

[भाचार्य भगवान दत्त]

सम्बन्ध में मैं गृह मंत्री जी से कह दूँ— आपने कहा है कि 50 हजार का नुकसान हुआ है, कितना नुकसान हुआ है इस को आप देखिए, लेकिन मैं एक सुझाव देना चाहता हूँ—जिन लोगों ने अपराध किया है, तोड़-फोड़ की है, कानून को तोड़ा है और जो गिरफ्तार हुए हैं—मदि यह साबित हो कि वे गुण्डे हैं तो उन गुण्डों की सम्पत्ति को जब्त कर के जिन का नुकसान हुआ है उन के नुकसान की भरपाई कराई जाय। हम हुकूमत के कोष से क्यों दें ? उन गुण्डों की सम्पत्ति को जब्त किया जाये और उस सम्पत्ति से जिन का नुकसान हुआ है उनको मुआवजा दिलाया जाय। लेकिन इस बात में कोई तथ्य नहीं है कि कांग्रेस (आई) की तरफ से ऐसा हुआ है। ये सारी शरारतें विरोधी पार्टियों के लोग कर रहे हैं।

मैं गृह मंत्री जी से प्रार्थना करूँगा कि अल्प-संख्यक लोगों की रक्षा करने की जवाबदारी कांग्रेस (आई) ने ली है। श्रीमती इन्दिरा गांधी और उन के सैनिक कभी नहीं चाहेंगे कि हमारे किसी भी प्रान्त में दूसरे प्रान्त के किसी भी क्रीम या भाषा के बोलने वाले व्यक्ति को परेशान किया जाये। क्या आप इस प्रकार के क्रुद्ध उठाना चाहते हैं कि जिन लोगों का नुकसान हुआ है उन की भरपाई हो सके और जिन लोगों ने तोड़-फोड़ की है उन से उस नुकसान को वसूल किया जाय।

श्री योगेन्द्र भक्तवाना : माननीय सदस्य ने जो बातें कहीं हैं, मैं उन से सहमत हूँ। उन की काफ़ी बातों में सच्चाई है, लेकिन यह नहीं हो सकता है कि उनकी सम्पत्ति को जब्त कर के उसमें से मुआवजा दिया जाय। मैंने कहा है—39 लोगों को एरेस्ट किया गया है, उन पर केसेज चलाये पायेंगे और जो हमारे कानून में लिखा हुआ है, इण्डियन पीनल कोड

की धाराओं के मुताबिक जो भी दण्ड उन को दिया जा सकता है, वह दिया जाएगा।

18.41 hrs.

BUSINESS OF THE HOUSE

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS SHRI P. VENKATASUBBAIAH: With your permission, Sir, I rise to announce that Government Business in this House during the week commencing 16th March, 1981, will consist of:—

1. Consideration of any item of Business carried over from the Order Paper of today.

2. Discussion on the Resolution seeking disapproval of the Special Bearer Bonds (Immunities and Exemptions) Ordinance, 1981 and consideration and passing of the Special Bearer Bonds (Immunities and Exemptions) Bill, 1981.

3. Discussion on the Resolution seeking approval of the Proclamation issued by the President in relation to the State of Manipur.

4. General Discussion on the Manipur Budget for 1981-82.

5. Discussion and voting of the following demands relating to the State of Manipur:—

(a) Demands for Grants on Account for 1981-82.

(b) Supplementary Demands for Grants for 1980-81.

6. Discussion on the Resolution seeking disapproval of the Delhi Sikh Gurudwaras (Amendment) Ordinance, 1981 and consideration and passing of the Delhi Sikh Gurudwaras (Amendment) Bill, 1981, as passed by Rajya Sabha.

7. Consideration and passing of the

following Bills as passed by Rajya Sabha:—

(i) The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1980.

(ii) The Rampur Raza Library (Amendment) Bill, 1980.

(iii) The Khuda Bakhsh Oriental Public Library (Amendment) Bill, 1980.

SHRI ERA ANBARASU (Chengalpattu): Mr. Deputy-Speaker, I would like to make a special mention about an incident that took place in my constituency at Chengalpattu in Tamil Nadu. (*Interruptions*).

SHRI P. VENKATASUBBAIAH: Why is he raising it now (*Interruptions*).

MR. DEPUTY-SPEAKER: He wants that item to be included.

SHRI P. VENKATASUBBAIAH: He has not given notice. (*Interruptions*).

SHRI ERA ANBARASU: It is there. I have given notice.

It is heart-burning to know the story behind the murder of a Harijan girl which took place at Madurantakam. Everyone here in this House views it with concern when we come to know that the chastity of a young Harijan girl was auctioned for Rs. 500. Harijan girl of Cheiyur Colony, Madurantakam, Chengalpattu District in Tamil Nadu was raped and brutally murdered.

The poverty-stricken innocent Harijan girl went in search of a job and sought the help of the M.L.A. The M.L.A. assured her of a job. His P.A. took her to his house and reped her despite her frantic efforts to get away. When this girl made an alarming noise to bring it to the notice of the M.L.A. and other people, the P.A. pleaded for forgiveness.

MR. DEPUTY-SPEAKER: Mr. Anbarasu, you should not mention the names of the people. Names of the

people will not be allowed to go on record.

SHRI ERA ANBARASU: And the P.A. assured that he will marry her. Thereafter the girl started living with him. After a few days the brothers of the M.L.A. also raped this poor girl.

When the girl brought this brutal act... (*Interruptions*).

MR. DEPUTY-SPEAKER: He simply wants the item to be included. (*Interruptions*).

SHRI ERA ANBARASU: This item should be included in the agenda. Because, I am afraid, the MLA is very powerful and is involved in the case. Justice will not be done to the poor Harijan girl and further I have lost faith in the administration. (*Interruptions*).

MR. DEPUTY-SPEAKER: Please do not mention any names. (*Interruptions*).

SHRI ERA ANBARASU: It is in the interest of justice that this item has to be included. (*Interruptions*).

MR. DEPUTY-SPEAKER: Now, it is over. (*Interruptions*).

SHRI ERA ANBARASU: Mr. Deputy-Speaker I also insist that the Government of India should give some compensation to the bereaved family. (*Interruptions*).

SHRI GEORGE FERNANDES (Muzaffarpur): There are two points which I would like to be included in the next week's business. The first relates to the use of—or the misuse of—because I do not believe that the National Security Act is a legitimate law; it is an illegitimate law and therefore its use necessarily has to be called misuse. This law is being indiscriminately used, as you are very well aware, from Tamilnadu, about which an hon. member was to make a reference just now, where it was used against the leader of the farmers, Mr Narayanaswamy Naidu, when he was on his way to Delhi—he was about to board the aeroplane; he was caught there and taken straight to prison, to

[Shri George Fernandes]

Orissa where a young Harijan student leader Bishnu Das was arrested because he was the Chairman of the Action Committee which was agitating on the Chhabirani rape and murder case. The worst, perhaps the most stupid, misuse of this law is in respect of a young man called Shankar Guha Neogy. He is a trade unionist from Chhatisgarh region—Dalli Rajhara iron ore mines. Now for about a month and more, this young man is in prison, detained under the National Security Act. There is an institution called People's Union for Civil Liberties. This union sent a delegation to Dalli Rajhara and amazing things have come to light in terms of the report which they have produced—wish you give me permission to lay it on the Table or hand it over to the Minister, because the reason why this young man has been detained is because he, among other things, carried on a campaign in that region against the people consuming alcohol. He was able to liberate 25,000 people from consuming alcohol and the excise contractor ganged up with the State Government and the local authorities and got Shankar Guha Neogy arrested. I have cited three specific cases. I could cite 30 cases where people have been arrested and detained under the National Security Act in similar circumstances only because those in authority or the local police official, in the case of a young man in Bhind—hope the hon. Minister of State for Home Affairs will look into it....

MR. DEPUTY-SPEAKER: The item to be included is the National Security Act.

SHRI GEORGE FERNANDES: It is an illegitimate law. Everything under it is misuse; there is no use. So, I would like this matter to be taken up immediately because a large number of innocent people, social reformers, people who are fighting for social reform—for instance, 25,000 adivasis

being freed from the habit of consuming alcohol is something which should have brought about a commendation for Shankar Guha Neogy. Instead, it has landed him in jail, because the excise contractor and the local Government officials and certain people in authority have found that it was going to hurt them. In fact, it has been hurting them. Therefore, I want this matter to come up in the next week's business.

The second issue is something that I referred to in this House yesterday through a special mention under rule 377. This pertains to the setting up of a Bench of the Allahabad High Court in the western districts of U.P. I was expecting the Law Minister to make a statement on that. He has made no statement. On Monday, the 16th there is a bandh in all the western districts of U.P. This is a long-standing demand. For years the people have been agitating. For the last one month, no district court is operating in this region. Young people, workers and other are in jail because there is no magistrate who could give them bail. Cases are not being tried. Meerut jail, Meerut district prison which has a capacity of 800 just now has more than 1100 prisoners for the simple reason that there is no trial going on and those who are arrested cannot secure bail. I want the Law Minister immediately—no, there is nothing about this for the Law Minister—I want the Government immediately to take a decision in this matter and announce it by tomorrow and save us from this bandh in that region on the 16th and most important of all, to see that those who are languishing in prisons just now because all the courts in the western districts are closed, those people are able to come out of the prisons and resume their normal activities. These two issues, I hope he will put on the agenda for next week.

SHRI G. M. BANATWALLA (Ponnani): Sir, I have an important point to place before the Government.

With effect from 1st April, 1981 only such trusts and wakfs would be entitled to exemption from income-tax and wealth tax as would have deposited or invested their funds only in specified assets, as per section 13(i) (a) read with section 13(5) of the Income Tax Act amended in 1975.

The specified forms of assets exclude equity shares and immovable property and are investments all of which yield interests by way of income. Such a mode of investment is contrary to the religion of Muslims and assets of Muslim wakfs, musjids, madrassas, imambaras, etc. cannot, therefore, be so invested. There is thus a serious conflict between the law of the land and the religious law resulting into growing restlessness among Muslims. The Act, therefore, be amended; and pending amendment the enforcement of the provision from 1st April, 1981 be held in abeyance. I urge upon the Government to make a statement assuring immediate action.

SHRI CHINTAMANI PANIGRAHI (Bhubaneswar): It is the most important matter concerning thousands of labourers who are working in the Kistwara area in Jammu & Kashmir State.

On 12th February, a report was sent by the Government of Orissa to the J&K State that five labourers who were taken by the contractors to work in the road construction work in that area, had died and a number of workers had been confined by the contractors there. These contractors have been taking these labourers to work in that region in J&K where the conditions are most difficult and there is abundant snow. They pay them Rs. 4/- a day.

Today it is 13th March. But uptill now, no report has reached as to what happened to those five people who died. And no compensation has been paid. There is such a human exploitation by the contractors by taking labourers in thousands from Orissa to

Jammu & Kashmir. Therefore, I hope, by next week at least, the Government should know as to what had happened to those labourers and whether compensation has been paid. There are 3000 workers who are in the trap of these contractors. They have their musclemen and they do not allow them to come to their home State. I hope, next week the House should know the fate of these labourers.

श्री हरीश चन्द्र सिंह रावत (अल्मोड़ा):
उपाध्यक्ष जी, संसदीय कार्य मंत्री जी ने अगले सप्ताह की कार्यसूची में कई महत्वपूर्ण मुद्दों को शामिल किया है, लेकिन कुछ महत्वपूर्ण मुद्दों, जिन पर चर्चा किया जाना आवश्यक है, उनका उल्लेख नहीं हो पाया है। उनमें जो सबसे महत्वपूर्ण विषय था, जिसको किसी कारणवश पीछे रख दिया गया है। वह विषय था कि हमारे प्रतिपक्ष के लोग जिस तरीके से सारे देश में आंदोलन का वातावरण खड़ा कर के हमारे देश की प्रगति को रोकना चाहते हैं, उस पर चर्चा हो, लेकिन जैसा कि मैंने कहा है कि उसका नम्बर पीछे हो गया, इसलिए जिन चीजों को आपने अलाऊ किया है, उनका उल्लेख करूंगा।

उपाध्यक्ष महोदय, पहली बात है, जवाहरलाल नेहरू विश्वविद्यालय, जिसकी स्थापना महान राष्ट्र नायक नेहरू जी के नाम पर इस उद्देश्य से की गई थी कि यह संस्था देश की एक अभ्रगणीय शिक्षा संस्था के रूप में कार्य करेगी, लेकिन विगत कई वर्षों से यह विश्वविद्यालय विभिन्न राजनीतिक स्वार्थों के टकराव का अखाड़ा बन गया है। न केवल छात्रों में बल्कि अध्यापकों व कर्मचारियों में भी इस प्रकार के स्वार्थपूरक गुट बन गए हैं, जिसके कारण इस विश्वविद्यालय का शैक्षिक वातावरण दूषित हो गया है।

इस विश्वविद्यालय के अध्यापकों का एक यूनियन जिसका नापाक गठबंधन एक

[श्री हरीश चन्द्र सिंह रावत]

अतिवादी संगठन के साथ है, उन लोगों द्वारा वहाँ के कर्मचारियों और छात्रों को अकारण परेशान किया जा रहा है, मारा-पीटा जा रहा है। पिछले दिनों कर्मचारियों की एक संस्था "पी० यू० एफ०" जिसके साथ सभी कर्मचारी हैं, उसके एक सदस्य, जो कि वहाँ पर चौकीदार है, को पीटा गया और इस घटना के फलस्वरूप कर्मचारियों व शिक्षा देने में विश्वास रखने वाले अध्यापकों व शिक्षा ग्रहण करने की भावना से विश्वविद्यालय आने वाले छात्र क्षुब्ध हैं व आतंकित हैं। इस महत्वपूर्ण स्थिति के संदर्भ में जिसके कारण विश्वविद्यालय का वातावरण तनावग्रस्त है, हाउस को शीघ्रातिशीघ्र विचार करना चाहिए। और इस विषय को अगले सप्ताह की कार्यसूची में शामिल करना चाहिए।

मान्यवर, आज सारी दुनिया जानती है कि जनता पार्टी के शासन की अधिकांश नीतियाँ व निर्णय राष्ट्रघाती रहे हैं जिसका परिणाम आज भी सारे राष्ट्र को भुगतना पड़ रहा है। स्वर्ण नीलामी के बारे में नीति भी इसी प्रकार की एक राष्ट्रघाती नीति थी। इस संदर्भ में सारे देश का जन मानस उद्वेलित है। लोग जानना चाहते हैं कि इस नीति से राष्ट्र को कितना नुकसान हुआ है वह किन-किन व्यक्ति विशेषों के लाभ के लिए उस निर्णय का लिया गया। जनता की मांग व संसद् के अग्रह पर 17 मई, 1980 को कमेटी बनाई गई थी जिसकी रिपोर्ट आ गई है। उसमें जनता पार्टी शासन द्वारा इस संदर्भ में बरती गई कई अनियमितताओं का जिक्र है जिस में से कुछ मुख्य इस प्रकार हैं :

स्वर्ण नीलामी का जो निर्णय लिया गया उसकी स्वीकृति मंत्रिमंडल से नहीं ली गई।

दूसरे नीलाम किया गया सोना वह सोना था जिसे हमारी मां बहनों ने 1962, 1965 और 1971 के विदेशी आक्रमण के दौरान रक्षा सेवाओं के लिए हथियार खरीदने के लिए अपने जेवर और गहने के रूप में दिया था। बार-बार जनता पार्टी शासन के दौरान इस शंका को उठाने पर यह बताया गया कि यह सोना अन्य स्रोतों से जमा किया गया सोना है। इस नीलामी का दुष्प्रभाव—रिजर्व बैंक के स्थाई स्वर्ण भंडार पर नहीं पड़ेगा। लेकिन स्थिति इसके त्रिकुल विपरीत है। स्वर्ण की इस भारी नीलामी के वावजूद सोने की कीमतें बढ़ी, स्मलिंग नहीं रुकी जैसा कि जनता पार्टी के शासन में दावा किया गया था। स्वर्ण नीलामी का लाभ मात्र करीब एक दर्जन लोगों को हुआ जब कि जनता पार्टी शासन द्वारा बार-बार कहा गया कि इसका लाभ साधारण स्वर्णकार को होगा।

यह जो रिपोर्ट है यह पूरी रिपोर्ट के नाम से जानी जाती है। इस में एक बहुत घातक कार्य का जर्णन है। मैं प्रार्थना करता हूँ कि संसद् कार्य मंत्री संसद् की भावना को देखते हुए इस महत्वपूर्ण मुद्दे पर अगले सप्ताह विचार किए जाने का अवसर अवश्य प्रदान करें।

श्री बिजय कुमार थाबन (नालन्दा): अगले सप्ताह विचार किए जाने के लिए मैं दो मुद्दे आपकी सेवा में रखना चाहता हूँ। पहला मुद्दा यह है कि लगभग पूरे देश में बिजली का घोर संकट व्याप्त है। बिहार राज्य पर भी इसका भारी असर पड़ा है। किसानों को रोजाना चार घंटे भी बिजली नहीं मिल पाती है। बिजली संकट के कारण अभी से ही पेय जल का महान संकट पैदा हो गया है। उद्योग पर भी इसका प्रतिकूल असर पड़ रहा है।

अतः इसे विचार के लिए, इनसे सप्ताह की कार्यसूची में रखा जाना चाहिए।

दूसरे देश में करीब दस लाख बीड़ी मजदूर हैं। दिनों-दिन बढ़ती महंगाई के कारण उनकी स्थिति अत्यधिक दयनीय हो गई है। उन्हें न तो उचित मजदूरी दी जाती है, न महंगाई भत्ता ही और न ही उनको बोनस दिया जाता है। प्राविडेंट फंड की भी उनके लिए व्यवस्था नहीं है। उन्हें सेवा कांड भी नहीं दिया जाता है और न उनकी सविस् की ही गारण्टी है। इस लिए इस विषय को भी इनसे सप्ताह की कार्य-सूची में रखा जाना चाहिए।

MR. DEPUTY-SPEAKER: Now, Statement by the Railway Minister.

SHRI G. M. BANATWALLA: Sir, what is the response from the Parliamentary Affairs Minister? He can atleast give some assurance to the House.

SHRI P. VENKATASUBBAIAH: Sir if you permit me, I will say something.

MR. DEPUTY-SPEAKER: Yes. You can say.

SHRI P. VENKATASUBBAIAH: Sir, some hon. Members have raised certain points and they wanted that they should be included in the next week's business. Mr. George Fernandes said that the National Security Act is an illegal Act.

SHRI GEORGE FERNANDES: Illegitimate Act.

SHRI P. VENKATASUBBAIAH: Illegitimate or whatever it is. But it has been passed by the sovereign body of Parliament and honourable Mr. George Fernandes is also a Member.

SHRI GEORGE FERNANDES: I opposed it.

SHRI P. VENKATASUBBAIAH: Whether you opposed it or not, it is an Act of the Parliament, it is an Act of the people.

MR. DEPUTY-SPEAKER: That is the law of the land.

SHRI P. VENKATASUBBAIAH: Yes, law of the land. Whether he agrees or not, that is different matter altogether.

Sir, about the points which have been raised, I do not want to go into all these matters, but I should refer to what he has mentioned. Same is the case with Mr. Banatwalla about the Wakf property and also other Members have raised the points.

About this Allahabad High Court having a separate Bench, Shri George Fernandes has mentioned. This will be conveyed to the respective Ministers.

SHRI GEORGE FERNANDES: Sir, I would have raised the issue about the quorum in the House, but I shall not do it. There are only 14 Members present in this House at the moment. I am on a point of order under Rules 372 and 119. Sir, I am assuming that the Minister has come forward with the statement ...

SHRI G. M. BANATWALLA: Sir, when he says that only 14 Members are present and if that goes on record, then you will have to call for a quorum.

SHRI GEORGE FERNANDES: I said, Sir, that I could have made that an issue, but if the Minister says that he will not make the statement today, then I shall not raise the issue. I do not want the Minister to make the Statement.

MR. DEPUTY-SPEAKER: Only if you raise the point about quorum. You are not raising the issue of quorum.

19 hrs.

SHRI GEORGE FERNANDES: I am not. But I am hoping that I will succeed in convincing the Minister that he should not make the statement today. Sir, in the first place we received this Supplementary list of business 15 minutes ago. The House normally sits till 6 O'Clock. At 6.30 p.m. you circulate the list of supplementary

[Shri George Fernandes]

Business telling us that the Minister is going to make a statement. Under what rule is the Minister making a statement now? I am assuming (*Interruptions*). I am assuming that the Minister is making a statement under Rule 372.

Rule 372 reads:

"A statement may be made by a Minister on a matter of public importance with the consent of the Speaker but no question shall be asked at the time the statement is made."

Your direction 119 states—

"If in the course of his speech, a member wishes to lay a paper or document.

"A Minister desiring to make a statement in the House under rule 372 shall intimate in advance the date on which the statement is proposed to be made and also send a copy of the statement to the Lok Sabha Secretariat for the information of the Speaker."

In other words, it is obligatory on the Minister to intimate to the Speaker the date on which he intends to make a particular statement—not the hour and not the minute but the date on which he intends to make a statement and give advance copy of the statement. I am assuming item 9A about the minister making a statement regarding the intensive ticket checking drive recently launched on the Northern Railway arises out of the matter which was raised by us yesterday. Yesterday morning, immediately after Question Hour we raised the question of your junior Minister i.e. the Deputy Minister who has a very great reputation otherwise going to one of the Railway Stations—Ghaziabad—and according to the information that some of us received he used stick to beat up the railway-man. The Minister was here. He suddenly got up to say that he was carrying the stick but that was not meant to beat up anybody.

The newspapers have very categorically reported that a junior official of the Railway was actually beaten up.

MR. DEPUTY-SPEAKER: You are making a speech.

SHRI GEORGE FERNANDES: No, I am not.

MR. DEPUTY-SPEAKER: On the point of order you cannot make a speech.

SHRI GEORGE FERNANDES: Please try to understand what I am trying to say. (*Interruptions*). I am saying that the Minister's statement is arising out of our raising this.

MR. DEPUTY-SPEAKER: Can you make a speech on the point of order? You raised a point of order.

SHRI GEORGE FERNANDES: What is my point of order? My point of order is we raised certain issues in this House immediately after Question Hour. As a result of that the Minister has thought it proper to come and make a statement before the House. In this case my submission is that he should not circumvent the rule and the direction and come to the House at 3 minutes past seven with 12 members present. Now even the Minister has left. That means twelve members are here. With twelve Members present in the House...

SHRI P. VENKATASUBBIAH: I am here.

SHRI GEORGE FERNANDES: Yes, yes, I know. I do not mind your leaving. I know you are hungry.

SHRI P. VENKATASUBBIAH: I am neither hungry nor angry. I am here.

SHRI GEORGE FERNANDES: I do not mind your leaving.

My submission is that the Minister should not be allowed to make a statement now. I hope the Minister will respect my request and save me otherwise I shall have to raise the quorum question, I do not want to raise the quorum question.

• MR. DEPUTY-SPEAKER: Do not try to threaten me?

SHRI GEORGE FERNANDES: I am not trying to threaten you. Nor I am trying to threaten anybody.

My submission is that with twelve Members present in the House on a matter involving an act of violence on railway workmen by a Deputy Minister of Railways...

MR. DEPUTY-SPEAKER: What is the point of order that you are raising?

SHRI GEORGE FERNANDES: So, it is a very valid point.

MR. DEPUTY SPEAKER: Do not make a very big speech. The rules and directions have been complied with.

SHRI GEORGE FERNANDES: Then, I raise the question of quorum.

MR. DEPUTY-SPEAKER: Therefore, I rule his point of order, out of order.

SHRI GEORGE FERNANDES: Then my submission is there is no quorum. There is no quorum in the House. I am raising the question of quorum.

MR. DEPUTY-SPEAKER: Are you raising the question of quorum?

SHRI GEORGE FERNANDES: Yes.

MR. DEPUTY-SPEAKER: Let the quorum bell be rung. ... There is no quorum.

The House stands adjourned to re-assemble on Monday, March 16, at 11 A.M.

19.08 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, March 16, 1981/Phalguna 25, 1902 (Saka).