPEAKER : I have followed you.

SHRI GOVINDA MENON : It is true that Section 4 deals with the State Government being enabled to constitute defence Corps. It does not mean that it is in the concurrent list. That is an act of delegation by the Central Government and that is provided for in one of the articles of the constitution. I remember, it is Article 259. The entire Bill is with respect to the power with respect to defence, which is situated in the Union. The rules also will be likewise. If you go through this Act you will see now, what are the matters with respect to which the power can be executed. Take for example the references in the section saying, the owner or occupier of any building, structure or premises should make or carry out such arrangements as may be necessary for the purpose of detection and prevention of fire. This is what is stated in Section 3, sub-section (t). It says :

"The legislation enacted in exercise of the defence power can enable the Union

Government to require the owner or occupier of any building, structure or premises to make or carry out such arrangements as may be necessary for the purpose of detection and prevention of fire."

The house may belong to an individual owner, and the house may be in a State. But still, because this is in exercise of defence power, that power is there. Also, please consider Section 3 (o) (4). It ensures the safety of sources and systems of water supply. It refers to works for the supply of water, gas and electricity and all other works for public purposes.

In most cases, this must be with respect to State Governments.

Then again, if you go to (P) in that page, control of any road or pathway, waterway, ferry or bridge, river, canal or other source of water supply...

MR. DEPUTY-SPEAKER : He is going in a different direction. I will read out section 4, if he likes. The scheme of the Act is that the Central Government and the State Governments are jointly to work. Under section 4, independently they can appoint for any area a body of persons to be called civil defence workers. It is not by any grace of the Central Government. The scheme is such that both the authorities must work in co-operation. This is the scheme. Therefore, I say there are concurrent powers. Only in rules 12 and 13, the 'State' is omitted. I raised the point to be enlightened or have the benefit of their opinion. An Under-Secretary has submitted a note on the Minister's behalf. Even assuming that under sec. 3, you are empowered, you have admitted there might be duplicate machinery. If the Centre think fit, it can be done by entrustment under art. 258. But at the present juncture, I must say that the Central Government have shown a certain amount of distrust. I say this because the scheme of the Act presupposes joint co-operation. This is a sensitive area of defence activity, enforcing civil defence by means of a joint measure. In this House a sense of suspicion has been expressed. In such a posi-

tion, he has also admitted that there might be a little feeling on this. I shall read out the whole thing if he wants.

SHRI GOVINDA MENON : I have seen it.

MR. DEPUTY-SPEAKER : Here you have conceded on grounds of propriety that it would be proper to associate the States in these rules. But now defending, he cannot go by the letter of the law, quoting sections 3 or 2. He has got to go to the whole scheme. It is for him to decide. But so far as the interpretation is concerned and the scheme of civil defence is concerned, I am not satisfied as to why the State was not associated while making the rules under 12 and 13. Nor has his Ministry given me a satisfactory explanation. Section 4 makes the position very clear. It is a concurrent power given to State Governments, not at the Centre's mercy. They can appoint officers. They can do it. On grounds of propriety he has conceded that it should be done. But if he is going by legal nicety on this point, it is for him to decide.

SHRI GOVINDA MENON : I entertain the highest respect for you, but I should say that no concurrent power can be created by a legislation. The question is whether with respect to civil defence, there is anything in the Constitution which gives a concurrent power to the State with the Union. When you interpret points of law, it is not enough if you accuse the lawyer who interprets by saying that he is sticking to the letter of the law. That is my job. It is my job to say that when you legislate on defence matters, you are exercising the Union power of defence, defence power located only in the Union List. You cannot say that because section 4 is here couched in these terms, a concurrent power is created. Concurrent power can be created only by an amendment of the Constitution by entering something in the Concurrent List.

MR. DEPUTY-SPEAKER : The basic principle of interpretation of law is—he, as an eminent lawyer, knows; I am not a

[Mr. Deputy-Speaker]
practising lawyer in that sense--harmonious construction.

If there is disharmony in interpretations of the various Clauses, how is it to be interpreted? You concede that Clause 4 has given independent power to the States to appoint certain officers and all that. Simultaneously you feel that it is your job to stick to the letter of the law. This stickiness of the lawyers I know, but I go by the spirit.

SHRI B. SHANKARANAND
(Chikodi) : On a point of order.

MR. DEPUTY-SPEAKER : No point of order.

SHRI B. SHANKARANAND : But I have a point of order.

MR. DEPUTY-SPEAKER : Not now.

You concede that there will be duplicate machinery and even then you say you stick to your first reaction of sticking to the letter of the law because section 3 empowers Government, and then you want to have recourse under 250 for the President to do it. This is not in keeping with the spirit of interpretation of the scheme of things.

SHRI B. SHANKARANAND : On a point of order. May I know whether the Deputy-Speaker can force an interpretation of his own on a statute or a point of law on the Minister?

MR. DEPUTY-SPEAKER : It is not a question of forcing. He is free to stick to his opinion, but I am clear in my mind that so far as interpretation is concerned propriety demands it. If you do not accept it, it is for the House to take a decision.

SHRI K. NARAYANA RAO (Bobbili) : On a point of order. Mr. Misra has come forward with an amendment of the rules. The Chair has been pleading with the Government, if I may put it that way to accept a particular interpretation. Why they have omitted the expression "State", whether the omission is proper, whether that omission is beyond the scope of the

Act, these are all matters which we have to discuss and ultimately we have to come to a conclusion. From that point of view, the question of propriety, co-operation, concurrent sphere of the State and Centre, all these things are not called for at this stage. So I plead with you not to prolong this matter. He has come forward with an amendment. Therefore, let us not go into policy and all these things.

MR. DEPUTY-SPEAKER : Government thought it fit to give me an advance copy, otherwise I would not have known.

SHRI K. NARAYANA RAO : Please hear me.

MR. DEPUTY-SPEAKER : Please resume your seat. I will not call you again. You never obey the Chair.

SHRI K. NARAYANA RAO : I am the first man to obey the Chair.

MR. DEPUTY-SPEAKER : I will not permit you like this. Every time you defy the Chair.

As I said, the decision is left to the House. If he wants to stick to his interpretation, he is free, but I wanted to save the time of the House. Otherwise, I am going to call him and others who want to participate. That is all.

SHRI GOVINDA MENON : I would now refer to the matter of propriety.

As I said, it is under article 258 and only under article 258 that certain powers which are with the Centre under the Constitution are given to the States. The objection is with respect to rule 13. You raised the question of propriety. I just want you to pause for a moment. What does rule 13 say and what does Mr. Misra want? The rule as it says :

"The Central Government may by order require the owner, manager or agent of any mine or any occupier or manager of any factory" to do certain things.

This amendment comes under the Rule. It would read like this. The Central Government or the State Government may, by order, require the owner, manager or agent, etc., to do certain things. Suppose conflicting orders are issued...

SHRI SRINIBAS MISRA : The hon. Law Minister has not read the Rules. The Central Government is there.

SHRI GOVINDA MENON : I have read that. Rule 12 and 13 deal with very important matters. It would be most improper to entrust the jurisdiction to the State Government. It may lead to complications. That is the reason.

SHRI VASUDEVAN NAIR (Peeraide): You do not trust the State Government.

SHRI GOVINDA MENON : It is not a question of trusting.

Suppose the State Government issues certain direction and the Central Government issues certain other direction, there will be conflict. Rule 12 deals with ports and Rule 13 deals with mines. These are the most vulnerable aspects.

MR. DEPUTY--SPEAKER : The overriding authority is there in case of conflict, when there is no question of conflict, what is the position ? *(Interruptions)*

SHRI GOVINDA MENON : Therefore, the Government's position is that it is not proper to amend Rules 12 and 13 and the matter may be left to the House. *(ends.)*

SHRI SRINIBAS MISRA : The hon. Minister has come out with a theory which has been discarded everywhere. He says this legislation comes under the defence jurisdiction of this House. It is not in the vacuum. This defence jurisdiction has to be exercised according to law. That law is the Defence Act. Under the Defence powers the Civil Defence

Act has been passed and the Government has to frame rules under that. My first contention is that Rule 13 exceeds the powers given to the Government. It encroaches upon a power which is there.

SHRI GOVINDA MENON : Then it will be struck down.

SHRI SRINIBAS MISRA : You wait till then. The hon. Minister wants that we should commit an illegality. They will commit the illegality and we will be washing all their sins. Section 3 is the section which gives them power to frame rules. Under Section 3, sub-section (1) the Central Government may, for securing the civil defence, by notification make rules providing for all or any of the following matters. The list as given. It has to be considered, as it has already been stated, that this is a rule for the benefit of the people. In case there is an attack or there is a commotion, for benefiting the people such an Act is passed. It is a beneficial legislation. It enables the Central Government to make laws. In sub-section (2) of Rule 3, it is said 'may provide'. I am underlining 'may provide' for order with regard to matters specified there in, which may be made by the State Government.

My submission is that this 'may' is mandatory. It means 'must' and any rule made under sub-section (1) may provide for orders with regard to the matters specified therein. I have stated that it is a beneficial legislation enabling the Central Government to make laws. I will not say in my own words; I will quote before this House only. Maxwell's interpretation on this matter.

I am quoting from Maxwell on *Interpretation of Statutes*, 10th edition, at page 239. It says :

'Statutes which authorise persons to do acts for the benefit of others, or, as it is sometimes said, for the

[Shri Shrinibas Misra]

public good or the advancement of justice, have often given rise to controversy when conferring the authority in terms simply enabling and not mandatory."

Then, it goes on to say:

"In enacting that they "may" or "shall", if they think fit," or, "shall have power," or that "it shall be lawful" for them to do such acts, a statute appears to use the language of mere permission, but it has been so often decided as to have become an axiom that in such cases such expressions may have—to say the least—a compulsory force (d), and so would seem to be modified by judicial exposition. On the other hand, in some cases, the authorised person is invested with a discretion, and then these expressions seem divested of that compulsory force, and probably that is the *prima facie* meaning."

Then, it continues to say:

"In an early case, where it was contended that the Poor Relief Act, 1662.....in enacting that the churchwardens and overseers "shall have power and authority".....the court held that it was obligatory on them to make it....."

It goes on further and says:

"Though section 9 of the Indictable Offences Act, 1848 enacted that justices "may" issue a summons on an information laid before them only "if they shall think fit," it was held that they were not yet at liberty to refuse it on any extraneous considerations, such as....."

"So, in *Backwell's Case*, Lord Keeper North held, and of the same opinion were all the judges, that the statute which enacted that the Chancellor "should have full power" to issue a commission of bankruptcy against bankrupt trader on the petition of his creditors imperatively required its issue, declaring that "may" was in effect "must".

17.23 hrs.

[SHRI VASUDEVAN NAIR in the Chair]

The quotation continues:

"Under the provisions of section 5, Arbitration Act, 1889 that, where a submission provides that the reference shall be to a single arbitrator and all parties do not concur in appointing an arbitrator, any party may serve the other parties with a written notice to appoint, and if the appointment is not made in seven clear days the court "may", on the application of the party who gave the notice, appoint an arbitrator, it is obligatory on the court to make an appointment if applied to (o)."

So, here "may" also means "must". In the second para also, "may" means "must".

Then comes the crucial decision:

"An Act which empowered a vestry to make a paving rate and provided that, when it appeared to the vestry that the rate was not incurred for the equal benefit of the whole parish, it "might" exempt the party not benefited, was held to impose a duty, and not merely to confer a power, on the vestry to apportion the burden when the case arose (s)."

When "may" means "must" because it is a beneficial legislation, it imposed an obligation on the Government to do it.

SHRI HIMATSINGKA (Godda): Sometimes it means so; not always.

SHRI SRINIBAS MISRA: The hon. Member, I think, heard me when I was reading it. "May" means "must" when it empowers somebody to do something. Then and then alone it is "must"; I did not say that everywhere it means "must".

"But an enactment that churchwardens "may" make a rate for the reimbursement

of constables, or the Chancellor "may" issue a commission in a case of bankruptcy, or one conferring power on the courts to direct that a person entitled to cost should recover them, is no more permission to do such acts, with a corresponding liberty to abstain from doing them."

So, the Central Government cannot say that they are at liberty not to associate the State Government in enacting or making the rules.

"The Supreme Court of the United States similarly laid it down that which public officers are empowered to do for a third person the law requires shall be done whenever the public interest or individual rights call for the exercise of the power, since the latter is given, not for their benefit, but for his"

This power to make rules has been given not for their benefit but for the benefit of the people. Therefore, it is obligatory on them. "May" in this case means "must".

The next point is the question of propriety. Government has admitted that it is not proper. On this admission alone, it should have been graceful on the part of the Minister to accept this amendment. But instead of that, they brought the Law Minister to plead that it is concurrent power. Concurrent power cannot be created by statute. They have gone beyond the power given to them. They have negatived the power this House gave them. The concurrent power is that of the House, not of the Government. There are provisions in the Constitution, as the Law Minister knows, under which this House can say that this law will be passed by the State Legislature.

MR. CHAIRMAN : How much more time will he require ?

SHRI SRINIBAS MISRA : About 10 to 12 minutes.

MR. CHAIRMAN : The hon. member will continue his speech when this is taken up next time, whenever it comes.

17.32 hrs.

HALF-AN-HOUR DISCUSSION MAPS ON KACHCHATIVU ISLAND PUBLISHED BY THE SURVEYOR GENERAL OF CEYLON

MR. CHAIRMAN : Shri Kameswar Singh.

SHRI R. D. BHANDARE (Bombay Central) : Sir, before the discussion is raised, I would like to appeal to the member and to the House that since the Kachchativu matter has been discussed both by the Ceylon Prime Minister and by our Prime Minister and the matter is likely to be settled amicably, this may not be raised at this stage. It can be raised at any time later.

SHRI RANDHIR SINGH (Rohtak) : The matter is pending.

MR. CHAIRMAN : The appeal has been heard by the mover. It is for the mover to do whatever he likes.

श्री कामेश्वर सिंह (अगरिया) : सभापति महोदय, हम लोग ऐसी बहुत सी अपीलें सुनते आये हैं। सरकार तो चाहती है कि बहुत सी महत्वपूर्ण बातें इसी तरह खत्म कर दी जायें।

सबसे पहले यह मामला सन ने रिपोर्ट किया था।

"The morning daily, the 'Sun' reported today at its main story under the headline 'Ceylon Government takes over Katchchativu' that the Ceylon Government had assumed full ownership of the island."

[श्री कामेश्वर सिंह]

यह 28 फरवरी, 1968 की खबर है। परन्तु इतने दिन बीत जाने पर भी आज तक सरकार ने इस बारे में कोई कदम नहीं उठाया है। उसी पत्र में आगे कहा गया है :

"Government agent in Jafna, (counter part of District Collector in India) in his report for 1965-66 had stated that very interesting goings on take place in the small island every year and it suggested that the ownership of this little island will soon have to be settled."

"Extract from this report were tabled recently by Prime Minister, Mr. Dudley Senanayake in response to a question by an Opposition Member in the Ceylon House of Representatives."

डिस्ट्रिक्ट कलेक्टर, जाफना, की रिपोर्ट से यह साफ जाहिर है कि यह छोटा सा द्वीप सीलोन का नहीं है, हिन्दुस्तान का है। इस के बावजूद हमारी सरकार इस बारे में कम-जोरी दिखा रही है। सबसे अफसोस की बात यह है कि 4 मार्च को प्रधान मंत्री ने राज्य सभा में कहा कि कच्चातीवू द्वीप पिछले तीस सालों से विवादास्पद है। परन्तु जब डिस्ट्रिक्ट कलेक्टर, जाफना, ने 1965-66 की अपनी रिपोर्ट में कहा कि वह द्वीप सीलोन का नहीं है और उस रिपोर्ट के उद्धरण श्री सेनानायक के द्वारा हाउस आफ रिप्रेजेंटेटिव्स में पेश किये गये, तो प्रधान किस तरह यह कह कर देश को गुमराह कर सकती हैं कि यह द्वीप पिछले तीस सालों से विवादास्पद है ? प्रधान मंत्री की इस गलती के लिए राष्ट्र उन्हें कभी भी माफ नहीं करेगा। इस प्रकार राष्ट्र को गुमराह करना बहुत बड़ा जुल्म है। मेरी समझ में नहीं आता कि प्रधान मंत्री को इस जुल्म के लिए क्या सजा मिलनी चाहिए। सजा तो उन्हें जरूर मिलेगी।

जब मद्रास में जमींदारी उन्मूलन का कानून पास हुआ, तो उसके बाद रामनाड के

राजा ने अपने जमींदारी रिटर्न में इस द्वीप को भी मद्रास सरकार के हवाले कर लिया। मैं इस सदन को इसका थोड़ा सा इतिहास बताना चाहता हूँ :

"Copies of documents establishing the ownership of the Kachchativu island in Palk Strait vested with the Raja of Ramanathapuram have been sent to the Government of India and the Madras Government."

According to them, on July 2, 1880 Muthusamy Pillai and Mohammed Abdul Kadir Maricar entered into a lease with the Raja of Ramanathapuram, owner of fishing rights in 69 coastal villages and eight islands including the Kachchativu over which Ceylon Government now lays claim.

The document, sent by Raja of Ramanathapuram, was registered before the Madurai Special Assistant Collector, Mr. Edward Turner, who was in Ramnad.

The lease deed, which became effective from July 21, 1880, stipulated a rent of Rs. 175 per fasli and was fixed for five faslis. An advance of Rs. 175 was accepted by the Raja of Ramanad. The lease deed stipulated penalty interest of 12 per cent for failure of payment of the rent.

Written on seven-rupee stamp paper the deed bears the register No. 510, first book, 16th volume, page 488 to 499.

After the expiry of the first deed, another lease deed was signed on December, 1896 by Muthusamy Pillai alone for another five-fasli period at Rs. 212 per fasli.

On behalf of the owner of the 69 coastal villages and eight islands including Kachchativu, the lease deed was signed by Mr. B. Rajarama Rayar, manager, Ramanathapuram place on behalf of the owner, the Raja of Ramanathapuram.

On July 1, 1913, an indenture was signed between the Raja of Ramanathapuram and the Secretary of State for India in Council for a period of 15 years.

According to this a 'premium of sum of Rs. 60,000' was paid to the Raja of Ramanathapuram as owner of the 69 coastal villages and the nine islands including Kachchativu for 'full, free and exclusive rights, liberty and authority to search, collect, take and carry away all or any chank shells from the chank shell beds.'

The particulars of the limits given out in the deed were : the Gulf of Munnar, all the chank shell beds lying off the mainland section of the Ramanad Zamindari together with those off the south coast of Rameswaram island..."

17.35 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

फिर 1947 पर आइये ।

"In December 1947 the late Shanmuga Rajeswara Sethupathi, the Raja of Ramanathapuram, owner of the Kachchativu, leased to V. Ponnusamy Pillai and Janab K. S. Mohammed Kirza Maricar the chank collection rights on the island Kachchativu belonging to the Raja of Ramanathapuram. The lease was from fasli 1356 to fasli 1358 at the rate of Rs. 23 and annas 2 per fasli."

यह आश्चर्य की बात है कि इन सब तथ्यों को दृष्टि में रखते हुए और जाफना के डिस्ट्रिक्ट कलेक्टर की 1965-66 की इस रिपोर्ट को देखते हुए कि इस द्वीप के स्वामित्व को जल्दी ही तय करना पड़ेगा, भारत सरकार ने इस और कोई ध्यान नहीं दिया है ।

मद्रास के शिक्षा मंत्री, श्री नेवुनचेडियन, ने वहाँ की विधान सभा में कहा कि राज्य सरकार ने इस बारे में भारत से सरकार से लिखा-पढ़ी की है कि रामनाड का छोटा सा द्वीप, कच्चातीवू, वापिस मद्रास स्टेट में आ जाये । इस प्रश्न की ओर भारत सरकार की उपेक्षा का नतीजा यह हुआ कि सीलोन ने इस द्वीप को नक्शे में अपने भाग के रूप में दिखाया ।

उसके बाद प्रधान मंत्री ने 15 जुलाई को लोक सभा में एक लिखित उत्तर में यह आश्वासन दिया कि सरकार उस नक्शे का अध्ययन करेगी । परन्तु मालूम होता है कि वह अध्ययन करते-करते यह सरकार खरम हो जायेगी, समूचा देश भी खरम हो जायेगा, कोई जगह नहीं बचेगी, सिर्फ प्रश्न मंत्री का घर ही बच जायेगा हिन्दुस्तान में ।

हिन्दुस्तान में इस प्रश्न पर बहुत चर्चा होती है, परन्तु सीलोन में कहा जाता है कि यह बड़ी ही आश्चर्यजनक बात है कि हिन्दुस्तान में इस बारे में चर्चा होती है । सीलोन में हमारे हाई कमिश्नर ने आज तक भारत सरकार को यह खबर नहीं दी कि सरवेयर-जेनेरल, सीलोन द्वारा जो नक्शा 1963 में प्रकाशित किया गया था, उसमें भी इस द्वीप को सीलोन का भाग दिखाया गया था ।

सबसे मजेदार बात यह है कि रानी विक्टोरिया के टाइम में एक सनद के द्वारा साफ बताया गया कि वह द्वीप हिन्दुस्तान में है । वह सनद सीलोन के नेशनल आरकाइव्स में था । लेकिन सीलोन में हमारे हाई कमिश्नर उसको नहीं देख सके ।

वास्तव में आज प्रधान मंत्री को, सदन की नेता को, इस बहस के अवसर पर इस सदन में रहना चाहिए था । परन्तु वह कभी भी इन बातों में इन्ट्रेस्ट नहीं लेती हैं ।

MR. DEPUTY-SPEAKER : I may inform the hon. Member that the Prime Minister is busy elsewhere and she has indicated her inability to be present here. So that should not be brought in.

श्री मधु लिमये (मुंगेर) : इतना तो मानना पड़ेगा कि कम से कम इस मामले में उनके पिता जी अच्छे थे, वह सदन की इज्जत करते थे।

SHRI ATAL BIHARI VAJPAYEE (Balrampur) : Is she in the other House?

MR. DEPUTY-SPEAKER : She is in a Cabinet meeting.

SHRI ATAL BIHARI VAJPAYEE : Cabinet meeting is no excuse.

श्री रवि राय (पुरी) : क्या वह देश की सीमाओं के प्रश्न पर भी सदन में नहीं आ सकतीं ?

श्री मधु लिमये : वह हमेशा ऐसा करती है।

MR. DEPUTY-SPEAKER : You do not press that point because she has shown the courtesy to the House by informing the House.

श्री अटल बिहारी वाजपेयी : जब उन्हें मालूम था कि यह चर्चा होने वाली है, तो इस समय कैबिनेट मीटिंग रखने की क्या जरूरत थी ? यह गलत बात है।

श्री कामेश्वर सिंह : उपाध्यक्ष महोदय, प्रधान मंत्री यह जानती थीं कि अध्यक्ष ने इस चर्चा के लिए आज की डेट रखी थी और उनको नोटिस मिला हुआ था। उसके बाव भी कबीना की मीटिंग रखना बिल्कुल उचित है और इस सदन का अपमान है।

MR. DEPUTY-SPEAKER : This is not proper.

SHRI RANDHIR SINGH (Rohtak) : We have got such a competent Deputy Minister. Why is he bothering so much about that ?

श्री कामेश्वर सिंह : सबसे मजेदार बात यह है कि सदन को हमेशा यह आश्वासन दिया गया कि जब सीलोन के प्रधान मंत्री यहाँ आयेंगे, तो हम लोग इस के बारे में उनसे बातचीत करेंगे।

परन्तु जो कम्यूनिके में कहा गया है या जो भी बात प्रकाशित की गई सबों में इस बात को टाला गया। इस बात को बहुत सावधानी से देखा गया कि काञ्चातीबू का मामला सामने नहीं आवे। जितनी बातें इस सम्बन्ध में कही गई बिल्कुल धोषी दलीलें सब हैं। परन्तु प्रधान मंत्री की समझ में यह नहीं आयेगा और जो भी ऐसी बात यह लोग करेंगे काञ्चातीबू के बारे में हम लोग कभी उसको मानने के लिए तैयार नहीं हैं।

तो मैं मंत्री महोदय से साफ और जाहिर तरीके से जानना चाहता हूँ कि क्वीन विक्टोरिया के टाइम का जो डाक्यूमेंट है जो कि सीलोन के नेशनल आर्काइव्स में था और जिसे सीलोन ने निकाल लिया है, इस बात का निपटारा किया जायगा तो उस वक्त सरकार सीलोन से कहेगी या नहीं कि वह डाक्यूमेंट निकाला जाय ?

दूसरी बात यह कि राजा आफ रामनाड ने जो प्रधान मंत्री को खत लिखा है, जो भी कागजात उन्होंने प्रधान मंत्री और भारत सरकार को भेजे हैं काञ्चा तीबू के सिलसिले में और इस सिलसिले में जितने भी कागजात हैं वह सदन के पटल पर रखेंगे, इसका आश्वासन मंत्री जी हैं नहीं हम समझेंगे कि इन्दिरा जी देश को सिविलिजेशन में ले जा रही हैं :.....
(अपवादन)

17.42 hrs.

RESCISSION OF CHAIR'S ORDER WITH RESPECT TO CERTAIN MEMBERS

श्री राम सेवक यादव (बारबंकी) : जब यह कार्यवाही इससे पहले तो आप ने यह कहा कि जार्ज फरनेन्डीज जो कुछ बोलेंगे वह आठ दिन तक रेकर्ड पर नहीं जायगा और लक्ष्म्या के लिए भी यही कहा गया। तो मैं यह कहना चाहता हूं, उनका कोई चेयर को डिफाई करने या नान-कोआपरेट करने का उद्देश्य नहीं था। वह केवल व्यवस्था का प्रश्न ही उठा रहे थे और पूरी बात आप सुनते तो शायद ऐसा नहीं होता। मैं आप से निवेदन करूंगा कि आप उस व्यवस्था को समाप्त करें और इनको बोलने का अवसर दें।

श्री अटल बिहारी बाजपेयी (बलरामपुर) : मैं इनकी बात की पुष्टि करता हूं। आप ने जो ऐक्शन लिया उस समय वह उस समय के लिए ठीक हो सकता है। लेकिन अब उसको बढ़ाने की जरूरत नहीं है। उनको बोलने का अवसर दिया जाय।

श्रीरजवीर सिंह (रोहतक) : मैं भी चाहता हूं कि इस पर नरमी का ऐटीट्यूड लिया जाय। लेकिन मेरे फाजिल दोस्त भी अपना व्यवहार ठीक प्रकार का रखें और हाउस को चलने दें।

SHRI S. M. BANERJEE (Kanpur) : I have already written to you. The whole thing happened because he was raising a point of order and exactly, at the same time, M. Sheo Narain and Mr. Randhir Singh created trouble.

MR. DEPUTY SPEAKER : As the leaders of the parties have said they need not plead on behalf of Mr. George Fernandez; I know him for a number of years—he is taking good interest in the House and he is a very vigilant, attentive and pains-taking Member of the House. It is not a pleasant thing for the Chair,

whoever he is, to just make him inactive. That is not a very pleasant thing. I will certainly withdraw that. But one thing must be borne in mind. The order and the progress of the business of the House must also be ensured by you.

श्री रवि राय (पुरी) : आप के साथ सब लोग सहयोग करेंगे।

MR. DEPUTY SPEAKER : So, this matter ends here.

श्री शशि भूषण (खरगोन) : आप भी मजदूरों के नेता हैं और फरनेन्डीज भी मजदूरों के नेता हैं। आप ने बहुत अच्छा किया।

श्री रवि राय : लक्ष्म्या के बारे में भी यही व्यवस्था होनी चाहिए।

MR. DEPUTY SPEAKER : I will not discriminate. But you have to ensure the order and the progress of the business of the House.

श्री शिव नारायण (बस्ती) : उपाध्यक्ष महोदय मुझे भी कुछ अर्ज करना है। उधर से जब प्वाइंट आफ आर्डर रोज हो और उधर के दो आदमियों को आप बुलाएं तो एक हमको भी मौका दीजिए।

श्री रजवीर सिंह : एक नहीं, इधर के तीन को मौका मिलना चाहिए।

MR. DEPUTY SPEAKER : I can assure you that no presiding officer will ignore Mr. Sheo Narain. Nobody ignores him.

17.45 hrs.

[SHRI R. D. BHANDARE in the Chair]

HALF-AN-HOUR DISCUSSION Contd.

MAPS OF KACHCHATIVA ISLAND PUBLISHED
BY THE SURVEYOR-GENERAL OF CEYLON
Contd.

SHRI S. KANDAPPAN (Mettur) : I would plead with you for a little indulgence so

[Shri S. Kandappan]

that I may frame my question in the proper perspective because I come from a place which is intimately connected with this issue; the sentiments and the feelings there on this are the same as we see in the other parts of our country like where the Kutch issue is involved.

I would like to submit, first of all, that the Government is prevaricating and they have not come to any conclusion so far. This is my first charge against the Government. After all, this question is not a new thing; it is years old; the late lamented Dr. Ram Manohar Lohia brought this issue on the floor of the House many years back, and the same reply which was given to Dr. Lohia is being given to us today. What is happening in this country? I think, it was the famous Russian novelist, Mr. Turgenev, who said;

"Weak-willed persons will never put an end to anything but will wait for the end to come."

What is happening to this Government? Government do not have the will power to act even on such a serious issue as territorial integrity.

I would like to know from the hon. Minister as to what transpired between the Prime Minister of Ceylon who came here and our Prime Minister. I have a serious doubt and that is why I am making this request. I do feel my responsibility on this score. We are all for having an amicable settlement because it is a friendly country. We cannot forget the fact that the friendliness that exists between Ceylon and India is not of recent origin; it is generations old; even 2,000 years back the Tamilians in the southern tip of India and those in Ceylon were having cordial relations. Many royal families in India and royal families in Ceylon were inter-married. This is a historical fact, But unfortunately after Independence, after this Government assumed office, due to its diplomatic bungling, they have antagonised and alienated the Ceylonese from the Tamils. I have strong grounds to say this. I will enumerate one or two things.

Some time back there was a Press Conference in Ceylon; our High Commissioner was there; the Press Reporters asked him about repatriates, whether the Indian Government would be agreeable if the Ceylon Government approached the Indian Government for a loan to be given to the repatriates to be taken back to India. You know, what was the answer? He said, "You better ask China". That was a provocation. All the papers in Ceylon condemned it. I raised the matter on the floor of the House. You know, what was the reply given? The reply given on the floor of the House was that it was a slip of the tongue. Slip of the tongue at what cost. This is the kind of diplomacy that we are having.

I will tell you another thing. Day in and day out consistent propaganda has been going on in Ceylon that the DMK and the majority of the Tamilians who are in the DMK are enemies of Ceylon, but this propaganda is not being countered by our High Commission there, in spite of the efforts made by the DMK. Many a time we did invite the Prime Minister and also many dignitaries from Ceylon to visit our part. I am rather pained that this time when there was a good occasion for it when the Prime Minister was here, it could not be arranged; actually every Tamilian in Tamilnadu expected that the protocol would be so arranged that the Prime Minister of Ceylon would be brought to Tamilnadu. But that was not done. We could have given him a very good reception and we could have cemented our friendly feelings. The relations between India and Ceylon depend very much upon the relations between the Tamilians and the Ceylonese. This is a historical fact. All these facts are ignored. There is a clear diplomatic bungling on this issue. I do not know why the Government is hesitating on this issue.....

MR. CHAIRMAN : He may now ask his question.

SHRI S. KANDAPPAN : I am asking. We have already entered into an agreement with Ceylon and on the basis of that agreement we are going to take back more than five lakh Ceylonese from there; the/

were of Indian origin; that is the only excuse. It was to the advantage of Ceylon. There were many agreements to the advantage of Ceylon. I have no grudge against it. It is as it should be because it is a small country....(interruptions).

MR. CHAIRMAN : You must now come to the question.

SHRI S. KANDAPPAN : On the basis of all these, what is the difficulty for the Government ? For the past so many years they are giving the same reply. I have a strong feeling that they are hiding facts. That is why I am insisting. It was Dr. Ram Manohar Lohia who raised this question on the floor of the House so many years ago. What is hampering this Government ? What is the reason ? Why is the Government afraid and hesitant ? Let them come out with a candid, open and categorical statement as to what is it that comes in the way of arriving at a settlement on the basis of the facts which are incontrovertible, on the basis of the documents that are available with the Government today.

SHRI SRADHAKAR SUPAKAR (Sambalpur) : Sir, I understand that half-an-hour discussion does not relate to repatriates from Ceylon but only to the question of Kachativu Island. I just want to ask the Minister whether the discussion between the Prime Minister of India and the Prime Minister of Ceylon on this point has been concluded or is still to take place in future. If it is concluded, what are the results ?

श्री जार्ज फरनेन्डीज (बम्बई दक्षिण) : सभापति महोदय, श्री कामेश्वर सिंह जी ने आज जो प्रश्न इस समय सदन में उठाया है वह यह है कि सीलोन के सर्वेयर जनरल ने अपने नक्शे में कच्चातीवू को सीलोन का भाग दिखाया है, मुझे बड़ा अफसोस होता है कि हमारी सरकार जब भी अपने नक्शे छापती है—मैं खास तौर से विदेश मंत्री और हमारे मित्र डा० राम सुभाग सिंह का ध्यान इस तरफ खींचना चाहता हूँ—पिछले कई वर्षों से हिन्दुस्तान में जो डाक के टिकट

छापे जाते हैं, उस पर भारत का नक्शा छपा जाता है, लेकिन उस भारत के नक्शे में अण्डमान, निकोबार, मालदीव, लसदीव और साथ ही साथ कच्चातीवू आदि द्वीपों को, अपने प्रदेश हैं, ऐसा करके नहीं दिखाया जाता। यह बड़ा गम्भीर मामला है, आप ऐसा न समझें कि नहीं दिखाया जाता है तो उससे क्या होता है। आप जो भी नक्शा छापते हैं, वह इस देश का नक्शा होता है, कच्चातीवू यद्यपि एक छोटा सा द्वीप है, लेकिन इस देश के साथ उसका बहुत महत्व है। मैं आपको बतलाऊँ—पाकिस्तान ने अपना जो स्टैम्प छपा है, उसमें जम्मू-काश्मीर को भी छपा है और साथ ही अंग्रेजी में यह भी लिखा है कि :—

'Jammu and Kashmir' : Final status not yet determined.

यह चीज वह अपने स्टैम्प पर छापते हैं, इसके मुकाबले में अण्डमान निकोबार छोटी जगह नहीं है, उसको स्टैम्प पर छपा जा सकता है, मैं चाहता हूँ कि हिन्दुस्तान का पूरा हिस्सा उसमें छपा जाय, अगर उसको सीधे आंख से देखने में तकलीफ होती है तो मैगनीफाइंग ग्लास से देखा जा सकता है, लेकिन इन सबको उस नक्शे में दिखाया जाना चाहिये।

संसद कार्य तथा संचार मंत्री (डा० राम सुभाग सिंह) : मैं पूरी तरह से इसकी व्यवस्था करा दूंगा। मैं यह भी निवेदन कर दूँ कि हाल में ऐसा कोई स्टैम्प नहीं छपा गया है, जिसमें अण्डमान निकोबार को न दिखाया गया हो। एक स्टैम्प 1957 में छपा था, उसमें यह चीज नहीं थी, जो कि एक गलत बात थी, मैं उस गलत बात को सुधार सका हूँ।

श्री जार्ज फरनेन्डीज : मुझे खुशी है कि मंत्री महोदय ने इसको महसूस किया है।

[श्री जार्ज फर्नेन्डो]

इस देश में हमेशा यही होता है कि हमारे नागरिक ऐसी चीजों को और सरकार का ध्यान आकषित करते हैं। इस सम्बन्ध में भी आनन्द प्रकाश कनोडिया नाम के एक नागरिक ने अखबारों में एक पत्र लिख कर इस चीज को उठाया था, उनका पत्र हिन्दुस्तान में छपा था और उस पत्र के विशेष सम्वाद-दाता ने भी इस चीज को उठा कर अपना ध्यान आकषित किया था। आपने अब इस पर कदम उठाया है, मुझे खुशी है, लेकिन यह सिर्फ टिकट की ही बात नहीं है, आपके सर्वेयर जनरल की ओर से भी जो नक्शे निकलते हैं, उनमें हिन्दुस्तान का पूरा हिस्सा नहीं छपता है— इस लिये इस बात की ओर मैं विशेष रूप से मंत्री महोदय का ध्यान आकषित करना चाहता हूँ।

अब इस पृष्ठ-भूमि में मुझे मंत्री महोदय से पूछना है कि जब डडले सेनानायक साहब यहां आये थे, तब कच्चातीबू को लेकर उनसे आपकी बातचीत हुई थी, हम उम्मीद करते थे कि उनके जाने से पहले यह प्रश्न हल हो जायगा, लेकिन उन्होंने बम्बई में सीलोन जाने से पहले जो बयान जारी किया, उस में ऐसा कहा—

“A settlement is expected to take place in two months' time,

मैं यह नहीं समझ पाता हूँ इस प्रश्न पर जो हमारे सार्वभौम की दृष्टि से बहुत गम्भीर प्रश्न है, उस पर दो महीने तक और क्या बहस होने वाली है। अतः मैं आपसे जानना चाहता हूँ—

1. हिन्दुस्तान और सीलोन के प्रधान मंत्रियों के बीच कच्चातीबू के बारे में जो बातचीत हुई और जिसके बारे में सीलोन के प्रधान मंत्री ने कहा है कि दो महीनों में फैसला हो जायगा, इस मामले में अब किस लेवल पर बातचीत चली है ?

2 क्या हिन्दुस्तान सरकार का इस बारे में दिमाग बिल्कुल साफ है कि कच्चातीबू हिन्दुस्तान का हिस्सा है, हिन्दुस्तान का द्वीप है ?

3. कच्चातीबू पर हिन्दुस्तान का कब तक कब्जा था और किस दिन से सीलोन ने कच्चातीबू पर कब्जा कर लिया है।

मैं इन तीनों सवालों के सीधे उत्तर चाहता हूँ।

श्री बेणी शंकर शर्मा (बांका) : सभापति महोदय हमारी सरकार भारतवर्ष के इतिहास को तो भूलती जा ही रही है, अब वह इस भूगोल को भी भूल रही है। मैं माननीय मंत्री से पूछना चाहता हूँ कि क्या उन्होंने हिन्द महासागर, बंगाल की खाड़ी और अरब महा सागर में जितने हमारे टापू हैं, उनकी गणना करा ली है तथा उनको अपने नक्शे में अच्छी तरह से दिखाया है ?

दूसरे—जिस नक्शे की यहाँ पर चर्चा की जा रही है, उसके पहले सीलोन गवर्नमेंट ने जो नक्शा प्रकाशित किया था, उसमें कच्चातीबू को किस देश के अन्तर्गत दिखाया गया था ?

तीसरे—दो देशों के बीच जहाँ समुद्र होता है वहाँ समुद्र के भीतर टैरिटोरियल-वाटर की सोमा निर्धारित की जाती है, कितने मील तक का जलीय भाग इस देश के अन्दर रहेगा और कितने मील तक का दूसरे देश के अन्दर। मैं जानना चाहता हूँ कि क्या आपने सीलोन सरकार के साथ ऐसा कोई करारनामा किया है, जिससे यह मासूम हो सके कि कितने मील दूर जल के भीतर हमारा आधिपत्य रहेगा तथा कितने मील के बाद उनका आधिपत्य रहेगा ?

THE DEPUTY MINISTER IN THE
MINISTRY OF EXTERNAL AFFAIRS.

SHRI SURENDRA PAL SINGH :

During the course of the discussion, three main points have been made by hon. Members; first, that Kachativu Island is of great importance to us and the Government of India have not attached as much importance to it as we should have done and we have been negligent in this regard; second, that the island has been illegally occupied by Ceylonese authorities which fact has demoralised the country or words to that effect; third, that the position regarding the sovereignty of India over the island has not been made very clear by the Government of India and some doubts still exist.

As regards the first question, I may assure the House that the Government of India do attach a great deal of importance to it. If I may say so, sir if this were not so, the whole controversy between India and Ceylon would not have arisen, and what is more, this controversy would not have dragged on for so many decades as it has done.

How we look upon the whole problem is like this. However small the island we attach very great importance to it; but it is also a fact that we attach a great deal of importance to our friendship with Ceylon also. This overriding consideration must be kept in mind all the time in all our dealings with Ceylon and in all matters on which we hold discussions with that country.

The question of sovereignty over the island has been a matter of controversy between Ceylon and India for a very long time. It was, I think, raised for the first time in 1910. Between 1910 and 1968, this controversy had cropped up on a number of occasions in the press and in the Parliaments of both countries. But neither side showed any keenness to tackle it in a hurry, because they both thought that it was not in the interest of Indo-Ceylon friendship to precipitate matters....

SHRI S. KANDAPPAN : They could have made use of it as a bargaining point.

SHRI SURENDRA PAL SINGH : The view taken was that this matter should be

taken up with the Government of Ceylon along with other issues relating to the Gulf of Munnar and the Palk Strait on a future occasion. The matter can be discussed and negotiated peacefully and a settlement arrived at in a spirit of friendship and co-operation,

18 hrs.

The other issues which relate to the Gulf of Munnar and Palk Strait are such things as fishing rights, territorial waters, delineation of median line etc. This spirit of accommodation shown by both sides clearly indicates the depth of friendship existing between India and Ceylon, which had existed for a long time and exists even today.

SHRI RANJIT SINGH (Khalilabad) : Who disputed that ?

SHRI SURENDRA PAL SINGH : It is not correct to say that the island has been illegally or forcefully occupied by the Ceylonese authorities, I mean in the physical sense of the word, because as the hon. members know full, will no human habitation exists on this island.

श्री मधु लिमये (मुंगेर) : सभापति महोदय, आप माफ करेये हमारा खून उबलने लगता है। भारत के हजारों वर्ग मील इलाके ऐसे हैं जहाँ मनुष्य की वस्ती नहीं है। लेकिन इसका यह मतलब नहीं है कि वह हमारा हिस्सा नहीं है। इन बातों को हम सदन में सुनाना नहीं चाहते हैं, हम नहीं बरबास्त कर सकते हैं ऐसी बातें।

श्री रवि राय (पुरी) : कोई राष्ट्रीयता आप लोगों में नहीं रह गयी है।

श्री मधु लिमये : अपनी जमीन के बारे में हम यह नहीं सुनना चाहते हैं। संसदीय कार्य मंत्री इस बारे में खुलासा करें। आप को बहुत गन्दी आदत लग गयी है।

श्री जार्ज फरमेन्डोज : हिमालय के शिखर पर और राजस्थान के रेगिस्तान में क्या कोई रहता है ?

DR. RAM SUBHAG SINGH : You are fully aware that this matter came up before the House on several occasions. It is a fact that there is a religious shrine there where quite a good number of people go and they perform their pujas etc.

श्री मधु लिमये : सभापति जी, माफ कीजिये, एक मिनट मेरी बात सुन लें। मेरा यह कहना है कि किसी भी सवाल पर आप कहते हैं कि रेगिस्तान है, दलदल हो, कीचड़ हो, कुछ भी हो लेकिन वह है तो भारत माता की भूमि।

डा० राम सुभग सिंह : आदमी हो या न हो उसको हम अपनी भूमि मानते हैं।

श्री रणधीर सिंह (रोहतक) : प्राइम मिनिस्टर्स के दरमियान बातें चलेंगी, और जो बातें यहां कही जा रही हैं इनका असर पड़ेगा, इसको हमें ध्यान में रखना चाहिये।

श्री रवि राय : अक्सर चिन हमारा नहीं है, ऐसा ही बोल रहे हो आप।

SHRI RANJIT SINGH : I would request the hon. Minister to let us know the situation as of today.

SHRI SURENDRA PAL SINGH : I am merely stating the factual position. I was saying that there is no human population living there.

SHRI MADHU LIMAYE : We all know it, you need not say it. Nonsense.

डेजर्ट है, पहाड़ है, दलदल है, कीचड़ है, वह हमारी धरती है।

SHRI S. KANDAPPAN : Even if it is a desert, it is our land. Let us not dispute over that.

श्री रवि राय : राजस्थान को दे दो न पाकिस्तान को।

SHRI RANGA (Srikakulam) : Whenever we wanted to go and we did go there for fishing and for various other purposes, was there any obstruction there from anybody? Was there any body at all to prevent us from making use of it as our own?

SHRI KIRUTTINAN : I am Coming from that district, Sir. Even now, Sir, whenever our fishermen go there, they are being harassed, arrested and jailed, I know that, Sir.

SHRI RANDHIR SINGH : When entry was not prevented, the possession is ours.

SHRI SURENDRA PAL SINGH : On the island there is a small structure which is a Roman Catholic Church which we understand was constructed around 1917, and "each year" during the fishing season which I think lasts from February to April.....

श्री कामेश्वर सिंह (खगरिया) : श्रीमान्, मैं एक बात की सफाई चाहता हूँ। हमारे मंत्री महोदय ने बड़ी तरबकी की है। प्रधान मंत्री ने कहा था कि पिछले 30 सालों से यह विवादास्पद है, इस पर झगड़ा है मंत्री महोदय ने कहा कि 1910 से यह कंट्रोवर्शियल है। इन्होंने 27 साल और जोड़ कर 57 साल पुराना इस झगड़े को बना दिया है मुझे इस बात की खुशी है।

SHRI RANGA : Deliberately the Minister has not followed my question. He has not given the answer. Has there been any occasion when our people wanted to go but were obstructed from making use of it as our own?

SHRI SURENDRA PAL SINGH : During the festival and otherwise during the fishing season our fishermen go there and use the island. During the festival pilgrims from both sides go to the island and no one was obstructed.

SHRI RANDHIR SINGH : Then why cannot he say that this was in our possession ? What is the harm ?

SHRI KIRUTTINAN rose—(Interruptions).

SHRI S. KANDAPPAN : He comes from the locality, he knows it. The Minister's information is misleading. They were arrested and jailed. Even now it is happening. The fishermen who are going there are arrested and jailed.

श्री कामेश्वर सिंह : इस बात की सफाई होनी चाहिए ।

श्री शशि भूषण (खारगोन) : सभापति महोदय, सीधा सा प्रश्न का उत्तर मंत्री महोदय दें कि क्या वहाँ भारतीय जा सकते हैं या नहीं ।

श्री सुरेन्द्रपाल सिंह : जाते हैं ।

श्री शशि भूषण : कुछ नादान लोग दोस्त से दुश्मनी पैदा करना चाहते हैं । आपने सीलोन के प्राइम मिनिस्टर को बुलाया और उनको बौद्धों की तरह से मान लिया । मुझे सीलोन के एक बहुत बड़े डिप्टी ट ने कहा कि हम तो हमेशा आपके साथ रहे हैं । पाँच हजार साल में आप ने सिर्फ एक लड़ाई लड़ी है, जिसको आज भी आप लंका जला कर मानते हैं : हम दोस्ती चाहते हैं । अगर लड़ना है तो चीन से लड़ो । छोटे छोटे राष्ट्रों को अपने साथ क्यों नहीं रखते हैं ? आज कच्चातीव्र हर एक भारतीय जा सकता है, फिर क्यों झगड़ा उठाते हो ?

SHRI RANDHIR SINGH : We go there for fishing and we go there for religious purpose.

SHRI S. KANDAPPAN : It is not a fact because fishermen were arrested. Is he denying the fact that Tamil fishermen are arrested there.

MR. CHAIRMAN : If at all there is to be a full-fledged discussion, this is not the occasion. You can follow the procedure. If you want to have a full-fledged discussion, find out some other Rule. This is not the occasion to interfere... (Interruptions)

श्री रवि राय : हमारे देश के बारे में जब इस तरह की बातें करते हैं, तो कैसे हम चुप रहें ।

श्री रामसेवक यादव (बाराबंकी) : प्रश्नों का उत्तर सीधा सा आना चाहिए ।

SHRI SURENDRA PAL SINGH : Recently an official delegation from Ceylon came to India. Talks were held between their delegation and our delegation and during the talks this matter was raised and discussed and all problems concerning the common interests were discussed during these talks. At the end of the talks we decided that this matter should be for the two Prime Ministers who were to meet a few days afterwards. After putting forward their respective cases, the two Delegations came to the conclusion that this matter should be brought to the notice of the two Prime Ministers who were to meet a few days afterwards. A gist of the talks was made and their recommendations were put before the two Prime Ministers. The two Prime Ministers discussed this matter and came to the conclusion that this is a very important matter in which further examination is required. So they come to the conclusion that the two sides should continue discussing this matter and came to some sort of an amicable solution. This is where the matter rests at the moment... (Interruptions)

Our relations with that country are very friendly, and it would not be proper for us to go into the details or the merits of the case at this juncture when negotiations are being carried on, because anything that we may say in the course of the discussion or anything that is done now might queer the pitch, so to speak, and vitiate the entire atmosphere.

[Surendrapal Singh]

I would, therefore, appeal to the hon. Members to leave this matter in the hands of the Government of India—

श्री जार्ज फरेन्ड्रीप : किसके बीच में बात चीत चल रही है ?

SHRI SURENDRA PAL SINGH: and they will see to it that a solution is arrived at, which does not go against our national interests and is acceptable to both the countries.

श्री रवि राय : इस तरह से आप देश को बेच देंगे ।

श्री कामेश्वर सिंह : यह देश के साथ अन्याय हो रहा है ।

MR. CHAIRMAN : The House stands adjourned till 11 a.m. tomorrow.

18.11 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, December 12, 1968/Agrahayana 21, 1890 (Saka)

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