

Posts of Store-keepers in Natural Gas and Oil Commission

1310. **Shri Bahadur Singh:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether some posts of store-keepers were announced by the Natural Gas and Oil Commission at Dehradun;

(b) the number of posts announced;

(c) the number of candidates called for interview during the months of June and July, 1961;

(d) the number of posts reserved for the scheduled castes;

(e) the qualifications fixed for the candidates;

(f) the number of posts already filled in by the end of October, 1961;

(g) the number of posts filled out of the reserved posts;

(h) the qualifications of the candidates who appeared for reserved posts; and

(j) the qualifications of the scheduled castes candidates who have been selected for posts and have been appointed?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). Twenty posts were advertised in March, 1961.

(c) Fifty-two.

(d) Three.

(e) (i) Graduate from a recognised University. (ii) Minimum five years' practical experience in maintenance of stores.

Qualifications relaxable at the discretion of the Commission in the case of candidates otherwise well qualified.

(f) Seven.

(g) One.

(h) Only two candidates appeared for the reserved posts. Their qualifications were:

(i) Graduate with three years' experience in clerical line but no experience of stores. (ii) Matriculate with seven years' experience in Stores.

(j) Out of the two candidates one was selected and appointed. He is a Matriculate with seven years' experience of stores.

Custom House, Madras

1311. **Shri A. K. Gopalan:** Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 1036 on the 14th August, 1961 and state:

(a) progress made in the construction of the new Customs House building in Madras;

(b) the date by which the work will be completed;

(c) the monthly rent paid for the premises rented for the offices of the Customs;

(d) whether any action has been taken against the contractor; and

(e) if so, the details thereof?

The Minister of Finance (Shri Morarji Desai): (a) Work on the superstructure of the front portion of the building has started.

(b) By the end of 1963.

(c) Rs. 8,405.00 nP. per mensem.

(d) and (e). The work of pile foundation was awarded to another firm at the risk and cost of the original contractor. The amount of additional expenditure is proposed to be recovered from the original contractor.

चुनाव याचिका

१३१२. श्री अर्जुन सिंह भौरिया : क्या बिधि मन्त्री चुनाव याचिकाओं के बारे में अतारांकित प्रश्न संख्या ३०१६ के १० अप्रैल, १९६१ को दिये गये उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश

विधान सभा के ५ व्यक्तियों में से जिस एक सदस्य की चुनाव लड़ने के लिये दो वर्ष की अवधि में से २ माह की अवधि कम करने की प्रार्थना को अस्वीकार कर दिया गया था, उसे पुनः स्वीकार कर लिया गया है; और

(ख) यदि हाँ, तो इस प्रार्थना की पहले अस्वीकार करने के क्या कारण थे और अब किस आधार पर यह स्वीकार कर ली गई है ?

विधि उपमंत्री (श्री हजरतबीस)

(क) जो हाँ ।

(ख) उच्च न्यायालय ने अपील में जो निर्णय इस आशय का दिया था कि उम्मीदवार ने पिछले साधारण निर्वाचन में यह भ्रष्टाचार किया था कि उसने निर्वाचकों को मतदान केन्द्र तक लाने और वहाँ से उन्हें ले जाने के लिये मोटरगाड़ी भाड़े पर लो था; उससे वह जिस अनर्हता के अर्चना हो गया था उसके हटाये जाने के लिये उसने मूलतः आवेदन किया था । विधान सभा में स्थान खो देने से और लगभग तीन वर्षों तक निर्वाचन याचिका का प्रतिविरोध करते रहने से उम्मीदवार को जो कष्ट भोगना पड़ा है उसे ध्यान में रखते हुए निर्वाचन आयोग ने अनर्हता की अवधि को छः वर्ष से घटा कर दो वर्ष कर दिया था । उम्मीदवार ने आयोग से पुनः यह आवेदन किया था कि अनर्हता की अवधि और कम कर दो जाये । आयोग का यह विचार था कि मतदान केन्द्र तक मतदाताओं के ले जाने के लिये ट्रैक्टर भाड़े पर लेना निर्वाचन विधि का इतना गम्भीर उल्लंघन नहीं समझा जा सकता है जिससे कि उम्मीदवार को आगामी साधारण निर्वाचन में चुनाव लड़ने से वंचित कर दिया जाये और यह कि अपने भ्रष्ट आचरण के परिणाम वह सभी व्यवहारिक प्रयोजनों के लिये अप्रैल, १९५९ से भुगत चुका है । अतः आयोग ने अनर्हता की अवधि में दो मास की और कमी कर दी। उम्मीदवार

की यह अनर्हता २३ दिसम्बर, १९६१ को समाप्त हो जायेगी ।

Citizenship Act

1313. Shri Kunhan: Will the Minister of Home Affairs be pleased to state whether it is a fact that the Supreme Court has recently held that by section 9(2) of the Citizenship Act, the jurisdiction of the ordinary courts to determine whether or not a citizen of India has so lost his citizenship is excluded and that the decision of the executive authority is final?

The Minister of State in the Ministry of Home Affairs (Shri Datar): The Supreme Court has, in Criminal Appeal No. 192 of 1959, held that in view of Section 9(2) of the Citizenship Act, 1955, a court cannot decide whether an Indian Citizen has acquired the citizenship of another country.

Citizenship Rules

1314. Shri Kunhan: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that under the Citizenship Rules framed under the Citizenship Act, the burden of proving that a citizen of India has not acquired the citizenship of another country is cast on the citizen concerned;

(b) whether it is a fact that under the Citizenship Rules, the fact that a citizen of India has obtained on any date a passport from the Government of any other country shall be a conclusive proof of his having voluntarily acquired the citizenship of that country before that date; and

(c) whether it is a fact that under the said rules no hearing need be given to the person concerned before his citizenship is taken away?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The reply is in the affirmative.