

MR. DEPUTY-SPEAKER: The 17.22 hrs  
question is:

"That the Schedule, as amended, stand part of the Bill."

*The motion was adopted.*

*The Schedule, as amended, was added to the Bill.*

Clause 1.—Short Title and Commencement

*Amendment made*

Page 2,—

for lines 9 and 10, substitute—

"(1) It shall be deemed to have come into force on the 23rd day of June, 1981." (12).

(Shri Charanjit Chanana)

MR. DEPUTY-SPEAKER: The question is:

"That Clause 1, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 1, as amended, was added to the Bill.*

MR. DEPUTY SPEAKER: The question is:

"That the Enacting Formula the Preamble and the Title stand part of the Bill."

*The motion was adopted.*

*The Enacting Formula, the Preamble and the Title were added to the Bill.*

SHRI CHARANJIT CHANANA: I beg to move:

"That the Bill, as amended, be passed."

MR. DEPUTY SPEAKER: The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) BILL—  
*Contd.*

MR. DEPUTY-SPEAKER: We will now take up further consideration of Salary, Allowances and Pension of Members of Parliament (Amendment) Bill.

Shri Ramavatar Shastri was on his legs. The total time allotted is one hour. We have exhausted 42 minutes. We have to see that we complete it within one hour. Shri Ramavatar Shastri.

श्री रामावतार शास्त्री: (८८-१) :  
उपाध्यक्ष जी, संसद सदस्य वेतन, भत्ते तथा पेंशन विधेयक जो सरकार ने 1954 में बनाया था, उस में संशोधन करने के लिये एक छोटा सा संशोधन विधेयक लाया गया है। इस विधेयक से किसी का मतभेद नहीं हो सकता। लेकिन इस विधेयक का समर्थन करते हुए मैं तीन बातें प्रस्तुत करना चाहता हूँ।

पहली बात तो यह है कि इस विधेयक के जरिये सरकार उन भूतपूर्व संसद सदस्यों को भी पेंशन देना चाहती है और कम से कम तीन सौ रुपये पेंशन देना चाहती है जिन की पांच साल की अवधि में से साठ दिनों की कमी रह गयी है यानी चार साल दस महीने तक भी अगर कोई सदस्य इस माननीय सदन का सदस्य रहा हो तो उस को भी तीन सौ रुपये पेंशन पाने का हक है। लेकिन मैं इसी के क्रम में यह निवेदन करना चाहूंगा कि इस सदन के ऐसे भी सदस्य हैं जो पहले इस सदन में आ चुके हैं और जिन की अवधि पांच साल पूरी नहीं हुई है, काफी समय उस में रह गया क्योंकि 1970 में जो उस समय की प्रधान मंत्री थीं, श्रीमती इन्दिरा गांधी, उन्होंने चौथी लोक सभा को विघटित कर दिया और 15 महीने पहले विघटित कर दिया। तो जो बिचारे उस समय पांच साल के

लिए सदस्य चुन कर आये थे और जो कि प्रधान मंत्री जी की कलम की एक नोक पर सदस्य नहीं रहे, उन का क्या कसूर है जो उनको आप पेंशन पाने से अलग रखना चाहते हैं महत्त्व रखना चाहते हैं ? इसी तरीके से 1979 में श्री चरण सिंह ने छठी लोक सभा को भंग कर दिया। उस में भी जो सदस्य चुन कर आये थे उन का भी क्या कसूर था, क्या दोष था ? तो आप उन को देना नहीं चाहते है। मैं समझता हूँ कि जो लोग इस सदन में आए और जिन्होंने इस सदन के जरिए जनता की सेवा की, उन को आप इस सुविधा से पेंशन की सुविधा से वंचित न रखे और 5 साल या 5 साल से 60 दिन काम की सीमा भी नहीं रखनी चाहिए, इस सीमा को खत्म कर देना चाहिए।

दूसरी बात मैं यह कहना चाहता हूँ कि भूतपूर्व संसद-सदस्यों को आप 300 से 500 रुपए तक पेंशन दे रहे हैं, इस को बढ़ाना चाहिए। मौजूदा संसद-सदस्यों ने तो अपना बड़ा लिया, लेकिन जो बेचारे भूतपूर्व सदस्य हैं, उन की राशि में भी वृद्धि की जानी चाहिए। इस 300 और 500 की सीमा को आगे बढ़ाएं। मंहगाई जिस प्रकार वर्तमान सदस्यों के लिए बढ़ रही है, उसी प्रकार भूतपूर्व सदस्यों के लिए भी बढ़ रही है। जब आप भूतपूर्व सदस्य हो जाएंगे तो यह वृद्धि आप पर भी लागू हो जाएगी।

अंत में मैं यह कहना चाहता हूँ कि हमारे भूतपूर्व सदस्यों में ऐसे बहुत से सदस्य हैं जो स्वतन्त्रता-संग्राम सेनानी भी हैं और जिन्होंने स्वतन्त्रता संग्राम में बहुत बहादुरी के साथ भाग लिया है। अभी जो बेलन-भत्ते का वर्तमान कानून है, उस में यह प्रावधान है कि 500 रुपये से अधिक कोई पेंशन नहीं ले सकता, यह आपने सीमा लगा दी है। इस सीमा के रहते हुए स्वतन्त्रता संग्राम सेनानी, जो भूतपूर्व संसद सदस्य भी हैं, उन का स्वतन्त्रता-सैनिक सम्मान पेंशन नहीं मिल रहा है। आप इस प्रकार का

संशोधन कीजिए कि वे भी स्वतन्त्रता सैनिक सम्मान पेंशन के अधिकारी बन जाएं। उत्तर प्रदेश में जो विधायक हैं, उनको दोनों पेंशन मिल रही हैं, लेकिन संसद सदस्य को, स्टेट-पेंशन तो मिलती है, लेकिन भारत-सरकार की स्वतन्त्रता-सैनिक-सम्मान-पेंशन नहीं मिलती। इसलिए आपको ऐसा उपाय करना चाहिए कि उनको भी स्वतन्त्रता-सैनिक-सम्मान-पेंशन मिल सके। कहते हैं कि ऐसा करने में कुछ कठिनाई है—वह यह है कि दो पेंशन कैसे मिलेंगी ? इसका रास्ता सरकार को निकालना चाहिए। अगर पेंशन शब्द से आपको एतराज है तो मेरा सुझाव है कि इसको 'स्वतन्त्रता-सैनिक-सम्मान-वृत्ति' कर सकते हैं। यह पेंशन कोई कानून बनाकर तो दी नहीं थी, बल्कि, प्रशासनिक आदेश से आपने दी थी, तो इसमें संशोधन करने में कोई कठिनाई नहीं होगी। इस प्रकार जिन अधिकाधिकारियों को पेंशन शब्द से एतराज है, उसका समाधान भी हो जाएगा।

इसी प्रकार से 500 की सीमा को भी बढ़ाना चाहिए, इससे ज्यादा लोगों को फायदा होगा और जैसा कि आपकी मंशा है, उसके अनुसार आप कार्य कर सकेंगे।

**श्री फूल चन्द बर्मा (शजापुर) :** अभी शास्त्री जी जो कह रहे थे, उनकी बात से, उनकी भावना से मैं पूरी तरह सहमत हूँ। मैं मंत्री महोदय से एक बात कहना चाहता हूँ। वह एमेंडमेंट साठ दिन का लाए हैं। मैं समझता हूँ कि इसके पीछे भी राजनीतिक भावना के ही दर्शन होते हैं। ऐसा प्रतीत होता है कि राजनीतिक चश्मे से उन्होंने ऐसा करते हुए काम लिया है। पहली, दूसरी और तीसरी लोक सभा में उनकी पार्टी के बहुत ज्यादा लोग चुन कर आए थे और जो विरोधी दलों के लोग चुन कर आए थे

[श्री फूल चन्द्र वर्मा]

उनको उंगली पर गिना जा सकता था। जो चौथी लोक सभा थी और जिसका कार्यकाल पांच साल था—

MR. DEPUTY SPEAKER: Whatever it is, some people are going to be benefited. Why do you oppose it? For everything you bring in political motivation.

AN HON. MEMBER: Why deprive others?

MR. DEPUTY SPEAKER: Some people are getting it, some concession.

श्री फूल चन्द्र वर्मा : चौथी लोक सभा को उसका पांच साल का कार्यकाल समाप्त होने के पहले चार साल के अन्दर भंग कर दिया गया था। भंग करने के कारणों में आप जाएंगे तो आपको पता लग जाएगा कि उस वक्त सत्तारूढ़ दल की श्रीमती इंदिरा गांधी प्रधान मंत्री थी और उनकी पार्टी के अन्दर उनका विरोध बहुत ज्यादा हो रहा था। पहले उनकी पार्टी के लोग बहुत ज्यादा संख्या में जीतकर आए थे इसलिए मंत्री मण्डल ने साठ दिन का प्रावधान किया और इसलिए भी इसको किया है ताकि चौथी लोक सभा में जो सदस्य जीतकर आए थे और जो श्रीमती इंदिरा गांधी के विरोधी थे चाहे उनकी पार्टी के हों या उनके विरोधी हों, उनको यह पेंशन न मिल सके। इस वास्ते मैं कहना चाहता हूँ कि राजनीतिक चश्मे से आपको इसको नहीं देखना चाहिये। भूतपूर्व संसद सदस्यों के मामले में राजनीतिक चश्मे का उपयोग आप न करें। यह स्थिति कल को आप पर भी लागू हो सकती है।

शास्त्री जी ने कहा है कि मंहगाई बीमारी संसद सदस्यों के लिए हो नहीं बढ़ रही है बल्कि भूतपूर्व सदस्यों के लिए

भी बढ़ रही है। मैं चाहता हूँ कि जो भूतपूर्व संसद सदस्य हैं उनको सेना का चार साल या तीन साल अवसर मिले। हो उसको आप पूरी टर्म मानें। जनता उनको पांच साल के लिए चुन कर भेजती है। लेकिन सत्ता की हांड में, दाव-पेच में, कुर्सी की खींचतान में, चाहे वह जनता पार्टी की तरफ से या सत्तारूढ़ कांग्रेस पार्टी की तरफ से हो पार्लियामेंट को जब भंग कर दिया जाता है तो उसमें संसद सदस्यों का कोई दोष नहीं रहता है। वह तो सामाजिक और राजनीतिक कार्यकर्ता होता है और पूरा जीवन इस कार्य में देता है। जीवन की संख्या में जब उसको सहारे की जरूरत होती है तब उसको सहारा देना हम सबका कर्तव्य है। राजनीतिक चश्मे से इस मामले में काम नहीं लिखा जाना चाहिये। ऐसा करना उनके साथ न्याय बरना नहीं होगा। साठ दिन के बजाय मैं चाहता हूँ कि एक टर्म में रखा जाना चाहिये।

मैं यह भी चाहता हूँ कि भूतपूर्व सदस्यों को कम से कम सैकिन्ड क्लास का रेल का पास दिया जाना चाहिए। संसद सदस्य वे भले ही न रहे लेकिन सामाजिक कार्यकर्ता तो वे होते हैं। उनको इससे वंचित करना उनके स्टैंचर को कम करना है। उनका देश के विभिन्न भागों में जाना पड़ता है। समाज की और देश की सेवा करने का उनकी अवसर मिलना चाहिये। इसलिए सैकिन्ड क्लास क्लास का फ्री पास उनको दिया जाना चाहिये।

जब वे बीमार होते हैं तो मैडिकल सहायता उनको निःशुल्क मिलनी चाहिये।

यह अपूर्ण जिन है। सरकार को चाहिये कि वह एक कम्प्रेहेंसिव बिज लाए। चाहे वर्तमान संसद अवस्य हों

का भूतपूर्व संसद सदस्य हो उनको सुविधाएँ देने के मामले में हमको दूसरे देशों की प्रशासनिक संस्थाओं का तुलनात्मक अध्ययन करना चाहिये, ब्रिटेन, फ्रांस, स्विटजरलैंड, अमेरिका की इन संस्थाओं के साथ तुलनात्मक अध्ययन करना चाहिये और वहाँ जा सुविधाएँ मिलती हैं उनको ध्यान में रखकर सुविधाएँ यहाँ भी देने पर विचार करना चाहिये। ऐसा आपने किया था वर्तमान तथा भूतपूर्व संसद सदस्यों के साथ आप न्याय करेंगे।

अन्य में मैं इतना ही कहना चाहता हूँ कि 60 दिन की अवधि को आपको हटा देना चाहिये और इसको एक दर्जे में सबबल कर देना चाहिये ताकि बाकी जो बचे हुए लोग हैं, पुराने हमारे साथी हैं, उनको भी इस सुविधा का लाभ मिल सके।

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUBBAIAH): Mr. Deputy Speaker, Sir, unfortunately this Bill was getting postponed from time to time. There are several Hon. Members, ex-Members of Parliament, who will get the benefit of this Bill. So, I was very anxious that this Bill should go through so that those people, those ex-Members of Parliament, could get the benefit of this Act.

I entirely agree with Shri Ramavatar Shastri's sentiments. His is an overnight speech. He was speaking on previous occasion also. He made certain valuable suggestions. Some Hon. Members have said that this Bill has been brought with a political motive. I strongly repudiate their allegation. It is Mrs. Gandhi who recognised the freedom-fighters and granted pension to them. The freedom-fighters are in all Parties. The illustrious example is provided by Mr. Ramavatar Shastri himself who is sitting before me...

श्री कूल चन्व वर्मा : आपका एक दर्जे करने में क्या एतराज है ?

MR. DEPUTY-SPEAKER: He is not yielding.

SHRI P. VENKATASUBBAIAH: The illustrious example is Mr. Ramavatar Shastri, the freedom-fighter, who fought for the emancipation of the country. He is a freedom-fighter sitting before us. Government has not deprived him of the freedom-fighter's pension. So, to say that it is politically-motivated is far from correct.

श्री कूल चन्व वर्मा : उतका इससे कोई संबंध नहीं है। 60 दिन और एक दर्जे की बात है।...

(इशवाधान)

MR. DEPUTY-SPEAKER: You have already spoken. If you are getting up like this every now and then, how can he reply? Should he not reply to the points raised? Please sit down. This is not the way how we should conduct ourselves in Parliament. Would you not like to hear the Government's point of view?

SHRI P. VENKATASUBBAIAH: Another point made by Mr. Ramavatar Shastri is with regard to the difficulty that is being faced by such of those freedom-fighters who are ex-Members of Parliament also. Recently I had convened a meeting of our Secretary, Department of Parliamentary Affairs, and the concerned Joint Secretary in the Ministry of Home Affairs to see whether any way can be found out without having the trouble of coming before the House to amend the Act. Shri Ramavatar Shastri has suggested that 'pension' can be substituted by another word. We are actually working on that. We hope that a way-out would be found notwithstanding some of the objections that are put forward by the bureaucracy.

[Shri P. Venkatasubbaiah]

Hon. Members, when this Bill was discussed, have placed several points of view before this hon. House. I will start with Mr. Bapusaheb Parulekar...

SHRI JYOTIRMOY BOSU: The Department does not function.

SHRI P. VENKATASUBBAIAH: Only with the stimulation given by Mr. Jyotirmoy Bosu it functions!

Shri Bapusaheb Parulekar has said that the pension that is being given in Western countries starts only when the Member is 60 or 65 years of age. He has said that, if a Member of Parliament in our country is elected at the age of 26 years and if he retires as a Member at the age of 30 years, then throughout his life he will be entitled to the pension. We cannot compare the conditions in the Western countries with those in our country. After all, our life expectancy has now only gone up to 52. Therefore, we should not compare ourselves with the conditions prevailing in Western countries.

Another suggestion he has made is that an ex-M.P. gets his salary or is entitled to any remuneration from the Central/State Government. Section 8(a) (ii) and (iii) of the Act restricts the entitlement of pension in cases where an ex-M.P. gets his salary or is entitled to any remuneration from the Central/State Government.

A suggestion has been made by the hon. Member to restrict the pension of former Maharajas and High Court judges. Every Member of parliament is enjoying the same rights and privileges as a Member of Parliament, but if there are former Maharajas and judges who become Members of Parliament, this is a matter which has to be considered. But, in my personal opinion, I would only say this: there are several freedom-fighters, who are well-off, who refused to take pension from the Government even though the pensions were sanctioned. In Andhra Pradesh, I know when the land had been allotted to the freedom fighters, there were illustrious people

who said that they were well off and that they did not require the pension or land given by the Government. So, there cannot be any discrimination as between one ex-M.P. and another. I can only appeal to the good sense that if they are well-off, they can as well refuse to take the pension from Government. Sir, my hon. friend, Shri Namgyal from Jammu and Kashmir made a very valid point that elections will be held in that snowbound area after some time. Shri Vir Bhadra Singh also comes from a similar area where after the general elections, the elections to these constituencies will be held after five to seven months. So, they wanted that this anomaly should be corrected. They cannot be discriminated as against other members. This Bill is restricted to the grant of pension. I would only assure the hon. Members that when Government proposes to bring forward a comprehensive Legislation before the House, their valid and genuine point would be taken into consideration.

Some other hon. Members have made some other suggestions. They are with regard to facilities to be provided to the Members such as free steamer facilities to visit Andaman and Nicobar Islands and free travel facilities by rail by spouses and also by other members of the family and facilities of jeep while touring their constituencies, improving the conditions of the M.Ps.' flats, provision of free furnished accommodation and free of charge water and electricity facility and facility of P.As. These are not very much relevant to this Bill. As I have submitted earlier, when Government proposes to bring forward a comprehensive legislation—one important thing is that our Parliamentary Affairs Minister happens to be in charge of Works and Housing also and I am sure he will take note of these facilities to be provided to the hon. Members—these will be taken note of.

About the enhancement of pension, Shri Ramavatar Shastri mentioned this that since Members' salaries and allowances have been enhanced, why not in the same stretch the pension of

ex-MPs. also be enhanced. On this point, I will not be able to say anything. But, these will receive the necessary consideration at the appropriate time.

With these few words, I would request the hon. Members to adopt this Bill unanimously. There is no controversy involved in this Bill. I would only request them to pass this Bill unanimously so that our brethren who were there previously—I know Shri Ramavatar Shastri had been feeling and I heard his experience when he was not a Member of Parliament as to how this salary of Rs. 500 had helped him also—may not have the difficulties. I myself had some experience though it was for a short time. Though I was not a Member of Parliament, I was entitled to Rs. 500/- and I had no difficulties since I was getting pension. The other people feel the difficulties and so they should be removed and we have to see that those members get salaries as other Members of Parliament get. With these few words, I again request that the Bill be taken into consideration.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: Now we shall take up Clause by Clause consideration. I think there are amendments to Clause 2. Are you moving?

Clause. 2—Amendment of Section 8A

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 1,—

for lines 11 to 16, substitute—

"Provided that with effect from the commencement of the Salary,

Allowances and Pension of Members of Parliament (Amendment) Act, 1981, any person who has served as a Member of Parliament for the life of a particular House of the People. (Lok Sabha), notwithstanding the fact that the life of that House was cut short by dissolution earlier than five years shall also be paid a pension of three hundred rupees per mensem." (1)

SHRI N. K. SHEJWALKAR (Gwalior): I beg to move:

2. Page 1,—

for lines 11 to 16, substitute—

"Provided that with effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1981 any person who has been elected to Parliament and during his first term of Parliament membership has not been able to complete the minimum period of five years either due to the premature dissolution of Lok Sabha or due to any other reason beyond his control, shall also be paid a pension of three hundred rupees per mensem." (2)

SHRI PHOOL CHAND VARMA: I beg to move:

Page 1, lines 14 and 15—

for "for a period which falls short of five years by not more than sixty days"

Substitute—

"for a term of Lok Sabha even if it falls short of five years by any period whatsoever." (3)

श्री रामावतार शास्त्री : यह जो विधेयक है इसमें जो संशोधन हो रहा है पहले उसको मैं पढ़ना चाहता हूँ और फिर मैं जो संशोधन चाहता हूँ उसको आखिर में पढ़ूँगा । इसमें यह है कि -

[श्री रामावतार शास्त्री]

“परन्तु संसद सदस्य वेतन, भत्ता और पेंशन अधिनियम, 1981 के प्रारम्भ से ऐसे व्यक्ति को भी जिसने पूर्ववर्ति रूप में ऐसी अवधि तक सेवा की है जो पांच वर्ष से अधिक से अधिक 60 दिन कम है, 300 रुपये प्रति मास पेंशन दी जायेगी।”

यह है सरकार का संशोधन।

इसके स्थान पर मैं जो संशोधन पेश करना चाहता हूँ वह इस प्रकार है :

“परन्तु संसद सदस्य वेतन, भत्ता और पेंशन अधिनियम 1981 के प्रारम्भ से ऐसे किसी व्यक्ति को भी जिसने किसी विधि ट सीक सभा की अवधि तक इस बात के होते हुए भी कि उस सभा की अवधि पांच वर्ष के पूर्व विघटन द्वारा कम कर दी गई थी, संसद सदस्य के रूप में सेवा की है, तीन सौ रुपये प्रति मास पेंशन दी जायेगी।”

MR. DEPUTY-SPEAKER: Mr. Shejwalkar—if you read the amendment, it will be sufficient. Please help me.

SHRI N. K. SHEJWALKAR: Sir, I will not read it. I will just say something about it. Actually my amendment is this. While this benefit is being restricted to persons and MPs. who are only short of 60 days, my submission is this. Once he has been a Member of Parliament here for one term this advantage should be given to him. Regarding my reservations, I will make them clear when this question comes up. So far as the merits are concerned, as to what amount should be given, what amount should not be given, as to who are the others and so on, I have my personal reservations regarding the original Act for giving pension to Members of Parliament. But that is a different matter.

Here one anomaly is there and it is this. When it comes to condonation of only 60 days, now, that difference can be made up in two terms also while that is not the intention of the Act. For example, if a Member, in the first term completes only 2 years and in the second term does 2 years and 10 months only, even then, he becomes eligible for pension according to the amendment, but I don't think this is the intention of the present amendment. It is available to a Member who is short by 60 days in one term only. And this Bill is being brought just to remove that particular anomaly. When a Parliament Member is elected he takes his oath, after that he then continues to be a Member till the next election. Therefore, it is meant for one term. It is not meant for two terms. But by this amendment it will be for two terms. This is the thing which I want to bring to the notice of the hon. Minister. You can put it in the way you like, but that is not the intention of the Act as I see it.

The second point which I am pressing is this. After all, why make it 60 days? Why not make it one year? What is the purpose of condoning these 60 days? There must be some reason for it. My reasoning is that for no fault of the Member if his term is shortened, he should be given the benefit of minimum pension. But that has not been made clear. Therefore, I am pressing my amendment which I have already moved. And I request the hon. Minister to consider my amendment seriously and accept the same. With these words I conclude. Thank you.

श्री कृष्ण चन्द शर्मा : उपाध्यक्ष, महोदय, मेरा भी संशोधन मन्त्रनीय शास्त्री जी और शेजवलकर जी से मिलता जुलता है। अभी मंत्री महोदय हमारे पहाड़ी इलाके से आने वाले जो माननीय सदस्य हैं, नामग्याल जी, उनकी भाषण कोट कर रहे थे। माननीय मंत्री जी ने कहा था कि सारे देश का चुनाव होने के 6-7 महीने बाद



पहाड़ी इलाके के चुनाव होते हैं। मैं निवेदन करना चाहूंगा कि आपने इस बिल के अन्दर 60 दिन की अवधि रखी है लेकिन 80 के अन्दर जो संसद सदस्य लोकसभा के लिए चुनकर आए हैं उसमें पहाड़ी इलाके से जो आए हैं वह भी 6-7 महीने बाद चुनकर आए हैं तो इस लोकसभा की टर्म पूरी होने के बाद मंत्री महोदय स्पष्ट करें कि 7 महीने के बाद जो चुनकर आए उनकी अवधि का क्या होगा? उनको पेंशन मिलेगी या नहीं अगर वह दोबारा चुनकर नहीं आते? इसलिए सरकार से मेरा आग्रह है कि इसको प्रतिष्ठा का प्रश्न न बनाते हुए और किसी राजनीतिक आधार पर इसका निर्णय न लेते हुए इसके बारे में गंभीरतापूर्वक उनको विचार करना चाहिए। मैं सरकार की भावना से सहमत हूँ, सरकार कोशिश कर रही है। लेकिन हमारा यह कहना है कि 60 दिन का जो तर्क माननीय मंत्रीजी ने दिया है उसके पीछे ऐसी कोई बात नहीं कही कि 60 दिन रखने का तर्क क्या है? मैरिज समझ में नहीं आता किस ज्योतिषी ने 60 दिन की बात बता दी है। जिसके आगे 61, 62 या 63 दिन नहीं हो सकते। इसलिए इसके बारे में आपको गंभीरतापूर्वक विचार करना चाहिए। जो पहाड़ी इलाकों के सदस्य सदस्य हैं या जो अण्डमान निकोबार से आते हैं उनके संबंध में भी आपको विचार करना चाहिए। कई बार मौसम की खराबी के कारण वहाँ पर समय से चुनाव नहीं किए जा सकते हैं। अभी अभी गढ़वाल में मौसम की खराबी के कारण चुनाव डिक्लेयर नहीं हो पा रहा है। तो इन सारी बातों पर भी आपको गंभीरतापूर्वक विचार करना चाहिए।

**SHRI P. VENKATASUBBALAH:**  
Sir, this point has been made time and again. About 60 days, we have already explained that a line has to be drawn somewhere. Even with regard

to the sanction of pension to the freedom fighters, we have kept the limit of six months in prison. Then only they are entitled to have pension. In this connection I may again quote what Mr. Raghuramiah, the then Minister of Parliamentary Affairs had said:

"Mr. Indrajit Gupta and his friends were asking what about the Members of the 1967-71 Lok Sabha? My great sympathies are with them: we fully sympathise with them. There is a difficulty here. There must be a limit somewhere. Even in the case of freedom fighters, the normal rule is that one should have been in prison for six months. Then what happens to the person who was in the prison for three months only? A line must be drawn somewhere. Suppose God save this country—in the year 2000 A.D. Parliament is dissolved after two days, then what happens? If I say 'for a term' irrespective of the number of years, that means, for two days also, you will have to pay life-time pension. That will not happen in our life-time because we are stable, we are selected by intelligent people and we continue for a long time. But it can happen theoretically. Therefore, a line must be drawn somewhere."

So, this is the answer I can give by quoting Mr. Raghuramiah. A line has to be drawn some where and therefore here this period of 60 days has been put.

**SHRI N. K. SHEJWALKAR:** Sir, the Member is not responsible for that. Suppose in Assam elections are not being held now. But tomorrow if elections are held, the elected Members will be deprived of this benefit. I would therefore request you to consider my amendment.

**MR. DEPUTY-SPEAKER:** I will now put together all the Amendments to Clause 2 to the vote of the House.

Amendments Nos. 1, 2 and 3 were put and negatived.



MR. DEPUTY-SPEAKER: The question is:

"That Clause 2 stand part of the Bill."

*The motions was adopted.*

*Clause 2 was added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI P. VENKATASUBBAIAH: I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

*The motion was adopted.*

17. 54 hrs.

**ANTI-APARTHEID (UNITED  
NATIONS CONVENTION)  
BILL—Contd.**

THE MINISTER OF EXTERNAL  
AFFAIRS (SHRI P. V. NARASIMHA  
RAO): I beg to move:

"That the Bill to give effect to the International Convention on the Suppression and Punishment of the Crime of Apartheid, be taken into consideration."

Sir, the purpose of this Bill is to give effect to the provisions of the International Convention on the Suppression and Punishment of the Crime of Apartheid of 1973, to which India acceded with effect from 22nd October, 1977, in particular to Articles II and III thereof as set out in the Schedule to the Bill, which respectively define the crime of Apartheid and apply international criminal responsibility, irrespective of the motives involved, to individuals, members of organisations, institutions, etc. who commit

the said crime. The Bill also seeks to make the commission of the said crime punishable with death or imprisonment and fine.

The Hon'ble Members may recall that the Convention and the Suppression and Punishment of the Crime of Apartheid was approved by the United Nations General Assembly on 30th November, 1973 by 91 votes in favour, 4 against with 26 abstentions. India voted in favour of its adoption. The Convention has entered into force on 18th July, 1976.

As a corollary to this, we had to pass a legislation in this country adopting the Convention.

A Bill known as Anti-Apartheid (United Nations Convention) Bill 1978 was earlier introduced in the Lok Sabha on 23rd November, 1978 which was then admitted for consideration and passing by the Lok Sabha. However, the Lok Sabha could not proceed with that Bill during its sessions in 1978 and 1979 due to its heavy schedule. The Bill lapsed as a result of dissolution of the Sixth Lok Sabha in 1979. Hence the Bill was introduced again in Lok Sabha on November 27, 1980 and needs to be considered by Parliament during the present session.

In fact, even in the last session we tried our best to get it accommodated, but, again, because of the heavy schedule, we could not do so. I am glad that now we are able to accommodate this Bill during this session. This is an entirely non-controversial Bill and also something which is totally in line with the policy of the Government; not only the policy, but whatever we have been doing in pursuance of this policy in international for a is in line with this Bill. I would therefore, like the House to consider this Bill and pass it unanimously. There seem to be no amendments also except the consequential amendments to be moved by me in order to change '1980' to '1981' and 'thirty first' to 'thirty second.'