

[Shri Charan Singh]-

allowed to lapse in May 1976 as during the Emergency similar powers were available to the State Government under the Maintenance of Internal Security Act and the Defence and Internal Security of India Rules. The Defence and Internal Security of India Act expired on 27th September, 1977—6 months after the revocation of emergency. The Maintenance of Internal Security Act was applicable to Jammu and Kashmir under Article 250 of the Constitution and, therefore, this law also ceased to be operative in Jammu and Kashmir with effect from the same date. The purpose of the new Ordinance appears to be to fill the gap created by the lapsing of the aforesaid laws in respect of that State and the Ordinance is fully within their legislative competence.

3. Generally speaking this Ordinance confers similar powers to the Government as were enjoyed by them under their special laws which have now lapsed. In certain cases the penalties have been reduced. However, in the case of curbs on the freedom of press, the new law appears to be more stringent in so much as section 10 of the Ordinance which gives powers to prescribe publications containing prejudicial reports does not provide for any judicial review unlike the provisions of the Jammu and Kashmir Security Rules. Further, section 11 of the Ordinance gives wide powers to the Government to restrict the circulation within the State or prohibit or restrict the import into the State of any newspaper, periodical or publication for the purposes of preventing activities prejudicial to the maintenance of communal and regional harmony affecting or likely to affect public order.

4. While we are conscious of the special needs of Jammu and Kashmir, we cannot ignore the gross abuse to which such powers have been put in

the country during the Emergency which is still fresh in our minds. Hence, some of the provisions of the Ordinance, particularly, those relating to the curbs on the freedom of the press and those empowering detention of certain category of persons for a period of 2 years without disclosure of grounds and without reference to Advisory Boards would deserve reconsideration.

5. We have, therefore, drawn the attention of the Jammu and Kashmir Government to these unhappy features of the Ordinance and have requested them to review the provisions of the provisions of the Ordinance so that the restrictions placed on individual liberty and freedom are reduced to the minimum consistent with considerations of security.

(ii) HOME MINISTRY'S REPORTED CIRCULAR re. SPECIAL VERIFICATION OF PERSONS FROM KERALA AND WEST BENGAL SEEKING GOVERNMENT EMPLOYMENT—contd.

SHRI CHITTA BASU: I want to know...

MR. SPEAKER: In view of the statement of the Minister that he is going to withdraw it...

SHRI CHITTA BASU: Is he going to withdraw the circular?

MR. SPEAKER: Yes, he is going to withdraw the circular. We adjourn now to meet again at 2 O'clock.

13.02 hrs.

The Lok Sabha adjourned for lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after lunch at Fourteen of the clock.

[MR. DEPUTY SPEAKER in the Chair]

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE—contd.

- (ii) HOME MINISTRY'S REPORTED CIRCULAR re. SPECIAL VERIFICATION OF PERSONS FROM KERALA AND WEST BENGAL SEEKING GOVERNMENT EMPLOYMENT—contd.

MR. DEPUTY SPEAKER: Shri Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU (Diamond Harbour) Mr. Deputy-Speaker, Sir, I have heard the Home Minister with rapt attention. I have also read the statement that has been laid on the Table of the House.

I want to ask a few things in this connection because this is a matter of very great importance. The country and particularly these two States where the young minds are agitated very severely are having a popular Government. Therefore, we would like the whole thing to be cleared once and for all.

The hon. Minister knows that the previous regime, the earstwhile regime of Shrimati Indira Gandhi, had made the country a police State—it was a full-fledged police State. As I have understood it, he stands committed to dismantle it. About the circular a copy of which I have in my possession, I have written to the Speaker to allow it to be laid on the Table of the House. [Placed in Library. See No. LT-1258/77]. I have gone through all the procedure. It brings out a few things. Firstly, this was taken out in 1967. I suggest that the Home Minister be requested to lay all the four orders issued by the Government from 1967 till today on the Table of the House so that we can judge as to what the contents are. The first order was issued on 27th September, 1967; the second order was issued on 12th May, 1971, the third one was issued in August, 1975 and the fourth one which has been quoted by my hon. friend who spoke before me is the Home Ministry, the Department of

Personnel and Administrative Reforms Office Memorandum No. 19001/4(S)/77-Estt.B dated 19-9-77. If the Home Minister says that that has been issued without his knowledge, the House could take note of that. We are not going to say that he knows it and he was suppressing it. I am not a party to that. We would like to know who is responsible for the issuance of this circular, whether it was issued with the full concurrence of the Home Minister.

I want to raise a basic question: Why is the CIB inquiry needed? After reading the circular, it does seem that it smacks of discrimination. Perhaps one is inclined to think that it has been issued because there is an intensity of left movement in the two States. You cannot blame me for that if I say this—'because of intensity of leftist movement in these two States'. I am speaking out frankly. I want to ask Chowdhury Saheb as to why this police verification is needed at all. I am not saying this about all policemen in the country and about all administrators, but by and large, if you take an average policeman, we all know what is his standard of performance, what is his standard of honesty, how verifications are made. I know of specific cases where money has been demanded from the candidates by the police for giving a good chit—it is done by the Head Constable or Assistant Sub-Inspector or Sub-Inspector openly. The whole thing is most unscientific and unwarranted. The hon. Home Minister has said about police verification in a democracy; in the statement he has said. I will elaborate on that little.

I would, first, like to draw his attention to the judgment given by hon. Mr. Justice Chinnappa Reddy in writ Petition No. 5218 of 1972 between A. Ramarao, Petitioner, and the Post-Master-General, Andhra Circle, Hyderabad. I will read out only the important paragraphs and sentences. It is said in the judgment:

"India is a democratic republic. It was so resolved by its people

Verification of persons seeking Government employment (CA)

[Sri Jyotirmoy Bose]

twenty-five years ago, on 26-1-1959.
It is not a police State."

Then he says:

"This determination which has been written into the Articles of the Constitution in the shape of rights declared as fundamental and inviolable is what makes India democratic republic of what marks India from authoritarian or police States. The right to freedom of speech and expression is declared fundamental; so is the right to form associations or unions...."

In this case he says further:

"...so is the right to equality of opportunity in matters relating to employment or appointment to any office under the State. Yet, a young man has been denied employment under the Government on the ground that he was a member and an active worker of the Student Federation of India and that he had attended the Yuva Jana Sangh meeting organized by the Marxist Communist Party at Sattempalli. Patently the young man has been denied the right to equality of opportunity in the matter of public employment...."

"This is the third case of its kind which has come before me."

"While he was undergoing training, he received a communication from the Assistant Engineer purporting to discharge him from the Training Centre. No reasons were mentioned. The petitioner protested through his advocate whereupon he was informed by the Divisional Engineer that he had been discharged from the Training Centre as the police verification report was unfavourable to him.

"...I find that the basis of the order of discharge is the following communication received by the Divisional Engineer, Telegraphs, Guntur,

from the District Revenue Officer and Collector:—

"The Superintendent of Police, Guntur, reported that Sri A. Ramarao, resident of Perikapadu of Sattenapalli taluk, is the member of student federation and active worker of the S.F.I. It is also reported that the individual has attended the Yuva Jana Sangh Meeting organized by C.P.M. at Sattenapalli on 2-1-72 and it is not desirable to entertain him in the Department."

So, Mr. Home Minister, do you see that what goes on or what is done in the field of application by the people who are subordinate to you is quite different from what you have told us on the floor of the House here?

The judge further says:

"That is the entire allegation against the petitioner. It is seen that it is not alleged that he ever participated in any illegal or subversive activity. Be it noted that neither the Student Federation of India nor the Marxist Communist Party is alleged to be engaged in any subversive activity."

He says further:

"The whole idea of seeking a police report on the political faith and the past political activity of a candidate for public employment appears to my mind to cut at the very root of the Fundamental Rights of equality of opportunity in the matter of employment, freedom of expression and freedom of association."

"But why seek a police report on the political faith of a candidate and act upon it? Does it mean that only True Believers in the political faith of the party in power for the time being are entitled to public employment?"

"What pernicious results would not follow if each of the Governments of the constituent States of India pursued such a policy?"

You say that you are a believer in democracy; you have to convince us about that. You have to convince us that India is a free democratic country. There is no need for you to have police verification. What is the need for it, who does it and what is your machinery? This hon. Judge of Andhra Pradesh has made it amply clear that a young boy was thrown out of employment just because he had attended a meeting of the Students Federation of India, a legally registered body. I consider that police verification itself is undemocratic, unjust and unwarranted. I do not know now, but I knew once upon a time in Home Ministry there were more communal forces than in any other Ministry. I have never known a case where they have sent out a circular realling meaning to implement it against the communal forces. How many Ministers were there in the previous Government who had been members of the communal forces earlier? Once there was a Defence Minister, once a Minister of State himself. To which party did they belong to? Do I have to speak out of this? Did you think of issuing a circular that members of Shiv Sena will not be allowed to join Government service? I have not known about that. I also get a little bit of information; I have not seen such a circular. Can the Home Minister say that a circular has been issued against employing people who were members of Shiv Sena, allies of Congress Party, or other parties branded communalists? What action has been taken by the Home Ministry against those who have been creating communal riots, atrocities etc We have not heard anything like that They cannot be touched, there is a powerful lobby run by the agents of the capitalist world, particularly of the West. What has happened to that? I can give you a long list of such people.

Then I come to Anand Marg; we all know about this organization. I have a letter written by erstwhile Home Minister, Shri Yeshwantrao Chavan—documentary evidence—that

Anand Marg was getting money from American sources. Have you ever said that you will not employ people who belonged to Anand Marg? I may tell you, Mr. Home Minister, that the Home Ministry have a number of known Anand Margis. I had received a request from one Congress MP on behalf of a D.I.G. serving with the Central Government for the release of his relation, belonging to Anand Marg in 1969 when we had Government in West Bengal. You do not verify antecedents of persons who have been working for Anand Marg. You see the Public Accounts Committee Report: Shri Patel was also a Member of that Committee at that time. A sum of rupees three and a half lakhs was not returned to the Government. Shrimati Indira Gandhi never wanted that money back. So, the Anand Marg was financed by the Government. In the garb of relief and welfare a lot of money was taken away. I would request the Hon. Minister to check up the position from the treasuries at Allahabad, Varanasi, Ballia, Darbhanga and Lahiri Sarai. I will give him all the details, if he required.

The erstwhile Prime Minister attended the marriage ceremony of Shri Prasad's daughter; Shri Prasad was Customs Collector and top leader of Anand Marg. The then Minister of State for Home Affairs, Shri K. C. Pant, met the head of the Anand Margis in Ranchi. Nandaji also tried. These are directed against the leftist movement. We know the attitude of the bureaucracy and the institutions which you command.

SHRI K. LAKKAPPA: On a point of order. Names of Mr. Pant, Nandaji etc. are mentioned. They are not in a position to defend themselves. If you want I can reel out the names of many others.

SHRI CHARAN SINGH: Sir, although I love to hear the speech of Mr Jyotirmoy Bosu, I would like to submit that this is a Calling Attention Motion. He can ask only questions two or three to in order to clarify any doubts that might have been left in my statement.

[Shri Charan Singh]

But he is delivering a speech. It becomes a debate. Then we should be prepared for a debate.

MR. DEPUTY-SPEAKER: He can only ask questions.

SHRI JYOTIRMOY BOSU: I do not desire to contradict the Home Minister, an elder politician. He must have noticed in the last six months that in Calling Attention there is a blending of question and debate. It has already been the practice.

MR. DEPUTY-SPEAKER: That is very unfortunate in my opinion, because, discussion should be a discussion and Calling Attention should be a Calling Attention.

SHRI JYOTIRMOY BOSU: I will not take much time.

SHRI K. LAKKAPPA: Equal time should be given to me also.

MR. DEPUTY-SPEAKER: Please wind up.

SHRI JYOTIRMOY BOSU: I am considering winding up. Police enquiry is a must in some of the cases, in passport, certainly; in respect of visa, it may be necessary in some cases.

SHRI CHARAN SINGH: Why at all?

SHRI JYOTIRMOY BOSU: It may be the practice. I am not talking what you should do. I am talking about the practice. How is it that Anand Margis are throwing bombs at our embassy staff and officials in foreign countries? How many were allowed to get passports for going abroad? Before 1974 I have no figures. After 1974, 11 went out. What were the police doing? The police were inactive. This system of police verification is totally unwarranted, unsatisfactory and unjust. In regard to what he says in the first para of the statement, he is not so innocent. We want all the four orders to be laid on the Table of the House. We should understand what they are. I think the Home Minister has been wrongly advised. I want to know whether the hon. Home Minister is going to give orders forthwith to

withdraw the circular and to do away with police verification altogether.

SHRI CHARAN SINGH: I think that circular was necessary. Now it stands withdrawn, not because it was unnecessary, but because the State Government itself now says that their attitude, their policy regarding verification of antecedents, shall apply only to candidates who seek service under the State, not under the Centre, therefore our circular also becomes unnecessary and so it will be withdrawn. So far as Kerala is concerned, it would be withdrawn only when the State Government of Kerala informs us about it and gives us some information which we are seeking.

If they do not, then we must obtain the information through our own source. That is the stand I take. I made this clear only this morning.

Now, the hon. Member has raised three questions—whether any verification at all is necessary. I think he has said this either in the heat of the debate or in his own enthusiasm. Whatever you may say, it cannot be said that every young man is suitable for employment because he has passed through oral or written examination or in the interview. Suppose a man suffers from a certain disease. A medical certificate is necessary. Suppose in addition to physical disease, he suffers from mental disease. We regard people in violence as having a mental disease. In a democracy, a Government can be turned out of office through nonviolent actions. I know Mr. Bosu does not believe in violence. But, those who believe in violence are even to-day identified. Is it justified that they should be allowed to be recruited in service? If they believe in sabotage from within Government, then, I am sure, Mr. Bosu will not support the recruitment of such young men. So, some qualifications, some criteria, for suitability are absolutely necessary. You must agree to that. We may not differ on the kind of criterion or criteria that we should lay down. As I said in the morning the mind of the Government

is open. I am prepared to give up those criteria only after a discussion with all the hon. Members sitting opposite. I am prepared to revise them. But, criteria must be laid down. It cannot be that every young man is entitled to recruitment under the State Service or the service of the Central Government.

SHRI JYOTIRMOY BOSU: They are your children.

SHRI CHARAN SINGH: I am prepared to discuss with your friends what the criteria should be.

The second point that he raised was that the police men are not responsible. They cannot be believed; they can be bribed. Well, everybody can be bribed. Even some politicians can be bribed. Moreover, we require the certificate or opinion of the District Magistrates who seek certain information from the police. It is the District Magistrate who is responsible and not the police. Don't believe the reports of the police. They do not come to us direct; they come through the District Magistrates. He then asked: who is responsible for this circular? Well, whatever to-day goes under the name of the Ministry of Home Affairs, I am responsible for it. I did not see the circular as to when it was issued. But the problem was discussed with me and it was I who authorised the Officer to issue the circular. Otherwise, no Government can be carried on. So, I carry the constructive responsibility for it. I think this satisfies you. I am prepared to revise and discuss with my friends. The criteria should be laid down about the suitability of candidates. Now, this should satisfy my friends.

श्री विजय कुमार महोदय (दक्षिण दिल्ली): उपाध्यक्ष महोदय, अभी जो सवाल उठाया गया था, गृह-मंत्री महोदय ने उसका जो स्पष्टीकरण दिया, उससे यह बात साफ हो जाती है कि केरल और बंगाल या वहाँ के लोगों के खिलाफ कोई

डिस्ट्रिक्मिनेशन नहीं है और सारे हिन्दुस्तान में एक जैसी चीज एडाप्ट की जा रही है।

मैं यह समझता हूँ कि कोई लड़का किसी स्टूडेंट्स कैम्पेन में था या किसी स्टूडेंट्स बाडी में था इसलिए उसको नौकरी से बाहर रखा जाये, यह भी मुनासिब नहीं है। इसको होम मिनिस्टर साहब ने क्लरिफाई कर दिया है।

इस समय खास तौर पर ऐंटीनेशनल ताकतें इतनी जोर से एक्टिव हो रही हैं और इस बात की कोशिश कर रही हैं कि गवर्नमेंट के अन्दर और बाहर जगह-जगह पर तोड़फोड़, सबोटाज करके जगह-जगह ऐसी हालत पैदा कर दी जाए जिससे फिर से हिन्दुस्तान में एमर्जेसी की जरूरत है, यह बात लोगों के सामने साबित हो जाये। इसलिए मैं होम मिनिस्टर साहब का ध्यान दिलाना चाहता हूँ कि उन्हें इस बात को देखना चाहिये, और वह देख भी रहे होंगे कि इस बक्त कुछ तत्व इस प्रकार की कांस्पेसी चला रहे हैं कि जो लोग सबिस में आने वाले हैं उनमें अपने लोगों को गवर्नमेंट के जितने भी स्टूटेजिक प्वाइन्ट्स हैं, वहाँ पर लगा कर रखा जाये ताकि वह अन्दर से बैठकर देश की व्यवस्था को अस्त-भ्यस्त कर सकें।

इसलिए इस बात का ध्यान रखने की बहुत जरूरत है।

मैं मानता हूँ कि पिछली गवर्नमेंट ने—श्रीमती इन्दिरा गांधी की गवर्नमेंट ने—इस सर्कुलर का बड़ा मिसयूज किया, और उसने अपने पोलिटीकल प्रापोजेन्ट्स को सरकारी नौकरियों में नहीं आने दिया। लेकिन इस बक्त पोलिटीकल एफिलिएशन्स का ध्यान नहीं रखा जाना चाहिये। माननीय सदस्य, श्री ज्योतिर्भय बसु, ने कहा है कि हम अमरीकन एजेन्ट्स को सरकारी नौकरियों में नहीं रख सकते हैं। मैं इस बात से सहमत हूँ कि चाहे कोई अमरीकन एजेन्ट हो, या रशान, चाइनीज, पाकिस्तानी या इंग्लिश

[श्री विजय कुमार मल्लिकार्जुन]

एजेन्ट हो, उसे सरकारी नौकरी में घाने केना बहुत बलव बाढ है, और इतनाइए इस काल का हमेशा ब्याल रचना चाहिये कि सरकारी नौकरी के किसी प्रत्यागी का इन्वेस्ट इस मूलक के बाहर तो नहीं है ।

जो लोग इमर्जेन्सी के कोलेबोरेटर्स ब, जिन अफसरों और एम्प्लॉईज ने इमर्जेन्सी को बेश भर में लागू किया, और कई प्रकार के जुल्म किये, उनमें से कुछ आज भी अपनी जगहों पर बैठे हुये हैं और फ्लोरिडा कर रहे हैं, और अन्वर से ही सारी व्यवस्था को सेबोटेज कर रहे हैं । कुलपीय मायर कमेटी की रिपोर्ट में कहा गया है कि जिन लोगों ने प्रेस के सम्बन्ध में 'ब्लकबोर्ड' की भी, उनके खिलाफ एनक्वायरी होनी चाहिए और उन पर रेसांसिबिलिटी फिक्स होनी चाहिए, लेकिन अभी तक ऐसा नहीं किया गया है । आज मस्ती-नेकालुब विष बिजनेस और पुराना काकल, ये तीनों मिल कर बड़े भारी रूप का उपयोग कर के हिन्दुस्तान में तोड़-फोड़ करना चाहते हैं ।

इमर्जेन्सी के दौरान जिन लोगों को रुज तोड़ कर नियुक्त कर दिया गया था, जिन के लिए पोस्ट्स क्रिएट की गई थी, वे आज भी उन्ही पोस्ट्स पर बैठे हुये हैं और फ्लोरिडा कर रहे हैं । अगर उनकी तरफ ध्यान न दिया गया, तो बहुत नुकसान होगा । मैं होम मिनिस्टर साहब से कहना चाहता हूँ कि वह इस तरह के लोगों के बारे में खबरदार रहें । कहीं ऐसा न हो कि पुराने काकल और एक्स-प्राइमिनिस्टर के साथियों ने देश में अण्वस्था पैदा करने का जो पद्धत किया है, वह सफल हो जाए । जो तबका इमर्जेन्सी के दौरान ऊपर आ गया, और जो तबका आज भी देश में इमर्जेन्सी साना चाहता है, होम मिनिस्टर को इन लोगों के प्रति खबरदार रहना चाहिए ।

पिछली गवर्नमेंट ने युव कमेस की रीकमेंडेशन पर बहुत से बकीलों को गवर्नमेंट के बकील के रूप में नियुक्त कर दिया था, और वह लोग इमर्जेन्सी का प्रचार करते रहे दुर्भाग्य से उनमें से बहुत से लोग फिर से कई गवर्नमेंट एजेन्सीज में गवर्नमेंट के बकील नियुक्त हो गये हैं । वे लोग हमारे केसिज को किस तरह प्लीड कर सकते हैं । बेजकर इस बात की कोशिश करेंगे कि गवर्नमेंट के केसिज खराब हो जाय, और जिन लोगों ने इमर्जेन्सी के दौरान जुल्म किये थे, और जिन के खिलाफ कमीशनों द्वारा एनक्वायरी हो रही है, उनके खिलाफ केसिज सक्सेसफुल न हो पायें ।

इसलिए मैं विवेदन करना चाहता हूँ कि देश में जनतंत्र और अपने प्रिंसिपल को बचाने के लिए ऐसे तबकों से खबरदार रहने की जरूरत है । बजाए इसके कि इस सर्कुलर की खत्म कर दिया जाये, पिछली गवर्नमेंट ने इसका जो मिसयुज किया है, उसे खत्म किया जाए, और इस समय जो खतरा है, उन्हें देखते हुये इस सर्कुलर को ज्यादा सकल बनाया जाये ।

श्री अरुण सिंह : माननीय सदस्य ने कोई सवाल नहीं पूछा है ।

SHRI P. K. KODIYAN (Adoor) :
Mr. Deputy-Speaker, Sir, I think that the verification is not as simple as the hon'ble Minister has tried to make out. In actual practice it has assumed the character of political discrimination and in certain areas it has gone to the extent of a sort of McCarthyism. I am saying this from my own experience, namely, the experience of the people of Kerala. I can tell the hon'ble Minister that only last week a group of people had come from Kerala to submit a memorandum to the Prime Minister. In that memorandum they had appealed to the Prime Minister to restore them to the central services

from which they had been thrown out because of adverse police verification report; only last week they had come from Cannanore and Calicut. From these two districts alone, 5000 youngmen had been thrown out on this basis. If you take the State as a whole there may be several thousands, 40,000 or 50,000 police verification ruined people.

SHRI CHARAN SINGH: Thrown out of what?

SHRI P. KODIYAN: From 1967 onwards, they have thrown out of employment so many persons; that is why the memorandum was submitted to the Prime Minister last week. The Kerala government had objected to police verification because it has gone against the interest of the educated youngmen of that state; it resulted in a sort of political discrimination, political witchhunt. Therefore I do not think it is a simple matter to find out on the basis of four points he mentioned in the statement. Anyhow, I am glad that he has given an assurance that he is prepared to discuss the criteria to be laid down. I should say that in matters of appointment to central services, except antecedents which show moral turpitude or habitual criminal, no other thing should be taken into consideration. He mentioned about violence. I am afraid here we are entering into a very dangerous area; it has been interpreted by police officers in various ways. We have enough wooden-headed policemen in our country and we have also an archaic police system in the country which goes to the extent of even reporting the arrest of an hon. Member of this House for having caused rowdiness. So, I should like to ask the hon. Minister whether he is prepared to review cases of this nature in Kerala and West Bengal. They had lost their jobs or been denied employment after having been selected otherwise. I suggest that such cases may be left to a committee of this House; let the committee go into those cases. Secondly, will he be kind enough to give the House a list of those persons who had been adversely affected in the matter of employment as a result of police

verification since 1967 throughout the country with State-wise break-up? If it is not possible to give it now, will he collect the information and give it to the House?

SHRI CHARAN SINGH: I am sorry to say that it will not be possible to review the cases in any State whatsoever which occurred long ago. On the contrary, I may inform the House that there have been very few cases like that. I do not know the exact number, but there may not be even one dozen cases in which due to bad antecedents candidates may have been disqualified. We just keep it as a safeguard. We continue to act upon this circular and get the antecedents verified as a matter of safeguard and caution. In actual fact, there are very few cases indeed where candidates have been disqualified even on the four grounds which I had stated, which were mentioned in this circular of 1967 and 1968. Nobody has been discriminated against on the basis of his membership of any particular party.

SHRI JYOTIRMOY BOSU: On a point of order, Sir. The Andhra High Court judge clearly stated it. One judge alone dealt with three cases. Because the boy had attended a meeting organised by the CPI(M), because he was a member of the Students Federation, he was disqualified.

MR. DEPUTY-SPEAKER: Where is the point of order? It is absolutely disorder. The Home Minister said, there have been very few cases. You come out with one case. Let the Home Minister continue. Nobody can get up unless he yields.

SHRI CHARAN SINGH: Only members of those organisations which believe in violence as the means to overthrow the government, which believe in subversion of the Constitution, which believe in clandestine methods for overthrowing the government, which believe in violence of any kind whatsoever—only they are disqualified from entering government service. I am prepared to review these criteria with some of the friends of the opposition. As regards the review of cases of thousands of persons—5000

[Shri Charan Singh]

as he put it—from Kerala and West Bengal, that is not possible or practicable, nor do I think the number he has quoted can possibly be correct.

SHRI K. LAKKAPPA: The whole calling attention is based on the special verification to be done by the Central Intelligence Bureau in the case of persons seeking government employment from Kerala and West Bengal. Most of the members who participated have side-tracked the issue. The Home Minister at certain times was very reasonable in replying to my friend, Shri Jyotirmoy Bosu, because he has been tamed by the government. I want to know what type of honeymoon is the ruling party having with the West Bengal Government. Under Article 60 of the Constitution, nobody should be discriminated against, in the matter of employment opportunities. Articles 309 and 315 deal with the creation of public service commissions.

The Calling Attention motion has arisen out of a special intelligence verification with respect to people from these States. I think there is a special significance attached to these two States. When Mr. Nambodiripad was ruling in Kerala, sometime during 1967—my memory is quite correct—he made a statement saying, "I will mutilate this Constitution. It should be removed lock, stock and barrel." (*Interruptions*) There was an immediate response to this from no other person than Mr. Jyoti Basu, the present Chief Minister of West Bengal. I will never agree to any kind of verification. But the Home Minister has referred, in his reply, to those who have participated or associated with any activity or programme aimed at the subversion of the Constitution. The idea of subversion of the Constitution was amply clear in the statement of that gentleman, Mr. E. M. S. Nambodiripad, who is your partner today. You are having honeymoon and understanding with them. The Home Minister is a Gandhian. He will come into conflict with this State. Government is encouraging the regional political parties in the States (*Interruptions*). It

will give a go-by to Article 60 of the Constitution. (*Interruptions*) I am not talking party politics. I am talking about recruitment policy. (*Interruptions*). I am not supporting the intelligence verification and special information being collected. But there are certain elements in this country, who might have infiltrated into the present Government through subversive activities. Take the RSS; it is a para-military organization. You want to nurse it. They have infiltrated into the universities, more than into the Government. Anand Marg is operating removing fish plates and indulging in railway sabotage. You yourself know it. All these activities of sabotage are on the increase, because you encourage this tendency of regional political parties. There is need for a uniform approach and understanding, in order to maintain the integrity of this nation. All people should be treated alike in matters of recruitment and other things.

Mr. Bosu has talked about the previous Government; and he gave names. Shall I quote names? (*Interruptions*) Mr. Subroto Mukherjee was a Congress Minister. Police people have been put in charge of verification work in West Bengal; and Congress people cannot get any of the appointments in West Bengal. Are you going to protect the West Bengal Government which is acting against the spirit of the Constitution of India in the matter of its recruitment policy? This is how discrimination is being operated in West Bengal. We are at the mercy of the different Governments. When discrimination is being made by such States, including West Bengal, are you going to safeguard our people? Suppose people who support Congress are not being recruited, is it not discrimination? If you do not take any steps in these matters, what is the remedy. You must remember that these are the elements which are operating around you. Therefore, you have to ensure that the guidelines in the matter of recruitment are uniformly operated. There should be no discrimination. Suppose some people are sympathic-

tie to some political parties, like the Congress, in the matter of recruitment and verification, how are you going to safeguard the interests of hundreds and thousands of young people who want to seek employment at the State level? Will you kindly give an assurance in this matter?

SHRI CHARAN SINGH: I am afraid, my hon. friend has said nothing which is relevant to the motion that is before the House, or which demands a reply, though he has said that he wants a categorical assurance.

SHRI K. LAKKAPPA: Sir, I referred to discrimination towards some people in the matter of employment, purely on political grounds. He did not answer that.

MR. DEPUTY-SPEAKER: We are discussing a particular circular. All the matters you are referring to do not pertain to that circular.

14.52 hrs.

**PUBLIC ACCOUNTS COMMITTEE
THIRTEENTH REPORT**

SHRI GAURI SHANKAR RAI (Ghazipur) I beg to present the Thirteenth Report of the Public Accounts Committee on paragraphs of the Report of the Comptroller and Auditor General of India for the year 1973-74, Union Government (Civil), Revenue Receipts, Volume I Indirect Taxes relating to Union Excise Duties.

14.53 hrs.

**PETITION ON UNEMPLOYMENT,
PRICE-RISE, LOWERING OF VOTING AGE, ETC.**

SHRI C. K. CHANDRAPAN (Cannanore): Sir, I beg to present a petition signed by Shri Amarendra Narain Sinha and others regarding unemployment, price-rise, lowering of voting age, inclusion of right to work

in Fundamental Rights, educational reforms, atrocities on Harijans and other weaker sections of society.

BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): With your permission, Sir I rise to announce that Government Business in this House during the week commencing 5th December, 1977, will consist of.—

(1) Consideration of any item of Government Business carried over from today's Order Paper.

(2) Discussion on the Resolution regarding Report of the Railway Convention Committee.

(3) Consideration and passing of the Supreme Court (Number of Judges) Amendment Bill, 1977.

(4) Discussion and voting on Supplementary Demands for Grants (General) for 1977-78.

(5) Consideration and passing of the following Bills as passed by Rajya Sabha.—

(a) The Reguisioning and Acquisition of Immovable Property (Amendment) Bill, 1977.

(b) The Betwa River Board (Amendment) Bill, 1977.

It is also proposed to provide for:—

(a) Further discussion on the motion regarding statement on two serious train accidents on Monday, the 5th December, 1977.

(b) Discussion on the Agreement with Bangladesh on sharing of the Ganga Waters at Farakka on Tuesday, the 6th December, 1977.

(c) Discussion on the motion regarding economic backwardness of Eastern U.P. at 3.30 P. M. on Wednesday the 7th December, 1977.