

**SHRI SHYAMNANDAN MISHRA:** My point of order is this. I made a statement yesterday. That statement was made with your permission. The statement has given extensively quotations from newspaper reports. If the hon. Minister is interpreting the newspaper reports, I can also very well interpret them to imply exercise of undue influence. You were trying to protect them yesterday. The hon. Minister is not competent to say that these newspaper reports themselves do not constitute an undue influence. That is the point of order. You were pleased to make some observations yesterday. My submission is that you have to make some observations with regard to the interpretation that the hon. Defence Minister has made.

**MR. SPEAKER:** I see no point of order.

**SHRI SAUGATA ROY:** There is a certain personal explanation on ing personal explanation by Members. Yesterday we had a matter raised under rule 377 and in reply to that, the Minister has given some statement. Now, you have allowed a certain personal explanation on that. Will you allow a debate on that?

**MR. SPEAKER:** I do not allow a debate.

**SHRI HARI VISHNU KAMATH (Hoshangabad):** The hon. Defence Minister has made a statement clearing the air. But in that context, I would like to invite your kind attention to sub-rule (2) of rule 54 because I feel that this matter affects the rights of Members vis-a-vis the Ministers. Sub-rule (2) of rule 54 relates to Short Notice Questions. I had given notice of a Short Notice Question on the same subject which you, in your wisdom, had admitted—it was only three or four days ago. I received a reply this morning dated the 4th April, 1978, saying that "the Minister has regretted his inability to

accept the short notice of the question...."

**MR. SPEAKER:** On a point of correction, I had not admitted the Question. You are on a wrong basis.

**SHRI HARI VISHNU KAMATH:** The letter which I have received says:

"I am directed to inform you that the Minister has regretted his inability to accept the short notice of your Question noted above."

**MR. SPEAKER:** The normal practice is that we call for a report from the Minister on facts. After getting the facts, I decide whether I should admit or not. After calling for the report, I decided not to admit the Question.

**SHRI HARI VISHNU KAMATH:** Now that the Minister has made a statement clearing the air, I would request that this statement may be treated as an answer to my Short Notice Question and supplementary questions on that may be allowed.

**MR. SPEAKER:** No. That is not allowed.

12.44 hrs.

STATEMENT RE. RETRENCHMENT OF HARIJAN SAFAI KARMACHARIS IN BABINA CANTONMENT BOARD

**MR. SPEAKER:** Prof. Sher Singh. You may lay it on the Table.

**THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (PROF. SHER SINGH):** Sir, I beg to lay on the Table a statement clarifying the matter raised under rule 377 by Shri Laxmi Narain Nayak in the House on the 8th March, 1978, regarding the retrenchment of 22 Harijan Safai Karmacharis in Babina Cantonment Board.

**Statement**

Shri Laxmi Narain Nayak, MP had raised under Rule 377 the following matter in the House on 8-3-1978:—

"22 Harijans Safai Karmacharis who had been working for several years in Babina Cantonment Board have been retrenched. He demanded that they should be taken back in service and all employees working in Cantonment area on a temporary basis should be made permanent".

With your permission, Sir, I want to make the whole position clear.

Every year, Station Headquarters Babina enter into an agreement with the Cantonment Board for carrying out certain works on their behalf such as removal of rubbish and filth, cleaning of roads, cleaning of roadside drains and main drains. The requirement of staff for these purposes is determined by a Board of Officers convened by the Station Headquarters for this purpose. Accordingly, during the financial year 1977-78, 207 sweepers (60 for cleaning of roads and 147 for cleaning of drains) were authorised in the conservancy agreement as per recommendations of the Board of Officers held in December 1976. For the ensuing financial year 1978-79, a fresh Board of Officers was convened by the Station Headquarters in accordance with the normal procedure to assess the requirement of conservancy staff and other services to be rendered to the troops by the Cantonment Board, Babina. The Board of Officers after carrying out physical survey of the area, recommended 183 sweepers (47 for roads and 116 for drains) amongst other conservancy staff. While recommending the revised strength of conservancy staff for the coming financial year, the Board had been guided by the need for exercising maximum economy in Defence expenditure as per instructions on the subject and observations made by the audit authorities on the conservancy agreement for the year 1977-78, with regard to provision of leave reserve etc. The Board further took into consideration

the improved road conditions while deciding the revised work-load.

Based on the recommendations of the Board of Officers, 44 sweepers had to be reduced from the strength authorised for the year 1977-78. Since 18 vacancies were already available in the Cantonment Board, it was decided to retrench 26 sweepers after absorbing 18 sweepers against the existing vacancies.

The matter was, however, reviewed by Headquarters Central Command and instructions were issued by them to the President, Cantonment Board, Babina, on 27-2-1978 to the effect that no Safai Karmachari should be discharged with effect from 28-2-1978; they should continue to be in service and the conservancy agreement should be revised and for this purpose the Board of Officers should be reassembled to reassess the strength of conservancy sweepers to be employed by the Cantonment Board, Babina, in consultation with the Station Headquarters.

It has since been confirmed by the Cantonment Board authorities that all the discharged employees have been reinstated.

So far as the demand for the confirmation of temporary workers in the Cantonment area is concerned, it may be mentioned that the confirmation of temporary employees depends on the number of permanent vacancies available which are required for work of permanent nature and temporary employees are made permanent to the extent of availability of permanent vacancies in each category/grade.

12.45 hrs.

**MATTERS UNDER RULE 377**

(1) LEGISLATION FOR EQUAL PAY FOR EQUAL WORK FOR BEEDI WORKERS IN THE COUNTRY.