

LOK SABHA DEBATES

(Tenth Session)



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CONTENTS

No. 49—Friday, May 1, 1970/Vaisakha 11, 1892 (Saka)

	COLUMNS
Re. May day	1, 2-4
Member Sworn:	2
Oral Answers to Questions—	
*Starred Questions Nos. 1351 to 1354	6-32
Written Answers to Questions—	
Starred Questions Nos. 1355 to 1380	33-56
Unstarred Questions Nos. 8162 to 8170, 8172 to 8174, 8176 to 8207, 8209 to 8222, 8224 to 8268, 8270 to 8296, 8298 to 8304 and 8306.	56-147
Calling Attention to matter of Urgent Public Importance—	
Strike by Non-gazetted staff Himachal Pradesh.	187-203
May Day Greetings to the workers of the World	203-05
Papers laid on the Table	206-08
Assent to Bill	208
Business of the House	209-25
Matter under Rule 377—	
Finance Bill, 1970.	215-49
Finance Bill, 1970.	249-63
Motion to consider	249
Shrimati Indira Gandhi	249-57
Shri Shantilal Shah	258-63
Committee on Private Members Bills and Resolutions	
Sixty-Second Report	283
Resolution Re. Reight to Property-negatived	264-322
Shri Randhir Singh	264-68
Shri Ranga	268-75
Shri R.D. Bhandare	275-79
Shri Kanwar Lal Gupta	279-84
Shri Abdul Ghani Dar	284-90
Shri D.N. Tiwari	290-93

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

	COLUMNS
Shri Surendranath Dwivedy	293-97
Shri Vasudevan Nair	297-301
Shri Bedabrata Barua	301-03
Shri Badrudduja	303-07
Shri Shiva Chandra Jha	307-10
Shri Raghuvir Singh Shastri	310-13
Shri Govinda Menon	313-17
Shri P. Ramamurti	317-22
Resolution Re. Economic and Social Problems of West Bengal.	
Shri Indrajit Gupta ..	322-23
Half-an-Hour Discussion—	
Reported Libellous Attack on India in a North Vietnam Publication	323-40
Shri N.K. Somani ..	323-29
Shri Surendra Pal Singh.	334-39

LOK SABHA

Friday, May 1, 1970/Vaisakha 11, 1892
(SAKA)

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

[MR. SPEAKER in the Chair]

RE. MAY DAY

SHRI A. SREEDHARAN: On a point of order, Sir. To-day is 'May Day'-day of solidarity of the working-class a the supreme sacrifice of the working class. So, I submit that on behalf of this House, you may kindly greet the working-class of the world on this May Day.

श्री शिवचन्द्र झा : अध्यक्ष महोदय, मैं भी इन का समर्थन करता हूँ। आज मजदूर का दिन है, मेहनतकशों का दिन है, आज हाऊस एडजार्न होना चाहिये। उस दिन मैंने लेनिन की बात भी उठाई थी, लेकिन आप ने हाऊस को एडजार्न नहीं किया। आज हाऊस अवश्य एडजार्न होना चाहिये।

SHRI S.M. BANERJEE : Sir, the Government of Kerala have declared to-day as a holiday. Let us all pay our homage to the martyrs. I request you to kindly let us pay our homage to the martyrs on this international working class day.

MR. SPEAKER : Order, order. Let the new Member take his oath or make his affirmation.

MEMBER SWORN

Shri Yadav Shivram Mahajan (Buldana)

RE. MAY DAY—contd.

SHRI S.M. BANERJEE : Kindly make a reference to the martyrs.

अध्यक्ष महोदय: आप जरा बैठ जाइये। उस दिन आपने लेनिन की बात उठाई थी, आज आपने मे डे की बात उठाई है, ऐसी बातों को एबरप्टली क्वेश्चन - आवर में ले आना मुनासिब नहीं है। आपको चाहिये था कि मुझे पहले बताते, कुछ लीडर्स को भी बुला लेते, सलाह कर लेते, लेकिन इस तरह से एबरप्टली उठाना तो ठीक नहीं है। इन सब बातों के लिये कोई परम्परा होनी चाहिये।

श्री शिवचन्द्र झा: लेनिन की बात तो मैंने आपको लिखकर दी थी, लेकिन उस दिन आपने नहीं माना.... (व्यवधान)....

श्री रवि राय : दुनिया के मेहनत कशों को मुबारकवाद भेज दीजिये।

श्री शिवचन्द्र झा : उन को श्रद्धांजलि जरूर पेश की जानी चाहिये।

SHRI LOBO PRABHU : You include us also.

SHRI S.M. BANERJEE : We have respect for the martyrs. Let us observe a minute's silence.

MR. SPEAKER : On behalf of all of you, I convey our greetings to the workers.

SHRI S.M. BANERJEE : Let us observe the May Day. (Interruption) I request

you to kindly read Pandit Nehru's writings. May Day is a historic-day. My only request, without any party affiliations, is to observe silence for a minute to pay our homage.

श्री शिवचन्द्र झा : लेनिन के बारे में मैंने लिखकर दिया था, लेकिन आपने मुनवाई नहीं की। अगर जरूर होनी चाहिये।

SHRI S.M. BANERJEE : Let us pay our homage to the workers and martyrs of the world.

SHRI RANDHIR SINGH : It is an international festival of labour. Let us send our greetings. That would do.

SHRI MANUBHAI PATEL : It should not be brought up like this.

SHRI S.M. BANERJEE : Those who are unable to pay their homage to martyrs may go out. We believe in working class solidarity. We will request you to allow us to rise and stand in silence for a moment in honour of the martyrs. I had expected the Leader of the House here at this moment.

SHRI E. K. NAYANAR : I think nobody objects to a one minute's silence.

SHRI MANUBHAI PATEL : This is the day of birth of Maharashtra and Gujarat. Let us send our greetings to those States.

श्री कंवर लाल गुप्त : हिन्दुस्तान की लेबर विश्वकर्मा डे मनाती है।

श्री स० मो० बनर्जी : आप कुछ चेंबर की तरफ से कह दीजिये।

MR. SPEAKER : Unless he sits and behaves, I will not get up.

श्री स० मो० बनर्जी : जिन लोगों ने कुर्ची नीची है, क्या उनकी याद भी न करें?

अध्यक्ष महोदय : आपने रोज ही यह तरीका पकड़ लिया है, क्या आप समझते हैं कि यह बड़ा इफेक्टिव तरीका है। अगर कोई ऐसी बात है तो अच्छा यह होता कि आप मुझसे पहले मिल लेते और इस को बड़े प्रेस से करते। इस पर किसी को एतराज नहीं है, मे-डे पर वर्कर्स को ग्रीट किया जाय, मार्टिज को होमेज पे किया जाय, लेकिन थोड़ा प्रेस से किया करें। आप इस तरह बिहेव कर रहें हैं जैसे कोई एडजानमेंट मोशन लाना चाहते हैं।

I do not think any member in the House objects to it. But why this way of putting it? Why should we not meet and then have a regular programme about it? It should have been done in a graceful manner.

SHRI S.M. BANERJEE : After the question hour, let us stand for a minute in silence.

श्री शिव चन्द्र झा : मे-डे पर मेरा सवाल है, उस सवाल को ही पहले ले लिया जाय।
..... (व्यवधान)

अध्यक्ष महोदय : इतना शोर करने में क्या मजा आता है। रोज ऐसा नहीं होना चाहिये, कभी कभी हो जाय तो ठीक है।

SHRI S.M. BANERJEE : You in your power can allow this to become question No.1.

SOME HON. MEMBERS : No, no.

MR. SPEAKER : Let him not put me in an embarrassing position. If I allow that, there will be some question every day and we will have to put it as number one.

ORAL ANSWERS TO QUESTIONS

Problems Re: International Tourism Discussed at Tahiti Islands

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*1351. SHRI N.R. LASKAR :
SHRI MAYAVAN :
SHRI DHANDAPANI :
SHRI CHENGALRAYA
NAIDU :

Will the Minister of TOURISM AND
CIVIL AVIATION be pleased to state :

(a) whether it is a fact that problems of the development of International tourism were discussed at a conference held in Tahiti Islands in the Pacific on 8th and 9th April, 1970;

(b) if so, what were the other subjects discussed;

(c) the decisions arrived at the Conference; and

(d) the countries which participated in the said Conference?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) and (b). Under the auspices of the Pacific Area Travel Association, a Tourism Workshop was held in Tahiti to discuss problems of financing and promoting the development of tourist destination areas.

(c) The Workshop revealed that massive financial resources ranging from the big international banking houses, large insurance companies, investment banks, airlines and international hotel chains envisage the raising of very substantial funds for investment in the development tourist destination areas in the Pacific.

(d) Attendance was mainly from among professional travel industry personnel consisting of about 500 leading travel agents, airlines representatives, hotel chains' representatives and banking and financial interests. The participation also included 44 countries/territories in the Pacific and contiguous to it.

SHRI N.R. LASKAR : It is not clear from the hon. Minister's reply whether our country attended that meeting. If our country attended that meeting, what was the contribution made by us, or by attending this meeting have we gained anything?

DR. KARAN SINGH : Yes, our country did attend. It so happened that our representative, the Director-General of Tourism was chosen as the Director of the Workshop. So, we made a very important contribution to the proceedings of the conference, and we found the participation valuable.

SHRI N.R. LASKAR : Can he identify the contribution that we made?

DR. KARAN SINGH : First of all, we must understand what exactly the conference was about. The Pacific Area Travel Association deals with the development of the Pacific area as various tourist destination points, and it deals with the tremendous new areas that are being developed in the area, because large sums of money are going to be spent in the Pacific area in order to build hotels, beach resorts and so on, so that tourists can go there. We found that we must keep in very close touch with what is happening in the Pacific area, because firstly, potentially they are our rivals and they will attract tourists rather than India, and secondly, we might also get some of their tourists en route to visit India. Therefore, it is important for us to know what is going on at that conference. No decisions were taken, but a number of these problems were discussed, and that discussion itself proved to be extremely useful.

Creation of All-India Services

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*1352. SHRI HARDAYAL DEVGUN:
SHRI YAJNA DATT
SHARMA :
SHRI JAI SINGH :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that Government had decided to create a number of

All-India Services and, if so, the names thereof;

(b) whether it is also a fact that now Government have given up their plan for creating those Services; and

(c) if so, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) :
(a) Yes, Sir. The All-India Services Act, 1951 as amended in 1963 provides for the creation of the Indian Forest Service; Indian Medical and Health Service; and the Indian Service of Engineers (Buildings and Roads, Irrigation and Power Branches). In addition the Rajya Sabha had also passed a resolution under Article 312(1) recommending the creation of Indian Educational Service and Indian Agricultural Service.

(b) and (c). The Indian Forest Service has already been created with effect from 1st July, 1966. Orders constituting the Indian Medical and Health Service with effect from 1st February, 1969 were also issued. Steps are being taken to constitute the Indian Service of Engineers. Since, a large number of States have decided not to participate in the Indian Educational Service and Indian Agricultural Service, no further action is being taken to amend the All India Services Act, to provide for the creation of these two Services.

श्री हरदयाल देवगुण : अध्यक्ष महोदय, राज्य पुनर्गठन आयोग के बाद से यह प्रश्न चल रहा है कि देश की एकता को बनाये रखने के लिए अखिल भारतीय सेवाओं का निर्माण करना चाहिये लेकिन इस सिलसिले में अभी तक कोई अमल नहीं हुआ। फारेस्ट सर्विस बनी है और बाकी दो में अभी तक एक के लिए हुकुम हुआ है लेकिन अमल नहीं हुआ और दूसरी बनी नहीं। राज्य समा ने भी दो सेवायें, एक तो शिक्षा के लिए और दूसरी कृषि के लिए बनाने की सिफारिश की लेकिन वह भी नहीं बनी...

अध्यक्ष महोदय : आप प्रश्न करिये।

श्री हरदयाल देवगुण : तो मैं पूछना चाहता हूँ कि देश की एकता के लिए जो आवश्यक बात है और जिसके लिए सिफारिश की गयी थी उसमें अभी तक ढिलाई क्यों हो रही है? वे कौन से राज्य हैं जिनकी ओर से इसका विरोध हो रहा है? आज इस देश में कुछ राज्यों में ऐसे तत्व हैं जो कि देश की एकता नहीं चाहते और इसलिए वे अखिल भारतीय सेवाओं के निर्माण का विरोध कर रहे हैं, जो प्रान्तों को नेशनलिटी समझते हैं, जैसे कम्युनिस्ट पार्टी के लोग प्रान्तों को अलग-अलग नेशनलिटी मानते हैं क्या उनके दबाव में आकर इस अखिल भारतीय सेवाओं के मामले को खटाई में डाल रहे हैं? आप बताइये कि वे कौन से राज्य हैं जो कि इसका विरोध कर रहे हैं और उनके विरोध के क्या-क्या कारण हैं?

श्री विद्या चरण शुक्ल : यह बात गलत है कि हम किसी के दबाव में आकर के कोई काम कर रहे हैं। यह बात माननीय सदस्य अच्छी तरह से समझ सकते हैं कि कोई भी भारतीय सेवायें बनाने के लिए हमें प्रादेशिक सरकारों के सहयोग और सहभावना की आवश्यकता पड़ेगी क्योंकि उनके सहयोग के बिना हम अखिल भारतीय सेवायें ठीक से नहीं चला सकते हैं। यद्यपि इसके बारे में निर्णय हुआ था परन्तु 1967 के आम चुनावों के बाद देश की राजनैतिक स्थिति में बहुत सी फेर बदल हुई। कई राज्य सरकारों ने, या तो उसके पहले या उसके बाद भी अपनी कई तरह की रायें जाहिर कीं और जब हमने उनके पास इसके नियम, नियमावली या इस तरह की दूसरी चीजें भेजीं परामर्श करने के लिए तो उन्होंने उसका उत्तर देते समय कई तरह की शंकायें भी प्रकट कीं। मैं नाम भी बता सकता हूँ। अभी एक फारेस्ट सर्विस बन गई है और इंडियन हेल्थ ऐंड मेडिकल सर्विस के लिए आदेश जारी कर दिए हैं और जब नियमावली इत्यादि के लिये विचार विमर्श किया गया तो हमें केरल सरकार ने कहा है कि उनकी इस-के बारे में बहुत शक है कि इससे फायदा होगा यद्यपि उन्होंने अभी तक औपचारिक रूप से

नहीं कहा है कि हम इस में शामिल नहीं होंगे परन्तु उनकी बातचीत और जिस तरह की उन्होंने चिट्ठी लिखी थी उससे ऐसा लगता है कि शायद वे शामिल नहीं होंगे। तमिल नाडू सरकार ने कहा है कि हम इसमें शामिल नहीं होंगे। उसी तरह से मैसूर सरकार ने भी कहा है कि जिस तरह हम इसमें भरती करना चाहते हैं उस भरती करने के ढंग से वे सहमत नहीं हैं और चूंकि जो उनकी बात थी उसको हम मंजूर नहीं कर रहे इसलिए उन्होंने भी कहा कि अगर भरती करने के ढंग को बदलेंगे नहीं तो हम भी उसमें शामिल नहीं होंगे। उसके बाद पंजाब से भी ऐसी बात का पता लगा जहां पर कि माननीय सदस्य की पार्टी सरकार में शामिल है, कि वह भी नहीं ज्वाइन करेंगे।
 (व्यवधान)

श्री हरदयाल देवगुण : पंजाब भारतीय सेवाओं के हक में है।

श्री विद्या चरण शुक्ल : लेकिन आपकी सरकार दूसरी बात कहती है।

उसी तरह से वेस्ट बंगाल की सरकार ने भी कहा कि आल इंडिया सर्विसेज बनाने में जितनी टोटल एडिशनल कास्ट लगेगी उसको अगर सेन्ट्रल गवर्नमेंट ही उठाये तभी वे इसमें शामिल होने की बात सोच सकते हैं अन्यथा नहीं। अब चूंकि हम इस बात के लिये तैयार नहीं हो सकते थे इसलिए उन्होंने भी कहा कि यदि आप इसका खर्चा नहीं उठाएंगे तो हमें इसमें शामिल होने में कठिनाई हांगी। उसी तरह से महाराष्ट्र ने अभी कहा है कि वे इसमें शामिल नहीं हो सकते हैं। चूंकि आपने कारण भी पूछा है इसलिए बताना चाहता हूं कि उन्होंने कारण यह दिया है कि चूंकि इसमें चार, पांच, छः स्टेट्स शामिल नहीं हो रही हैं और जो इसका अखिल भारतीय नेचर या कैरेक्टर है वह रहने वाला नहीं है इसलिए इसमें शामिल होने से कोई फायदा नहीं होगा। अगर बहुत सी स्टेट्स इसमें आती हैं तो हमें शामिल होने में कोई आपत्ति नहीं होगी लेकिन चूंकि बहुत-सी स्टेट्स

शामिल नहीं हो रही हैं इसलिए हमारे शामिल होने की कोई आवश्यकता नहीं है। इसी प्रकार से जम्मू कश्मीर और आसाम सरकारों ने भी कहा है कि हम इसमें शामिल नहीं होना चाहते हैं।... (व्यवधान)... They have not given any specific reasons: they may have their own reasons.

इंडियन सर्विस आफ इंजीनियर्स के बारे में भी दो तीन चार सरकारों ने कहा है कि हम शामिल नहीं होना चाहते। उनके नाम हैं—तमिलनाडू, वेस्ट बंगाल, आसाम और जम्मू कश्मीर। बरल वाले सोच रहे हैं कि शामिल होना है या नहीं।

श्री हरदयाल देवगुण : मेरा प्रश्न है कि इन सेवाओं के बारे में राज्य पुनर्गठन आयोग की सिफारिश के सम्बन्ध में भारत सरकार की क्या नीति है? आप इसके पक्ष में हैं या विपक्ष में? आप किन किन सेवाओं को देश की एकता के लिए बनाना आवश्यक समझते हैं? बाकी राज्य उससे सहमत हैं या नहीं, यह एक अलग प्रश्न है। दूसरी बात यह है कि जो सर्विसिज अभी हैं यदि उनका विरोध भी राज्य सरकारें करेंगी तो क्या उनको भी आप छोड़ देंगे?..

अध्यक्ष महोदय : यह हाईपाथेटिकल क्वेश्चन है।

श्री विद्या चरण शुक्ल : बड़ा विचित्र सवाल है।

श्री हरदयाल देवगुण : नीति क्या है?

श्री विद्या चरण शुक्ल : नीति की बात तो प्रश्नोत्तर काल में नहीं पूछी जा सकती, लेकिन चूंकि आप ने इच्छा जाहिर की है इसलिये मैं बताना चाहता हूं कि हमारी नीति यह है कि अखिल भारतीय सेवायें बनायी जायें और उसी के अन्तर्गत सेवायें बनाने का प्रयत्न किया है जिस का विधेयक हम संसद के सामने

साथे और पास हुआ और उसीके अन्तर्गत हम यह सब कार्यवाही कर रहे हैं। हमारे सामने जो कठिनाइयाँ थीं वह मैंने बताई हैं और इन में नीति के बारे में किसी तरह का कोई शक शेष नहीं है। नीति हमारी यह है कि हम सम्मते हैं कि इस से राष्ट्रीयहित होगा अगर अखिल भारतीय सेवाएँ बनें। इसी लिये प्रयत्न कर रहे हैं कि ज्यादा से ज्यादा इन सेवाओं को बनायें। पर एक बात सन्नतीय सदस्य का जान लेनी चाहिये कि जब तक हमें राज्य सरकारों की सद्भावना और उनका सहयोग नहीं मिलता तब तक इस बात को पूरा करने में बड़ी कठिनाई होगी।

डा. राम सुभग सिंह: अभी राज्य मंत्री महोदय ने बताया कि कई राज्य सरकारों ने विरोध किया। यह सही है कि उन्होंने यह विरोध फाइनेंशियल प्राउन्ड्स पर किया है, और जब यहाँ पर कुछ हाल ही में 40, 45 आई० ए० एस० लोगों की तनखाह और सर्विस कंडीशन्स बढ़ा दी गयीं, 2700 रु० से 3500 रु० कर दी गयीं तो इसकी प्रतिक्रिया दूसरी सर्विसेज पर क्या होगी? और जो दूसरे स्पेशेलाइज्ड सर्विसेज हैं क्या उनको कम तनखाह पर रखना बाजिब होगा? क्योंकि हिमाचल प्रदेश की तरह वहाँ भी अदेशा है कि गड़बड़ी हो।

श्री विद्या चरण शुक्ल: जैसा मैंने पहले उत्तर में बताया कि एक राज्य सरकार ने यह विशेष रूप से कहा है कि चूँकि बहुत खर्चा बढ़ जायेगा इसलिये हम करने को तैयार नहीं हैं। यदि केन्द्रीय सरकार खर्चा वहन करने को तैयार हो तो हम इस में शामिल होने के लिए तैयार हैं, वेस्ट बंगाल सरकार ने यह बात कही थी। हो सकता है कि दूसरी राज्य सरकारों के मन में भी यह बात हो, पर उन्होंने इस प्राउन्ड को खास तौर पर जोर देकर नहीं कहा।

बाकी जो नेता विरोधी दल ने यह कहा कि आई० ए० एस० लोगों की तनखाह बढ़ायी गयी, उन का इस प्रश्न से कोई सम्बन्ध नहीं है। पर जो भी हमने किया है वह राज्य सर-

कारों और वित्त मंत्रालय से परामर्श कर के ही इस सम्बन्ध में निर्णय लिया गया है। और जहाँ तक विशिष्ट सेवाओं का मतलब है, टेक्नीकल सर्विसेज का मतलब है कि हम उनको ज्यादा से ज्यादा अच्छा स्थान दें, ज्यादा से ज्यादा तनखाह दें, वह हमें वित्तीय साधनों के अन्तर्गत ही करना पड़ेगा।

DR. RAM SUBHAG SINGH : The salary scale of IAS officers who are now going to be Chief Secretaries of State Governments is going to be Rs. 3,500, whereas the salary scale of the specialists, may be they belong to the Agriculture Service or the Forest Service or the Medical Service—if one is going to be the Director of Medical Services or the Director of Agriculture—would not reach that much, because it will be somewhere around Rs. 2,000 or so. So, how can there be parity in these services and how can the specialists be satisfied in these circumstances?

SHRI VIDYA CHARAN SHUKLA : We did consider this question. It is an erroneous impression that the hon. Leader of the Opposition is having, that the pay-scale of the heads of these technical services will be only around Rs. 2,000. As a matter of fact, we have kept the salary of the heads of these services like the Forest Service—the IG of Forests or the Medical Service, the Director - General of the Medical Services, etc., at the level of Rs. 3,000. It is not really Rs. 3,500 or something but we have kept it at Rs. 3,000. Therefore, there is not much of difference between the salaries that the heads of technical services get and salaries that the IAS officers get.

SHRI THIRUMALA RAO : May I know whether the State Governments which have disagreed to fall in line with the proposals of the Central Government assigned and reasons for not opting for the central services, and is this a new pattern that is now developing between the State-Centre relations?

SHRI VIDYA CHARAN SHUKLA : I have already explained in answer to an earlier question the reasons that were given

by some State Governments for not joining this. This is, of course, new development in our relationship with the States, but we hope we will be able to carry the majority of the States with us.

SHRIMATI SUSEELA GOPALAN : In view of the opinion expressed by the State Governments, will the Government consider the question of changing the recruitment policy of the Government to the services ?

SHRI VIDYA CHARAN SHUKLA : The recruitment rules, etc. are finalised in consultation with the State Governments and with the UPSC also. Therefore, whatever opinions are expressed by the State Governments, we give them the most serious consideration and adopt them to the extent possible.

श्री अचल सिंह : क्या मंत्री महोदय बतायेंगे कि सरकार की इस पर क्या राय है कि यह सर्विसेज आप अपने हाथ में रखना चाहते हैं या स्टेट्स को छोड़ना चाहते हैं ?

श्री विद्या चरण शुक्ल : हम लोगों की नीति बिल्कुल साफ है कि इन सर्विसेज को बनाने से सम्बन्धित जो काम हैं वह हम करते हैं, जैसे इनका नियम, कानून आदि बनाते हैं। बाद में जो अधिकारी लिये जाते हैं वह राज्य सरकारों से अन्तर्गत भेज दिये जाते हैं और वहाँ से बाद में वह डेपूटेशन पर सेंटर में आते रहते हैं। इस तरह का सम्बन्ध नियमों के अधीन बनाया जाता है और वही इस में भी रखने का इरादा है।

SHRI ANBAZHAGAN : In view of the fact that by adding more and more central services or Union services, the integration of the country is not achieved at all and in view of the fact that whenever the Central Government think of some All India Services or Union Services in subjects which are primarily State subjects, the States feel that their rights will be curtailed to that extent, will the minister tell us that the Central Government will not pursue such proposals and will drop such proposals of having All India Services for either agriculture or for some

other subjects which are mainly State subjects ?

SHRI VIDYA CHARAN SHUKLA : It is not correct to describe these services as Union Services. As I said, these are All India Services and there is a lot of difference between Union Services and All India Services. Here we take care to see that the autonomy of the States is not disturbed by this. It is our endeavour that the autonomy of the States should not be endangered or interfered with when these services are created. We do it with the fullest consent and cooperation of the State Governments and not unilaterally by ourselves.

MR. SPEAKER : This question has taken a lot of time. Next question.

दिल्ली प्रशासन में अनुसूचित जातियों तथा अनुसूचित आदिम जातियों के प्रतिनिधित्व में वृद्धि

* 1353. **श्री मोलू प्रसाद :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अनुसूचित जातियों तथा अनुसूचित आदिम जातियों के प्रतिनिधित्व में वृद्धि के बारे में भारत सरकार के मृहन्कार्य मंत्रालय द्वारा जारी किये गये विनांक 25 मार्च, 1970 के संकल्प संख्या 27/25/68 इस्खानिशमेंट (एस० सी० टी०) के अनुसरण में दिल्ली प्रशासन, दिल्ली विकास प्राधिकार, नई दिल्ली नगर पालिका और दिल्ली नगर निगम सक्रिय कार्यवाही कर रहे हैं ; और

(ख) यदि हां, तो कितने आरक्षित पद किमायका तथा वर्गवार भरे जा रहे हैं ?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K.S. RAMASWAMY) : (a) and (b). A statement is laid on the table of the House.

Statement

The orders contained in the Resolution of 25th March, 1970 are applicable straightaway to the Delhi Administration.

The other organisations, viz., the Delhi Development Authority, the Municipal Corporation of Delhi and the New Delhi Municipal Committee are statutory bodies. The orders contained in the Resolution would not apply to them automatically. These Bodies are, however, taking necessary steps according to the prescribed procedure for adoption of these orders. The Resolution of 25th March, 1970 increasing, the percentages of reservation for Scheduled Castes and Scheduled Tribes, having been issued only about a month back, there is not expected to be any appreciable number of additional reservations for posts in the Delhi Administration during the last one month, particularly as the Resolution provides that the increases provided in the Resolution would not apply where rules for a competitive examination have already been published or where selections for posts to be filled by direct recruitment, or for posts to be filled by promotion, have already been made prior to the issue of those orders. The number of reserved post filled Departmentwise and Class-wise in the Delhi Administration from 24th March, 1970 to 30th April, 1970 will however be collected and laid on the Table of the House.

श्री मोलहू प्रसाद : अध्यक्ष महोदय, जो विवरण दिया गया है इसमें कहा गया है कि 25 मार्च, 1970 से 30 अप्रैल, 1970 तक दिल्ली प्रशासन में भरे गये आरक्षित पदों की विभागवार तथा वर्गवार संख्या एकत्रित की जाएगी तथा सदन के पटल पर रख दी जायगी।

मैं मंत्री जी से ज्ञानना चाहता हूँ कि दिल्ली प्रशासन, दिल्ली विकास प्राधिकरण, दिल्ली नगर निगम और नई दिल्ली नगर पालिका में अनुसूचित जातियों के कर्मचारियों की स्थिति 25 मार्च के पहले क्या थी, इसके सम्बन्ध में विवरण देंगे ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्या-चरण शुक्ल) : ज़रूर देंगे। We shall collect that information also and lay it on the Table.

श्री राम सेवक यादव : मंत्री जी ने कहा कि सभा के पटल पर रख दिया। सभा के पटल पर क्या रखा है कि बाद को सूचना दी जायगी। संबंधित सूचना मांगी जा रही है कि इसके पहले क्या स्थिति थी। जब प्रश्न का जवाब ही पूरा नहीं आया, कह रहे हैं कि सूचना बाद में रख दी जायगी, तो सबाल क्या किया जाय, यह मेरा व्यवस्था का प्रश्न है।

अध्यक्ष महोदय : इस में कोई व्यवस्था का प्रश्न नहीं है, जो सूचना उनके पास पहुँच सकी वह उन्होंने ने बता दी।

श्री मोलहू प्रसाद : क्या मंत्री जी 25 मार्च, 1970 के पहले की स्थिति देंगे ?

श्री विद्या चरण शुक्ल : मैंने कहा कि देंगे। अभी जो हमने सभा पटल पर रखा है इसमें जितने प्रश्न उठाये हैं, सब का उत्तर दिया है। केवल एक विस्तार की बात पूछी थी जिस के लिये दिल्ली नगर पालिका, डी० डी० ए०, दिल्ली नगर निगम और दिल्ली एडमिनिस्ट्रेशन से बहुत विस्तृत सूचना एकत्रित करनी थी, जो हमें अभी नहीं मिल पाई है, हमने सम्बन्धित संस्थाओं को बांछित सूचना मेजने के लिये कहा, लेकिन वह नहीं आई।

उसके बाद माननीय सदस्य ने यह पूछा कि 25 मार्च, 1970, जिस दिन हमारा यह आदेश जारी किया गया, जिसके सम्बन्ध में यह प्रश्न किया गया है उस आदेश के जारी होने के पहले क्या स्थिति थी यह माननीय सदस्य जानना चाहते हैं, जिसका मूल प्रश्न से संबंध नहीं है, माननीय सदस्य पहले की स्थिति जानना चाहते हैं। हमने बाद की स्थिति के बारे में जवाब में बता दिया। लेकिन माननीय सदस्य पहले की सूचना यदि चाहते हैं तो उसका विवरण संबंधित संस्थाओं से एकत्रित करके बाद में देंगे।

श्री मोलहू प्रसाद : मेरा दूसरा प्रश्न यह है कि इस विवरण में जो कि मंत्री महोदय द्वारा प्रस्तुत किया गया है उसमें कहा गया

है कि अन्य संगठन अर्थात् दिल्ली विकास प्राधिकार, दिल्ली नगर निगम तथा नई दिल्ली नगरपालिका सांविधिक निकाय पर संकल्प में निहित आदेश स्वतः लागू नहीं होते हैं लेकिन इसके विपरीत समाज कल्याण विभाग की सलाहकार समिति में 17 अक्तूबर 1969 को कार्यवाही के विवरण के दौरान मंत्री महोदय द्वारा यह बतलाया गया था कि दिल्ली डेवलपमेंट एथारिटी, दिल्ली पब्लिक लाइब्रेरी और नई दिल्ली म्युनिसिपल कमिटी आदि ने यह स्वीकार कर लिये हैं जबकि आज के मौजूदा विवरण में मंत्री महोदय कह रहे हैं कि उन पर लागू नहीं होते हैं। उन का यह उत्तर भ्रामक है और मैं आपके माध्यम से मंत्री महोदय से जानना चाहूंगा कि आखिर इन दोनों में से कौन सा सही है ?

श्री विद्या चरण शुक्ल : यह दोनों बातें सही हैं और जरा भी भ्रामक नहीं हैं। मैंने केवल उसमें यही कहा है कि दूसरी आर्गनाइजेशन जो कि स्टैचुटरी बौडीज हैं उन पर यह आर्डर्स ऑटोमैटिकली लागू नहीं होते हैं जबकि इस रेजोल्यूशन में दिये हुए आर्डर्स दिल्ली एडमिनिस्ट्रेशन पर स्ट्रेटअवे लागू हो जाते हैं। उसके अन्तर्गत जो दूसरी संस्थाएं हैं और जो कि पार्लियामेंट के द्वारा बनी हुई हैं उनके ऊपर यह आर्डर्स लागू करने के लिये यह आवश्यक है कि दिल्ली डेवलपमेंट एथारिटी, म्युनिसिपल कारपोरेशन आफ दिल्ली और न्यू दिल्ली म्युनिसिपल कमिटी आदि जो दूसरी स्टैचुटरी बौडीज हैं वह एक दिये हुए प्रासीज्योर के मुताबिक इनको एडाप्ट करें और चुनावों के उन्होंने इन आर्डर्स को एडाप्ट भी कर लिया है और इसलिए यह आदेश उन संस्थाओं पर भी लागू होंगे।

श्री मोलह प्रसाद : अध्यक्ष महोदय, यह मामला बहुत पेचीदा है। मैंने उपराज्यपाल महोदय श्री वीरेन्द्र प्रकाश को 28 जुलाई को पत्र लिखा। लेकिन गृह मंत्री के आदेश के बावजूद आज 8 महीने तक उनसे मुझे कोई

उत्तर नहीं मिला है। आज तक उनके आदेश का पालन किया गया है। मैं जानना चाहता हूँ कि आखिर यह क्या घपला चल रहा है और इस तरह से आई. ए. एस. को पाल रहे हैं, (व्यवधान) 8 महीने हो रहे हैं लेकिन गृह-मंत्री जी के आदेश का पालन उन्होंने नहीं किया है तो मैं चाहूंगा कि चन्हाण साहब इस के ऊपर रोशनी डालें।

श्री विद्या चरण शुक्ल : माननीय सदस्य ने जो कहा है उसके बारे में मैं जरूर जांच पड़ताल करूंगा।

श्री कंबर लाल गुप्त : क्या यह सही है कि दिल्ली नगर निगम और दिल्ली प्रशासन में तीन साल पहले हरिजनों की संख्या सर्विसेज में बहुत कम थी। अब तीन साल में नगर निगम में जो साढ़े 12 परसेंट कोटा है वह न केवल पूरा हो गया है बल्कि उस से अधिक भी हरिजनों की संख्या हो गई है। मैं चाहूंगा कि मंत्री महोदय तीन साल पहले के इस सम्बन्ध के आंकड़े बतलायें कि तीन साल पहले वह कितने थे और अब कितने हैं? क्या मंत्री महोदय उन आंकड़ों को सदन के पटल पर रखेंगे?

श्री विद्या चरण शुक्ल : यह मैं नहीं जानता कि जो माननीय सदस्य कह रहे हैं वह सही है या गलत। बाकी माननीय सदस्य अगर उस बारे में अलग से सवाल का नोटिस दें और अध्यक्ष महोदय उसे मंजूर कर लें तो मैं उसका अवश्य उत्तर दे दूंगा।

श्री कंबर लाल गुप्त : मैंने केवल पूछा है कि तीन साल पहले क्या आंकड़े थे और अब क्या हैं? He is evading the issue. It is a valid question. Let him give the figures.

He should give both the figures.

MR. SPEAKER : He will look into it. It appears that the representatives of both

the governments are replying to each other.

श्री कंबर लाल गुप्त : मैंने तीन साल के और अब के आंकड़े रखने को कहा है तो उसे रखने में मंत्री महोदय आखिर इस कदर क्यों हिचकिचा रहे हैं ?

अध्यक्ष महोदय : आर्डर, आर्डर ।

श्री विद्या चरण शुक्ल : आप बाकायदा उसके लिये अलग से सवाल रखिये और स्पीकर साहब द्वारा उसके एडमिट किये जाने के बाद मैं आपको जवाब दूंगा । यह एक कायदे के अन्दर देना होता है ।

SHRI BAL RAJ MADHOK : He could have said that he will collect the material and place it before the House.

MR. SPEAKER : That he could have done.

श्री कंबर लाल गुप्त : आखिर यह आंकड़ों वाली सूचना देते को मंत्री महोदय तैयार क्यों नहीं हैं ?

श्री विद्या चरण शुक्ल : मैं तैयार हूँ लेकिन जो उसका कायदा है उसके मुताबिक जवाब दूंगा ।

श्री कंबर लाल गुप्त : दरअसल तीन साल पहले के और अब के आंकड़े मिनिस्टर साहब बतलाना इवेड कर रहे हैं ।

MR. SPEAKER : Will you please sit down or not ?

SHRI BASUMATARI : We are glad and thankful to the Home Ministry that from time to time this circular has been issued not only to the Delhi Administration but to all departments. But may I know from the Home Minister categorically whether Government is contemplating the creation of some machinery to see whether this circular issued by the Government of India, the Home Ministry particularly, is being carried out or not? Why I say this is because.....

MR. SPEAKER : You need not explain this.

SHRI BASUMATARI : It is a long question and therefore I have to explain this. From the report of the Scheduled Castes and Scheduled Tribes Commissioner it was found that the backlog and shortfall was very high and not only was it high but it was becoming higher and higher. Therefore may I know what steps the Government are going to take to fill up this gap of the Scheduled Castes and Scheduled Tribes in the services in all departments?

SHRI VIDYA CHARAN SHUKLA :

A constitutional office has been created to look after this particular problem; that is, the office of the Commissioner for Scheduled Castes and Scheduled Tribes. Apart from that, we have our sections in the Home Ministry which look after this particular matter regarding representation of Scheduled Castes and Scheduled Tribes in the services. We have also formed a high-powered committee, which is chaired by the Home Minister, which also goes into this question from time to time to see whether our instructions are being properly implemented or not and whether the implementation of those instructions is fulfilling the aims that we have in our mind or not. It is reviewed from time to time. I would assure the hon. Member that we are very keen to see that not only the representation is fully given but the representation is increased from time to time and from year to year.

श्री राम चरण : अध्यक्ष महोदय, मैं आप के द्वारा मंत्री महोदय से पूछना चाहता हूँ जैसा कि उन्होंने बतलाया कि सूचना एकत्रित की जा रही है तो क्या मंत्री महोदय इस प्रकार की सूचना एकत्रित करेंगे कि यह डाइरेक्ट रिक्रूटमेंट की टोटल स्ट्रेथ क्या है और उसमें शॉर्टलैज कास्ट्स का कितना कोटा पूरा हुआ है, कितना कोटा पूरा होने की सम्भावना है और कब तक वह पूरा हो जायगा ?

दिल्ली ऐडमिनिस्ट्रेशन में डाइरेक्टर आफ एजुकेशन के बारे में 1968 में मैंने एक प्रश्न पूछा था। उस प्रश्न का उत्तर देते हुए शिक्षा मंत्री जी ने यह बतलाया कि 3700 नौकरियों में केवल 60 शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स टीचर्स हैं। इस से यह मालूम होता है कि 4500 टीचरों में शैड्यूल्ड कास्ट्स टीचर्स 100 से ज्यादा नहीं होंगे तो क्या डाइरेक्टर आफ एजुकेशन को इस तरह का इन्स्ट्रक्शन देंगे कि डाइरेक्ट रिज्यूटमेंट में शैड्यूल्ड कास्ट्स का कोटा पूरा करने के लिए 50 परसेंट कम से कम उनका रिज्यूटमेंट किया जाय ?

श्री विद्या चरण शुक्ल : जहां तक पहले प्रश्न का सवाल है यदि माननीय सदस्य इस तरह के कोई प्रश्न का नोटिस देंगे जो मैं पूरी उसकी सूचना एकत्रित करके सदन के सामने रख दूंगा।

जहां तक दूसरे प्रश्न का सवाल है मैंने बतलाया है कि हमारी जो सूचनाएं हैं वह दिल्ली ऐडमिनिस्ट्रेशन पर लागू होती हैं और हमें आशा है कि दिल्ली ऐडमिनिस्ट्रेशन ने उन सबको लागू किया है। बाकी शिक्षा विभाग में किस ढंग से और किस हद तक यह लागू की गई है इसकी सूचना मेरे पास अभी नहीं है। जैसा आपने बतलाया है कि शिक्षा मंत्री ने एक उत्तर के दौरान यह बतलाया था कि 3700 नौकरियों में केवल 60 शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स के टीचर्स हैं और आपने चूँकि उस मामले को यहां पर उठाया है इसलिए मैं जरूर इसके बारे में जांच पड़ताल करूंगा।

Use of C. R. P. and B. S. F. for
suppression of Naxalites

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*1354. SHRI SURAJ BHAN :
SHRI KANWAR LAL GUPTA:
SHRI SHARDA NAND :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that the Central Government have directed the State Governments to make full use of the Arms Act and the Penal Code and the deploy-

ment of C. R. P. and the Border Security Force to suppress Naxalites and other violent activities in some States for political purposes;

(b) if so, the details thereof;

(c) the reaction of State Governments thereto; and

(d) the strength of C. R. P. and B. S. F. deployed in West Bengal, Nagaland, Manipur, Tripura, Assam, Kerala, Kashmir and Bihar?

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : (a) to (d). While the Central Government have not issued any directives to the States, they have made available units of the C. R. P. at the request of the State Government to assist in the maintenance of public order. Attention of the State Governments concerned has also been drawn to the existing legal provision under which the specific activities of the extremists can be dealt with. It will not be in public interest to disclose the details of deployment of such armed forces of the Union in the different States and territories.

श्री सुरज भान : अध्यक्ष महोदय, इस बात को ध्यान में रखते हुए कि हमारे जो मौजूदा नामर्ल कानून है वह नामर्ल सरकारमस्टान्सेज के लिए है लेकिन आज देश में नक्सलवादियों की राष्ट्रविरोधी हरकतों ने एबनोरमल हालात पैदा कर दिये हैं और आज इन नक्सलवादियों द्वारा देश के विभिन्न स्थानों में जो पोस्ट्स लगाये गये हैं और पेम्पफर्लैट्स शायी किये गये हैं जिनमें कि माओ की तस्वीरें छपी रहती हैं और हमारे देश के दुश्मन नम्बर 1 माओत्से तुंग की उनमें तारीफ भी की जाती है जो कि बहुत ही आपत्तिजनक और राष्ट्रविरोधी बात है तो क्या सरकार इसके लिये आवश्यक कानून बनायेगी ताकि इस तरह की गति-विधियां अराष्ट्रीय घोषित की जा सकें और ऐसे तत्वों को मजबूती और कामयाबी से कुचलने के लिए सजाये मौत देने का कानून बनायेगे ?

SHRI Y. B. CHAVAN : This is a general question which is under examination.

श्री सूरज भान : क्या यह फेक्ट है कि बंगाल गवर्नमेंट ने आपके पास एक तजवीज भेजी है कि प्रिवेंटिव डिटेन्शन एक्ट वहां पर लागू कर दिया जाये ? इस सिलसिले में आप कब तक पूरी तरह फैसला करने जा रहे हैं और उन तमाम स्टेट्स के बारे में जिनका जिम्मे मैन अपने सवाल में किया है नक्सलाइट ऐक्टिविटीज को रोकने के लिये आप क्या कदम उठाने जा रहे हैं ?

SHRI Y. B. CHAVAN : A suggestion has come from West Bengal administration. Naturally, before undertaking any such Act, we will have to consult the Consultative Committee which is to be constituted in the near future.

SHRI RANGA : Are you going to wait till then ?

SHRI Y. B. CHAVAN : These are my limited powers subject to your approval.

श्री कंवर लाल गुप्त : नक्सलाइट ऐक्टिविटीज केवल बंगाल में ही नहीं है, हिन्दुस्तान के दूसरे भागों में भी हैं जहां पर गुरिला ट्रेनिंग दी जा रही है और बम वगैरह बनाने की फैक्ट्रियों में काम सिखाया जा रहा है, यहां तक कि हिन्दुस्तान के बाहर भी यह काम चल रहा है। मैं अभी नेपाल गया था। नेपाल में जो चाइना के भ्रम्बेसेडर हैं उनसे नक्सलाइट ऐक्टिविटीज वाले जा कर पैसे की और ब्राम्स आदि की मदद लेते हैं। यह केवल स्टेट गवर्नमेंट के ला एंड आर्डर का सवाल नहीं है। इसमें केन्द्रीय सरकार की भी जिम्मेदारी आ जाती है। जब तक केन्द्रीय सरकार स्टेट गवर्नमेंट के कोऑपरेशन से कोई इंटेग्रेटेड योजना नहीं बनायेगी और उसमें बार्डर सिक्शोरिटी फोर्स और सेन्ट्रल रिजर्व पुलिस की मदद नहीं लेगी, तब तक उनकी ऐक्टिविटीज पर कंट्रोल नहीं हो सकता है। मैं पूछना चाहता हूं कि क्या केन्द्रीय सरकार ने अपनी तरफ से कोई इस तरह की योजना बनाई है ? क्योंकि मान लीजिये कि पुलिस को बंगाल में उनका पता

लगता है तो वह असम भाग जाते हैं, दूसरी जगह निकल जाते हैं। आखिर किस तरह से बी० एस० एफ० वगैरह की मदद से उनकी ऐक्टिविटीज पर अच्छी तरह से कंट्रोल हो, इसके लिये मंत्री महोदय की क्या योजना है ?

दूसरी चीज मंत्री महोदय ने कहा कि अकेले ला एंड आर्डर की बात यह नहीं है। मैं जानना चाहता हूं कि पब्लिक ओपीनियन को मोबिलाइज करने के लिये, विशेषकर यूनिवर्सिटीज में रेजिस्टेंस मूवमेंट बने जहां पर उनकी जड़ है, इसके लिये मंत्री महोदय ने क्या कदम उठाये हैं ?

SHRI Y. B. CHAVAN : I think, there are three or four ways of dealing with this problem. One is giving the assistance of the Central Forces. I have mentioned that as far as the C. R. P. and other Armed Forces are concerned, they are offered to the State Governments whenever they want to make use of them.

Second is, where some of these underground people try to cross the borders of our country, certain precautions can be taken which are being taken not only now but from the very first moment when the Naxalite element started asserting itself in north Bengal.

Third is about having coordination between different States concerned, as it is between Bengal and Assam....

SHRI RANGA : Orissa and Andhra also.

SHRI Y. B. CHAVAN : Yes; only by way of an illustration I was mentioning Bengal and Assam. There also, we are giving them necessary cooperation for coordination....

SHRI KANWAR LAL GUPTA : What coordination ?

SHRI J. B. KRIPALANI : How are you educating the people ?

SHRI Y. B. CHAVAN : About educating the people, I would require the coopera-

tion of the hon. Members also. I cannot alone educate the people.

In this matter, we are in communication with different State Governments from the latter part of 1968. The Home Ministry have written official letters and I have also written to the Chief Ministers concerned from time to time. We have communicated to them what steps can be taken under the present Acts also. There are a number of Acts which, certainly, can be made use of. For example, about these posters of Mao, etc., under the present laws also, if it is likely to create some sort of a public disorder, the police can prosecute them. It is not that they cannot take any action against it. What is necessary is vigilant administration in the matter and to act promptly and effectively.

The fourth point is whether it is necessary to have other legislative or legal powers. As I mentioned, some of the suggestions are under examination. Fifth is certain socio-economic steps which also include the education of the public mind. Education of the public cannot be done by the Government alone. For that matter help and co-operation of political Parties and non-political Parties, University forums, etc. is needed. It is a question of educating them not only of the bad effect but they will have to be told about the futility of the policies and the ideologies that are being preached.

SHRI J. B. KRIPLANI : You only want our co-operation in difficult situations.

श्री शारदा नन्बः मैं मंत्री महोदय से जानना चाहता हूँ कि क्या उन्होंने इन कथित नक्सलियों के बारे में पता लगा लिया है कि किन किन स्थानों पर प्रशिक्षण दिया जा रहा है, उन को पैसा कहाँ से प्राप्त हो रहा है और शस्त्र-कहाँ से मुहैया हो रहे हैं ? अगर इन तीनों बातों का पता नहीं लगाया है तो क्यों ? दूसरी बात मैं यह जानना चाहता हूँ कि क्या इन नक्सलियों को हिन्दुस्तान कि कम्यूनिस्ट पार्टियाँ, मुसलिम लीग और साथ ही साथ कुछ अधिकारी प्रोत्साहन दे रहे हैं ? क्या

इस के बारे में मंत्री महोदय पता लगाने की कृपा करेंगे ?

श्री स० मो० बनर्जी: कम्यूनिस्ट उन्हें बुद्धि दे रहे हैं और आर० एस० एस० उन्हें लाठियाँ दे रहे हैं ।

SHRI Y. B. CHAVAN : The hon. Member asked me two questions if I have understood him correctly. We are trying to get information about sources of financial assistance. We are also trying to get information about training centres and arms supply. This is a continuous process. I do not say that I have all the information. I cannot also say that we have no information. Even if I have information, I cannot disclose it here. But I would like to assure the House that every effort is being made.

Secondly, about the co-operation of other political parties, I cannot say without any evidence that any particular political Party is helping the Naxalites as such.

SHRIMATI SUSHILA ROHATGI : The Minister in his reply has said that enforcement of these measures may lead to public disorder. I would like to know what greater public disorder can exist in West Bengal where one after another all the Universities are being closed under pressure, and knowing full well that Naxalities are anti-national elements and are working to subvert the democracy, may I know what prevents the Government from arresting men like Kanu Sanyal who is the father of the Naxalite movement and is organizing people's army on guerilla footing, and preventing the provocative speeches being made by Mr. Jyoti Basu who is preaching bloodbath in West Bengal ?

SHRI Y. B. CHAVAN : As far as arresting persons who are wanted under the law is concerned there is no question of any difference of opinion. As a matter of fact, some of the facts on whose names the non. Member mentioned were arrested and convicted by the courts. But, unfortunately, the then Government released

them. Naturally, I learn, they have gone underground. Even now there are certainly some legal cases pending against them. Government is making every effort to arrest them.

SHRI P. GOPALAN : It is really strange that this Government which pretends to be very much concerned about the Naxalite activities are on the other hand boosting them & supporting their activities for political purposes. I can understand the law of the land taking its own course in dealing with Naxalites. I would like to know from the hon. Minister whether numerous instances have been brought to the notice of the Prime Minister and the Home Minister of innocent people and people belonging to other political parties like my Party and the Right Communist Party being harassed and tortured and shot dead in different parts of the country and also even Naxalite elements being tortured and shot dead in cold blood after being tortured. Were these instances brought to the notice of the hon. Home Minister? What steps are being taken by the Government to see that the general rule of law prevails in the country? I would like to know from the Home Minister as to what steps the Government proposes to take to see that even the Naxalites are given fair and free trial as was given to Godse, the assassin of Mahatma Gandhi?

SHRI Y. B. CHAVAN : The Government always stand for the rule of law and all the processes under the law will be observed. Certain complaints were brought to me notice by the General Secretary of the CPI. He saw me and gave me some Memorandum. Also Shri Sundarayya, your party Secretary has mentioned this matter. I am taking up this matter.

DR. RAM SUBHAG SINGH : Four unexpected events have occurred in Bihar recently. The first is the event at Chaibasa. The second is the attack on Mr. Jyoti Basu. The third is the attack in a meeting of Prof. Ranga and the fourth is the attack on Mahatma Gandhi exhibition train at Patna; and the Government of Bihar has sought the assistance of the CRP and other forces. May I know whether the Government of India has been informed by the Government of Bihar about the causes leading to these happenings in Bihar in recent weeks?

SHRI Y. B. CHAVAN : They are informing us as to what is happening. In the case of the attempt on the life of Mr Jyoti Basu, the investigations are going on. They wanted cooperation from us and we have offered such cooperation. About the other point, Professor Ranga's addressing a meeting and the incident, the State Government are investigating the matter. After I get a little more information, if the hon. Member asks for it, I will give it.

SHRI BEDABRATA BARUA : Sir, may I know if the Government of India have any information about the whereabouts of Kanu Sanyal? The rumour goes that he is in Assam. It is also stated that he is in Nepal, but such a rumour has been started by the Naxalites themselves. I would like to know if the Assam Government has made a request for more forces to deal with the recent events of accelerated movement of the Naxalites. I would also like to know whether in regard to that request nothing substantial has been done and the Assam Government has not really received the assistance that is necessary.

SHRI Y. B. CHAVAN : The first part of the question is about Kanu Sanyal. If the Hon. Member has got any specific information he can pass it on to me. If I have any, I won't give it to him. About the other part as to whether the Chief Minister Mr. Chaliha had asked for certain aid etc., I can tell the Hon. Member that we are always giving the CRP or police aid to Assam Government and even at the present moment we are trying to do what we can.

SHRI A. SREEDHARAN : Till today I was under the impression that the Naxalites and the Marxist Communist Party are two different parties. But, from the question put by my hon. friend Shri P. Gopalan, I feel that the Naxalites are the underground wing of the Marxist Communist Party of India.

SHRI P. GOPALAN : Sir, I rise on a point of order.

MR. SPEAKER : No point of order during Question Hour.

SHRI P. GOPALAN : Sir, I have put a definite question and the hon. Minister has

replied to that. But he is attributing bad motives to my question.

SHRI A. SREEDHARAN: I have stated only cold, naked facts. It has been corroborated by my colleague. Sir, the Home Minister stated that he has received certain complaints, regarding the functioning of the services from the Secretaries of the Communist Party. While going into all these complaints, will the Home Minister keep in mind the consistent and persistent campaign that is being conducted by certain political parties including the Marxist Communist party of India to disrupt the services, having regard to the integrity and solidarity of the country, and see that guilty persons are punished? Otherwise such enquiry will not lead to any desired results (*Interruptions*)

MR. SPEAKER: Order, order, Don't behave like that. Be clam.

SHRI Y. B. CHAVAN: The hon. Member has also made another point. I can only tell him that while we shall examine the memorandum given by the Communist Party of India, I shall take note of what the hon. Member has said just now.

SHRI N. K. SOMANI: The extent and scope of Naxalite activities would persuade any Government to provide help. This is a little beyond law and order. And so I would like to know specifically, since this is a problem among the students, whether the Home Minister has taken the advice of the Education Ministry also in this regard and has also thought of providing economic assistance of special and massive nature to the West Bengal Government? Apart from law and order problem, the students are misled and they are becoming cynical and are being advised to damage the portraits of Mahatma Gandhi, Rabindranath Tagore and so on.

As far as law and order situation is concerned, the Government of West Bengal has demanded more police, stating that their police personnel was quite inadequate for meeting the situation.

SHRI Y. B. CHAVAN: As far as the latter part of the question is concerned, I did mention that the State Government have asked for help, including police help, and we have given it.

SHRI KANWAR LAL GUPTA: You have not given.

SHRI Y. B. CHAVAN: They have asked for it and we are giving it from time to time. As far as University matters and the violence in campus is concerned, we are taking up this matter with the Education Ministry.

SHRI S. M. BANERJEE: Even after 22 years of freedom, I see that the line between hunger and anger becomes thinner. Young students who have no job after getting their diplomas are tearing up their diplomas and they are frustrated. Their frustration is being changed to anger. And this is in fact the real cause. While I do not support the movement of the Naxalites, I would like to know from the Hon. Minister whether he sincerely believes that the bullets can possibly suppress the ideology; if not, what further steps are being taken to fight out the Naxalites with a better ideology and not by killing them. After seeing the failure of the Parliamentary Democracy for 22 years or so, they have started feeling that there should be a revolution and the Naxalites are leading it. There is a feeling among the young men and so I want to know what concrete steps are being taken by Government to create public opinion against this and to give an impression that this sort of terrorism cannot change the system. I want to know what concrete steps are being taken by Government apart from sending C. R. P. etc.?

SHRI Y. B. CHAVAN: We have not taken any position that only the bullets will stop this. This is not our approach to this problem. We have constantly emphasised that this will not solve the problem. The hon. Member said that there is a failure of our Parliamentary democracy. I do not think that he claims that Parliamentary democracy has failed in this country. (*Interruption*).

I think it is our faith; I do feel that we, who are sitting in this Parliament, at least feel that this Parliamentary Democracy is effective.

SHRI S. M. BANERJEE : We have increased our salary and not the salary of the ordinary people.

SHRI MANUBHAI PATEL : Then why did you accept it.

SHRI Y. B. CHAVAN : So far as the other aspects, particularly the problem of economic development, in the State are concerned, they are much more important and we are giving priority to them.

SHRIMATI ILA PALCHOUDHURI : Two hundred targets have been sorted out by the Naxalites. Information of this is available with Government. What are Government doing to protect these 200 targets?

Secondly, when Gandhiji's portraits have been brought down, tarred, desecrated and burnt and where people seek to restore them, will Government give police protection for the purpose? As has been reported in the Press, Gandhi literature is now stopped from being distributed in the whole of West Bengal. What steps will be taken to restore the circulation?

SHRI Y. B. CHAVAN : So far as Gandhian literature and the restoration of portraits are concerned, if anybody wants protection in this particular matter, he will be provided protection.

SHRIMATI ILA PALCHOUDHURI : What about desecration of national flags?

श्री राम सेवक यादव : अभी मंत्री महोदय ने एक पूरक प्रश्न के उत्तर में कहा है कि जहाँ सरकार नक्सलवाड़ियों को रोकने के लिए और आतंक को समाप्त करने के लिए कुछ प्रशासनिक कदम उठाने जा रही है, वहाँ इसके पीछे कुछ सामाजिक और आर्थिक कारण भी हैं। उन्होंने भूमि की समस्या का भी जिक्र किया है। मैं यह जानना चाहता हूँ कि जब बंगाल में केन्द्रीय शासन है, तो फिर केन्द्रीय सरकार उन

सामाजिक और आर्थिक—सोशो-इकानोमिक—कारणों को दूर करने और भूमि समस्या को हल करने के लिए तत्काल कौन से खास कदम उठाने जा रही है।

SHRI Y. B. CHAVAN : As far as the land problem in West Bengal is concerned, it has become a little more complicated because of certain steps which have already been taken, particularly the taking of unauthorised possession of land and other things. That matter is being looked into. I think whatever be the reforms no doubt they will have to be made expeditiously but at the same time they will have to be through legal processes.

MR. SPEAKER : Calling Attention. Shri Hem Raj.

SHRI HEM BARUA : I have been standing up so many times. But you did not call me. I do not know why you let down members from Assam like this.

MR. SPEAKER : I have called members from Assam.

It is not only one member standing but sometimes 15 and 20. I have to move from side to side. I wanted that the question hour could be extended so that he could also be accommodated. But I am helpless in the matter.

SHRI HEM BARUA : Unfortunately you did not allow me to put a single question even though you have allowed more than one question to some members.

MR. SPEAKER : Let him look to the difficulties of the present, not of the past. I am sorry he could not be called.

श्री रामावतार शास्त्री : अध्यक्ष महोदय, मैं तो प्रश्न के प्रारम्भ से ही खड़ा हो रहा हूँ। आप मुझे देख भी रहे थे, लेकिन फिर भी आपने मुझे नहीं बुलाया।

WRITTEN ANSWERS TO QUESTION

Shifting of Para-Psychology Institute from Ganganagar

*1355. SHRI SAMAR GUHA ;
SHRI ONKAR LAL BERWA :

Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether late Dr. Sampurnananda, the former Governor and Chancellor of the Rajasthan University invited Professor H. N. Banerjee to shift his Para-Psychology Institute from Ganganagar and re-organise it as a Department of the University at Jaipur ;

(b) whether at the time of setting up of this Department, its Director, Prof. H. N. Banerjee, was assumed full scope for the research work on Para-Psychology based on his earlier works covering a period of 17 years ;

(c) whether the University undertook the responsibility of publication of the quarterly journal, "The Indian Journal of Para-Psychology" to cover research works of the Department ;

(d) whether a number of foreign countries appreciated the new type of works on Para-Psychology and its Director was invited by different universities and institutes outside India to explain the merit of his works; and

(e) if so, the main features of the work of the Department and the appreciation of, and comments on, the research works done by it ?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO): (a) and (b). The University of Rajasthan has informed that it is not aware of any such invitation; nor did it give assurance of any kind to Shri H. N. Banerjee when he was appointed Director of the Research Unit of Para-psychology in the Department of Philosophy.

(c) Permission to publish the Indian Journal of Para-psychology was given to the

Research Unit in Parapsychology in November, 1963 on a proposal made by Shri Banerjee, which stated among other things that the patrons of the Institute of Parapsychology, Ganganagar were not interested in the continuation of the Journal and that its publication would not mean any financial liability to the University.

(d) A few communications were received by the University both for and against the work done in this Unit. The University however, did not receive any request from any foreign University or institution for the visit of Shri Banerjee.

(e) The Unit conducted some studies in different areas of Para-psychology. An expert Committee of the University Grants Commission made the following observations on the work done by Unit :-

1. The choice of topics selected for study is so wide, diverse and undelimited that it is not possible for one person to cope with this work with the help of just on research assistant. Even if expert assistants were available, we doubt whether the topics selected for study and the methods used would result in advancement of knowledge or development of new techniques in parapsychology.
2. Studies made by the Unit lack scientific control necessary for successful application of the scientific method. None of the studies conducted so far would be acceptable as academic or scholarly work of a high standard.
3. The studies conducted on many areas of Parapsychology, e. g., ESP, mediumship, collection of Psychic experiment, effects of drugs on ESP effect of yogic traing on ESP., Apport phenomenon i.e. materialisation by yogic power, Extra Cerebral Memory (re-incarnation) and snake cure phenomenon are all on a superficial and popular level. This could not be otherwise considering the resources of the research unit and the diversity and complicated nature of the topics chosen for study.

4. The present emphasis of the Unit is on the collection of case studies based on hearsay and paper reports. The three cases claimed to be studied in depth and detail will not stand the test of the scientific method.

Deteriorating Standard of Education in Post Graduate Classes

*1356. **SHRIS. KUNDU** : Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether Government are aware that there has been deterioration in the standard of education provided in some post-graduate classes of most of our Universities and consequent loss of quality;

(b) whether it is a fact that some of the foreign Universities particularly some of the Universities of the U.S.A. are not recognising M.A. Degree of certain Universities of India which they used to recognise earlier;

(c) whether the Agra University has produced maximum number of Doctorate in Philosophy (ph. D.) during the last three years, and if so, the number thereof; and

(d) the steps Government are taking to improve the standard, quality and content of education in the Universities ?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO) : (a) There is inherent difficulty in the objective measurement of standards over a given period, and to say definitely to what extent and in what respects they have been falling or rising. However, as observed by the Education Commission (1964-66), over a large area of education, the content and quality are inadequate for our present needs and future requirements and compare unfavourably with the average standards in other educationally advanced countries, similar concern has been expressed by the U. G.C. also.

(b) Inquiries are being made about this matter and the information will be placed

on the Table of the Sabha as soon as it is received.

(c) Yes, Sir. According to the available information, the total number of Ph. D. degrees awarded by Agra University during 1966-67, 1967-68 and 1968-69 was 488.

(d) The University Grants Commission, within the limited resources available with it, is making earnest efforts to improve the quality and content of higher education in accordance with its statutory responsibility. Some of the important programmes undertaken by the Commission in this regard are given below :—

- (a) Development of libraries, laboratories teaching and research facilities in universities ;
- (b) Centres of Advanced Study ;
- (c) Summer institutes, seminars, etc ;
- (d) Modernisation of Syllabi ;
- (e) Examination reform ;
- (f) Scholarships and fellowships ;
- (g) Travel grants to teachers and scholars ;
- (h) Utilisation of services of retired teachers ;
- (i) Construction of hostels and staff quarters ; and
- (j) Student welfare programmes like student homes, students aid fund and text-book libraries, provision of physical amenities, health centres etc.

Pakistan boats operating in Sunderban Region of West Bengal

*1357. **SHRI N.K. SOMANI** :
SHRI S. K. TAPURIAH :
SHRI D. N. PATODIA :
SHRI RAGHUVIR SINGH SHASTRI :
SHRI YASHWANT SINGH KUSHWAH :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether the attention of Government has been drawn by the local authorities to the fact that motorised and gun-mounted Pakistani boats are operating in the Sunderban region of West Bengal keeping up a constant surveillance on the Indian borders ;

(b) whether it is also a fact that in the event of conflict any effective resistance from the Indian side would be difficult as no Rail or road connections exist from Calcutta to these outlying regions; and

(c) if so, the reaction of Government in this regard ?

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : (a) Pakistani patrol boats carrying armed men have been noticed patrolling in the border areas in Sunderbans.

(b) and (c) . The BSF have the necessary number of river crafts for effectively patrolling the border areas in Sunderbans; they have also the requisite strength and equipment for effectively discharging the responsibility of securing the border and maintaining constant vigil in this region.

Steps to prevent Hijacking of I.A. C. and Air India Planes

*1358 **SHRI A. SREEDHARAN :** Will the Minister of TOURISM AND AVIATION be pleased to state :

(a) whether it is a fact that there has been widespread hijacking of planes; and

(b) if so, what steps Government have taken to prevent hijacking of planes of the I. A. C. and Air India ?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) and (b). There has been a steady increase in the incidence of hijacking, though, fortunately, there has been no such incident involving any of our aircraft.

The Government of India has participated in international efforts towards evolving a suitable solution to this serious problem and will continue to do so.

Taking over of Deshbandhu College, Kalkaji, New Delhi by Delhi Administration

*1359. **SHRI BAL RAJ MADHOK :** Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether it is a fact that the Deshbandhu College, Kalkaji, New Delhi is the only College in Delhi directly under the union Ministry of Education ;

(b) whether it is also a fact that the Delhi administration, which is running dozens of colleges in Delhi, is prepared to take over this College; and

(c) if so, the reason why this College has not been handed over to the Delhi Administration ?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO) : (a). The Deshbandhu College is managed by a board of Administration constituted in accordance with the provisions of the scheme of Administration of the College framed by the Central Government under the Charitable Endowments Act, 1890.

(b) The Delhi Administration has sponsored the setting up of 11 colleges which are registered under the Societies Registration Act. The Administration is prepared to take over the Deshbandhu College also.

(c) Before any steps could be taken in this behalf a representation was received against the proposed transfer from the " Staff Association " of the College. After taking various factors into consideration the proposal to make the transfer dropped but the scheme of Administration was amended to provide for an elected Chairman in place of Education Secretary as the Ex-Official Chairman.

Pilot scheme for Reorganisation of Administrative set-up of Government Offices

*1360. **SHRI D. AMAT :** Will the Mini-

ster, of HOME AFFAIRS be pleased to state:

(a) whether a pilot scheme for reorganising the administrative set-up in Government offices and departments was put to experimentation in certain Ministries and Departments of Government around 1962-63, for the purpose of achieving economy, efficiency and above all the secrecy of classified documents and papers ;

(b) if so, whether the scheme was abandoned owing to non-availability of Section Officers of a suitable standard ;

(c) the steps taken and being taken to find suitable personnel to man such jobs; and ;

(d) if this scheme has been finally dropped, the reasons therefor and whether such a system is working in big private and public sector enterprises?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA). (a) A scheme popularly known as pilot section scheme was introduced in selected sections in practically all the ministries and departments of the Government of India in 1956 with the object of eliminating unnecessary and repetitive noting and speeding up disposal of work.

(b) The scheme was discontinued in all the ministries, on the basis of a review in 1962, except in the Ministry of Defence. Non-availability of Section Officers of suitable standard was not the reason for its discontinuance.

(c) Does not arise.

(d) There is no plan to reintroduce the pilot section scheme which was discontinued for the following important reasons :

- (i) Contribution made by the section officers was not beyond the capacity of an average assistant.
- (ii) Section Officers were not in a position to dispose of enough work finally.

However, a recommendation of the A.R. C. suggesting the introduction of a desk

officer system of working is under consideration.

No survey has been made of public sector enterprises with a view to ascertaining whether a scheme like the pilot section is working there.

Hotel accommodation in big four Cities

*1361 SHRI S. S. KOTHARI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether it is a fact that the existing hotel accommodation in the four leading cities of India is inadequate to accommodate the tourists ;

(b) if so, what is Government's schedule for establishing hotels in these four cities and also at other places ;

(c) what is Government's scheme for extending loan and other assistance to persons setting up such hotels ; and

(d) what are the categories (Star-wise) of hotels sought to be established in these places ?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH)

(a) Yes, Sir.

(b) The India Tourism Development Corporation Ltd., propose to construct a 100 room transit hotel at the Calcutta Airport and Air India is considering plans for the construction of two hotels in Bombay.

The India Tourism Development Corporation Ltd., also has plans for hotels at Srinagar, Jaipur, Kovalam and Gulmarg and for the expansion of the Laxmi Vilas Palace Hotel at Udaipur. It is also examining the question of taking over the Aurangabad Hotel from the Ministry of Railways. An ITDC hotel at Bangalore is under construction and is expected to be ready by the end of 1970.

(c) Several incentives are available to persons wishing to construct hotels. These

include substantial tax and fiscal reliefs, assistance under the hotel Development Loans Scheme and sale of Government owned land in the Delhi area on concessional terms.

(d) The public sector hotels are being planned for the 3 Star and above category. In the private sector loans under the Hotel Development Loans Scheme are now available for all categories of hotels.

Grant to Aided Colleges by U. G. C.

*1362. SHRIMATI SUDHA V. REDDY: Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether it is a fact that Government have taken a decision to the effect that the University Grants Commission will not give any grants to those aided Colleges which fail to follow the rule of providing admission to at least 1500 students yearly; and

(b) if so, the number of colleges in Mysore State likely to be affected by this decision ?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO) : (a) No, Sir,

(b) Does not arise.

Steamer service between Buxar and Farakka

*1363. DR. SUSHILA NAYAR :
SHRI YAMUNA PRASAD
MANDAL :

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

(a) whether there is any proposal under consideration of Government to start Steamer service between Buxar and Farakka ;

(b) whether it is also a fact that this proposal had been suggested by the Inland Water Transport Committee some time back to Government ; and

(c) if so, the reaction of Government thereto and when this scheme will be implemented ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH) : (a) to (c). The Indian Water Transport Committee has in its interim report submitted in December, 1969 recommended the running of river services on the Ganga between Buxar and Farakka.

The recommendation of the Committee is under examination in consultation with the State Government of Bihar. A decision will be taken after the examination has been completed.

केरल में हथियार तथा गोला बारूद बरामद होना

*1364 श्री ओम प्रकाश त्यागी: क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सच है कि केरल में गत दिसम्बर में कुछ मार्क्सवादी साम्यवादियों से बड़ी मात्रा में हथियार तथा गोलाबारूद बरामद हुआ था ;

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

(ग) उन में से कौन से हथियार तथा गोला-बारूद विदेशों में बने हुए थे ;

(घ) उन हथियारों तथा गोलाबारूद पर किन किन देशों के चिन्ह हैं ; और

(ङ) क्या सरकार ने इस बात का पता चलाने का प्रयास किया है कि उक्त हथियारों तथा गोला बारूद जमा करने के पीछे समुचे देश में कोई षडयंत्र तो नहीं रचा जा रहा है और यदि हाँ, तो उसके परिणाम क्या है ?

गृह-कार्य मंत्री (श्री यशवन्तराव चव्हाण) :

(क) से (घ). विशेषतः दिसम्बर, 1969 में बरामद की गई वस्तुओं के बारे में तथ्य मालूम किये जा रहे हैं। 1 नवम्बर, 1969 से 14-फरवरी, 1970 तक केरल में बरामद हथियार तथा गोला बारूद के बारे में 3 अप्रैल, 1970 को लोकसभा अतारंकित प्रश्न संख्या 5060 के उत्तर की ओर ध्यान आकर्षित किया जाता है।

(ड) सरकार के पास ऐसी कोई सूचना नहीं है।

Confederation of Central Government Officers

*1365. SHRI DEVINDER SINGH GARCH :
SHRI VALMIKI CHOUDHARY :
SHRI MANIBHAI J. PATEL :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware that a Confederation of the Central Government Officers has been formed recently;

(b) if so, its aim and objects and whether Government have given recognition to it;

(c) whether representatives of the Confederation had a meeting with the Prime Minister; and

(d) if so, the nature of talks held with her?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) and (b). Government have seen a press report about the formation of a Confederation of Central Government Officers, including Officers working in public undertakings. No specific official intimation has, however, been received by Government of the formation of the Confederation or of its aims and objects. Nor has any request for recognition of the confederation been received by Government.

(c) No, Sir.

(d) Does not arise.

Pay and Allowances of N.D.S. Instructors on Transfer to States

*1366. SHRI S. M. BANERJEE : Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether it is mandatory for the Finance Commission to continue the aid to the States committed by the Central Government towards the pay and allowances of National Discipline Scheme Instructors till their retirement, on transfer of their services to the States; and

(b) if so, in the event of transfer, whether the Government of India would incorporate this clause in the transfer order to be issued to the National Discipline Scheme Instructors by the Central Government?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (Dr. V. K. R. V. RAO): (a) No, Sir. The Finance Commission makes recommendations to the President under Art. 280 of the Constitution to :

(i) the distribution between the Union and the the States of net proceeds of certain taxes which are to be or may be divided between them and the allocation between the States and the respective shares of such proceeds.

(ii) The principles which should govern the grant-in-aid of the revenues of the States out of the consolidated Fund of India.

(b) Does not arise.

Abolition of Privy Purses

*1367. SHRI MUHAMMAD SHERIFF :
SHRI SITARAM KESRI :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Gackwad of Baroda submitted any memorandum on behalf of the former rulers to the President urging him to refer the question of abolition of privy purses and privileges to the Supreme Court for its opinion; and

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

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): (a) Yes, Sir.

(b) While Government consider that it is not necessary to seek the opinion of the Supreme Court, representation received in this regard is under examination.

Suggestion for Increase in Freight Rates on General Cargo by Indian Coastal Conference

*1368. SHRI HIMATSINGKA : Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the Indian Coastal Conference has requested Government to make the recent increase in freight rates of 20 per cent on general cargo applicable to the Coal Cargo also in view of the fact that the principal item of Coastal Shipping is coal and is its mainstay;

(b) if so, what other grounds have been put forth by that Conference in support of its demands; and

(c) Government's reaction thereto?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH) (a) Yes, Sir.

(b) The other points made by the Conference for increasing the freight rates on coal are that the coal subsidy paid by Government is not for the Shipping Companies but for the consumers receiving coal by the sea route and the Conference are not concerned with this. Further, the Conference's representation for freight increase was on the basis of the operating results for 1967-68 and since then expenses have increased on account of several factors such as increase in stevedoring cost, Dock labour Board levies, seamen's wages and other charges such as victualling and increase in oil prices.

(c) To the consumer receiving coal in the Southern and Western regions from the Bengal-Bihar coal fields the present cost of transport by the rail-cum-sea route is higher than the cost of transport by the all rail route. A subsidy is being paid to such consumers to meet the difference in the cost of transport. This subsidy is paid out of the proceeds of a cess levied on coal. An increase in sea freight rates on coal would necessitate a corresponding increase in the subsidy payable to the consumers which in turn would necessitate the levy of an additional cess on coal, but this would be undesirable as it would adversely affect all consumers of coal. If the increase in sea freight were to be allowed without an increase in the subsidy, the present coal traffic by sea would get diverted to the all-rail route and this would adversely affect the interests of the coastal shipping industry itself. For these reasons, it is not considered advisable to alter the decision already taken in the matter.

Uniform System of Electing Vice-Chancellors for Universities

*1369. SHRI S. A. AGADI : Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether it is a fact that still in a good number of Universities, Vice-Chancellors are nominated by the respective State Governments and/or the Central Government;

(b) if so, the names of the Universities where Vice-Chancellors are (i) nominated and (ii) elected;

(c) whether there is any proposal with the Union Government to introduce uniform system of electing the Vice-Chancellors on democratic principle to prevent entry of politics into educational field;

(d) if so, when it is likely to be implemented; and

(e) if not, the reasons therefor?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (Dr. V.K.R.V. RAO) : (a) and (b) . There is only one University namely Gujarat Ayurveda University where the Vice-Chancellor is appointed by the State Government. There is provision for election of Vice-Chancellor in four Universities namely Baroda, Karnatak, Poona and S.N.D.T. Women's University, Bombay.

(c) to (e) . No such proposal is under consideration of Government. The question of evolving a suitable procedure for the selection of a Vice-Chancellor has, however, been considered by the Committee on 'Model Act for Universities', as well as by the Education Commission, who have made certain recommendations in this behalf. These recommendations have been forwarded to the State Governments for consideration and implementation.

Tamil Nadu Chief Minister's Statement for Securing State Autonomy

*1370. SHRI BABURAO PATEL : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether Government's attention has been drawn to a statement of March 8, 1970 in Madras, by the Tamil Nadu's Chief Minister, that D. M. K. would not hesitate to launch an agitation for securing State autonomy if the Constitutional means failed; and,

(b) whether this statement is another spelling of session of which D. M. K. had previously talked and, if so, Government's reaction to the statement ?

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : (a) Government have seen press reports of the statement of the Chief Minister of Tamil Nadu.

(b) The Chief minister is also reported to have said that the demand of the D. M. K. for more powers to the States should not be misconstrued as an attempt to weaken the Centre.

Chhoti Sadri Gold Case

*1371. SHRI RABI RAY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the progress of investigation made by the Central Bureau of Investigation in regard to the Chhoti Sadri Gold case;

(b) the reasons for the delay in the said investigation and in the submission of the final report;

(c) the specific points in respect of which the enquiry is being made and whether the Bureau has submitted any interim report and, if not, when the said report is likely to be submitted;

(d) Whether Government propose to conduct a judicial enquiry in this respect keeping in view the wide-spread discontent among the public; and

(e) Whether it is a fact that obstacles are cropping up in the way of impartial and proper investigation as the administration is in the hands of those persons against whom allegations have been levelled in this case ?

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): (a) to (e). A case relating to alleged misappropriation of gold by Shri Ganpatlal and others under Sections 406, 414 and 411 I.P.C. is pending in Court. The facts in the criminal case have a direct bearing on the subject matter of the C. B. I. inquiry. Certain precautions have to be taken by the C. B. I. while recording statements of witnesses who figure as witnesses in the criminal case, to avoid legal complications. So far, C. B. I. have recorded statements of 18 witnesses and completed the scrutiny of records. Further progress of the inquiry would depend on the progress in the criminal case.

The main aspects of the case under inquiry are:—

(1) Whether on or about 16. 12. 1965, gold was recovered from Shri

Ganpat Lal in two separate lots, each weighing 56.863 Kgs?

- (2) Whether any quantity of the gold recovered from Shri Ganpat Lal has been misappropriated by anyone?

- (3) Whether any impropriety was involved in the acceptance of the offer of gold as donation to the National Defence Fund?

A progress report was received from the C. B. I. in the case.

The question of having a judicial inquiry into the matter can arise only if there is a *prima facie* case.

Summer Institutes

*1372. SHRI N. R. DEOGHARE: Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state:

(a) Whether it is a fact that Summer Institutes are being held by various Universities and Colleges in the country;

(b) if so, what are the objects achieved by such Institutes;

(c) the type of persons who participate in these Institutes; and

(d) the expenditure incurred on such Institutes during the last three years, year-wise?

THE MINISTER OF EDUCATION & YOUTH SERVICES (DR. V. K. R. V. RAO): (a) to (c) Summer Institutes for college and School teachers and talented science Students of college/universities are being organised by the University Grants Commissions at various universities/college and institutions in the country. The Institutes have trained teachers and have provided opportunities to the participants to acquaint themselves with new developments in their subjects. The teachers also gain a better understanding of the basic and modern concepts of the disciplines concerned. The Institutes for talented science students have provided instruction

in science content and method at a level higher than what is normally available to them in their institutions.

(d) The relevant information is as under:—

Rs.	
1967-68	71.94 lakhs
1968-69	47.68 lakhs
1969-70	61.97 lakhs

Financial Assistance for Mormugao Port

*1373. SHRI R. BARUA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the World Bank teams visited Mormugao Port and gave indication for granting Rs. 27.28 crores as aid for the Port Project;

(b) if so, whether the final grant of the assistance from the World Bank has since been received;

(c) whether in the absence of the said assistance the Project will be executed; and

(d) whether difficulties faced, both financial or otherwise, have been sorted out?

THE MINISTER OF PARLIAMENTARY AFFAIRS; AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH): (a) A World Bank Mission came to India in September-October, 1969 for an appraisal of the Mormugao Port Development Project. The Mission was to submit its Report to the President of the World Bank.

(b) No, Sir

(c) and (d). Action has already been initiated on the Project without waiting for World Bank assistance. Consulting Engineers for the Project have been appointed and contract for dredging and reclamation has also been awarded. Dredging work is proceeding.

Declaration of 1st May as Public Holiday

*1374. SHRI SHIVA CHANDRA JHA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that Government have received representations from various organisations in the country to declare 1st May as a public Holiday throughout the country;

(b) if so, from which organisations; and

(c) the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY) : (a) and (b). In 1968, representations were received from the General Secretary All India Railwaymen's Federation and the National Federation of P & T employees for declaration of May Day as a public holiday.

(c) The matter was examined in detail and the conclusion reached was that the total number of 16 holidays given each year could not be exceeded and if May Day were to be a holiday it should be *de in lieu* of one of the existing festival holidays. Last year, this matter was placed before the National Council set up under the Scheme for Joint Consultative Machinery and compulsory Arbitration for Central Government employees who felt the matter need not be pursued. It has therefore, been decided to maintain the *status quo*.

Principles accepted for Settlement of Inter-State Border Disputes.

*1375. SHRI S. M. KRISHNA: Will the Minister of HOME AFFAIRS be pleased to states:

(a) whether Government have finally accepted the principles of village as a unit and language of the village for the purposes of deciding inter-state border disputes;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) It has not been possible to adopt these or any other general principles for resolving such disputes.

(b) Does not arise.

(c) Government are of the view that adoption of principles could be helpful if the principles could be first agreed upon by the parties concerned.

Two Scales of Remuneration for College Teachers

*1376. SHRI JYOTIRMOY BASU: Will the Minister of EDUCATION and YOUTH SERVICES be pleased to state:

(a) whether it is a fact that from the 1st April, 1966 two scales of remuneration have been adopted for College teachers on All-India basis ;

(b) whether it is also a fact that 80 per cent of the increased expenditure has been accepted by the Centre for payment and 20 per cent by the State Government;

(c) whether it is further a fact that posts created after the 1st April, 1966 have been debarred from such entitlement;

(d) whether the West Bengal Government have accepted the uniform pay scale with effect from the 1st April, 1969; and

(e) if so, whether the Central Government are considering to revise their scales and, if not, the reasons therefor ?

THE MINISTER OF EDUCATION & YOUTH SERVICES (Dr. V. K. R. V. RAO): (a) The following two scales have been recommended for college teachers:

Lecturer (Sr. scale) - Rs. 400-30-640-40-800.

Lecturer (Jr. scale) - Rs. 300-25-600.

In the Post-graduate colleges, there is also a provision for the scale of Rs. 700-40-1100 for Senior Lecturers/Readers.

(b) Yes, Sir.

(c) Yes, Sir.

(d) and (e). The Government of West Bengal has adopted an integrated scale of Rs. 300-800 for college teachers w. e. f. 1. 4. 1969. This scale has been introduced with the agreement of Government of India subject to the condition that Central assistance would be limited to the entitlement in terms of the approved scheme which provides for two scales of lecturers.

बिहार पर्यटक केन्द्रों के विकास के लिये केन्द्रीय अनुदान

* 1377. श्री क० मि० मधुकर : क्या पर्यटन तथा असेनिक उड्डयन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गत तीन पंचवर्षीय योजनाओं की अवधि में बिहार में पर्यटक केन्द्रों के विकास के लिए केन्द्रीय सरकार ने जो अनुदान दिया था वह इस प्रयोजन के लिए अन्य राज्यों को दिये अनुदान की तुलना में सब से कम था :

(ख) यदि हां, तो पिछली तीन पंचवर्षीय योजनाओं में पर्यटन के विकास के लिए बिहार तथा अन्य राज्य को दिये गये केन्द्रीय अनुदानों का तुलनात्मक ब्योरा क्या है ;

(ग) क्या चौथी पंचवर्षीय योजना में बिहार जैसे पिछड़े राज्य में पर्यटन का विकास करने के लिए सरकार ने किसी विशेष निधि की व्यवस्था की है और यदि हां, तो उसका ब्योरा क्या है ; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

पर्यटन तथा असेनिक उड्डयन मंत्री : (डा० कर्ण सिंह) : (क) और (ख). केन्द्रीय सरकार पर्यटन की योजनाएं पर्यटकों के लिए किसी स्थान के वास्त-

विक अथवा सम्भावित आकर्षण को दृष्टि में रख कर तैयार एवं क्रियान्वित करती है न कि राज्य-वार आधार पर । पहली पंचवर्षीय योजना में पर्यटन के लिए कोई धन नियत नहीं किया गया था । केन्द्रीय सरकार द्वारा दूसरी तथा तीसरी पंचवर्षीय योजनाओं में विभिन्न राज्यों में पर्यटन स्कीमों पर किये गये व्यय का एक विवरण सभा-पटल पर रखा है [ग्रन्थालय में रखा गया । देखिये संख्या LT-3372/70]

(ग) और (घ). बोध या, राजगीर तथा नालन्दा कॉम्प्लेक्स के समेकित विकास के लिए चौथी योजना में 20 लाख रुपये की व्यवस्था की गयी है । इसके अतिरिक्त, पटना में लगभग दस लाख रुपये की लागत से एक स्वागत केन्द्र के निर्माण का प्रस्ताव है ।

Rules of Procedure for Staff Councils in Various Ministries

*1378. SHRI RAM AVTAR SHARMA : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether Government have formulated any Rules of Procedure Conduct of Business for the Staff Councils of the various Departments and Ministries of the Government of India;

(b) whether Government are aware that notices of resolutions given by representatives of staff in these Councils, which are inconvenient to the Officers and which seek to expose some *mala fide*, are rejected by the Chairman of these Councils who are always high officials of the Departments/Ministries; and

(c) if so, the steps Government propose to take to frame Rules of Procedure to see that these Councils function effectively and no inconvenient resolutions are rejected by the Chairmen arbitrarily?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY) : (a) Yes, Sir.

(b) No such information has been received by the Home Ministry.

(c) Does not arise.

**Revocation of Licence of an Eating
House in Connaught Place,
New Delhi**

*1379. SHRI RAMAVATAR SHASTRI:
Will the Minister of HOME AFFAIRS be
pleased to state :

(a) whether the Police had recommended
to the Delhi Administration the revocation
of the licence of a Connaught Place eating
house on the ground that the floor show
arranged in the eating house around mid-
night was of an obscene nature; and

(b) if so, what action has been taken
by the Delhi Administration in this
respect?

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS (SHRI
VIDYA CHARAN SHUKLA): (a) : Yes,
Sir.

(b) New Delhi Municipal Committee,
who issued the licence to the eating house
under Prevention of the Food Adulteration
Act, were consulted by Delhi Administra-
tion. They have intimated that there are no
legal provisions empowering the Municipa-
lity to take action for revocation of
licence for obscene cabaret dances. The
proprietors of the eating house promoting
floor shows have been advised to keep in
view the legal provisions regarding dis-
plays of an obscene nature.

**Appointment of Director of Indian
Institute of Public Administration**

*1380. SHRI LOBO PRABHU : Will
the Minister of HOME AFFAIRS be ple-
ased to state :

(a) the circumstances under which one
of its own officers has been proposed for
Directorship of the Indian Institute of
Public Administration, which should be
an independent body to advise Govern-
ment;

(b) the number of Officers, still on their
respective cadres, who are working with
the Institute and their names;

(c) whether the administrative experience
is considered necessary for these appoint-
ments; and

(d) if so, the reasons for not appointing
the retired Officers to such posts?

THE MINISTER OF HOME AFFA-
IRS (SHRI Y. B. CHAVAN) : (a) The
Government did not propose any name for
the Directorship of the Indian Institute of
Public Administration. The selection has
been made by the Executive Council of the
Institute.

(b) There are at present 10 officers on
deputation with the Institute. Their names
are as follows :

- (1) Prof. H. K. Paranjape,
- (2) Shri S. S. Viswanathan,
- (3) Shri R. C. Goyal,
- (4) Shri P. N. Balu,
- (5) Shri K. B. Iyer,
- (6) Shri N. S. Bakshi,
- (7) Shri P. J. Varnekar,
- (8) Shri A. S. Nagar,
- (9) Shri Amar Nathani and
- (10) Shri D. R. Bhanot.

(c) and (d). It is for the Executive
Council of the Indian Institute of Public
Administration to decide the qualifications
or restrictions for appointments to various
posts at the IIPA.

**Recognition to Shiksha Shastri Degree
by Delhi Administration**

8162. SHRI P. L. BARUPAL : Will the
Minister of EDUCATION AND YOUTH
SERVICES be pleased to refer to the
reply given to Starred Question No- 448
on the 13th March, 1970 regarding reco-
gnition of the Shiksha Shastri Degree by
the Delhi Administration and state :

(a) whether the Ministry of Education
vide its letter No. F. 11. 1/66-SU dated the
1st January, 1968 to the Director of Educa-
tion, Delhi Administration accepted that
the Shiksha Shastri Degree awarded by
the Kameswar Singh Sanskrit Vishwa

Vidyalaya, Darbhanga. (Bihar) was equivalent to that of B. Ed. for all subject; and

(b) if so, what are the circumstances under which the decision of the Ministry is not being rigidly followed in the Directorate of Education, Delhi Administration?

THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRI BHAKT DARSHAN) : (a) and (b). The letter of the Union Ministry of Education and Youth Services, quoted in part (a) of the question, should be read with the then Education Minister's letter No- F. 11.1/66-SU, dated 13th December, 1968, addressed to the Lt. Governor, Delhi Administration, wherein it was made very clear to the Administration that the Shiksha Shastri Degree of the Kameshwar Singh Darbhanga Sanskrit University, Darbhanga, was recognised as equivalent to B. Ed. for the limited purpose of employment as Sanskrit teachers only. As far as we aware, the Delhi Administration has accepted this advice.

Action against Parties preaching Secession from India

8163. SHRI BABURAO PATEL : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that political parties like the Awami Action Committee, the Plebiscite Front, the Kashmir Political Conference of Jammu and Kashmir State, Mizo National Front, Naga National Council and Council of Naga People openly preach secession from India or seek self-determination;

(b) the names of four top leaders of each party;

(c) the reasons why no action has been taken against the leaders of these Parties under the provisions of the Unlawful Activities (Prevention) Act, 1967;

(d) whether it is also a fact that these Political parties have decided to participate

in the elections with a view to sabotage our democracy from within; and

(e) if so, the steps Government have taken to prevent these anti-Indian activities and, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) The parties or groups which preach secession or seek self-determination are the Awami Action Committee, the Plebiscite Front and the Kashmir political Conference of Jammu and Kashmir State and the Mizo National Front, the Naga National Council and the Council of Naga People.

(b) According to information available, the following are the office-bearers and prominent leaders:—

Awami Action Committee :

Mauvi Mohammed Farooq, President. Raja Ayub Khan, Secretary, Mohammed, Ismail Mujahid, Publicity Secretary. Mufti Bashir-ud-Din, Member, Working Committee.

Plebiscite Front :

Mirza Afzal Beg, President. Sofi Mohammed Akbar, Vice-President. G. M. Shah, General Secretary. Sadaruddin Mujahid, Secretary.

Kashmir Political Conference :

G. M. Karra, Founder-President. Sham-lal Yacha, Acting President. Ghulam Ahmed Mir, Acting Vice-President. Ghulam Ahmed Thokur, Acting General Secretary.

Mizo National Front :

Laldenga, S. Lianzuala, R. Zamawia, Lalnunmawia

Naga National Council :

A. Z. Phizo (now residing in the U. K.) Imkongmeren Ao, Issac Swu, Zashie Huire.

Council of Naga People

Kughato Sukhai, Zuheto, Scato Swu, Vikiho Sema.

(c) to (e). Of the parties and groups referred to in answer to part (a), only the Plebiscite Front has announced its intention to participate in elections as a party. Government will take appropriate action to defeat any activities aimed at undermining the integrity of India. Action was taken under the Unlawful Activities (Prevention) Act against the Mizo National Front.

Recommendations by the Indian Historical Records Commission

8164. SHRI BABURAO PATEL : Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) some of the important recommendations made by the Indian Historical Records Commission to Government after its 40th Annual Session held in Madras recently;

(b) whether it is a fact that a number of rare and ancient manuscripts and records have found their way to libraries abroad; and

(c) if so, the names of owners who sold their manuscripts, and the nature of manuscripts sold with their respective prices?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRIMATI JAHANARA JAIPAL SINGH) : (a) The Government has not yet received the recommendations made by the Indian Historical Records Commission at its 40th Session.

(b) The Central Government have no direct or definite information about it.

(c) Question does not arise.

Serving of Liquor in Ashoka Hotels Ltd., New Delhi on Dry Days

8165. SHRI ARJUN SINGH BHADO-

RIA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether it is a fact that liquor is served on dry days to the foreigners in the Ashoka Hotels Ltd., New Delhi;

(b) if so, whether this practice exists in any other hotel in India or in other countries; and

(c) if not, the reasons for adopting this practice only in this Hotel?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) Yes, Sir. Under the local Excise Regulations, hotels in Delhi are permitted to serve liquors on dry days to foreigners.

(b) and (c). The sale of liquor in hotels in India is governed by the local Excise laws as applicable in the various States and Union Territories. The Ashoka and all other hotels in Delhi are governed by the same laws.

Development of Iron Ore handling Plant at Visakhapatnam

8166. SHRI ARJUN SINGH BHADORIA :
SHRI JUGAL MONDAL :

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

(a) whether there is programme to develop the Iron Ore Handling Plant at Visakhapatnam during the Fourth Five Year Plan period; and

(b) if so, the details thereof?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI IQBAL SINGH) : (a) and (b). There is at present an iron ore handling plant at Visakhapatnam Port with an estimated annual capacity of 4.5 million tonnes per annum. Certain modification and improvements to the plant are being

carried out to increase its annual capacity to 6 million tonnes.

It has also been decided to construct, during the Fourth Five Year Plan period, an Outer Harbour at Visakhapatnam, capable of handling deep drafted ore carriers, with handling facilities to cater to an export of about 10 to 12 million tonnes per annum.

“सैमिनार” पत्रिका में राष्ट्रीय ग्रंथालय के बारे में ज्ञा समिति के प्रतिवेदन से अंशों का प्रकाशन

8167. श्री स० च० सामंत:
सरदार अमजद अली:

क्या शिक्षा तथा युवक सेवा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या नई दिल्ली की ‘सैमिनार’ नामक मासिक पत्रिका में राष्ट्रीय ग्रंथालय के बारे में ज्ञा समिति के प्रतिवेदन से अंशों का प्रकाशन किया गया है जबकि इस प्रतिवेदन तथा खोसला समिति के प्रतिवेदन को अभी तक समा-पटल पर नहीं रखा गया है;

(ख) क्या खोसला समिति के प्रतिवेदन में राष्ट्रीय ग्रंथालय की अध्यक्षता के लिये एक निर्देशक का पद बनाने के बारे में की गई ज्ञा समिति की सिफारिश का समर्थन किया गया है और

(ग) क्या खोसला प्रतिवेदन में भी श्री केसवन द्वारा ग्रंथालय के ऊर्चें अधिकारियों के पारस्परिक सम्बन्धों को बिगाड़ने से सम्बंधित अव्यवस्थित कार्य की अलोचना की गई है ?

शिक्षा तथा युवक सेवा मंत्रालय में उप मंत्री (श्रीमती जहानआरा जयपाल सिंह): (क) जी हां। नई दिल्ली की ‘सैमिनार’ मासिक पत्रिका ने हमारे पुस्तकालय नामक फरवरी, 1970 के अपने अंक में राष्ट्रीय पुस्तकालय के बारे में ज्ञा समिति की रिपोर्ट में से कुछ पंक्तियों को दोहराया है और ज्ञा समिति की कुछ सिफारिशों

का हवाला दिया है तथा उन पर विचार विनिमय किया है। ये सिफारिशें, लगभग उन सिफारिशों के सारांश में आ जाती हैं जो राज्य सभा में 26 नवम्बर, 1969 को दिये गये प्रश्न संख्या 217 के उत्तर और लोक सभा में 27 फरवरी, 1970 को दिये गये अतारंकित प्रश्न संख्या 905 के उत्तर में पेश कर दी गई हैं।

(ख) और (ग) : इस बारे में लोक सभा में 3 अप्रैल, 1970 को दिये गये अतारंकित प्रश्न संख्या 4997 के उत्तर की ओर ध्यान आकर्षित किया जाता है, जिसमें यह कहा गया था कि खोसला समिति ने अपनी रिपोर्ट पेश कर दी है, जो विचाराधीन है और इस स्तर पर उसके ब्योरे देना जन हित में न होगा।

गांधी दर्शन की शिक्षा देने के लिये सर्वोदय साहित्य

8168. श्री जगदेवर यादव : क्या शिक्षा तथा युवक सेवा मंत्री यह बताने की कृपा करेंगे :

(क) क्या सरकार ने सस्ते और अच्छे साहित्य के प्रचार और बिस्तार के लिये कोई विशिष्ट योजना बनाई है; और

(ख) यदि हां, तो सर्वोदय साहित्य की बिक्री के लिये, जिससे देश में गांधी दर्शन की शिक्षा दी जा सकेगी, सरकार क्या विशिष्ट सुविधाएं देगी ?

शिक्षा तथा युवक सेवा मंत्री (डा० बी० के० आर० बी० राय): (क) जी नहीं। फिर भी 1957 में राष्ट्रीय पुस्तक न्यात इस उद्देश्य को लेकर स्थापित किया गया था कि अच्छे साहित्य का उत्पादन हो और यह वाजिब मूल्यों पर उपलब्ध हो सके। यह न्यास सामान्य व्यापारी माध्यम के जरिए अपनी पुस्तकों के वितरण की व्यवस्था करता है।

(ख) प्रश्न नहीं उठता।

देश में राष्ट्रीय राजपथ

8169. श्री जगेश्वर यादव : क्या नौबहन तथा परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय देश में कुल कितने राष्ट्रीय राजपथ हैं और प्रत्येक राष्ट्रीय राजपथ किस स्थान से आरम्भ होता है और किस स्थान पर समाप्त होता है, और प्रत्येक राजपथ की लम्बाई कितनी किलोमीटर है;

(ख) निर्माणाधीन राष्ट्रीय राजपथों के नाम क्या हैं तथा उनके पूरा होने में कितना समय लगने की सम्भावना है; और

(ग) उन राष्ट्रीय राजपथों के नाम क्या हैं जिन पर निर्माण कार्य चौथी योजना अवधि में आरम्भ किया जायेगा ?

संसद् कार्य विभाग और नौबहन तथा परिवहन मंत्रालय में उप मंत्री (श्री इकबाल सिंह) (क) इस समय देश में 45 राष्ट्रीय राजमार्ग हैं। अपेक्षित सूचना देने वाला विवरण सभा पटल पर रखा जाता है। [प्रन्थालय में रख दिया। देखिये संख्या LT3373/70]

(ख) इस समय एक मात्र राष्ट्रीय राजमार्ग जो निर्माणाधीन है। राष्ट्रीय राजमार्ग 41 है जो कोलाघाट से आरम्भ होकर पश्चिमी बंगाल में हल्द्वीया पर समाप्त होता है और उसकी लम्बाई 52 किलोमीटर है परन्तु नौ और राष्ट्रीय राजमार्गों पर लुप्त कड़ियाँ हैं जिनके निर्माण कार्य के पर्याप्त धन उपलब्ध होने पर चौध पंच वर्षीय योजना के अन्त तक पूरे हो जाने की सम्भावना है। इन लुप्त कड़ियों की सूची संलग्न है।

(ग) संभवतः माननीय सदस्य चौथी योजना काल में राष्ट्रीय राजमार्ग पद्धति में शामिल किये जाने वाली सड़कों का उल्लेख कर रहे हैं। इस समय स्थिति बताना संभव नहीं है क्योंकि वर्तमान राष्ट्रीय राजमार्ग पद्धति के वि-

स्तार का प्रश्न साधनों की उपलब्धता और राष्ट्रीय राजमार्ग पद्धति में शामिल की जाने वाली सड़कों के चुनाव की कसौटी की दृष्टि से विचाराधीन है।

विल्ली प्रशासन के अधीन कार्य करने वाले पुस्तकाध्यक्ष के संबंध में कोठारी आयोग के प्रतिवेदन की सिफारिशों का कार्यान्वयन

8170. श्री जगेश्वर यादव : क्या शिक्षा तथा युवक सेवा मंत्री यह बताने की कृपा करेंगे कि कोठारी आयोग द्वारा की गई सुविधाओं की सिफारिश के दिल्ली प्रशासन के अधीन कार्य करने वाले पुस्तकाध्यक्षों के लिये भी कार्यान्वित किया जायेगा क्योंकि उक्त आयोग में पुस्तकाध्यक्षों के पदों को अध्यापकों के पदों के सामान माना है ?

शिक्षा तथा युवक सेवा मंत्रालय में राज्य मंत्री (श्री भक्त दर्शन) : पुस्तकाध्यक्षों के विषय में कोठारी आयोग की रिपोर्ट यह है कि पुस्तकाध्यक्षों के वेतनमानों को भी समुचित तौर पर अध्यापकों के समान रखा जाय !

आयोग की रिपोर्ट सभी राज्य सरकारों तथा संघ क्षेत्रों के प्रशासनों को भेज दी गई है। वर्तमान मामले में सिफारिशों को अमल में लाना दिल्ली प्रशासन का काम है।

Firing Upon Workers in Bokaro

8172. SHRI BHOGENDRA JHA : Will the Minister of HOME AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 2954 on the 5th December, 1969 regarding firing upon workers in Bokaro and state:

(a) whether the incident took place because while negotiations through informal discussions were being carried on by the Assistant Commissioner of Labour with representatives of the Bokaro Ispat Kamgar Union and Management, the Deputy Commissioner of Dhanbad called

him on the 28th October, 1969 and asked him not to continue his efforts and 'keep his hands off' and the next day repressive measures were taken; and

(b) if so, the action taken against the Deputy Commissioner, Dhanbad ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) and (b). According to information received from the Government of Bihar, it is a fact that the Assistant Labour Commissioner, Bokaro, wrote to the Labour Commissioner on October, 29, 1969 stating that the Deputy Commissioner Dhanbad, had advised him to discontinue his efforts to bring about settlement between the management and the workers. The then Deputy Commissioner, however, denied that he had given any such advice. Inquiries made by the state government indicate that the Assistant Labour commissioner had some talk with the Deputy Commissioner on the labour situation, in the course of which, due to misunderstanding, he drew the inference that he had been advised to stop his efforts for conciliation.

School of Buddhist Philosophy at Leh

8173. SHRI SHRI CHAND GOYAL:
SHRI HUKAM CHAND
KACHWAI:

Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state:

(a) the reasons for non-confirmation and withholding of increments of teachers of the school of Buddhist Philosophy, Leh;

(b) the grounds of removal of teachers in December against the principal's desire and reasons for not following the prescribed procedure;

(c) whether protests were made by Lamas, students and parents, resulting in reinstatement of one teacher;

(d) the obstacles in the reinstatement of other teachers and the action taken on their representations;

(e) whether an officer junior to the appointing authority, advised by the Administrative Officer, ordered removal of teachers without show-cause notice and opportunity of representation there by violating Article 311 and, if so, the action proposed to be taken to punish the guilty and for reinstating the teachers; and

(f) the reason why no action was taken on the principal's report against the Vice-principal's continuous long absence from school and the justification for his promotion as Administrative Officer for such a small school?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SMT. JAHANARA JAIPAL SINGH): (a) There are three posts of teachers at the Institute. All these posts are temporary and therefore the question of confirmation of any teacher against these posts does not arise. Out of the three teachers, the Tibetan language teacher is getting his increment regularly. The other two teachers viz philosophy, and Hindi-Sanskrit teachers have not been allowed increments as their work and conduct have not been found satisfactory.

(b) The Board of Management of the school at its meeting held on 7.11.69 did not consider the Philosophy and Hindi-Sanskrit teachers to be fit to continue in this School and directed that they may be discharged after giving them notice in accordance with the terms of their appointment. The termination orders of the philosophy teacher, however, have been held in abeyance till a suitable teacher becomes available. The services of Hindi and Sanskrit teacher were terminated with effect from 31.12.69 by giving him one month's pay in lieu of one month's notice.

(c) and (d). Yes, Sir. The termination orders in respect of philosophy teacher were withheld chiefly because of the difficulty of finding a suitable teacher in the subject. Both the posts of Philosophy and Hindi-Sanskrit teachers were advertised. No application has been received for the post of philosophy teacher but a good number of applications have been received for Hindi-Sanskrit teacher. The

selection to the post of Hindi-Sanskrit teacher will be finalised shortly.

(e) No, Sir. As stated in reply to part (b) of the question, the orders regarding termination of their service were issued on the basis of the decision of the Board of Management of the School of Buddhist Philosophy, Leh, which is an autonomous body. The Board is fully competent to take a decision in the matter.

(f) The post of Administrative Officer is not a promotion post. It carries the same scale of pay as the post of Vice-Principal, viz. Rs. 300-700. The post of Administrative officer was created by the Board of Management to assist the Deputy Commissioner of the District, who is the *ex-officio* Secretary of the Board and who is required to deal with the normal administration of the organisation involving budgeting, scrutiny of accounts, issue of sanctions, appointments and correspondence with the Government of India. The post of Vice-Principal since being vacated has been held in abeyance.

Service Conditions of Delhi University Teachers

8174. SHRI GADILINGANA GOWD: Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether Government have considered the suggestions made by the Delhi University Teachers' Association regarding the service conditions of Teachers and other matters; and

(b) if so, the details thereof and the decisions arrived at?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO) : (a) and (b). No suggestions under reference have been received by the Government. However, the Delhi University Teachers' Association had brought to the notice of the Vice-Chancellor of the University the question of termination of services of Assistant Lecturers in certain colleges and the University took immediate action in the matter. The Vice-

Chancellor sent a circular to all the colleges to keep in abeyance the matter of termination of services of the Assistant Lecturers and also intimated to the colleges that all cases of Assistant Lecturers should be sent to the Standing Committees set up by the Vice-Chancellor in pursuance of the decision of the Academic Council of the University.

Head-Hunting in NEFA

8176. SHRI BEDABRATA BARUA : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether three cases of head-hunting have been reported from Tirap District of NEFA by the Wangcho Nagas;

(b) if so, whether the details about the incidents have been received; and

(c) the action taken to prevent such practices?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) and (b). A villager from Jagan who had, as usual, gone for cultivation to Katkak village across the Burma border was murdered by some Kamka villagers. As a revenge, two Burmese villagers who had come for marketing on the Indian side of the border were killed by some Khasa villagers;

(c) the villagers have been instructed not to go to the other side of the border and patrolling has been intensified. The matter has also been amicably discussed at the border by our Tirap District officers with their Burmese counterpart wherein it was agreed that both sides would persuade the villagers to remain peaceful.

दिल्ली में आदर्श व्यायामशालाओं का स्थापित किया जाना

8177. श्री ओम प्रकाश त्यागी: क्या शिक्षा तथा युवक सेवा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार, अच्छा स्वास्थ्य बनाने में लोगों की रुचि पैदा करने की दृष्टि से दिल्ली

और अन्य राज्यों की राजधानियों में आदर्श व्यायामशालायें स्थापित करने के प्रस्ताव पर विचार करेगी और उसके लिये आवश्यक सहायता देगी;

(ख) यदि हां, तो ऐसी योजना कब तक तैयार कर ली जायेगी; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

शिक्षा तथा युवक सेवा मंत्रालय में राज्य मंत्री (श्री भक्त दर्शन) : (क) से (ग). अपनी अपनी राजधानियों में आदर्श व्यायामशालाएं स्थापित करने को जिम्मेदारी मूल रूप से, राज्य सरकारों तथा संघीय क्षेत्र प्रशासनों की है। किन्तु, भारत सरकार ने व्यायामशालाओं के निर्माण कार्य को प्रोत्साहित करने के लिये निम्नलिखित कदम उठाये हैं :-

(i) शैक्षिक संस्थाओं आदि के लिये कम लागत के खुले / खुले शेड की व्यायामशालाओं के नक्शों की रूप रेखा, केन्द्रीय शारीरिक शिक्षा तथा मनोरंजन बोर्ड की सिफारिशों पर, राज्य सरकारों को भेजना।

(ii) व्यायामशालाओं के निर्माण के अनुमोदित खर्च के 75 प्रतिशत को पूरा करने के लिये, 13 गैर-सरकारी शारीरिक शिक्षा अध्यापक प्रशिक्षण संस्थाओं को लगभग 13 लाख रुपये के अनुदान।

(iii) राष्ट्रीय खेल संगठन कार्यक्रम के अधीन व्यायामशालाओं के निर्माण के अनुमोदित खर्च के 75 प्रतिशत को पूरा करने के लिये, विश्वविद्यालय अनुदान आयोग के जरिये, कालेजों और विश्वविद्यालयों का वित्तीय सहायता।

दिल्ली प्रशासन भी, स्कूलों के बच्चों के लिये व्यायामशालाएं बनाने की एक योजना पर प्रमल कर रहा है।

दिल्ली / नई दिल्ली की बस्तियों में समाज सदन का निर्माण

8178. श्री ओंकार लाल बेरवा : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली / नई दिल्ली की विभिन्न बस्तियों में अभी तक समाज सदन का निर्माण नहीं हुआ है यद्यपि बृहद् योजना में इनके लिये व्यवस्था की गई है ;

(ख) यदि हां, तो ऐसी बस्तियों के नाम क्या हैं और उनकी उपेक्षा करने के कारण क्या हैं ;

(ग) क्या यह भी सच है कि मालवीय नगर, नई दिल्ली में समाज सदन बनाने के लिये कई वर्षों से निरन्तर मांग की जा रही है परन्तु सरकार ने इस ओर अभी तक कोई ध्यान नहीं दिया है ; और

(घ) यदि हां, तो इसके क्या कारण हैं और मालवीय नगर में समाज सदन का निर्माण कब तक हो जायेगा ?

गृह-कार्य मंत्रालय में उप-मंत्री (श्री के० एस० रामास्वामी) : (क) और (ख). सूचना एकत्रित की जा रही है और सदन के समापन पर रख दी जायेगी।

(ग) और (घ). मालवीय नगर में समाज सदन बनाने के लिए इस मंत्रालय से कोई मांग नहीं की गई है। तथापि, मालवीय नगर में समाज सदन के लिए एक स्थल नियत किया गया है। दिल्ली नगर निगम ने हाल ही में मालवीय नगर में एक शारीरिक व्यायाम केंद्र का निर्माण किया है।

Kidnapping Cases in Union Territories and in West Bengal

8179. SHRIMATI ILA PALCHOU-DHURI : Will the Minister of HOME AFFAIRS be pleased to state :

(a) the number of kidnapping cases in the Union Territories and in West Bengal reported to the police of :

- (i) adult married women;
- (ii) young unmarried girls below the age of 20 years;
- (iii) adult men ; and
- (iv) young boys below 20 years of age during the calendar years 1967, 1968 and 1969;

(b) the various reasons for these kidnappings;

(c) the number of prosecutions launched and proved successful ; and

(d) the other steps taken to check these kidnappings, especially of young girls?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) to (d). The information is being collected from the Governments/ Administration of Union Territories and West Bengal and will be laid on the Table of the Sabha on receipt

Changes suggested in Legal Procedures

8180. SHRI B.K. DASCHOWDHURY :
SHRI SAMINATHAN:
SHRI CHENGALRAYA NAIDU:
SHRI N.R. LASKAR:
SHRI DHANDAPANI:
SHRI MUHAMMAD SHERIFF:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether some drastic changes in legal procedures have been suggested recently by him and also by Shri S.R. Das, former

Chief Justice of India, and the present Chief Justice; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) Government have seen reports of the views expressed by Shri S.R. Das, former Chief Justice of India and the present Chief Justice in regard to the need for certain changes in the legal procedures. The Home Minister has not made any public statement on the subject recently.

(b) A summary of the suggestions made by Shri S.R. Das and the present Chief Justice of India in regard to question of legal procedure is laid on the Table of the House. [Placed in Library. See No. LT-3374/70]

The Law Commission has suggested certain specific amendments to the Code of Civil Procedure, 1908, in its Twenty-Seventh Report which are directed towards eliminating or minimising delay in civil litigation and thereby reducing costs. A Bill further to amend that Code for giving effect to those amendments is now pending before the Joint Select Committee of both Houses of Parliament. The report of the Committee is awaited.

The Code of Criminal Procedure has been examined recently in detail by the Law Commission and the recommendations made in its Forty-First Report are being examined in consultation with the State Governments.

Typed Appeals for Delhi High Court

8181. SHRI HARDAYAL DEVGUN:
SHRI RAM SWARUP
VIDYARTHI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government would examine the feasibility of changing the practice in the Delhi High Court for receiving typed appeals instead of printed one; and

(b) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) The printing of the record in first appeal is required under Chapter 2 of the Punjab High Court Rules and Orders, Volume V, which are enforced by the High Court of Delhi by virtue of its powers under sections 122 and 129 of Civil Procedure Code and section 7 of the Delhi High Court Act, 1966. Whenever the circumstances of a particular case so justify, printing of the record is dispensed with by the High Court under its inherent powers.

(b) The rules of procedure in this respect are framed by the High Court, who have informed us that if any change is to be made in the rules, other High Courts will also have to be consulted in the interest of uniformity.

Alleged Acceptance of Bribe by a Magistrate of Delhi

8182. SHRI P. VISWAMBHARAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that an Honorary Magistrate of Delhi was arrested on the 26th August, 1969 while accepting a bribe of Rs. 100 inside the Court Room, Kashmiri Gate Old Courts (Traffic);

(b) whether it is also a fact that the same Magistrate was bailed out the same night;

(c) whether any court case has been pending against the said Magistrate; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) Yes, Sir, an Honorary Magistrate was arrested on the allegation of accepting illegal gratification.

(b) Yes, Sir.

(c) and (d). A case under Section 5(2) of Prevention of Corruption Act and 161 IPC

was registered against the Honorary Magistrate. As investigation has not disclosed sufficient evidence to substantiate the allegations against him, the Police has sent the case to the Court of the Special Judge for orders to file it as untraced. The matter is pending in the court.

Suggestions by a Member of Parliament Re: Award of Merit Scholarships to Students

8183. SHRI S. KUNDU: Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state:

(a) whether a Member of Parliament had written a letter to the Minister on the 26th March, 1969 regarding award of merit scholarship to a student studying in the Mayo College, Ajmer;

(b) if so, what were the important points raised in the said letter;

(c) whether the Minister promised to examine the scheme of scholarship to students of such schools 'in depth' and also promised 'to give due consideration' to the suggestions made by the Member of Parliament in this regard; and

(d) if so, what steps have been taken on this assurance given by the Minister?

THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRI BHAKT DARSHAN): (a) Yes, Sir.

(b) The important points raised in the said letter were as follows:

(i) The pay drawn by the parent at the time his son or daughter was admitted to the Public School should be treated as final so far as computing the categories and incidental increment should not be calculated to refix the categories.

(ii) The merger of D.A. with pay should not in any case be considered in refixing the category.

(iii) The net income of the parents should be taken into consideration and not the total income.

(iv) The scales 'C' and 'D' should be so revised as to raise the lower limit upto Rs. 500/-.

(c) and (d). The above suggestions were examined in the Ministry and it was not found feasible to accept them.

हिन्दी सलाहकार की सिफारिशों की क्रियान्विति

8184. श्री राम स्वरूप विष्टायों :

श्री वंश नारायण सिंह :

क्या गृह-कार्य मंत्री हिन्दी सलाहकार समिति के बारे में 26 अप्रैल, 1968 के अति-रांकित प्रश्न संख्या 8721 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सम्बंधित मंत्रालयों, विशेषकर शिक्षा तथा युवक सेवा मंत्रालय ने हिन्दी सलाहकार द्वारा उनके प्रति की गई आलोचना के बारे में कार्यवाही की है तथा केन्द्रीय हिन्दी निदेशालय और वैज्ञानिक तथा तकनीकी शब्दावली आयोग के सम्बन्ध में बताई गई त्रुटियों को दूर कर दिया गया है ;

(ख) हिन्दी सलाहकार के प्रतिवेदन के उस भाग के बारे में क्या कार्यवाही की गई है जो गृह कार्य मंत्रालय से संबंधित है ;

(ग) क्या सरकार का विचार हिन्दी सलाहकार का दर्जा बढ़ाकर मंत्रिमंडल-सचिव के दर्जे के समान बनाने का है ताकि उसके द्वारा की जाने वाली सिफारिशों को केवल सिफारिश मात्र ही न समझा जाय बल्कि आदेश माना जाय और विभिन्न मंत्रालयों द्वारा उनका पालन करना अनिवार्य हो; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

गृह-कार्य मंत्रालय मे राज्यमंत्री (श्री विद्या-चरण शुक्ल): (क) सूचना एकत्रित की जा रही है तथा सदन के समा-पटल पर रख दी जायगी ।

(ख) महत्वपूर्ण सिफारिशों तथा उनपर की गई कार्यवाही का एक विवरण सभा पटल पर रखा जाता है । [प्रयालय में रख दिया गया । देखिये संख्या LT-3375/70]

(ग) और (घ). जी नहीं, श्रीमान् । इस समय हिन्दी सलाहकार का दर्जा भारत सरकार के सचिव से ऊँचा है । 4 वर्ष से अधिक समय से उनके कार्य में कोई कठिनाई नहीं आयी है ।

Chinese Poacher Boat captured in Andaman Waters

8185. SHRI K.R. GANESH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether a Chinese poacher boat caught in the Nancowry Island in December, 1969 in the Union Territory of Andaman and Nicobar Islands, moved out of the Nancowry Harbour while in custody;

(b) if so, under whose orders it moved out;

(c) whether the captured Chinese poacher boat moved to nearby Islands for disposal of fish and for taking water;

(d) if so, whether the captured Chinese crew were in the craft; and

(e) whether Government were aware of previous case of escape of captured Chinese poacher boat?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) to (d). No Chinese boat was captured in Andaman waters. However, one Singapore fishing vessel No. SMF-692 was captured on the 16th December, 1969 in our territorial waters while it was engaged in unauthorised fishing off the western coast of Meroe island near Nancowrie. There were 8 crew members, of whom 7 were Singapore nationals and 1 was a Malaysian national. While in custody, the boat along with its crew, was taken apparently under the orders of the Circle Inspector, Nancowrie, to Champin situated across Nancowrie for

disposal of fish found in two hatches of the vessel and from there to Ramzao for taking water. The vessel in question escaped on the 25th December, 1969 from Ramzao Island.

(e) No case of escape of a Chinese poacher boat has come to the notice of Government. However, in March 1965, a Singapore boat SMF-480 was caught off Battimaly Island. While being escorted by police boat on the 11th March 1965, the foreign boat in question put off her lights and slipped away in darkness leaving behind her captain on the police boat.

Instructions to Navy for towing of Chinese Poacher Boat from Nancowry Island to Port Blair

8186. SHRI K.R. GANESH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether a Chinese poacher boat was caught in December, 1969 near Nancowry Island in the Union Territory of Andaman and Nicobar Islands and, if so, on what date;

(b) whether instructions were issued to the Navy to tow this boat to Port Blair and, if so, on what date;

(c) the date on which the Naval craft Panvel reached Nancowry; and

(d) whether the said Naval craft towed the Chinese boat and, if so, on what date and, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) to (d). No Chinese boat was captured in Andaman Waters. However, one Singapore fishing vessel No. SMF-692, along with a crew of 7 Singapore nationals and 1 Malaysian national, was captured on the 16th December, 1969, off the western coast of Meroe Island near Nancowrie. The Andamans Administration made arrangements with the Naval authorities for providing a Naval vessel to escort the captured foreign vessel. The Naval vessel reached Nancowrie on the 23rd December 1969. The Naval vessel

could not tow the captured Singapore fishing vessel as neither of these vessels had towing arrangements. Moreover, towing was not considered technically feasible in view of the conditions then existing.

Orders given for Towing of Chinese Poacher Boat from Nancowry Island to Port Blair

8187. SHRI K.R. GANESH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether any efforts were made to shift the Chinese crew of the Chinese poacher boat caught near Nancowry Island in the Union Territory of Andaman and Nicobar Islands to Port Blair as a precautionary measure;

(b) whether the D.S.P., Car Nicobar and Circle Inspector, Nancowry had sent messages to shift the Chinese crew to Port Blair;

(c) whether T.S.S. Yerrewa was to leave Nancowry a few days after the Chinese boat was caught; and

(d) under whose orders the decision was taken to permit the Chinese crew to tow the Chinese poacher boat from Nancowry to Port Blair?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) No Chinese boat with Chinese crew was caught near Nancowrie. However, one Singapore fishing vessel No. SMF-692 was captured on the 16th December, 1969, with 7 Singapore nationals and one Malaysian national off Meroe Island near Nancowrie. Arrangements were made by the Andaman and Nicobar Administration to transport the vessel and the foreign crew to Port Blair.

(b) D.S.P. Car Nicobar sent message to S.P. Port Blair on the 17th December, 1969 suggesting that the crew of the captured Singapore fishing vessel in question, be taken to Port Blair by T.S.S. 'Yerrewa' sailing ex-Nancowrie on the 19th December, 1969. No such signal was sent by the Circle Inspector of Police, Nancowrie.

(c) T.S.S. Yerewa was to leave on 19th December 1969 *ex-Nancowrie*.

(d) There were no orders permitting the 7 Singapore nationals and 1 Malaysian national crew of the captured Singapore fishing vessel, to tow their vessel SMF-692 from Nancowrie to Port Blair.

Construction of Bridges in various Stages

8188. SHRI SHIVA CHANDRA JHA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) which is the longest Road Bridge in India;

(b) when was this made and how much did it cost in making;

(c) how many new bridges have been constructed during the last three years and in which States and at what costs; and

(d) the proposed bridges to be constructed during the Fourth Plan period, Statewise, and the specific amount allotted for that purpose in the Fourth Plan ?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS AND IN THE MINISTRY OF SHIPPING & TRANSPORT (SHRI IQBAL SINGH): (a) Bridge at Dehri-on-Sone over river Sone on National Highway No. 2 in Bihar.

(b) This bridge was constructed in 1965 at a cost of Rs. 269.37 lakhs.

(c) The Govt. of India are primarily concerned with National Highway works. A list of bridges completed on the National Highways during the last three years in the different States showing the name of the bridge, national highway No. and its cost is laid on the Table of the House [Placed in Library See No. LT-3376 /70].

(d) No clear indication can, at this stage be given about the bridges proposed to be constructed during the Fourth Plan period as that would depend upon the funds that are available from year to year.

Financial help to Dr. Abid Hussain of Jamia Millia for publishing Magazine

8189. SHRI SHARDA NAND:
SHRI SURAJ BHAN:
SHRI KANWAR LAL GUPTA:

Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state:

(a) whether Government are aware of the fact that the Ford Foundation has given some help to Dr. Abid Hussain of Jamia Millia for publishing some magazine;

(b) if so, to what extent and what is the name of the magazine published by Dr. Hussain;

(c) the details of financial help given by Government to Dr. Hussain;

(d) how much financial aid has been given by the Chief Minister of Kashmir to him; and

(e) the reasons for the help given by Government, the Ford Foundation and the Chief Minister of Kashmir to him ?

THE MINISTER OF EDUCATION and YOUTH SERVICES (DR. V. K. R. V. RAO): (a) The Ford Foundation has given financial help to Islam and the Modern Age Society, a registered Society of which Dr. Abid Hussain is Secretary. One of the purposes for which the assistance has been given is the publication of two quarterly journals by the Society.

(b) The Ford Foundation has approved a grant of 50,000 dollars, spread over a period of five years on the understanding that the Society will raise from donors a matching amount of Rs. 3,75,000. As on 23.4.1970 a sum of Rs. 1,14,600 had been paid by the Foundation to the Society.

The two quarterly journals published by the Society are:—

(i) Islam and the Modern Age (in English); and

(ii) Islam aur Asr-i-Jadid (in Urdu)

(c) Government of India has not given any assistance to Dr Hussain or to the Islam and the Modern Age Society.

(d) The Government of Jammu and Kashmir has sanctioned a grant of Rs. 25,000/- to the Society.

The Government of Maharashtra has also given Rs. 10,000 and the Society has collected donations from some other sources.

(e) The Ford Foundation sanctioned the grant to the Islam and the Modern Age Society to help it to provide a forum for interchange of ideas by responsible public men of Islam culture and leaders in India and overseas. The grant is to be utilised substantially for the following purposes:

Support for publication of journals in English and Urdu; Research Scholarships for scholars preparing books or articles; purchase of books, journals etc; overseas travel of research scholars and non-Indians attending seminars of the Society.

Statement

The grant paid by the Jammu & Kashmir is also for the furtherance of the objectives of the Society. A Statement containing the declared objects of the Society is Attached.

- (a) To promote and propagate a liberal interpretation of religious principles so as to reconcile the true spirit of religions with the legitimate demands of the Modern Age.
- (b) To review and assess the contribution of religions to scientific and philosophical thought.
- (c) To encourage a comparative study of all great religions in order to promote harmonious relations between followers of different faiths.
- (d) To analyse the causes of the intellectual isolation of communities

and persuade them to think and act as integral members of their national society and of the world Society.

- (e) To keep in touch with liberal movements of thought in the various parts of the world.
- (f) To take note of the progress of scientific and philosophical thought in the world.

महाराजा ग्वालियर के जवाहरात

8190. श्री स्वामी ब्रह्मानन्दजी : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ग्वालियर के मृतपूर्व महाराजा ने राज्य को भारतीय संघ में मिलाये जाने के पश्चात् भारतीय सरकार के आदेशानुसार चल सम्पत्ति के बारे में घोषणा करते समय अपने जवाहरातों का ब्यौरा प्रस्तुत किया था;

(ख) घोषणा के अनुसार इन जवाहरातों का मूल्य कितना है ;

(ग) जवाहरातों का मूल्य किन कम्पनियों के माध्यम से निर्धारित किया गया था;

(घ) क्या सरकार को पता है कि जिन जौहरियों ने जवाहरातों के मूल्य को निर्धारित किया था उनके राजसी परिवार से पारिवारिक सम्बन्ध थे और उनमें से कुछ उनके साक्षीदार भी थे ; और

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

गृह कार्य मंत्रालय में राज्य मंत्री (श्री बिद्या-चरण शुक्ल) : (क) जी नहीं, श्रीमान् । मध्य भारत के निर्माण के लिए महाराजा ग्वालियर तथा अन्य द्वारा हस्ताक्षरित प्रसंविदा के उप-बन्धों के अनुसार उनको भारत सरकार को निजी संपत्ति के रूप में धारण की गई अपनी

सभी अचल सम्पत्ति, प्रतिभूतियों तथा नकदी की केवल एक तालिका प्रस्तुत करनी थी।

(ख)से(ङ). प्रश्न नहीं उठता।

केन्द्रीय मंत्रियों, राज्य मंत्रियों तथा उपमंत्रियों द्वारा राज्यों का दौरा

8191. श्री जगन्नाथ राव जोशी :

श्री ओंकार लाल बेरवा :

श्री हुकम चन्द कछवाय :

श्री भारत सिंह चौहान :

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

(क) जनवरी से लेकर अप्रैल, 1970 की अवधि में केन्द्रीय मंत्रियों, राज्य मंत्रियों तथा उप-मंत्रियों द्वारा किन राज्यों का दौरा किया गया था ; और

(ख) सरकार द्वारा उक्त दौरों पर कुल कितना व्यय किया गया था ;

गृह-कार्य मंत्रालय में उप-मंत्री (श्री के.एस. राम स्वामी) : (क) और (ख). 1 जनवरी, 1970 से 15 अप्रैल, 1970 की अवधि की सूचना एकत्रित की जा रही है और सदन के समा पटल पर रख दी जायगी।

Construction of Building at Hussainiwala Border

8192. SHRI ABDUL GHANI DAR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the estimated expenditure to be incurred for constructing building at Hussainiwala Border and for making other necessary arrangements there;

(b) the details of construction work being undertaken; and

(c) the time by which the same is expected to be completed?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS: (SHRI VIDYA CHARAN SHUKLA) : (a) About rupees fourteen lakhs.

(b) It is proposed to construct buildings to accommodate the needs of the Border Security Force units, the Departments of Customs and Tourism and the State Government of Punjab. Facilities are proposed to be provided for guard rooms, luggage examination halls, cargo sheds, store rooms, electrical and water supply installations and transit rooms, beside canteen facilities and parking space for cargo-vehicles.

(c) The work is expected to be completed before the middle of 1971.

Appointment of Scheduled Castes to Gazetted Posts in Manipur

8193. SHRI M. MEGHACHANDRA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of the Scheduled Caste persons appointed to the Gazetted posts in Manipur so far;

(b) the percentage of reservation to the posts of Grade III and grade IV under the Government of Manipur;

(c) Whether the Manipur Chakpa Scheduled Caste Association made representations to the Government of Manipur regarding the unemployment of the Scheduled Caste Graduates and M. A. Degree holders; and

(d) if so, the steps Government have taken to give employment to the unemployed Scheduled Caste persons?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS: (SHRI VIDYA CHARAN SHUKLA) : (a) and (b). The Government of Manipur have informed that three members of the Scheduled Castes have been appointed to the Gazetted posts in Manipur so far. The percentage of reservations for Scheduled Castes to Class III and Class IV posts

under the Government of Manipur is as under:—

(i) By direct recruitment 2.5%

(ii) By promotion through limited Departmental Competitive Examination 15%

(iii) By Selection 15%

(c) The Manipur Government have said that no such application is traceable.

(d) Does not arise.

Cases pending before High Courts and Supreme Court

8194. SHRI SURAJ BHAN:
SHRI KANWAR LAL GUPTA:
SHRI SHARDA NAND:
SHRI RAGHUVIR SINGH
SHASTRI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of cases pending before the High Courts and Supreme Court for the last one, two, three years and more than three years, separately;

(b) the steps taken by Government to reduce the number of cases;

(c) the names of High Courts where the number of pending cases is more; and

(d) the steps Government propose to give speedy and cheap justice to the people?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS : (SHRI VIDYA CHARAN SHUKLA): (a) A statement giving the information is laid on the Table of the House [Placed in Library See No LT-3377/70].

(b) The State authorities have been advised to take the following measures:

(i) the judge-strength in each High Court should be increased to the

extent necessary, taking into account the institutions and disposals and the arrears to be cleared;

(ii) the vacancies in the High Courts should without delay;

(iii) whenever a serving Judge is diverted to other duties and he is not likely to come back to the High Court within six months, an additional or *ad hoc* Judge should be appointed in his place so that the work in the High Court does not suffer. During the last few years several posts of Additional Judges in the various High Courts have been converted into posts of permanent Judge. The judge-strength of the various High Courts has also been increased from 245 (on 1. 1. 1967) to 300 (on 1. 5. 1970).

(iv) A Committee of three Judges with the Chief Justice of India as Chairman has also since been appointed to go into the question of arrears in the High Courts and to suggest further remedial measures.

As regards Supreme Court, the judge-strength was increased from 11 to 12 Judges in 1969. The file of pending matters is always under review of the Chief Justice of India. If additional help is considered necessary for the clearance of arrears, the question of increasing the Judge-strength further within the prescribed limits will be considered.

(c) The pendency is larger the High Courts of Calcutta, Allahabad, Madras, Bombay, Kerala, Andhra Pradesh and Punjab & Haryana.

(d) The Law Commission has suggested certain specific amendments to the Code of Civil Procedure 1908, in its Twenty-Seventh Report which are directed towards eliminating or minimising delay in civil litigation and thereby reducing cost. A Bill further to amend that Code for giving effect to those amendments is now pending before the Joint Select Committee of both Houses of Parliament. The report of the Committee is awaited.

The Code of Criminal Procedure has been examined recently in detail by the Law Commission and the recommendations made in its Forty-First Report are being examined in consultation with the State Governments.

Number of Bills received from West Bengal for President's Assent

8195. SHRI BHAGABAN DAS :
SHRI JYOTIRMOY BASU :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) the number of Bills that were sent during the month of November, 1969 from West Bengal for the President's assent;

(b) the particulars of those Bills;

(c) the particulars of the Bills which have been given assent to; and

(d) the number of Bills still pending and the reasons for the same in each case ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) to (d). During November, 1969, the Government of West Bengal sent only one Bill, viz. the Trade Unions (West Bengal Amendment) Bill, 1969, for the assent of the President. Assent has not yet been given. The views of the Central Government have been communicated to the State Government and their reaction is awaited.

भारत और पाकिस्तान के बीच मुठभेड़

8196. श्री ओंकारलाल बौहरा :
श्री बेणी शंकर शर्मा :

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

(क) 1 जनवरी, 1969 से 31 मार्च, 1970 तक भारतीय सीमाओं पर पाकिस्तान के साथ कितनी मुठभेड़ हुई, और उनके परिणाम-स्वरूप कितने व्यक्ति मारे गये और कितने

घायल हुए तथा इस सम्बन्ध में अन्य ब्योरा क्या है ;

(ख) उपर्युक्त अवधि में पाकिस्तानी कितने पशुओं को चुरा कर ले गये थे और उनमें से कितने वापिस ले लिये गये हैं ;

(ग) इस सम्बन्ध में सरकार ने पाकिस्तान को कितने विरोध पत्र भेजे थे और पाकिस्तान सरकार से कितने विरोध पत्रों का उत्तर प्राप्त हुआ है ; और

(घ) इन घटनाओं को रोकने के लिए सरकार ने क्या कार्यवाही की है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री बिद्या-चरण शुक्ल) : (क) और (ख). गुजरात, पंजाब, पश्चिम बंगाल तथा असम के संबंध में भारत-पाकिस्तान सीमा पर हुई घटनाओं से सम्बंधित सूचना सभा पटल पर रखे गये विवरण में दी जाती है। [संघालय में रख दिया गया। देखिये संख्या LT-3378/70] राजस्थान तथा त्रिपुरा के सम्बन्ध में सूचना प्राप्त होने पर सदन के पटल पर रख दी जाएगी।

(ग) जहां कहीं आवश्यक था उचित स्तरों पर विरोध प्रकट किया गया है।

(घ) सीमा सुरक्षा दल भारत-पाकिस्तान सीमा के साथ-साथ नियमित गश्त तथा अन्य उपायों द्वारा कड़ी निगरानी रख रहा है।

Agreement with Malaysia on Cultural Agreements

8197. SHRI MUHAMMAD SHERIFF:
Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether Malaysia and India have outlined a series of agreements covering Cultural exchanges and the copyright when the senior Government officials of both the Governments met in Kuala Lumpur in the month of February, 1970; and

(b) if so, the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRIMATI JAHANARA JAIPAL SINGH) : (a) A Cultural Agreement has been under consideration but no bilateral concrete programme of cultural exchanges was outlined at the meeting. No bilateral agreement was outlined in respect of copyright either.

(b) Text of the Cultural Agreement has not yet been finally agreed upon. As far as copyright is concerned, the question does not arise,

**Renovation of Temples, Mosques,
Gurdwaras and Churches by
U. N. E. S. C. O.**

8198. SHRI MUHAMMAD SHE-RIFF: Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether it is a fact that the U. N. E. S. C. O. has been spending some amount on the renovation work of temples ;

(b) whether the renovation work will be extended to the mosques, churches and gurdwaras in India also, and

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

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V.K.R.V. RAO): (a) Yes, Sir. During the three years 1966 to 1968 Unesco made available services of two foreign experts as Advisers and equipment worths 12,000 for the onservasion of Shri Ranganathaswami Temples at Srirangam.

(b) and (c). The assistance of Unesco is available for cancient monuments. which include temples, mosques, churches and gurdwaras. All State Governments and Union Territories have been requested to submit proposals for Unesco assistance for renovation and preservation of 'ancient monuments, priority being given to monu-ments which can become centres of cultural tourism and the restoration and conserva-tion of which may require the services of

foreign experts and equipment or material not available in India. It has been made clear to the State Governments that Unesco assistance, if made available, will be marginal and limited to the services of foreign experts and supply of equipment as may not be available in the country. The rupee expenditure on the actual reno-vation will have to be met by the State Governments or other sponsors concerned.

Gang Counterfeiting Dollars

8199. SHRI RAMAVTAR SHARMA; Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether Government's attention has been drawn to the existence of a gang which counterfeits the dollar ;

(b) whether any arrests have been made in this connection; and

(c) if so, the details thereof and the steps Government are taking to curb such gangs which impair the image of the coun-try in foreign countries ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) State Governments of Andhra Pradesh, Assam, Gujrat, Haryana, Nagaland. Punjab and Rajsthan and all the Union Territories other than Delhi have reported that there are no such cases. Information is awaited from the State Governments of Bihar, J&K Kerala, Madhya Pradesh, Maharashtra, Mysore, Uttar Pradesh, and West Bengal and will be laid on the Table of the House on receipt.

(b) and (c). In February 1969 a case of forged United States Dollars was regis-tered in the Union Territory of Delhi in connection with which 20 persons were arrested. In July 1969 two persons were similarly arrested in the Union Territory of Delhi for a similar offence; In January, 1970, 14 persons involved in a dollar for-gery case were arrested in Madurai in Tamil Nadu State.

Necessary vigilance is being maintained by the police concerned.

Unemployed Graduates and Engineers

8200. SHRI ABDUL GHANI DAR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that due to the progressive policy adopted by Government that pumps and dealership of Indian Oil Co. be allotted only to the unemployed Graduates or Engineers, the unemployment has decreased to a great extent; and

(b) if so, the number of unemployed Graduates and Engineers in 1968-69 and in 1969-70?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMSWAMY): (a) The Indian Oil Corporation had introduced scheme in November, 1969 under which future dealerships for petrol pumps, kerosine/light diesel oil and distributorship for domestic and commercial gas would be given only to suitable unemployed engineers and others graduates, viz (i) who are within the age limit of 30 years; (ii) who belong to the districts in which the dealership/distributorships are to be operated and (iii) who belong to low income group families. It is too early to assess the progress of the scheme and its impact on the problem of unemployed engineers and graduates.

(b) Precise estimates of unemployment of graduates and engineers is not available. The number borne on the live registers of the Employment Exchanges gives a rough indication of the extent of unemployment. There were 50,204 engineers (graduates and diploma holders) and 1,46,564 graduates (other than engineering graduates) on the live registers of the employment exchanges on 31.12.1968. The corresponding figures were 57,569 and 1,76,676 respectively on 31.12.1969.

Visit by a Group of Soviet Artists

8201. SHRI N. R. LASKAR :
SHRI MAYAVAN :
SHRI DHANDAPANI :
SHRI CHENGALRAYA
NAIDU :

Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether it is a fact that a group of Soviet Artists arrived in Delhi on the 8th April, 1970 under the Indo-Soviet Cultural programme;

(b) if so, how far their visit has improved the cultural ties between the two countries; and

(c) whether an Indian artists delegation is to visit Russia and if so, when?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRIMATI JAHANARA JAIPAL SINGH) : (a) Yes, Sir.

(b) The visit has further strengthened the cultural ties between India and the U. S. S. R. It is not possible to make an assessment in quantitative terms.

(c) Yes, Sir, during June, 1970.

Seminar on Minorities in Nation-Building

8202. SHRI N. R. LASKAR :
SHRI MAYAVAN :
SHRI DHANDAPANI;
SHRI CHENGALRAYA
NAIDU :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that the Seminar on Minorities in Nation-building held in New Delhi in the first week of April, 1970 has recommended amendments to the Penal Code and the Representation of the People Act, 1951 to provide for punishment for promoting feeling of hatred between different classes of citizens; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) Yes, Sir.

(b) The amendments made to the relevant provisions of the Indian Penal Code and the Representation of the People Act, 1951, with the enactment of the Criminal and Election Laws Amendment Act, 1969, cover substantially the suggestions made by the Seminar.

Sixth All-India Languages Convention

8203. **SHRI N. R. LASKAR :**
SHRI MAYAVAN :
SHRI MUHAMMAD SHERIFF :
SHRI DHANDAPANI :
SHRI CHENGALRAYA NAIDU :

Will the Minister of **EDUCATION AND YOUTH SERVICES** be pleased to state :

(b) whether it is a fact that the Sixth All-India Languages Convention was held in Delhi on the 10th April, 1970.

(b) if so, the details of the subjects discussed; and

(c) the main purposes of this Convention ?

THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRI BHAKT DARSHAN): (a) Yes, Sir.

(b) and (c). The necessary information is being collected and will be laid on the table of the Sabha as soon as possible.

Survey of Hotel Accommodation in India by Indian Institute of Management Ahmedabad

8204. **SHRI N. R. LASKAR :**
SHRI MAYAVAN :
SHRI CHENGALRAYA NAIDU :

Will the Minister of **TOURISM AND CIVIL AVIATION** be pleased to state :

(a) whether it is a fact that Government have asked the Indian Institute of Management, Ahmedabad to conduct a survey among foreign tourists to ascertain their reaction to hotel accommodation;

(b) if so, when the survey is likely to be completed;

(c) whether earlier also a survey was conducted by the Delhi Institute of Public Opinion; and

(d) what is the main purpose of these surveys and how far they have been proved helpful ?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH):

(a) Yes, Sir.

(b) The survey has been completed. The report of the survey is awaited.

(c) The Department of Tourism commissioned the Indian Institute of Public Opinion to conduct a Sample Survey among foreign tourists to study their composition, reactions and expenditure patterns. The survey was conducted from November 1968 to October 1969 and the Report has been published.

The Survey entrusted to the Indian Institute of Management, Ahmedabad, is designed to obtain a comprehensive analysis in depth regarding the quality of facilities available in specific hotels in higher categories.

(d) The object of these Surveys is to elicit the opinion of tourists about the quality and adequacy of various tourist facilities in the country and take remedial action where necessary.

हिन्दी सहायकों तथा हिन्दी अनुबादकों की नियुक्ति

8205. **श्री हरबयाल देबगुण :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) जून, 1959 में किस प्रयोजन के लिये और किस नियम के अधीन संघ लोक

सेवा आयोग की परीक्षा के माध्यम से हिन्दी सहायक नियुक्त किये गये थे ;

(ख) क्या 28 नवम्बर, 1968 को उपयुक्त प्रयोजन अथवा लक्ष्य पूरा हो गया था ;

(ग) यदि हां, तो कोई संघ लोक सेवा आयोग परीक्षा लिये बिना हिन्दी सहायकों के स्थान पर हिन्दी अनुवादक नियुक्त किये जाने के क्या कारण हैं ;

(घ) क्या भारत सरकार के केन्द्रीय सचिवालय में हिन्दी के साथ न्याय करने और उनके मंत्रालय के उन बरिष्ठ अधिकारियों के प्रयासों को निष्फल बनाने के "लिये," जो हिन्दी को संविधान में तथा राजभाषा अधिनियम में निहित समुचित स्थान से वंचित करना चाहते हैं, हिन्दी अनुवादकों, हिन्दी अधिकारियों और हिन्दी सहायकों की एक नियमित सेवा बनाने का सरकार का विचार है ; और

(ङ.) यदि नहीं, तो इसके क्या कारण हैं?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्या-चरण शुक्ल): (क) से (ग). विभिन्न मंत्रालयों / विभागों में हिन्दी संबंधित कार्य करने के लिए केन्द्रीय सचिवालय के सहायकों की स्थिति और वेतन मान के समान, हिन्दी सहायकों के सृजित पदों पर भर्ती में स्तर तथा प्रक्रिया में एकरूप लाने की दृष्टि से जून, 1959 में संघ लोक सेवा आयोग द्वारा परीक्षा लेने का निश्चय किया गया था । केन्द्रीय सचिवालय लिपिक सेवा के केवल अवर श्रेणी तथा उच्च श्रेणी लिपिक, जो न्यूनतम शैक्षिक अर्हतायें तथा न्यूनतम सेवा अवधि की शर्तों को पूरा करते थे परीक्षा में बैठने के पात्र थे । संघ लोक सेवा आयोग द्वारा चुने गये व्यक्तियों को विभिन्न मंत्रालयों / विभागों में, जहां हिन्दी सहायकों के पद मौजूद थे, अनर्हक व्यक्तियों को आवश्यकतानुसार प्रत्यावर्तित करके, नामित किया गया था । संघ लोक सेवा आयोग द्वारा

तैयार की गयी चयन-सूची समाप्त होने के बाद मंत्रालयों / विभागों में हिन्दी सहायकों के पदों में जो कुछ रिक्तियां हुईं उन्हें मंत्रालयों / विभागों द्वारा स्वयं भरा गया । राजभाषा (संशोधन) अधिनियम, 1967 के अधिनियमित होने के परिणामस्वरूप गृह मंत्रालय ने इस अधिनियम के उद्देश्यों को पूरा करने हेतु कर्मचारियों की व्यवस्था करने के लिए प्रशासनिक आवश्यकताओं पर ध्यान दिया था । यह अनुभव किया गया कि हिन्दी में प्रशिक्षित केन्द्रीय सरकारी कर्मचारियों की बढ़ती हुई संख्या को देखते हुए केवल हिन्दी कार्य के लिए पृथक कर्मचारियों की आवश्यकताएं नहीं हैं । चूंकि वर्तमान में तथा भविष्य में कुछ समय तक हिन्दी कार्य के लिए आवश्यकताएं अंग्रेजी से हिन्दी तथा हिन्दी से अंग्रेजी के अनुवाद तक ही सीमित होगी अतः नवम्बर, 1968 में यह निश्चय किया गया कि हिन्दी सहायकों के जो पद तत्पश्चात् खाली होते हैं उन्हें भरा न जाए बल्कि समाप्त कर दिया जाय । प्रत्येक मंत्रालय / विभाग की आवश्यकताओं के अनुसार अपेक्षित संस्था में उचित वेतनमान में हिन्दी अनुवादकों के पदों का सृजन किया जा सकता है और वे उनके द्वारा पद के लिए बनाए गए भर्ती नियमों के अनुसार भरे जा सकते हैं । यह केवल एक अन्तः कार्तीय उपाय तब तक के लिए है जब तक केन्द्रीय सचिवालय में कर्मचारी हिन्दी का काम चलाऊ ज्ञान प्राप्त न कर लें ! इन बातों को ध्यान में रखते हुए तथा इसलिये भी कि विभिन्न मंत्रालयों / विभागों में हिन्दी अनुवादकों के पदों में से अधिकांश श्रेणी III के पद हैं और इस कारण संघ लोक सेवा आयोग के क्षेत्राधिकार के बाहर हैं, इन पदों को भरने के लिए संघ लोक सेवा आयोग द्वारा कोई समान परीक्षा लेने का विचार नहीं है ।

(घ) और (ङ.). हिन्दी अनुवादकों, हिन्दी सहायकों तथा हिन्दी अधिकारियों के पद स्वयं मंत्रालयों / विभागों द्वारा अपनी आवश्यकताओं के अनुसार बनाये गये, पृथक पद हैं और इस

प्रयोजन हेतु बनाये गये भर्ती नियमों के अनुसार उनके द्वारा भरे जाते हैं। उपरोक्त उत्तर के भाग (क) से (ग) में वर्णित कारणों को ध्यान में रखते हुए इन पृथक पदों के लिए संगठित सेवा/संवर्ग बनाने का कोई विचार नहीं है। केन्द्रीय सचिवालय में हिन्दी के साथ अन्याय अथवा संविधान तथा राज्य-भाषा अधिनियम के अधीन उसको समुचित स्थान से वंचित करने का प्रश्न नहीं उठता।

हिन्दी सहायकों, हिन्दी अनुवादकों तथा हिन्दी अधिकारियों का एक संवर्ग बनाने की प्रशासनिक आवश्यकता

2806. श्री हरदयाल देवगुण : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनका ध्यान गृह-कार्य मंत्रालय के ज्ञापन संख्या 7/1/66 सी०एस० (1) दिनांक 28 नवम्बर, 1968 की ओर दिलाया गया है;

(ख) यदि हां, तो हिन्दी सहायकों, हिन्दी अनुवादकों तथा हिन्दी अधिकारियों का एक नियमित संवर्ग न बनाये जाने के विभिन्न प्रशासनिक कारण क्या हैं; और इस प्रकार देश के नागरिकों के साथ भेदभाव क्यों किया जा रहा है;

(ग) क्या उन्हें पता है कि वित्त मंत्रालय संघ लोक सेवा आयोग के माध्यम से भर्ती किये गये हिन्दी सहायकों को बिना परीक्षा तथा साक्षात्कार के उच्च पदों पर पदोन्नत कर देता है जबकि वे संघ लोक सेवा आयोग की उसी परीक्षा के आधार पर भर्ती किये, परन्तु अन्य मंत्रालयों में कार्य कर रहे हिन्दी सहायकों की पदोन्नति के लिये परीक्षा लेते हैं तथा साक्षात्कार करते हैं;

(घ) यदि हां, तो क्या गृह-कार्य मंत्रालय ने वित्त मंत्रालय में अधिक योग्य हिन्दी सहायक नियुक्त किये थे; और

(ङ.) यदि नहीं, तो क्या इस सम्बन्ध में समान नीति अपनाने के लिए विभिन्न मंत्रालयों और कार्यालयों को आदेश जारी करने का विचार है?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्याचरण शुक्ल) : (क) जी हां, श्रीमान।

(ख) राजभाषा (संशोधन) अधिनियम, 1967 के अधिनियमित होने के परिणामस्वरूप गृह मंत्रालय ने अनुवाद प्रबन्धों को मजबूत करने तथा उनकी व्यवस्था करने के लिए प्रशासनिक आवश्यकताओं पर ध्यान दिया था। चूँकि वर्तमान में तथा कुछ समय तक भविष्य में भी आवश्यकताएं अंग्रेजी से हिन्दी तथा हिन्दी से अंग्रेजी के अनुवाद तक ही सीमित होंगी अतः नवम्बर, 1968 में यह निश्चय किया गया कि हिन्दी सहायकों के जो पद तत्पश्चात् खाली होते हैं, उन्हें भरा न जाए बल्कि समाप्त कर दिया जाये। प्रत्येक कार्यालय की आवश्यकताओं के अनुसार अपेक्षित संख्या में हिन्दी अनुवादकों की भर्ती की जाए। चूँकि हिन्दी अनुवाद कार्य के सम्बन्ध में निर्मित पद प्रत्येक मंत्रालय द्वारा अपनी आवश्यकताओं के अनुसार बनाये गये पृथक पद हैं और पदों के लिए भर्ती नियमों के अनुसार भरे जाते हैं तथा चूँकि यह केवल तब तक के लिए एक अन्तःकालीन उपाय है जब तक केन्द्रीय सचिवालय में कर्मचारी हिन्दी का काम चलाऊ ज्ञान प्राप्त न कर लें, अतः इन पदों के लिए कोई संगठित सेवा/संवर्ग बनाया जाना आवश्यक नहीं समझा जाता है इसमें किसी भेदभाव का भी प्रश्न नहीं है।

(ग) से (ङ.). हिन्दी अनुवादकों के पद स्वयं मंत्रालयों/विभागों द्वारा निर्मित पृथक पद हैं और उनके द्वारा बनाए गये नियमों के उपबन्धों के संदर्भ में भरे जाते हैं। वित्त मंत्रालय के राजस्व तथा बीमा विभाग में हिन्दी अनुवादकों के पद (वेतनमान 320-530) के लिए भर्ती नियमों में ऐसे पदों को भरने के तीन निम्न-

लिखित तरीकों की व्यवस्था है :-

- (i) संघ लोक सेवा आयोग के नतीजों के आधार पर हिन्दी सहायकों के पद धारकों द्वारा जिन्होंने राजस्व तथा बीमा विभाग में उस श्रेणी में कम से कम तीन वर्ष की सेवा की हो।
- (ii) उपरोक्त (1) के अभाव में उन केन्द्रीय सरकार के कर्मचारियों के स्थानान्तरण अथवा प्रतिनियुक्ति द्वारा जो सीधी भर्ती के लिए निर्धारित योग्यताएं रखते हैं। चयन राजस्व तथा बीमा विभाग द्वारा ली गई लिखित परीक्षा तथा साक्षात्कार के आधार पर किया जाना।
- (iii) उपरोक्त (i) और (ii) के अभाव में सीधी भर्ती से राजस्व तथा बीमा विभाग द्वारा ली गई लिखित परीक्षा तथा साक्षात्कार के आधार पर।

1959 में ली गई परीक्षा के आधार पर विभिन्न मंत्रालयों/विभागों को हिन्दी सहायकों के नियतन के पश्चात वित्त मंत्रालय के राजस्व तथा बीमा विभाग में हिन्दी अनुवादकों के पदों पर हिन्दी सहायकों की नियुक्ति उपरोक्त नियमों के उपबन्धों के अनुसार नियमित की गई है।

जैसा कि ऊपर बताया गया है हिन्दी अनुवादकों के पद स्वयं मंत्रालयों/विभागों द्वारा अपनी आवश्यकताओं के अनुसार उचित वेतनमानों में अन्तःकालीन उपाय के रूप में बनाये गये पृथक पद हैं और इस उद्देश्य से बनाये गये भर्ती नियमों के अनुसार उनके द्वारा भरे जाते हैं। अतः इस सम्बन्ध में कोई एक जैसी नीति निर्धारित करने का कोई प्रस्ताव नहीं है।

दिल्ली पुलिस के पास दर्ज अपराध के मामले

8207. श्री मोलहू प्रसाद : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) जनवरी, फरवरी तथा मार्च, 1970 में नई दिल्ली तथा पुरानी दिल्ली के प्रत्येक पुलिस स्टेशन में अपराध के कितने मामले दर्ज किये गये और किस धारा के अन्तर्गत ये दर्ज किये गये थे ; और

(ख) उनमें हस्तक्षेप्य तथा अहस्तक्षेप्य अपराधों की संख्या कितनी-कितनी थी और कितने मामलों में लोगों को न्यायालयों में सजा दी गई ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्या चरण शुक्ल) : (क) और (ख). उपलब्ध सूचना को दिखाते हुए दो विवरण समा पटल पर रखे जाते हैं [ग्रन्थालय में रख दिये गये। देखिये संख्या LT-3379/70]

पूर्वता अधिपत्र (वारन्ट आफ प्रीसीजेन्स)

8209. श्री मोलहू प्रसाद : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में पूर्वता अधिपत्र का निर्णय किस प्रकार किया गया है;

(ख) उसके लिये क्या कसौटी अपनाई गई है; और

(ग) उसका पद-वार व्यौरा क्या है ?

गृह-कार्य मंत्रालय में उप-मंत्री (श्री के० एस० रामास्वामी) : (क) और (ख). पूर्वता अधिपत्र राज्य के प्रमुख द्वारा अपने विशेषाधिकार द्वारा जारी किया गया एक कार्यकारी आदेश है। यह उसमें उल्लिखित विभिन्न विशिष्ट व्यक्तियों द्वारा धारण किये गये पदों के स्वरूप को ध्यान में रख कर बनाया गया है।

(ग) पूर्वता अधिपत्र तथा उसके संशोधन अधिसूचनाओं के रूप में भारत के राजपत्र में प्रकाशित किये जाते हैं। उसको "भारत 1969—एक वार्षिक संदर्भ" के पृष्ठ 574 से 575 पर उद्धृत किया गया है।

संसद-कार्य विभाग में हिन्दी / अंग्रेजी में किये नेजा व ले काम का ब्योरा और अनुसूचित जातियों तथा अनुसूचित आदिम जातियों के कर्मचारियों की संख्या

8210. श्री मोलहू प्रसाद : क्या संसद-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) गृह-कार्य मंत्रालय के आदेश के अनुसरण में उनके मंत्रालय से सम्बद्ध तथा उसके अधीन कार्यालयों में हिन्दी/अंग्रेजी में किये जा रहे काम का ब्योरा क्या है ; और

(ख) उनके मंत्रालय में अनुसूचित जातियों, अनुसूचित आदिम जातियों तथा अन्य कर्मचारियों की संख्या कितनी है और उनके नाम तथा पदनाम वर्ग-वार क्या है ?

संसद-कार्य विभाग और नौबहन तथा परिवहन मंत्री (श्री के. रघुरामैया) : (क) कोई भी कार्यालय संसद कार्य विभाग से सम्बद्ध तथा उसके अधीन नहीं है।

(ख) अनुसूचित जाति : अठारह
अनुसूचित आदिम जाति : दो
अन्य : एक सौ

एक विवरण जिसमें ऊपर दिखाए गए अंकों का पदनाम और श्रेणी के अनुसार विघटन दिया गया है, समा पटल पर रखा जाता है। [ग्रन्थालय में रखा दिया गया। देखिये संख्या LT- 3380/70]

संघ लोक सेवा आयोग में परीक्षा नियंत्रक

8211. श्री बंशनारायण सिंह : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि संघ लोक सेवा आयोग में परीक्षा नियंत्रक के पद पर हाल में एक व्यक्ति को नियुक्त किया गया है ;

(ख) यदि हाँ, तो उसका नाम तथा अर्हताएं क्या हैं ;

(ग) क्या यह भी सच है उस व्यक्ति का मुख्य कार्य संघ लोक सेवा आयोग द्वारा ली जाने वाली परीक्षाओं के लिए हिन्दी को माध्यम के रूप में अपनाने के बारे में उचित सुझाव देना है ;

(घ) यदि हाँ, तो क्या यह भी सच है कि उक्त व्यक्ति की पदार्वाध को बढ़ाने के लिए संघ लोक सेवा आयोग की परीक्षाओं के लिए हिन्दी को माध्यम के रूप में अपनाने के लिए बाधाएं उत्पन्न की जा रही हैं ; और

(ङ) यदि हाँ, तो क्या उक्त व्यक्ति की पदार्वाध में तीन वर्ष की वृद्धि की गई थी जबकि सामान्यतया इसमें वार्षिक आधार पर वृद्धि की जाती है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विश्वाचरण शुक्ल) : (क) और (ख). संघ लोक सेवा आयोग में परीक्षा नियंत्रक के पद पर अभी हाल में कोई अधिकारी नियुक्त नहीं किया गया है। इस पद के वर्तमान धारक श्री हरीशचन्द्र की नियुक्ति 1964 में की गई थी। 20-2-1968 से उनकी वार्षिक निवृत्ति की आयु (58 वर्ष) हो जाने पर 21-2-1968 से उनके सेवाकाल को लोक हित में दो वर्ष के लिए बढ़ाने का निश्चय किया गया। अभी हाल में यह निश्चय किया गया है कि लोक-हित के आधार पर 21-2-1970 से एक वर्ष की और अवधि के लिए सेवावृद्धि पर उन्हें सेवा में बनाया रखा जाये। वे अंग्रेजी साहित्य में एम०ए० की उपाधि रखते हैं।

(ग) परीक्षा निरीक्षक के कर्तव्यों में शुरू में आयोग के गोपनीय पक्षों तथा परीक्षाओं

के सर्वोपरि पर्यवेक्षण के अलावा अखिल भारतीय तथा उच्चतर केन्द्रीय सेवा परीक्षाओं के लिए हिन्दी को एक वैकल्पिक माध्यम के रूप में प्रारम्भ करने के लिए सरकार द्वारा किये गये निर्णय से सम्बन्धित प्रारम्भिक कार्य की योजना बनाना तथा उसे कार्यरूप देना सम्मिलित था। बाद में लिए गए इस निर्णय के परिणामस्वरूप कि, अंग्रेजी के अलावा, संविधान की आठवीं अनुसूची में उल्लिखित सभी भाषाएँ इन परीक्षाओं के लिए वैकल्पिक माध्यम के रूप में साथ-साथ प्रारम्भ की जायँ, यह कार्य भी परीक्षा नियंत्रक को सौंपा गया।

(घ) जी नहीं, श्रीमान्।

(ड.) जैसा कि प्रश्न के भाग (क) और (ख) के उत्तर में बताया जा चुका है इस पद के वर्तमान धारक को उनकी वार्धक्य निवृत्ति आयु होने पर 21 फरवरी, 1968 से दो वर्ष की और फिर 21 फरवरी, 1970 से एक वर्ष की सेवावृद्धि दी गई थी। ये सेवावृद्धियाँ संघ लोक सेवा आयोग की परीक्षाओं के लिए वैकल्पिक माध्यमों के संबंध में लिये गये निर्णयों के कार्यान्वयन के सम्बन्ध में अविलम्बनीय प्रारम्भिक कार्य हाथ में लेने की आवश्यकता को ध्यान में रखते हुए पूर्णतया लोक-हित में दी गई हैं।

श्री बलदेव सिंह की हत्या के बारे में केन्द्रीय जांच ब्यूरो द्वारा जांच

8212. श्री वंशनारायण सिंह :
श्री ओंकार लाल बेरवा :
श्री जगन्नाथ राव जोशी :
श्री भारत सिंह चौहान :
श्री हुकम चन्द कछवाय :

क्या गृह-कार्य मंत्री श्री बलदेव सिंह की हत्या के बारे में मजिस्ट्रेट की जांच के संबंध में 20 मार्च, 1970 के अतारंकित प्रश्न संख्या 3752 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या मजिस्ट्रेट द्वारा की गई जांच-रिपोर्ट से पता लगा है कि पहले स्थानीय पुलिस द्वारा और बाद में विशेष पुलिस द्वारा की गई जांच-पड़तालें परस्पर विरोधी हैं ;

(ख) क्या सरकार इस मामले के बारे में केन्द्रीय जांच ब्यूरो के जरिये जांच करायेगी ;

(ग) यदि हाँ, तो यह मामला केन्द्रीय जांच ब्यूरो को किस तारीख को सौंपा जायेगा ; और

(घ) यदि नहीं, तो उसके क्या कारण हैं ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्याचरण शुक्ल) : (क) हिमाचल प्रदेश सरकार ने सूचित किया है कि इस जांच का संचालन विशेष पुलिस द्वारा कभी नहीं किया गया था। अतः स्थानीय पुलिस तथा विशेष पुलिस द्वारा की गई जांच के प्रतिवेदनों के परस्पर विरोधी होने का प्रश्न नहीं उठता।

(ख) मजिस्ट्रेट द्वारा पहले की जा चुकी जांच को ध्यान में रखते हुए, केन्द्रीय जांच ब्यूरो द्वारा जांच आवश्यक नहीं समझी जाती है।

(ग) प्रश्न नहीं उठता।

(घ) चूंकि इस मामले में मजिस्ट्रेट द्वारा पहले ही जांच की जा चुकी है, इसलिए केन्द्रीय जांच आवश्यक नहीं समझी जाती है।

श्री बलदेव सिंह की हत्या

8213. श्री ओंकार लाल बेरवा :
श्री जगन्नाथ राव जोशी :
श्री भारत सिंह चौहान :
श्री हुकम चन्द कछवाय :

क्या गृह-कार्य मंत्री धमेता (जि० कांगड़ा) में श्री बलदेव सिंह की हत्या के बारे में

3 अप्रैल, 1960 के अतारांकित प्रश्न संख्या 5085 के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) इस संबंध में जांच किस तारीख को आरम्भ की गई थी और इस जांच में कितने अधिकारी लगे हैं ;

(ख) क्या यह जांच इस बीच पूरी हो चुकी है ;

(ग) यदि हां, तो उसका ध्येय क्या है ;

(घ) यदि नहीं, तो अब तक जांच पूरा न होने के क्या कारण हैं और वह कब तक पूरी हो जायेगी ; और

(ङ.) यदि उपरोक्त माग (ख) और (घ) के उत्तर स्वीकारात्मक हों, तो मामले किस तारीख को दर्ज किया गया था और किन विभिन्न धाराओं के अन्तर्गत दायर किया गया है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्याचरण शुक्ल) : (क) से (ङ.). उपायुक्त कागंडा द्वारा आदेशित अगली जांच के बारे में हिमाचल प्रदेश सरकार ने सूचित किया है कि इस जांच के सम्बन्ध में कुछ विधि-संबंधी कठिनाइयाँ खड़ी हो गई हैं, जिनकी वे छान-बीन कर रहे हैं ।

Interviews by U. P. S. C. for Posts in Manipur

8214. SHRI M. MEGHACHANDRA : Will the Minister of HOME AFFAIRS be pleased to state :

(a) the number of interviews called by the Union Public Service Commission during 1969-70 for appointments to the vacant posts in the Union Territory of Manipur;

(b) the number of candidates, postwise, who appeared in the interviews;

(c) in how many posts, the requirement

of knowing the Manipur language was there;

(d) in how many interviews, any Manipuri knowing official was present;

(e) whether the Union Public Service Commission insisted on the presence of a Manipuri knowing official to be in the Committee taking the interviews; and

(f) whether, in view of the inconvenience caused to the candidates or otherwise, Government propose to create a separate Service Board for Manipur ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) to (f). During the financial year 1969-70 the Union Public Service Commission conducted interviews in 26 cases pertaining to 33 posts in the Union Territory of Manipur. 155 candidates appeared for interviews for these posts. The particulars of the posts are given in the statement laid on the table of the House. [Placed in Library See No. LT-338/70]. Out of the 26 cases mentioned above, knowledge of Manipuri was prescribed as a desirable qualification in 19 cases involving 25 posts. In three cases involving 4 posts, it was prescribed as an essential qualification. However Union Public Service Commission associated one retired official knowing Manipuri as an adviser for the post of lecturer in Manipur. The Union Public Service Commission did not insist on the presence of a Manipuri knowing official to be in the Committee taking the interviews. The Study Team of the Administrative Reforms Commission have recommended setting up of Services Selection Board for the Union territories including Manipur. The recommendation is under examination.

Manipur Civil Service Cadre

8215. SHRI M. MEGHACHANDRA : Will the Minister of HOME AFFAIRS be pleased to state :

(a) the particulars of Class I and II posts to be held by the Manipur Civil

Service cadre under the Government of Manipur;

(b) the posts to be held by the I.A.S. cadre under the Government of Manipur;

(c) the posts now at present held by the I.A.S. cadre in Manipur;

(d) the total Manipur Civil Service strength till date; and

(e) whether the Manipur Civil Service cadre strength is being increased and, if so, to what extent ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) :

(a) The Manipur Government have informed that there are 49 posts included in the Manipur Civil Service. Out of these 12 posts are reserved for deputation, leave and training. In addition there are 7 duty posts which have been created temporarily. Out of 49 posts, 5 posts are in the Class I Selection Grade. No particular posts have been assigned to Class I.

(b) The following posts are included in the I. A. S. Cadre (U. T.) for Manipur:—

Posts	No.
1. Chief Secretary	1
2. Secretary	4
3. Additional District Magistrate	1
4. Director of Land Records and Settlement	1
5. Director of Vigilance	1

(c) The posts of Chief Secretary, Director of Land Records and Settlement and 3 posts of Secretaries are held by the Senior Scale I.A.S. Officers. The Chief Secretary belongs to the I.A.S. Cadre of Madhya Pradesh and the remaining officials belong to I.A.S. U.T. Cadre. In addition, two I.A.S. Officers in the

Junior Scale are working against the Manipur Civil Service posts of Registrar Co-operative Societies and Superintendent Printing and Stationery. One I.A.S. Officer is holding the Senior Scale post of Deputy Commissioner in I.F.A.S. Cadre. The posts of Directors of Vigilance and the Additional District Magistrate in the Senior Scale of I.A.S. are vacant.

(d) 30 Officers have been appointed to Manipur Civil Service so far. 16 more are being promoted to Manipur Civil service with the concurrence of the U.P.-S.C. on the recommendation of the Departmental Promotion Committee.

(e) No, Sir.

Financial Assistance to Polo Clubs in Manipur

8216. SHRI M. MEGHACHANDRA: Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state:—

(a) the list of the Polo Clubs which are functioning in Manipur;

(b) the list of such clubs which were given financial aid by the Government of Manipur during the last three years and the amount of the aid, Club-wise; and

(c) whether the Government of Manipur give assistance to the clubs to maintain polo-fields for the respective clubs concerned?

THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRI BHAKT DARSHAN):

- (a) 1. Kumbi XI Polo Club
2. Thoubal Polo Club
3. K. Charangpat Polo Club
4. Thiyam Konjil Polo Club
5. Leimaporkpam Polo Club
6. Oinam Polo Club
7. Fhayangthang Polo Club
8. Oinam Sawombung Polo Club
9. Sangai Yunpham Polo Club
10. Eastern Manipur Polo Club
11. Vkpaobitak Polo Club
12. Samurou Polo Club

(b) and (c). The first seven of the above were given non-recurring financial aid for maintenance. Information pertaining to the amount given for each club during the last three years is being collected and will be laid on the table of the Sabha as soon as possible.

Arrest of Persons connected with the Revolutionary Government in Manipur

8217. SHRI M. MEGHACHANDRA: Will the Minister of HOME AFFAIRS be pleased to state :

(a) the number of youth arrested and detained in jail so far in connection with the activities of the so-called revolutionary Government of Manipur;

(b) whether they are detained only under the Prevention Detention Law;

(c) if so, whether all the charges against them have been withdrawn;

(d) if the reply to parts (b) and (c) above be in the negative, the nature of the charges and the provisions of the penal law under which they are detained; and

(e) whether the Government of Manipur are thinking to withdraw the charges and to detain them only under the Prevention Detention Law ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) :

(a) One hundred and thirty eight persons have been arrested.

(b) No, Sir. Only seventeen persons were detained under the Orissa Preventive Detention Act, 1970 as extended to Manipur.

(c) Does not arise.

(d) They have been charged under section 395/397/431/436/120B/121/121A of the IPC, section 25 of the Indian Arms Act and section 11 of the West Bengal Security Act.

(e) There is no such proposal under consideration.

Victimisation of low-paid employees of Colleges in Delhi

8218. SHRI B. K. DASCHOWDHURY: Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether the low-paid employees of Colleges under the Delhi University demanded the setting up of a Centralised machinery to bring an end to victimization and abuse of powers by the Principals; and

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

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. - R. V. RAO). (a) No such demand appears to have been received by the Delhi University.

(b) Does not arise.

Development of Mahabalipuram as a Tourist Centre

8219. SHRI B. K. DASCHOWDHURY: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to State :

(a) whether Government are considering a proposal to develop Mahabalipuram as a major tourist centre;

(b) if so, the details of the amounts likely to be spent on it; and

(c) the time by which this centre will be fully developed ?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) Yes, Sir.

(b) A provision of Rs. 10 lakhs has been made by the India Tourism Development Corporation for the development of Mahabalipuram during the Fourth Plan period. Plans for adding a new kitchen, dining hall block, cabanas, parking space and 10 tourist cottages at Mahabalipuram during 1971 are under preparation. It is estimated that this work will cost about Rs. 5 lakhs.

(c) By the end of the Fourth Plan.

Correspondence Courses of Delhi University

8220. SHRI S. KUNDU : Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) how many students have applied for admission in the Correspondence Courses of Delhi University for the next academic year;

(b) who originated this scheme and whether such a scheme has any relevance to the circumstances prevailing in our country; and

(c) whether Government have finalised details about the classes to be taken etc. of the Correspondence Courses in the Delhi University?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V.K. R. V. RAO) : (a) The admissions in the Correspondence Courses for the next academic year have not yet started.

(b) The scheme came in to being as a sequel to Central Advisory Board of Education Resolution passed at the 28th meeting held on 16th/17th January, 1961. In March, 1961, an Expert Committee was appointed under the Chairmanship of Dr. D. S. Kothari to work out the details and pattern of the scheme. In pursuance of the recommendations of the Expert Committee, the scheme was started as a pilot project in the University of Delhi in July 1962, and the same has been functioning successfully since then.

The scheme aims at providing opportunities for higher education to those who wish to continue their education, and who were denied these facilities earlier in life and are now in full time employment, and to those who, for other reasons, are prevented from availing themselves of facilities for education at colleges. The scheme thus fulfils a genuine need of those who do not have time and resources for full time regular studies. The popularity of the scheme has fully justified its commencement.

(c) The University is already running Correspondence Courses for B. A. (Pass) and B. Sc. (Pass) degrees. The question of starting B. A. (Hons.) and M. A. courses through correspondence is under consideration of the University authorities.

According of Administrative Approval to Orissa Government for spending Rs. 9 Lakhs on Construction of Subernarekha Bridge

8221. SHRI S. KUNDU : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether it is a fact that the Government of Orissa have asked for administrative approval for spending nine lakhs of rupees which they have budgeted this year in connection with the construction of the Subernarekha Bridge in Orissa;

(b) if so, the date on which they had asked for such approval;

(c) whether the approval has since been communicated; and

(d) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS, AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI IQBAL SINGH) : (a) No communication has been received from the Government of Orissa asking for administrative approval to spend Rs. 9 lakhs budgeted by them during this year for the construction of the proposed bridge. That Government have, however, approached the Government of India to accord technical approval and financial sanction to the project estimate for the work as a whole. They have been informed that the matter is being reviewed in the light of the recent change in the pattern of assistance for such project from grants-in-aid to 10% loan assistance.

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

Setting up of a Kendriya Vidyalaya in Gurgaon

8222. SHRI N. K. SOMANI :
SHRI S. K. TAPURIAH :

Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether the Gurgaon branch of the Central Government Employees' Association has urged the Central Schools Organisation to set up a Kendriya Vidyalaya in Gurgaon for the benefit of the Children of the Central Government employees;

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

THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRI BHAKT DARSHAN) : (a) Yes, Sir.

(b) The proposal is under consideration.

Library of the National Archives of India

8224. SHRI N. K. SOMANI :
SHRI S. K. TAPURIAH :

Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether it is a fact that the Library of the National Archives of India has not been functioning properly for the last several years;

(b) the total number of books available in the library as against the listed books; and

(c) whether Government are contemplating to take some effective measures in this regard ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRIMATI JAHANARA JAIPAL SINGH) : (a) Part of the collection of the National Archives of India Library comprising books transferred

in bulk by other Organisations has yet to be listed and technically processed. With this limitation the Library has been catering to the needs of its clientele satisfactorily.

(b) Out of 1,90,000 volumes (estimated) about 1,00,000 volumes have been listed.

(c) Yes Sir. It is proposed to clear the arrears as early as possible, during the Fourth Plan period and a sum of Rs. 28,000 has been provided in the Budget for 1970-71 for this purpose.

शिक्षा मंत्रालय में हिन्दी स्टेनोग्राफर

8225. श्री शिवचरण लाल :

श्री राम चरण :

श्री अर्जुन सिंह भदौरिया :

क्या शिक्षा तथा युवक सेवा मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय में तथा मंत्रालय के अधीनस्थ विभागों में काम कर रहे कितने सचिवों, संयुक्त सचिवों, उप-सचिवों तथा अन्य अधिकारियों को क्रमशः हिन्दी तथा अंग्रेजी के स्टेनोग्राफर दिये गये हैं ;

(ख) उनके मन्त्रालय तथा अधीनस्थ विभागों में कितने कर्मचारियों को हिन्दी स्टेनोग्राफी में प्रशिक्षण दिया गया है और उनमें से कितने कर्मचारियों को उक्त अधिकारियों के साथ लगाया गया है ;

(ग) कितने कर्मचारियों ने हिन्दी स्टेनोग्राफी की परीक्षा पास कर ली है परन्तु जिनको स्टेनोग्राफर के रूप में नियुक्त नहीं किया गया है ; और

(घ) उक्त कर्मचारियों को हिन्दी स्टेनोग्राफर के रूप में नियुक्त करने के लिये सरकार का विचार क्या कार्यवाही करने का है ?

शिक्षा तथा युवक सेवा मंत्री (डा०बी०के० आर०बी०राव): (क)से(घ). सूचना एकत्र की जा रही है और सभा पटल पर रख दी जाएगी।

गृह-कार्य मंत्रालय के वरिष्ठ अधिकारियों के निजी कर्मचारियों में प्रशिक्षण प्राप्त हिन्दी स्टेनोग्राफरों की नियुक्ति

8226. श्री शिवचरण लाल :

श्री राम चरण :

श्री अर्जुन सिंह भदौरिया :

क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि:

(क) केन्द्रीय सरकार के गृह-कार्य मन्त्रालय तथा इसके अधीनस्थ कार्यालयों में कितने सचिवों, संयुक्त सचिवों तथा उप-सचिवों को क्रमशः हिन्दी तथा अंग्रेजी के स्टेनोग्राफर मिले हुए हैं ;

(ख) उनके मंत्रालय में कितने कर्मचारियों को हिन्दी स्टेनोग्राफी में प्रशिक्षण दिया गया है और उनमें से कितने कर्मचारियों को उक्त अधिकारियों तथा अन्य अधिकारियों के साथ लगाया गया है ; और

(ग) जिन लोगों को अभी तक इन पदों पर नियुक्ति नहीं किया गया है उनको इन पदों पर लगाने के लिए सरकार का विचार क्या कार्यवाही करने का है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्याचरण शुक्ल): (क) और (ख). एक संबद्ध कार्यालय को छोड़कर गृह मंत्रालय तथा उसके संबद्ध और अधीनस्थ कार्यालयों के बारे में अपेक्षित सूचना का एक विवरण सभा पटल पर रखा जाता है [प्रधान्य में रख दिया गया देखिये]। संख्या LT-3382/70] उस कार्यालय के संबंध में सूचना एकत्रित की जा रही है और सदन के पटल पर रख दी जायेगी।

(ग) हिन्दी आशुलिपिकों के 4 पदों, जो गृह मंत्री, गृह मंत्रालय में मन्त्री तथा हिन्दी सलाहकार के निजी कर्मचारियों में हैं, के अतिरिक्त इस श्रेणी में पृथक् से अन्य कोई पद नहीं है और न ही ऐसे कोई पद हिन्दी टाइपिस्ट के हैं। अंग्रेजी आशुलिपिक और अवर श्रेणी लिपिकों को हिन्दी आशुलिपि और हिन्दी टंकन में क्रमशः प्रशिक्षण दिया जा रहा है और आवश्यकता के अनुसार उनके ज्ञान का उपयोग किया जाता है।

Kidnapping of Children by a Monk in Delhi

8227. SHRI A. SREEDHARAN :
SHRI YASHPAL SINGH :
SHRI D. N. PATODIA :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether Government's attention has been drawn to the kidnapping of three children in Delhi by a Buddhist monk on the 4th April, 1970;

(b) if so, whether Government have enquired into the matter; and

(c) What steps Government have taken or are proposing to take to prevent child lifting?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) A case under Section 363 I. P. C. was registered at Police Station Hazrat Nizamuddin against one Boudh Bhikshu on the allegation that he had kidnapped three children on 4.4.1970.

(b) The case was investigated by Crime Branch of Delhi Police but the allegations of kidnapping were not substantiated by evidence. The above mentioned Boudh Bhikshu was discharged by the Court concerned on 24. 4.70.

(c) Beat patrolling has been intensified. Prompt legal action is taken whenever any report regarding kidnapping/missing of children is made to the police. A separate 'Missing Persons Squad' in the C. I. D. Crime. Branch is also functioning for the

purpose. Complicated cases are investigated by the Crime Branch of C. I. D. Police. Deterrent punishment under the law is proposed against the culprits when produced for trial in the court.

Shifting of a Delhi Village from its Existing place near Palam Airport

8228. SHRI BAL RAJ MADHOK : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether it is a fact that one of the village of Delhi has been cut off from the rest of Delhi by Palam Aerodrome and that a narrow tunnel under the runway connects it with the rest of Delhi;

(b) whether it is also a fact that there is a proposal to shift this village to some other place;

(c) whether it is further a fact that implementation of this plan is being unduly delayed in spite of the pressing demand from the people of this village to shift the village elsewhere; and

(d) if so, the reasons for the delay and the definite time by which this village will be shifted to an alternative site?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH):

(a) and (b). Village Manglapuri has been acquired for the expansion of the Delhi airport. Compensation has already been paid in full to the villagers for their land etc. They have also been permitted to continue to live in Manglapuri village till an alternative site has been acquired for their village. In the meanwhile, for safety reasons, an underground tunnel has been constructed to provide access to the villagers.

(c) and (d). Action to acquire an alternative site is being taken by the Delhi Administration. It is, however, not possible to give a firm date by which this will be completed.

Need for More Air Services

8229. SHRI S. S. KOTHARI :
SHRI GADILINGANA GOWD :
SHRI D. N. PATODIA :

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether it is a fact that air services in India need to be increased;

(b) if so, what are the I. A. C. 's plans for expansion; and

(c) what new proposals have been initiated by the new Chairman for the improvement and expansion of the country's Air services?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH):

(a) Indian Airlines are constantly endeavouring to expand the scope of their operations.

(b) and (c). Seven Boeing 737-200 aircraft are being purchased by Indian Airlines and orders have been placed for ten more HS-748 planes manufactured in the country. With the augmentation of their fleet, Indian Airlines propose to air-link a number of new stations and substantially expand their air services.

Public Sector Hotels in Madhya Pradesh

8230. SHRI G. C. DIXIT : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether Government have under consideration any proposal to build some hotels in Madhya Pradesh in the public sector; and

(b) if so, the salient features thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH):

(a) No, Sir.

(b) Does not arise.

संघ लोक सेवा आयोग द्वारा हिन्दी स्टेनोग्राफरों की परीक्षा

8231. श्री राम चरण :

श्री अर्जुन सिंह भदौरिया :

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

(क) यह सच है कि हिन्दी स्टेनोग्राफर की परीक्षा संघ लोक सेवा आयोग द्वारा नहीं ली जाती है ;

(ख) यदि हाँ, तो इसके क्या कारण हैं ;

(ग) सरकार का संघ लोक सेवा आयोग की मार्फत हिन्दी स्टेनोग्राफर की परीक्षा लेने का विचार कब तक है तथा इसे शीघ्रता से करने के लिये क्या कदम उठाए जा रहें हैं ; और

(घ) विभिन्न मंत्रालयों और विभागों में संघ लोक सेवा आयोग की मार्फत हिन्दी स्टेनोग्राफरों के पदों के न भरे जान के क्या कारण हैं ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्याचरण शुक्ल) : (क) से (घ). बड़ी संख्या में प्रशिक्षित कर्मचारियों को, जो पहले ही उपलब्ध है अथवा जो हिन्दी आशुलिपि तथा हिन्दी टंकन में प्रशिक्षित किये जाएंगे, ध्यान में रखते हुए मंत्रालयों / विभागों को मार्च, 1968 में सलाह दी गई थी कि तत्पश्चात हिन्दी आशुलिपिकों के किसी भी निःसंवर्ग पद का सृजन न किया जाय और यह कि हिन्दी-कार्य की अपेक्षाएं श्रेणी-ii आशुलिपिकों अथवा हिन्दी आशुलिपि/हिन्दी टंकन में प्रशिक्षित निम्न श्रेणी लिपिकों में से पूरी की जायें। हिन्दी सलाहकार समिति ने 28 जून, 1969 को हुई अपनी छटी बैठक में सिफारिश की थी कि संघ लोक सेवा आयोग द्वारा आशुलिपिक के पद की भर्ती अंग्रेजी अथवा हिन्दी में आशुलिपि की परीक्षा के आधार

पर की जानी चाहिए। संघ लोक सेवा आयोग के परामर्श से समिति की सिफारिश पर विचार किया जा रहा है।

गृह-कार्य मंत्रालय में चतुर्थ श्रेणी के कर्मचारियों की पदोन्नति

8232. श्री रामचरण :

श्री अर्जुन सिंह भदौरिया :

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

(क) क्या यह सच है कि उनके मंत्रालय में चतुर्थ श्रेणी के दसवीं कक्षा उत्तीर्ण 43 कर्मचारी हैं परन्तु उनकी पदोन्नति तृतीय श्रेणी में नहीं की जा रही है ;

(ख) क्या यह भी सच है कि इन कर्मचारियों को अपने समस्त सेवा काल तक चतुर्थ श्रेणी में ही रहना होगा ;

(ग) यदि हाँ, तो सरकार उनकी विभागीय पदोन्नति के विषय में क्या कदम उठा रही है ; और

(घ) किस समय तक इन कर्मचारियों को तृतीय श्रेणी की पदोन्नति प्रदान की जायेगी ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्याचरण शुक्ल) : (क) से (ग). मंत्रालय में चतुर्थ श्रेणी के कर्मचारियों की संख्या, जिन्होंने मैट्रिक तथा समकक्ष परीक्षा पास कर रखी है, 32 है। इन कर्मचारियों के लिए श्रेणी iii के पदों में पदोन्नति के निम्नलिखित अवसर खुले हैं :-

(i) यद्यपि केन्द्रीय सचिवालय लिपिक सेवा के अवर श्रेणी लिपिक ग्रेड की भर्ती संघ लोक सेवा आयोग द्वारा की जाती है फिर भी श्रेणी iii के लिए शैक्षिक रूप से अहंक चतुर्थ श्रेणी के पात्र कर्म-

चारियों के लिए रिक्तियों का 10 प्रतिशत उस ग्रेड में आरक्षित किया जाता है। इन पदों पर चयन सम्पूर्ण सचिवालय आधार पर सचिवालय प्रशिक्षण स्कूल द्वारा ली गई परीक्षा के आधार पर किया जाता है। 2 अप्रैल, 1970 को पहली परीक्षा ली गई थी और उसका परिणाम अभी आता है।

- (2) वे श्रेणी iii के अन्य पदों अर्थात् वरिष्ठ गैस्टेटर अपरेटर, स्टाफ कार ड्राइवर, डिस्पैच राइडर, वरिष्ठ लाईब्ररी एटेंडेण्ट के पदों में नियुक्ति के लिए भी इन पदों से सम्बन्धित भर्ती नियमों के अनुसार पात्र हैं।

शैक्षिक रूप से अर्हक चतुर्थ श्रेणी के कर्मचारियों के लिए निम्नलिखित रियायतें भी उपलब्ध है :-

- (i) भाग न लेने वाले कार्यालयों में अर्थात् वे कार्यालय जो केन्द्रीय सचिवालय लिपिक सेवा से बाहर हैं, अबर श्रेणी लिपिक पदों की रिक्तियों का दस प्रतिशत अर्हक चतुर्थ श्रेणी के कर्मचारियों के लिए आरक्षित किया जाता है।
- (ii) जहां भर्ती रोजगार कार्यालयों के माध्यम से की जाती है, भर्ती प्राधिकर रोजगार कार्यालय के नामित उम्मीदवारों के साथ उनके कार्यालयों में काम कर रहे अर्हक चतुर्थ श्रेणी के कर्मचारियों पर विचार कर सकते हैं चाहे उनके नाम रोजगार कार्यालय द्वारा भेजे गये नामों में न हों, यदि उनके विचार में ऐसे अर्हक चतुर्थ श्रेणी कर्मचारी

अधिक उपयुक्त होते हैं। रोजगार कार्यालय के माध्यम से नियुक्त किये गये चतुर्थ श्रेणी कर्मचारियों को अपनी वास्तविक आयु में से चतुर्थ श्रेणी के सेवाकाल की अवधि घटाने की अनुमति दी गई है और यदि इस प्रकार घटाने पर वे श्रेणी iii के लिये अधिकतम आयु सीमा के अन्तर्गत आते हैं तो समझा जायगा कि वे आयु-सम्बन्धी आवश्यकताओं की पूर्ति करते हैं।

(घ) किसी समय-सीमा का अनुमान लगाना कठिन है क्योंकि इन कर्मचारियों की श्रेणी iii के पदों पर पदोन्नति, पदों की उपलब्धि तथा जहां विभागीय परीक्षा लागू होती हो, वहां ऐसी परीक्षा में उनके नतीजों पर निर्भर है।

Conduct of West Bengal Officials during United Front Regime

8233. SHRI GADILINGANA GOWD : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether the Central Government have taken a serious view of the conduct of several West Bengal officials who are understood to have violated the well-established norms of behaviour during the United Front regime; and

(b) if so, the details thereof and the steps being taken by Government against those Officers?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) and (b). A reference is invited to the answer given to parts (a) and (d) of Starred Question No. 1055 in Lok Sabha on 17th April 1970.

Supersonic Flight Plans Discussed at International Conference held in New Delhi

8234. SHRI GADILINGANA GOWD : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the Supersonic flight plans were discussed at an International Conference held in New Delhi in the month of March, 1970; and

(b) if so, the detailed discussions held and the decisions arrived at ?

THE MINISTER OF TOURISM AND CIVIL AVIATION: DR. KARAN SINGH: (a) A meeting of the Meteorological Consultative Conference for Jet Aircraft Operations over India was convened at New Delhi by the India Meteorological Department on March 30 and 31, which was attended by representatives of seven Indian and international airlines and two international organisations viz I. C. A. O. and I. A. T. A.

(b) The Conference discussed the meteorological services required for Supersonic Transport (SST) in the light of the specifications developed by the ICAO and WMO. No decisions were taken by the Conference.

Part-Time Chairman of India Tourism Development Corporation

8235. **SHRI GADILINGANA GOWD:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether there has been any appointment as part-time Chairman of the India Tourism Development Corporation recently;

(b) if so, the name of the officer appointed and the reasons for making the appointment on part-time basis; and

(c) the detailed functions being performed by the said officer ?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). Shri S. K. Roy, Director General Tourism, has been appointed as part-time Chairman of the India Tourism Development Corporation with effect from the 28th March 1970, on which date the Board of the Corporation was reconstituted consequent on the merger

into it of the Ashoka Hotels and the Janpath Hotels Limited.

Several functions of the Department of Tourism are proposed to be progressively transferred to the Corporation so that it becomes a powerful instrument for integrated tourism development. In this background, it was felt that the appointment of the Director General Tourism as part-time Chairman for a limited period would help in the smooth and expeditious transfer of the functions involved, and also ensure complete co-ordination between the Department and the Corporations.

(c) Shri Roy is working as Director General of Tourism (ex-officio Additional Secretary to the Government of India) and part-time Chairman of the India Tourism Development Corporation.

Attack by Pakistanis at Padmamala village in Krishnanagar (West Bengal)

8236. **SHRI GADILINGANA GOWD:** Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware of the armed Pakistani miscreants who threw bombs at Padmamala village near Krishnanagar in West Bengal on the 1st April, 1970;

(b) whether any casualty was caused thereby; and

(c) if so, the details thereof and the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) to (c). Yes, Sir. On the night of 31st March/1st April, 1970 about 15 Pakistani miscreants, armed with deadly weapons and bombs trespassed into Indian territory at village padmamala, P. S. Chapra, District Nadia and committed dacoity in the house of an Indian national. They decamped with some cash, utensils, and ten heads of cattle. On the owner of the house raising alarm, some villagers gathered joined him in chasing the miscreants. While retreating towards Pakistan territory

they hurled crackers on them, resulting in the death of one of the villagers; one Pakistani miscreant however was arrested. Strong protests have been lodged at appropriate levels. Efforts are continuing for recovery and restoration of the looted property to the Indian owner.

दिल्ली में पुलिस की जुआरियों से सांठगांठ

8237. श्री ओम प्रकाश त्यागी : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का यह पता लगाने का विचार है कि क्या पुरानी दिल्ली में विशेषतः होजकाजी पुलिस स्टेशन के क्षेत्राधिकार में कोई जुआघर तथा अन्य गैर कानूनी काम करने के अड़डे पुलिस की सांठगांठ से चल रहे हैं ;

(ख) यदि हाँ, तो सरकार का इस सम्बन्ध में क्या कार्यवाही करने का विचार है ; और

(ग) क्या दिल्ली के पुलिस स्टेशनों, विशेषतः होजकाजी पुलिस स्टेशन के अधिकारियों और कर्मचारियों के मासिक व्यय की जांच इस उद्देश्य करनेसे का विचार है कि कहीं उनका व्यय उनकी आमदनी से अधिक तो नहीं है ?

गृह कार्य मंत्रालय में राज्य मंत्री (श्री विद्या-चरण शुक्ल) : (क) दिल्ली प्रशासन की सूचना के अनुसार ऐसा कोई दृष्टांत ध्यान में नहीं आया है ।

(ख) प्रश्न नहीं उठता ।

(ग) जी नहीं, श्रीमान् । ऐसा कोई तथ्य ध्यान में नहीं आया है जिससे ऐसी कोई जांच आवश्यक हो ।

पुलिस द्वारा उत्तेजित भीड़ पर गोली चलाया जाना

8238. श्री ओम प्रकाश त्यागी : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने संघ राज्य क्षेत्रों की पुलिस, केन्द्रीय रिजर्व पुलिस तथा अन्य केन्द्रीय पुलिस को गुप्त आदेश दिये हैं कि मितव्ययता की दृष्टि से उन्हें इस बात का ध्यान रखना चाहिए कि पहली गोली ही मीड़ में ठीक निशाने पर चलायी जाये जिससे प्रति व्यक्ति दो गोलीयों की बचत हो ;

(ख) ग। तीन वर्षों में विभिन्न प्रकार की केन्द्रीय पुलिस तथा संघ राज्य क्षेत्रों की पुलिस ने कितनी बार गोला चलाई थी और कितनी बार पहली गोली हवा में चलाई गई और दूसरी टांगों की तरफ और तीसरी गोली सीधी चलाई गई थी ; और

(ग) यदि अधिकांश मामलों में सीधी गोली चलाई गई थी तो क्या सरकार का विचार इस सम्बन्ध में आदेश जारी करने का है और यदि नहीं, तो इसके क्या कारण हैं ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्या-चरण शुक्ल) : (क) जी नहीं, श्रीमान् ।

(ख) और (ग). यह निश्चय करना पूर्णतया किसी स्थिति विशेष के कार्यभारी अधिकारी के विवेक पर है कि गोली चलाना यदि आवश्यक हो, तो किस तरीके से चलाई जाये किन्तु इस सिद्धांत का ध्यान में रखना चाहिये कि उससे कम से कम हताहत हों और अधिक से अधिक प्रभाव हो ।

जबकि गोली चलाने के तरीके के बारे में कोई आंकड़े नहीं रखे जाते हैं, तथापि गत तीन वर्षों में, अर्थात् 1967 से 1969 तक, संघ के अन्य सशस्त्र बलों तथा संघ राज्य क्षेत्रों की पुलिस द्वारा चलाई गई गोलीयों की संख्या का विवरण सदन के पटल पर रखा जाता है । [ग्रंथालय में रख दिया गया । देखिये संख्या LT-3383/70]

Central School Danapur Cantonment

8239. SHRI RAMAVATAR SHASTRI: Will the Minister of EDUCATION AND

YOUTH SERVICES be pleased to state:

(a) whether it is a fact that the building for the Central School in Danapur Cantonment has been completed;

(b) if so, the class upto which education would be provided in the said School;

(c) whether it is also a fact that in spite of the completion of the new building, some classes are still being held in the old building and, if so, the justification therefor;

(d) whether it is further a fact that the number of teachers in the said School is 40 but there is no arrangement for residential accommodation for them and whether Government propose to construct houses for them and, if so, by when;

(e) whether Government also propose to construct a hostel for the students and, if so, when; and

(f) whether Government also propose to construct a boundary wall round the said School ?

THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRI BHAKT DARSHAN): (a) The first phase of construction has been completed and the building has also been formally inaugurated.

(b) and (c). This Vidyalaya provides education from Class I to Class XI. The new building consists of Library Room (1), Laboratories (4), Stores to Laboratories (4), General Science Room (1), Home Science Room (1), Class Rooms (4), Office Room (1), Principal's Room (1), Staff Room (1) and Lavatories (4) Classes IX to XI, along with the Library and the Laboratories, are being shifted to the new building. The middle and primary sections will, however, continue in the existing accommodation, for the present. This accommodation is good enough for the current needs and will be replaced when the second phase of construction is taken in hand.

(d) The number of teachers is 39. No quarters for the staff have been constructed so far. However, some staff quarters may be constructed in a year or two, subject to availability of funds.

(e) No, Sir; not in the immediate future.

(f) A proposal to provide barbed wire fencing around the building is under consideration.

मंत्रालयों में हिन्दी अनुवादकों तथा हिन्दी सहायकों के पद

8240. **कुमारी कमला कुमारी : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :**

(क) क्या उनका ध्यान मंत्रालय के 28 नवम्बर, 1968 के कार्यालय ज्ञापन संख्या 7/1/66-सी० एस० (1) की ओर दिलाया है:

(ख) क्या यह सच है कि भारत सरकार के विभिन्न मंत्रालयों तथा उनसे सम्बद्ध कार्यालयों में हिन्दी अनुवादकों तथा हिन्दी सहायकों को हिन्दी से अंग्रेजी में अनुवाद करने की आवश्यकता नहीं पड़ती ;

(ग) उपरोक्त कार्यालय ज्ञापन जारी किये जाने के बाद सरकार ने हिन्दी अनुवादकों के कितने पदों की मंजूरी दी है;

(घ) क्या सरकार का विचार इन हिन्दी अनुवादकों की सेवाओं का तदर्थ संघ लोक सेवा आयोग के माध्यम से परीक्षा लेकर विनियमित करने का है;

(ङ) यदि नहीं, तो ये हिन्दी अनुवादक तदर्थ अथवा अस्थायी आधार पर संभवतः कब तक काम करते रहेंगे; और

(च) उन हिन्दी सहायकों को जिन्होंने संघ लोक सेवा आयोग द्वारा जून, 1959 में ली गई परीक्षा में सफलता प्राप्त की, स्थायी बनाकर और हिन्दी अनुवादकों को वह

सुविधा न देकर भेदभावपूर्ण नीति बरतने के क्या कारण हैं ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्या-
चरण शुक्ल) : (क) जी हाँ, श्रीमान् ।

(ख) हिन्दी अनुवादकों तथा हिन्दी सहा-
यकों को अंग्रेजी से हिन्दी तथा हिन्दी से अंग्रेजी
में, जहाँ कहीं आवश्यक होता है, अनुवाद
करना पड़ता है ।

(ग) हिन्दी अनुवादकों के पद स्वयं मंत्रालयों/
विभागों द्वारा अपनी आवश्यकताओं के अनुसार
बनाये गये पृथक पद हैं । अपेक्षित सूचना उनसे
एकत्रित की जाएगी और सभा पटल पर रख
दी जायगी ।

(घ) और (ङ.) हिन्दी अनुवादकों के पद
प्रत्येक मंत्रालय / विभाग द्वारा अपनी आवश्य-
कताओं के अनुसार बनाये गये पृथक पद हैं ।
ये पद संबंधित मंत्रालय द्वारा पद के लिए
बनाये गये भर्ती नियमों के अनुसार नियमित
आधार पर भरे जाते हैं । इस स्थिति तथा तथ्य
को ध्यान में रखते हुए कि ये पद अन्त कालीन
उपाय के रूप में तब तक के लिए बनाये गये
पद हैं जब तक कि केन्द्रीय सचिवालय के
कर्मचारी हिन्दी का काम चलाऊ ज्ञान प्राप्त
न कर लें और इन पदों में से अधिकांश श्रेणी
iii के पद हैं और इस लिए संघ लोक सेवा
के क्षेत्राधिकार के बाहर हैं, अतः इन पदों को
भरने के लिए संघ लोक सेवा आयोग द्वारा
कोई समा. प्रतियोगी परीक्षा लेने का विचार
नहीं है । फिर भी, केवल ऐसे पदों को जो
श्रेणी ii में आते हैं सम्बन्धित मंत्रालय / विभाग
द्वारा संघ लोक सेवा आयोग के माध्यम
से भरना पड़ता है ।

स्वयं मंत्रालयों / विभागों द्वारा बनाये
गये अस्थायी पदों को स्थायी पदों में उनकी
आवश्यकताओं तथा इस उद्देश्य के लिए
निर्धारित प्रक्रिया को ध्यान में रखकर परिवर्तित
किया जा सकता है । अस्थायी पद धारकों को

ऐसे स्थायी पदों पर निर्धारित नियमों के
अनुसार स्थायी किया जा सकता है ।

(च) हिन्दी सहायकों को जिन्होंने जून
1959 में संघ लोक सेवा आयोग द्वारा ली
गई परीक्षा में अहंता प्राप्त की थी, संबंधित
मंत्रालयों द्वारा उस सीमा तक जहाँ तक
स्थायी रिक्तियाँ उपलब्ध थी, संबंधित नियमों के
अनुसार स्थायी कर दिया गया । उपरोक्त
भाग (घ) और (ङ.) के उत्तरों को ध्यान में
रखते हुए हिन्दी अनुवादकों के लिये कोई भेद-
भावपूर्ण नीति बरतने का प्रश्न नहीं उठता ।

Looting of Crops and Murders by Extremists in Bihar

8241. SHRI SITARAM KESRI: Will
the Minister of HOME AFFAIRS be
pleased to state:

(a) whether Government have received
reports from parts of Bihar about looting
of crops and murders committed by the
extremist elements;

(b) whether it is also a fact that State
Government have not been given adequate
protection; and

(c) if so, the steps taken to curb the
increasing crimes ?

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS (SHRI
VIDYA CHARAN SHUKLA) : (a)
According to information received from
the Government of Bihar, while there have
been some stray incidents of violence, the
activities of extremists have been on the
decline since November, 1969.

(b) No, Sir.

(c) The state Government took some
special measures in November, 1969 to deal
with the problem posed by the extremists.
Additional police officers were posted in
the districts concerned and the system to
collect intelligence about extremist
activities was strengthened. A large number
of extremists have since been arrested in
connection with specific cases and are be-
ing dealt with according to law.

Complaints Against Auto-Rickshaws and Taxi Drivers in Delhi

8242. SHRI DEVINDAR SINGH GARCHA :

“ RI VALMIKI CHOUDHARY:
SHRI MANIBHAI J. PATEL:

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

(a) the number of complaints received by Government against the drivers of Auto-rickshaws and Taxis plying in Delhi against their rowdyism, mis-behaviour and overcharging during the year 1969-70;

(b) the number of cases wherein the guilty drivers were punished;

(c) the number of cases where no action was taken and the reasons therefor; and

(d) the concrete steps taken to save the public from harassment by the Auto-rickshaw and Taxi drivers ?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS, AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI IQBAL SINGH) : (a) 6,029 complaints are reported to have been received by the Delhi Administration and Delhi Traffic Police during the years 1969-70.

(b) 4,002 cases were convicted and punished.

(c) No action could be taken in 221 cases for the following reasons while the remaining cases are pending trial in Court or pending enquiry with Police:—

- (i) Complainants themselves withdrew the complaints.
- (ii) In some cases no addresses were given or the addresses given were incomplete or fake.
- (iii) Certain complaints about overcharging on checking the meters were found to be wrong.
- (iv) In some cases, no cognizable offence was made out.

(d) Some of the important steps taken by the Delhi Administration and the Delhi Traffic Police to save the public from harassment by the scooter and taxi drivers are reported to be as under:—

Delhi Administration

The Directorate of Transport has formed a special cell to attend to the complaints of misbehaviour, refusal and overcharging against taxi, auto-rickshaw drivers. On receipt of complaints against taxi/scooter driver the Enforcement staff serves notice on the permit-holder under the provisions of the Motor Vehicles Act, 1939 and the Rules framed thereunder.

Enforcement Staff is also being deployed for dealing with public complaints against auto-rickshaw/taxi drivers on the spot for over-charging misbehaviour and refusal to carry passengers.

Traffic Police

- (i) Whenever any member of the public sends a complaint on the subject, the driver concerned is duly prosecuted after necessary enquiries and the complainant is informed.
- (ii) Complaint books have been supplied to all police stations for the facility of the complainant to lodge a complaint at the nearest police station. Publicity to this effect is also done for the information of general public that they can lodge complaint against such drivers with the nearest police station or send such complaint direct to the Superintendent of Police, Traffic.
- (iii) At the monthly public meetings at the police stations the members are also informed about the presence of the complaint books at police stations.
- (iv) Delhi Traffic Police organises Special raids with mobile Magistrates at various important roads, inter-sections to bring delinquents to book.

(v) with the help of the Unions of Taxi and Scooter Drivers, meetings of taxi and scooter drivers are also arranged and drivers are educated for a good and disciplined behaviour towards passengers. The Traffic boards have been displayed at Delhi and New Delhi Railway Stations and complaint booths have been set up at both the Railway Stations and Inter-State Bus Terminus to register the complaints.

(vi) Besides prosecutions in court of law, a number of complaints of serious nature are also referred to the State Transport Authority, Delhi to take disciplinary action against the defaulting drivers and permit holders to cancel their driving licences and permits of the vehicles under the provisions of Sections 16 and 60 of the Motor Vehicles Act, 1939.

(vii) Special efforts are made after evening show and night show practically in all cinema houses, by the Delhi traffic police to facilitate the public who are in need of Taxi, Two Seater Rickshaws and Motore Cycle Rickshaws.

Terms and Conditions of Transfer of N.D.S. Instructors

8243. SHRI S.M. BANERJEE : Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) how many times his Ministry had to approach the Cabinet for the revision of earlier terms and conditions for the transfer of the National Discipline Scheme Instructors on the plea that the States did not agree to take them over; and

(b) when the States do not agree to take over the National Discipline Scheme Instructors, the reason why his Ministry does not first get the concurrence of the State Governments before approaching the Cabinet for revision of earlier decision?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO.) : (a) and (b). At the meetings of the State Education Secretaries held in February, 1965 and April 1965, it was agreed that the NDS Instructors who were under the control of the Central Government should be transferred to the States. The terms and conditions for the absorption of the Instructors in State Services were however taken up for a decision with the Cabinet in May, 1968. As the terms and conditions approved by the Government were not acceptable to the majority of the States, the matter was again taken up with the Cabinet in 1969 for liberalising the terms and conditions of transfer. The revised terms and conditions as approved by the Government have already been communicated to the State Governments and negotiations with the state Governments for the absorption of the Instructors on these terms are in progress.

हिन्दी सहायकों के पदों को हिन्दी अनुवादकों के पदों में बदलना

8244. श्री झा० सुन्दर लाल : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) गृह-कार्य मंत्रालय के दिनांक 28 नवम्बर, 1968 के कार्यालय-ज्ञापन संख्या 7/66/ सी०एस० (1) के अनुसार हिन्दी सहायकों से उत्तरोत्तर परिवर्तित हिन्दी अनुवादकों के पद क्या किसी रूप में हिन्दी सहायकों से ऊंचे हैं ;

(ख) यदि नहीं, तो बिना किसी परीक्षा के तथा बिना कोई अनुभव निर्धारित किये किन कारणों से हिन्दी अनुवादकों की नियुक्ति की गई ;

(ग) क्या हिन्दी अनुवादक तथा वर्तमान हिन्दी सहायकों के पदों को समान वेतन दर रु० 325-575 में परिवर्तित करने का प्रस्ताव है और क्या भविष्य में सरकार इन पदों की नियुक्ति केन्द्रीय लोक सेवा आयोग द्वारा कराने का विचार कर रही है ; और

(घ) क्या सरकार का विचार उक्त पदों में एकरूपता लाने के लिए हिन्दी सहायकों के रिक्त पदों तथा वर्तमान पदों में नियुक्ति के सम्बन्ध में वेतन दरों के पुनरीक्षण का है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्या चरण शुक्ल) : (क) गृह मंत्रालय के कार्यालय ज्ञापन संख्या 7/1/68—सी० ए० एस० (1) दिनांक 28-11-1968 के अनुसार हिन्दी सहायकों के पदों को (210-530-६०) हिन्दी अनुवादकों के पदों में परिवर्तित करने की आवश्यकता नहीं है। इस कार्यालय ज्ञापन में निहित अनुदेशों का आशय है कि हिन्दी सहायकों के किसी नये पद का सृजन न किया जाये और जब हिन्दी सहायक का पद रिक्त हो तो उसे भरा न जाय बल्कि समाप्त कर दिया जाय। प्रत्येक मंत्रालय / विभाग की आवश्यकताओं के अनुसार हिन्दी अनुवादकों के पदों का सृजन अपेक्षित संख्या में उचित वेतन मानों अर्थात् (210-425 ६०, 320 530६० इत्यादी) में किया जा सकता है। इस बात को ध्यान में रखते हुए और चूंकि हिन्दी सहायकों के पद हिन्दी अनुवादकों के पदों में परिवर्तित किये जाने हैं अतः हिन्दी सहायकों के पदों की तुलना हिन्दी अनुवादकों के पदों से करने का प्रश्न ही नहीं उठता।

(ख) हिन्दी अनुवादकों के पद प्रत्येक मंत्रालय/विभाग द्वारा अपनी आवश्यकताओं के अनुसार बनाये गये पृथक पद हैं। ऐसे पदों को सम्बन्धित मंत्रालयों / विभागों द्वारा पद के लिए बनाए गए भरती नियमों के अनुसार भरा जाता है। इस स्थिति तथा तथ्य को ध्यान में रखते हुए कि ये पद केवल अन्तः कालीन उपाय के रूप में तब तक के लिए बनाए गए पद हैं जब कि केन्द्रीय सचिवालय के कर्मचारी हिन्दी का काम चलाऊ ज्ञान प्राप्त न कर लें और पदों में से अधिकांश श्रेणी iii के पद हैं

और इसलिए संघ लोक सेवा के क्षेत्राधिकार के बाहर हैं अतः इन पदों को भरने के लिए संघ लोक सेवा आयोग द्वारा कोई समान परीक्षा लेने का विचार नहीं है। तथापि प्रत्येक मंत्रालय / विभाग द्वारा इन पदों के लिए बनाए गए भरती नियमों में इन पदों को भरने के लिए अपेक्षित अर्हता तथा अनुभव का प्रावधान है।

(ग) और (घ). उपरोक्त भाग (क) और (ख) के उत्तर को देखते हुए प्रश्न नहीं उठता।

Reorganisation of Country into four Zones

8245. SHRI MUHAMMAD SHERIFF: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the *Akhil Bhartiya Ektā Sabha* has urged for the reorganisation of the country into four zones;

(b) whether the Sabha has also stated that the present trend of creating small States has encouraged provincialism and communalism in the country and that it should be stopped; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) and (b). Yes, Sir.

(c) Provincialism and communalism are evils which can exist and grow irrespective of the size of the States. Strong public opinion against such parochial attitudes, and not the creation of large zonal States, is a safeguard against such tendencies.

Use of English for Educational Needs

8246. SHRI MUHAMMAD SHERIFF: Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether the President of the Inter-University Board of India and Ceylon said that English was essential for fulfilling

current educational needs and stressed for bilingual competence; and

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

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO) : (a) Dr. P. K. Kelkar, President of the Board for 1969-70 had in his presidential address to the 35th Annual meeting of the Board held at Madurai in February, 1970, said:

"The Indian University has to face a critical situation in relation to the language question. The behavioural pattern of individuals to a great extent depends on the syntax and vocabulary of their mother tongue. The regional language, therefore, holds an important position in relation to the learning process. But then those very elements on which the entire modernizing process depends are not available in any of the regional languages. The English language, therefore, occupies an unique position in the country not only because of historical reasons but for fulfilling current needs as well. The regional language will have to interact powerfully with English for a long time before it can satisfy the needs of the majority. As a plan therefore it is necessary to educate three classes of people as indicated below:—

- (1) Those who are proficient in English and have sufficient acquaintance with the regional language.
- (2) Those who are proficient in the regional language and have sufficient acquaintance with English.
- (3) Those who are proficient both in English and the regional language.

It is the third category which is most important. Most of us have unilingual competence but the need of the future is bilingual competence in English as well as the regional language. So far as the language for communication on an all-India basis is concerned it is obviously Hindi".

(b) The Government's views on the subject are summed up in the following Resolutions embodied in the National Policy on Education issued in 1968:—

Three-language Formula : At the secondary stage, the State Governments should adopt, and vigorously implement, the three-language formula which includes the study of modern Indian language, preferably one of the Southern languages, apart from Hindi and English in the Hindi-speaking States, and of Hindi along with the regional language and English in the non-Hindi speaking States. Suitable courses in Hindi and/or English should also be available in Universities and colleges with a view to improving the proficiency of students in these languages upto the prescribed university standards.

International languages : Special emphasis needs to be laid on the study of English and other international languages. World knowledge is growing at a tremendous pace, especially in science and technology. India must not only keep up this growth but should also make her own significant contribution to it. For this purpose, study of English deserves to be specially strengthened.

संघ लोक सेवा आयोग द्वारा ली गई
परीक्षाओं के लिए हिन्दी में
साक्षात्कार (इन्टरव्यू)

8247. श्री नारायण स्वरूप शर्मा : क्या
गृह-कार्य मंत्री यह बताने की कृपा करेंगे
कि :

(क) पिछले 3 वर्षों में संघ लोक सेवा
आयोग द्वारा ली गई परीक्षा विषय में अर्हता
प्राप्त करने वाले ऐसे उम्मीदवारों की संख्या
कितनी हैं जिन का इन्टरव्यू हिन्दी में नहीं
लिया गया था ;

(ख) पिछले तीन वर्षों में संघ लोक
सेवा आयोग द्वारा विभिन्न परीक्षाओं के लिए
कितनी बार इन्टरव्यू लिए गए ;

(ग) उन इन्टरव्यू में प्रत्येक राज्य से कितने उम्मीदवारों को बुलाया गया था और उन में से कितने उम्मीदवारों ने साक्षात्कार में हिन्दी को माध्यम के रूप में प्रयोग किया; और

(घ) जिन उम्मीदवार ने साक्षात्कार में हिन्दी को माध्यम बनाया था उन में से कितने उम्मीदवारों को चुना गया है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्या चरण शुक्ल) : (क) और (ख) . 19 67-68 से 1969-70 तक संघ लोक सेवा आयोग द्वारा ली गई उन परीक्षाओं में जिन में व्यक्तित्व परीक्षा/मौखिक परीक्षा के लिए साक्षात्कार भी रखा गया था, जिन उम्मीदवारों ने इन परीक्षाओं की लिखित परीक्षा के नतीजों के आधार पर साक्षात्कार के लिए प्रवृत्ता प्राप्त की, उनकी संख्या का एक वर्ष-वार विवरण सभा पटल पर रखा जाता है [ग्रन्थालय में रख दिया गया देखिये । संख्या LT 3384 /70.] है । उन परीक्षाओं के लिए साक्षात्कार केवल अंग्रेजी में किये गये थे ।

प्रत्येक सम्बन्धित परीक्षा के लिए अलग से साक्षात्कार किये जाते हैं, साक्षात्कारों की संख्या परीक्षाओं की संख्या के अनुसार होती है ।

(ग) साक्षात्कार के लिए बुलाये गये उम्मीदवारों की राज्य वार संख्या उपलब्ध नहीं हैं । किन्तु, जैसा कि प्रश्न के भाग (क) तथा (ख) में कहा गया है, साक्षात्कार केवल अंग्रेजी में किये जाते हैं ।

(घ) उपरोक्त भाग (ग) के उत्तर को ध्यान में रखते हुए प्रश्न नहीं उठता ।

Purchase of an old Building at Rohtak road, Delhi by tourist Department

8248. SHRI KARTIK ORAON: Will the Minister of TOURISM AND CIVIL

AVIATION be pleased to state:

(a) whether it is a fact that an old building situated at Rohtak Road, Delhi belonging to one Shri Ajaib Singh S/o Shri Inder Singh was bought by the Tourist Department of his Ministry some time in the month of January, 1967; and

(b) if so, the details thereof ?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) No, Sir.

(b) Question does not arise.

Looting of paddy in Jalpaiguri District

8249. SHRI KARTIK ORAON : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that lawlessness is rampant in West Bengal and that a gang of 50 to 60 people robbed Shri Binode Bihari Oraon of Purba Satali, P.S. Kalchini, District Jalpaiguri, in broad daylight and took 250 maunds of paddy from the thrashing ground on the 15th February, 1970; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY) : (a) and (b). Facts regarding the specific incident are being ascertained from the state government.

Restrictions on tourists visiting North Eastern Region

8250. SHRI HIMATSINGKA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether it is a fact that certain special restrictions exist on tourists visiting the North Eastern region comprising Assam, Tripura, Manipur etc;

(b) if so, to which specific areas tourists are not allowed;

(c) whether on account of these restrictions, the yield from the tourist traffic to the States in this region is very limited and, if so, the actual yield from the tourist traffic to these regions *vis-a-vis* other tourist regions.

(d) whether the total expenditure on tourist development during the first two decades of planned development has been far too little in comparison with the rest of India; and

(e) if so, the percentage of such expenditure incurred in this region as related to the area of territory included in this region?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). Yes, Sir. Foreign tourists are required to obtain permits for visiting the following places:

(i) The Mizo Hills Districts (Assam) and Manipur under the 'Foreigners (Protected Area) Order 1958' and

(ii) all Districts of Assam and the Union Territory of Tripura under the 'Foreigners (Restricted Area) Order 1963'.

(c) The Department of Tourism compiles statistics of the overall tourist traffic to India and does not maintain separate figures relating to the various regions of the country.

(d) and (e). While the expenditure in Assam on Centrally sponsored schemes during the Second and Third Five Year Plan periods has been Rs. 1,54,945 and Rs. 39,850 respectively, no expenditure was incurred on tourism schemes in Manipur and Tripura because of the restrictions on the entry of foreign tourists into this area. The total expenditure on Central tourism schemes during the Second and Third Five Year Plans has been of the order of Rs. 86.885 lakhs and Rs. 145.12 lakhs respectively.

Demands of Chandigarh Subordinate Service Federation

8251. SHRI SHRI CHAND GOYAL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the President of Chandigarh Subordinate Services Federation observed a week's hunger strike in front of the Secretariat of the Union Territory of Chandigarh;

(b) if so, what were the main demands made by the Federation; and

(c) the steps taken by Government to meet the demands?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SAUKLA): (a) Yes Sir.

(b) and (c). A statement based on information given by Chandigarh Administration is attached.

The following were the main demands:---

(i) provision of Punjab Grades to the employees recruited or promoted by the Chandigarh Administration on or after 1-11-66.

(ii) Allotment of plots on concessional rates.

(iii) Allotment of quarters on hire purchase system.

(iv) Increase in the daily wages of the work charged staff and implementation of Court award and Awards in respect of confirmation and regularisation of work charged staff.

As regards the demand at (i) above, the decision has been taken to give Central Scales to employees of all the Union Territories with effect from 6-3-1970. The demand at (ii) is being examined. In regard to demand (iii) it was not considered practicable to sell the existing quarters on account of paucity of land for constructing more similar quarters.

About demand at (iv) above, the rate of unskilled labour has recently been increased from Rs. 3/- per day to Rs. 4/- per day. The industrial Tribunal Award has been implemented. Most of the Staff has been brought on regular establishment. In regard to confirmation of the staff there was no direction in the Award to this effect.

Development of Chandigarh as a tourist Centre

8252. SHRI SHRI CHAND GOYAL: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Chandigarh has started attracting tourists from and outside the country; and

(b) if so, the steps being taken by Government to provide necessary facilities to the tourists and also to develop Chandigarh as a tourist centre?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) Yes, Sir.

(b) Adequate accommodation is available at Chandigarh. The Chandigarh Administration is also constructing a Bungalow-cum-Guest House for tourists. There is a Tourist Office at the Bus Stand to provide information and guides for sight-seeing.

छात्र प्रदेश में नक्सलवादियों के पास से विस्फोटक सामग्री का बरामद होना

8 253. श्री हुकुम चन्द कछवाय : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जनवरी, 1970 में आंध्र प्रदेश के काकुलम जिले के किसी गांव में नक्सलवादियों से काफी मात्रा में विस्फोटक सामग्री बरामद की गई थी ; और

(ख) यदि हां, तो बरामद किये गये हथियारों और विस्फोट सामग्री का व्यौरा क्या

है और सरकार द्वारा इस सम्बन्ध में कितने व्यक्तियों के विरुद्ध कार्यवाही की गई है तथा क्या कार्यवाही की गई है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री वल्लभ बिरला शुक्ल) : (क) और (ख). आन्ध्र प्रदेश सरकार से प्राप्त सूचना के अनुसार 6 जनवरी, 1970 को एक पुलिस दल को कुछ उग्रवाधियों के साथ श्रीकाकुलम जिले के पुरासिगी गाँव में मुठभेड़ हुई थी। पुलिस ने एक व्यक्ति को पकड़ा और तीन एस० बी० एम० एल० बन्दूकों, दौं देसी बम तथा एक कपड़े का थैला जिसमें 6 कारतूस, 12 लैंड बाल, काला बारूद था, और एक बोतल जिसमें विस्फोटक पदार्थ था बरामद किये। पुलिस द्वारा दर्ज मामले की जांच पड़ताल की जा रही है।

नागालैंड-मनीपुर सीमा पर विद्रोहियों के छिपने के झड्डों से हथियारों का बरामद होना

8254. श्री हुकुम चन्द कछवाय : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जनवरी, 1970 में मनीपुर और नागालैंड के सीमावर्ती क्षेत्रों पर विद्रोहियों के छिपने के विभिन्न झड्डों से सुरक्षा सेनाओं ने काफी बड़ी मात्रा में हथियार बरामद किये थे ; और

(ख) यदि हां, तो बरामद किये गये हथियारों का व्यौरा क्या है और इस सम्बन्ध में कितने व्यक्तियों को गिरफ्तार किया गया है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री वल्लभ बिरला शुक्ल) : (क) जी हां, श्रीमान्।

(ख) राइफलों और पिस्तोलों तथा अन्य हथियारों समेत 115 अग्नेस्त्र बरामद किये गये तथा सुरक्षा दल द्वारा 53 विद्रोही पकड़े गये।

नरेला] (दिल्ली) स्थित स्वामी
श्रद्धानन्द कालेज का स्थानान्तरण

8255. श्री रघुवीर सिंह शास्त्री : क्या शिक्षा तथा युवक सेवा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नरेला (दिल्ली) स्थित स्वामी श्रद्धानन्द कालेज नरेला के निवासियों द्वारा बार बार अनुरोध किये जाने पर खोला गया था ;

(ख) क्या यह भी सच है कि नरेला में लगभग दो दर्जन गांवों के प्रतिनिधियों के साथ हुई बैठक में कालेज के प्रिंसिपल तथा प्रबन्ध समिति के कुछ प्रमुख सदस्यों ने आश्वासन दिया था कि नरेला कालेज का स्थानान्तरण नहीं किया जायेगा ;

(ग) क्या यह भी सच है कि नरेला (दिल्ली) के निवासियों द्वारा बार बार विरोध प्रकट किये जाने के बावजूद उपयुक्त कालेज को किसी अन्य स्थान पर स्थानान्तरित कर दिया गया है ; और

(घ) क्या उत्तर दिल्ली में अन्य गांवों की तुलना में नरेला एक प्रमुख गांव है और इसका रेल तथा अन्य यातायात साधनों द्वारा अन्य स्थानों से सम्पर्क है ?

शिक्षा तथा युवक सेवा मंत्री (डा० बी० के० आर० बी० राव) : (क) नरेला के निवासियों से कुछ प्रार्थनाएं प्राप्त हुई थीं ; इन प्रार्थनाओं तथा मामले के सभी अन्य पहलुओं को ध्यान में रखते हुए, नरेला में कालेज खोलने का निर्णय किया गया था।

(ख) दिल्ली प्रशासन से प्राप्त सूचना के अनुसार, ऐसा कोई आश्वासन नहीं दिया गया था।

(ग) कालेज को अस्थायी तौर पर अलीपुर में स्थानान्तरित कर दिया गया है क्योंकि नरेला

में स्थान पर्याप्त नहीं पाया गया था। नरेला के निवासियों द्वारा इस संबंध में कुछ विरोध किया गया था।

(घ) जी हां।

स्वामी श्रद्धानन्द कालेज नरेला, दिल्ली

8256. श्री रघुवीर सिंह शास्त्री : क्या शिक्षा तथा युवक सेवा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नरेला, दिल्ली के निवासियों ने स्वामी श्रद्धानन्द कालेज के लिये प्रयाप्त भूमि दान की है ;

(ख) क्या यह भी सच है कि दिल्ली प्रशासन ने उक्त भूमि पर कालेज की इमारत बनाने की मंजूरी दे दी है ; और

(ग) यदि हां, तो इस सम्बन्ध में विलम्ब के क्या कारण हैं और उक्त इमारत का शीघ्र निर्माण करने के लिए क्या कार्यवाही करने का विचार है ?

शिक्षा तथा युवक सेवा मंत्री (डा० बी० के० आर० बी० राव) : (क) जी हां।

(ख) और (ग). निर्माण कार्य कालेज के शासी निकाय द्वारा आरम्भ किया जाना है। मवन के निर्माण के सम्बन्ध में अनापत्ति प्रमाण पत्र दिल्ली विकास प्राधिकरण से अभी प्राप्त किया जाना है।

Circulation of Chinese currency in certain parts of Assam

8257. SHRI BABURAO PATLE : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that Chinese currency is extensively circulated and accepted by the people for day to day transaction at many places in North of Gauhati like Mangatdoi Kalaigoon, Udaiguru, Pachnai, Tamulpur, Dhekiajuli, Tezpur etc;

(b) whether Government would take some steps to stop the circulation of Chinese currency in these sensitive territories by declaring all these who circulate trade with Chinese currency as traitors and punishing them to protect the stability of our currency and economy; and

(c) if not, the reasons therefor ?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY) : (a) to (c). Facts are being ascertained.

तोड़ फोड़ गतिविधियों के लिए प्रशिक्षण प्राप्त कर रहे आन्ध्र प्रदेश तथा मध्य प्रदेश के आदिवासी

8258. श्री रमेश चन्द व्यास : क्या गृह कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को इस आशय की शिकायतें प्राप्त हुई हैं कि आन्ध्र प्रदेश के आदिवासियों को उक्त राज्यों से बाहर लाया जा रहा है और उन्हें तकनीकी प्रशिक्षण के नाम तोड़ फोड़ की गतिविधियों के लिए प्रशिक्षण दिया जा रहा है :

(ख) क्या यह भी सच है कि उक्त प्रशिक्षण प्राप्त करने के लिए कुछ आदिवासियों को विदेश भेजा गया है ; और

(ग) यदि हां, तो इस सम्बन्ध में केन्द्रीय सरकार द्वारा क्या कार्यवाही की जा रही है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्या चरण शुक्ल) : (क) से (ग). आन्ध्र प्रदेश सरकार के पास ऐसी कोई सूचना नहीं है मध्य प्रदेश सरकार से उत्तर की प्रतीक्षा की जा रही है ।

Application of Article 335 of the Constitution to Jammu and Kashmir

8259. SHRI YASHPAL SINGH : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether he has since examined the application of Article 335 of the constitution to the State of Jammu and

Kashmir as was promised by him on the 2nd April, 1970 during the course of his reply to the debate on a Short Duration Discussion on Jammu; and

(b) if so, the result of the examination ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) and (b). The matter is under consideration.

Amendment of Delhi University Act for providing facilities to private students

8260. SHRI YASHPAL SINGH: Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state:

(a) whether Government intend to amend the Delhi University Act for providing the facility of examination to private students;

(b) if so, whether the views of the Delhi Administration have been sought; and

(c) when the Bill would be brought forward ?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V.K.R.V. RAO): (a) Yes, Sir.

(b) No, Sir.

(c) As soon as possible.

Opinion of Supreme Court on Lotteries

8261. SHRI YASHPAL SINGH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the former Governor General has asked for the opinion of the Supreme Court under Article 143 of the Constitution on the lotteries now being run by the State Governments; and

(b) the reaction of the Central Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) and

(b). Letters had been received from Shri Rajagopalachari in 1968 and recently on the subject of lotteries being run by State Governments, where *inter alia* he had suggested seeking the opinion of the Supreme Court on the subject. In reply, the various aspects of the matter were explained to him and he was informed that a reference to the Supreme Court was not considered necessary.

Measures for Improvement of Roads in the Country

8262. SHRI R. BARUA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that as compared to the National output the share for road improvement was only 0.59 per cent at the end of the Third Plan;

(b) if so, whether it is the lowest in the World and therefore neglect of the Highways is going to affect economic growth; and

(c) whether in view of the increase of revenue from roads from Rs. 220.48 crores in the First Plan to about Rs. 3,500 crores in the Fourth Plan, Government propose to have a new look on the question of road improvement?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS, AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI IQBAL SINGH): (a) Presumably the Hon'ble Member is referring to the expenditure incurred on original works. As compared to the national income, the expenditure incurred on original road development works during 1965-66 which marked the end of the Third Plan works out to 0.58%.

(b) No, Sir. The expenditure on road development in India is not the lowest in the World and is constantly on the increase from plan to plan although considerable leeway yet remains to be made up to make the plan need based.

(c) The provision for roads in any Five-Year Plan depends upon a number of factors such as (1) requirements for development of roads; (2) availability of overall resources for the Plan and (3) Requirements of other competing programmes. Within the available resources, the outlay on roads in the 4th Five-Year Plan now stands at Rs. 876 crores as against Rs. 110 crores in the 1st Five-Year Plan which represents an increase of 800 per cent. Due to financial limitations and claims of other competing programmes it has not been possible to step up the Road Plan Allocation further which is thus largely resource based.

Seizure of research material, unpublished data and manuscripts of department of Para-Psychology by Rajasthan University Authorities

8263. SHRI SAMAR GUHA :
SHRI ONKAR LAL BERWA :

Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether it is a fact that all the valuable research material, unpublished data and manuscripts and other books of the Department of Para-Psychology at Jaipur have been seized by the Rajasthan University, authorities;

(b) whether these research papers and other equipments of the Department owned by the Director have not been returned to him;

(c) whether it is also a fact that an American Researcher on Para-Psychology in collusion with some highly placed person in the Rajasthan University, managed to misappropriate research papers, data and manuscript seized by that University;

(d) whether Government would take steps to release all research papers and other materials and his personal equipments without further delay and institute an enquiry regarding misappropriation of the unpublished research data and papers; and

(e) if not, the reasons therefor ?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V.K.R.V. RAO) : (a) No Sir. According to the information furnished by the University, following the closure of the Para-Psychology Unit of the Rajasthan University on November 21, 1969, the records and other material of the Unit were removed from the rooms formerly occupied by the Unit to another place in the University and are safe. An inventory of the material was also prepared by a Notary Public.

(b) Shri Banerjee (who was Director of the Unit) has claimed some material from the University as his own. On the other hand, some material belonging to the University is reported to be with him. The University is looking into this whole matter.

(c) According to the University, this allegation has no basis.

(d) and (e). The matter concerns the University of Rajasthan. The University has reported that it has no desire to retain such material as legitimately belongs to Shri Banerjee. As stated in reply to part (b), the matter is already being looked into by the University.

दिल्ली में मोटर गाड़ियों की दुर्घटनाएं

8264. श्री हुकम चन्द कछवाय :

श्री भारत सिंह चौहान

श्री जगन्नाथ राव जोशी :

श्री ओंकार लाल बेरवा :

श्री वंशनारायण सिंह :

क्या नौबहन तथा परिवहन मंत्री यह बताने की कृपा करेंगे कि ;

(क) 1 जनवरी, 1970 से अब तक दिल्ली में मोटर गाड़ियों की कितनी दुर्घटनाएं हुईं ;

(ख) उनके परिणामस्वरूप कितने व्यक्ति मार गये तथा कितने घायल हुये ; और

(ग) इस सम्बन्ध में उक्त अवधि में कितने मामले दर्ज किये गये और न्यायालयों ने कितने व्यक्तियों को सिद्धदोष ठहराया ।

संसद-कार्य विभाग और नौबहन तथा परिवहन मंत्रालय में उपमंत्री (श्री इकबाल सिंह) :
(क) 1-1-1970 से 15-4-1970 तक 2371 दुर्घटनाएं ।

(ख) इन दुर्घटनाओं में मृतकों और घायलों की संख्या क्रम से 154 और 956 हैं ।

(ग) उपरोक्त 2371 दुर्घटनाओं में से 1376 बिना चोट की दुर्घटनाएं थीं जो भारतीय दंड संहिता के अन्तर्गत पंजीकृत नहीं की गई थीं जबकि 201 मामलों में मोटर गाड़ी अधिनियम के अन्तर्गत कार्यवाही की गई थी । शेष 794 मामले भारतीय दंड संहिता के अन्तर्गत पंजीकृत किये गये जिसमें 17 व्यक्तियों को अभी तक सिद्ध दोष ठहराया गया ।

वेश में राजनीतिक आन्दोलन

8265. श्री हुकम चन्द कछवाय ;

श्री भारत सिंह चौहान :

श्री जगन्नाथ राव जोशी :

श्री ओंकार लाल बेरवा :

श्री वंशनारायण सिंह :

श्री क० अनिरुद्धन :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि ;

(क) 1 जनवरी, 1967 के पश्चात् देश में राज्य-वार कितने राजनीतिक आन्दोलन चलाये गये :

(ख) ऊपरलिखित तारीख के पश्चात् इन के कारण कितने मूल्य की सरकारी सम्पत्ति की क्षति हुई ; और ;

(ग) विधि तथा व्यवस्था को बनाये रखने तथा इन आन्दोलनों पर नियन्त्रण पाने के

लिये उपरलिखित तारीख के पश्चात् विभिन्न राज्यों को सहायता के लिये कितनी बार सेना भेजी गई ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री विद्या चरण शुक्ल) : (क) से (ग). राज्य सरकारों/संघ राज्य क्षेत्र प्रशासनों से प्राप्त सूचना के आधार पर एक विवरण समा पटल पर रखा जाता है। ग्रन्थालय में रख दिया गया। देखिये संख्या L.T.-3385/70।

Revised pay scales for teachers in Rural Institutes

8266. SHRI S.M. KRISHNA : Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether the revised pay scales for teachers as recommended by the University Grants Commission have been introduced in the Rural Institutes sponsored by the National Council for Rural Higher Education;

(b) if so, since when; and

(c) if not, the reasons therefor ?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V.K.R. V. RAO) : (a) No, Sir.

(b) Does not arise.

(c) The matter is under consideration.

Memorandum from JTC/JAV/CT teachers of Delhi

8267. SHRI S.M. KRISHNA : Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether Government have received a Memorandum from J.T.C./J.A.V./C.T. Teachers' Union, 30/19 Shakti Nagar Delhi—7;

(b) if so, whether any action has been taken on the same; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION AND YOUTH SERVICES (SHRI BHAKT DARSHAN) : (a) Yes, Sir.

(b) Since the matters raised by the Union are the concern of the Delhi Administration and the Delhi Municipal Corporation, the Union was advised to approach these authorities in the matter.

The representations were also forwarded to these authorities for necessary action.

(c) Does not arise.

Anti-National Army in Doda District of Jammu

8268. SHRI YASHPAL SINGH : SHRI BENI SHANKER SHARMA :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether his attention has been drawn to the statement made by the General, Secretary of the Jana Sangh in Jammu on the 9th April, 1970, that there is an Anti-National Army working in Doda district of Jammu;

(b) whether any investigation has been made; and

(c) if so, the result thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) to (c). Government have seen press reports about the statement referred to. The statement is entirely baseless.

Agitation in Andaman and Nicobar group of Islands

8270. SHRI JYOTIRMOY BASU : SHRI BHAGABAN DAS :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether agitation is going on in the Andaman and Nicobar group of Islands covering different issues ;

(b) if so, the details thereof; and

(c) the steps taken in the matter ?

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS
(SHRI VIDYA CHARAN SHUKLA) :
(a) Government have not received
report of any agitation going on in the
Andaman and Nicobar Islands at present.

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

संघ लोक सेवा आयोग में और प्रशासनिक सेवाओं में भरती के लिए नियुक्त चयन समितियों में अनुसूचित जातियों और अनुसूचित आदिम जातियों का प्रतिनिधित्व

8271. श्री नाथू राम अहिरवार : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या संघ लोक सेवा आयोग में और विभिन्न प्रशासनिक सेवाओं में भरती करने के लिए नियुक्त चयन समितियों में अनुसूचित जातियों और अनुसूचित आदिम जातियों को प्रतिनिधित्व देने के प्रश्न पर सरकार विचार करेगी;

(ख) यदि हां, तो यह किस आधार पर किया जायेगा;

(ग) क्या सरकार राज्य सरकारों को इस प्रक्रिया का अनुसरण करने के लिए निर्देश जारी करेगी; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री विद्या चरण शुक्ल) : (क) और (ख). संघ लोक सेवा आयोग के सदस्यों का चयन मुख्यतः इन अनिवार्य अपेक्षाओं से नियंत्रित होता है कि अनुभव और योग्यता में उचित विविधता होनी चाहिए ताकि आयोग को जिन विभिन्न समस्याओं से निपटना है उसका शीघ्र तथा पर्याप्त रूप में प्रबन्ध हो सके। इस उद्देश्य को

ध्यान में रखकर, प्रतिष्ठित व्यक्ति, जिन्हें प्रशासन, शिक्षा, विधि व्यवसाय इत्यादि का अनुभव है नियुक्त किये जाते हैं। इन बातों को ध्यान में रखते हुए किसी समुदाय विशेष के लिए आयोग की सदस्यता में कोई आक्षेप नहीं किया जा सकता फिर भी, आयोग में नियुक्तियों करते समय आयोग में अनुसूचित जाति/अनुसूचित आदिम जाति के सदस्यों को प्राप्त करने की वांछनीयता का ध्यान में रखा जाता है।

अनुसूचित जातियों और अनुसूचित आदिम जातियों के लिए कल्याण सम्बन्धी समिति ने अपने चतुर्थ प्रतिवेदन में अन्य बातों के साथ साथ यह सिफारिश की है कि सभी प्रवर्ण बाड़ों अथवा भर्ती प्राधिकारियों को अपने में कम से कम एक अनुसूचित जाति/अनुसूचित आदिम जाति का सदस्य सम्मिलित करना चाहिए। इस सिफारिश की जांच की जा रही है।

(ग) और (घ). "राज्य लोक सेवाएं और राज्य लोक सेवा आयोग" संविधान की सातवीं अनुसूची की राज्य सूची की प्रविष्टि है अतः वह पूर्णतः राज्य सरकारों के क्षेत्राधिकार में है। अतएव भारत सरकार का इस सम्बन्ध में राज्य सरकारों को कोई निर्देश देने का प्रश्न ही नहीं उठता।

औरछा जिला टीकमगढ़ (मध्य प्रदेश)

में जहांगीर महल को अपने अधिकार में लेना

8272. श्री नाथू राम अहिरवार : क्या शिक्षा तथा युवक सेवा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत के पुरा-तत्वीय सर्वेक्षण विभाग ने टीकमगढ़ जिला, मध्य प्रदेश, में औरछा में प्राचीन जहांगीर महल को अपने अधिकार में ले लिया है ;

(ख) यदि हाँ, तो केन्द्रीय सरकार ने इसके खर-खाव के लिए क्या व्यवस्था की है ; और

(ग) यदि अब तक कोई व्यवस्था नहीं की गई है तो उसके क्या कारण हैं ?

शिक्षा तथा युवक सेवा मंत्रालय में उप मंत्री (श्रीमती जहानाबारा जयपाल सिंह) : (क). जी नहीं।

(ख) और (ग). प्रश्न नहीं उठता।

बिहार में वैशाली का पर्यटन केन्द्र के रूप में विकास करना

8273. श्री क० मि० मधुकर : क्या पर्यटन तथा असेनिक उड्डयन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बिहार के मुजफ्फरपुर जिले में वैशाली एक ऐतिहासिक महत्व का स्थान है और लाखों व्यक्ति प्रतिवर्ष उस स्थान पर जाते हैं ;

(ख) क्या सरकार उस स्थान को एक पर्यटक केन्द्र का रूप देगी ;

(ग) यदि हाँ, तो सरकार ने इस संबंध में अब तक क्या कार्यवाही की है और उसका क्या परिणाम निकला है ; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

पर्यटन तथा असेनिक उड्डयन मंत्री (डा० करण सिंह) : (क) से (घ). वैशाली के एक स्थान के रूप में महत्व के प्रति सरकार जागरूक है ; और राज्य सरकार के द्वारा वहाँ पहले से ही कुछ पर्यटन सुविधाओं की व्यवस्था की गई है। मैं स्वयं हाल ही में वैशाली गया था, और वहाँ प्राप्त सुविधाओं में सुधार करने के प्रश्न पर सक्रिय रूप से विचार किया जा रहा है।

अपराधों की रोकथाम

8274. श्री क० मि० मधुकर : क्या गृह कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 9 अप्रैल, 1970 के "दि टाइम्स आफ इन्डिया" (नई दिल्ली) में प्रकाशित समाचार के अनुसार टाटा सामाजिक विज्ञान संस्था के अपराध विभाग के अध्यक्ष ने हाल ही में अपराधों की रोकथाम के लिए कुछ नए सुझाव दिए हैं ;

(ख) क्या अपराधों की रोकथाम में प्रगति करने के लिए सरकार का इन सुझावों को स्वीकार करने का विचार है ,

(ग) यदि हाँ, तो उन सुझावों का ब्योरा क्या है और सरकार उन्हें क्रियान्वित करने के लिए क्या कार्यवाही करना चाहती है ; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

गृह कार्य मंत्रालय में राज्य मंत्री (श्री विद्या चरण शुक्ल) : (क) और (ख). अखिल भारतीय अन्तरराष्ट्रीय केन्द्र, नई दिल्ली द्वारा आयोजित विचार गोष्ठी "अपराध समस्या संबंधी नया दृष्टिकोण" पर हुए प्रमियुक्त विषयक विचार विमर्श में भाग लेते हुए टाटा सामाजिक विज्ञान संस्था के अपराध-विज्ञान तथा दण्डात्मक प्रशासन विभाग के अध्यक्ष ने अपराधों के रोकथाम के कुछ आधारभूत पहलुओं पर जोर दिया था, जैसे कि, आम तौर पर अपराधों के विरुद्ध आरम्भिक पूर्वोपाय करना तथा विशेष रूप से अपराधों के विशिष्ट स्वरूपों के विरुद्ध जनता को शिक्षित करना। अपराधों की रोकथाम पर जनवरी, 1967 में केन्द्रीय अन्वेषण ब्यूरो द्वारा आयोजित "अखिल भारतीय अपराध विचार गोष्ठी" में भी अपराध घटनाओं के दो आधारभूत तत्व विचार-विमर्श के विषय रहे हैं। इसी के अनुसरण में, जनता में आवश्यक रूप में अधिक सजगता लाने तथा

इस क्षेत्र इत्यादि में अपने दायित्व के बारे में उन्हें शिक्षित करने हेतु 1968 में केन्द्रीय अनवेषण ब्यूरो द्वारा एक राष्ट्रीय अपराध निरोधक सप्ताह का आयोजन किया गया था। भारत सरकार ने इस सप्ताह को मनाने हेतु राज्य सरकारों से भी अनुरोध किया था। इस अवसर पर ऐसी शिक्षाप्रद पुस्तिकाएं भी प्रकाशित की गई थीं जिनमें यह दिया हुआ था कि अपराधों की रोकथाम के लिए क्या करना चाहिए और क्या नहीं करना चाहिए।

(ग) और (घ). 1967 में एक ऐसे ही अपराध निरोधक सप्ताह का आयोजन का प्रस्ताव है।

चम्पारन जिले (बिहार) में केसरिया के ऐतिहासिक अवशेष

8275. श्री क० मि० मधुकर : क्या शिक्षा तथा युवक सेवा मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि बिहार के चम्पारन जिले में केसरिया के समीप एक बहुत पुराना किला तथा कुछ अन्य ऐतिहासिक अवशेष हैं;

(ख) यदि हां, तो भारतीय इतिहास के अध्ययन में इन अवशेषों के ऐतिहासिक महत्व सम्बन्धी तथ्यों को शामिल न किये जाने का क्या कारण है ?

(ग) क्या सरकार का विचार कुछ सौ फुट ऊंचे उक्क किले की खुदाई करने का है ;

(घ) यदि हां, तो खुदाई कार्य कब तक प्रारम्भ किये जाने की सम्भावना है ; और

(ङ) यदि नहीं, तो इस के क्या कारण हैं ?

शिक्षा तथा युवक सेवा मंत्रालय में उप मंत्री (श्रीमती जहाननारा जयपाल सिंह) : (क)

ताजपुर देयूर, केसरिया, जिला चम्पारन में "बुध स्तूप" नामक संरक्षित स्मारक के प्रतिरिक्त ठोस ईंट से बने निर्माण के विष्वस्त ढेर भी वहां असंरक्षित विद्यमान है जिसे ग्राम तीर पर किला जाना जाता है, यद्यपि यह एक स्तूप है।

(ख) अब तक इस स्थान के बारे में ऐसी कोई बात प्रकाश में नहीं आई है, जिससे इसके भारत में ऐतिहासिक अध्ययन के महत्व की जरूरत हो।

(ग) इस स्थान पर फिलहाल, कोई खुदाई करने का प्रस्ताव नहीं है।

(घ) प्रश्न नहीं उठता।

(ङ) भारतीय पुरातत्वीय सर्वेक्षण विभाग की खुदाई शाखा कुछ अन्य महत्वपूर्ण स्थानों की खुदाई में लगी हुई है।

दिल्ली में ऐतिहासिक स्थानों पर व्यय

8276. श्री देवेन सेन : क्या पर्यटन तथा असेनिक उद्घाटन मंत्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों में सरकार ने दिल्ली में पर्यटक केन्द्रों तथा ऐतिहासिक महत्व के स्थानों पर कितना-कितना व्यय किया ;

(ख) क्या लाल किला, कुतुब मीनार तथा जामा मस्जिद को, जो दिल्ली में ऐतिहासिक तथा पर्यटक केन्द्र हैं, सुन्दर बनाने तथा इनमें अधिक सुविधाएं देने के लिए सरकार का कोई विशेष कार्यवाही करने का विचार है; और

(ग) यदि हां, तो वह क्या है ?

पर्यटन तथा असेनिक उद्घाटन मंत्री (डा० कर्ण सिंह) : (क). एक विवरण संलग्न है।

(ख) और (ग). दिल्ली के मुख्य कार्यकारी पार्षद की अध्यक्षता में एक 'प्रोजेक्ट दिल्ली समिति' की स्थापना की गई है जो

दिल्ली में पर्यटक अभिरुचि के स्थानों के विकास के बारे में सिफारिश करती है। होज खास तथा पुराने किले को सुन्दर बनाने की योजनाओं के अलावा, समिति ने कुतुब मीनार के लिये निम्नलिखित उपायों की सिफारिश की है :-

- (i) स्मारक के अन्दर नोटिस बोर्डों की भाषा में परिवर्तन करना ।
- (ii) रेलिंग की पेंटिंग ।
- (iii) पीने के पानी की व्यवस्था ।
- (iv) रेस्टोरेंट के बाहर कार पार्क की व्यवस्था ।
- (v) स्मारक में एक बाहर जाने के द्वार तथा एक प्रवेश द्वार की व्यवस्था ।
- (vi) टिकट-विक्रय-काउंटर का वर्तमान स्थान से स्थानान्तरण तथा बूथ की किसी दूसरी जगह व्यवस्था करना ।

(vii) प्रवेश द्वार की तरफ की सरंचनाओं को हटाना तथा स्टालों के स्थान पर अच्छी दुकानों की व्यवस्था करना ।

(viii) एक बस-पार्क की व्यवस्था तथा स्मारक के बाहर आइलैंड में फव्वारे का निर्माण ।

(ix) भारत पर्यटन विकास निगम के रेस्टोरेंट का नवीकरण ।

भारत पर्यटन विकास निगम लाल किले में एक सान-एट-लुमिएर (ध्वनि एवं प्रकाश) प्रदर्शन आयोजित करता है ।

दिल्ली विकास प्राधिकरण जामा मस्जिद के आस-पास के क्षेत्र को सुन्दर बनाने के कार्यक्रम को क्रियान्वित कर रहा है ।

विवरण

स्कीम	1967-68	1968-69	1969-70	किसके द्वारा खर्च किया गया ।
पुराने किले का पुंज-प्रकाशन (पलड लाइटिंग)	—	1,17,760.00	16,400.00	पर्यटन विभाग द्वारा
इंडिया गेट का पुंज-प्रकाशन	—	—	44,216.00	पर्यटन विभाग द्वारा
दिल्ली आदि में संरक्षित स्मारकों का संधारण एवं संरक्षण	4,54,100.00	6,08,648.00	6,77,653.00	भारतीय पुरातत्व सर्वेक्षण द्वारा

**Family Welfare Centre at Rouse Avenue
New Delhi**

8277. SHRI CHENGALRAYA NAIDU : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have received a Memorandum for the opening of a Family Welfare Centre in Rouse Avenue, New Delhi;

(b) if so, the action taken thereon; and

(c) when the Family Welfare Centre in this area will be opened?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY) : (a) Yes, Sir.

(b) and (c). The matter is under consideration.

**Under-Graduate Course in Delhi
Colleges**

8278. SHRI CHENGALRAYA NAIDU : Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) whether it is a fact that about 180 teachers of English in the Delhi Colleges have strongly criticised the proposed scheme of under-Graduate course;

(b) if so, whether they have formed a five-member committee and have submitted a memorandum to the Vice-Chancellor of the Delhi University; and

(c) if so, what are their main objections and the reaction of Government there to?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO) : (a) No, Sir,

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

**Delay in I. A. C. Flights between
Delhi and Gwalior**

8279. SHRI RAM AVTAR SHARMA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government's attention has been drawn to the irregular flights of the Indian Airlines planes between Delhi and Gwalior and to the flights being delayed for as long as nearly twelve hours, thereby causing great inconvenience to the travelling public?

(b) whether Government's attention has also been drawn to the lack of basic amenities at Gwalior airport; and

(c) if so, the steps Government are taking to improve the punctuality of the flights and provision of amenities for passengers at the said air port?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) :

(a) Gwalior was introduced as a scheduled halt by Indian Airlines from 1st November, 1969, and out of 302 flights operated between Delhi and Gwalior from this date to 31st March, 1970, 3 flights were badly delayed.

(b) The following amenities are available at Gwalior airport :—

1. Fully furnished passenger lounge.
2. Fans.
3. Toilet facilities.
4. Telephone.
5. Water cooler.

In addition, a public address system is in the process of being installed.

(c) Great care is being taken to avoid delays. Sometimes however unforeseen factors occur over which Indian Airlines have no direct control.

**Promotion from Grade II to Grade I
in the Central Secretariat Steno-
graphers Service**

8280. SHRI N. K. SOMANI : Will the Minister of HOME AFFAIRS be pleased to state :

(a) the criteria, other than the well established principle of "Seniority subject to the rejection of the unfit", adopted for purposes of promotion from Grade II to Grade I of the Central Secretariat Stenographers' service;

(b) whether it has been done to benefit a few juniors at the cost of senior persons in Grade II;

(c) whether promotion from Grade I to Selection Grade of the same service have been made on the cardinal principle of seniority subject to rejection of the unfit; and

(d) if so, the reason why a departure has been made in the case of promotions from Grade II to Grade I and what is the rationale of this discriminatory measure?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) The criterion adopted for the purpose of promotion from Grade II to Grade I of the Central Secretariat Stenographers Service is "merit with due regard to seniority" in accordance with the relevant provisions of the Central Secretariat Stenographers Service Rules, 1969, and the Regulations framed thereunder.

(b) No, Sir.

(c) and (d). At the initial constitution of the revised Central Secretariat Stenographers Service, under rule 7 of the Central Secretariat Stenographers Service Rules, 1969, appointments to Selection Grade from the erst while Grade I Central Secretariat Stenographers Service officers were to be made by the respective cadres on the basis of seniority subject to the rejection of the the unfit since these appointments did not involve any change in the nature of duties and the officers concerned continued to hold the posts they were holding prior to the reorganization of the Service. Appointments to Selection Grade at the maintenance stages are, however, required to be made from among Grade I Stenographers on the basis of "merit with due regard to seniority". Appointments from Grade II Central Secretariat Stenographers Service officers to the new Grade I of the service involve assumption of higher responsibilities. It was, therefore, decided that such promotions should be made on the basis of "merit with due regard to seniority".

दिल्ली में समुद्री दिवस (मैरीटाइम डे) का मनाया जाना

8281. श्री मृण्मंजय प्रसाद : क्या नौबहन तथा परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गत कई वर्षों से संसद भवन के केन्द्रीय कक्ष में अथवा किसी अन्य स्थान पर समुद्री दिवस मनाने की परंपरा रही है; और

(ख) यदि हां, तो इस वर्ष इस दिवस के न मनाये जाने और इस प्रकार की उक्त परंपरा को तोड़ने के क्या कारण हैं ?

संसद-कार्य विभाग और नौबहन तथा परिवहन मंत्री (श्री रघुरामैया) : (क) और (ख). राष्ट्रीय समुद्री दिवस समारोह 1964 से देश में पत्तन-शहरों और अन्य स्थानों पर मनाये गये हैं जिसमें दिल्ली भी शामिल है परन्तु यह सही नहीं है कि मुख्य समारोह संसद भवन के केन्द्रीय कक्ष में अथवा दिल्ली में किसी अन्य स्थान पर आवश्यक रूप से मनाया जाना चाहिए । 1964 में प्रथम समारोह केवल बम्बई, कलकत्ता और मद्रास में मनाए गये ।

वे 1965 से 1969 में दिल्ली में भी मनाये गये । परन्तु इस वर्ष यह विचार किया गया कि पत्तन मुख्य बिन्दु होना चाहिए वहां पोत स्वामी और नाविक भारतीय पोतपरिवहन के विकास में अपनी भूमिका निभा रहे हैं । अतः इस वर्ष समारोह तदनुसार बम्बई, कलकत्ता, मद्रास, कोचीन, विशाखापत्तनम, मारमागाव और कांडला में मनाये गये ।

अतः यह कहना सही नहीं है कि इस वर्ष दिवस मनाया ही नहीं गया है ।

Sarkar Committee Report on C.S.I.R.

8282. SHRI TENNETI VISWANATHAM : Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state:

(a) whether it is a fact that the final draft of the Report of the Sarkar Committee on C.S.I.R. presented to the Members of the Committee for adoption, omitted some paragraphs containing facts regarding irregularity of appointments originally included in a previous draft circulated to them and, if so the reasons therefor, and

(b) whether Government have considered the dissenting minutes and if so, what action do they propose to take on matters disclosed in the dissenting reports in addition to those found in the minority report?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO) : (a) According to the information received from the Committee the working paper described as 'draft report' was circulated to the members for consideration. It was discussed in detail in the meetings held on 6th and 7th December, 1969, 13th and 14th December, 1969, 13th to 15th January, 1970, 3rd to 5th and 20th February, 1970 and some portions were added or deleted in the light of the discussions in these meetings. This happened in the normal course of the working of the Committee. As a result of the conclusions arrived at in the discussions, the final report was drafted which was signed by all members on 22. 2. 1970.

(b) The whole Report is under consideration.

Acquisition of Land in West Bengal For Central Forces

8283. SHRI JYOTIRMOY BASU:
SHRI E. K. NAYANAR:
SHRI BHAGABAN DAS:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) how much land has been acquired so far in West Bengal for the Central Forces like C.R.P., B. S. F., Industrial Security Force, Intelligence Bureau etc;

(b) the total value paid so far; and

(c) whether any part of it has been acquired without obtaining prior sanction of the State Government?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) About 512 acres.

(b) Rs. 11,88,211. 75 only.

(c) No, Sir.

Expenditure from Home Minister's Discretionary Fund

8284. SHRI JYOTIRMOY BASU:
SHRI E. K. NAYANAR:
SHRI BHAGABAN DAS:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether he has spent the whole of his Discretionary Fund for last year;

(b) whether he has recently spent Rs. 1,200 out of the said Discretionary Fund: and

(c) if so, for what reason and the total amount given for similar purposes during the last three years ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) The amount provided in the budget for this purpose in 1969-70 has been utilised.

(b) No such amount has been sanctioned to any individual or institution recently.

(c) Does not arise.

Amalgamation of Air Corporations.

8285. SHRI JYOTIRMOY BASU:
SHRI E. K. NAYANAR:
SHRI BHAGABAN DAS:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether there is any immediate plan under consideration of Government to merge the two Air corporations into one;

(b) whether it is a fact that during the debate on the Air Corporations Act in 1953, Government gave it to understand that the merger will be done;

(c) whether it is also as fact that the Estimates Committee had made similar recommendations; and

(d) if so, the reasons for delay in implementing the recommendations of the Estimates Committee ?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) No, Sir.

(b) When the Air Corporations Bill was under discussion, the then Minister of Communications stated that Government would consider whether the Corporations would be amalgamated into one.

(c) The Estimates Committee in their 41st Report on Air-India recommended that Government should review the question of a common Corporation.

The Committee on Public Undertakings (3rd Lok Sabha) in their 21st Report observed that it was quit probable that a merger at that stage might create certain administrative problems and retard the progress and profitable operation of the merged Corporation for some more years. It accordingly suggested that a merger scheme for implementation at a later date should be evolved and that in the meanwhile efforts should be made to have common facilities on various specified matters.

(d) It is Government's view that while a merger of the Corporations would not be in the best interests of aviation, the closest coordination between them is essential. This coordination is achieved by having the same Members on the Boards of the two Corporations, the only difference being in the Chairman,

Development of Kanha in Madhya Pradesh as Wild Life Sanctuary

8286. SHRI RAM AVTAR SHARMA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Kanha in Madhya Pradesh is one of the Sanctuaries to be developed as a tourist attraction by the Government of India;

(b) if so, the amount of money to be spent and the details of the tourist facilities that are to be provided there; and

(c) when the work in this regard is likely to commence ?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) Yes, Sir.

(b) A sum of Rs. 52,500/- has already been spent on the Barasingha breeding project at Kanha. It is also proposed to provide two Mini-Buses and six units of tourist accommodation at a cost of approximately Rs.3.70 lakhs.

(c) In the current year.

Statement made by President of Indian Roads Congress at Darjeeling

8287. SHRI DEVINDER SINGH GARCHA :
SHRI MANIBHAI J. PATEL :
SHRI VALMIKI CHOUDHARY :
SHRI SHIV CHARAN LAL :

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

(a) whether Government's attention has been drawn to the statement dated 5th April, 1970 (at Darjeeling) of the President of the Indian Roads Congress that the progress of the road transport was disappointing as the condition of the roads by and large was still far from satisfactory and further neglect of the highways would be at the cost of integrated all round development and economic growth of the country;

(b) if so, the reaction of Government there to;

(c) whether Government have received by suggestion from the Indian Roads Congress for the improvement and the development of road transport; and

(d) if so, the details thereof and the action Government propose to take in the matter?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS, AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI IQBAL SINGH) : (a) to (d). Presumably,

the Honorable Members are referring to the reports published in the press regarding the address delivered by the President, Indian Roads Congress at the 74th meeting of the Council of the Congress at Darjeeling on 5th April, 1970. It is understood that this address will be examined in the first instance by their Executive Committee and thereafter forwarded to Government for their consideration with such other suggestions as the Executive Committee might like to make in the matter. No such reference has been received from the Congress so far.

Radar Facility at Palam Airport

8288. SHRI DEVINDER SINGH
GARCHA:
SHRI YASHWANT SINGH
KUSHWAH:
SHRI VALMIKI
CHOUDHARY:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) Whether Government are considering the possibility of having a Radar facility at Palam Airport and, if so, the details thereof;

(b) if not, the reasons therefor;

(c) whether Government's attention has been drawn to the comments of Captain Ettelore shortly before he flew the first and only direct day light flight introduced by the Lufthansa Airlines from New Delhi to Rome regarding need for installing a radar; and

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

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH):

(a) Yes, Sir. An Airport Surveillance Radar (ASR) and a long-range Air Route Surveillance Radar (ARSR) are to be installed at Delhi Airport. The former will have range of about 70 miles and will be useful for air traffic control in the vicinity of the airport and in giving directions to aircraft before landing. The ARSR will be used to guide and control aircraft when

flying along air routes up to a distance of about 200 miles from the airport.

(b) Does not arise.

(c) and (d). Yes, Sir. Though the radar facility is essential for air traffic control, it is not so from the point of view of navigation. Necessary action is being taken to procure and instal the radars at Delhi airport.

Dilapidated Condition of River Bridges

8289. SHRI MANGALATHUMADAM: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) how many river bridges falling on the National Highways are in a dilapidated condition;

(b) whether it is a fact that heavy loads are passing over these bridges in violation of the Indian Road Bridge Code; and

(c) how many such bridges are being rebuilt in the Southern States, especially in Kerala ?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI IQBAL SINGH): (a) On the basis of a rapid survey in 1968 the number of damaged and dilapidated bridges has been assessed to be about 600.

(b) The Indian Roads Congress Bridge Code, while specifying the loads for design of new bridges, does not lay down the actual loads which may be allowed by state Transport authorities on these bridges and hence the question of violation of the Indian Roads Congress Bridge Code does not arise.

(c) The number of bridges in dilapidated condition in the four southern States of Andhra Pradesh, Mysore, Tamil Nadu and Kerala is about 314, of which 16 are in the state of Kerala. All these bridges as well as those in other parts of the country are proposed to be reconstructed during the 4th Five-Year Plan provided sufficient funds are available.

Amount spent on National Highways in Uttar Pradesh

incurred for the entire country is spent in Uttar Pradesh; and

(c) if so, the reasons there for ?

8290. SHRI ARJUN SINGH BHADORIA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the amount spent annually on the development of National Highways in Uttar Pradesh and in the whole of India;

(b) whether it is a fact that only 0.5 to 2.5 percent of the total expenditure

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI IQBAL SINGH): (a) A statement giving the requisite information for the years 1965-66 to 1969-70 is attached;

(b) No sir;

(c) Does not arise.

Statement

Year	Amount spent all over India.	Amount spent in Uttar Pradesh.	Percentage of the amount spent in Uttar Pradesh to the all India Total
(Rs. in lakhs)			
1965-66	2918.90	203.68	6.98
1966-67	2109.82	197.48	9.36
1967-68	1506.81	158.29	10.50
1968-69	1218.15	157.12	12.90
1969-70	1248.11 (Final allotment)	133.21 (Final allotment)	10.63

Planes of I. A. C. not yielding profit.

8291. SHRI ARJUN SING BHADORIA:
SHRI JUGAL MONDAL:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the number of those planes of the Indian Airlines which are not yielding profit;

(b) the losses incurred during 1969-70 on this account; and

(c) the steps being taken to avoid the losses and the results thereof ?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH):

(a) Apart from the Caravelles, the other aircraft in the fleet of Indian Airlines consisting of 14 Viscounts, 14 F-27s, 14 HS-748s and 9 (operating) DC-3s are at present not yielding a profit due to the low fare structure and heavy operating costs including the cost of fuel.

(b) The exact figures are not yet available as the accounts for 1969-70 are still under compilation.

(c) With the limitations mentioned in reply to part (a) of the question, India Airlines are constantly endeavouring to improve their efficiency by higher utilisation of

aircraft and adopting the most economical pattern of flight service.

Reorganisation of Districts in Himachal Pradesh

8292. SHRI HEM RAJ : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that the Union Territory of Himachal Pradesh proposes to reorganise its districts;

(b) whether it is also a fact that it has reorganised two districts arbitrarily and not on any established principles regarding reorganisation of districts;

(c) whether it is further a fact that great resentment prevails in the Kangra District for its bifurcation and on the bifurcation of Tehsil Dera to make a new district of the Shivaliks against the wishes of the people of that Tahsil; and

(d) whether Government have received any representations to that effect and, if so, the decision taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) to (d). The Government of Himachal Pradesh have proposed to reorganise the districts in Himachal Pradesh in view of administrative convenience, geographical contiguity and the needs and aspirations of the people of affected districts etc. Prior to the announcement made by the Government of Himachal Pradesh on 15.4.1970 of their intention to reorganise the districts, a few representations were received by them in regard to the inclusion of a part of Dehra (Jaswan Kanungo circle) in the Shiwalik District, in particular, and to the bifurcation of Kangra district in general. There were also some representations regarding the location of the district Head quarters at a central place. Similar representations have also been received by the Government of India. The matter is being examined.

Resignation of Directors of C. S. I. R. Laboratories

8293. SHRI TENNETI VISWANATHAM: Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state :

(a) when and how many Directors from the Regional Laboratories of the Council of Scientific and Industrial Research have submitted their resignation and what are their names;

(b) whether the resignation were submitted directly to the Prime Minister as President of the Governing Body;

(c) how many resignations have been accepted and, if no resignation has been accepted, the reasons therefor; and

(d) whether sufficient number of Scientists are not available in the services and the pool of Scientists with equal or better qualifications to replace them?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO) : (a) Three Directors of the Regional Research Laboratories of the Council of Scientific and Industrial Research (CSIR) have submitted their resignations on the dates noted against each .

Name of Director	Date of resignation
(1) Dr. G. S. Sidhu, director, Regional, Research Laboratory, Hyderabad.	7. 8. 1969
(2) Shri G. S. Chowdhury, Director, Regional Research Laboratory, Bhubaneswar.	22. 11. 1969
(3) Dr. M. S. Iyengar, Director, Regional Research Laboratory, Jorhat.	23. 12. 1969

(b) Dr. G. S. Sidhu and Shri G. S. Chowdhury submitted their letters of resignation to the President, C. S. I. R. through the Director-General, Scientific and Industrial Research whereas Dr. M. S. Iyengar, submitted his letter of resignation directly to the President C. S. I. R.

(c) None of the resignations have been accepted as the matter is still under the consideration of the President, C. S. I. R.

(d) Does not arise at this stage.

Allocations made to State Governments for Maintenance of National Highways

8294. SHRI ARJUN SINGH BHADORIA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the details of Central Government's allocations to the States for the maintenance of National Highways for the current fiscal year and the proposed allocations for the next fiscal year; and

(b) whether the allocations so made have satisfied the demands of the concerned State Governments?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS, AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI IQBAL SINGH) : (a) A statement showing the tentative distribution of the budget provision for 1970-71 among the various States is attached. Actual allocation to States are being worked out and will be intimated to them in due course. The allocation for 1971-72 has not yet been fixed.

(b) It is not possible to say, at the present stage, whether the allocations, which have yet to be intimated to the States, will satisfy their demands.

Statement

[Figures in lakhs of Rupees]

Name of State	Budget Estimate 1970-71
Andhra Pradesh	100.73
Assam	60.95
Bihar	85.63
Gujarat	51.18
Haryana	35.63
Kerala	23.78
Madhya Pradesh	85.45
Maharashtra	93.43
Mysore	42.63
Nagaland	5.41
Orissa	54.75
Punjab	20.58
Rajasthan	44.09
Tamil Nadu	66.73
Uttar Pradesh	93.93
West Bengal	99.53
Delhi	9.29
Himachal Pradesh	6.79
Manipur	9.49
Central Reserve	310.00
	1300.00

Amount spent on National Highways in West Bengal

8295. SHRI JUGAL MONDAL : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the amount spent annually on the development of National Highways in West Bengal and in the whole of India;

(b) whether it is a fact that only a small percentage of the total expenditure incurred for the entire country is spent in West Bengal; and

(c) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS, AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI

IQBAL SINGH) : (a) A statement giving the requisite information for the years 1965-66 to 1969-70 is attached;

(b) No Sir;

(c) Does not arise.

Statement

Year	Amount spent all over India	Amount spent in West Bengal	Percentage of the amount spent in West Bengal to the total all-India figure
(Rs. in lakhs)			
1965-66	2918.90	428.86	14.70
1966-67	2109.82	236.26	11.20
1967-68	1506.81	198.71	13.19
1968-69	1218.16	80.39	6.60
1969-70	1248.11 (Final allotment)	108.86 (Final allotment)	8.72

Reply to a Complaint sent by a Member of Parliament to Deputy Minister of Shipping and Transport

8296. SHRI S. KUNDU : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether a Member of Parliament had forwarded a complaint sent by one M. L. A. from Orissa to the Deputy Minister of Shipping and Transport on the 17th June, 1969;

(b) if so, whether the said complaint letter was acknowledged by him on the 18th June, 1969;

(c) whether his P. A. was reminded regarding the non-receipt of reply of the said letter by the M. P. on the 19th March, 1970 and if so, whether any reply has since been given and if not, the reasons therefor; and

(d) the nature of the complaint made and, if any enquiry has been made, the result thereof?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS, AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI IQBAL SINGH) : (a) and (b). Yes.

(c) Yes, a reply to the concerned Member of Parliament has since been sent.

(d) The complaint was that while calling certain applicants for interview for the Post of Junior Engineer (Civil) (a class III appointment) by the Paradip Port Trust, Shri Sadasiv Sahoo who was one of the applicants was not called for interview whereas certain others of lesser merit were called. The Paradip Port Trust has informed Government that Shri Sahoo was also called for interview in a later batch. However, no selection has been made and

the Chairman has ordered fresh interviews due to some lacunae found by him in the selection proceeding.

Loss suffered by Employees of Union Territories by opting for New Pay Scales

8298. SHRI VIKRAM CHAND MAHAJAN : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that a member of the Delhi, Himachal Pradesh or Andaman-Nicobar Islands Civil Service by opting for the new pay scale granted by the Government of India in 1969 will suffer a loss of more than Rs. 3,000 in his service career in Grade II of the Service;

(b) if so, what has been the basis for granting the new pay scale; and

(c) whether Government had taken into consideration the recommendations of the Second Pay commission for the revision of the Central Pay Scales in the present case?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) No, Sir.

(b) Question does not arise.

(c) All relevant factors including the principles enunciated by Second Pay Commission were taken into consideration.

Payment of Allowances to Members of DHANI Civil Service in Himachal Pradesh

8299. SHRI VIKRAM CHAND MAHAJAN : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the member of the DHANI Civil Service who are posted in Himachal Pradesh are refused allowances admissible to the Central Government employees on the ground that they are borne on the Punjab Pay scales and therefore entitled only to the allowances admissible to the Punjab employees; and

(b) if so, the steps proposed to be taken in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) and (b). Those members of the DHANI Civil Services posted in Himachal Pradesh who have opted for the revised scales of pay, get allowances at Central Government rates; those who have opted for pre-revised scales (Punjab scales) of pay get allowances at Punjab Government rates.

Emoluments of Delhi Magistrate belonging to DHANI Civil Service

8300. SHRI VIKRAM CHAND MAHAJAN : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that a magistrate in Delhi belonging to the DHANI Civil Service gets emoluments equal to that of a Stenographer of the Central Secretariat ; and

(b) if so, how the Government of India propose to keep the members of the said Service efficient and shield them against temptation in view of their poor salaries?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : No, sir.

(b) Question does not arise.

Provision made for Tourist Centres in CURRENT budget

8301. SHRI LOBO PRABHU : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the provision made State-wise for the Tourist Centres in the current Budget; and

(b) how many approved proposals from the Mysore State have not been included in the said provision ?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) The Central Government draws up and

implements tourism plans keeping in view the actual or potential attraction of a place for tourists and not on a state wise basis. A provision of Rs. 280.10 lakhs has been made schemewise in the Budget Estimates for 1970-71.

(b) The following tourism schemes are proposed to be undertaken in Mysore State during the Fourth Plan period.

- (1) Development of facilities in Mysore City.
- (2) Construction of a Youth Hostel at Hampi.
- (3) Provision of facilities in Belur-Halebid and Aiholi - Badami complex.

Due to a reduction in the Plan outlay, it has not been possible to include the following schemes which were previously proposed to be taken up in the Central Sector :

- (i) Development of tourist facilities in Karwar- Marvanthe- Shervathy area .
- (ii) Development of tourist facilities in Coorg-Mercara area.

Defective D. T. U. Buses

8302. SHRI LOBO PRABHU : Will the Minister of SHIPPING AND TRANSPORT be pleased to State :

(a) with reference to letter of Shri Salen Ghose in the *Hindustan Times* dated the 17th April, 1970 what is the number of buses under the Delhi Transport Undertaking which are subject of defective combustion, leading to discharge of monoxide;

(b) what steps were taken last year to reduce the loss arising from this to the D. T. U. and the nuisance and injury to the public ; and

(c) what workshop facilities exist for the D. T. U. buses and have they been fully used to remove defects in the buses ?

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMETARY AFFAIRS AND IN THE MINISTRY OF SHIPPING AND TRASPORT (SHRI IQBAL SINGH) : (a) According to the G. M., D. T. U. approximately 74 buses out of a total of 923 buses on the road daily emit black thick smoke.

(b) A schedule was prepared by the Central Workshop of the D.T. U. for the change of fuel injection pumps last year. A special squad has been deputed from the Central Workshop to attend to such vehicles as emit heavy smoke in other depots. Vehicles are checked at the time of out-shedding of buses, Vehicles which emit heavy smoke are detained and attended to immediately.

(c) A 'HARTRIDGE' Calibrating and Phasing machine for carrying out repairs to fuel injection pumps has been installed in the Bentrall Workshop. The capacity of the machine is being fully utilised.

हवाई अड्डा और रेडियो आपरेटरों की भर्ती के बारे में भेदभावपूर्ण नीति

8303. श्री सरजू पांडेय : क्या पर्यटन तथा असेनिक उड्डयन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि संचार निर्देशक तथा हवाई अड्डा निर्देशक दोनों असेनिक उड्डयन विभाग के अन्तर्गत कार्य करते हैं ;

(ख) क्या यह भी सच है कि उक्त विभाग हवाई अड्डा आपरेटरों और रेडियो आपरेटरों की भर्ती के मामले में भेदभावपूर्ण नीति का अनुसरण कर रहा है अर्थात् 50 प्रतिशत हवाई अड्डा आपरेटर बाहर से भर्ती किये जाते हैं और 50 प्रतिशत विभागीय उम्मीदवारों में से पदोन्नत किये जाते हैं और इसी तरह संचार निर्देशक अपने 75 प्रतिशत कर्मचारी बाहर से भर्ती करते हैं और 25 प्रतिशत विभागीय उम्मीदवारों में से पदोन्नत किये जाते हैं ; और

(ग) यदि हां, तो इसके क्या कारण हैं ?

पर्यटन तथा अंतर्राष्ट्रीय उड्डयन मंत्री (डा० कर्ण सिंह) : (क) जी, हाँ।

(ख) और (ग)। किसी भेदभाव-पूर्ण नीति का अनुसरण नहीं किया जा रहा है। नागर विमानन के संचार निदेशालय में अराजपत्रित कर्मचारियों का सबसे निचला ग्रेड रेडियो परिचालक (बेतन मान 150-300) का ग्रेड है। अतः इन पदों पर अहंता-प्राप्त उम्मीदवारों में से पूर्णतया सीधी भर्ती की जाती है। क्योंकि क्लर्कों के पास इसके लिए आवश्यक योग्यता नहीं होती, विशेषतः मोर्स प्रणाली में 'स्पीड' जो कि एक अनिवार्य आवश्यकता है, अतः क्लर्क वर्गों के कर्मचारियों के लिये रिक्तियों का कोई कोटा निर्धारित नहीं किया गया है। परन्तु बाहर के उम्मीदवारों के साथ अहंता-प्राप्त विभागीय उम्मीदवारों को भी बिना किसी आयु सीमा के बन्धन के नियुक्ति की पात्रता प्राप्त है।

दूसरी ओर विमान क्षेत्र निदेशालय में सबसे निचला ग्रेड विमान क्षेत्र परिचालक (एयरो-ड्रम ऑपरेटर), ग्रेड-II (110-180 रुपये) का ग्रेड है। ग्रेड-I के पद में 50 प्रतिशत तक रिक्तियाँ सीधी भर्ती द्वारा भरी जाती हैं, और शेष विभागीय पदोन्नति द्वारा भरी जाने वाली रिक्तियों के कोटा में से आधी रिक्तियाँ विमान-क्षेत्र परिचालक, ग्रेड-II, के लिये आरक्षित रहती हैं और शेष आधी जूनियर क्लर्कों और स्टोर क्लर्कों के लिये। प्रत्येक मामले में ग्रेड-I में नियुक्ति इस शर्त के साथ की जाती है कि चुने हुये व्यक्ति नागर विमानन प्रशिक्षण केन्द्र में निर्धारित प्रशिक्षण पाठ्यक्रम सफलतापूर्वक पूरा करेंगे। विमानक्षेत्र परिचालक ग्रेड-II के संबंध में आगे कोई भर्ती नहीं की जा रही है और इन पदों पर काम करने वाले वर्तमान कर्मचारियों की पदोन्नति हो जाने पर अथवा उनके सेवा-निवृत्त की आयु प्राप्त कर लेने पर सेवा निवृत्त हो जाने पर, इन पदों को समाप्त कर दिया जायेगा।

एयर इंडिया के यात्रियों को हिन्दी पत्रिकाओं अथवा समाचार-पत्र उपलब्ध किया जाना

8304. श्री ओंकार लाल बेरवा : क्या पर्यटन तथा अंतर्राष्ट्रीय उड्डयन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या एयर इंडिया के विमानों में यात्रा करने वाले यात्रियों को हिन्दी पत्रिकाएँ अथवा समाचार-पत्र उपलब्ध किये जाते हैं;

(ख) यदि हाँ, तो उसका ब्यौरा क्या है; और यदि नहीं, तो इसके क्या कारण हैं;

(ग) क्या यह भी सच है कि किराये की सूची केवल अंग्रेजी में ही प्रकाशित की जाती है; और

(घ) यदि हाँ, तो हिन्दी में भी सूची को प्रकाशित न करने के क्या कारण हैं?

पर्यटन तथा अंतर्राष्ट्रीय उड्डयन मंत्री (डा० कर्ण सिंह) : (क) जी, हाँ।

(ख) नवभारत टाइम्स, धर्मयुग तथा नवनीत।

(ग) और (घ)। समय सारणियाँ तथा शुल्क दर-सूचियाँ अन्तर्राष्ट्रीय बाहकों तथा यात्रा अभिकर्ताओं की आवश्यकताओं को दृष्टि में रखते हुए अंग्रेजी में छपी जाती है।

Reapproachment with Princes on Privy Purses

8306. SHRI YASHPAL SINGH : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether his attention has been drawn to the news published in the *Sunday Statesman* dated the 19th April, 1970 that Government are seeking a re-approachment with princes and there might be delay in the introduction of the Bill; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) Government have seen press-reports in this connection.

(b) Government have already announced their decision to introduce the necessary legislation in parliament in the current session.

12.04 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

STRIKE BY NON-GAZETTED STAFF OF HIMACHAL PRADESH

SHRI HEM RAJ (Kangra) : I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and request that he may make a statement thereon:

The situation arising out of the strike by the non-gazetted staff of Himachal Pradesh and the steps taken to meet their demands.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): Pay scales of employees of Himachal Pradesh were previously based on the pattern of pay scales in Punjab. Similarly, pay scales in Manipur, Tripura and Pondicherry were patterned on the basis of scales in Assam, West Bengal and Tamil Nadu respectively.

It was noticed in 1968 that some States had started giving steep rise in their pay scales and in some cases these scales exceeded even the Central Pay scales for similar posts. This created difficulties for the Government of India, and it was decided that the policy of automatic linkage of pay scales with the neighbouring States may continue subject to the condition that any revision of pay scales of employees in the Union Territories inclusive of dearness pay and/or Dearness Allowance would not raise their

emoluments beyond the level obtaining for similar categories under the Central Government. This decision was later on reviewed by the Government and it was decided to adopt Central pattern of pay and allowance for the employees of all the Union Territories and NEFA with effect from 6th March, 1970. An announcement of this decision was made in Parliament on 11th March, 1970.

The non-gazetted employees of Himachal Pradesh Government are, however, agitating for Punjab scales of pay. We have already stated earlier that the Government would sympathetically consider the cases of such employees who would be adversely affected by the present decision and give them an option to retain their existing scales of pay and allowances. Necessary steps are being taken to ensure that the employees do not suffer any reduction in their emoluments. Certain other suggestions made in this behalf by the Chief Minister, Himachal Pradesh are also under consideration of the Government.

श्री हेमराज : अध्यक्ष महोदय, मिनिस्टर साहाब ने जो स्टेटमेंट समा-पटल पर रखा है, उसमें यह कहा गया है कि यूनियन टैरीटरीज के अपने अलग स्केल हैं। लेकिन अलग अलग यूनियन टैरीटरीज की जियोग्राफिकल पोजीशन अलग-अलग है और उनके कास्ट ऑफ लिविंग में भी बहुत ज्यादा फर्क है। सैकंड पे कमीशन ने यह सिफारिश की थी कि किसी यूनियन टैरीटरी में वह पे स्केल होना चाहिये, जो कि उसकी कान्टिगुअस स्टेट में हो। पिछले बाईस साल से ये स्केल दिये जा रहे थे। तो फिर उनमें कमी क्यों की गई? क्या यह हकीकत है कि हिमाचल प्रदेश गवर्नमेंट ने भी यह सिफारिश की थी कि हिमाचल प्रदेश के एम्प्लॉईज को पंजाब स्केल दिये जायें; अगर हाँ, तो क्या सरकार ने अपने फैसले का एलान करने से पहले हिमाचल प्रदेश गवर्नमेंट से मशवरा किया था?

आज वहाँ पर हालत यह है कि जो फेडरेशन को असली चलाने वाले थे, जो

एम्पलाईज के नुमायंदे थे, चूंकि उनके साथ मंत्री महोदय ने मुलाकात नहीं की, इस लिए वहां आज फिर एजीटेशन जारी है, वहां पर एक हजार से ज्यादा मुलाजमीन गिरफ्तार हो चुके हैं और "बन्द" की वजह से वहां के कोट्स और दफ्तरों का काम, बिजली और पानी, बन्द पड़े हैं। इसलिए क्या मंत्री महोदय इस मामले पर दोबारा गौर करेंगे ?

मैं चार सवाल करना चाहता हूं। मुझे उम्मीद है कि मंत्री महोदय सही तौर पर उनका जवाब देंगे। सरकार ने सारी जायंट एक्शन कमेटी को गिरफ्तार कर लिया है। क्या सरकार उसको रिहा करके उससे बातचीत करेगी ? जैसा कि मैंने कहा है, हिमाचल प्रदेश के हालत मुस्तलिफ हैं। इसलिए क्या सरकार वहां के एम्पलाईज को पंजाब स्केल देने पर दोबारा गौर करेगी ? पंजाब स्केल के साथ जो काम्पेन्सटरी एलाउन्स मिलता था, क्या वह भी उन लोगों को दिया जायेगा ? 1-2-68 से लेकर 5-3-70 तक के दरमियानी बक्फे में पंजाब स्केल उनको आटोमेटिकली मिल चुके हैं। क्या उनको वे दिये जायेंगे ? वहां पर जो एन०जी० प्रोज० गिरफ्तार हुए हैं, क्या उनको रिहा करने के आदेश जारी किये जायेंगे ?

श्री विद्या चरण शुक्ल : अध्यक्ष महोदय, माननीय सदस्य ने कहा है कि चूंकि यूनियन टैरीटरीज की भौगोलिक स्थिति अलग अलग है, इस लिए उन्हें केन्द्रीय सरकार के पे-स्केल नहीं देने चाहिए। मैं उनको बताना चाहता हूं कि केन्द्रीय सरकार के पे-स्केल इस बात पर सोच-विचार करके ही बनाए गए थे कि केन्द्रीय सरकार के कर्मचारी भारतवर्ष भर में विभिन्न प्रकार की भौगोलिक स्थितियों में रह कर काम करते हैं और उन्हें यही पे-स्केल दिये जाते हैं। भारत के विभिन्न भागों में जो यूनियन टैरीटरीज हैं, उनकी भौगोलिक स्थिति के कारण वहां के लिए अलग अलग पे-स्केल बनाये जायें, मैं नहीं समझता कि इसकी कोई आवश्यकता है।

जहां तक कि इन कर्मचारियों के नुमाइन्दों का सवाल है हम लोग इस बात के लिए राजी हैं और मुझे तो कमी याद नहीं आता कि जब हमने कहा हो कि हम बात नहीं करना चाहते। यदि वह अच्छे ढंग से और सद्भावना से हमसे बात करना चाहते हैं तो हम बात करने के लिए हमेशा तैयार हैं।

श्री हेमराज : उनको रिहा करवा करके उनसे बातचीत करेंगे ?

श्री विद्या चरण शुक्ल : जो लोग गिरफ्तार हुए हैं उनमें से अधिकतर लोग तो रिहा हो चुके हैं बेल पर। जेल में तो बहुत कम लोग हैं। जो लोग बाहर हैं और जो हमसे मिलना चाहते हैं उनसे हम बड़ी खुशी से मिलेंगे।

श्री हेमराज : ज्वाइंट एक्शन कमेटी के लोग अब भी जेल में हैं।

श्री विद्या चरण शुक्ल : जो भी बाहर हैं और जो मिलना चाहते हैं उनसे मिलने के लिए हम तैयार हैं।

जहाँ तक कि पंजाब स्केल का सवाल है यह तो मांग बहुत दिनों से की जा रही है और इसके ऊपर विचार करने के बाद ही हमने अपना निर्णय किया था।

जहां तक रेट्रोस्पेक्टिव एफेक्ट का सवाल है जो सेंट्रल स्केल आफ पे दिया गया है उसको रेट्रोस्पेक्टिव एफेक्ट देना है या नहीं, इसके बारे में भी हम लोग सोच विचार कर रहे हैं और इसके ऊपर बहुत जल्दी निर्णय ले लेंगे।

श्री एस. एम. खोसी (पूना) : अध्यक्ष महोदय, हिमाचल प्रदेश के कर्मचारियों का यह मामला बहुत ही गंभीर दिखाई देता है। आप जानते हैं कि इस सदन में इसके बारे में कई बार चर्चा हुई और जो मेरी जानकारी है, वह हो सकता है कि गलत हो, मुझे ऐसा लगता है कि इन कर्मचारियों के साथ जो

मुलूक हुआ वह अच्छा नहीं हुआ। जैसा कि अपने बयान में मंत्री महोदय ने बताया 6 मार्च 1970 को यह फैसला हुआ कि सेंट्रल गवर्नमेंट के स्केल्स उनको दिए जायें और पार्लियामेंट में 11 मार्च को एलान हुआ। उसी वक्त उन लोगों ने अपना आन्दोलन शुरू किया था और यह तब हुआ था कि 13 मार्च को और एक दिन की हड़ताल भी होगी। उसके बाद इन लोगों ने जब यह सोचा था कि यह लोग राजी नहीं हुए, वह तो पंजाब के स्केल चाहते थे, तब इन लोगों ने फैसला किया 25-26 मार्च को कि 25 मार्च से कुछ दिन के लिए वह छुट्टी पर जाएंगे। ऐसी हालत में वहां के जो मुख्य मंत्री थे उन्होंने 24 मार्च को रणजीत सिंह बर्मो जो ज्वाइंट एक्शन कमेटी के चेयरमैन थे उनके साथ बातचीत की और यह भी कहा बातचीत के दौरान कि हम आपकी दिल्ली में होम मिनिस्टर के साथ उस लेवल पर मुलाकात करा देंगे। उसके बाद वह बार-बार लिखते रहे कि कब जाएंगे, उन्होंने उनको कुछ उत्तर नहीं दिया। उसके बाद खत भी लिखा उसका जवाब नहीं दिया। और वह सीधे चले आए यहाँ। जब वह चले आए तो और दूसरे कोई नुमाइन्दे लेकर आए। ज्वाइंट एक्शन कमेटी को जवाब नहीं दिया। मगर ज्वाइंट एक्शन कमेटी के लोगों ने उनका पीछा किया और वह यहाँ आ गए तो डेपुटेशन जो चीफ मिनिस्टर ने चुना था उसकी मुलाकात तो हाँ गई बिद्याचरण जी से और दूसरा जो था उनकी मुलाकात हाँ गई होम मिनिस्टर श्री वाई० बी० चव्हाण से। इस तरह का भेदभाव उनके साथ किया गया। मैं समझता हूँ कि यह बहुत ही गन्दी बात है। जब कोई एक ज्वाइंट एक्शन कमेटी है और उनकी नुमाइन्दगी वह करते हैं तो उनके साथ वादा करना ऐसा कि हम तुम को दिल्ली ले जाएंगे उसके बाद उनको धोका देना, उनको ले नहीं जाना और उन्होंने पीछा भी किया तो अपना एक दूसरा ही डेपुटेशन ले कर मिलना आपस

में फूट डालने के लिए, यह गन्दे तरीके जो प्रचलित किए जाते हैं यह कहां तक सही है जब कि सोशलिज्म का नारा लगाते हैं ?

मेरी अपनी राय में, मैं समझता हूँ कि बाकी सब बयान आपने दिया है, उसके अन्त में एक छोटा सा वाक्य दिया है कि चीफ मिनिस्टर ने अपने कुछ मुद्दा रखे हैं। मैं जानना चाहूंगा कि उनका मुद्दा क्या है ? क्योंकि जब इन लोगों ने यह आन्दोलन शुरू किया तभी यह 11 मार्च को आपने फैसला किया, सब लोगों के लिए फैसला किया लेकिन जैसा कि माननीय मित्र हेमराज जी ने बताया उसमें पहले बातों नहीं किया। अब उसके ऊपर आप सोच रहे हैं और उसको लेकर ही उन्होंने हड़ताल की। तो हजारों की तादाद में उनको जेलखाने भेजा और अभी ज्वाइंट एक्शन कमेटी के लोग वहां जेल में हैं। मुझे ऐसा लगता है कि बात छोटी सी है, इसके लिए आपको इतना बढ़ाना नहीं चाहिए था क्योंकि उनके साथ अगर बातचीत हो जाती, ज्वाइंट एक्शन कमेटी के साथ तो शायद यह नीबट नहीं आती। लेकिन यह हम लोगों ने काम नहीं किया। कभी कभी हुकूमत की तरफ से भी गलतियाँ हो जाती हैं तो उसको मान लेने में क्या है ? उसको मान लीजिए। हमारी तरफ से भी गलती होती है तो मैं भी मजदूरों से कहूंगा कि अपनी गलती मान लो। लेकिन यह सीधे सीधे गलती मुझे दिखती है सरकार की और इसकी वजह से उनको तकलीफ हुई। कल ही अखबारों में पढ़ा कि दूसरी भर्ती करने जा रहे हैं नये-आदमियों की और उनको गारन्टी दे रहे हैं कि तुमको परमानेंट करेंगे, तुमको रिलीव नहीं करेंगे। तो इस तरह और भी मामले को पैचीदा करके खड़ा कर देंगे।

ऐसी हालत में मैं आपसे जानना चाहूंगा कि क्या आप सबको पहले रिहा करेंगे ? और दूसरी बात यह है कि ज्वाइंट एक्शन कमेटी के जो लोग हैं, उनके जो सही नेता

हैं रणजीत वर्मा उनको बुलाएंगे, उनके साथ बातचीत करेंगे ? और चूंकि अब पे कमीशन बैठा हुआ है तो आपको उनके सामने भी जाने में कोई दिक्कत नहीं होनी चाहिए । जबकि बातचीत चल रही है दोनों पार्टियों के बीच कि पंजाब का स्केल उनको लागू हो या सेंट्रल गवर्नमेंट का स्केल लागू हो और पंजाब के हालत और हिमाचल प्रदेश के हालत एक से हैं तो सेंट्रल स्केल का लागू करना कहां तक सही है ? यह मैं जानता हूँ कि सेंट्रल गवर्नमेंट के लोग वहां रहते हैं, उनको कुछ मिलता है, वही उनको आप दे रहे हैं । मगर पंजाब वालों ने एक अपना स्केल किया है तो उनको वह क्यों न दिया जाय ? यह उनकी जायज मांग है । तो उसके ऊपर चर्चा करने के लिए मैं यह कहूंगा कि सरकार फॉरन फैसला करे कि बीच का जो एक गैप है वह उनको दिया जाय और पे कमीशन को यह माभला दिया जाय, वह इसका फैसला करे । तब तक उनकी रिहाई हो और रिहाई होने के बाद उनके ऊपर कोई मुकदमा न चले । हां अगर कोई वायलेंस किया हो तो वह सोच समझ सकते हैं । लेकिन उन्होंने जो किया उसके लिए ऐसी बात नहीं होनी चाहिए । तो क्या इतनी गारन्टी सरकार देने को तैयार है कि बकाया जो है वह हम देने को तैयार हैं और सब लोगों की रिहाई करेंगे, ज्वाइंट कमेटी के लोगों के साथ बातचीत करेंगे और पे कमीशन को इसे सुपुर्द करेंगे ? हम अपना केस रखें वह अपना केस रखें और उसके ऊपर जो निर्णय वह दें वह आप मानें, इसके लिए अगर आप तैयार हो तो मामला तय हो सकता है तो क्या इसके बारे में आप जवाब देंगे ? और एकदम स्पष्ट जवाब चाहिए, गोलमोल नहीं चाहिए ।

श्री विद्या चरण शुक्ल : जितना स्पष्ट प्रश्न है उतना स्पष्ट जवाब भी हम देंगे ।

मैं नहीं समझता कि कौनसी गन्दी बातों के ऊपर माननीय सदस्य ने यह बात कही

उनका एक प्रतिनिधि मंडल आया जो मुझ से मिलना चाहता था । मैंने उनको तत्काल ही टाइम दिया और उनसे मिल कर बात की । दूसरा प्रतिनिधि मंडल आया, उन्होंने गृह मंत्री से समय मांगा । उन्होंने उनसे बात कर ली । इसमें गन्दी बात कौनसी हुई.. (व्यवधान).. अब मैं यह नहीं जानता कि चीफ मिनिस्टर ने क्या वादा किया था और क्या वादा तोड़ा ? हमसे उनका जब भी कोई शिष्ट मंडल मिलने आया हमने कभी नाहीं नहीं की, कभी उनसे मिलने में आनाकानी नहीं की पूरी तरह से उनसे बातचीत की । अपना दृष्टिकोण उनको समझाया और उनकी बातें समझने का प्रयत्न किया और ऐसा हम अभी भी करने को तैयार हैं । अभी भी कोई हम से मिलने आए तो हम उनसे मिलने को पूर्ण रूप से तैयार हैं । अभी कल ही श्री प्रेम चंद जी वर्मा जो हमारे सदन के सदस्य हैं उन्होंने मुझसे कहा कि कुछ लोग आकर मिलना चाहते हैं । तो मैंने कहा कि उनको बुला लीजिए, दूर से आ रहे हैं, उनसे मिलकर मैं बातचीत कर लूंगा । हमको कोई किसी तरह की आपत्ति नहीं है उनसे बातचीत करने में । केवल सवाल यह है कि इस बात को सद्भावना पूर्वक सोच समझ कर हम यदि हल करने का यत्न करेंगे तो हल कर पाएंगे और यदि हम चाहें कि जो हमने कहा है उसीको मंजूर किया जाय, हम दूसरी बात सोचने को तैयार नहीं हैं, यदि ऐसी मनोवृत्ति होगी तब तो कोई हल ढूँढना मुश्किल होगा । हम लोगों की मनोवृत्ति ऐसी नहीं है। हम लोग तो यह कह रहे हैं कि हम हर एक बात को सुनने को तैयार हैं, हर एक बात को सोच समझ कर तय करने को तैयार हैं । इसलिए जो प्रतिनिधिगण आएंगे वह यह सोच कर आएँ कि हमें शांतिपूर्वक सोच कर काम करना है और समस्या का हल निकालना है तो इसमें कोई शक नहीं कि समझौता हो सकता है ।

जहां तक मुख्य मंत्री के सुझावों का सवाल है, मुख्य मंत्री ने दो सुझाव रखे हैं मुख्य रूप

से वह कहते हैं कि सेंट्रल स्केल आप दे रहे हैं, वह ठीक है, दीजिये। लेकिन इसको मार्च, 1970 के बदले 1 फरवरी, 1968 से दीजिए। उनका यह सुझाव है और इसके ऊपर हम बहुत सहानुभूतिपूर्वक विचार कर रहे हैं और यदि संभव हुआ और इसको हम मंजूर कर सके तो हमें बड़ी खुशी होगी। इसके ऊपर अभी हम विचार कर रहे हैं और कुछ कह नहीं सकते कि मंजूर होगा कि नहीं पर हमारी पूरी सम्भावना इस सुझाव के प्रति है।

दूसरा सुझाव यह था कि इन्हें सेंट्रल स्केल के अनुसार पे दी जाय, लेकिन एलाउन्सेज हिमाचल प्रदेश के दिये जाय। इसको मंजूर करने में एक बड़ी कठिनाई यह है कि हिमाचल प्रदेश में बहुत से केन्द्रीय कर्मचारी भी काम करते हैं, हम उन्हें केन्द्रीय सरकार के पे-स्केल और एलाउन्सेज देते हैं। यदि हम हिमाचल प्रदेश के कर्मचारियों को केन्द्रीय सरकार के पे-स्केल दें और हिमाचल प्रदेश के एलाउन्सेज दें तो जो केन्द्रीय सरकार के कर्मचारी वहां काम कर रहे हैं, वे भी कहेंगे कि हमको भी उतना ही एलाउन्स दो, फिर यह सवाल केवल हिमाचल तक ही सीमित नहीं रहेगा। भारतवर्ष के विभिन्न इलाके हैं, बहुत से पहाड़ी इलाके भी हैं जहां केन्द्रीय सरकार के कर्मचारी काम करते हैं, चारों तरफ इसको बढ़ाना होगा और फिर इसका कोई अन्त नहीं होगा।

मैं आपके सामने अपनी कठिनाई पेश कर रहा हूं, यह उद्देश्य नहीं है कि हम किसी तरह से कोई कंजूसी करना चाहते हैं, लेकिन हमको अपनी स्थिति को देख कर, अपने रिसॉर्सिज को देख कर बहुत सोच विचार करके इसका निर्णय करना होगा। हम यह चाहते हैं कि केन्द्रीय सरकार का जो बेतन स्तर है, वह दिया जाय और यहां पर जो एलाउन्सेज का स्तर है, वह दिया जाये। इसमें हमने यह भी कह दिया है कि यदि किसी का पे-पैकेट केन्द्रीय सरकार के बेतन-मान और

उनके एलाउन्सेज को मिला कर ज्यादा है तो उसको कम नहीं किया जायगा वह उसी स्तर पर स्थित रहेगा, उसको कम नहीं करेंगे।

मैं समझता हूं कि हमने इस सम्बन्ध में जो सोच विचार किया है और जो दृष्टिकोण इस मामले में रखा है तथा हिमाचल प्रदेश के मुख्य मंत्री ने जो सुझाव दिये हैं, उसमें ज्यादा अन्तर नहीं है जो सुझाव दिये हैं वे रचनात्मक सुझाव हैं और उन्हीं के आधार पर समझौता हो सकता है।

जहां तक पे-कमीशन का सवाल है पे-कमीशन के सम्बन्ध में अभी मैं कुछ नहीं कह सकता लेकिन पे-कमीशन इस सवाल पर सोच-विचार करेगा और जो उनके निर्णय होंगे और सिफारिशें होंगी उन पर उदारतापूर्वक विचार करेंगे।

श्री राम कृष्ण गुप्त (हिंसार) : स्टेट में जो स्ट्राइक चल रही है कितने एम्पलाइज उससे इफेक्टेड हैं और उनके मसलों को हल करने के लिये क्या कोशिश की जा रही है और कब तक यह मसला हल हो जायगा ?

श्री विद्या चरण शुक्ल : इसके लिये लगातार कोशिश जारी है और मैं चाहता हूं कि यह मामला बहुत जल्द हल हो जाय।

SHRI S. M. KRISHNA (Mandya): The question of the revision of pay-scales of non-gazetted officers of H. P. is hanging fire since the last three years. It is sheer treachery on the part of this Government that they have slept over this question for the last three year. Even the Chief Minister of H. P. has not a kind word to say about the attitude of the Home Ministry with reference to this question. The statement itself contains certain inherent contradictions. The minister says, they have taken the decision on 6th March 1970, when the scales have been raised to the all-India pattern. In the next para he says "As stated earlier, Government would sympathetically consider cases of such employees who would be adversely affected". When you gave that award on

11th March, 1970 if you felt that you were helping the non-gazetted officers in H. P., there was absolutely no question of your giving sympathetic consideration to some of those employees who have been adversely affected by the award.

In this connection, I would like to know how many persons in the NGO cadre in Himachal Pradesh are adversely affected by the decision of 11th March, 1970. Secondly, would the government release unconditionally all those people who have been arrested during the last two or three months and start negotiations and discussions with a clean slate with magnanimity? In this case, government can afford to be large-hearted. Simply because their majority in Parliament is reduced that does not mean that they could not afford to be large-hearted. The Minister should give a categorical assurance in this House that all those who have been arrested would be released unconditionally and all those prosecutions that have been launched against the NGOs would be withdrawn, and that they would start negotiations with the government servants to arrive at some sort of settlement.

SHRI VIDYA CHARAN SHUKLA : While framing his question, the hon. Member⁺ has unfortunately used some phrases like treachery. If he sees the whole history of the dispute he would find that there is no treachery or sleeping over, as far as this particular matter is concerned. When this matter came up before us we decided first of all that they should be given the Central scale of pay, or the pay scale of the adjoining State, whichever is lower. Later on, we decided that we should have a uniform policy: that is to say, as we pay our employees all over the country, we should pay the employees of the Union Territories also all over the country. There is no question of sleeping over the matter. It is true that there has not been agreement on this matter; that was an unfortunate factor. But to say that there was treachery on the part of the government is absolutely wrong and I hope the hon. Member will correct his statement.

Then he referred to some alleged contradiction in the statement. According to him,

if the Central scales of pay were going to benefit the NGOs of Himachal Pradesh, where was the question of adversely affecting anybody. As I had stated in reply to a question by Shri Joshi, there are instances where the scale of pay of the Himachal Pradesh employees plus their compensatory allowance sometimes totals more than the Central scale of pay and Central allowances. We have given an assurance that in such cases—it may be 100, 200 or 500; I do not know the exact number; but the number is immaterial—where any employee stands to lose any money in his emoluments as a result of our new policy, we have given a blanket assurance that they shall not lose anything. Their salary shall be protected. Their salary will only go up; it will not go down. According to the decision we have taken, the Himachal Pradesh NGOs will be benefited to the extent of Rs. 21 lakhs annually. Therefore, the question of any contradiction in this statement does not arise.

Then he referred to the unconditional release of the employees and dealing with them with a large heart. I can assure the hon. Member that we are dealing with them with sympathy and understanding. We are not taking it as a matter of prestige. After all, these people have been working for us and they are doing their best to discharge their duties. We also know the hardship they are undergoing. We have every sympathy for them and we are trying to settle the dispute according to our resources and according to the conditions. So, the question of not dealing with them sympathetically and properly does not arise.

Regarding the release of these employees, as I have already said, as soon as the conditions are normal all these matters will be looked into.

श्री प्रेम चन्द वर्मा (हमीरपुर) : अध्यक्ष महोदय, मैं आपका धन्यवादी हूँ कि आपने इस महत्वपूर्ण मामले के लिये समय दिया। मैं माननीय मंत्री जी का भी धन्यवादी हूँ—उन्होंने इस के बारे में स्थिति बतलाई। लेकिन मैं कुछ ऐसी चीजें आप के सामने रखना चाहता हूँ जो बड़ी महत्वपूर्ण हैं। अध्यक्ष महोदय, 1 नवम्बर,

[श्री प्रेम चन्द वर्मा]

1966 को जब पंजाब के हिस्से हिमाचल प्रदेश में मिले, तब से उन लोगों को तनख्वाहें पंजाब के मुताबिक मिलती थीं। और उसके बाद 1-2-66 को पंजाब ने अपने ग्रेड रिवाइज किए। और जब 1-11-66 को वे कर्मचारी पंजाब से हिमाचल प्रदेश की नौकरी में आए तो उस अग्रीमेन्ट में यह दर्ज था कि जो तनख्वाहें पंजाब के कर्मचारियों को मिलेंगी वही तनख्वाहें हिमाचल प्रदेश के कर्मचारियों को मिलेंगी। यह बात उस एग्रीमेन्ट में दर्ज है, उन रूल्स में दर्ज है जो सरकार की तरफ से दिये गए हैं। उसमें साफ है कि हिमाचल प्रदेश के कर्मचारियों को वही तनख्वाहें मिलेंगी जोकि पंजाब के कर्मचारियों को मिलती हैं। इसलिए मंत्री महोदय की यह बात गलत हो जाती है कि उनको वही तनख्वाहें मिल रही हैं जो कि पंजाब के लोगों को मिलती थीं या उससे कम नहीं होंगी। बल्कि एक आदमी को जो, आज हमारे हिमाचल प्रदेश में काम करता है और जो पहले पंजाब में काम करता था, अगर 150 रु० मिलते हैं तो पंजाब से तनख्वाह लेने वाला जो आदमी है उसको 225 रुपए मिलते हैं। ऐसी हालत में आप किस तरह से कह सकते हैं कि हम वही तनख्वाह दे रहे हैं जोकि पंजाब वालों को देते हैं। तो एक बात मैं यह कहता हूँ कि यह बात मुनासिब नहीं है और इन्साफ पर मबनी नहीं है।

दूसरी बात यह है कि 1-2-66 से वे चिल्ला रहे हैं, एजिटेशन कर रहे हैं। अगर दिल्ली होती, पंजाब होता, हरियाणा होता या उत्तर प्रदेश होता तो न जाने इस पार्लेमेन्ट में क्या कुछ हो जाता, कितनी ही बार यह मामला यहां पर आता और कितनी ही बार, हमारे जो मंत्री हैं वे उसको मुलजाने कि कोशिश करते। लेकिन मैं जानना चाहता हूँ कि इस बारे में क्या एक बार भी, जो ज्वाइंट ऐक्शन कमेटी उनकी है; जो कि मजदूरों की नुमाइन्दा जमात है उसको बुलाया है और एक बार भी उनसे बातचीत की है? 11 मार्च को भी जो फैसला किया है वह भी ज्वाइंट ऐक्शन कमेटी जोकि मजदूरों की नुमाइन्दा है, उससे पूछे बगैर फैसला किया है और जब आपने उससे पूछे बगैर फैसला किया है तो मैं जानना चाहता

हूँ कि उसके बाद भी आप चाहते हैं कि जो इस तरह से फैसला करें उसको सारे मजदूर मान लें? यह नहीं हो सकता है। 13 तारीख को जो हड़ताल हुई उससे सारा का सारा हिमाचल प्रदेश बन्द हुआ और उसमें यह भी साबित हो गया कि सारा प्रदेश उनके साथ में है। उसके लिए फिर बातचीत हुई और जोशी जी ने उसपर जो प्रकाश डाला उसको मैं फिर यहां पर नहीं कहना चाहता हूँ। उन्होंने जो कुछ कहा उसमें बहुत हद तक सच्चाई है। उसके बाद वह हड़ताल खत्म करने की कोशिश की गई, उसको संबांटाज करने की कोशिश की गई। लेकिन मैंने यहां पर मंत्री महोदय से कहा कि आप गलत लोगों के रिप्रेजेंटेटिव्स को न मानिये। जो सही लोग हैं उनकी नुमाइन्दगी को ही देखें। और अगर यह नहीं होगा तो वह फैसला उस प्रदेश में होगा। वह फैसला आज है। आज 9 रोज से सारे हिमाचल प्रदेश में हड़ताल है। लगातार 9 रोज से वहां पर हड़ताल है। एक लाख से ज्यादा कर्मचारी वहां हड़ताल पर हैं। सरकार का सारा का सारा काम रुका हुआ है। कोई भी काम नहीं हो रहा है। कोई भी मंत्री बाहर निकल नहीं सकता है। कोई आदमी जा नहीं सकता है। कहने का मतलब यह है कि इसके बाद भी सरकार कह रही है कि सहानुभूति में विचार करेंगे तो मैं उस हमदर्दी और सहानुभूति की बुनियाद पर ही पूछना चाहता हूँ कि जो फैसला आप करेंगे उसको करने से पहले क्या आप ज्वाइंट ऐक्शन कमेटी के लीडर्स से विचार विमर्श नहीं करेंगे? और अगर आप अपना ही फैसला करेंगे तो क्या उससे वह एजिटेशन बन्द हो जायेगा? मैं समझता हूँ वह बन्द नहीं होगा। अगर वह फैसला उनकी मंजूरी के बगैर होगा तो वह भी वैसा ही फैसला होगा जैसा कि 11 मार्च, को किया गया है। इसलिए मैं अर्ज करना चाहता हूँ कि हिमाचल प्रदेश जो कि एक गरीब सूबा है और जो वहां के गरीब कर्मचारी हैं पहाड़ पर रहने वाले, उनकी जो जरूरतें हैं वह ज्यादा हैं, उनके खर्चे ज्यादा हैं। वे गरीब कर्मचारी हिन्दुस्तान के उस सूबे में रहते हैं जहां की सारी सड़कें तिब्बत के साथ लगती हैं।

..(व्यवधान)... अध्यक्ष महोदय, ये ऐसे फैक्ट्स हैं जोकि सदन के सामने नहीं आये हैं...

अध्यक्ष महोदय: आप तो लम्बी तकरीर में पड़ गये। उनके जवाब से जो सवाल उठे उसको आप पूछें?

श्री प्रेम चन्द वर्मा : अध्यक्ष महोदय, यह कोई छोटी सी बात नहीं है। अगर यह बात दिल्ली में होती तो न जाने क्या होता। वहां पर हालत यह है कि जगह जगह पर इम तरह की ग्राग भड़क रही है और अगर कोई बात हां गई तो जो हिमाचल प्रदेश है वह एक ज्वालामुखी बन जायेगा। इनको यह बात देखनी चाहिए कि 19 तारीख को वहां पर जो बन्द हुआ उसने यह बता दिया है कि वहां की जनता सरकारी कर्मचारियों के साथ में हैं मैं जानना चाहता हूं कि क्या इनको मालूम है कि विलासपुर में जो लाठी चार्ज हुआ वह ऐसे लोगों पर हुआ जो कि पीसफुल मुजाहिरा कर रहे थे? मैं जानना चाहता हूं कि जो लाठी चार्ज हुआ उसके बारे में क्या सरकार को कोई रिपोर्ट मिली है, क्या उसके बारे में कोई जांच की गई है और अगर नहीं, तो क्या सरकार उसकी जांच करने के लिए तैयार है? यह बात बिल्कुल साफ हो चुकी है कि विलासपुर में जो लाठी चार्ज हुआ वह लोगों पर एक तरह की जबर्दस्ती हुई है, एक अन्याय हुआ है। मैं यह जानना चाहता हूं कि विलासपुर में जो लाठी चार्ज हुआ और दो, तीन, चार जगहों पर जो अन्याय हुआ क्या उसकी आप इन्कवायरी करवायेंगे? इसके साथ ही मैं जानना चाहता हूं कि आज तक वहां पर कितनी गिरफ्तारियां हुई हैं और उसमें से कितने बेल-आउट हुए हैं और कितने जेल के भन्दर हैं? और कितने लोगों ने वहां पर तशद्द की कार्यवाही की है? ये सारे फैक्ट्स मैं मंत्री महोदय से जानना चाहूंगा कि कितने लोग हैं जो इस प्रकार के जुर्म में गिरफ्तार किये गए हैं?

दूसरी बात यह है कि हिमाचल प्रदेश के नान-गजेटेड कर्मचारियों की जो यह मांग है कि 1-2-66 से उनको पंजाब के स्केल्स दिये जायें, इस मांग को पूरा करने पर कुल कितनी ज्यादा रकम खर्च करनी पड़ेगी? मैं फैक्ट्स जानना चाहता हूं कि अगर पंजाब के ग्रैड उनको दे;

दिये जायें तो सालाना कितनी रकम ज्यादा देनी पड़ेगी और क्या यह सारी रकम भारत सरकार को देनी होगी या हिमाचल प्रदेश का भी उसमें कोई हिस्सा होगा? और अगर सारी रकम भारत सरकार को ही देनी है तो इस अहम सवाल और मसले को देखते हुए उसको हल करने के लिये क्या भारत सरकार उस फालतू खर्च को बर्दाश्त करने के लिए तैयार है या नहीं? अगर नहीं, तो क्यों नहीं?

तीसरी बात यह है कि सोमवार के लिए जो माननीय मंत्री जी ने मेहरबानी की है और कहा है कि उनके नुमाइन्दे आकर के मिलें तो मैं जानना चाहता हूं कि कर्मचारियों के नुमाइन्दों के साथ जो बातचीत होगी क्या उसमें यह मामला भी शामिल कर दिया जाएगा कि 1-2-66 से उनको पंजाब के स्केल दिये जाएं और उनको सी० ए० भी उसी के मुताबिक मिले? चौथी बात यह है कि जो गिरफ्तारियां हुई हैं उसमें जिनपर तशद्द का कोई मुकदमा नहीं बना है क्या उनको फौरन छोड़ दिया जायेगा?

..(व्यवधान)... और जो नयी कैटेगरी का सवाल है क्या उन पर भी साथ साथ फैसला कर दिया जायेगा?

श्री विद्या चरण शुक्ल : माननीय सदस्य ने कुछ समझौते और नियमों का जिक्र किया। मेरे पास उसकी सूचना नहीं है इसलिए मैं नहीं कह सकता कि जो बातें उन्होंने कही हैं वह ठीक हैं या गलत हैं। जहां तक कि ज्वाइंट ऐक्शन कमेटी का सवाल है, मैंने पहले ही बताया कि हमें उनसे बातचीत करने में जरा भी कोई आपत्ति नहीं है। माननीय सदस्य ने स्वयं कहा कि हमारी उनसे बातचीत हो गई है और सोमवार को वे यहां पर आयेंगे। पूर्ण सहानुभूति के साथ विचार करके और बातचीत करके हम इस चीज को तय करने के लिए तैयार हैं।

एक बात उन्होंने यह पूछी थी कि इसमें कितने लोग गिरफ्तार हुए और कितने जमानत पर रिहा कर दिये गए। वर्तमान सूचना के

अनुसार 805 व्यक्ति गिरफ्तार हुए और 703 व्यक्तियों को जमानत पर रिहा कर दिया गया। दो व्यक्तियों को सजा मिली है लेकिन उन्होंने भी अपील कर रखी है।

जहां तक इस बात का सवाल है कि अगर पंजाब के स्कूल दिये जाएं तो कितना पैसा और लगेगा, मेरे पास उसके आंकड़े नहीं हैं लेकिन मेरा अन्दाज है कि ... पाँचे दो करोड़ के लगभग सालाना खर्च बढ़ जायेगा। जैसा मैंने कहा कि यह सवाल केवल हिमाचल प्रदेश तक ही सीमित नहीं है बल्कि जहाँ दूसरी यूनियन टेरेट्रीज़ हैं उनके लिए भी सोचना पड़ेगा। माननीय सदस्य ने कहा कि इसमें हिमाचल प्रदेश का कितना पैसा खर्च होगा और केन्द्रीय सरकार का कितना पैसा खर्च होगा। माननीय सदस्य इस बात को जानते हैं कि जहाँ तक केन्द्र प्रशासित क्षेत्र हैं और केन्द्रीय सरकार है, इन दोनों को वित्तीय मामलों में कोई विशेष अन्तर नहीं है। इसी संसद के द्वारा हमें उस पैसे की मंजूरी देनी पड़ती है और सेंट्रल बजट से ही वह पैसा दिया जाता है।

जैसा मैंने कहा हम लोग शीघ्रता से इस बारे में निर्णय ले रहे हैं। और मुझे आशा है कि जल्दी ही इस मामले में निर्णय हो जायगा।

DR. RAM SUBHAG SINGH (Buxar): All those who have been arrested should be released. Some of them are in hospitals. They should also be released.

12.41 hrs.

MAY DAY GREETINGS TO WORKERS OF THIS WORLD

MR. SPEAKER : Hon Members, it gives me great pleasure to associate myself with the sentiments earlier expressed in this House regarding May day. This day, as you all know, is a day of great significance for the working class all the world over. We in India have always stood for an egalitarian social order. In its very Preamble, our Constitution pro-

claims the ideal of social, economic and political justice and what is more, the Directive Principles of State Policy specifically ordain the State to promote the welfare of the people by securing and protecting effectively, as it may, a social order in which justice social, economic and political shall inspire all the institutions of national life.

I am sure all of you will join me in sending our greetings to workers all the world over and in paying our deep homage to the many martyrs, known or unknown, who have laid down their lives for the cause of human freedom and in the movement for the elimination of all forms of exploitation.

श्री रवि राय (पुरी) : अध्यक्ष महोदय इसके लिये आपको बधाई है जो भी हुआ है अच्छा काम हुआ है।

SHRI RANGA (Srikakulam) : Mr. Speaker, we have accepted the proposition that you have placed before us and we are glad to agree with you. But, at the same time, before this I would like you to be considerate and good enough to consult us in advance before you place any such proposition in future for general acceptance in this House. Otherwise, it would become a very bad precedent.

SOME HON. MEMBERS rose—

MR. SPEAKER: I quite agree with Prof. Ranga. As I observed this morning, on such occasions it should have been much better if the leaders had met me earlier and we would agree upon the language. This morning when I took the sense of the House, I clearly said I might mention it after the Question Hour only if you authorise me to do so. (Interruptions)

SHRI RANGA : But the procedure adopted is not correct. I hope this would be borne in mind for the future.

MR. SPEAKER : I will gladly accept the proposal or suggestion made by Prof. Ranga. In future we should all meet earlier and agree on such matters. This question arose abruptly this morning.

SHRI RANGA: Abruptly you are doing it so.

MR. SPEAKER : All the time I was listening. I was also writing and looking to it. (*Interruptions*) Please don't get excited. This is all accepted with grace and pleasure.

SHRI SHRI CHAND GOYAL (Chandigarh) : In our country the harbinger of labour movement is Vishwakarma. It is much better if you convey these sentiments on that day. (*Interruptions*)

MR. SPEAKER : Vishwakarma day should also be shifted to 1st of May, I think. (*Interruptions*).

SHRI M. L. SONDHI (New Delhi) : Sir, I wish to place certain facts and I will just take one minute. The Class IV employees living in Panchkuin Road, just a stone's throw from the Parliament House, have not been given electricity for the last 20 years. The Prime Minister is here; the Minister of Works and Housing is here. I wish to bring it to their notice that these Class IV residents of Panchkuin Road have been denied electricity. What is this spirit of 1st of May, Sir, if they are denied this? I ask the Prime Minister to lend me her ears on this occasion. These are the Class IV employees who are living in Panchkuin Road who are not given electricity. How do they explain it, Sir? I wanted to meet the Minister, the Minister does not give an appointment. What is Mr. K. K. Shah doing? No electricity has been given to these Class IV employees for the last 20 years. Why is it so? What is his answer? (*Interruption*) The Minister does not give an appointment. How are their children to study for their examinations, Sir? (*Interruption*)

MR. SPEAKER : Order please. I thought I will have some peace since Mr. Samar Guha is not here. Papers to be laid on the Table. Dr. Rao. *

12.47 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF NATIONAL COUNCIL OF EDUCATIONAL RESEARCH AND TRAINING, 1968-69

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V. K. R. V. RAO) : I beg to lay on the Table a copy of the Annual Report (Hindi and English versions) of the National Council of Educational Research and Training, for the year 1968-69. [*Placed in Library. See No. LT-3362/70.*]

ANNUAL REPORT ETC. OF INDIA TOURISM DEVELOPMENT CORPORATION, NEW DELHI, 1968-69

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : I beg to lay on the Table a copy each of the following papers under sub-section (1) of section 619 of the Companies Act, 1956:—

- (1) Review by the Government on the working of the India Tourism Development Corporation, New Delhi, for the year 1968-69.
- (2) Annual Report of the India Tourism Development Corporation, New Delhi, for the year 1968-69 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library. See No. LT-3363/70.*]

ANNUAL REPORT ETC. OF SHIPPING CORPORATION OF INDIA LTD. BOMBAY

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH) : I beg to lay on the Table—

- (1) A copy each of the following papers under sub-section (1) of section 619A of the Companies Act, 1956 :—

[Shri Raghu Ramaiah]

- (i) Review (Hindi and English versions) by the Government on the working of the Shipping Corporation of India Limited Bombay, for the year 1968-69.

STATEMENTS SHOWING ACTION TAKEN
BY GOVERNMENT ON ASSURANCES ETC.

- (ii) Annual Report of the Shipping Corporation of India Limited, Bombay, for the year 1968-69 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT—3364/70.]

SHRI RAGHU RAMAIAH : I beg to lay on the Table following statements showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Fourth Lok Sabha:—

(i) Statement No. I	Tenth Session, 1970,
(ii) Supplementary Statement Nos. II and III	Ninth Session, 1969.
(iii) Supplementary Statement No. II	Eighth Session, 1969.
(iv) Supplementary Statement No. XVI	Seventh Session, 1969.
(v) Supplementary Statement No. XI	Sixth Session, 1968.
(vi) Supplementary Statement No. XVIII	Fifth Session, 1968.
(vii) Supplementary Statement No. XXIV	Fourth Session, 1968.
(viii) Supplementary Statement No. XVIII	Third Session, 1967.
(ix) Supplementary Statement No. XXVI	Second Session, 1967.

[Placed in Library See. No. LT—3365/70.]

FINANCE ACCOUNTS OF THE CENTRAL GOVERNMENT, 1966-67

THE MINISTER OF STATE IN
THE MINISTRY OF FINANCE
(SHRI P. C. SETHI) : I beg to lay on the Table a copy of the Finance Accounts (Hindi version) of the Central Government for the year 1966-67. [Placed in Library. See No. LT—3366/70.]

इस का हिन्दी अनुवाद करने में चार साल लग गये हैं, यह कहाँ तक उचित है ?

MR. SPEAKER : You have stated your views. Item No. 7.

ASSENT TO BILL

श्री शिवचन्द्र झा (मधुबनी) : अध्यक्ष महोदय, आइटम नम्बर 6 पर मेरा पॉइंट ऑफ़ आर्डर है।

1966-67 के फाइनेंस अकाउन्ट्स का हिन्दी अनुवाद आज रखा जा रहा है। इन को

SECRETARY : Sir, I lay on the Table the West Bengal Stage Legislature (Delegation of Powers) Bill, 1970 passed by the Houses of Parliament during the current session and assented to since a report was last made to the House on the 3rd April, 1970.

12.48 hrs.

BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH) : With your permission, Sir, I rise to announce that Government Business in this House during the week commencing 4th May, 1970, will consist of :—

- (1) Furuher consideration and passing of : The Finance Bill, 1970. The Petroleum (Amendment) Bill, 1969.
- (2) Consideration and passing of : The Contingency Fund of India (Amendment) Bill. 1969. The Merchant Shipping (Amendment) Bill. 1969. as passed by Rajya Sabha. The North Eastern Council Bill, 1969.
- (3) Discussion on the Report of the Study Team on Prohibition on a motion to be moved by Shri Prakash Vir Shastri at 5 p.m. on Thursday, the 7th May, 1970.

श्री रवि राय (पुरी) : अध्यक्ष महोदय, मुझे निवेदन करना है कि अभी तक सरकार की तरफ से इस बारे में कोई ऐलान नहीं हुआ है कि देशी रियासतों के भूतपूर्व शासकों अर्थात् भूतपूर्व राजा, महाराजाओं के निजी कोष को खत्म करने के लिए सरकार इस सत्र में कब संविधान संशोधन विधेयक ला रही है ? आप जानते हैं कि इस सदन में बार बार प्रधान मंत्री और गृह मंत्री द्वारा आश्वासन दिया गया है कि वह इस सम्बन्ध में आवश्यक संविधान संशोधन विधेयक इसी बजट सेशन के दौरान लायेंगे । लेकिन अभी जो अगले सप्ताह के लिए कार्यक्रम पेश किया गया है उसमें इसका कोई भी जिक्र नहीं है इसलिये मैं सरकार से आप के माध्यम से स्पष्ट तौर पर जानना चाहूंगा कि वह इस के लिए जरूरी कांस्टीट्यूशनल अमेंडमेंट बिल इसी बजट सेशन के सत्र में लाने जा रहे है या नहीं ? मेरा आरोप है कि सरकार इस को लाना नहीं चाहती है क्योंकि इन के मंत्रीमंडल के एक सदस्य श्री भानु प्रकाश सिंह इस बारे में दूसरे

लोगों को जोकि नहीं चाहते कि यह इस सेशन में पेश किया जाये उन्हें वे इकट्ठा कर रहे हैं ।

मेरा दूसरा निवेदन है कि सी.एस.आई. आर. की रिपोर्ट के बारे में सदन के इसी सेशन के अन्दर बहस होनी चाहिए ।

तीसरा निवेदन यह है कि शैड्यूल्ड कास्ट्स एंड शैड्यूल्ड ट्राइब्स कमिश्नर की लगातार तीन रिपोर्टें आ चुकी हैं लेकिन उन पर अभी तक बहस सदन में नहीं हो सकी है इसलिए उन पर भी बहस के लिए सेशन में समय निकाला जाये ।

चौथा और आखिरी निवेदन यह है कि चौथी पंचवर्षीय योजना की जो डाफ्ट रिपोर्ट है उस पर भी इसी सेशन में बहस होनी चाहिए । यह चार हम लोगों की मांगें हैं ।

श्री राम सेवक यादव (बारबंकी) : खाद्य और कृषि मंत्रालय की बजट डिमांड्स पर कल बहस हुई लेकिन चूंकि समय नहीं था इसलिये ज्यादा उन पर विचार नहीं किया जा सका । आज पूरे देश में खास तौर से उत्तर प्रदेश और बिहार में गन्ना सूख रहा है सरकार ने गन्ने के दाम निश्चित किये हैं 7 रुपये 37 पैसे प्रति क्विंटल लेकिन नोबत यह आई हुई है कि उससे 2 रुपये फी क्विंटल क़रार खरीद रहे हैं और उन बेचारों की हालत बहुत ही खराब है । गुड़ के दाम भी बहुत गिर गये हैं, गन्ने के दाम में ने पहले ही बतलाया कि गिर गये हैं । किसान आज वहाँ बुरी तरह से तबाह हो रहे हैं और मैं चाहूंगा कि इसी सत्र में इस विषय पर विचार करने के लिए समय अवश्य निकाला जाये ।

श्री रणधीर सिंह (रोहतक) : हम भी पूर्व वक्ता के कथन से सहमत हैं और चाहते हैं कि इस मसले पर इसी सेशन में बहस हो ।

SHRI S. M. BANERJEE (Kanpur) : I am sure, Sir, you remember that the Home Minister gave a solemn promise to this House that the Bill on abolition of the

[Shri S. M. Banerjee]

Privy Purses will be introduced in the budget session. But, Sir, there is no time now.

- I want to know from the hon. Minister whether the Government has any intention bring forward this Bill. If so when? My second point is this that in the other House, the hon. Prime Minister announced that she would include a labour representative in the Pay Commission. Unfortunately, nothing has been announced in this House.

I would request through you that she may announce that a labour representative would be included in the Pay Commission. My other point is this. I would request you to kindly ask the Prime Minister or the Minister of External Affairs to make a statement to-day on the naked invasion of the American imperialists on Cambodia that has been made.

SHRI PILOO MODY (Godhra) : Also, we must have a discussion on the Chinese invasion of Cambodia?

MR. SPEAKER : There is a Calling Attention Motion. That has been allowed on Monday.

श्री गुणानन्द ठाकुर (सहरसा) : अध्यक्ष महोदय, मैं दो, तीन बातों की ओर प्रधान मंत्री जी का ध्यान आपके माध्यम से खींचना चाहता हूँ। पहली बात यह है कि कल और आज में मझे तरीब तीन, चार तार इस आशय के मिले हैं कि उत्तर जिले के दरभंगा व सहरसा और पूर्णिया जिले में भयंकर आंधी चलने के फलस्वरूप सैकड़ों आदमी मर गये हैं। सहरसा जिले में बल 35 आदमी मरे हैं। मैं चाहूंगा कि प्रधान मंत्री फंड से उन लोगों को तत्काल सहायता मिले।

दूसरी बात मैं कहना चाहता हूँ कि बिहार विधान सभा और अब उत्तर प्रदेश विधान सभा द्वारा भी अपने यहां की विधान परिषदको खत्म करने का प्रस्ताव पास कर दिया गया है तो मैं प्रधान मंत्री जी से जानना चाहता हूँ कि इस सेशन में वह इन दोनों राज्यों की विधान परिषदों को

समाप्त करने के वाबत आवश्यक लेजिस्लेशन लाने जा रही है अथवा नहीं। पंजाब और बंगाल का मामला सामने है।

जैसा मैंने अभी कहा सबसे बड़ी समस्या उत्तर बिहार के विकास की है। प्रधान मंत्री ने 175 करोड़ रुपया पिछड़े क्षेत्रों का विकास करने के लिए रक्खा है। मैं जानना चाहता हूँ कि उत्तर बिहार में विकास कार्य सम्पन्न करने और पिछड़ापन दूर करने के लिए उस में से कितना रुपया दिया जायेगा? उत्तर बिहार की हालत बड़ी ही शोचनीय है। कोसी तट बांध के भीतर कोई डेढ़ लाख लोग शरणार्थियों का जीवन बिता रहे हैं। सहरसा जिले में कोई उद्योग नहीं है हालांकि जूट का बहुत बढ़िया उत्पादन वहां पर होता है। मैं जानना चाहता हूँ कि प्रधान मंत्री जी उत्तर बिहार में विकास कार्य करने के लिए उस अपने फंड में से कितना पैसा देना चाहती हैं?

श्री शिवचन्द्र झा (मधुबनी) : अध्यक्ष महोदय, यह नियम 193 के अन्तर्गत जो अगले सप्ताह विचार के लिए मोशन एडमिट हो गये हैं उन सभी मोशंस पर विचार किया जायेगा अथवा नहीं? चूंकि मेरा भी मोशन उनमें से एक है इसलिए मैं यह जानना चाहता हूँ।

श्री रामावतार शास्त्री (पटना) : मुझे दो बातें निवेदन करनी हैं। पहली बात तो यह है कि कल हालांकि हम लोगों ने हाउस में देश की अन्न स्थिति के बारे में चर्चा की थी लेकिन पूरा विचार का समयाभाव के कारण मौका नहीं मिला। आप जानते हैं कि हमारे बिहार के अन्दर एक करोड़ लोग अकाल से पीड़ित हैं। सहरसा जिले, दरभंगा जिले में बुरी हालत हो रही है और अकाल की स्थिति पैदा हो रही है। इसी तरह में राजस्थान में अकाल की नौबत है। इसलिए अकाल की स्थिति के बारे में इसी सेशन में विचार के लिए समय निकालना चाहिए।

दूसरी बात यह है कि हमारे देश के इंजिनियर्स बेकारी से तंग आकर तमाम जगह आन्दोलन कर रहे हैं। पटना में उनका सत्याग्रह आन्दोलन

चल रहा है। उनपर लाठियां बरसाई गईं। इसलिए यह बहुत आवश्यक है कि यहां इस गिलसिले में इसी सेशन में बहस हो कि इन बेकार इंजीनियरों को हम कैसे काम देंगे? इस बात पर भी मैं आपका ध्यान खींचना चाहता हूँ ताकि इस पर भी इसी सत्र में बहस के लिए समय मिल जाय।

SHRI S. K. TAPURIAH (Pali) : There are more important subjects pending before Parliament concerning a larger number of people, than a few princes, like discussion on the Fourth Plan. Also what is the fate of the Resolution given notice of under rule 193 for a discussion on the growing Naxalite activities all over the country, specially Bengal and the paralysis of the administration in that State where the Government is not even on talking terms with the Chief Adviser and where he is rebuking senior advisers in public, resulting in complete demoralisation in Writers Building with no papers moving and no administrator listening to him.

SHRI SHRI CHAND GOYAL (Chandigarh) : It is practically over two months that we are having the budget session. In the beginning, it was decided that all motions, either no-day-yet named or others under rule 193, would be taken up as soon as the financial business was over. Now that it will be over by about the 6th, it is absolutely necessary that some of these motions must be taken up.

Then there are important reports, like the report of the Public Service Commission, report dealing with the industrial policy of Government and so on. These have not been discussed for a considerable time for lack of time. These should also figure in the agenda so that we can take them up.

SHRIMATI SUCHETA KRIPALANI (Gonda) : I would emphasise that we would very much like a discussion on Naxalite activities all over the country. Also when are Government proposing to bring the Bills for the abolition of the Upper Houses in Bihar and U. P.?

SHRI R. K. AMIN (Dhandhuka) : The Report of the Licensing Policy Inquiry Committee—Dutt Committee Report—has been published, but Parliament has not had an opportunity to discuss it. Without taking Parliament into confidence, the policy is being pursued by the Government. It is high time that the Report is discussed, the views of Parliament obtained and then the policy implemented.

13 hrs.

SHRI M. L. SONDHAI (New Delhi) : It has been the practice in connection with the foreign policy of this country to welcome any initiative by Asian countries. On the question of Comodia, this Government is not availing itself of the helpful advice of our Asian neighbours but is subjecting itself to great power pressure. Comodia is bleeding to death. The Prime Minister is sitting pretty here without lifting a little finger to welcome the initiative that Mr. Adam Malik has taken. Parliament should be taken into confidence. They are departing from the established policy, which Parliament has approved of, always backing Asian initiative. This Government must be charged with betrayal of this policy.

श्री नवल किशोर शर्मा (दोसा) : मैं श्री शास्त्री की मांग का समर्थन करता हूँ कि अकाल के बारे में इस सदन में विचार होना चाहिये। खास तौर से राजस्थान में बराबर पिछले पांच साल से ऐसी स्थिति चली आ रही है। राजस्थान भंयकर अकाल के दौर से गुजर रहा है इस लिये अकाल के बारे में सदन में चर्चा होनी चाहिये और उस पर विचार होना चाहिये।

SHRI RAGHU RAMAIAH : With regard to the Privy Purses Bill, as Shri Banerjee has said, the Home Minister has already made a statement. I have nothing to add to it. The statement is *pucca*. hon. Members wanted discussion of various important matters. Actually, the business provided here for next week excludes the time given to the Finance Bill. We will take about seven hours for the Finance Bill. Therefore, discussion of my other matter can only be considered in the week thereafter. There are so many important matters, as hon. Members pointed out there is

[Shri Raghu Ramaiah]

the Report of the Scheduled Castes and Scheduled Tribes, the Draft Fourth Plan, discussion on industrial policy and so on. All this will be considered according to the time available.

श्री रामसेवक यादव : गन्ने की जो हालत है वह बहुत महत्वपूर्ण सवाल है उस पर जरूर विचार होना चाहिये ।

MR. SPEAKER : I will get them discussed in the Business Advisory Committee, and we will find out time.

श्री शिव नारायण (बस्ती) : यह बहुत इम्पोर्टन्ट क्वेश्चन पूछा गया है । यू. पी. और बिहार में रेजोल्यूशन पास हो गया है कौंसिल के ब्रबालिशन का । उसके बारे में कोई जिक्र नहीं किया गया । प्राइम मिनिस्टर की इयूटी है कि वह इस का जवाब दें ।

MR. SPEAKER : In future when such reports are presented, it is much better that Members give their views to their party leaders who can speak, so that no regular debate is allowed.

THE MINISTER OF LAW (SHRI GOVINDA MENON) : With reference to the Upper House in Bihar, one or two days back a communication was received from the Government of Bihar, and the matter is being processed. So far as U. P. is concerned, we have read it only in the newspapers.

13.05 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at four minutes past Fourteen of the Clock

[MR. DEPUTY-SPEAKER in the Chair.]

MATTER UNDER RULE 377

FINANCE BILL, 1970

MR. DEPUTY-SPEAKER : Before we take up the next item on the agenda,

namely, the Finance Bill, I have to inform the House that I have received a letter from Mr. Dandekar who wants to raise certain points under rule 377 relating to this Bill. Mr. Dandekar.

SHRI N. DANDEKER (Jamnagar) : I am raising this point under rule 377 rather than as a point of order, though I am told that it could be done either way. I do not raise a point of order because I hate to interrupt any Minister when he speaks. Rule 377 is a simple rule where by :

"A member who wishes to bring to the notice of the House any matter which is not a point of order shall give notice to the Secretary in writing stating briefly the point which he wishes to raise in the House together with reasons for wishing to raise it, and he shall be permitted to raise it only after the Speaker has given his consent and at such time and date as the Speaker may fix".

You, Sir, have been kind enough to allow me to make my points, and I will try to be as brief as possible. The substance of the point that I am making—I may as well put the cart before the horse is this: that this is a money Bill, and that a money Bill, I will presently read the reference in the Constitution to money Bills, must be strictly confined to matters relating to money, raising of money, and taxes and so on plus only such matters as may be strictly consequential thereto. Sir, my submission is that this Finance Bill proposes a whole range of substantive amendments to the Income-tax Act, Wealth-tax Act, Gift-tax Act and the Companies' Profit Surtax Act, all of which ought not to be here but ought to be the subject matter of a separate Bill. I will presently elaborate on that point further.

Now, I would like to take up this matter logically from where it begins, namely, article 110 (1) of the Constitution of India which defines Money Bills thus:

"For the purposes of this Chapter, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters namely—"

I will emphasise here the word "only"—

"(a) the imposition, abolition, remission, alteration or regulation of any tax; "

And then there is sub-clause (g), which extend the definition to cover—

"any matter incidental to any of the matters specified in sub-clauses (a) to (f)."

My submission is going to be that this Bill contains many matters which neither impose a tax nor do any of the things that are mentioned here in sub-clause (a) nor are strictly consequential to the imposition of a tax. And here I again repeat the word "only" a Money Bill is concerned, and should be concerned, only with the imposition, remission etc., of a tax or "only" matters consequential thereto, that is to say, necessary upon the imposition of taxes, etc.

There are in this Bill a large number of clauses which do not fall within that definition. I do not, at this point of time wish to challenge either the necessity or the validity or anything contained in these clauses on merit. I shall deal with that when I speak on the Finance Bill, both in the general debate for consideration and during clause-by-clause consideration. Here, I will assume only that there is justification *per se* for amending the Income-tax Act in the manner suggested and the Wealth-tax Act etc., but not necessary that this is consequential upon the imposition of the taxation.

The first clause to which I take exception on this ground is sub-clause (a) of clause 3. It says quite explicitly that "it seeks to amend clause 14 of section 2 of the Income-tax Act which defines the term 'capital asset'. I will not read more. It is concerned with amendment of a substantive provision in the Income-tax Act,

relating to definitions; what is sought to be radically amended by sub-clause (a) of clause 3 concerns the definition of 'capital asset'. Similarly, as regards sub-clause (b) of clause 3; although this makes a minor change but nevertheless, I take exception, in this taxation measure, to changes coming about in respect of the organisation of the income-tax department. The notes on this clause says that "sub-clause (b) seeks to amend clause 16 of section 2 of the Income-tax Act which defines the term 'Commissioner'." They are now introducing a number of Additional Commissioners and also introducing a definition of their jurisdiction including the conferring powers on the Central Board of Direct Taxes to define their jurisdictions wherever they are overlapping several Commissioners of Income-tax.

Then, Sir, I mention clause 4. It seeks to amend section 10 of the Income-tax Act. Sub-clause (a) of clause 4 seeks to insert a new clause (20A) in section 10 of the income-tax Act retrospectively from the 1st April, 1962. There could not be a more glaringly substantive amendment to the Income-tax Act than a new exception in the Income-tax Act being inserted retrospectively from 1st April, 1962.

Similarly, sub-clause (b) seeks to insert a new clause (22A) in section 10 of the Income-tax Act, the effect of which will be that the incomes of hospitals, etc., will not be liable to tax, in certain circumstances. As I said, I will not deal with the merits of these things. I am only saying these are substantive amendments of the Income-tax Act which should have no place in the Finance Bill.

Clause 5 and 6 embody amendments which are going to make wide sweeping changes in the law relating to the taxation of charitable trusts: the charges will affect the definitions of charitable trusts what are or are not charitable trusts; the circumstances in which and the extent to which income of charitable trusts will be exempted under section 11; and so on. Again, I do not wish to join issue here on the merits of these clauses, as to whether and to what extent the amendments of sections 11 and

[Shri N. Dandekar]

13 of the Income-tax Act are desirable or justified. I would only say that clauses 5 and 6 of the Finance Bill are going to make permanent, long-term extensive and wide sweeping changes in a law which has been there for years. The law relating to charitable trusts, the circumstances in which income from charitable trusts will be exempt from tax, etc. is well established law, both statutory as well as case-law. Now it is sought, under the cover of the Finance Bill to amend in a long-term way the substantive provisions of the Income-tax Act, having very far-reaching consequences, through clauses 5 and 6 of the Bill.

Clause 7 seeks to amend section 16 of the Income-tax Act with effect from 1st April by substituting a new clause as regards the allowance for motor cars in the case of salaried persons. I will not here join issue on the merits. Perhaps it can be argued that this is a clause giving relief and it ought not to be objected to. But again it is of a long-term measure amending the basic provisions of the Income-tax Act. That is why I have taken exception to it. However, Sir, if you were to hold that this clause gives specific relief from taxation—it is not vague—and that therefore I ought not to take exception to it, I would accept your ruling.

Clause 8 seeks to amend section 35B of the Income-tax Act relating to the grant of export markets development allowance retrospectively from 1st April 1968. Here again, it is not merely a consequential amendment of substantive provisions of the Act, but an amendment of substantive provisions with substantive effect on earlier years. Normally, there can be question of imposition of tax with retrospective effect or things of that kind.

Clause 9 seeks to impose an "explanation" to section 36 (1) (viii) of the Income-tax Act retrospectively with effect from 1966. Here, too, I can repeat that any provision of this kind which is substantive and retrospective is not an incidental, consequential matter under the Finance Bill, which should be concerned only with imposition of taxes.

Sub-clauses (b) and (c) of clause 10 are again amendments of basis provisions of the Income-tax Act and must therefore to be challenged, as not relevant in the Finance Bill.

Clause 11 and Clause 12, - I have some doubts about these; I will be frank. But clause 13 seeks to amend section 80G (5) (i) of the Income-tax Act; and this must be objected to as the proposed amendment is consequential to the insertion of a new clause (22A) to section 10 of the Income tax Act by clause 4, to which I have already objected as being a substantive amendment.

Clause 16, it is true, seeks only to make a clarificatory amendment; but it seeks substantively to change the law. The explanation given is that section 80 MM as presently worded lends itself to an interpretation that the concession it unbodies will be available in a case where an emplication for the approval of the agreement is made before 1st October of the relevant assessment year, regarding of whether such approval is ultimately granted or not. In other words, it is a substantive change to put matters right because of bad drafting when section 80 MM was first introduced into the Income-tax Act.

Clause 17 seeks to amend section 116 of the Income-tax Act by substituting the existing clause (c) of that section by a new clause. Under the amendment, Additional Commissioners of Income-tax will now be included within the categories of income-tax authorities.

Sir, I want to draw your attention only to some more of the major clauses which offend Article 110 of the Constitution. So, I will go a little faster. I will object to clause 18 and also clause 19. Clause 20 inserts a new clause (4A) in section 139. Under this new provision, the trustees of a charitable or religious trusts will be required to submit a return. It has been well-established law that only those people have to submit returns who have income chargeable to tax. Now they are going to amend this provision to say that even if you have income not chargeable to tax,

being a charitable trust, be even if the income of the charitable trust is exempt, a substantive liability is put on the people who are not liable to tax to submit returns arising out of this clause 20.

Clause 21 is really a very very important clause and it has extraordinarily far-reaching effects. It has been the subject matter of debate all over the place. The new section introduced by this clause seeks to change drastically the basis of taxation with certain types of cases. This is not a Finance Bill imposing a tax or anything of that kind. It seeks to change the whole basis of taxation of certain representative assesseees, namely, the court of wards, the administrator-general, the official trustee or any receiver or manager appointed by or under an order of the court and a trustee appointed under a trust declared by a duly executed instrument in writing in cases where such representative assesseees do not receive income and on behalf of any one person or where the individual shares of the persons on whose behalf the income is received are indeterminate or unknown. This is a most complicated provision. I have been endeavouring to study it and I have been endeavouring to formulate adequate amendments to remove the harshness of the proposed amendments. To some extent I accept the objectives of the new section 164; but I say these changes are irrelevant in a Finance Bill. They are going to make most far reaching changes in the taxation of, what I would call, discretionary trusts.

Then, Sir, clauses 22, 23, 24 and 25 are all right. I have no objection to them under Article 110. Then I come to sub-clause (c) of clause 26. This is concerned with having two or more Commissioners, giving the Board the power to define their jurisdiction; to this I object.

Then I come to sub-clause (e) of clause 26, which seeks to insert a new sub-section (4) in section 21 of the Wealth Tax Act. This is really important. This is the new provision in the Wealth-tax Act corresponding to the new provision in the Income-tax Act in relation to the assessment of discretionary trusts. The one I referred to earlier was concerned with the assessment

of the income. The whole law relating to the taxation of discretionary trusts is being changed and here sub-clause (e) of 26 is concerned with the taxation to wealth tax of the net assets of discretionary trusts, which is making a substantive change in the whole law.

In clause 27, again, sub-clause (b) is concerned with making some changes in the organisation of the income-tax department by introducing new taxation authorities, to which I object.

Finally, there is clause 39 to the same effect relating to the companies profit surtax.

My submission Sir, is, that all or many of the provisions to which I have made reference are not concerned with imposition of tax, nor concerned with consequential changes upon the imposition of taxes that is involved in a Money Bill. I emphasize the word "consequential" in the sense that if a certain imposition or change of tax is made and if a certain consequential imposition or change is not made, the imposition or change in the tax might not be effective. Therefore, consequential and necessary changes which came under clause (g) of article 110 (1) of the Constitution would be legitimate. Now, all this which I have been urging is not something new. It is new only in one sense. Gradually, in this country, because of the overriding majorities that have been in fact enjoy is by Government, as the years go on the governments are becoming more and more irresponsible.

Back in 1956 the then Speaker dealing would a similar point, like the one that I am raising, raised by an hon. Member, said as follows—I am reading out of Volume X of Part II of Lok Sabha Debates of 1956 at column 2105:—

"I would normally urge upon the Finance Minister, not only he but also all his successors, to see to it that only those provisions which relate to the raising of taxation should be included in the Bill. The procedure should be followed and no other provisions should be given attention to unless they are absolutely consequential".

[Shri N. Dandekar]

I am reading the then Speaker's ruling. This is precisely the language I am using namely, that "Consequential" means 'absolutely consequential', or 'such that if you did not have them the provisions imposing the tax would be ineffective in part or whole'. That is the meaning of absolutely consequential. The then Speaker said:—

"The procedure should be followed and no other provisions should be given attention to unless they are absolutely consequential. If we have to provide by way of an amendment to the Income-tax Act or by way of an amendment to a substantial Act,"—

in the present case the Wealth-tax Act, the Gifts Tax Act, the Companies' Profit Surplus Act—

"Government must come forward with an independent measure separately, and the House will have ample opportunity to consider it."

This indeed is the fundamental reasons, namely, that the House must have an ample opportunity to discuss these changes in the substantive laws.

Sir I have been raising this point over and over again; and last year the then Finance Minister and Deputy Prime Minister was good enough to exclude as much as he could from the Finance Bill and bring forward all the substantive amending provisions in the Taxation Laws (Amendment) Bill. The Taxation Laws (Amendment) Bill, 1969, is in fact concerned with a large number of amendment to direct taxes Acts—the Income-tax Act, the Wealth-tax Act, the Gifts Tax Act and so on. The then Finance Minister took out all these, which until there were ordinarily and surreptitiously being put into Finance Bills; and he put them all in the Taxation Laws (Amendment) Bill because of this particularly sound principle that the Speaker had enunciated so that the House may have ample opportunity to consider these provisions. That Bill is now before a Select Committee and

I happen to have the honour of being a member of that Select Committee.

The points I wish to raise, therefore, are, firstly, that these provisions are extraneous to the Finance Bill—quite apart from whether opportunity is given or not to Members to consider these provisions ought not to be there. Secondly, there is already a Taxation Laws (Amendment) Bill before a Select Committee and there is no reason why these provisions that are sought to be put through here via the Finance Bill should be put in. There are similar provisions of far reaching import in the Taxation Laws (Amendment) Bill which we have been discussing, namely, to block evasion of taxes, to simplify procedures and various things exactly of the kind about which attempts are being made to legislate here. I am not saying that these various amendments ought not to be made what I am saying is that they ought to be made in a similar manner as the previous Finance Minister made, namely, by bringing forward a Taxation Laws (Amendment) Bill, referring it to the Select Committee where the thing is discussed backwards and forwards, where the public have an opportunity of making representation, where the Members (who are charged by this House with being on the Select Committee to examine the thing properly) have an opportunity dispassionately, quietly and not in a hurry to go into the clause-by-clause consideration of it in the light of its impact, its need, what the public says about it and what the department itself has to say in justification of those provisions and so on. That is the second reason, therefore, why I object to this. The House will not have, by having this debate for three days, an opportunity to examine those provisions in a manner in which those provisions ought to be examined.

Then, there is one more point. You know sir, that the power of the other House in relation to Money Bills is limited, whereas the powers of the other House in relation to non-Money Bills are *pari passu*, equal to those of this House. By shoving in these substantive amendments to other Laws in the Finance Bills I submit to you that the Government are deliberately

depriving not merely Members of this House from an opportunity to discuss and examine them thoroughly, to discuss them with the public at large or the public to discuss them with Member of this House in the Select Committee, but they are also depriving the other House of an opportunity to have the same power in relation to these matters as they would have had if these change were moved by way of an Amendment Bill in the ordinary way like the Taxation Laws (Amendment) Bill now before a Select Committee.

My final point is this. You may say "All right : What should we do ? What is the remedy ?". There it is the Finance Bill. You cannot throw the whole Finance Bill out. Of course, you do have the power, for, when the question is raised, you have to satisfy it as a Money Bill. If you are not satisfied, you can say, "I will not certify it as a Money Bill." Sir, I will not ask you to take such an extreme step. I think the affairs of the country must be allowed to run, however bad the way in which the Bill may have been drafted.

The only other way, and the only sensible way of curing this Bill of the defect is that those clauses to which I referred should be withdrawn from this Bill. They should be introduced separately by way of a Taxation Laws Amendment Bill which should then be referred to the same Select Committee which, fortunately, is now considering a similar Bill. The heavens will not fall. This Select Committee has been given an extensions of time to report by the first week or the second week of the next session. It could very well consider these provisions also. It could very well invite comments on these provisions. I see no reason why the Government are shirking an examination of these provision thoroughly by a Select Committee, by a discussion with the public and by a discussion among ourselves quietly, dispassionately, instead of the thing becoming a party matter.

For all these reasons, I submit, in the first place, that this Bill, as it is, you cannot certify as a money Bill. Secondly if they would amend it in the way I have suggested, they should withdraw the provisions to which I have taken exception,

which constitute substantive permanent amendments of the Taxation Law and bringing a Bill this session, tomorrow or on Monday, to amend the Taxation Law in the manner in which I have suggested and refer that also to the same Select Committee on the Taxation Laws Amendment Bill. If they do that, then the purpose would be served and this Finance Bill would be saved.

SHRI SRINIBAS MISRA (Cuttack) : Mr. Deputy-Speaker, Sir, the point of order that I shall raise will not be of the type raised by the hon. Member, Shri Dandekar.

SHRI D.N. PATODIA (Jalore) : In that case, you, Sir, dispose of the first one and then taken up that.

MR. DEPUTY-SPEAKER : Let me hear him.

SHRI SRINIBAS MISRA : After hearing the hon. Member, Shri Dandekar, somehow, I am unable to agree with the dangerous proposition that he made that this Finance Bill is not a Money Bill. If it is not a Money Bill, the Government could very well introduce it in the other House. It is a Money Bill but what he objects to, perhaps, if I have understood him aright, is the inclusion of some extraneous matters in the Money Bill.

Sir, article 110 of the Constitution says that a Bill in certain circumstances will be a Money Bill. There is no provision either in our Rules or in the Constitution as to what will be contained in the Bill. The Bills come as they are and the Speaker simply has to judge whether it is a Money Bill or not by applying the provisions laid down in article 110 of the Constitution.

I may only point out to the hon. Member, through you Sir, that in article 110, the words used are "any matter incidental" and not the words like "ancillary or consequential". Article 110 (a) says :

the imposition, abolition, remission, alteration or regulation of any tax;"

[Shri Srinibas Misra]

It is a definition of certain matters or certain terms. Without such definitions, the taxes cannot be regulated. If definition of certain terms and of certain powers of officials are needed for regulation the taxes, I do not think it will come outside the purview of article 110.

Now, coming to my points which are very simple or very near to our Rules, I would request you to kindly turn to Rule 70.

"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."

Here one by one I will take exception to certain clauses of this Bill to show that whatever is intended to be normal delegation of legislative power to the Union Government is really exceptional, arbitrary and something very serious, giving power to the Union Government to nibble the Constitution itself. Clause 3 wants to include agricultural land within capital asset. Agricultural land is agricultural land as used in common parlance. Now power is being given to the Government to notify certain urban areas and 8 kilometres from the boundary of those urban areas will be included in urban land. This is a power being given to the Government to notify certain towns. At the same time 8 kilometres from that town will all become urban land and will be included in capital asset. It is not only delegation of power but it is double delegation of power one is power given to the Government to declare certain areas as urban areas and then to declare 8 kilometres from that area will be urban area and this will be excluded from agricultural land and then it will become liable to tax. This is delegation, unguided power to the Government to say with agricultural or rural area will become urban areas. This is excessive delegation.

What does the memorandum of delegation say. It says it is very easy to say so—

"As it has been made clear that only areas within a specified distance can be notified and as the guidelines on the basis of which the power to notify may be exercised have been spelt out, the delegation of legislative power is of a normal character."

"The delegation is of a normal character." Taxation of agricultural land is in List II. It is purely within the States' sphere. Of course, you can tax. Parliament can sanction taxes in respect of agricultural land under certain circumstances. But you are giving this power to Union Government to enter State field and that is unguided and you say this is normal. That is my objection No. 1.

Regarding the other clause, clause 23 which is to this effect :

"to such income credited or paid in respect of deposits under any scheme framed by the Central Government and notified by it in this behalf in the Official Gazette."

We do not know, this House does not know what scheme the Government will frame. For a future scheme to be framed by the Government provision is being made. Not only we are giving power to the Government but we are giving power to the Government to frame certain schemes in future and taxation will be guided accordingly and that such delegation is normal.

Then the worst is Clause 29 which says : that power is delegated for imposing special duties of customs. This power is delegated, but you will find in the memorandum regarding delegated legislation there is no mention of clause 29, which should be there. It must be under the Rules. They must point out that clause 29 delegates power to the Union Government and that is not pointed out. There is no mention of Clause 29 in the memorandum for delegated legislation. This is also excessive delegation and not normal. You will find that in case of goods chargeable with a duty of customs which is specified in the First Schedule to the Tariff Act, or in that Schedule as amended by this Act or

a subsequent Central Act, if any, or in that schedule read with any notification of the Central Government. Under the Tariff Act the Government has the power to change the Tariff and lay it subsequently before the Parliament. Now, Sir, if they change subsequently, even then, in addition to that subsequent change, certain special duties of the customs will be levied. Is it really delegation of one power? We have already delegated power. Power has already been delegated and you can increase the tariff. Again we are delegating power that you can impose special customs duty on special tariff over the tariff sanctioned under this Bill and in addition to this tariff that will be levied under Government notification. It is treble or four-fold delegation. In future, over and above this, you are also delegation power to levy additional tax on that. And, they say, this is normal. Sir, and abnormal situation is being created by these laws and whenever objection is raised they say: All right, the courts will decide. I say, the Courts are deciding. Because of such hasty legislation courts are deciding against us and now and then we are being accused of being very hasty in legislation, hasty in our drafts.

I will now come to Clause 30. This is about regulatory duties of customs. It says:

"With a view to regulating or bringing greater economy in imports, there shall be levied and collected, with effect from such date, and at such rate, as may be specified in this behalf by the Central Government by notification in the Official Gazette, on all or any of the goods mentioned in the First Schedule to the Tariff Act, or in that Schedule as amended by this Act or a subsequent Central Act, if any, a regulatory duty of customs not exceeding (a) 25 per cent of the rate... etc."

Now, Sir, what is being done under this clause is this. Some levy is fixed. Under the law there is some percentage that is levied. That power is being given under this clause. You can levy a regulatory tax on the tax as it is, as will be amended by this Act, and then again, on subsequent amendments also. What ever is

yours is yours. Whatever you are thinking of as levies in future will also be yours. You levy taxes and regulate taxes accordingly. I have no objection to be levying of taxes. It can be levied. But the manner is something which is very objectionable.

Clause 34 is the same thing again, regulatory duties regarding customs and the same objection as to Clause 30, applies here too,

Then Sir, we come to the declaration given at the bottom. It says:

"It is hereby declared that it is expedient in the public interest that the provisions of clauses 28, 29, 31, 32, 33 and 35 of this Bill shall have immediate effect under the Provisional Collection of Taxes Act, 1931."

The Provisional Collection of Taxes Act 1931 says that there will be "declaration in the public interest that any provision of the Bill relating to such imposition or increase shall have immediate effect under this Act."

Sir, we remember under what circumstances the Finance Bill was introduced in the middle of the night. And here, Clause 29 which comes into effect immediately on the introduction of the Bill delegates power to the Government, unbridled delegation of power on the future action of Government. That has come into force from that midnight, on the expiry of that day. Under this Bill, on the expiry of that very day, it was to be increased. There were some objections before the expiry taxes were levied.

But this declaration along with Clause 29 under which taxes can be levied immediately and the power that has been delegated, I think, is too big.

SHRI S. S. KOTHARI (Mandsaur): I was going to say that Shri Dandekar's suggestion would gladden the hearts of the hon. Members of Rajya Sabha

My objection to this Bill is this. I would draw the attention of Finance Minister or whoever deals with this to

[Shri S. S. Kothari]
page 72 of the Finance Bill. In Clause 26 it has been stated that :

"In a case where the tax-payer is a partner in a firm or a member of an association of persons or a shareholder in a closely held company owning urban assets, the proportionate value of such urban assets will be taken into account in computing the value of urban assets falling within the scope of the additional wealth-tax in the hands of the individual or Hindu undivided family."

According to lay, limited companies and individuals are distinct legal entities.

MR. DEPUTY-SPEAKER : What is your point ?

SHRI S. S. KOTHARI : My point is that this clause is unconstitutional and cannot be considered.

MR. DEPUTY-SPEAKER : This you can say when we take up the Bill for consideration. Now you are going into the merits of the Bill.

SHRI S. S. KOTHARI : Sir let me develop my point at least. I say that the limited company and the individual are a distinct legal entities. How can you provide that where shares are held in a limited company owning urban assets, the proportionate value of such urban assets will be taken as the individuals holdings and immoveable property tax belevied on such shares ?

MR. DEPUTY-SPEAKER : I do not see that it is quite relevant here.

SHRI S. S. KOTHARI : I say that it is relevant. Of course I beg to differ from your goodness on this point. My second point is this. Kinds see List II of the Seventh Schedule to the constitution. This provides that a tax on agricultural income shall be levied by the States. On page 64 of the Finance Bill, 1970, it has been stated that:

"Clause 11 seeks to amend section 47 of the Income-tax Act relating to the charge of tax on capital gains. This amendment is proposed in the context of the amendment of the definition of "Capital asset".

If any capital gain arises on transfer of agricultural land, then it shall be taxable to income-tax.

MR. DEPUTY-SPEAKER : Will you kindly conclude ?

SHRI S. S. KOTHARI : I wanted to say that this will also be unconstitutional.

SHRI VIKRAM CHAND MAHAJAN (Chamba) : My learned friend Shri Dandekar has quoted the wrong article of of the Constitution. So far as Finance Bills are concerned, they are covered by Article 117 of the Constitution. What is a Finance Bill is dealt with in Article 119 of the Constitution.

MR. DEPUTY-SPEAKER : The hon. Members were making suggestions whereas you are giving replies to them.

SHRI VIKRAM CHAND MAHAJAN : Kindly give me a minute. Article 119 says:—

"Parliament may, for the Purpose of the timely completion of financial business, regulate by law the procedure of, and the conduct of business in, each House of parliament in relation to any financial matter or to any Bill for the appropriation of moneys"

Kindly also see the Rules of the House.

Rule 219 of the Rules of Procedure says as follows:—

"In this rule "Finance Bill" means the Bill ordinarily introduced in each year to give effect to the financial proposals of the Government of India for the next following financial year includes

a Bill to give effect to supplementary financial proposals for any period."

Sub-rule (5) says:—

"On a motion that the Finance Bill be taken into consideration, a member may discuss matters relating to general administration, local grievances."

What I am saying is that in the Finance Bill the taxes have to be regulated. and the authorities who are appointed to regulate the entire system of taxation, the Gift Tax Act, the Wealth Tax Act, everything, has to be included. The Constitution says so and the House has also made rules and members have been given the right to discuss matters relating to general administration. Therefore, the Bill is in order.

SHRI LOBO PRABHU : (Udipi) On a point of order.

SHRI SHANTILAL SHAH *rose*—

MR. DEPUTY-SPEAKER : have allowed Shri Dandekar to raise this under rule 377 because he has certain objections Shri Misra also had certain objections. We should not convert this into another debate. We should expect replies from Government to the objections raised by these hon. members. But if every member gets up and puts across his point of view, instead of our being able to hear Government's reply to the points raised, we will be having a debate.

SHRIMATI SUCHETA KRIPALANI : (Gonda) This is the main Opposition. We have to be heard.

MR. DEPUTY-SPEAKER : There should be a limit some where. I allowed two or three members.

Moreover, under the rules they should have written to me. We have some points of order. We have to do something about them. Under the guise of points of order, everything is being raised and the Chair has to listen to these points which

are very often not points of order, but to which we have all the same to listen.

SHRI PILOO MODY : I would request you to hear Shri Shantilal Shah.

MR. DEPUTY-SPEAKER : If I listen to Shri Shah, I will have to listen to many others for the same reason.

SHRI PILOO MODY : For every ten times you listen to others, I suggest you listen once to Shri Shah.

SHRI RANGA (Srikakulam) : Let me make this representation. If on a point of order any member representing any party here wishes to offer his observations the Speaker comes to his own final order, it is quite relevant and the Speaker should allow him to do so. You cannot go on delivering a speech and say I am going to allow only one or two members and afterwards I make my own order. You have got to be enlightened by us. Then you come to your decision, whether wise or unwise, which we have got to accept.

MR. DEPUTY-SPEAKER : True. I am not making any speech. I am only trying to regulate the business of the House. If I allow too many members, it becomes a debate. Anyway, Shri Lobo Prabhu.

SHRI LOBO PRABHU : I am raising two broad constitutional points. The first, is in respect of tax on agricultural land. My hon. friend, Shri Kothari, has raised this. This subject is within the States' sphere of taxation. Although last year, the Finance Bill included agricultural land for wealth tax purposes, that mistake has been called to the attention of Government by various State Governments. I would like mistake not to be repeated in respect of agricultural income-tax.

Further, how can you distinguish between two types of agricultural land does agricultural land change its character because it goes into the urban area ? Therefore, it is not within the jurisdiction of the Centre.

The second uniformity arises when the total of wealth and income-tax exceeds the

[Shri Lobo Prabhu]

income. That means it is a levy on property. You have no right to levy a tax on property, infringing the Constitution. You are going against article 19. Your Bill, to this extent, is therefore unconstitutional.

श्री शिव चन्द्र शा (मधुबनी) : उपाध्यक्ष महोदय, मुझे भी इस विधेयक के मुताल्लिक आपत्ति है पूर्व इस के कि मैं कुछ कहूँ, मैं एक शब्द कह देना चाहता हूँ। माननीय दाड़ेंकर जी ने कहा कि इस में एक्सट्रेनियस मेंट'स हैं जो संविधान के आर्टिकल 110 में यह बातें नहीं आतीं इसलिये यह फाइनेंस बिल नहीं है। कमिशनर की डेफीनीशन, चैरिटेबिल ट्रस्ट की डेफीनीशन और दूसरी बातें इस में लायी गयी हैं जो संविधान की धारा में नहीं आती, इसलिये यह फाइनेंस बिल नहीं हुआ।

अनुच्छेद 110 (1) में बिलकुल साफ है, इसीसेटल बातें लाजिमी हो जाती है। इस माने में वह बात आपत्तिजनक नहीं है।

दूरसं बात उन्होंने ने कही कि इस में एक बड़े चेन्ज की धारा आ रही है। लेकिन वह बड़ी धारा नहीं है, छोटी धारा है।

मेरी आपत्ति यह है कि जो वित्त विधेयक है इसमें जो स्टेटमेंट आफ् प्राबजेक्ट्स एण्ड रीजन्स है वह कम्पलीट नहीं है। उससे सफाई नहीं होती है कि इस विधेयक से क्या होने जा रहा है और कौन से परिवर्तन आयेंगे इस में यह कमी रह गयी है।

एग्रीकल्चर टैक्स की जो बात उठी, तो आप को याद होगा कि एडवोकेट जनरल को यहां बुलाया गया था इसी मामले पर सफाई देने के लिये। उन्होंने कहा था कि जो बातें लिस्ट 1 और 3 में नहीं हैं, लिस्ट नम्बर 1 के आइटम 97 के अधीन, केन्द्रीय सरकार को उस बात के बारे में हक हो जाता है। इसलिए एग्रीकल्चर भले ही स्टेट का हो, उस में

केन्द्रीय सरकार दखलंदाजी कर सकती है। आठ किलोमीटर से दूर की जो बात आती है, उस में दखल देने की बात है, उस एग्रीकल्चर प्रोपर्टी पर टैक्स लगाने की बात ठीक है।

कमी यही है कि इस के स्टेटमेंट आफ् प्राबजेक्ट्स और रीजन्स से सफाई नहीं आती है कि सरकार क्या करने जा रही है।

SHRI SHANTILAL SHAH (Bombay North-West) : Shri Dandekar has presented a point under rule 377 which says that it need not be a point of order, but what he mentioned with reference to the Rajya Sabha does amount to a point of order, and I propose to state how.

This Bill contains certain provisions, because of which, by no stretch of the imagination, can it be said to be a Money Bill. A Money Bill has been defined in article 110. It refers to the imposition, abolition, remission, alteration or regulation of any tax. Has the appointment of a Commissioner anything to do with any of these items?

SHRI SRINIBAS MISRA (Cuttack) : Regulation.

SHRI SHANTILAL SHAH : The Commissioner does not regulate, the law regulates. Please do not be so clever.

Take another case. There are provisions here which seek to prevent accumulation of income by charitable trusts. Is it contended that this falls within this definition? In the Memorandum explaining the Provisions in the Finance Bill, at page 9 it is said :

"These tax concessions have facilitated accumulation of tax-exempt funds with charitable and religious trusts and such funds are often used for acquiring control over industry and business"

Again, according to the same paragraph, with a view to checking these abuses, i.e., with a view to checking the so-called abuse

of investing charitable funds to get control over industry and business, this amendment is being introduced. Has 'that anything to do with the money bill? if charitable funds are to be controlled it should be provided by a Public Trust Regulation Act, as is done in Gujarat, Maharashtra and I believe, in Madras and U. P. also. Is it the function of a taxation measure to say: we find charitable trust funds are being invested in a manner which we do not like; therefore we shall deal with it in a taxation measure and regulate the investment of trust funds. Is it to be regulated by the Finance Bill or by the other provisions of law which deal with investment of trust funds? Suppose the provision says: The trust fund must be invested in a particular way. Does it amount to imposition, abolition, remission, alteration or regulation of any tax? It has been stated in so many words that it is intended to check investment in industrial and business houses. Is that the purpose of a money Bill? Certainly not. Look at the consequence. If it is a money Bill it cannot be introduced in the Rajya Sabha and when it goes to the Rajya Sabha it can make only recommendations and not amend it. Suppose Rajya Sabha amends the definition of 'commissioner' is it an amendment dealing with a money Bill or is it outside a money Bill and which should not go into taxation law? If they make an amendment, how shall this House deal with it? If that amendment comes back to this House, if we agree, all right. If we do not agree, there will have to be a joint sitting. If it is a money Bill, they cannot amend it; they can only make a recommendation. If it comes here and if we do not accept the recommendation, the recommendation goes. If it is a non-money Bill the Rajya Sabha has a right to amend it and we have to consider and in case we differ there has to be a joint sitting. The result would be this. In trying to put into a money Bill items which are not strictly relevant to a money Bill, we are taking away the rights of the Rajya Sabha to amend it and have further discussion between the two Houses. If it is not a money Bill somebody in the Rajya Sabha could move an amendment and not a recommendation. I do not

know what the presiding officer of Rajya Sabha would do. If an amendment is passed, what then? I do not think all these consequences have been seriously considered. What Mr. Morarji Desai said last time was this and Mr. Dandekar mentioned it. He had given an undertaking that in the Finance Bill in future such provisions would not be included and only taxation proposals would be there. Now that these things have been done, how they propose to tackle it is for them to say.

SHRI BENI SHANKER SHARMA (Banka): While supporting my hon. friend Mr. Dandekar, I have got to draw your attention to the practical side of the thing.

We have already been discussing the Taxation Amendment Bill. Certain provisions in this Bill are analogous to the provisions which we are discussing there. I draw your attention to clause 3 of the Finance Bill where agricultural land has been defined.

MR. DEPUTY-SPEAKER : That has been mentioned by another Member.

SHRI BENI SHANKER SHARMA : In the Taxation Laws Amendment Bill also there is a provision relating to agricultural land. It is in the fitness of things that these clauses are considered together and not mark in isolation. There is a definition here; there is another definition in that Bill. What sort of a legislation we will be producing? The result of all this will be that a child will be born which will be neither an animal nor a human being. Substantive changes in the Income-tax Act should be taken out of this Bill and they should be introduced in the House by way of amendments which should be considered in the Select Committee which is discussing it.

I would like to draw your attention to the fact that the Government stands committed to a sort of procedure and not to use the Finance Bill as a medium for making substantive changes in the law,

15 hrs.

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : Mr. Deputy-Speaker, Sir, I listened with great interest and attention to the points raised by Mr. Dandekar and supported in a very short statement made by Mr. Shah.

SHRI PILOO MODY : Not Bernard Shantilal.

SHRI GOVINDA MENON : The House was not having the benefit of the well-reasoned speeches of Mr. Dandekar during the last few days in this budget session; I always like to hear his speeches and our friendship lasted for several years when he was in active service.

Now, I am very glad that he read out from the proceedings of the Lok Sabha in 1956. Probably for want of time, he did not read the whole ruling given by the hon. Speaker, and what has been omitted by him I would read. This is how the hon. Speaker on that occasion concluded his statement :

“Discretion will be exercised by the hon. Finance Minister or his Ministry in bringing them separately unless they are so interconnected with the other provisions of the Bill that the finances for any particular year depend upon those provisions. In such a case, they can be added here.”

And the next sentence is the most important one.

“It is not so much a question of legality as a question of propriety.”

So, the Speaker on that occasion wanted to draw the attention of the then Finance Minister to the question of propriety

In order to consider whether there is any provision in the Finance Bill before us, it would be advisable to look into past precedents after 1956 which we had in this House. Mr. Dandekar knows the difficulty about all the past practices in this House and therefore he very cleverly added this was

going on for the last so many years. At least to correct it on the present occasion, he wanted to raise this.

SHRI BENI SHANKER SHARMA : It was a wrong practice all along.

SHRI GOVINDA MENON : It has been conceded that it has been the legislative practice in this House.

SHRI PILOO MODY : Propriety is at a discount.

SHRI GOVINDA MENON : It has been conceded that it has been the legislative practice in this House that in the Finance Bill there may be provisions which are connected, consistent and intended to enable the Finance Minister and the Government to collect the taxes for the coming year. He referred to that matter.

With respect to the other objections here I do not think I am called upon to answer now. Both from Shri Shantilal Shah's and Shri Dandekar's speeches, we understood that the most objectionable thing was the proposal to tax discretionary trusts. That is one of the most welcome measures in the budget proposals of the Prime Minister, and I have been able to understand that it was welcomed very widely in the country....

SHRI PILOO MODY : Cheap propaganda.

SHRI GOVINDA MENON : which would affect a few big people who, through the device of discretionary public trusts, have been keeping back large incomes from the clutches of the income-tax machinery. I want to put this question. If it is the desire of the Prime Minister and Finance Minister to see that this kind of tax evasion should be avoided, naturally certain things have to be stated in the Finance Bill itself. That is all what has been done. Some reference was made to agricultural income and about the constitutionality of the agricultural wealth tax, I do not know how it arises here. How many times shall we speak about it?

SHRI PILOO MODY : Do you want the Finance Bill to be struck down?

SHRI GOVINDA MENON : Last year at the request of the House, the Attorney General himself came here and addressed the House regarding the legality of tax on agricultural wealth. Strangely enough, agricultural income is defined in article 366 of the Constitution by saying that it will have the same meaning as in the Indian Income-tax Act. The Income-tax Act, therefore, has to refer to agricultural income on certain matters.

I would draw the attention of the House to some of the previous budgets in this respect, about which Mr. Dandeker has entered a caveat. This has happened before, but he wants to see that from today onwards there should be a new practice. All provisions for simplification, rationalisations tax incentives, checking tax evasion and avoidance, facility for collection etc. are connected with and incidental to the provisions of the Finance Bill. I will just read out certain provisions which were there in the Finance Bills in previous years. There were provisions for simplification and rationalisation of income-tax Act, merger of income-tax and super tax, elimination of calculation of rebate reliefs at the average rates by granting straight deductions in computing taxable income, rounding of incomes of banks, rationalisation of provisions relating to taxation of companies including definition of companies in which the public are substantially interested, diversification of development rebate, grant of export market development allowance, grant of agricultural development allowance, extension of tax holiday, development allowance for tea industry, amortisation of capital expenditure on acquisition of patent rights and copy rights, tax incentives for scientific research, tax concessions for the hotel industry catering to tourists, stepping up of the scale of penalties for defaults under the Income-tax Act and Wealth Tax Act, prescription of minimum imprisonment on prosecution for tax evasion, tightening the provision for levy of interest and also prosecution for failure to deduct tax at source and pay it to the Central Government, provisions for

distribution and allocation of work in the income-tax department on the functional basis, modifications of the provisions relating to advance tax payment under the income-tax Act—these are some of the provisions in the previous Finance Bills which I could collect during the one hour I had to look into the matter. The House will remember that provisions regarding compulsory deposits, annuity deposits, etc. were introduced in the Finance Bill. Last year, the Deputy Prime Minister and Finance Minister in his statement before the House, introduced the tax on agricultural wealth. That is how the Attorney General had to come here and defend it. If Mr. Dandeker's point is accepted, the Finance Bill will only contain modification of the schedules to the Income-tax Act, the Gift Tax Act and Wealth Tax Act.

SHRI M. R. MASANI (Rajkot) : That is what it should be.

SHRI GOVINDA MENON : When you get a chance, try to do it. But today we have been following a parliamentary practice....

SHRI M. R. MASANI : It is a malpractice.

SHRI GOVINDA MENON :a parliamentary practice under which the Finance Bill used to contain certain connected matters that have been referred to in the ruling just now mentioned. It is a matter of propriety. It is true that there is a Taxation Amendment Bill now being considered by the Select Committee. Nothing which is being considered there is being included here. Here we have got only provisions with respect to collection of income-tax, wealth tax, gift tax etc. for the coming year. It is not a permanent amendment to any of the statutes in our country. It is an amendment made for this year.

For example, take the provision regarding the gift tax. There was an exemption up to Rs. 10,000 from the levy of gift tax. The Prime Minister in her budget proposals has reduced it to Rs. 5,000.

SHRI N. DANDEKER : I do not object to it.

SHRI GOVINDA MENON : That is a permanent measure if it is not amended next time. So, this distinction between permanent measures of taxation and provisions to be contained in the Finance Bill is not a rigid distinction. For the purpose of collecting taxes, the revenue estimated for this year, it is the duty of the Finance Minister to provide as many provisions as may be required to enable the government to collect the taxes. And if I say that this has become the practice in this Parliament for the last many years, it is not necessary to say that was a malpractice, that was not a good practice, that it was a wrong practice. There is no country in the world where the budget and Finance Bills are introduced in Parliament where the Finance Minister will simply change the schedules, will simply amend the rates. All that is required to enable the government to collect the amount of revenue assessed in the budget speech will have to come there in the Finance Bill.

SHRI M. R. MASANI : Then abolish the Income-tax Act. What nonsense !

SHRI GOVINDA MENON : The motion standing in the name of the Prime Minister is for the consideration of the Bill and the general principles can be discussed during the consideration stage. If I want to show that none of the 39 clauses in this Bill will come under the category referred to by Shri Dandeker we would have to postpone consideration of all these things for several hours. The clauses will have to be read one by one and the question has to be considered whether it is intended to collect tax for this year or intended to change the statutes in existence in the country. It would be open for Members discuss the general principles of the Bill and, later on, the clause by clause consideration will also come. If there is any provision which then can be demonstrated to be not in the interests of tax collection but intended for amending permanently the statute law of the country, it can be considered then, not now.

Then, the objection raised is particularly with reference to tax on discretionary public trusts, which is a political objection.

SHRI N. DANDEKER : Sir, this is gross misrepresentation. I have quoted several clauses. I did not refer only to the discretionary trusts. I may say for the information of the Law Minister that I agree with some of the amendments proposed to the discretionary trusts. So, it is not a question of my objecting to only one provision. I am deliberately being misquoted.

SHRI GOVINDA MENON : That is one proposal which is affecting large numbers of capitalists in the country. In these circumstances, your distinguished predecessor in 1956 having stated that this is not a matter of law but of propriety—I read out that passage—

SHRI RANGA : Is it propriety now ?

SHRI GOVINDA MENON : What has been done during the last several years in this House is proper. If suddenly on the 1st May, 1970, Shri, Dandeker and a few friends of his stand up and say, "Let us change the practice from today", I do not think, you will be inclined to accept that. I submit that there is absolutely no substance in the objections raised if you look into the provisions of Finance Bills during the last several years.

SHRI N. DANDEKER : May I briefly reply ?

MR. DEPUTY-SPEAKER : No reply, please.

SHRI SRINIBAS MISRA : Though I do not feel called upon to answer the points made in answer to the points that I raised, you are bound to decide and give a ruling on those points.

SHRI N. DANDEKER : I beg of you to give me an opportunity to reply briefly because the Law Minister has deliberately misled the House as to what I have said.

MR. DEPUTY-SPEAKER : We have to conduct the proceedings according to certain procedure. This is not a debate. It is not as if you have moved a motion, there is a debate, the Minister replies and

you have a right to reply. It is under rule 377 that you have made your submission.

SHRI N. DANDEKER : I am not claiming a right; I am asking for your indulgence.

MR. DEPUTY-SPEAKER : That is a dangerous thing because that indulgence may be overindulged.

SHRI N. DANDEKER : I seek your protection.

SHRI S. S. KOTHARI : Is the Minister to reply only to the Swatantra Member's objection?

MR. DEPUTY-SPEAKER : I cannot compel the Minister as to what to reply and what not to reply.....(Interruption)

SHRI S. S. KOTHARI : The Minister must meet our points. Why does he answer only the Swatantra Member's points? He feels that they are harmless.....(Interruption)

SHRIMATI SUCHETA KRIPALANI : You are showing disrespect to the House.

MR. DEPUTY-SPEAKER : Please do not get worked up.

SHRIMATI SUCHETA KRIPALANI : There is absolutely reason to be worked up.

SHRI PILOO MODY : It is normally the custom that the Speaker should show greater indulgence to soft-spoken Members(Interruption)

MR. DEPUTY-SPEAKER : Then you are the first casualty.

SHRI PILOO MODY : I am not one of them and I do not need your indulgence. But soft-spoken Members who want to pursue the point constitutionally have been attacked by the Minister most unsportingly and you must give them an opportunity to correct the Minister on all the false assumptions that he has made.

This is not charity I am asking you for; it is humanity that I am asking you for, that you allow Shri Dandeker a couple of minutes in order to answer the Minister just because the poor fellow cannot shout.

MR. DEPUTY-SPEAKER : You have done it for Shri Dandeker more than he needs do it.

SHRI N. DANDEKER : He has made completely false....(Interruption)

MR. DEPUTY-SPEAKER : You have objected to that. It is on the record.

SHRI N. DANDEKER : He has said that I have contested only the propriety of it. I do submit that it is not a point of propriety merely that I have raised but I have raised a very important legal issue. Tomorrow there will be a fight between this House and the other House.

MR. DEPUTY-SPEAKER : All this is on the record.

SHRI N. DANDEKER : In order that Members may have an opportunity of hearing me in answer to all those points....(Interruption)

MR. DEPUTY-SPEAKER : You have made your points; I have allowed you and heard you from beginning to end. I do not think anybody interrupted....(Interruption)

SHRI PILOO MODY : Why do you not allow him to reply?

SHRIMATI SUCHETA KRIPALANI : May I have a categorical reply about one point? Did Mr. Morarji Desai last year make a commitment or give an assurance on the floor of the House or not? Say, yes or no. We want a categorical reply to that. (Interruption)

MR. SPEAKER : Order, please.

SHRI N. DANDEKER : Will you not allow me an opportunity to put the records straight? (Interruptions)

MR. DEPUTY-SPEAKER : I have to conduct the House according to the procedures laid down. I would request you to kindly cooperate with me. *(Interruptions)* Order, please.

SHRI SHEO NARAIN : If this is the way, the whole Opposition will walk out. *(Interruptions)*

MR. DEPUTY-SPEAKER : Mr. Dandekar, you are the spokesman of your party on the Bill. Kindly utilise that opportunity also.

SHRI N. DANDEKER : This stage is the most important. I must put the things straight....*(Interruptions)*

SHRI YOGENDRA SHARMA (Begu-sarai) : On a point of order, Sir.

MR. DEPUTY-SPEAKER : There is no order now. What point of order?

SHRI YOGENDRA SHARMA : That is what I am going to submit. Is it a bilateral discussion between Mr. Dandekar and the Law Minister? Both of them have submitted their views. We have heard them. Either you decide or let the House decide.

SHRI SHEO NARAIN : You go there. You are giving us a lecture?

SHRI RANGA : It is for the Chair to decide, not the House. *(Interruptions)*

SHRI YOGENDRA SHARMA : This is not the way to deal with the Finance Bill.

SHRI PILOO MODY : It is not a Finance Bill.

MR. DEPUTY-SPEAKER : Now, if I have followed Mr. Dandekar correctly, the crux of his submission was that certain provisions that are sought to be put into the Finance Bill would effect fundamental structural changes of certain Acts. He also mentions that proposals for changes are in the Taxation Law Bill that is before a Select Committee. The Government thinks that these are not fundamental structural changes and that they are incidental. I leave it to the wisdom of the

House. The hon. Members will bear this in mind when they make their observations on the Bill and also at the time when they exercise their right to vote.

SHRI SHEO NARAIN : We expect a ruling from you....*(Interruptions)*

MR. DEPUTY-SPEAKER : About Shri Srinibas Misra's point that the Bill exceeds the scope of delegated legislation,, I think, that is also a matter for consideration of the House.

SHRI SRINIBAS MISRA : Sir, kindly see clause 29. It must find a place in the Memorandum of Delegated Legislation that the power is delegated. That is a simple question of rules. That does not find a place there.

MR. DEPUTY-SPEAKER : On that limited issue, I would ask the Minister whether clause 29 involves any delegated legislation and whether it is mentioned in the Memorandum of Delegated Legislation.

SHRI N. DANDEKER : What about a ruling on my case? I argued the case in order that you may give a ruling on that.

SHRI GOVINDA MENON : No delegation of power is there.

MR. DEPUTY-SPEAKER : The Government says that there is no delegation of power.

SHRI SRINIBAS MISRA : Are we all blind? Kindly look at it.

MR. DEPUTY-SPEAKER : It is a matter of argument whether it involves delegation or not. *(Interruptions)* I would ask you to prove it to the House.

AN HON. MEMBER : You have to decide it.

MR. DEPUTY-SPEAKER : I would leave it to the House to prove that this involves delegated legislation.

SHRI PILOO MODY : You have to decide. You cannot delegate your powers like that.

MR. DEPUTY-SPEAKER : The Point raised by Mr. Shantilal Shah relates to interpretation of the Constitution. It is not for the Chair to pronounce on the constitutionality or unconstitutionality of the Bill.

15.26 hrs.

FINANCE BILL, 1970

THE PRIME MINISTER, MINISTER OF FINANCE, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI) : Sir, I move *

"That the Bill to give effect to the financial proposals of the Central Government, for the financial year 1970-71, be taken into consideration."

I had outlined the main features of the proposals contained in the Bill in my Budget speech. The details of the specific provisions in the Bill have also been set forth in the Explanatory Memorandum circulated to hon. Members, along with the Budget papers. Hence, it is hardly necessary to go over the ground again. On the present occasion, I should like merely to explain the principal changes that are proposed to be introduced in the provisions of the Bill. In deciding on these changes, the valuable suggestions made by hon. Members and others, during the past eight weeks have been taken into account.

The central objective of the Budget proposals has been widely appreciated both in this House and outside. There is little reason, therefore, to disturb the general structure of the fiscal proposals in the Bill. The Bill gives concrete shape to the task of reconciling the need for augmented revenues for developmental purposes, with that of using the fiscal device for furthering distributive justice. Through these amendments, I propose to suggest a few changes which would make the fiscal proposals in certain instances more rational, and, in certain other cases, more purposive to achieve the stated goals.

I shall start with direct taxes. The rele-

vant proposals in the Bill, while aiming to reduce the more extreme forms of income inequalities and to plug loopholes in the law leading to tax avoidance, also take care to provide greater incentives to savings and investments. The Bill makes provision to exempt from tax income upto Rs. 3000 in a year, derived from investments in certain specified categories of financial assets: investments in such assets up to Rs. 1.5 lakhs are also being exempted from wealth tax. It is now proposed to include into those categories of investments also the deposits with State Financial Corporations and other approved long-term financial institutions, this is being done to enable these equally worthy institutions also to attract deposits from members of the public for nation-building purposes.

The tax on the interest payable by banks to their constituents is at present deductible at source. In the context of the Government's policy to extend significantly the coverage of banking to rural areas, it would be justifiable to alter this arrangement on administrative grounds. I propose to amend the relevant provision in the income tax Act so as to exempt, from deduction of tax at source, the interest earned from deposits with banking companies, including co-operative banks.

In regard to charitable and religious trusts, the Bill makes certain changes in the existing law so as to check abuses which have come to light, and reduce the scope for the use of these trust funds to acquire control of industry and business in which author and his relatives are interested. These provisions in the Bill have been widely acclaimed, and there is no reason to make any major changes in the proposals. At the same time, while replying to the general discussion on the Budget, I did indicate that we would try to remove any genuine difficulties, which may be faced by the affected parties in complying with some of the conditions introduced in the Bill. Under the Bill, the facility enjoyed earlier by a charitable or religious trust to accumulate 25 per cent of its current income has been withdrawn. However, as Honourable Members are aware, there is already a provision in the existing law

* Moved with recommendation of the President.

[Shrimati Indira Gandhi]

where by such a trust can accumulate its current income without attracting tax liability for a maximum period of 10 years, for purposes authorised under the terms of the trust, provided the funds so accumulated are invested in Government securities. It has been brought to my notice, that the requirement to invest the accumulated income exclusively in Government securities, is unduly restrictive, in that the funds so invested, would not be readily available to the trust in times of natural calamities like floods and earthquakes; this restriction may also involve risk of loss when the investments are needed to be disposed of before maturity. In order to remove this unintended hardship, I now propose to amend the relevant provision in the Bill so as to allow the investment of accumulated income also in the form of deposits with the post office saving banks, with banking companies including co-operative banks, as well as with approved long-term financial institutions such as State Financial Corporations.

Under the Bill, a charitable or religious trust is liable to forfeit the exemption from tax on its income, if the income or property of the trust is used to provide direct or indirect benefit to the author of the trust or his relatives. The Bill sets forth examples of transactions which would be regarded as providing indirect benefits. A trust or institution which engaged in any of these transactions at any time during the previous year relevant to the assessment year 1971-72, would forfeit the exemption from tax on its income for that year. As the previous year relevant to the assessment year 1971-72 could, at the option of the trust, be the financial year 1970-71 or the calendar year 1970 or the year ending on Diwali in October, 1970 or even the year ending on 30th June 1970, trusts which may already have engaged in these prohibited transactions before the announcement of the Budget proposals on February 28, 1970, would normally forfeit exemption from tax on their current income. Such a result would be unintended in the case of religious trusts as also in the case of the charitable trusts established before April 1, 1962, since the proposals

in the Budget could not have been anticipated. I therefore propose to provide that in the case of such trusts, any use of the trust income or income or property to provide direct or indirect benefits to the author, founder or any of his relatives in relation to any period upto 31st May, 1970 would not entail forfeiture of the exemption from tax on their current income.

Another circumstance specified in the Bill, which would lead to a complete forfeiture of the exemption from tax, is the investment of the trust funds, in any concern in which the author or founder of the trust or any of his relatives has a substantial interest, and the amount of the investment exceeds 5 per cent of the capital of that concern. In order to comply with the provision, a fairly large number of trusts and institutions would have to change their pattern of investments in order that they do not forfeit the exemption from tax on their current income. It has been represented that, unless a certain minimum time is allowed for the rearrangement of investments, there would be danger of widespread capital loss, since any sudden rush for the sale of such shares in the market, could have a depressing effect on share prices. In order to remove any *bona fide* difficulties, which trust may face in complying with this provision, I propose to allow them time upto 31st December, 1970, to alter suitably their portfolio of investment.

A related minor change is also proposed to be introduced. As I have just explained a charitable trust, under the proposals in the Bill, is liable to forfeit completely, the exemption from tax on its income if its funds are invested in any concern in which the author, founder or any of his relatives has a substantial interest. However where the amount of investment does not exceed 5 per cent of the capital of that concern, such a trust would lose its exemption, only in respect of the income derived from that investment. But persons making donations to such an institution, are liable to forfeit the tax relief which they would otherwise be entitled to obtain in respect of their donations. It is propo-

sed to introduce a specific provision, that persons making donations to a trust will continue to be eligible for tax relief, so long as the quantum of investment in any of the prohibited concerns does not exceed 5 per cent of the capital of such concerns.

Under the Bill, capital gains arising from the transfer of agricultural land situated within the limits of any municipality or Cantonment Board, which has a population of not less than 10,000 persons, will hereafter, be subjected to income tax. However, there will be instances, where agricultural lands in such municipal or other urban areas are held for *bona fide* agricultural purposes, often as the main source of livelihood. Where the holder of such land sells it, but acquires some other land elsewhere, in order to continue his agricultural occupation, it would be justifiable to exempt from tax, the capital gain arising to him, out of such a transaction; an amendment is being introduced to this end.

Under the provisions of the Bill, discretionary trust - often created in order to evade or avoid taxation - are to be taxed at a flat rate of 65 per cent on their incomes and 1.5 per cent on their wealth, or at the rates, applicable to individuals, whichever is higher. However, I had said in my Budget speech that steps would be taken to exempt certain categories of existing discretionary trusts from taxation at these flat rates. The provisions will not apply to trusts, created by employers for the benefit of their employees, such as provident funds, superannuation funds, gratuity funds, pension funds, etc; the necessary amendments are being moved.

I now refer to an amendment to the Wealth Tax. Until now, a farm house was exempt from the Wealth Tax, irrespective of the value of the house. Under a proposal in the Bill, such exemption would henceforth be limited to Rs. 1 lakh. For persons having extensive agricultural holdings, however, there may be farm houses situated in the midst of such holdings, the value of which may even exceed Rs. 1 lakh such persons may also own a residential house apart from the farm house. As the maintenance of a farm house is essential to direct agricultural operations, I propose to

restore the *status quo ante*, and exempt altogether such a house from the liability under the Wealth Tax, irrespective of value.

We now come to the proposals in the Bill regarding indirect taxation. May I stress again what I have said in my budget speech and in my reply to the general discussion on the Budget? In the present circumstances, we can scarcely ignore the role, which indirect taxes can play in broadening and strengthening the fiscal system. The major aim of fiscal proposals, with respect to indirect levies, is to augment our export effect, discourage the consumption of certain items, and protect the interests of the poorer sections of the community. I do not believe that the package of proposals will disturb the general price stability either. Representations have, however, been made about the likely effects of some individual proposals. These have received our most careful consideration, and we propose to introduce a number of modifications, particularly to remove any hardships with the manufactures in the small scale sector may encounter.

A number of representations have been received from the decentralised sector of the art silk industry, expressing concern over the difficulties, which they think might arise with the declaration of values for purposes of assessment. It has also been urged that the price limit of Rs. 2.50 per sq. metre, upto which the rate of duty would be 3 per cent *advalorem* does not ensure that the common man's fabrics are taxed at a level, not exceeding the specific rates effective before the budget proposals. It is now proposed to fix tariff values, for the assessment of most varieties of art silk fabrics, which would simplify the process of assessment. At the same time, the slab up to which the effective rate of duty is to be 3 per cent, is proposed to be raised from Rs. 2.50 to Rs. 3.00 per sq. metre. It is also proposed to give a reduction of 5 per cent in the duty chargeable on fabrics, processed by "independent processors" when the grey cloth brought to such processing houses, is delivered to the owner, after processing, in an uncut condition.

Honourable Members will recall, that I had proposed the levy of 20 per cent

[Shrimati Indira Gandhi]

duty on television sets with great reluctance. At the present stage of our economy, only the relatively better-off can afford a television set, but television has an educative value in our conditions and as the TV manufacturing industry is in its infancy, I feel that the balance of advantage lies in levying a somewhat lower duty than was originally proposed; I therefore propose to reduce the excise duty on this item from 20 per cent to 10 per cent *ad valorem*. To provide a further stimulus to the indigenous industry, certain other ancillary measures, such as reviewing the facilities provided under the existing Baggage Rules, and other regulations, which enable television sets to be brought into the country in large numbers, without the payment of duty, are being considered.

The abolition of export duty on tea has generally been welcomed. The increase in the zonal excise duties has, however, brought forth a large number of representations from tea producers, especially those among the weaker sectors, who stand to benefit less from the export duty reduction, but whose excise duty liability has gone up, because of the predominance of internal sales over their export sales. There does not seem to be any justifiable case for an over-all reduction of excise duties. However, some changes are necessary in the incidence of duty, on those gardens, which are small or the quality of whose tea is inferior, and fetches low prices. In proposing modifications in the levy, I have kept in view the special problems of the small tea gardens in the Nilgiri district, and also in the Assam and Darjeeling areas. I propose to limit the excise duty incidence to 70 paise per kg. in respect of tea cleared in the rest of the financial year 1970-71 which is sold at a price not exceeding Rs. 5 per kg. The details of procedure to give effect to this concession, are being worked out, and will be notified separately. In addition, the 10% reduction in excise duty available to cooperative factories is being extended to 'bought-leaf' factories.

I now turn to a few of the excises proposed on commodities, where a sizeable

production in the small-scale sector. It is my intention to make these provisions, the least onerous for the small manufactures. I, therefore, propose to exempt wholly from excise duty, the production of metal containers, safes and strong boxes by units which do not use power. I also propose to exempt from excise duty, units which manufacture safes and strong boxes up to a value of Rs. 50,000, provided, that the total annual output of such a unit does not exceed Rs. 2 lakhs in value. This exemption will also extend to the manufactures of biscuits. In the case of metal containers, the exemption limit is being fixed at a still higher level of Rs. 1 lakh, since the value of such containers would include the component of duty paid on tin plate used as raw material.

I should not like the cause of education to suffer, hence mathematical boxes, geometry boxes and colouring boxes used for Students and children, irrespective of whether those are manufactured in the organised or small-scale sector, will also wholly be exempted, from excise duty.

It is necessary to clarify, and, in some instances, marginally alter, the fiscal proposals in respect of pasteurised, butter, refrigerating and air-conditioning appliances, and plastics. Pasteurised butter, which is used in the same factory, either for making ghee or for re-constituting into milk, will not be charged to duty. Apart from the concession extended to components, intended for the setting up of air conditioning plants in hospitals, room-and package-type air-conditioners, also, if they are installed in hospitals, will get the benefit of exemption from the increases proposed in the Budget. Cold storage plants already enjoy a concessional rate of duty, this concession is being extended to fish-freezing plants. In the case of plastics, certain anomalies resulting from the proposed levy only P.V.C. sheets are being rectified.

I should like to clarify that it was not our intention to bring sago, vermicelli and arrowroot, within the purview of the excise levy on 'prepared and preserved foods'. Similarly, the levy on aerated waters is con-

fined only to products, which are manufactured with the aid of power, and are marketed with registered brand name or trade mark.

As Honourable Members are aware, in order to stimulate the handloom sector of the cotton textile industry, we have already made effective an exemption from excised duty, of hank yarn of counts less than 40 N.F. and reduced considerably the duty on hank yarn of higher counts. I now propose to extend the provision of total exemption to hank yarn in plain straight reels for counts other than 51 N. F.

Lastly I come to the representations made by certain sections of the book trade regarding the adjustments proposed in the postal tariffs, particularly regarding V.P.P. fees. As the proposed increase in fees on items of lesser value is rather steep. I propose that the V.P.P. charges be retained at 10 paise for all packets up to Rs. 10 in value.

The changes proposed in direct taxes are not expected to have any significant impact on revenue. The adjustment in excise duties would imply a reduction in revenue to the extent of Rs. 1.80 crores of which, about one-half would be because of the changes related to tea. The effect of the change in the V.P.P. rates would be approximately Rs. 8 lakhs.

Mr. Deputy-Speaker, may I conclude by saying that we have made an effort to remove the genuine difficulties, which might have arisen because of some of the measures proposed for direct and indirect taxation. In so doing, we have accepted a marginal sacrifice of resources. I know that this will not satisfy all honourable Members. However, we cannot escape from the stern obligation to mobilise resources for our development. Such a mobilisation imposes burdens on all sections of our people and calls for sacrifices. But we have sincerely endeavoured to ensure that the burdens do not fall heavily on those who are least able to bear them.

Sir, I more.

MR. DEPUTY-SPEAKER : Motion moved :

"That the Bill to give effect to the Finance proposals of the Central Government for the Finance year 1970-71, be taken into Consideration."

Fifteen hours have been allotted for this Bill. If the House agrees, ten hours may be given for general discussion, four hours for the Clauses and one hour for the third reading.

SHRI RANGA (Srikakulam) : One hour for the third reading will not be sufficient. The Speaker has got the discretion to increase the time by one hour. Kindly make it two hours for the third reading.

श्री कंबर लाल गुप्त (दिल्ली सदर) : उपाध्यक्ष महोदय, क्लॉजिंग के लिए चार घंटे बहुत कम होंगे। एक एक क्लॉज पर डिसकशन होगा। इस लिए क्लॉज-बाई-क्लॉज डिसकशन के लिए छः घंटे होने चाहिए—घरर उस में छः घंटे लग जायेंगे।

MR. DEPUTY-SPEAKER: Your points, I think, will be kept under consideration. Let us proceed.

SHRI SHANTILAL SHAH (Bombay-North-West) : I propose to offer a few comments on the Finance Bill, and not to go over all the points. I, therefore, do not propose to deal with matters relating to tea and coffee, sugar and petrol, which I am sure will be dealt with by my colleagues on this side.

While the cost of living index in February last year was 205 with 1949 as the base, in February this year it has gone up to 215. That means there has been a rise of ten points. I think this will continue.

As far as petrol is concerned, it is known that the cost of crude has gone down from 1.38 cents per barrel to 1.28 cents per barrel. In the Bill there is an increase in excise duty on kerosene, furnace oil and motor spirit. As a result of the fall in the price of crude, there will be also a fall in the cost of kerosene, motor spirit, furnace oil etc. I hope that the Government will not appropriate the difference to themselves. I am saying

[Shri Shantilal Shah]

this because on the last occasion, when a previous committee had recommended that the prices be reduced and they were in fact reduced, the Government did not pass on the benefit to the consumer, but appropriated it to themselves. I have a fear that this time also the Government will do the same thing. I hope they will take note of what I have said.

As regards the Budget, the Prime Minister mentioned that it had been widely welcomed and appreciated. It was not because of the fiscal measures, it was a psychological trick.

Originally, before the Budget came, for about a month and a little more, there was a hue and cry all over the country of 'tiger, tiger' that something very drastic was coming, something which they called socialism, about which all the Young Turkeys have been cackling. Nothing so drastic has come. What has been done would also have been done by Mr. Morarji Desai a year or two later. Nothing new, nothing radical. The sense of relief is not because of the budget proposals but because of a psychological atmosphere before and after.

I come to my next point. The minimum taxable limit has been raised to 5,000. It is a half-hearted steps. Mr. Bhoothalingam has recommended that this limit should be raised to Rs. 7,500. He had pointed out that the cost of collection of tax at the lower level was almost equal to the amount of collections and there was no benefit to the Treasury. I do not know whether Mr. Bhoothalingam was an expert in; taxation; I am not. In any case the relief given by one hand is taken away by the other hand, by the rise in prices. It is not too late even now to consider whether the limit should not be brought up to Rs. 7,500 which might mean some real relief.

The Centre has no right to levy tax on agricultural income but just because there is no tax on agricultural income and resources are needed, they have done this. The Prime Minister is the head of a political

organisation. The Chief Ministers of various States and some other friends also do not want any agricultural income tax. Will the Prime Minister take a political decision that agricultural income tax ought to be levied as the Planning Commission has recommended? This is a political consideration. Income-tax on agriculture has not been levied, not because it does not deserve to be levied but because it will affect the votes. About votes on agricultural income-tax I believe there are as many votes on this side. But here is a source of revenue where only a political decision can help us.

My next point is the proposal to consider levy of tax on the consolidated income of husband and wife. I am surprised the Prime Minister should have entertained that thought. It is only recently that the Indian womanhood is coming into its own. It is getting some economic freedom. The proposal is to lump together the income of husband and wife for the purpose of taxation. I know some cases, they are real, where husbands are drawing fat salaries and with a view to escape taxation, a part is paid as salary to the wife. That is tax avoidance and not tax evasion though it is as bad as tax evasion. If there are a few dozen cases in the country like that, is it right to say that every working woman should be taxed? Husband and wife together earn pay Rs. 500/- each one getting Rs. 250/-; today neither of them will pay tax but if they are to be lumped together their income will be taxable. ... (Interruptions) The Prime Minister wanted an opinion and I am expressing an opinion. I only wish that the Prime Minister had not even asked for an opinion and she would banish the thought which would hamper the economic freedom of women in this country. What will happen? There are a large number of middle-class families. They are married and have children. The women are seeking jobs not because they do not like their families and do not want to look after their children. Economic necessities of the present day compel them to seek a job. If we say that they will be taxed, it

will be very wrong. If it is intended to deal with these few persons who are avoiding tax by dividing the income in a legal manner between wife and husband, there is a legal way of doing it and it could be done.'....(Interruptions)

Now, the present method is that as soon as the Government finds that there are a few persons who are defaulting or who had done something wrong or improper, they extend the rule to cover all these innocent persons also. The rule of taxation should not be that because some persons misuse the law, therefore, one must punish the whole innocent class. The rule should be either, if at all you cannot help it, allow the few to benefit but not hurt those innocent people. If possible, so manage your affairs by law that those who are offending the law are caught and those who are innocent are not caught. As far as I understand, even the All-India Women's Conference has protested against consideration of this proposal and I hope that the Prime Minister having expressed that she wishes to consider it, at the end of this discussion would be able to say that this idea will no more be considered.

In connection with the charitable trusts, up to now the charitable trusts could accumulate their income up to 25 per cent over 10 years, and then they can use it for the purpose of trusts. The Prime Minister has indicated a certain relief and that partly meets the point which I wanted to mention. The proposal in the Bill was that the whole income must be spent within three months after the accounting year. Now that may be possible; but in case of a charitable trust which is intended for relief from famine, flood or earthquake, how are you to spend within three months? You cannot bring a famine or a flood or an earthquake in order to spend that money. (Interruption) She has made a concession; I have not been able to catch the full concession. I do not know whether it will meet the real difficulty.

The other point is if the settler gets any benefit, then the whole of the income will be taxed. My suggestion is that in that case the settler may be taxed and up to the point to which the trust benefits the trust may be taxed, but to say that the whole of the income will be fully taxed seems to be

unreasonable. I actually know of a case of a person in Bombay who has settled in a bungalow belonging him at a hill station for this benefit of his staff. It is an educational institution. Supposnig goes and stays in that place and pays this same charges which other members of his staff are to pay and the Income-tax Commissioner after two years comes and says, "No, no, You are not paying a fair rent; the fair rent was this," what happens. So, even if he pays, what all the other member of the staff of that institution have to pay, the Commissioner would still say that is not a fair amount that you have paid and we will tax you fully. The purpose of these proposals as mentioned here is to prevent control of industry and business by investment of accumulated amounts made by charitable trusts. It is a good, laudable object, but as was mentioned while taking a preliminary objection it is the purpose or is it the object of the Finance Act to regulate investment of public trusts? And if the investments have to be regulated, the better way would be to have a separate legislation as there is in Bombay—now in Maharashtra and Gujarat—as there is a public trust in Madras and as, I believe there is one in Uttar Pradesh. Not only investments, but there are many other things in connection with the administration of public trusts which require to be looked into.

Some years ago, there was a Committee under the chairmanship of the late Sir C.P. Ramaswami Aiyar and that Committee had made recommendations for a Public Trusts Administration Act. I believe the matter is now nearly five years old. If it is the desire of the Central Government that public trusts should be properly administered, that the funds of public trusts should be properly invested and not utilised in the manner which they wish to prevent, then the correct way is to bring legislation for control of the trusts and their administration. To use the Finance Act for an ulterior purpose is misuse of legislation. I therefore submit that these clauses may be so drafted that trusts which are doing good, genuine, charitable work are not hampered. If trust are to be well-administered, then a proper legislation should be brought in.

16 hrs.

That brings me to a particularly interesting amendment, that is, amendment No.

[Shri Shantilal Shah]

567 which has been brought in by about 50 Members of the House. The amendment briefly says that if the total tax payable as income-tax and wealth-tax exceeds 100 per cent of the income then the amount in excess of the 100 per cent should not be recovered and there will be a limit of 100 per cent between the two. In a socialist pattern of life, there is nothing objectionable in it. In that case, if it is more than 100 per cent, he would have paid something from his own assets or capital. Even as it is, when you take 100 per cent, he and his family will have to be maintained out of his capital. But what is very interesting and intriguing is that I find that 14 members of the ruling party are in support of this amendment. Among them is the Secretary of the Party.

MR. DEPUTY-SPEAKER : He may continue his speech on Monday. Now, private members' business.

16.01 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

SIXTY-SECOND REPORT

* SHRI TRIDIB KUMAR CHAUDHURY (Berhampore) : The question is :

"That this House do agree with the Sixty-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 29th April 1970."

MR. DEPUTY-SPEAKER : The question is :

"That this House do agree with the Sixty-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 29th April, 1970."

The motion was adopted.

RESOLUTION RE: RIGHT TO PROPERTY-Contd.

MR. DEPUTY-SPEAKER : The House will now resume consideration of the resolution moved by Shri Ramamurti on Right to Property. Shri Madhu Limaye is to continue his speech, but he is absent. Mr. Randhir Singh.

श्री रणधीर सिंह (रोहतक) : डिप्टी स्पीकर महोदय, राममूर्ति जी का जो प्रस्ताव है, इस बात पर तो मुझे उनसे कोई मुखालिफत नहीं कि इस पार्लमेंट का फंडामेंटल राइट चेंज करने का हक है लेकिन हमारे फंडामेंटल राइट्स के होते हुए, राइट आफ प्रापर्टी को हम वापिस ले लें, इसकी मैं सख्त मुखालिफत करता हूँ और मैं इसकी बजह भी बताता हूँ। हम इस बात के तो हक में हैं कि जो फर्क है छोटे और बड़े का, जो जायदाद में नाबराबरी है और जो इतना फर्क है आमदनी में उसको जाना चाहिये। एक सीलिंग मुकर्रर कर दी जाये कि किसान के पास 30 स्टैंडर्ड एकड़ से ज्यादा जमीन नहीं होगी या 25 एकड़, वीस एकड़ से ज्यादा जमीन नहीं होगी। सारे देश के लिए एक सीलिंग मुकर्रर कर दी जाये। इस बात की भी सीलिंग मुकर्रर कर दी जाये कि अन्न प्राप्रटी में दो लाख या तीस लाख से ज्यादा प्राप्रटी किसी की नहीं होगी और जो उससे ज्यादा हो उसको हुकूमत अगर लेना चाहे तो ले ले। फंडामेंटल राइट्स के जरिये भी अगर आप इस चीज को लागू करें तो भी मुझे कोई एतराज नहीं है। आप इन्कम्स पर एक हद मुकर्रर करें एक सीलिंग लगायें कि ढाई या तीन हजार से ज्यादा महीने में कोई नहीं कमा सकेगा तो उस पर भी मुझे कोई एतराज नहीं है। इसी तरह से एक्सपेंडीचर पर सीलिंग हो उस पर भी मुझे कोई एतराज नहीं है उसको भी आप लगा लीजिये। लेकिन मुझे इस बात पर जरूर एतराज है कि सीलिंग के बीच में जो किसी की जायदाद हो उसको आप छीन लें चाहे वह किसान की जमीन है बोनो वाली या शहर में किसी की कोठी है या किसी दूकानदार की दूकान है,

या किसी गरीब हरिजन भाई की छोटी सी झोपड़ी है या किसी बाबू की साइकिल है क्योंकि यह सभी कुछ प्रापर्टी है ... (व्यवधान)..... तो मैं यह अर्ज कर रहा था कि इस देश में ओवर-नेशनलाइजेशन से भी खतरा है। दिखावटी आदमी जो कि ओवर-प्रोग्रेसिव बनते हैं उनसे भी खतरा है। यह महज नारे हैं। लेकिन मैं उन लोगों में से हूँ जो यह समझते हैं कि अगर किसी के पास कोई फालतू चीज है तो उसे सरकार ले ले। देश में जो गरीबी है वह नहीं रहनी चाहिए। आज देहातों और शहरों में जो फर्क है वह नहीं रखना चाहिए इसी मुल्क में एक तरफ रजवाड़े हैं और दूसरी तरफ हमारे हरिजन भाई हैं तो यह फर्क भी नहीं रहना चाहिए। इस देश में एक तरफ चार-पाँच हजार तनख्वाह वाले हैं और दूसरी तरफ सौ रु. की तनख्वाह वाले भी हैं जिनका कि काम नहीं चलता है तो यह फर्क भी नहीं रहना चाहिए। यहां पर एक तरफ कुछ लोग करोड़ों और अरबों रुपया एक साल में कमाते हैं और दूसरी तरफ ऐसे लोग भी हैं जिनको एक दिन में 15 पैसे की आमदनी भी नहीं होती है तो यह फर्क भी नहीं रहना चाहिए। इसी तरह से यहाँ पर कुछ खानदान ऐसे हैं जिनका खर्च का बिल महीने में लाखों रुपए का बनता है जबकि दूसरी तरफ ऐसे भी परिवार हैं जो कि एक दिन में दो रुपया भी खर्च नहीं कर सकते हैं तो यह फर्क भी नहीं रहना चाहिए। तो इस तरह से आप इन चीजों पर सीलिंग, एक हद मुकर्रर कर दें उस पर हमें कोई भी एतराज नहीं होगा।

लेकिन जहाँ तक हक की बात है मैं आज की बात नहीं करता बल्कि हजारों साल पहले की बात करता हूँ वेदों के जमाने की हमारे उपनिषदों और वेदों में इस बात का जिक्र है कि किसी आदमी ने कब्जा कर लिया तो वह जमीन उसकी हो गई अगर किसी ने कोई मकान खरीद लिया तो वह उसका मालिक बन गया और जब वह मर गया तो उसके

बेटे का हक उस पर हो गया। और अब हमारे यहाँ तो बेटी को भी उस में शामिल कर लिया गया है। तो हमारे यहाँ राइट आफ प्रापर्टी शुरू से ही है। अगर किसी की प्रापर्टी लेनी है तो वह तभी ले सकते हैं जबकि देश के लिए उसकी जरूरत हो। अगर डिफेंस के लिए पब्लिक पर्पज के लिए कोई प्रापर्टी चाहिए तो उसको ले लिया जाये। हमारे यहाँ उसको लेने के लिए लेंड एक्वीजिशन लाज बने हुए हैं। अगर रेलवे लाईन बिछाने के लिए किसी आदमी के सारे खेत चले जायें तो कोई बात नहीं है। एरोड्रॉम बनाने के लिए अगर किसी के सारे खेत जाते हैं तो कोई बात नहीं है। पब्लिक पर्पज के लिए कोई शहर बसाना है गरीबों हरिजनों के लिए तो सारे खेत उसमें जरूर लिए जायें। गरीबों के लिए कोई बस्ती या स्कूल कालेज बनाने हैं तो सारे खेत लिये जायें उसपर हमें कोई एतराज नहीं है। लेकिन मेरे दोस्त ने कहा कि जमीन मीन्स आफ प्रोडक्शन है—मैं इस बात को नहीं मानता एक किसान की जो जमीन है वह तो उसकी रोटी है। अगर उसे आप वह जमीन नहीं देंगे तो वह भूखों मर जायेगा। उसके पास पाँच-दस बीघे जो जमीन है वह अगर आप छीन लेंगे तो वह भूखों मर जायेगा। इसी तरह से अगर किसी बनिया की छोटी सी दुकान है जिसमें कि वह अपना रोजगार चलाकर अपने कुनबे को खिलाता है, अगर उसको आप उससे छीन लेंगे तो वह भूखों मर जायेगा। इसी तरह से किसी ने कोई छोटी सी फैक्ट्री लगा रखी है जोकि किसी को एक्स्प्लायट नहीं करता—मैं उन लोगों की बात नहीं करता जोकि हजारों की तादाद में मजदूर रखते हैं और उनको एक्स्प्लायट करते हैं

16.08 hrs.

(श्री श्रीचन्द्र गोयल : पीठासीन हुए)

उनका खून चूसते हैं और अपने पास दौलत जमा करते हैं, उनके साथ मेरी कोई हमदर्दी नहीं है मैं चाहता हूँ कि उन पर आप एक हद मुकर्रर कर दीजिये जो कि दूसरों को एक्स्प्लायड करते हैं दूसरे मेहनत करते हैं लेकिन वे खुद खाते हैं, मैं उनके हक में बिल्कुल नहीं हूँ—लेकिन जो खुद अपने हाथ से खेती करते हैं या कोई दुकान चलाते हैं और अपने छोटे से मकान में रहते हैं

[श्री रणधीर सिंह]

लेकिन अगर यह राइट आफ़ प्रापर्टी न रहे तो जिस मकान में वह रहते हैं उसके लिए आप कह देंगे कि इसको खाली कर दो, यह तो स्टेट का हो गया है। इसी तरह से किसी दुकान में कोई दुकानदार बैठा है तो वह उसकी भी प्रापर्टी है या किसी के पास एक घी का डिब्बा है तो वह भी प्रापर्टी है तो उसके लिए भी आप कह दें कि यह तो स्टेट का हो गया तो इस बात के मैं हक में नहीं हूँ। अगर स्टेट लेना चाहे तो जैसा कि मधु लिमये का बिल है, उसको मैंने पढ़ा है उस बात की मैं तारीफ़ कर सकता हूँ लेकिन वह बात इस रेजोल्यूशन में नहीं आई है। आप एक सीलिंग मुकर्रर कर दीजिये शहर और देहात के लिए लेकिन फिर उसके बाद टच न करें। आप कम से कम कीजिये, ज्यादा न कीजिये। आप कर दीजिए कि किसान के पास दस या बीस एकड़ से ज्यादा जमीन नहीं होगी या एक गरीब हरिजन के पास रहने के लिए झोपड़ी होगी लेकिन आप उसको कुछ देते तो हैं नहीं, पहनने के लिए उसको कपड़ा नहीं देते, पेट के लिए अनाज नहीं देते और उलटें छीनने के लिए चलते हैं। आपने उसको दिया तो कुछ नहीं लेकिन छीन रहे हैं कि यह भी सरकार का है। तो मैं इसको नहीं समझ सका। जहाँ तक बैंक ग्राउन्ड है मैं समझता हूँ माननीय राम मूर्ति जी बैंक नेशनलाइजेशन के बारे में कुछ बातें करना चाहते थे। उस बात के मैं हक में हूँ। अगर बड़े बड़े कारखाने जनरल इन्डयोरस एक्सपोर्ट इम्पोर्ट को नेशनलाइज करना है, अबन प्रॉपर्टी पर सीलिंग लगाना है, तो मैं उसके हक में हूँ। लेकिन अगर आप एक हद के नीचे जायेंगे तो मैं उसके खिलाफ़ हूँ।

फंडामेंटल राइट की वह शक्ल जो मैं चाहता हूँ, रखी जा सकती है कि नहीं उसके लिये तो मुझे लीगल बात नज़र नहीं आती कि कैसे होगा। चेयरमैन महोदय, रूस में भी जहाँ सारी चीज़ स्टेट की है वहाँ भी एक मकान के साथ एक एकड़ जमीन सरकार देती है। क्यों देती है? इसलिये कि उसकी जरूरत है। इसलिये जो आदमी ने मेहनत

से कमाई की है उसको क्यों छीन रहे हैं।

मैं कहना चाहता हूँ कि किसान को अपनी जमीन से प्यार है। हमारे यहाँ जर, जमीन और जोरू के झगड़े होते हैं। एक तो इसान अपनी वेइज्जती नहीं होने देता लड जायगा उसके लिये। . . .

सभापति महोदय : चौधरी साहब अब आप अपना भाषण खत्म करें।

श्री रणधीर सिंह : बस मैं खत्म कर रहा हूँ। मैंने एक आर्टिकिल स्टालिन का पढ़ा था जिसका हेडिंग था 'सिजी विद मक्सिम'। वहाँ रूस में जिस वक़्त कलेक्टिवाइज कर रहे थे फार्मों को, किसानों से जमीन ले कर कलेक्टिवाइज करना चाहते थे तो 40 लाख किसान मारे गये थे। तो स्टालिन ने ही लिखा है कि इससे किस किस्म का कम्युनिज्म आयेगा? अपने ही आदमियों को मारकर जमीन ले रहे हो। यहाँ भारत में तो 40 करोड़ किसान हैं उनको मार कर आप कलेक्टिवाइज करोगे? ऐसी कोई पार्टी नहीं है जो 40 करोड़ आदमियों को खत्म करे; उनकी जमीन ले। वह दिन रात मेहनत करता है।

जहाँ तक सीलिंग की बात है, सीलिंग के बीच की अगर कोई चीज़ है वह ले लीजिये सीलिंग के ऊपर फंडामेंटल राइट्स में आप प्रॉपर्टी लेना चाहें ले लें। लेकिन किसी को भूका मारकर बिना जायदाद का कोई आलटरनेट अरेजमेंट किये आप कैसे किसी की मेहनत की कमाई ले सकते हैं। ऐसी हालत में सरकार को कोई हक नहीं है कि किसी आदमी ने अपनी कमाई से जो चीज़ जमा की है उसको आप ले लें।

SHRI RANGA (Srikakulam): Mr. Chairman, I am sorry, I am unable to agree with my hon. friend, Shri Ramamurti, and his Resolution.

SHRI P. RAMAMURTI (Madurai) : You agreed with me some 40 years back.

SHRI RANGA : We had the privilege of working with each other in the kisan movement years ago and he was good enough to translate my speeches to the kisans of Tamilnadu but even at that time he should remember, if his memory does not betray him or has not clouded his judgment because since then he has become a favourite leader of the Communist party, that I had stood for the peasants' landholding. I have stood for peasant proprietorship. That has been the article of my faith. Peasant proprietorship means property over land. As to how much he is to have, you have got the ceilings legislation. Up to that he is allowed to have at present. The present Government is asking the State Governments to reduce it. The Madras Government has already tried to halve it.

SHRI ANBAZHAGAN (Tiruchengode) : We have already halved it.

SHRI RANGA : They have halved it. There is no limit where they will stop, either the Madras Government or any other government. It depends upon the tender mercies of the Communist friends if and when they come into power as to where they will stop. They may possibly abolish the whole thing as they have done in China and Russia. But, at the same time have they not learnt their lessons in China and Russia? They nationalised cows, chicken, pigs sheep, goats, buffaloes—even the huts, hutments and jhonpries, if there are any, jhonpries at all in the Soviet Union because it is not possible in cold weather to live in jhonpries. They all these thing in pursuance of their theories.

What has been their experience? They found that production would not go up, in spite of all that, in spite of their programmes, their exiles, their camps and what you call, State-authorised murders on a large-scale and genocide. Therefore, they were obliged to make concessions again. They allowed the peasants to own a buffalo, a cow a sheep, and then pigs and fowls—is it a property or not?—and

then have half an acre, an acre, $1\frac{1}{2}$ acres and then $2\frac{1}{2}$ acres and now they are going to have a family holding, than is supposing there are four working members in a family, it is $4 \times 2\frac{1}{2}$, upto 10 acres. They are allowing that have done it because, according to the human nature as it is, human-beings constituted as they are even in Russia. after 50 years of their indoctrination, the people do not the incentive. the inducement, the sense of security to strength and stamina that arise out of the ownership of some property and especially the agricultural property.

As my hon. friend, Shri Randhir Singh, has already told us, today, in our country, a majority of our people in some land holding. My hon. friend, Shri Ramamurti, was saying the wrong thing other day—his facts have misled him or its information has misled him. More than 50 per cent of our total population have some property. They are land-holders; they are the kisans and there are self-employed kisans also. Another 15 per cent are tenants. These tenants also have some property rights in the holdings that they hold, that they cannot be evicted for a particular period, that the rent cannot be enhanced over a particular limit and during a particular period and if that land were to be sold, the first priority is given to them. All these are property rights.

Apart from them, there are handloom weavers and all these people. About 5 crores of them are all over India. They have property rights over their implements. It is very essential for their means of livelihood and their employment.

Why go far? Only sometime ago, there was so much agitation by jhugi-jhonpri people in Delhi. In Hyderabad, we have got an all-India hutment dwellers, association. They come and occupy Government land by the road-side and private land also which is not occupied, which is not built, and then they cannot be evicted. The owners are obliged to pay Rs. 200 to Rs. 500 in order to persuade them to leave. The Government is not able to send them away from their own lands. As between these agricultural workers and pro-

[Shri Ranga]

erty less workers and the hutment dwellers, let one man try to encroach upon their small house-sites, may be 100 sq. yards or so, let one try to incroach upon him even by an inch, there will be bloodshed, They will fight among themselves. Do they have the sense of property or not ? They have got it from that moment onwards. From that moment onwards, the sense of property springs into existence not only in the minds of the people but also in the daily life of the people.

What is the fun of my hon. friend saying that it is only a minority of people who have got property and that a great majority of people are propertyless? Yes, there are smaller people, bigger people and so on. Just now, my hon. friend, Shri Shantilal Shah was telling us that there are very rich people who are so rich that they are obliged to pay more than hundred per cent of their total annual income and, therefore, he was pleading for some concessions for them so that they need not have to pay something from out of their accumulated property also towards taxes in any particular year.

There are limitations set by your progressive taxation. There is the super-tax, then there is the death duty, the estate duty, the expenditure tax, and all sorts of taxes imposed on them. You have got so many of taxes. In this way, you remove as much of their property as you possible can consistent with public good and take away as much of their annual income as you possibly can consistent with national good.

Apart from this, such measures to try to apply this terrible axe on the idea of property is self and then say that it should not be a fundamental right at all are not just, are not fair and are not progressive even from the Soviet point of view and are not consistent with the Soviet practice and Soviet experience.

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON):
What about China ?

SHRI RANGA : My hon. friend may think of China, I am not yet able to go to China.

SHRI P. RAMAMURTI : I am not bothered about Soviet Union and China. I have brought a resolution for this country.

SHRI RANGA : In all the democratic countries, the fundamental right to property has not been abolished. Only in the Soviet Union it has been abolished. There also it is coming back again.

So far as China is concerned, I do not know what is happening there. I do not want my country to go the way of China in the manner in which the China-oriented Communists in this country are behaving towards Gandhism and Gandhian literature and Gandhian institutions. I need not say anything more.

There is also another point. Possibly my hon. friend would argue that he is not opposed to property as such, but he does not want it to be a fundamental right. He says it should be a fundamental right for this reason. All the other fundamental rights or most of them cannot be exercised at all by these people who do not have any property whatsoever. What is more? What is the general stand that the friends of Communist Party and other trade-unionists in this country have taken? They get bonus. They get provident fund and various other privileges. They are asking so many privileges for our industrial labour and whenever the employers are obliged to retrench, they want lay-off allowances. They do not want any retrenchment at all. Do not all these partake an aspect of property right? Uelry are they asking for these things? Because they want stability. They want security. They do not want any worker to be dismissed at any time at the whims of the employer. There must be some security. They do not want employers' houses made available to the workers lest the worker should be at the mercy of the employer. There should be independent housing facilities for the industrial workers. Why? Because there must be security. I am only giving you instance. I need not go into all details.

In regard to agricultural labour also, my friend who comes from Tanjore knows better. There he has been asking and I have been asking that house sites should be placed entirely at the disposal of the worker at the cost of the State whereas, on the other hand, till recently these house sites were the property of Mirasdars and landlords. (*Interruptions*) Even supposing it is there, we want agricultural workers should have their own houses. What is the use of my hon. friend saying that Rajaji is against it? There is no use to go on talking in the face of facts and truth. It was Rajaji who got tenancy legislation passed for the protection of Tanjore tenants. My hon. friend may not have any respect for truth outside because it is a kind of trait with them. (*Interruptions*). Let us not be incorrect towards truth so far as this House is concerned. (*Interruptions*). I am not attacking anybody. We want house sites for our industrial as well as agricultural labour. I want, in fact, the State itself to undertake house construction and make them available to our agricultural workers. For how long? For the past 50 years I have been declaiming the phenomenon of homeless people in our towns lying down by the side of pavements. Even they consider it a property. On these things he wants another person to go and try there. As a matter of fact house sites should be provided not only for all industrial workers but also for workers, artisans and agricultural workers. I do not know the reason why this property should not be guaranteed to them as a matter of fundamental right. What happens in the United States? What happens in all democratic countries? There is no one democratic country where an effort has been made by the majority of the people and their Parliament to deny this fundamental right for these people. In those countries where fundamental rights have come to be enshrined in their Constitution, fundamental right to property has been accepted and has also been enshrined in the constitution. Now, here even in our own country there is a history, for this concept. Only yesterday Mr. Palkhivala who is quite an expert in regard to some of these things reminded us of what happened.

SHRI INDRAJIT GUPTA (Alipore) : Which countries have got fundamental right to property?

SHRI RANGA : America, France.

SHRI INDRAJIT GUPTA : Is it enough?

SHRI RANGA : America, France, Japan. Is it not enough? In our own country, Sir in the last decade or last century. Lokamanya Tilak wanted this thing to be a fundamental right. Later on, Sir, the All-India All Party Conference headed by Sir Tej Bahadur Sapru wanted it. Afterwards Motilal Nehru's draft constitution wanted it. At the Round Table Conference it was suggested and then later on the Karachi conference accepted it. The Karachi Congress in 1930 accepted it apart from the Round Table Conference. Who was the person who proposed it here? He was no other than Dr. Ambedkar who proposed it in this House. Does Ambedkar come from a millionaire. He came from a section of people who are poorer than the section of people from which I hail, Sir. both of us worked for the people; he worked more for workers; I work more for peasants; and both of us supported this Fundamental Rights to be enshrined in our Constitution in that Chapter.

Therefore, Sir, if we really want our workers, our peasants, our artisans and other people to enjoy all the other Fundamental Rights, without being at the tender mercies of the employers, of the big landholders, of the capitalists, of the other various kinds of exploiters, anywhere in the country and of the Government and their authorities and the bureaucracy and so on like that, then, it must be our genuine, our sacred duty to try to help more people to get into the ownership or at least part ownership, some claim over ownership of some property. Now it does not matter what kind of property it is. Take a sanyasi. In this country we have hippies, not yet naked hippies. But we have sanyasis. They have a *kaupenam* and *kamandalam*. Even that *kaupenam* or *kamandalam* is a property. Are you going to deny them all these and then say:

[Shri Ranga]

in my large heartedness because I have to be the dictator of this country. I am going to allow you that, taking upon yourself the right to deny it? I charge any democrat to come and say that he can continue to be a democrat while reserving to himself the right to deny the right to one's property to any section of people, to any individual, to any toiler anywhere. I am all in favour of the fundamental right for property and I am very much opposed to the Resolution suggested by my hon. friend. And I am glad about one small mercy, Sir. At long last, after having created such a lot of confusion about her wonderful conception of radicalism and progressive attitude and march towards plenty for everybody our Prime Minister has some wisdom to come to reassure her people first of all in her party, that her party people are not opposed to property and she wanted to reassure the whole country also, least the country might get a wrong impression about her ultimate aims as Prime Minister. What her own personal ultimate aims are God and she alone may know. But, Mrs. Indira Gandhi as Prime Minister, wanted to reassure her country, her party that the Government are not in favour of abolishing or tampering with the Fundamental Right to property and I welcome this declaration from her. But I sincerely hope she will not get some dream or some awakening or inspiration to say, "I said that under some mis-apprehension, but now I have changed my view because my conscience is going in another way". I hope her conscience will remain with her and that conscience will be that of the conscience of the many crores and crores of people in this country, who are non-exploiters, who are self-employed people, who are genuine producers of wealth in our country and who are small tillers who would love and would like to have property as of fundamental right in our country.

SHRI R.D. BHANDARE (Bombay Central): Mr. Chairman, Sir, it is not necessary for me to give the assurance to Professor Ranga that our party will not go in for the abolition of private property. This has been made quite clear by the

Prime Minister to the party. If you are ignorant, the world is not ignorant.

The Resolution, if analysed, has these four propositions. This is a very clear and very ingenious resolution. The first proposition is the right to private property as the means of production, has become oppressive. Those who have nothing may also side with that proposition. I am not imputing any motive but I am merely dealing with the results of the proposition as laid down in the Resolution. The second proposition, is right to property because it is a justiciable fundamental right—it speaks of Supreme Court; the third proposition, is that because of these two propositions, the right to property has become an obstacle to real democracy; the fourth proposition is that it has become a serious obstacle in the country's social, economic and political advancement. These are the four propositions which have been incorporated in the Constitution.

What is the advice given by the Mover of the Resolution? His advice is to amend the Constitution. I need not mention that all the propositions which have been on the tips of the hand of many of the so-called radicals in this country are for amending the Constitution and abolishing the right to property. I am simply trying to draw the attention of this House—Shri Ramamurthi thinks of persuasion of the Directive Principles enshrined in the Constitution, more especially Art. 39, sub-clause (b) and (c)—that Shri Ramamurthi speaks of curtailment of the means of production so that the means of production is not utilised either for amassing money or exploiting others. These Directive Principles are already enshrined in the Constitution.

SHRI YOGENDRA SHARMA : Will you make it justiciable ?

SHRI R.D. BHANDARE : I will be happy if you come forward with that proposition that the Directive Principles of the State Policy should be made justiciable. Those who suffer from economic ills and those who are down-trodden and

under privileged, shall have a remedy under Article 32 to go to the Supreme Court so that we can establish the right. But, you have no guts and you will never go to the villages to make the Directive Principles as justiciable. You move it and I am prepared to support it.

We have the Fundamental Rights enshrined in the Constitution. I know that the fundamental rights are at times misused by the richer classes for becoming richer and making the poor class poorer. I am quite aware of the fact. I am here dealing with the concept of the fundamental right as contained in the Constitution.

Mr. Chairman, it has become a fashion with the modern countries to incorporate the Chapter on Fundamental Rights in the Constitution. Ever since Thomas Payne wrote or ever since 1791 Constitution was framed by the French National Assembly, it has become a fashion to put in the fundamental rights in the Constitution. But it is not enough. So far as the founding fathers of our Constitution were concerned, this did not weigh with them. I shall deal with this question later.

After the philosophy of Thomas Payne and the French Revolution, what happened? In western countries, they could establish a society based on the principle of liberty, but at the cost of equality. The result was that a few individuals, a few families, became richer, got all the means of production in their hands and the vast masses became poor.

After this Revolution, there was the Russian Revolution in 1917. What was the result of it? The great leader, Lenin, gave the slogan: let there be equality. They made this the basis of their Government. Result: when Stalin came to power, they established a social system based on the principle of equality but at the cost of liberty.

These are the historical aspects we have got to take into account. What was the result of the freedom movement, mention of which was made by Prof. Ranga? Because of the freedom movement and

because of the framing of our Constitution, we have sought to bring about a reconciliation between liberty and equality. In fact, the directive principles of state policy are a unique feature, a contribution made to constitutionalism or the constitutional history of the world, just as the federal principle is the contribution made by the American constitution and parliamentary democracy is the contribution made by the British people.

We accepted both the directive principles and fundamental rights. To those members of the Opposition who are time and again, day in and day out, crying hoarse against private property and would like to abolish it and would like to amend the Constitution for the purpose. I would like to say that I am for curbing private property so that it may not be utilised to exploit the poor and the down-trodden. We are for a ceiling on property. Of course, what the concept of property should be and to what extent there should be a ceiling are matters of detail to be worked out. Let us not raise very radical slogans like 'abolish private property' or 'abolish all means of private property' because they have been using the means of private property to exploit others. Therefore, put a curb on ceiling. It is no use of talking always about abolishing private property and changing the Constitution because we the Indian people have given unto ourselves a Constitution in which both fundamental rights and directive principles are enshrined.

SHRI YOGENDRA SHARMA (Begusarai) : The latter are not justiciable.

SHRI R. D. BHANDARE : Again he is begging the question.

We are for it, the party to which I belong is for it. Both as an individual and as the member of a party, with whatever capacity and strength I have, I will use it for the purpose of sanctifying those Fundamental Rights and Directive Principles in the Constitution, so that the Directive Principles could be utilised for the benefit for the down-trodden and the under-privileged.

[Shri R. D. Bhandare]

I hope the Mover of the Resolution will not press it because it is infructuous, because curtailment of private property and the means of production is provided for in the Constitution itself. Therefore, passing the Resolution will not serve any useful purpose.

श्री कंबरलाल गुप्त (दिल्ली सदर) : सभापति महोदय, जो प्रस्ताव माननीय सदस्य ने रखा है मैं उसका पूर्णतया विरोध करना चाहता हूँ और बीमारी का जो कारण उन्होंने बतलाया है और जिसका इलाज उन्होंने यह बतलाया है कि प्रापर्टी का राइट समाप्त कर दिया जाये उसको भी मैं स्वीकार नहीं करता ।

राइट आफ प्रापर्टी का कंसेप्शन कोई आज का नया नहीं है । यह हमारे ही देश में नहीं है, जैसा प्रो० रंगा ने बतलाया यह प्रायः सभी देशों में है । जो हमारी आजादी की स्ट्रगल रही है अगर उसके इतिहास को भी हम देखें तो चाहे तिलक स्वराज्य बिल 1885 की हो, या मोतीलाल नेहरू रिपोर्ट 1928 की हो या राउंड टेबल कांफरेंस 1931 की हो या तेज बहादुर सप्रू जिस कमेटी के सदस्य थे जो कि 1944 में बनी थी, उसने कहा हो, सब लोगों ने यह बात माना है कि यह सैक्रेंड राइट है और इसकी सैक्रिटरी रहनी चाहिये । जब संविधान बनाते समय फंडामेंटल राइट का सवाल आया और उस कमेटी की रिपोर्ट रक्खी गई तो पंडित जवाहरलाल नेहरू ने भी कहा कि यह फंडामेंटल राइट है और आज की परिस्थितियों को देख कर इसको खत्म करना चाहिये । यह परमानेंट राइट है और परिस्थितियों को देख कर इसको बदलने की कोशिश नहीं करनी चाहिये । यहां तक कि यूनाइटेड नेशन्स चार्टर ने भी इसको माना है । इस लिये जब इसकी ऐसी हिस्टोरिकल बैकग्राउण्ड है तब मैं नहीं समझता कि आज इसमें कोई विशेष तब्दीली करने की जरूरत है।

कई हमारे मित्र कहते हैं कि राइट आफ प्रापर्टी बदल देना चाहिये, बाकी फंडामेंटल राइट रहने देने चाहियें । मैं इसको नहीं मानता । अगर एक बार आपने राइट आफ प्रापर्टी को बदल दिया तो यह इस तरह से फ्रीडम आफ प्रेस, फ्रीडम आफ इंडिविजुअल, फ्रीडम आफ एसोसिएशन वगैरह का जो स्ट्रक्चर है वह भी गिर जायेगा । इस लिये इस चीज को बदलना नहीं चाहिये । हमारे भाई कहते हैं कि यह गलत बात है, यहां फ्रीडम आफ प्रेस है । लेकिन मैं कहना चाहता हूँ कि अगर आप किसी प्रेस की बिल्डिंग, उसकी मशीनरी या प्रापर्टी ले लेंगे तो फ्रीडम आफ प्रेस नहीं रह सकती । इस लिये मेरा कहना यह है की इसको टच न किया जाये । दुनिया के जितने विधान हैं उनमें से 82 राष्ट्रों के विधानों ने इस राइट को माना है । केवल जो कम्युनिस्ट देश हैं उनको आप छोड़ दीजिये ।

हमारे संविधान को अगर आप देखें तो उसमें रीजनेबल और वलेंसड प्रावधान है । हमने कहा है कि आप रीजनेबल रेस्ट्रिक्शन लगा सकते हैं और यह बहुत जरूरी है । कुछ लोगों का कहना है कि रीजनेबल रेस्ट्रिक्शन लगा कर जो हमारा उद्देश्य की मोनोपोली खत्म हो, जो हमारा उद्देश्य है कि कुछ लोग शोषण न करें, वह पूरा नहीं होता । लेकिन मैं कहना चाहता हूँ कि इससे हमारा उद्देश्य पूरा हो जाता है । और जो कुछ कमी रही है वो उसका कारण यह नहीं है कि यह फंडामेंटल राइट है, बल्कि उसका कारण यह है कि सरकार की नीतियां गलत रही हैं । इस सरकार ने हमेशा मोनोपोली को अपना कर वेस्टेंड इंटरेस्ट को बनाया है । 22 साल लगातार गलत नीतियों के कारण जो मोनोपोली बनी है वह केवल इस लिये नहीं कि यहां पर फंडामेंटल राइट है । मैं कहना चाहता हूँ कि चूंकि उसने समस्याओं को ठीक तरह से हल नहीं किया इस लिये ऐसा हुआ ।

आप रीजनेबल रेस्ट्रिक्शन्स लगा सकते हैं। प्रो. रंगा ने कहा कि सरकार के पास राइट आफ टैक्सेशन है, वह प्रापर्टी टैक्स लगा सकती है। कई और चीजें की जा सकती हैं, किसी पब्लिक परपज के लिये आप किसी बिल्डिंग को ले सकते हैं, किसी की जायदाद ले सकते हैं, लेकिन सारे देश की प्रापर्टी को आप ले लें यह राइट आप को हमारे संविधान ने नहीं दिया है और देना भी नहीं चाहिये। पब्लिक गुड के लिये, लोगों के हित के लिये अगर आप कोई रेस्ट्रिक्शन लगाना चाहें तो वह लगा सकते हैं।

श्री योगेंद्र शर्मा : कम्पेन्सेशन को जस्टिशिएबल बनाना चाहिये।

श्री कंवर लाल गुप्त : यह बहुत गम्भीर मामला है, लेकिन मैं मानता हूँ कि इसमें डिफरेंस आफ ओपीनियन हो सकती है। मेरे मित्र श्री राममूर्ति और श्री शर्मा ने यहां अपनी बात कही। वे मेरे बड़े अच्छे मित्र हैं, लेकिन उनकी जो नियत है प्रस्ताव मूव करने में वह साफ है। कोई फंडामेंटल राइट के बारे में नहीं है। वह सुप्रीमकोर्ट को भी गिराना चाहते हैं, वह संविधान को भी तोड़ना चाहते हैं, वह फंडामेंटल राइट को भी खत्म करना चाहते हैं। उनकी निती साफ है कि देश में रूल आफ ला नहीं होना चाहिये। इस लिये उनके बारे में किसी को एतराज नहीं है। वह रोजाना सुप्रीम कोर्ट की डिजिटी को चैलेंज कर रहे हैं वह इम्पीचमेंट की बात कर रहे हैं, देश में अराजकता फैले इसका गुणगान वह करते हैं। इस लिये हमें उन पर एतराज नहीं। लेकिन जो हमारे सामने बैठने वाले लोग हैं उनमें से भी एक स्वर बीच बीच में निकलता है, कमी यंग स्टर्क्स के नाम से कभी किसी दूसरे नाम से। अभी श्री मंडारे ने कहा कि क्या आप को मालूम नहीं कि प्रधान मंत्री ने क्या कहा। श्री मंडारे को मालूम नहीं कि प्रधान मंत्री ने क्या कहा। मैंने ध्यान से पढ़ा है। उन्होंने कहा है कि हम सब की प्रापर्टी नहीं लेना चाहते। हो सकता है कि अभी नहीं लेना

चाहते, उन्होंने यह भी कहा कि हम फंडामेंटल राइट को रखना चाहते हैं, लेकिन उन्होंने यह कभी नहीं कहा कि हम राइट को मानते हैं। कल वह कुछ लोगों की प्रापर्टी को ले सकते हैं। अभी हो सकता है कि वह कह दें कि हम बड़े लोगों की प्रापर्टी को ले लेंगे। लेकिन आज बड़े लोगों की प्रापर्टी ले लेंगे तो कल छोटे की भी ले सकते हैं।

इस लिये मैं कटेगोरिकल एश्योरेंस इस सरकार से मांगता हूँ। आज यह घोषणा वह करें कि वह फंडामेंटल राइट को बदलना नहीं चाहते, जैसा यह है वैसा ही रखना चाहते हैं। यह घोषणा मैं सरकार से पूरी तरह से चाहता हूँ।

दूसरी बात यह है कि सरकार केवल हल्ला गुल्ला करती है क्यों कि वह एकानामिक लेवल पर फेल हो चुकी है उस ने गरीब लोगों का कोई काम नहीं किया। यह राष्ट्रीयकरण कर दो, यह राइट ले लो, यह कर दो वह कर दो, यह आई सी एस बिल ले आओ, प्रीवीपर्स खत्म कर दो, यह सब जो कहानियां हैं उन से गरीब आदमी नाराज हो कर बग़ावत न कर दें इस लिये उन का अटेंशन डाइवर्ट करने का तरीका उसने निकाला है। यह जो नारा है वह अपनी कुर्सी पर बैठे रहने के लिये है।

भेरा कहना है कि कम्प्यूनिस्टों का इरादा साफ है, लेकिन इन का इरादा भी साफ है। उन्होंने 22 सालों में जो मिसडीड्स की हैं उन पर पर्दा डालने के लिये यह कह कर कि हम बड़े लोगों से लेना चाहते हैं सारे काम वह करना चाहते हैं। यह इस तरह का इम्प्रेसन देना चाहते हैं, कि यह कोई इन्हेरेंट राइट नहीं है, सरकार को दिया हुआ है। लेकिन मैं समझता हूँ कि सुप्रीम कोर्ट या दुसरे कोर्ट्स का जो रोल रहा है वह तारीफ के लायक है, कमंडेबल है। जो लेजिस्लेचर्स की कोशिश है कि इस में अनड्यू इंटरफ़िअरेंस करें, वह नहीं होना चाहिये। मैं समझता हूँ कि गोलकनाथ केस में सुप्रीम कोर्ट ने बहुत अच्छी चीज की है। वह एक ऐसी चीज है जा हिस्टारिकल रहेगी। लेकिन एक चीज मैं मानता हूँ कि यह ऐन्सोल्यूट

[श्री कंवर लाल गुप्त]

राइट नहीं है। इस लिये मैं इस को ऐम्सोल्यूट राइट मानने के लिये तैयार नहीं हूँ। हमारे संविधान को बदलने के कई तरीके हैं। कुछ आर्टिकल ऐसे हैं जिन को मैं आरिटी से या पार्लियामेंट बदल सकती है। कुछ आर्टिकल ऐसे हैं जो दो तिहाई मंजूरिटी से बदले जा सकते हैं, लेकिन फंडामेंटल राइट्स को बदला नहीं जा सकता। कब इनको बदलना चाहिये और कैसे इसको बदलना चाहिये, अगर यह बात हो तो इस में और भी सख्ती बरती जानी चाहिये। इस पार्लियामेंट को यह अधिकार नहीं होना चाहिये। जनता को अधिकार होना चाहिये। हम जनता के प्रतिनिधि हैं, जनता नहीं हैं। इसलिए मेरा सुझाव है कि अगर फंडामेंटल राइट्स में कुछ संशोधन करना हो तो उसके लिए रेफंडम करवाया जाना चाहिये। जनता के सामने जा कर ही हम को ऐसा करना चाहिये।

आप कहते हैं कि पार्लियामेंट सब कुछ कर सकती है। इंदिरा जी यहां की मौनक हैं, यहां की बादशाह हैं। मैं जानना चाहता हूँ कि क्या पार्लियामेंट इस तरह का बिल पास कर सकती है या विधान में परिवर्तन कर सकती है कि उसका लड़का संजीव गांधी उनके बाद बादशाह बनेगा? यह नहीं कर सकती और न ही ऐसा करने का इसको अधिकार होना चाहिये।

इसका इफैक्ट क्या होगा? लोगों को डर है कि जो छोटे छोटे किसान हैं जिन के पास दो चार या पांच बीघे तक भी जमीन है या जिनके पास झोपड़ियां हैं, कलम दबात भी हैं, वे सब उनसे ले ली जाएंगी। आज सब जगह बेचनी है। मैं बर्न करता हूँ देशवासियों को कि अगर वे जागरूक नहीं रहे तो हो सकता है कि यह सरकार अपनी कुर्सी को बचाये रखने के लिए कुर्सी पर बैठे रहने के लिए कम्युनिस्टों के दबाव में आकर इस प्रकार का कोई कार्य करे। इसका नतीजा यह होगा कि देश में टोटैलिटेरियन राज हो जाएगा और डेमोक्रेसी खत्म हो जाएगी।

अन्त में मैं यह कहना चाहता हूँ कि जो प्रीएम्बल है और जो हमारे डायरेक्टिव प्रिंसिपल्स हैं, उनके साथ हमारे फंडमेंटल राइट्स का मेल होना चाहिये वह मेल किस तरह से हो? मैंने आपको कहा है कि अगर फंडमेंटल राइट्स में कोई बदल करना है तो उसके लिए रेफंडम के अलावा कोई रास्ता नहीं है। इन शब्दों के साथ मैं इस प्रस्ताव का पूर्णतया विरोध करता हूँ।

श्री अब्दुल गनी डार (गुड़गांव): जिन को सोने और चांदी की थालियों में लगा सात्विक भोजन रुस और चीन और इंदिरा सरकार से मिले उनको जायदाद की क्या जरूरत है? मैंने न यहां और न राज्य सभा में श्री राम मूर्ति को इतने गुस्से में देखा जितना गुस्से में उनको मैंने पंद्रह दिन पहले देखा था जब उन्होंने इस प्रस्ताव को पेश किया था। पता नहीं क्यों तब वह श्री गजेंद्र-गड़कर वगैरह कई सुप्रीम कोर्ट के जजों की गालियां दे रहे थे। हमारे यहां पंजाबी में एक कहावत है 'ओछा जट कटोरी लब्बी, पानी पी पी आफरया' एक भोले भाले जाट को कटोरी मिल गई, वह उसमें पानी पीता गया। हमारे कम्युनिस्ट भाइयों का कहना इंदिरा गांधी पर हो गया है और अब ये समझने लग गए हैं कि दुनिया में हम जो चाहें करे, अपने मुल्क को बरबाद करना चाहें तो करें। इनको किसी चीज की चिन्ता नहीं है। ये समझते हैं कि चूँकि यह गवर्नमेंट इनके हाथ में है, इस लिए फंडामेंटल राइट्स को जिस तरह से ये चाहें बदल सकते हैं। इनको भूलना नहीं चाहिये कि ऐसे जो लोग हैं ये मुल्क में केयोस पैदा नहीं कर सकते हैं। इतनी आसानी के साथ हाउस को अपने मकसदों के लिए ये लोग इस्तेमाल नहीं कर सकते हैं। सुप्रीम कोर्ट हमारी मददगार है, मुहाफिज है। वह एक ऐसी बाड़ी है जो अगर हम गलती करें तो हमें सुझाव दे, हमें ठीक रास्ते पर लाये। उसका काम सुझाव देना है। मैं जानता हूँ कि पार्लियामेंट सुप्रीम है। लेकिन सुप्रीम कोर्ट आपकी मददगार हो सकती है आपको सुझाव दे सक।

आप उनको मानें या न मानें यह आपका काम है। प्रापर्टी एक जाती चीज है, फिर चाहे वह भूमी की हो या गरीब की हो। विधान ने उसका राइट शहरी को दे रखा है। अगर बिड़ला टाटा मारे जायें, उनकी प्रापर्टी ले ली जाय तो हमें कोई रज नहीं होगा, क्योंकि हमें तो उनसे पैसा मिलता नहीं है, इंदिरा सरकार को पैसा नहीं मिलेगा। तब रूस और चीन से जो पैसा मिलता है, वहीं रह जायगा। ये गरीबों के बड़े हमदर्द बनते हैं, ठेकेदार उनसे बनते हैं और कहते हैं कि हम जायदाद लोगों की इसलिए छीनना चाहते हैं क्योंकि इन्होंने बेईमानी से इसको बनाया है। जहां तक मेरा सम्बन्ध है, मुझे कोई तकलीफ नहीं है न मेरी ज़मीन है और न हॉम मेरा कोई मकान है। लेकिन यह बात आप याद रखें कि हमारे विधान पर दुनिया गवर्न करती है। हमारा विधान जम्हूरियत के लिहाज से शराफत के लिहाज से, इंसानी हक के लिहाज से, शहरी हक के लिहाज से किसी भी दुनिया के दूसरे आईन से कमतर नहीं है, सब से बेहतर है। आप इसको और खूबसूरत बनाना चाहते हैं लेकिन इसको खूबसूरत ऐसे ढंग से आप बनाएंगे जिस तरह से श्री राम मूर्ति यहां बैठ कर सुप्रीम कोर्ट को मालियां देते हैं ? मैं अपने साथ ज्यादाती करूंगा अगर एक बात मैं भी कहूं। जब मैं सुप्रीम कोर्ट में गया तो मुझे कहा गया कि तुम जाते तो हो लेकिन वहां एक अज तुम्हारे खिलाफ है। मैंने कहा कि जब कोई जज बन जाता है तो वह कभी अपने को बीच में नहीं लाता। वह मुल्क के भले के लिए मुझाव देता है। सुप्रीम कोर्ट भी पार्लियामेंट की इज्जत करती है। ऐसी बात नहीं की इसको वे सुप्रीम नहीं मानते। धरती बलों के दो सींगों पर जिस तरह से खड़ी है उसी तरह से हमारा देश पार्लियामेंट और लैजिस्लेचर तथा ज्यूडिशरी के सहारे खड़ा है। ज्यूडिशरी को गाली देना इंदिरा जी भी नहीं चाहेंगी। कोई भी कांग्रेसी नहीं चाहेगा, कोई शरीफ दोस्त नहीं चाहेगा। हमारे राम मूर्ति जी गुस्से में आ कर दे गए हैं। और भी कोई गाली देते हों तो हमें कोई तकलीफ नहीं।

मैं तो इन दोस्तों से कटूंगा

माला के दानों गिर गिर यों ही
बिखरते जाओगे।

पछताओगे, पछताओगे, फिर
ढूँढ़े हाथ न आओगे ॥

मुट्ठी भर लोगों के हाथ में यह गवर्नमेंट आ गई है। इनके सहारे इनकी गवर्नमेंट चलती है। गवर्नमेंट के ये हम खयाल नहीं हैं। यह गवर्नमेंट गांधी जी को मानने वाली है। कम से कम मुंह से गांधी का नाम लेने वाली तो है ही। कहीं तो है कि हम गांधी के पुजारी हैं क्या यह राम मूर्ति जी के काबू में आ जाएगी? अगर आती है तो इनको याद रखना चाहिये कि मुल्क बड़ा है और मुल्क ने बड़े धक्के खाये हैं। बड़े बड़े यहां गासब आए, हमलावर आये, बड़े बड़े लोगों ने इस मुल्क पर मुजालिम ढाये लेकिन देश ने हमेशा उनका मुकाबला किया अगर इस वक्त भी कोई दुनिया में इस मुल्क में केओस ला कर इस देश की बहुवृद्धी को, खुशहाली को, शानदार आईन को बदनाम करना चाहेगा तो उसको कुचल दिया जाएगा। हम लोग इसको बरदाश्त नहीं करेंगे। लड़ाइयां होती हैं तो हों। हम इनके हथियारों को देख लेंगे। रूस और चीन के हथियारों के बल पर ये हमें डराते हैं। लेकिन हम डरने वाले नहीं हैं। हम समझते हैं कि हमारा आईन हमें प्यारा है। हम चाहते हैं कि गरीब तो आप और हक दो जितनी जायदाद दे सकते हों दो लेकिन गरीबों को दो। बिड़ला टाटा से जा छीनना है खूबसूरती से छीनना आईन बदल कर, कानून बना कर उन से ले लो। लेकिन जिस तरह से पहले लोग देश को लूटने आते थे और लूट कर चले जाते थे, अगर उस तरह से करना चाहोगे, तो आपकी बदनामी होगी। तब यह देश अशोक, चन्द्रगुप्त, राम और कृष्ण, गुरुनानक और गांधी का देश नहीं कहलाएगा। तब यह देश ऐसे लोगों का देश कहलाएगा जो मुट्ठी भर होते हुए भी इस हकूमत पर छाए हुए हैं और मुल्क को बरबाद करना चाहते हैं।

[شری عبدالغنی قار (گواہ) - چنکو سونے اور چاندی کی تھالیوں میں لگا ہاتوں بھونچن روس اور چین اور اندرا سرکار سے ملے انکو جائداد کی کیا ضرورت ہے؟ میں نے نہ یہاں اور نہ راجیہ سبھا میں شری رام مورتی کو اتنے غصے میں دیکھا جتنا غصے میں انکو میں نے پندرہ دن پہلے دیکھا تھا جب انہوں نے اس پرستار کو پیش کیا تھا - پتہ نہیں کیوں تب وہ شری گجپندر گڈکر وغیرہ کئی سہریم کورٹ کے ججوں کو گالیاں دے رہے تھے - ہمارے یہاں پنجابی میں ایک کہاوت ہے اوچھا جت کٹوری لبھی پانی پی پی ابھریا - ایک بھولے بھالے جات کو کٹوری مل گئی وہ اُس میں پانی پیتا گیا - ہمارے کمیونسٹ بھائیوں کا قبضہ اندرا گاندھی پر ہو گیا ہے اور اب یہ سمجھتے لگ گئے ہیں کہ دنیا میں ہم جو چاہے کریں - اپنے ملک کو برباد کرنا چاہیں تو کریں - انکو کسی چیز کی چلتا نہیں ہے - یہ سمجھتے ہیں کہ چونکہ یہ گورنمنٹ انکے ساتھ ہیں اس لئے فلڈامینٹل رائٹس کو جس طرح سے یہ چاہیں بدل سکتے ہیں - انکو بھولنا نہیں چاہے کہ اسے جو لوگ ہیں یہ ملک میں کیبوس پیدا نہیں کرسکتے ہیں - اتنی آسانی کے ساتھ ہاؤس کو اپنے مقصدوں کے لئے یہ لوگ استعمال نہیں کرسکتے ہیں - سہریم کورٹ ہماری مددگار ہے - متحافظ ہے - وہ ایک ایسی بات ہے جو اگر ہم غلطی کریں تو ہمیں سبھاو دے ہمیں تھیک راستے پر لائے - اسکا کام سمجھاو دینا ہے - میں ماننا ہوں کہ پارلیمنٹ سہریم ہے - لیکن سہریم کورٹ آپکی مددگار ہوسکتی ہے آپکو سبھاو دے سکتی ہے آپ انکو مانیں یا

نہ مانیں یہ آپکا کام ہے - پراپرٹی ایک ذاتی چیز ہے پھر چاہے وہ امیر کی ہو یا غریب کی ہو - ودھان نے اسکا رائٹ شہری کو دے رکھا ہے - اگر بولا تاتا مارے جائیں انکی پراپرٹی لے لی جائے تو ہمیں کوئی دنج نہیں ہوگا کیونکہ ہمیں تو اُن سے پیسہ ملتا نہیں ہے اندرا سرکار کو پیسہ نہیں ملے گا تب روسی اور چین سے جو پیسہ ملتا ہے وہ ہی رہ جائیگا - وہ غریبوں کے بڑے ہمدرد بنتے ہیں تھیکیدار انکے ملتے ہیں اور کہتے ہیں کہ ہم جائداد لوگوں کی اسلئے چھیلنا چاہتے ہیں کیونکہ انہوں نے بے ایمانی سے اسکو بلایا ہے - جہانتک میرا سہمدہ ہے مجھے کوئی تکلیف نہیں ہے نہ میری زمین ہے اور نہ ہی میرا کوئی مکان ہے - لیکن یہ بات آپ یاد رکھیں کہ ہمارے ودھان پر دنیا گرو کرتی ہے - ہمارا ودھان جمہوریت کے لحاظ سے شرافت کے لحاظ سے انسانی حقوق کے لحاظ سے شہری حقوق کے لحاظ سے کسی بھی دنیا کے دوسرے انہیں سے کمتر نہیں ہے سب سے بہتر ہے - آپ اسکو اور خوبصورت بنانا چاہتے ہیں - لیکن اسکو خوبصورت ایسے قنگ سے بنائیں گے جس طرح سے شری رام مورتی یہاں بیٹھ کر سہریم کورٹ کو گالیاں دیتے ہیں؟ میں اپنے ساتھ بھی زیادتی کروں گا اگر ایک بات میں نہ کہوں - جب میں سہریم کورٹ میں گیا تو مجھے کہا گیا کہ تم جاتے تو ہو لیکن وہاں ایک جج تمہارے خلاف ہے - میں نے کہا جب کوئی جج بن جاتا ہے تو وہ کبھی اپنے کو بیچ میں نہیں لاتا - وہ ملک کے بھلے کے لئے سبھاو دیتا ہے - سہریم کورٹ بھی پارلیمنٹ کی عزت کرتی ہے - ایسی بات نہیں کہ اسکو وہ سہریم نہیں مانتے -

دھرتی بیلوں کے دو سیلنگوں پر جس طرح سے گھڑی ہے اُسی طرح سے ہمارا دیش پارلیمنٹ اور لیجسلیچر تھا جیو - دیشری کے سہارے کھڑا ہے - جیو دیشری کو گالی دینا اندراجی بھی نہیں چاہیں گی - کوئی بھی کانگریسی نہیں چاہے گا کوئی شریف دوست نہیں چاہے گا - ہمارے رام مورتی جی غصے میں آکر دے گئے ہیں - اور بھی کوئی گالی دیتے ہوں تو ہمیں کوئی تکلیف نہیں - میں تو ان دوستوں سے کہو نہتا -

ملا کے دانوں گر کر یوں ہی بکھرتے جاوے

پچھتاوے پچھتاوے پھر تھوندے ہاتھ نہ آوے

مٹھی بھر لوگوں کے ہاتھ میں یہ گورنمنٹ آگئی ہے - ان کے سہارے انکی گورنمنٹ چلتی ہے - گورنمنٹ کے یہ ہم خیال نہیں ہیں - یہ گورنمنٹ گاندھی جی کو ماننے والی ہے - کم سے کم مہلہ سے گاندھی کا نام لینے والی تو ہے ہی - کہتی ہے کہ ہم گاندھی کے پجاری ہیں - کیا یہ رام مورتی جی کے قابو میں آجائے گی؟ اگر آتی ہے تو انکو یاد رکھنا چائے کہ ملک بڑا ہے اور ملک نے بڑے دھکے کھائے ہیں - بڑے بڑے یہاں غاصب آئے حملہ آور آئے بڑے بڑے لوگوں نے اس ملک پر مظالم ڈھائے لیکن دیش نے ہمیشہ اُنکا مقابلہ کیا - اگر اس وقت بھی اس دنیا میں اس ملک میں کیپوس لاکر اس دیش کی بہبودی کو خوشحالی کو شاندار آئین کو بدنام کرنا چاہے گا تو اُسکو کچل دیا جائیگا - ہم لوگ اسکو برداشت نہیں کریں گے - لڑائیاں ہوتی ہوں تو ہوں - ہم انکے ہتھیاروں کو دیکھ لیں گے - روس اور چین کے ہتھیاروں کے بل پر یہ ہمیں دراتے ہیں

لیکن ہم قزاق والے نہیں ہیں - ہم سمجھتے ہیں کہ ہمارا آئین ہمیں پیارا ہے - ہم چاہتے ہیں کہ غریب کو آپ اور حق دو جتنی جائداد دے سکتے ہو دو لیکن غریبوں کو دو - بڑا ٹاٹا سے جو چھیلنا ہے خوبصورتی سے چھیندو - آئین بدل کر قانون بنا کر اُن سے لے لو - لیکن جس طرح سے پہلے لوگ دیش کو لوٹتے آئے تھے اور لوٹ کر چلے جاتے تھے اگر اس طرح سے کرنا چاہو گے تو آپکی بدنامی ہوگی - تب یہ دیش اشوک چندر گپتہ رام اور کرشن گورو نانک اور گاندھی کا دیش نہیں کہلائے گا - تب یہ دیش ایسے لوگوں کا دیش کہلائے گا جو مٹھی بھر ہوتے ہوئے بھی اس حکومت پر چھائے ہوئے ہیں اور ملک کو برباد کرنا چاہتے ہیں -]

श्री द्वा. ना तिवारी (गोपालगंज) : पूर्व वक्ता डार साहाब ने सुप्रीम कोर्ट की हिमायत करते हुए कहा कि सुप्रीम कोर्ट को गाली नहीं देनी चाहिये । मैं भी मानता हूँ कि उसकी प्रतिष्ठा को हमें कम नहीं करना चाहिये । लेकिन मैं यह भी मानता हूँ कि इस देश में कोई इतना सैक्रोसेंट नहीं है कि गलतियाँ करता रहे और उसका इम्पीचमेंट हम न कर सकें । हम प्रेजीडेंट को हटा सकते हैं, स्पीकर को हटा सकते हैं, मिनिस्टर को निकाल सकते हैं तो गलती करने पर सुप्रीम कोर्ट के किसी जज का इम्पीचमेंट भी हो सकता है । मैं यह मानता हूँ कि नाहक उनको गाली नहीं देनी चाहिये, उनकी प्रतिष्ठा कम नहीं करनी चाहिये । यह हमारा एक अंग है जो हमारा सहायक होता है दूसरी बात मैं यह कहना चाहता हूँ कि पार्लियामेंट सर्वोपरि है । पार्लियामेंट जो भी कानून पास करे, अगर वह कांस्टीट्यूशन के खिलाफ न हो, तो सब को उसका पालन करना होगा । पार्लियामेंट को कोई भी चेंज करने का

[श्री द्वा० ना० तिवारी]

हक होना चाहिये । आखिर पालियामेंट क्या है ? अगर यह पालियामेंट समय के मुताबिक मूब नहीं करेगी, तो लोग उसको उठा कर फेंक देंगे, उसको रहने नहीं देंगे । इसलिए मैं समझता हूँ कि पालियामेंट को यह राइट होना चाहिए कि वह समय के अनुसार चेंज करे ।

17 hrs.

अब मैं श्री राम मूर्ति के रेजोल्यूशन पर आता हूँ । प्रापर्टी क्या है ? वह लोगों को कैसे मिली ? मैं यह मानता हूँ कि दुनिया में कोई भी बहुत धनवान या बहुत जमीन वाला नहीं हो सकता है, जब तक कि वह बेईमानी न करे । अगर कोई काम या मजदूरी करके रोजी कमाता है, तो दस बीस रुपये जमा कर सकता है, लेकिन लखपति करोड़पति नहीं हो सकता है । (व्यवधान) ये बड़े बड़े जमींदार कैसे हुए ? किसी राजा ने जागीर दे दी । यह उनकी कमाई का धन नहीं था । अंग्रेजों ने हैदराबाद के निजाम को बरार दे दिया मुगल वादशाहों ने किसी को कोई इलाका दे दिया । वे समझते हैं कि वह उनका हक है, हालांकि वह उनकी कमाई का धन नहीं है ।

वैसे ही पहले जमीन खाली थी जिन लोगों के हाथ में ताकत थी, उन्होंने ले ली । पीछे वह उनका राइट हो गया । अगर कोई कहे कि उसमें परिवर्तन न किया जाये, तो मैं उसको मानने के लिए तैयार नहीं हूँ । कांस्टीट्यूशन में पालियामेंट को यह राइट होना चाहिए कि हम जो चाहें, बदल सकते हैं । प्राइवेट प्रापर्टी को कोई कांस्टीट्यूशनल गारण्टी नहीं होनी चाहिए । सरकार उसको ले या न ले, लेने की जरूरत भी नहीं है, लेकिन प्रापर्टी का फ्रंटमिंटल राइट हो और उसके लिए कांस्टीट्यूशनल गारण्टी हो, यह बात मेरी समझ में नहीं आती है ।

संसार में तीन तरह की इकानोमी चलती है : कैपिटलिज्म, कम्यूनिस्ट लोगों की इकानोमी और गांधीवाद । गांधीजी ने कहा था कि प्रापर्टी वालों, धनवानों को अपने आप को ट्रस्टी समझना चाहिए । लेकिन कितने धन वाले अपने को ट्रस्टी समझते हैं ? अमी श्री डार ने गांधीजी का नाम लिया और कहा कि यह गांधीजी का देश है । अगर यह गांधीजी का देश है, तो उसे गांधीजी के रास्ते पर चलना होगा । (व्यवधान) यह गांधीजी का रास्ता नहीं है कि कोई लाखों की सम्पत्ति अपने पास रखे, उसका उपयोग करे और अपने आपको ट्रस्टी न समझे । अगर गांधीजी के अनुसार चलना है तो पब्लिक के सामने उस धन के एक एक पैसे का हिसाब देना होगा और अपने आप का ट्रस्टी समझ कर ही काम करना होगा । जितने धनी जमीन वाले और प्रापर्टी वाले हैं, अगर वे गांधीवाद के अनुसार अपने को ट्रस्टी समझ कर काम करें, तो शायद हिन्दुस्तान में कोई झगड़ा नहीं उठेगा । लेकिन चूँकि ऐसा नहीं होता है, इस लिए झगड़ा होता है । झगड़ा क्यों नहीं होगा ? जब एक तरफ शादी विवाह में करोड़ों रुपये खर्च हों और दूसरी तरफ आदमी के पास अपनी लड़की का देने के लिए वस्त्र भी न हों, तो फिर झगड़ा क्यों नहीं होगा ?

हिन्दुस्तान के पचास फी सदी से अधिक लोगों को ठीक से खाना नहीं मिलता है । अगर बोट से राज होना है, तो वे हमको निकाल देंगे और वे यहां आ कर बैठेंगे । उस सूरत में प्रापर्टी का राइट कैसे रहेगा ? वे अपने मुताबिक कानून बनायेंगे । अब तक हमने अपने मुताबिक कांस्टीट्यूशन और कानून बनाया है । लेकिन यहां पर अगर गरीबों का सचमुच प्रतिनिधित्व हो और वे यहां आ कर बैठें, तो वे अपने मुताबिक कानून बनायेंगे और तब न आपका, न इनका और न हमारा धन रह जायेगा ।

इसलिए हमको समय के अनुसार परिवर्तन करना चाहिए, वरना देश में एक क्रांति होगी। और वह केवल अहिंसक क्रांति नहीं होगी, बल्कि एक सशस्त्र क्रांति होगी। यह नहीं हो पायेगा कि मैं गांव में बैठा हुआ करोड़ों के धन का उपभोग करूं और गांव के बाकी सब लोग मरें। वे लोग मुझको—ऐसे सब लोगों को—खा जायेंगे और धन तो जायेगा ही। इसलिए हमको सोच-समझ कर और लोगों की हालत को देख कर चलना चाहिए, वरना हम नहीं रह पायेंगे। लोग प्राप्ति रखें, मुझे उससे इन्कार नहीं है। जब तक स्टेट को उसकी जरूरत न हो, जब तक पब्लिक के काम के लिए उसकी जरूरत न हो, उसको न लिया जाये लेकिन यह नहीं होना चाहिए कि फंडामेंटल राइट के नाम पर कोई उसको छू न सके। सिर्फ इसी विचार को बदलने की जरूरत है, और किसी बात को नहीं।

SHRI SURENDRANATH DWIVEDY (Kendrapara) : Mr. Chairman, Sir, it is not surprising that on a simple Resolution like this, where actually an idea has been thrown after experience that if we really want an egalitarian society in this country through the process of law the right to property has to be defined properly, the bogey of expropriation has been raised. This bogey has been raised, I think, every time in every age in any acquisitive society whenever you talk of abolition or control of property right. People went to the ridiculous length of arguing that even personal belongings like a pencil, books, hutments—all these—will be expropriated once the right to property is removed from the Fundamental Rights Chapter of the Constitution. I do not want to go into those questions because I do not think that this is the desire of the Mover himself that he seeks to abolish private property altogether. What the Resolution says is that property as a means of production, where there is opportunity for exploitation, should be the property of the community and should be utilised for the purpose of betterment of society. The right to individual property must also be com-

patible with the rights of the rest of the society.

There is controversy going on all over the country today. Why has it arisen? It is not because of radicalism or progressivism but because people are afraid, I know, of any change; people want to maintain the *status quo*; they are afraid immediately of any suggestion for any change in the present Constitution. I want to know whether even in the present Constitution it is accepted that property is sacrosanct and can never be touched. It is not so. The present Constitution provides that we can acquire or take away private property, the only condition being that it must be for a public purpose and through the process of law. We believe in the rule of law. We want that a change in society must be brought about within the framework of the rule of law in a democratic manner. Therefore property is not sacrosanct; it is not something which is a natural right.

I think, when the Constitution-makers provided this as a fundamental right, they were guided more by the Constitutions of other countries and the situation prevailing in our country at that time.

SHRI P. RAMAMURTI : It is a replica of section 386 of the Government of India Act, 1935, word for word.

SHRI SURENDRANATH DWIVEDY : Naturally, the socioeconomic aspect was completely forgotten. When it has been stated in the Directive Principles of State Policy that there should not be any concentration of wealth, when it has been said enough means of livelihood should be provided to every citizen, how is that compatible with the provision in the Fundamental Rights that property right is such that it cannot be touched?

We came across the situation when the land ceiling abolition Bills were passed in different States. There, because the High Courts and the Supreme Court came into the picture, by their judgments they were an obstacle in the way of land reforms. Therefore, this Parliament itself

[Shri Surendranath Darivedy]

amended the Constitution providing that adequacy of compensation so far as agricultural land property is concerned, cannot be questioned in a court of law. That was the immediate problem before us and, therefore, that was done. That does not necessarily mean that so far as bank nationalisation and other things are concerned where much more money will be required to pay compensation, it will be given at the market rate. That is incompatible.

Now, whether the property right should be removed from the Constitution or not, the fact remains that by taking this plea of fundamental rights, the Supreme Court has led itself to a position which I would say is ridiculous. The Golaknath case has been cited here. What has been stated there? Even the majority judgment of one takes away the right of the Parliament to amend the fundamental rights. We can amend the fundamental rights according to our own constitutional provisions. To amend the Constitution, to pass a Constitution Amendment—it is not an ordinary law—the procedure that we adopt is that at least two-thirds of majority of the House must vote in favour of it and then only a Constitution amendment can be brought into being. But this can be nullified by the Supreme Court by a majority of even one.

Then, take this bank nationalisation case. They do not question the competence of the Parliament to enact such laws. But again they go into the question of compensation in such a manner as to nullify the whole thing. The people talk of Gandhiji. Let me quote Gandhiji. According to Gandhiji, "Property which is built on exploitation is nothing but stealing." He said that a man who does not earn his own livelihood, who exploits others, and if he acquires property, that property is nothing but stealing. He characterised them as thieves. About compensation, this is what Gandhiji has said:

"If compensation has to be given, we have to rob Peter to pay Paul."

Then, you are talking about the Supreme Court and judiciary. May I quote what the present Chief Justice of the Supreme Court, Shri Hidayatullah, has said about it? He says:

"Our Constitution accepted the theory that the right of property is a fundamental right. In my opinion, it was an error to place it in that category of Fundamental Rights. It is the weakest."

This is the opinion of the present Chief Justice of the Supreme Court. I do not know how people are arguing that if we take any steps to remove this property right from the Fundamental Rights, then democracy will be finished and that totalitarianism will come into being. These are all bogeys of have's who in course of ages, because of the supremacy, because of the power, because of the influence in society, as a whole, have taken powers for themselves and the Constitution has also something to do with it. Therefore what I propose to say is this. Some people who have argued against it also said that there is a change in the situation and we must go with the change in the situation. About the concept of property they do not accept. But they are changed and in the change in the society that we contemplate we differ. We differ from that point of view. So, the question is: whether you want to build up a society in which persons holding property would have an absolute right. We have no absolute right of freedom of speech. It is restricted. There is absolute right so far as property is concerned and the Parliament would never touch it and have no right to change it. This is something which can never be accepted.

Lastly, I want to say one thing. People say that we must have a referendum before we decide this and also a constituent assembly. I want to ask them one thing. We say the constitution is sovereign. I do not know how the constituent assembly can be different from the present Parliament. Parliament represents the

people. We are elected on adult franchise. What more would the constituent assembly be able to do? This is only to sidetrack the whole issue. This is only to confuse the people as if people do not want it and as if people want that those who hold property, the richer sections of the country, must continue to exploit the larger sections of the community. I do not think people accept this. This is a wrong slogan. Therefore, I would suggest: let the Government at this stage make their position very clear. If they are true to their faith of socialism, will they bring forward a Bill here and now? Will they accept the proposal as it has been moved by Mr. Ramamurti about this matter? They have to make their position clear as to how they view the property and the relationship it will have in the society and whether the Constitution should not be amended so as to make it easier for the country to go ahead towards its goal of socialism.

SHRI VASUDEVAN NAIR (Peermade): I also feel that an effort is made by many people including some of our colleagues to raise a bogey as it was put by my hon. friend, Shri Surendranath Dwivedy, and they want to frighten the people by saying that everything will be taken away and in that process they also would like to raise the bogey of communism and thus they would like to cloud the issues and in this debate they would like to throw mud in the eyes of the people so that issues cannot be discussed in their proper perspective. I should like to make it clear that it is not at all a question of expropriation of the little that the millions in this country have. Of course, it is a question of definitely curbing and controlling the wealth of the few. There is absolutely no doubt about it and we can understand the perturbed feelings of the representatives of reaction in this country when this issue is being debated over and over again. As days pass by, in spite of the efforts of the representatives of reaction, of big money, of landed interests and landlords and all that, I am sure that the debate will go on and a decision will be taken. I have no doubt in my mind that if there is a referendum in this country,

the overwhelming majority of the people in India to-day will say that this fundamental right to property will have to go. I have no doubt in my mind about that. But that does not mean that we should right now go for a referendum. I am not suggesting that. Now, in this House, I don't know what is going to be the reply of the Minister. I have my doubts about it because the ruling party has been pressurised. The ruling party is under very heavy pressure and according to me, they have already succumbed to this pressure. That is why time and again they have taken pains right from the Prime Minister to explain that they are not going to do any such thing. Now, once upon a time, we were told that they would be supporting Mr. Nath Pai's Bill. So, we want to know what has happened to that. Is it already buried? Is it already given a go-by? What are they going to do about it? Sir, even in spite of that, in spite of the wobbles of the Government, I should like to tell them, the representatives of the ruling party, that if they are going to be pressurised and if they get succumbed to the pressure, then, they are going to sit across the current against the wishes of the people. Sir, in the name of preserving the property of the people,—they speak also in the name of the people,—they really want to preserve the riches of a few monopoly houses, a few landlords, who have amassed all this wealth by exploiting the people. They speak too much about the Constitution. But, Sir, I am afraid, those who speak too much about the Constitution do not have that much of respect about the Constitution. If they had that much of respect about the constitution, then, they ought to have taken a little more care to read Chapter IV also. According to me, there is a built-in contradiction between Chapter III and Chapter IV. Unfortunately may be, it is an error, as it is put by the Chief Justice of the Supreme Court. The fathers of the Constitution also can commit an error. There is nothing wrong in pointing out that error. It may be only possible for us to point out that error, to correct that error, after 20 years, that there is this apparent built-in contradiction when they put this right to prop-

[Shri Vasudevan Nair]

erty as a fundamental right in Chapter III, then they put in a serious obstacle in the way of implementing the Directive Principles of State Policy. Now, Sir, in the Directive Principles of State Policy, you have got for example, Article 39 (b) which says:

"That the ownership and control of the material resources of the community are so distributed as best to subserve the common good."

You have got Article 39 (c) also which says :

"That the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment."

These are all very clear statements. There cannot be any ambiguity about it.

And, Sir, if these are the Directive Principles of State Policy for this nation, how can we compromise with the right to property, being a Fundamental Right?

Almost day in and day out, we are going against the judgments of the court. For example, the land reform measures are being challenged in the Court of Law. Kerala's Land Reform Act which is one of the most radical pieces of legislation is being challenged both in the High Court and in the Supreme Court. And it is hanging in the balance. I do not know what is going to happen to that. All the landlords are now looking forward to the judges of the Supreme Court. It is a fact which cannot be denied that 99.9%, perhaps 99.99 per cent of the sitting judges of the high courts and the Supreme Court to-day come from the upper-classes of society. They are recruited from the upper-classes of society. It cannot be denied. It is a fact that the Civil Services are composed of such people most of whom have their own interest in lands. They are the best landlords. And most of them have shares in big companies. Judges should be elected. According to us, in our country having a real

democracy, judges should be elected. Perhaps we have yet to progress for some more years in reach that kind of stage when judges are to be elected by the people. We stand for that kind of system. But, what is the use of talking about that? Our Ministers are wasting their time. Rather their headache is how to pay more for these judges and they are not worried about anything else. Again and again we are called for consultations by Shri Chavan to discuss about added amenities facilities-pensions-family pensions, salaries and all that for these judges. They say that we are not getting the talent. The people who get Rs. 20,000. 30,000, 50,000 or even a lakh of rupees per month at the bar are not coming to serve on the Benches.

Now this is the talk of the day. Has this Government or Parliament or our country got a real policy for overhauling the entire judicial system to suit the changing times? The question is whether we are really grasping the change in the minds of the people. Unless we are able to appreciate that change or move with that change and in accordance with the changing times, changing the Constitution cannot be a hindrance to that change. Fundamental Right to property cannot stand in the way of that change. If it stands, the Constitution will go; the people will come forward. The fundamental right to property will go whether you try to preserve it or not and however much Professor Ranga shouts from here or others may try to defend it even by raising a bogey of expropriation. This is a bogus bogey and there is nothing like that. Nobody is saying that. This is pure and simple distortion and nothing else. By such propaganda, people cannot be misled. Here the question is that the vast millions of the people of this country to-day want a fundamental right to live. What is the fundamental right that they want to assert today. As against that fundamental right to live if a few want the fundamental right to property, they cannot stand with them. This is the real question that every one of us will have to face. The Government and the ruling party which to-day happens to be here, if they like to shirk the responsibility and if they are going to be pres-

urised and if they succumb to presure, then they should realise that they also in this current will be thrown aside. The movement will go forward.

SHRI BEDABRATA BARUA (Kaliabor): Mr.Chairman, not only has the fundamental right to property been the issue but taking shelter under it, a whole range of legislation and legislative conventions have grown up which are strictly against the common man's right to own even a livelihood. Our entire system of legislation today is such as would deprive the common man of the minimum property rights, the right to employment, the right to a reasonable standard of living and the right to education.

When that revolutionary movement took place in France, they said liberty, equality, and fraternity were the three pillars of which that revolution was staged. At that time also it was always realised that when the masses were brought into a revolutionary situation, it was equality that was the foremost consideration for them. They wanted liberty to create equality. The base of inequality was the allowance given to the creation of property.

In the twenty and odd years of our freedom, we have allowed one freedom to grow, to proliferate the right to property. When this right is made justiciable, we see that we have in effect made it a big joke. Because justiciability, as a Supreme Court Judge participating in a discussion a month ago said, is, after all a very formal concept so far as property is concerned. He said there is considerable force in the argument that in India justice is sold, not dispensed nor distributed. No man whose two-bigha *zamin* is taken away by Government can engage a lawyer on Rs.10,000 per day and fight it out in the court. It is not possible for him. In spite of the fundamental right to property granted to the people, it is not that the common man has benefited from it. The common man will not be affected. So long as we have got a democratic system, no government would be foolish enough to take away a

poor man's property. This has always been used to confuse the issue.

What has happened in the post-independence era is that, taking advantage of this fundamental right, our social set-up has gone wild, gone haywire, straight in the direction of property, in helping property to grow. Any big business house can be taken as an example of how they have proliferated or grown not only under the shelter of this fundamental right, but also under the corrupt social system. With the help of thousands of top-class people who can be purchased, who jump from government offices to their private business offices, there has been created a set-up which is generally a terrible movement against all the properties and rights of the common people.

It is in this situation that we need to find out how much our Constitution has become a supporter of the capitalist system as such, because it is very relevant to us in this context, because those people who believe in socialism would like to change that set-up. In the twentieth century, there is no longer the concept of capitalist democracy; it is only social, economic and political democracy that prevail. Political democracy has no meaning if a man has a right but has no obligation. To a person who honestly represents the people, economic democracy is a must. If he cannot under the Constitution, realise economic democracy, if the road-blocks are so strong, so terrible that he cannot under any circumstances remove them his way, if he cannot carry through social changes, such a Constitution will have no meaning for him,

We have autonomous States. We have various parties coming to power in various States. Should we keep these roadblocks and allow Indian democracy to explode? We have a democratic system under which we say we want democracy, not despotism. I can understand the contradiction of allowing a few people to have big private property and become millionaires. But that cannot be the base of liberty. That was a long exploded idea. Whether it is Marxism or socialism or democracy,

[Shri Bedabrata Barua]

rights must be based on various concepts including the small man's property.

But our legislation is fantastic. We have made property so much of a religion and as a lawyer I know that for having stolen a small article, a man was kept six months in jail without trial. If a trader or businessman raises prices and makes crores of rupees, we cannot even arrest him. If he is convicted, his property still remains. The whole concept is absolutely anti-social. We will have to introduce a series of amendments to the Constitution to make it very clear that all people in India can participate in this system because democracy is fundamental to us, not the exploitation or the privileges of a few, that we will not allow the system to be exploited under the weight of injustice. If dictatorship comes, let it come, but let it not come because of our shortcomings. No system has been able to maintain itself by only maintaining the very crude interests of a few people who get all the advantages. In Formosa today there is wealth tax, but there is the system of self-assessment and the Government reserves the right to purchase the property at the value declared by the assessee. For instance, if a person having property worth Rs. 30 lakhs declares that his property is worth only Rs. 2 lakhs, the Government will have the right to purchase that property at Rs. 2 lakhs.

Arthur Koestler, who at one time was against Stalin says that despotism is just the functioning of the total absence of discipline in society. If you can discipline your society and everybody obeys the law, then property will not go. If those who have big property do not obey the law, force will have to be applied. We may not like it, we may oppose it, but it will come on us like an avalanche. Nobody can check it.

SHRI BADRUDDUJA (Murshidabad): I had no mind to take part in the debate this after-noon, I have however grown wiser for the observations from hon. Memberson both sides of the House.

But the subject is so complex, it has got such a long history behind it, that it is not possible to do justice to it in all its bearings and implications within a brief span of time.

It pains me very much to oppose this Resolution moved by my hon. friend Shri Ramamurti. I do not understand why there should be a demand to erode the fundamental rights incorporated in the Constitution. Shri Ramamurti has, I am afraid, gone a little beyond the mark. He has questioned the wisdom and sagacity of the Judges of the Supreme Court. I do not hold any brief for them. The Supreme Court Judges also may have shortcomings and limitations. They may not be absolutely above reproach and I don't say that they will never commit mistakes. But it is neither necessary nor wise to denigrate the Judges of the Supreme Court, and to emphasise that by making some observations in the Golaknath case or any other case, they have violated the spirit and the letter of the Constitution. The framers of the Constitution provided that there should be some sort of a federal structure for the Country in which the executive, the judiciary and the legislature shall function side by side without in any way encroaching upon the privileges and rights of one another. There must be a harmonious functioning of the administration. Democracy contemplates that.

The framers of the Constitution had in their wisdom, in their sagacity, in their clear vision of the future laid down these provisions in the Constitution. They were people with experience of decades they laid down certain provisions in the Constitution contemplating that the Judiciary, the Executive and the Legislature must function in conformity with the provisions of the Constitution laid down therein. But my friend in his excessive enthusiasm has shot beyond in work. Why should there be any property right, he says, when millions of people in the country have no property? Is it an argument? Then again he emphasised that the framers of the Constitution, the Constituent Assembly particularly was not a representative body in the sense that

we are a representative of Parliament to day. Both the arguments are so fallacious, unfounded and baseless that they carry their own refutation. First of all simply because millions of people have no property, it does not necessarily and logically follow that those who have property should be deprived of the same. Simply because we 500 million people and odd Members in Parliament represent 550 million people outside, can we say that millions of people in the country who have become more conscious, more responsible, more resourceful and more intelligent and can understand their need and requirements much better, and demand that they should be represented by 5000 members? Can we in that case say that the Parliament should be dissolved and we should all be thrown out? Is this any argument? If you take away the Fundamental Rights what will be the position? Sir, I have no illusions about the democratic functioning of the Government. I have had very bitter experiences. After the riots in 1950 properties belonging to the citizens of a State were want only grabbed by people coming from outside but the Government came to the rescue of those people; they legalised illegal possessions and authorised unauthorised occupations. This is how the minorities have no quarter, no shelter, no recognition, no appreciation, no encouragement and no facilities in any sphere of life during these years. Yet, Democracy with all its limitations and shortcomings, nepotism and favourism, with all the dirt and filth, corruption and bribery that obtain in administration, has a saving grace; it never wanted to erode the fundamental rights which are nothing but a means for the development of human personality. Why should it be snatched away? He went further and said that those who framed the Constitution were not representatives of people-men like Rajendra Prasad, Rajaji, men like Jawaharlal Nehru, that prince among men. Political babes and suckling of yesterday, men like Ramamurti—did they brave the storms, face the dangers, create conditions which made it impossible for the British to function? They are not representative of the people, but we who are petty-foggers and pigmies want to have the pretensions to question their wisdom and sagacity and the services and sacrifices of those who made positive contributions

to the political life of this country. We want to over ride the decision of those people simply because we have a Parliament at our disposal. I know the majority of people in the countryside, 80 million *Mussalmans* and 150 million Scheduled Caste brethren, and by far the largest majority of the majority community in India will throw out this attempt to scuttle the fundamental rights provided in the Constitution. Let them have a referendum. They dare not face the public. They will be thrown out if there is any attempt to do so. I do not believe, as I said the other day, in your philosophy of life. We have had enough of bitter experience. When I criticised the democratic functioning of the Administration, I wanted to emphasise that I got very bitter experience about your implementation of the fundamental rights in West Bengal. The United Front was also a democratic Government, composed of constituent units representing various shades of opinion, various schools of thought in the State. But what was the lot of people even when fundamental rights were not snatched away or eroded? What was the lot of poor agriculturists owing lands ranging from 5 to 6 *bighas*. What did they do when unscrupulous mobs, unruly mobs, corrupt and corruptible mobs under the protecting wings of some constituent units in the administration, robbed, looted and plundered their standing crops. By organised dacoities and robberies in broad daylight; they snatched the lands on the false plea of unearthing *benami* properties and surplus lands. That was the state of things when fundamental rights are enshrined in our Constitution.

MR. CHAIRMAN: Please conclude.

SHRI BADRUDDUJA: If fundamental rights would be taken away, what will be the position? Sir, a ferocious lion warns two weary travellers across the way against the danger ahead by its roar, a poisonous cobra reminds him of the danger by its hisses, but more ferocious than the lion, more ravenous than the wolf, more poisonous than the cobra, these unruly mobs stole unawares on unsuspecting people, looted their properties, robbed them, terrorised them and threw them overboard. Naturally, therefore, we are

[Shri Badrudduja]

afraid; we have already had enough of bitter experiences. We have had it not only in West Bengal, but in Kerala and in other parts of the country. We refuse to subscribe to their philosophy; we do not believe in the philosophy which does away with all the classes and conditions of people.

MR. CHAIRMAN: Please conclude.

SHRI BADRUDDUJA: Two minutes.

MR. CHAIRMAN: No question of two minutes. Please finish.

SHRI BADRUDDUJA: I am only concluding. I know it is a subject which calls for sufficient time. So I conclude, in one minute. As I said earlier, instead of trying to snatch away the fundamental right to property, would it not be better, would it not be wiser, would it not be more expedient to reconcile the divergent claims, the conflicting interests of the various classes and communities, various conditions of the people, and bring about a sort of a rational, just, fair and equitable adjustment of the different kind of rights to property? Our Constitution has laid down definitely that there shall be no concentration of wealth in a few hands.

I would, therefore, appeal to my friend Shri Ramamurti, to withdraw his resolution. They have already gone a little too fast. Let them not move still faster. They have a theory, but by far the largest majority of the people in this country do not subscribe to their policy of regimentation, that philosophy that denies political, social, cultural and moral freedom, freedom from all lends of domination. We are against dictatorship in any shape or form, dictatorship of an individual, dictatorship of a group, dictatorship of an unsympathetic majority and dictatorship of the proletariat in the world. We want to live our own lives, to grow, to develop, expand spiritually, morally, socially, politically, nationally and internationally in all spheres of life, all domains of thought in the world.

श्री शिव चन्द्र झा (मधुबनी) : श्री राम मूर्ति का जो प्रस्ताव है इसका मैं समर्थन करता

हूँ। मैंने एक संशोधन दिया है इस प्रस्ताव में। जहाँ पर इस में प्राइवेट प्रापर्टी का जिक्र है उसमें साथ मैं यह भी चाहता हूँ कि मीस आफ प्रोडक्शन एंड डिस्ट्रीब्यूशन और एक्सचेंज भी जोड़ दिये जायें। प्रस्ताव का मकसद तभी पूरा हो सकेगा जबकि जोर दिया जाएगा मीज़ आफ प्रोडक्शन एंड डिस्ट्रीब्यूशन एक्सचेंज पर। श्री रंगा भी बोले और उनका समर्थन श्री कंवरलाल गुप्त ने किया। और हरियाणा के बाबू भी बोले।

सभापति महोदय : चौधरी रणधीर सिंह।

श्री शिव चन्द्र झा : श्री रंगा बहुत दिनों तक किसान आन्दोलन में रहे हैं। इस समय वह रुदन में नहीं है। अगर वह होते, तो मैं उन से पूछता कि अंग्रेजों के आने से पहले हिन्दुस्तान में जो ज़मीन की बनावट थी, क्या उसमें प्राइवेट प्रापर्टी थी। मैं उनको बताना चाहता हूँ कि उस में प्राइवेट प्रापर्टी की गुंजायिश नहीं थी। बेडन पावेल, माउंट स्टुअर्ट, एल्फिंस्टन और ईस्ट इंडिया कम्पनी के अफसरान ने कहा है कि अंग्रेजों के आने से पहले हिन्दुस्तान की ज़मीन की बनावट, लैंड सिस्टम, या गांवों की बनावट विल्लेज ओनरशिप, कम्प्युनल ओनरशिप और कम्प्युनल प्रापर्टी पर आधारित थी। शायद श्री रंगा को, और मंत्री महोदय को भी, यह बात सुनकर आश्चर्य होगा। लेकिन आज़ादी के बाद 1948 में इंडियन नेशनल कांग्रेस की एगरेरियन रिफार्म्ज़ कमेटी ने भी यह कानक्लूज़न ड्रा किया कि जहाँ तक हिन्दुस्तान की ज़मीन की बनावट, उसकी मिलकियत या ओनरशिप का सवाल है, वह शुरू से लेकर अंग्रेजों के समय तक बेवक्तिक नहीं थी, बल्कि विल्लेज, कम्प्युनल ओनरशिप थी। यह बात निर्विवाद हो गई है। इसी आधार पर हिन्दुस्तान के इतिहास और संस्कृति में 'सब भूमि गोपाल की' के आदर्श को मान्यता मिली है, जिस का प्रचार अब विनोबा जी कर रहे हैं।

यह भूमि किसी व्यक्ति की नहीं है, यह प्राईवेट प्रापर्टी नहीं है, बल्कि समाज और कम्यूनित् की है। मैं खास तौर पर श्री रणधीर सिंह को यह बात कहना चाहता हूँ, जो, जब कभी किसान और जमीन की बात आती है, तो बगैर सोचे-समझे किसी बात की हिमायत करने लग जाते हैं। हमारे देश में जमीन की मिलकियत शुरू से ही कम्युनल रही है, प्राईवेट इंडिविडुअलिस्टिक नहीं रही है।

प्राईवेट प्रापर्टी की शुरूआत कैसे हुई ?— एप्रोप्रिएशन के जरिये। श्री तिवारी ने एक तरह से सही कहा है कि बेईमानी से। उसको बेईमानी कह सकते हैं, लेकिन वास्तव में प्रापर्टी की शुरूआत एप्रोप्रिएशन से, हड़पने से, हुई। मीन्स आफ प्राडक्शन, उत्पादन के साधन, हड़प लिये गये। समाज में इनइक्वेलिटी आई और वर्ग बन गये। यह सिलसिला 1917 तक चलता रहा, जब कि रूस में क्रान्ति हुई और मानव इतिहास में एक नई सभ्यता की शुरूआत हुई। सिडनी और बेट्टिस वेब कितने आबजेक्टिव और विद्वान थे, यह हम सब जानते हैं। उन्होंने कहा कि सोवियत कम्युनिज्म इज ए न्यू सिविलाइजेशन, रूस में प्राईवेट प्रापर्टी के खात्मे के बाद मानव समाज में एक नई सभ्यता की शुरूआत हुई।

यदि यहां कोई सिडनी और बेट्टिस वेब पर विश्वास नहीं करता है, तो पंडित जवाहरलाल नेहरू ने “ग्लिम्सस आफ वर्ल्ड हिस्ट्री” और “डिस्कवरी आफ इंडिया” में कहा है कि आज तक सभ्यता प्राईवेट प्रापर्टी पर आधारित रही है लेकिन प्राईवेट प्रापर्टी का राईट उस की प्रगति में रुकावट रहा है और इस लिए उसका खात्मा करना होगा।

जब हमारा संविधान बनाया गया, तो उस समय की परिस्थितियों को देखते हुए प्राईवेट प्रापर्टी के अधिकार को रखना कुछ हद तक जरूरी था। लेकिन अब परिस्थिति बदल गई है। किस रूप में, यह हम सब जानते हैं। हालांकि कांस्टीट्यूशन के आर्टिकल 31(2) के मुताबिक कम्पेन्सेशन के एडीक्वेट, पर्याप्त, न होने के

आधार पर किसी ला को क्वेस्चन नहीं किया जा सकता है, लेकिन इसके बावजूद सुप्रीम कोर्ट ने बैंकों के राष्ट्रीयकरण के विधेयक को स्ट्राईक डाउन कर दिया और एक ऐसा रास्ता अख्त्यार किया, जिस की वजह से हम संविधान के मुताबिक जो भी प्रगति का कदम उठाना चाहते हैं, उसमें रुकावट पड़ गई है।

यदि हम चाहते हैं कि देश में प्रगति हो, समाजवाद आये, एक नया समाज बने, समाज का पुनर्निर्माण हो, तो हम संविधान में दिये गये प्रापर्टी सम्बन्धी फंडामेंटल राइट में परिवर्तन करें, संशोधन करें। ऐसा करने पर ही हमारे विकास और प्रगति की गाड़ी आगे बढ़ेगी।

प्रोफेसर रंगा ने यह बात कही, जब इंद्रजीत गुप्ता ने पूछा कि दूसरे जम्हूरी मुल्क में कहां पर प्रापर्टी का राईट है तो उन्होंने कहा कि अमेरिका में। यदि अमेरिका का उदाहरण देते हैं तो यह बात सही है लेकिन अमेरिका में यह भी उदाहरण है कि प्राईवेट प्रापर्टी को विदाउट कम्पेन्सेशन उन्होंने खत्म किया। विदाउट कम्पेन्सेशन सिविल वार के बाद स्लेवरी का जो राईट था उसे संविधान में लिंकन ने चूर चूर कर दिया क्रान्ति की बदौलत। तो अमेरिका में कम्पेन्सेशन के बिना प्राईवेट प्रापर्टी का खात्मा हुआ। अब अमेरिकी जनता सोच रही है कि तीसरी क्रान्ति के बाद आगे भी हम नये रास्ते पर चलें। तो मानव इतिहास हमें बताता है कि अब के जमाने में राईट ट प्रापर्टी जो है यह विकास की गाड़ी के लिए एक रुकावट है और खास कर के यह सरकार जो सोशललिस्ट पैटर्न का दावा करती है उसके लिए तो और भी लाजिमी है कि जल्दी संविधान में संशोधन लाए ताकि राईट आफ प्रापर्टी खत्म हो। इन्हीं बातों को रखते हुए मैं इस प्रस्ताव का समर्थन करता हूँ।

श्री रघुवीर सिंह शास्त्री (बागपत) : श्रीमन्, मैं श्री राममूर्ति जी के इस संकल्प का विरोध करने के लिये खड़ा हुआ हूँ और मुझे यह लगता है कि यह केवल एक राजनैतिक उद्देश्य से यह प्रस्ताव किया गया है। संविधान में परिवर्तन करने की मांग की जाय, इस पर मुझे कोई आपत्ति

[श्री रघुवीर सिंह शास्त्री]

नहीं लेकिन जब संविधान निर्माताओं की नीयत पर सन्देह किया जाय और सुप्रीम कोर्ट की नीयत पर सन्देह किया जाय तो यह उचित नहीं है। यह कहा गया कि जो संविधान बनाने वाले थे वह जन-प्रतिनिधी नहीं थे। यहाँ कहा गया कि जो संविधान बनाने वाले लोग थे वह सम्पत्तिशाली थे। मैं कहना चाहता हूँ श्री राममूर्ति जी से बड़े आदरपूर्वक कि आज के जो राजनैतिक कार्यकर्ता हैं उन की अपेक्षा जो संविधान निर्माता लोग थे उन में एक एक महापुरुष ऐसा था जो सारी जाति का प्रतिनिधित्व करता था। उनका चरित्र उनका व्यक्तित्व और देश में उन का विश्वास इतना ज्यादा था कि आज हम उनके सामने कहीं पासंग बराबर भी नहीं हैं। इसलिए चाहे आप टेकनिकली कुछ भी कहें लेकिन वास्तविक पोजिशन यह थी कि देश में उनका बड़ा भारी विश्वास था और वह जनता का प्रतिनिधित्व करते थे। दूसरी बात वह यह कहते हैं कि वह सम्पत्तिशाली थे। मैं कहता हूँ कि सारा संविधान बनाते समय क्या कहीं आप बता सकेंगे कि क्यों कि उनके पास सम्पत्ति थी उन्होंने अपनी सम्पत्ति को सुरक्षित करने के लिए कोई प्रावधान किया हो। जरा एक नमूना तो बताइए।

इसके साथ साथ यहाँ यह भी बात कही जाती है कि नया संविधान बनना चाहिए। मेरे पास समय नहीं है, लेकिन मैं केवल यह बताना चाहता हूँ कि नया संविधान निर्माण करने की बात वह लोग करते हैं जो यह समझते हैं कि आज देश की परिस्थिति ऐसी है कि अगर यह संविधान रद्द हो गया और देश में नया संविधान बनाने की बात आई तो कोई संविधान ही नहीं बन सकता है। इसलिए यह माँग की जाती है कि नया संविधान बनना चाहिए ताकि यह संविधान रद्द हो और नया संविधान न बन सके।

इसी के साथ साथ सुप्रीम कोर्ट के लिए भी मैं कहना चाहता हूँ कि सुप्रीम कोर्ट के फैसले

की आप शौक से चर्चा करें लेकिन सुप्रीम कोर्ट की नीयत पर आप शक करें, सुप्रीम कोर्ट के जजेज को यह कहें कि उन्होंने यह फैसला इसलिए किया है तो जिस तरह आज राजनैतिक पार्टियाँ राजनैतिक मंचों पर खड़ी हो कर एक दूसरे राजनैतिक व्यक्तियों की आलोचना करती हैं, अगर इसी तरह सुप्रीम कोर्ट के जजेज की आलोचना करने लगे जो संस्था विधान की व्याख्या करने वाला एकमात्र संस्था है तो बताइए तो सही कि कौन फिर विधान की व्याख्या किया करेगा और किसके ऊपर देश का विश्वास रहेगा? मैं मानता हूँ कि देश के नागरिकों के पास सम्पत्ति इतनी नहीं रहनी चाहिए जो किसी का शोषण कर सके। शोषण का अन्त करना चाहिए और जितनी कम से कम सम्पत्ति रह सके जिस में शोषण न हो वह सम्पत्ति हमें रहने देनी चाहिए। और हमें सीलिंग लगानी चाहिए। मैं उदाहरण प्रस्तुत करता हूँ। कृषि भूमि है। 70 प्रतिशत आदमी कृषि में लगे हुए हैं। लेकिन हमारे देश में आज एवरेज होल्डिंग जो है वह 2.6 हेक्टेयर है। आज एक एग्रीकल्चरिस्ट की आमदनी 340 रुपये है और 39 प्रतिशत होल्डिंग जो एक हेक्टेर से कम के हैं। 35 प्रतिशत ऐसे हैं जो एक से तीन हेक्टेयर तक के हैं। मैं यह कहना चाहता हूँ कि इतनी थोड़ी जमीन रहते हुए आप क्या यह कह सकेंगे कि दो चार बीघे जमीन रखने वाला किसी का शोषण करता है? वह बेचारा अपने बच्चों के लिए खून पसीना लगा कर उस में पैदा करता है और अपने देश की खाद्य समस्या का समाधान करता है। आप उसे इस तरह से चित्रित करने लगे हैं कि वह एक्स्प्लायट कर रहा है। सारे देश में आप कृषि सम्पत्ति को लें तो उसमें दो चार प्रतिशत लोग ऐसे होंगे जो कि शोषण करने वाले कहलाएंगे तो आप उनको समाप्त कर दीजिए, जमीन की सीलिंग कर दीजिए जमीन थोड़ी कर दीजिए लेकिन बिल्कुल ही जमीन न रहे, यह बात चलने वाली नहीं है।

यहां पर वामुदेवन नायर जी ने जनमत की बात कही। मैं पूछता हूँ कि आप जनमत से क्यों डरते हैं? जब आप इतनी बड़ी तब्दीली करने जा रहे हैं तो इसमें देश का जनमत लेकर चलिए। एक डेढ़ साल के बाद इस पार्लियामेंट के एलेक्शन होंगे तो उस अवसर पर जो इस तरह की पार्टियाँ हैं वह खुलकर कहें कि हम प्राइवेट प्रापर्टी नहीं रहने देंगे और तब आप देखें कि जनता क्या फैसला करती है? आप यहाँ पर जनप्रतिनिधित्व करते हैं इसलिए इसको जनमत जानने के लिए भेजिए और फिर उसका जो फैसला होगा वह आप भी स्वीकार करें और हम भी स्वीकार करेंगे। आप बात तो जनमत की करते हैं लेकिन फिर कहते हैं कि जनमत जानना नहीं चाहते। इस बात का प्रभाव केवल एक बात पर पड़ने वाला है और वह है इस देश का उत्पादन। जब आप देश को इस प्रकार से अनिश्चित स्थिति में रखेंगे और सनसनी की बातें करते रहेंगे तो लोग कमाना छोड़ देंगे क्योंकि वे तो समझेंगे कि पता नहीं इस देश में क्या होने वाला है। इसलिए मैं कहना चाहता हूँ कि आप इस देश में हैवक मत क्रिएट कीजिए, बनावटी सनसनी मत पैदा कीजिए।

जैसा कि मैंने शुरू में कहा कि यह प्रस्ताव राजनीतिक उद्देश्य से प्रेरित है। इस देश में जो ट्रेड यूनियन की राजनीति चलती है वह नेताओं के लिए बड़ी सस्ती और लाभप्रद है इसलिए वे उस ट्रेड यूनियन की राजनीति का कृषि के क्षेत्र में भी लाना चाहते हैं। जब फसल खड़ी होगी तब हड़ताल कराई जाएगी, जब नहर में पानी आयेगा तब हड़ताल कराई जायेगी जिससे खेती करने और अनाज पैदा करने में बाधा आती है। इसलिए मैं आपसे कहूँगा कि इस देश में किसानों के पास जो थोड़ी थोड़ी जमीनें हैं उनपर उनका आराम से खेती करने दीजिए और इस कार्य में उनको पूरा सहयोग दीजिए और उनको हर तरह से निश्चित करिये और साथ ही उनकी पीठ थपथपाइये तभी यह देश आगे बढ़ सकेगा अन्यथा अगर इस देश का खराब करना है तो जो चाहें करें।

17.00 hrs.

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : Mr. Chirman, Sir, Government's the attitude of the Government towards property is contained in Part IV of the Constitution in which the Directive Principles are given, more particularly in article 39 (b). I Will read that out:—

“The State shall, particularly direct its policy towards securing—

that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;”.

This has been there in the Directive Principles of state policy in the constitution and that is the policy of Government; that to say, the constitution had provided that property should be regulated so that there would be no concentration in the hands of a few.

Regarding Part IV containing Directive Principles, many lawyers, jurists and, with due respect to the Judges of the country, Judges also have had a wrong impression because in Article 37 it is stated:—

“The provision contained in this Part shall not be enforceable by any court”.

Because of that, usually it is said that it is not justiciable. The meaning of this is not that the principles given in Part IV of the Constitution have to be neglected or forgotten; the meaning is that because certain Directive Principles are given here, it will not be open to a citizen to approach the courts for writ against the Government. That is all it means. For example, it is stated in one of the articles regarding elementary education that education shall be given to all people below 14. The meaning of the statement that the provisions contained herein are not enforceable is that it is not open to me, you or a third man to go to the Supreme Court or the High Court and ask for a writ of *mandamus* against a State Government to enforce this provision. These articles in Part IV of the Constitution are often forgotten. They are ignored almost as if they are there for no purpose. So, it is the desire, the goal and the policy of the

[Shri Govinda Menon]

Government that there should be no concentration of property and that there should be no monopolies.

Even since 1950 when the Constitution was promulgated, there have been attempts by the Government of India and other State Governments in the country to have land reforms legislations. What is the meaning of these land reforms legislations? What is the meaning of the idea that landlordism shall be abolished? It means that the peasants, the tenants and the cultivators shall be given property and that property should be taken from those who have excess of it. All the State Governments have been request to have land reforms legislations. The meaning of land reforms is that the cultivator should have property and not that the cultivator should not have property. Mr. Ranga spoke about peasants' rights. The idea which the Government will place before society and before Parliament is that there should be people with property but not with too much of property. That is the idea. The Government sticks to that principle.

Then, coming to part III of the Constitution, the Fundamental Rights Chapter, that article 31 gives right to property, the right to property in the Constitution is given not by article 31 but by article 19 (1) (f). If you have to give a name to article 31, that is an article which provides for the right to compensation, not for the right to property. Article 31 was amended several times by Parliament in order to secure the conditions in which the poorer people will have property and that will be taken away from the richer people. When the courts declared some of those legislations to be *ultra vires*, then we had come for an amendment of that article. Article 31 has been amended, I think, four times. I may read out a few lines from article 31 which is one of the longest articles where it is said that for the property which is below the ceiling fixed by legislation, when that is acquired, the market value should be given.

That is a very significant provision in article 31 which has often been noted. So,

the Government's policy is that there should be a legislation by Parliament and State Legislature according to occasion by which ceilings will be fixed regarding the holdings by individual citizens and families. It has become a current phrase for discussion in the country that there should be a ceiling on urban property, that there should be a ceiling on incomes and that there should be a ceiling on agricultural property. All these ideas show that there should be regulation rather than abolition. If it is abolition that was wanted, then articles 31 and 19 (1) (f) should go. The Government therefore, stands for these position that there should be regulation of property in the hands of the people, whether it be industrial property or agricultural property. All kinds of property. But not that property should be abolished altogether. Even in industry please recollect what the policy of the Government is. The Government has reserved by its Industrial Policy Resolution that certain important industries should be in the public sector and the right to industry fields are given to the private sector. So this is what is known as mixed economy often repeated by Prime Minister Jawaharlal Nehru.

In Art. 31 we have stated that when property is acquired, definitely property which is in excess of the ceiling relating to land and other property, it is for the Parliament or for the legislature concerned to fix the compensation payable. And that shall not be justiciable. But there are certain decisions of the Supreme Court where they have ignored, according to me, this provision that compensation provided by law shall not be justiciable. There has been a good deal of misunderstanding about the Bill which was introduced in Parliament by Mr. Nath Pai and which, on behalf of the Government, I support. Government still stick to that view. But then Mr. Nath Pai's Bill is caricatured by some people by saying that it is an erosion of fundamental rights. Mr. Nath Pai's Bill seeks to amend Art. 368 so that Parliament will have the power to amend the Constitution and not to erode fundamental rights. That is not the idea. There are 2 Supreme Court's decisions. They are also Supreme Court Judges who said that under Art. 368 Part

III of the Constitution can be amended. It is in 1967 that the Supreme Court reversed those decisions. I think we must have a system of society in India under which there would not be any concentration of wealth or monopolies, but there should be a right to property for which a ceiling has to be fixed. That being the policy of the Government, I welcome Mr. Ramamurti's Bill because I get an opportunity to restate that policy.

There is some loose talk, not on Mr. Ramamurti's resolution but in the country and also in Parliament that a new Constituent Assembly should be called in order to lay down certain things. I wonder whether those who advocate this have understood by what is meant by a Constituent Assembly. Constituent Assembly is an organization of a revolution in order to lay down a new Constitution and new sets of laws for the country. Between the period 1947 and 1950 there was a revolutionary situation in India and the Indian Constituent Assembly which was Constituted by the Cabinet Mission's statement, functioned in a certain manner. As soon as it assembled, it shook away the shackles under which it was called and said that it was a sovereign constituent assembly. You cannot have constituent assemblies everyday. We say, Parliament Members say, Parliament says that Parliament has got the constituent power and so long as Parliament has got this constituent power, Parliament is able to amend the various provisions of the Constitution including the provisions contained in Art. 3. That is all we stand for. I am extremely thankful to my hon. friend, Shri P. Ramamurti in that by his Resolution he gave me an opportunity to put forward what the policy of the Government in this matter is. We cannot accept the Resolution as brought in by Shri P. Ramamurti and I hope he will withdraw it. Thankyou.

SHRI P. RAMAMURTI (Madurai): Mr. Chairman, Sir, I find that in the opposition that came to my resolution, those who opposed that, could not argue on the basis of the wording of the resolution. Therefore, they had to twist. I wonder whether my hon. friend Mr. Ranga had read my resolution at all before he spoke. Probably that is his sense of responsi-

bility as a senior member of this Parliament. He said, I am asking that the jhoddies and others' dwellings must be taken away. I cannot understand it. My resolution specifically speaks of the fundamental right with regard to not the ordinary property, but with regard to the property 'in the means of production' I wonder whether he understands what is meant by the means of production and what is other than means of production. My dwelling is not means of production. It is my private property for use. Therefore, Sir, they want to conjure up among the ordinary people in our country that what we today are demanding is that the ordinary people should be deprived of even their ordinary livelihood forgetting the fact that they are today being deprived of their ordinary right to live in this world by these very people whose cause these people like Ranga have been advocating all these years.

Therefore, Sir, my resolution was a very simple resolution. Somebody here, I think Mr. Bhandare, had praised the Constitution as a very wonderful constitution, a unique constitution which has incorporated Chapter IV as directive principles of State policy. I say, it is a unique constitution, in that it is a fraud on the common people of this country. Because, a constitution, if it has got any validity, must be one in which the people must have the right to get it enforced. The Law Minister said as far as IV Chapter is concerned the man cannot go to the court for a writ application, that is what it means, it means that the State can do something the State can go against the Directive Principles of State Policy, of that Chapter, Chapter IV and the people in the country have got no remedy whatsoever. As far as they are concerned, the Constitution is a dead letter as far as Chapter IV is concerned.

Therefore, I say, Sir, why did you not revise it? I say, the people who made the Constitution were not fools; they were people who were intelligent extremely intelligent,—men like Sir Alladi Krishnaswami Ayer, Rajagopalan — they made that Chapter IV and Directive Principles deliberately, in order to play a fraud on

[Shri P. Ramamurti]

the people that what they are doing this country is something good. Otherwise Sir, I can not understand how we can put those directive principles and then say you cannot go to the court, on these things Government can do anything.

This question of Fundamental Right is again and again being raised. I want to ask What is the fundamental right? Is it the fundamental right of every child being born in this country to live? If it is his fundamental right, to live how can he live if he does not get work? Have you made that right to work, a fundamental right in the constitution?

You have not made that right to work a fundamental right. On the other hand, by making this right to private property a means of production as a fundamental right, you have made it possible for the owners of these means of production, deny the right to work for the ordinary citizen in the State. Therefore, what has been made a fundamental right is not a right to live, but has right to die. The right to die is a fundamental right. To die is the fundamental right of the constitution.

This is the fundamental thing. And this is what is happening. We find the people are being thrown out of employment. If Birla does not want to run the factory, I cannot go there. If I go and fight, you will say that there is law and order situation. That is how the whole question has come up before us. When people talk in terms of democracy and all that, what is the democracy they talk about? All that I ask is that this question of property right must be decided by the society from time to time by the appropriate organs of that society—be it by Parliament or whatever may be the appropriate organ of society that it may choose to take. Let it decide as to what should be the form of property and what should be the extent of property? That is all I have asked in that Resolution would those people who oppose that talk in the name of democracy? They talk of democracy, but they do not believe in democracy. I say it is for the society to decide through

their elected organs as to what property will be good to that society at a particular period. It may be that in a particular period, there may be a terrific social advance. Take for example agriculture. Big technological advance may make it necessary to have agriculture on a vast scale—mechanised agriculture. Science is advancing to such an extent that it may be necessary. Then you can have only collective property so that it may be enjoyed by the people together.

Therefore, all that I have stated there is this. And this question has got to be decided by the people of the country and not that the fundamental right has to be put in the Constitution for all times to come. It is not something which is there eternally. Shri Golak Nath's case has made it an eternal thing. We cannot change that. That is the position now. I would only say that I can understand the opposition of my friend Shri Ranga or for that matter the opposition of my friends from the Jan Sangh. Also I can understand the opposition of Shri Shastriji. But, my hon. friend, the Law Minister, just comes here and gives a paraphrase of the Fourth Chapter of the Constitution and says that this is the policy of the Government. And the whole world knows what that policy is. The proof of the pudding is in the eating. What is the policy that has been pursued for the last twenty years? In spite of the fact that in the Directive Principles Chapter, we have been told that we should prevent concentration of wealth, the wealth has been concentrated in this country during the last twenty-two years of the rule of this particular party. Is it or it not a fact? And yet, say that this is our policy. What is the fun of going on talking of this policy which does not and cannot convince anyone? This kind of declaration of policy again and again will not fool anybody. My friends, Shri Vasudevan Nair, for example, said that this ruling party is under terrific pressure and they are succumbing to such pressure. He said something like that. It is not a question of pressure. It is their fundamental tenet. In spite of all these years exper-

ience, if the CPI does not learn the truth, it is their funeral. The people will more and more awaken to this truth. The people of this country will learn that this Constitution was certainly not made for bringing in socialism in the country. To-day you profess socialism. When you talk of socialism may I know what is your conception of socialism? There is one Member of the Working Committee of the Ruling Congress—a Chief Minister of a State Shri Brahmananda Reddy—who came to Madras last year and addressed a meeting of the workers of the Congress Party. He said “we have set socialism as our goal. I do not know what this socialism is. What the Congress men talk of socialism is just like those five blind men who were asked to say what an elephant is. We are just in the same way. That is the kind of socialism we have.” Even to-day you are talking of this kind of socialism but you are not able to take a direct stand on this question to remove this fundamental right to property in the means of production in spite of what the Supreme Court has held. You are not able to take that stand because you are wedded to that philosophy.

Lastly, I would only say this. The Law Minister stated that the Supreme Court has gone beyond the Constitution—if I understood him aright; he said ‘This is the constitutional position and, to my mind, the Supreme Court has not acted correctly according to the Constitution in those judgments’. I say if the Supreme Court violates the constitution, why do you not have the guts to come before Parliament arraign them and tell them that they are the subvertors of the Constitution of this country? Why do you not do that? You do not do that because Government itself is wedded to this fundamental philosophy. That is why despite all declarations of these years, things go merrily as before.

All that I would say finally is this. I have initiated this discussion. Maybe it may be voted down. But this is the live question before the people of this country. It is ultimately the people of this country will decide this question, and no Supreme Court, no party, will be able to stand before the avalanche of a people because these ideas are ever conquering. We

are living today in the year of not only of the Gandhi Centenary but also of the Lenin Centenary, and we know that it is Leninism that is conquering the world. One-third of the world has been conquered and whatever may be the opposition, whatever may be the opposition of friends like Shri Ranga and others—they might talk of chaos; we do not create chaos; chaos has been created by the policies pursued by this Government—this philosophy is going to win. We know life will prevail; death will not prevail. I am fighting for the life of the common people. Life is going to prevail over death because other people are inflicting death on the common people.

I therefore press my Resolution and do not propose to withdraw it.

MR. CHAIRMAN : There are two amendments standing in the name of Shri S. C. Jha and Shri Deorao Patil. I shall now put them to vote.

Amendments Nos. 1 and 2 were put and negatived.

MR. CHAIRMAN : The question is :

“This House is of opinion that the right to private property in the means of production is inconsistent with the evolution of a real democratic society and having regard to the fact that the existence of the Right to Property among the justiciable Fundamental Rights in our Constitution has become a serious obstacle to the country’s social, economic and political advance, recommends that the Government should take steps to amend the Constitution accordingly”.

The resolution was negatived.

18.28 hrs.

RESOLUTION RE : ECONOMIC AND SOCIAL PROBLEMS OF WEST BENGAL

SHRI INDRAJIT GUPTA (Alipore) :
I beg to move :

“This House is of opinion that, in the administration of West Bengal under President’s rule, Government should give top priority to solution of urgent economic and

[Shri Indrajit Gupta]

social problems such as land reform, unemployment, refugee rehabilitations, development of Calcutta."

The last word "*et cetera*" is not in the printed copy; it has to be added at the end of the Resolution.

I have a specific purpose in moving this Resolution at this time. The reason is that roughly one and a half months have elapsed since President's rule was promulgated in West Bengal and the experience of these one and a half months shows that despite certain assurances which have been given by the Central Ministers, the administration in West Bengal at present seems to be concerned with almost everything except those problems which I have indicated in my Resolution. In fact, we are very much concerned to find that a great deal of time has been wasted simply in the appointment of advisers, then in some differences which arose among the nominated advisers themselves. Recently the Governor himself has been indulging in certain activities.

MR. CHAIRMAN : He may continue the next day. We shall take up the half an hour discussion now.

18.30 hrs.

HALF-AN-HOUR DISCUSSION

LIBELLOUS ATTACK ON INDIA IN A NORTH VIETNAM PUBLICATION

SHRI N. K. SOMANI (Nagaur) : I am very grateful for this opportunity for the half-an hour discussion on a subject which I think is of extreme importance to our country. Normally, if it was an isolated case of sacrilege against our country, if only a solitary instance had occurred in any quarter of the world, this parliament would not have bothered to devote its time and attention to this, but I am afraid that due to the policies of the Government which holds an extremely partisan and sometimes a very servile attitude in such matters, we see a scurrilous propaganda

directed against our country which would make one wonder whether our Government is at all interested in defending the sovereignty, integrity and independence of his country.

This matter fortunately was brought to the attention of the Government, as usual, by the newspapers and the opposition parties, particularly by my own party and two leading weeklies, *March of the Nation* and *Current*.

[SHRI VASUDEVAN NAIR in the Chair.]

These matters were brought to the attention of the Government in December, 1969 and January, 1970. and when this was brought up again in the beginning of the Budget Session, the same evasive answers were given. I would like to bring it to your notice that whether it is the scurrilous, damaging and obnoxious propaganda made by Radio Moscow and Radio Peace add progress, or whether it is a question of offensive literature coming from North Vietnam or the Arab countries, this Government certainly cannot gather courage to take up the matter with those Government, or it tries to deal with it in such a way that it creates no impression to all on the minds of the people who are responsible for the mischief.

You will remember that a few days ago it was brought to the attention of the Government that the so-called friendly Government of Syria had published a map which shows large chunks of Indian territory as parts of the Indian region, and there again the Government tried to sidetrack the issue.

I am not trying to pinpoint or focus attention on only North Vietnam, but I am seeking to raise the entire matter of the Governments handling of and approach to the question of wrong maps being published or political parties and individual personalities and the internal functioning of this country being attacked. In all these, we have seen nothing but dismal failure as far as this Governments action is concerned.

The other day the Government said that they did not know the source of this publication entitled *U. S. Imperialists' Propaganda about Criminal Activity of Vietnam must not be believed*, although the title itself says that it has been published by the Foreign Information Publishing House, Hanoi, in 1967. The Government of North Vietnam naturally enough said that they had no knowledge or authentic proof as far as the source of publication and distribution of this obnoxious pamphlet was concerned. Although the title has aggressive language only against the U. S. imperialists, inside, for instance from pages 26 to 30 obnoxious and offensive language has been used against our country which I propose to quote presently. It is certainly shameful that we do nothing about it.

When the matter was raised, two hon. Members, Shri Vajpayee and Shri Ramamurti demanded that the matter should be handed over to CBI to find out the source of the publication, how this booklet came into India at all, whether it has been published in India. The Government came out with a very innocuous reply. They said, as if the Government of North Vietnam or its spokesman was speaking, that the booklet did not bear any serial number, that all publications printed and distributed by the Government agencies of North Vietnam bore a serial number. I should like to show to you how this is completely untrue because there are a number of North Viet-Nam publications. All official documents, volume, which you can see bearing no serial number at all and therefore this attempt at misleading the house does not hold any water. I shall quote brief passages from this publication where it is said that this Government is supposed to be "reactionary self-seeking, Cogress clique". On Kashmir it says, "Kashmir population has long been oppressed by reactionary Indian occupying forces". It also says that they have to conduct their final liberation struggle "against their foreign Indian overlords". As far as our sensitive areas in the North-east are concerned, the publication says "In Naga-Mizo areas, Assam, Manipur, etc. patriotic elements have taken up arms to wipe out the lackeys of the Delhi ruling clique"—that is you, Mr. Minister—

"...ambush the reactionary troops, strike vigorous blows for freedom." Then again, giving details about hostile Nagas that underwent training in some parts of North Viet-Nam, it says: Naga leaders during their recent fraternal discussions in Hanoi have expressed their grateful thanks for the technical advice that has been received in their fight against reactionary Indian Government." Another piece "whenver peasants and villagers are oppressed, whether it is in South Viet-nam or in Indian occupied Kashmir or Kerala or the jungles of Assam or forests of Malaysia, there the great Asian revolution will take hold." Whatever philosophy lies behind such publications, the Government itself is involved in this publication which is most irresponsible and obnoxious and something more needs to be done than saying that the Government of India have no knowledge just because the North Viet-names Government have said no; and so no further action needs to be taken. This is something that must be considered by this House. My colleague Mr. Koushik as early as February 27, 1970 in a letter addressed to the External Affairs Minister had protested against this reply and has said that not only is the original publication coming from North Viet-Nam but exact duplicate or identical copy has been circulation in India and that copy at least finds the name of the printer and publisher: National Book Agency Private Ltd. and for his information it is located at 12 Bankim Chatterjee Street, Calcutta-12 and the price is 25 paise. If they cannot lay their hands on that particular document and confront the Government of North Vietnam, here is a similar publication printed and published in India and sold openly since 1967 and it contains word for word everything that is said in this document. What action have you taken against this particular book company which is distributing it? Have we gone to the extent of saying that whatever type of obnoxious literature or propaganda is printed or reprinted and distributed in this country the Government are not at all concerned about it. This National Book Agency is an extension of the combative arm of the CPM. Have you taken action against it under the Companies Act or any other Act? In matters of this kind, whether it is a question of tax returns of Madam Aruna Asaf Ali or whether it is a question of books of this kind where all this 'gotai'

[Shri N. K. Somani]

and 'gol-mal' are found and brought to the notice of this House or whether it is the vulgar propaganda undertaken by the so called peoples Publishing House or it is a question of the Soviet Union which proceeds to build a cultural centre in one part of Kerala as though it is thin own territory without our advice or consent or it is propaganda undertaken by Radio Moscow or Arab countries, there is absolutely no protest from this Government.

It takes an extremely insipid and supine posture and gives an impression to the world that a mere fling of a protest note or calling for the Soviet Charge d'affaires without telling us as to how those governments have reacted, without telling the people of India as to what extent the Government has succeeded in disabusing those Government of the liberties that they are taking with our life and tradition. I think the time has come when we will have to entirely change this aspect of the functioning of the Ministry of External Affairs.

It is a very important matter since this government from Hanoi—North Vietnam—has been totally, consistently, against our country and its policies whether it was the case when we asked for support in our confrontation with China or whether in the case when we were having our war with Pakistan. Not only in their government broadcasts and newspapers was this done. Again, I do not want to hear an answer that most of these institutions are autonomous institutions in North Vietnam, because this has been repeated *ad nauseam* in this House. In the case of the Sino—Indian border conflict, this is what North Vietnam has to say :

"The Government support the correct stand of the People's Republic of China and eagerly hope that the Sino—Indian border question will be solved through negotiations between the two countries."

This is a reflection of your friendly country, North Vietnam; this has been your relationship during that particularly critical period of the Chinese confrontation.

Again, in 1965, it says—it is from an official paper of theirs—the Government says :

"An attack on Pakistan by Indian troops in fact is closely connected with the United States' scheme of bringing pressure to bear upon Pakistan and is completely incompatible with the Indian people's interests."

There is a whole chronology of events shows that North Vietnam has been totally hostile always against India and her policies, and supported always our enemies whenever we have been in trouble or otherwise. If this is the attitude of servility that you have shown and you want to bend yourself backwards time after time, then I suppose you deserve, as far as the Government is concerned, this kind of treatment. Why should this entire treatment be shown against India, and why should the Indian nation and the people be subjected to this kind of thing ?

This whole episode was featured in great detail in the *Hindustan Times* in its issue for 23rd January, 1970, contributed by its special correspondent, Mr. Prithvi Chakravarty. Therefore, I would like to say that as far as the Government is concerned, it cannot claim that they do not have enough or sufficient knowledge about the whole episode. That is the background of Hanoi's campaign against India right from 1962 and earlier, and when all these tirades have been indulged in by the so-called friendly countries, I would like to ask the Government as to why we take such an attitude by which it gives an impression to the people and Parliament that we have absolutely no guts, that we do not and cannot defend the integrity and the good name of our country and it lies in the mouth of those countries to say what they will and to take away large chunks of properties whenever, they please ? In matters like this, there absolutely a policy of *laissez faire* in this country, where anybody can print anything howsoever obnoxious the character of that publication is. They can call names of this Government, and whether it is our army in Kashmir or in the north—east, and what we receive from this Government is that the Government of

North Vietnam have said that it has nothing to do with this particular publication.

Therefore, in the interests not only of maintaining the democracy and integrity in this country, whether it is Radio Moscow or propaganda from North Vietnamese, we would like to take a firm and critical stand by this Government, through its Ministry of External Affairs, to say that these things will not be tolerated any more and any onslaught on these particular properties or in these aspects of our sovereignty, if there are any more encroachments, they would not only be considered as unfriendly acts.

Finally, to conclude, I would reiterate my demand that if you have not cared, in spite of the last four months' disclosure in this particular matter, to hand over this entire episode to the CBI, if you do not have full facts yet in your possession, in that case, what have you been doing for the last four months since we have been exercised about this matter? I would like to ask whether you will change your attitudes and your postures and give the image to the outside world that you would call a spade a spade whenever necessary.

SHRI R. K. AMIN (Dhandhuka): Sir, my friend has already indicated the importance of finding out the origin of the pamphlet. If one reads the pamphlet, it is clear that it must have been printed either in India or in North Vietnam. It devotes 30 pages to condemning USA and 10 pages to condemning India. If it has been printed in India, it must be by somebody who is sympathetic towards the cause of North Vietnam. Is it not possible for our Government to find out from the nature of the print, the nature of the paper, etc., whether it has been printed in India? If it is not in India, it must have come from North Vietnam. Do the Government have that machinery to find out how it has come into this country from North Vietnam? These two questions the minister should answer.

The minister has given the reply as to what the Consul General of Hanoi here has said. But have we enquired from our Consul General at Hanoi what is the truth about it? Has he made any enquiry there in North Vietnam about the antecedents of this pamphlet? Otherwise, unless this information is given to the House, I will remain under the impression that, when my country is surrounded by enemies like Pakistan and China, China having the nuclear bomb and now the space ship and other things, my defence is already weakened. At that time, if I am told that my Government is unable to find out even the paper from which it is printed, I will think our defence is so weak. Even the copy of the pamphlet, the Government has to borrow from the Swatantra member. Even when the Consul General of Hanoi first denies the existence of the pamphlet and later on accepts it, no enquiry is being made. If even the House is not taken into confidence, I will have to think that my defence is so weak and will I be in a position to defend my country from the onslaught of the enemies surrounding us? Therefore, it is very necessary to create confidence in the mind of the people and also take the House into confidence, to find out all these facts and place them before the House. Will you tell us what is the report of the Consul General? Why could you not find a single copy and you had to borrow it from the Swatantra member? Will you tell us from the print and the nature of the paper whether it was printed in India or in North Vietnam? What are you going to do in order to catch hold of the culprit and take action on that? All these questions must be answered.

श्री रवि राय (पुरी) : सभापति जी, मैं माननीय सोमानी साहब को धन्यवाद देता हूँ कि उन्होंने इस सवाल का जवाब के सामने रखा। प्रश्न पूछने के पहले मैं यह बता देना चाहता हूँ कि जैसे वायस आफ़ अमेरिका का हम विरोध करते हैं उसी तरह मास्को रेडियो हो, या पीस एंड प्रायेंस रेडियो हो, या उत्तर वियतनाम से जो यह किताब भारत के खिलाफ़ छपी गयी है, जो भी हिन्दुस्तानी है और देश प्रेमी है तथा राष्ट्रियता में विश्वास करता है, वह इन सब के खिलाफ़ आवाज़ बुलन्द करेगा।

[श्री रवि राय]

मेरा कहना यह है कि चार महीने हो गये, और मेरा पहला चार्ज या आरोप इस सरकार पर यह है कि उत्तर वियतनाम और हिन्दुस्तान के बीच में सम्बन्ध बिगाड़ने का काम इस सरकार ने किया है क्योंकि यह चार महीने से ही इस सदन में हम सब ने मिलकर सवाल उठाया और उस दिन बाबजूद इस के कि हम लोगों की तरफ से माँग की गयी थी कि आप इस बारे में जांच कीजिये, लेकिन सरकार ने कोई जांच नहीं की। इसलिये नहीं की कि सरकार अमरीका और रूस, इन दो गुटों के सामने दबती है। प्रावदा जैसा अखबार है उस के पहले पेज पर अगर प्रधानमंत्री का पूरा भाषण छप जाता है तो आप खुश हो जाते हैं लेकिन राष्ट्र के आत्म सम्मान को कैसा धक्का पहुंचता है रूस के मास्को रेडियो से या पीस एंड प्रोग्रेस रेडियो के जरिये क्या होता है, यह इन को पता नहीं चलता। मैं जानता हूँ कि हम जब संसदीय प्रतिनिधि मंडल में रूस गये थे, वहाँ कम्युनिस्ट विदेश नीती की एक सब से बड़ी चीज है कनफर्मिज्म की, यानि दूसरे राष्ट्र उन की उस नीती को कनफर्म करें। बार बार जब खाने पर बुलाते थे तो नान-प्रोलिफरेशन ट्रीटी पर दस्तखत करो, इस पर वह जोर देते थे।

इसलिये मैं कहना चाहता हूँ कि ये लोग क्यों तीन चार महीने से सोये हुए हैं और कोई जांच पड़ताल नहीं की है और मेरा यह कहना है कि सरकार क्यों दोनों राज्यों में जो सम्बन्ध हैं, उनको बिगाड़ना चाहती है।

मैं कहना चाहता हूँ कि आन्तरिक मामलों में उत्तर वीतनाम की जनता अमरीकी साम्राज्यों के खिलाफ बहुत लड़ाकू काम कर रही है, यह सराहनीय है लेकिन इस का मतलब समापति जी, यह नहीं है कि हम लोगों का हमारे राष्ट्र का अपमान करे और हमारे राजनीतियों के बारे में इस तरह की आलोचना करे। इस का कोई बर्दाश्त नहीं कर पाएगा। इसलिए मेरा ठोस सवाल यह है कि सरकार

ने पिछले चार महीनों में, जिस दिन इस सदन में यह चीज आई, क्या जांच की है ?

दूसरी चीज जो मैं इस सिलसिले में कहना चाहता हूँ और समापति महोदय आप जानते ही हैं कि बार बार जब हम ने इस सदन में पूछा कि रूस में पीस एण्ड प्रोग्रेस का वहाँ की सरकार से कोई संबंध है, तो कहा गया कि रूस सरकार का कोई संबंध नहीं है और पीस एण्ड प्रोग्रेस से जो प्रचार होता है, उस के लिए वहाँ की सरकार की कोई जिम्मेदारी नहीं है बाबजूद इसके कि आप जानते हैं कि रूस में सब चीजें राष्ट्र की होती हैं, सरकार की होती हैं रेडियो सरकार का हैं। सब चीजें सरकार की हैं लेकिन पीस एण्ड प्रोग्रेस सरकार का नहीं हैं? यह तर्क देकर सरकार सारी चीजों पर लीपा पोती करना चाहती है। इसलिये मैं कहना चाहता हूँ कि अभी जो हम ने यहां पर यह सवाल उठाया है, सरकार इस तरह का दीगला तर्क दे कर दोनों देशों के सम्बन्धों को न बिगाड़े। पिछले चार महीनों में सरकार ने कुछ नहीं किया है। मेरा यह सवाल है कि आगे चल कर, यह सत्र अगली 20 तारीख को समाप्त होगा, क्या मंत्री महोदय इन 20 दिनों के अन्दर हमारे जो कौंसल जनरल हैनोई में है उन से पूछताछ करके और जो हैनोई की सरकार के मुख्या हैं, उन के साथ खतोकिताबत कर के यह पता लगाएगी कि यह पचा कहां से आया है, इस का श्रोत क्या है, भारतवर्ष में है या हैनोई में है ? मैं यह कहना चाहता हूँ कि इस में यह जो 12, बंकिम चन्द्र रोड, कलकत्ता का पता है और जानकारी दी गई है, फिर भी सरकार कुछ नहीं करती है, तो मैं इस उपसंहार इस कंकलूजन पर पहुंचता हूँ कि सरकार हमारे नागरिकों की जो मर्यादा है उसको क्षीण करना चाहती है और इस तरह से हमारी जो मर्यादा है उसको धक्का पहुंचता है। इसलिए मैं जानना चाहता हूँ कि पिछले चार महीनों में सरकार ने क्या किया है और यदि नहीं किया

है तो इस सत्र के खत्म होने के पहले वह कोई ब्यान देगी कि क्या-क्या चीजें उस ने की हैं ।

श्री शिव चन्द्र झा (मधुबनी) : सभापति जी, सबसे पहले तो मैं यह कहना चाहता हूँ कि विचार स्वातंत्र्य से हमें नहीं डरना चाहिए और विचारों का जवाब हमें विचारों से देना चाहिये। विचारों का जवाब हम प्रकाशन या किताब को दबा कर दें, यह एक अच्छा तरीका नहीं है और विचार स्वातंत्र्य के आदर्श के मुताबिक नहीं है। इस संदर्भ में मैं यह जानना चाहता हूँ कि ग्राम तौर से कोई किताब या प्रकाशन को बंद करने के लिए आप की कौन कौन सी रिक्वायरमेंट्स हैं ? आप की कुछ रिक्वायरमेंट्स होंगी कि यह छपेगा, यह छपेगा तब हम इस का प्रकाशन नहीं होने देंगे और इस का सर्कुलेशन नहीं होगा। इसका क्या क्राइटीरियन है और किस आधार पर प्रकाशन खरा उतरता है, यह हमको बतलाया जाए ?

दूसरा सवाल यह है कि 1942 के आन्दोलन में, हम लोगों का तजुर्बा है, उस आन्दोलन को कन्डेम करने के लिए अंग्रेजों ने गांधी जी के नाम पर बहुत से पत्र छपवाए। इस तरह का काम गुंडों और बदमाशों का काम था और गांधी जी के नाम पर, उन के दस्तखतों से वे पत्र छापे गये थे। हम लोग डरते थे कि इस पर गांधी जी का नाम है और हम उस समय छोटे थे और बड़ी मुश्किलों से बड़ी छानबीन करके हम पता लगाते थे कि यह गुंडों का काम था। इसलिये यह जानना आवश्यक है कि हकीकत में क्या है ? यह गुंडों का काम है या इस को दुश्मन करता है, इस बात का पता क्या सरकार ने लगाया है ? यह प्रकाशन नार्थ वीयतनाम का भी नहीं होगा, इन्डिया का भी नहीं होगा और ऐसा तो नहीं है कि यह पब्लिकेशन सी० आई० ए० वालों ने और अमरिका साम्राज्यवादियों ने किया हो ताकि हिन्दुस्तान के जो सम्बन्ध वीयतनाम से हैं और जो भी हिन्दुस्तान की हमदर्दी उन के साथ है, उस पर घक्का लगे।

क्या सरकार ने इस की छानबीन की है ? यदि छानबीन की है, तो उस का क्या नतीजा निकला है ? यदि छानबीन नहीं की है तो क्यों नहीं की है ?

तीसरा सवाल मेरा यह है कि वीयतनाम में आई० सी० सी० कायम है और इंटरनेशनल कन्ट्रोल कमिशन में हिन्दुस्तान है और इसके अलावा और दूसरे मुक्त हैं। तो मैं यह जानना चाहता हूँ यदि वहां की सरकार, कि नार्थ वीयतनाम की सरकार कहती है कि यह हमारा प्रकाशन नहीं है, तो उन मुक्तों के सामने क्या भारत ने इस प्रकाशन को रखा है और कहा है कि देखिये वहां से यह प्रकाशन हमारे खिलाफ आया है और इस को वे मंजूर नहीं करते हैं ? तो क्या उन मुक्तों के सामने इस प्रकाशन को रखा है और अगर रखा है तो उनकी क्या प्रतिक्रिया है ?

मेरा चौथा और आखरी सवाल यह है कि वीतनाम की समस्या गम्भीर होती है और अमरिकी साम्राज्यवादी वहां पर डटे हुए हैं, अमरिकी फौज, आप जानते हैं, कमबोडिया में मार्च कर गई है साउथ वीयतनाम से। यह इसलिए हुआ है कि इस की जड़ में है अमरिकन ओकूपेशन इन वीयतनाम। अमरिकी साम्राज्यवादियों का डटे रहना वीयतनाम में और एशिया के दूसरे मुक्तों में और इस तरह का भविष्य में काम न हो और हमारे और उनके रिश्ते खराब न हों, इसलिए क्या आप ने अमेरिका से कहा है कि वीयतनाम को छोड़ दो और एशिया के दूसरे मुक्तों से हट जाओ ? बस मेरे ये चार सवाल हैं।

THE DEPUTY MINISTER IN THE
MINISTRY OF EXTERNAL AFFAIRS
(SHRI SURENDRA PAL SINH): Mr. Chair-
man, Sir, I have listened to the speech of
the hon. Member, Shri Somani, and to the
questions which have been asked by other
hon. Members and I still fail to under-
stand why the hon. Member thought it
necessary to raise this discussion, speci-
ally on a subject which was very thoro-
ughly dealt with on the 25th February
last when this matter was taken up in the
form of a starred question. No. 61. In

[Shri Surendra Pal Singh]

the main reply to that starred question, and in the replice to the supplementaries which were raised by hon. Members afterwards the position of the Government of India was made very clear. The matter regarding this particular pamphlet was also made very clear. I do not understand what further clarification or elucidation is necessary from our side. However, since the Members have considered this question to be rather important and have raised many issues, it is my bounden duty to try and give a brief expose of the Government's position on this matter.

The central issue is this pamphlet which is alleged to have been published from Hanoi. When we came to know of this matter from the press report round about the 7th or 8th January, we made inquiries locally as well as through our Consul General in Hanoi to find out whether such a pamphlet or publication had been issued by anybody in Hanoi. To our inquiries through our Consul General in Hanoi we were told by the Hanoi Government that they had no hand in it; no official or any kind of agency had published it from Hanoi. We also made inquiries in Calcutta and other places in India to find out if there was some agency in this country which was printing or distributing it in this country. Our inquiries reveal that this was not done in this country; nor could we get hold of any copy of this particular pamphlet. It is rather significant because if this pamphlet had been published by some agency either in this country, or abroad and brought into this country, surely more copies would be available in this country. But despite all our efforts we could not find even one and we got a copy subsequently only through the courtesy of the Swatantra Party office. I would very much like to ask my hon. friend, Shri Somani, to tell us about the source through which he got the pamphlet himself.

SHRI N.K. SOMANI : You do not deserve that.

SHRI SURENDRA PAL SINGH : My main point is that we were disturbed when we read this publication and the report in

the press and we tried our very best to find out from where this pamphlet came, whether it can from Hanoi or from any source in India. I assure you sir, that despite all our efforts we have not succeeded in finding out the place whether it was printed and distributed.

SHRI N.K. SOMANI : Let the CBI go into it.

SHRI SURENDRA PAL SINGH : Proper inquiries were made and are being made even now. We are concerned about this kind of publication and would like to prevent its circulation if possible. I would like to assure the House that inquiries will continue and we will find out the source. We will not let any external or internal agency come in the way of our relations with DRVN. Our relations with Hanoi are very friendly and we will see that they are not disturbed by anybody.

SHRI R.K. AMIN : What is the report of our Consul General in Hanoi ?

SHRI SURENDRA PAL SINGH : I have said that we inquired through our Consul General also. He took up this matter with the DRVN Government and made inquiries on his own. He could not trace the source of this pamphlet. They have a foreign languages publishing agency or something like that in Hanoi. Our Consul General also made inquiries from this publishing agency. They denied having any connection what it whatsoever. The Hanoi Government itself said the same thing. We inquired from their Consul General in Delhi and he also said the same thing. When there is a controversy between what appears in the press and what is stated by the Government of a friendly country, we have to accept the explanation of friendly government.

SHRI PILOO MODY (Godhra) : I do not know whether the Minister, when he made the statement that our relations with the North Vietnamese people are very friendly, is aware of what the official line of the North Vietnamese Government is *vis-a-vis* our Kashmir problem.

Is he aware of the fact as to what has been printed in newspapers in North Vietnam about the right of self-determination that the Kashmir is enjoy and should be given and is he aware of the fact that the policy that was enunciated several years ago....

19. hrs.

MR. CHAIRMAN : All these questions had been raised already by your friend, Shri Somani.

SHRI SURENDRA PAL SINGH : In the past also, the Government have given replies to all these questions.

Sir, I was dealing with the question of inquiry. The inquiry has been made and still being made to find out who printed the pamphlet and how it came to be circulated.

SHRI RABI RAY (Puri) : When will you complete the inquiry ?

SHRI N.K. SOMANI : I have given you the exact name and address.

SHRI SURENDRA PAL SINGH : We tried to find out from that place also, in Calcutta, but we failed to get any copy from the publishers. They also said that they had not printed it nor did they have even a single copy with them. This is the main point that was raised by the hon. Member.

Then, some other matters were also raised by the hon. Member about Radio Moscow and Radio Peace and Progress. It was said by the hon. Member that all kinds of critical references are made against India by other countries on the radio and that we never protest against it and that our policy is supine and weak—knead. These are really matters which do not arise out of this particular discussion. But all the same, I might tell the honourable House that it is not so. We are not supine in our policy nor are we weak-

knead nor we are under any pressure of anybody. India follows her own independent policy.... (Interruption) Whenever any critical or adverse references are made in regard to our policy, those matters are taken up with the Governments concerned and things are clarified.

About the Radio Moscow, we have made the point very clear. It is true that Radio Peace and Progress has made certain critical references to political parties as well as to some personalities. We have brought it to the notice of the Russian authorities that this kind of thing is likely to create misunderstanding between their country and our selves that it is not proper for them to do that and that it will not help in strengthening our relations. We have asked them to approach the particular organisation and ask them to desist from doing this. They have said that it is an autonomous organisation....

SHRI PILOO MODY : It continues. It also happens in the case of Radio Moscow.

SHRI SURENDRA PAL SINGH : This point about Radio Moscow was raised a few days back and I said on that occasion also that whatever they have said about political parties, it is something to which we cannot really take objection. There is only one thing which objectionable and that is their reference to the Supreme Court judgment. That is something which the hon. Minister has already clarified that we do take objection to that.... (Interruptions)

SHRI N.K. SOMANI : Has the Soviet Charge—d'affaires apologised or told you that no further reference to our judiciary or to our internal system will take place ?

MR. CHAIRMAN : This is not the subject under discussion. (Interruption)

SHRI R.K. AMIN : Does he accept the importance of finding out the origin of the pamphlet and, if so, what action does he propose to take ? Would he ask the C.B.I. to make an inquiry ?

SHRI SURENDRA PAL SINGH :
The C. B. I. has already made certain
enquiries into the matter. I am sure,
further enquiries will be made by them
as to who printed the pamphlet and how
it came to be circulated and all that. We
are ourselves very anxious about it.

adjourned to meet again on Monday at
11 A.M.

19.05 hrs.

*The Lok Sabha then adjourned till Eleven
of the Clock on Monday, May 4, 1970/
Vaisakha 14, 1892 (Saka)*

MR. CHAIRMAN : The House stands