

ance of 25 per cent is to be met either by the organisation or the concerned State Government. The land has also to be available with the organisation. Such hostels can be sanctioned wherever atleast 25 working women needing accommodation as certified by the State Government. Wherever there are no voluntary organisations working in the field of women's welfare, the grant under this scheme could be made available to local bodies/co-operative institutions, only in exceptional cases.

(c) Six working women's hostels involving Central assistance of Rs. 106.46 lakhs are to be constructed at Ambali, Bhatinda, Patiala, Amritsar, Jullundur and Ludhiana."

Reasons for delay:

Assistance is being given by the Department of Social Welfare in the Ministry of Education and Social Welfare. The Ministry of Health & Family Welfare has no information about the same and the details were received from the Department of Social Welfare subsequently.

Statement Correcting Answer to unstarred Question No. 3149 dated 16-3-1978 re: Number of Employees in Indian Embassies.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU):

With reference to Unstarred Question No. 3149, tabled by Shri Shiv Sampati Ram answered on March 16, 1978, on the subject of number of employees in Indian Missions, the following has been indicated at item 14 of the enclosure to the answer: "Berlin (FRG)". this should read "Berlin (West)". As our attention has just been drawn to this inaccuracy, it was not possible to correct it earlier.

12 hrs.

RE. FAST BY SHRI M. N. GOVINDAN NAIR, M. P., FOR JUDICIAL INQUIRY INTO INCIDENTS IN AGRA

श्री उपस्थित : अध्यक्ष मोहदय, व्यवस्था का प्रश्न है। यथा व्यवस्था का प्रश्न पहले सुन लीजिए। . . . (व्यवधान) . . .

MR. SPEAKER: The Question Hour is over.

श्री उपस्थित : देखिए, हाउस प्राक्कामन्त के स्पीकर की कृपया है कि जब अध्यक्ष किसी मेम्बर को प्रश्न करने के लिए बुला लेते हैं और वह मेम्बर हाफ वे मै होता है तो उतना समय बढ़ा हुआ मान लिया जाता है जितने में कि उसका उ र न आ जाय। . . . (व्यवधान) . . .

MR. SPEAKER: I shall act according to the rules.

SHRI V. M. SUDHEERAN (Alleppey): A senior Member has gone on fast. The life of the Member is involved.

SHRI K. GOPAL (Karur): Sir, the life of a Member is involved and the Government has not taken note of this at all.

MR. SPEAKER: I will go according to the rules and procedure.

(Interruptions)

SHRI A. C. GEORGE (Mukandapuram): Sir, here the Government takes a very passive line.

SHRI JYOTIRMOY BOSU (Diamond Harbour): In regard to fast of Mr. Govindan Nair, we want a statement from the Government. We want to know what the Government proposes to do in this regard.

SHRI V. M. SUDHEERAN: Mr. Govindan Nair has gone on fast. His life is involved here and it is a very

[Shri V. M. Sudheeran]
urgent matter. It should be discussed in the House. (*Interruptions*).

SHRI K. GOPAL: A juridical enquiry should be conducted in this regard.

SHRI V. M. SUDHEERAN: Many Harijans were shot dead, murdered and the Government has not taken a serious view of this.

(*Interruptions*)

SHRI A. C. GEORGE: Mr. Govindan Nair gave a notice that he would go on fast from today if the Government did not order for a judicial inquiry into the Agra firing. It is more than a month since he had given notice to this effect. Mr. Govindan Nair is a very senior Member of this House and he is a very respectable political leader of this country. He gave sufficient notice to the Government that on 20th July he will go on fast if the Government does not institute a judicial inquiry.

Is Government going to be a passive spectator to what has happened? Is not the life of the Member so important? What is the cause? The cause is atrocities on Harijans. (*Interruptions*). It is not on the spur of the moment that he has gone on fast. He gave one month notice.

SHRI K. GOPAL: I can understand if he went on fast without giving any notice. He gave one month notice to the Government.

(*Interruptions*)

SHRI V. M. SUDHEERAN: Under rules 56, 57 and 58, I have given notice of adjournment motion. (*Interruptions*).

PROF P. G. MAVALANKAR (Gandhinagar): The whole point is that the concerned Member, Mr. Govindan Nair, only a few days back gave a statement under rule 377 with your permission and he raised the matter about a judicial inquiry into the

Agra firings. At that point of time, I had specifically got up and asked the Chair to give a ruling whether the Home Minister should not come with a statement in respect of Mr. Govindan Nair's statement. What has happened to that? I want your ruling. It is a very important matter and it is a very serious matter. If an appeal made by the Member is not responded to by the Government how will the citizen of this country outside get a response from the Government? (*Interruptions*).

MR. SPEAKER: I have heard you all. I have understood the point. What is the good of arguing a point which I have understood?

DR. HENRY AUSTIN (Ernakulam): Sir, one more point. The Government attitude shows a very scant regard to a very senior leader.

(*Interruptions*)

SHRI VASANT SATHE (Akola) Sir, I want to know about the adjournment motion given notice of by my friend, Mr. Sudheeran, regarding Mr. Govindan Nair's fast. It is a very serious matter. A Member of Parliament has gone on fast. In these days it is raining outside. You are not even asking the government to make a statement. It is a serious matter. You must at least ask the government to make a statement.... (*Interruptions*).

MR. SPEAKER: If I want I will ask for assistance.

SHRI SAUGATA ROY (Barrackpore): There is notice of an adjournment motion pending for the last few days. No motion for adjournment or calling attention on this point has been allowed.... (*Interruptions*).

SHRI MALLIKARJUN (Medak): Shri Govindan Nair has undertaken a fast unto death. It is a very serious matter not only of the Members in the House but people who believe in

certain realities and human existence and human lives. People should be allowed to exist. What for the Janta Government is there?

(Interruptions)

AN HON. MEMBER: What is happening?

MR. SPEAKER: An adjournment motion has been given notice of; there is argument by everybody.

SHRI SAUGATA ROY: A Member of Parliament has gone on fast demanding a judicial inquiry into the police firing. Under 56(6) I have given notice of an adjournment motion. I hear the Leaders of the Opposition parties met the Prime Minister; and that the Prime Minister had agreed for a judicial inquiry. We will not press for an adjournment if the Prime Minister comes before the House and announces that he has agreed to have a judicial inquiry, if the Chief Minister of U. P. refuses to institute a judicial inquiry into the police firing on Harijans and downtrodden people....

MR. SPEAKER: These are points for argument of the case. I have heard you.

SHRI SAUGATA ROY: Why are you not allowing the adjournment motion?

MR. SPEAKER: If I do not allow, I will give you reasons for it.

SHRI SAUGATA ROY: Why are you trying to avoid call attention motion on floods?

MR. SPEAKER: You are getting into another issue.

SHRI SAUGATA ROY: The other day on a vital issue like Pakistan raising the Kashmir Issue at the Islamic Summit you did not allow a call attention notice. Now Mr. Govindan Nair has gone on fast.

MR. SPEAKER: You have mentioned that.

SHRI SAUGATA ROY: Why don't you ask the Prime Minister?

MR. SPEAKER: I am not under the bidding of the Prime Minister or yourself; I am an independent body myself.... (Interruptions)

SHRI K. GOPAL: You are setting up a new precedent; whenever an adjournment motion is tabled, you have decided to hear both the parties. Now you should ask the Government.

MR. SPEAKER: I have not set up any precedent.

SHRI K. GOPAL: We are not against it.

MR. SPEAKER: I have heard your point. What is the point in hearing you again?

SHRI K. GOPAL: You should protect our rights.

MR. SPEAKER: I appreciate your right.

SHRI SAUGATA ROY: Under Rule 377, Mr. Govindan Nair has raised the issue of his going on fast in Parliament. When a Member of Parliament decides to go on fast, some Minister should come forward and say that they are considering the matter of ordering a judicial inquiry. He gave the notice under Rule 377. He spoke here in Parliament that he is going on an indefinite fast. What is the Government doing? Is it sleeping all the time? A judicial inquiry should be ordered on the police firing on Harijans in Agra....

MR. SPEAKER: There must be an end to argument.

SHRI SAUGATA ROY: I am saying this emotionally.

MR. SPEAKER: Emotional is all right.

SHRI K. LAKKAPPA (Tumkur): I am on a point of order. When Mr.

[Shri K. Lakkappa]

Govindan Nair made a statement under Rule 377 he declared on the floor of the House that he would be going on an indefinite fast. He has given notice in advance. Statements under Rule 377 have become rituals nowadays and it has become ineffective in the eye of the Government. Rule 377 is a weapon we are having in our hands and with your permission, Mr. Govindan Nair has given advance notice to the Government. I want to know whether the Government is vitiating the statements under Rule 377. It is a weapon which we are having. I want that you must give a ruling. A statement under Rule 377 is not an ordinary weapon and through that we can focus the attention of the Government, if the Government has become blind to the situation. Therefore, I want the Government to order a judicial inquiry.

MR. SPEAKER: Rulings are not given on the directions of any Member.

SHRI K. LAKKAPPA: I came to know that he is a heart patient.

MR. SPEAKER: At this rate many of us will become heart patients.

SHRI SAUGATA ROY: Do you or do you not want Govindan Nair to die?

MR. SPEAKER: I have heard you.
(Interruptions)

SHRI SHYAMNANDAN MISHRA (Begusarai): The fact that the hon. Member, Shri Govindan Nair has been on fast at this age is a matter of serious concern to all of us in this house and the reason for his fast have been known to the Government and the Government should be in a position to tell the House as to what comes in the way of meeting his point of view. In fact, it should be the concern of the Chair also so far as the House or a Member is concerned to find out from the Government, what

comes in the way of meeting the demands of the Member. Now I learn that the hon. Minister who is concerned with this is just now attending to a calling attention motion on the same subject in the other House. So, the House should wait for some time till the Minister returns and makes a statement about it.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): Let me make my submission. I have already made a personal appeal... (Interruptions) I have already made a personal appeal to Shri Govindan Nair not to go on fast. I would like the whole House to join me in making this appeal. (Interruptions).

SHRI VASANT SATHE: Why?

SHRI ATAL BIHARI VAJPAYEE: Let me complete.

SHRI K. A. RAJAN (Trichur): On what ground is the hon. Minister making this appeal? (Interruptions).

SHRI VASANT SATHE: He is treating Mr. Govindan Nair's fast as a joke. (Interruptions)

SHRI V. M. SUDHEERAN: Why don't you appeal to Mr. Ram Naresb Yadav to order a judicial inquiry?

(Interruptions)

MR. SPEAKER: I am not concerned with anybody's threat. I have heard the very impassioned appeal made on behalf of Shri Govindan Nair. He is a very senior member and was Minister in a State Government. He is the leader of a political party and a political worker of very long standing. His life is very precious; there is no doubt about it. The life of every member of this House, I always consider, is extremely precious. But I have to go by certain established principles. I am quite sure that the Government will give due attention to the demand made by Mr. Govindan Nair. It is a matter for

the Government. But what is my duty? A few days back another member; Mr. Yuvraj went on fast for an equally good cause. Some members did come to me asking that there should be an adjournment on that. I said, I will look into the precedents. I carefully examined the precedents. Precedents are laid down that in the matter of going on fast, adjournment motion should not be allowed. I normally do not go out of the precedents. But my not allowing the adjournment motion does not mean that the Government should not give due and proper attention to it. It is a very important matter. I am quite sure the Government is going to give due attention. But don't force me to lay down a wrong precedent. Once you lay down the precedents you cannot take them back easily. I am not saying you cannot take them back at all but you cannot take them back easily. Therefore, if I have declined to give my consent to the adjournment motion, it is not with any pleasure. It is with heavy feeling. I think it may be very good in the case of Mr. Govindan Nair but it may be used for other collateral purposes also later. Therefore, with this heavy feeling I have not allowed the adjournment motion. But that does not mean that I do not join you in appealing to the Government to give deep consideration to the matter. (*Interruptions*). There must be an end to it; no further discussion.

SHRI ATAL BIHARI VAJPAYEE: You did not allow me to complete my submission. It is to be noted that the opposition is not prepared to join in making an appeal to Mr. Govindan Nair to end the fast. (*Interruptions*).

SHRI C. M. STEPHEN (Idukki): I want to set the record straight. The Minister for External Affairs by this statement is imputing that we are not motivated by humanitarian considerations. Mr. Govindan Nair is on yagna on a very fundamental question and therefore an appeal from this

House to withdraw it unconditionally will be doing a disservice to the cause for which he has gone on yagna. We are willing to join you in making an appeal provided this elementary demand is acceded to. We want to hear from the Government what their attitude is to this. This is the explanation I want to give.

SHRI SAUGATA ROY: On a point of order, Sir.

MR. SPEAKER: I have decided the matter. Once the matter is decided, there is no point of order.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): We on this side of the House and the Government are as concerned as the hon. members on the opposite side about the health of Mr. Govindan Nair and the cause for which he is going on fast. (*Interruptions*).

MR. SPEAKER: I am telling Mr. Sathe that he and I need some fasting!

SHRI RAVINDRA VARMA: But his vocal cord is never on fast! Sir, the question that the hon. Members opposite raised was raised in such a manner that the Government had no opportunity to answer. They spoke about the admissibility of an adjournment motion. This is a matter on which they speak to you and not to us. But in the course of the observations that they had made, we were not sure what was going on record and what was not and we were waiting patiently for an opportunity to say a few words on the question.

As my hon. distinguished friend, Mr. S. N. Mishra said, the Government is concerned about this question and I do hope that the Prime Minister who is dealing with a similar question elsewhere will make a statement on this later on here. There is no doubt that this is a question in-

[Shri Ravindra Varma]

which there are many elements. Whatever may be the intensity of one's feeling on the question as well as intensity of one's devotion to the cause concerned, it is well-known that the Prime Minister is seized of this matter and he is trying to do his best to see that Mr. Govindan Nair's demands are met in such a manner that he is enabled to give up his fast, and I hope that in the afternoon the Prime Minister will be able to make a statement.

MR. SPEAKER: Now, Papers to be laid on the Table.

(Interruptions)

SHRI SAUGATA ROY: Sir, I am on a point of order.

MR. SPEAKER: There are only points of order and nothing else.

SHRI SAUGATA ROY: Please hear my point of order. I am on a procedural matter. I am not at all going into the merits of the admissibility of the adjournment motion. Sir, my point of order is regarding Rule 377. I am not going into the admissibility of the adjournment motion or anything at all. Regarding Rule 377, there is a well-established precedent in this House that when an important matter is brought to the notice of this House by means of Rule 377, normally the Minister comes forward in this House and makes a reply. So, when the Government say that they are not in a position to reply to the demands made by the Opposition I only beg to point out that on Tuesday Mr. Govindan Nair had raised this issue in this House. (Interruptions) He had raised this matter under Rule 377.

MR. SPEAKER: There is no such well-established convention. You will have to change the rule so that it makes it compulsory for the Minister to reply. There is no such convention. There is no point of order at all.

SHRI SAUGATA ROY: The Government had an occasion to come forward....

(Interruptions)

MR. SPEAKER: There is no point of order.

SHRI SAUGATA ROY: We expect the Government to come forward with a reply on the issue of Mr. Govindan Nair's fast.

(Interruptions)

MR. SPEAKER: Mr. Saugata Roy, is it necessary to go on record again and again? You are doing that. In fact I do not want to use that word. Kindly go into *May's Parliamentary Practice*. You will see that for such points of order it gives a particular term. I am not going to use it in the House. *May's Parliamentary Practice* uses for such points of order a particular expression.

SHRI SAUGATA ROY: Why don't you use it?

MR. SPEAKER: I do not want to. I can tell you in private. I do not want it to be a part of the record of this House.

SHRI VAYALAR RAVI (Chirayinkil): I have given notice under rule 222. The answer has been given to a starred question by the Home Minister.

(Interruptions)

MR. SPEAKER: I have called for a Report from the Minister concerned.

SHRI VAYALAR RAVI: Who? Mr. Patnaik?

MR. SPEAKER: No. No. (Interruptions) I have called upon the Government to give the data. I want to go by the rules.

(Interruptions)

SHRI VAYALAR RAVI: My submission is that Question No. 60 has been answered clearly. Then Mr.

Patnaik comes and says that Government has decided to set up a special court. But here the Minister says: "Active consideration". This is all on record.

MR. SPEAKER: I have called for a report from the Government and I will decide only after getting the report.

(Interruptions)

SHRI K. P. UNNIKRISHNAN (Badagara): No, Sir.

MR. SPEAKER: Everybody wants to say...

SHRI K. P. UNNIKRISHNAN: You will forgive me if I say that you are setting up a bad precedent.

MR. SPEAKER: All right.

SHRI K. P. UNNIKRISHNAN: If a breach of privilege is committed right under your nose, (Interruptions)...—that is what has been done—you have to take cognizance of it. There is no point in asking them to amend it, or amend their answer or seeking or asking for a report. It was done here in this House.

MR. SPEAKER: Even in such a case...

SHRI K. P. UNNIKRISHNAN: It was a part of the proceedings.

SHRI VAYALAR RAVI: It is in Murali Manohar Joshi's question No. 60...

SHRI K. P. UNNIKRISHNAN: You can get the proceedings. You can see the proceedings for yourself. It is not Government's property; it is the property of the House. It is a very vital question. You don't call for a report from the Government. Proceedings are there. You have to give a ruling based on the proceedings of the House.

MR. SPEAKER: I will look into that also.

SHRI VAYALAR RAVI: Biju Patnaik said...

MR. SPEAKER: Mr. Ravi, I have got the entire records with me.

SHRI VAYALAR RAVI: Biju Patnaik said that the Government have decided to set up a special court.

MR. SPEAKER: There are certain norms and principles of natural justice...

SHRI VAYALAR RAVI: You can judge in your own way.

MR. SPEAKER: Yes; I am a stickler for rules...

(Interruptions)

MR. SPEAKER: Please... kindly cooperate. I understood your point—I told you my decision. I am following certain... Yes, Mr. Bosu.

SHRI JYOTIRMOY BOSU: I rise on a point of order.

SHRI K. P. UNNIKRISHNAN: I want a ruling on this.

MR. SPEAKER: Even as per present advice, I think it is better to get the comments. After all it is a matter of 1 or 2 days.

SHRI K. P. UNNIKRISHNAN: The answer is part of the proceedings.

MR. SPEAKER: Nothing happens in 1 or 2 days.

SHRI K. P. UNNIKRISHNAN: The answer to a Starred Question is part of the proceedings—or, is it not? Do you get a reply from the Government again?

MR. SPEAKER: I do, so that if there is any explanation—I don't know whether there is any explanation...

SHRI K. GOPAL: Here everything is recorded. (Interruptions)

SHRI K. P. UNNIKRISHNAN: You have the taped record. You please listen to that—what the Minister of Steel said yesterday.

MR. SPEAKER: I will do that, if necessary.

SHRI K. P. UNNIKRISHNAN: You have also got a written answer and a statement circulated to the Members and the Press. This is already a part of the proceedings. (*Interruptions*) There is no question of any report. It will come later.

SHRI VASANT SATHE: Is it your idea to allow Mr. Biju Patnaik to explain away what he said yesterday? Was that your idea—contrary to what he said? (*Interruptions*)

RE. DEATH OF SHRI KRISHAN CHAND, FORMER LT. GOVERNOR OF DELHI

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I am rising on a point of order arising out of your observation. You made an observation that Mr. Krishan Chand's murder was under enquiry and investigation. Today, a statement has come from the Additional Commissioner of Police (Crime), Mr. Mander. He says—it is in Hindustan Times—"Additional Commissioner of Police (CID) and in-charge of the Crime Branch investigating the case now, said...." yesterday only, "We took up the investigations only today." He has said that the investigation has been taken up only yesterday. You, in your wisdom, rejected my adjournment motion about Krishan Chand's murder. He has been murdered. Now it is clear that those who assisted the investigation—all of them—have been getting threatening telephone calls. They have flushed the whole area where the well is, with kerosene oil and floating woods

that were there in the well, have been removed. They have not kept any watch. It is a clear case. The lawyers' panel which is helping the investigations are now of the clear opinion that it is a clear case of murder. Now, Mr. Krishan Chand, a few days ago, wanted to make a clean breast; and he told publicly that he will make a clean breast of all that has happened during the Emergency. I have a serious suspicion that his murder is connected with those who are now being prosecuted, who are not now being prosecuted before the courts. Therefore, you will allow a Calling Attention, or you will allow my adjournment motion—whatever you choose to.

MR. SPEAKER: Yes; my order stands. My original order stands.

(*Interruptions*)

MR. SPEAKER: I have rejected the adjournment motion.

SHRI JYOTIRMOY BOSU: You misled the House in that case.

MR. SPEAKER: Now Papers Laid on the Table. Mr. Karia Munda.

12.29 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATION MAKING CERTAIN AMENDMENTS TO SECOND SCHEDULE OF MINES AND MINERALS (REGULATION AND DEVELOPMENT) ACT, 1957

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): On behalf of Shri Karia Munda, I beg to lay on the Table a copy of Notification No. G.S.R. 321(E) (Hindi and English versions) published in Gazette of India dated the 12th June, 1978 making certain amendments to the Second Schedule of the Mines and Minerals (Regulation and Deve-