

Friday, June 18, 1971
Jyaistha 28, 1893(Saka)

**Second Session
(Fifth Lok Sabha)**



सत्यमेव जयते

NEW DELHI

Price: Re. 1.00

441
8

C O N T E N T S

No 20—Friday, June 18, 1971/Jyaistha 28, 1893 (Saka)

	COLUMNS
Oral Answers to Questions :	
*Starred Questions Nos. 571 to 575, 577, 578 and 582 ...	1—29
Written Answers to Questions :	
Starred Questions Nos. 576, 579 to 581, 583 to 600 & 271 ...	29—54
Unstarred Questions Nos 2507 to 2541, 2516 to 2533, 2535 to 2543, 2545 to 2616 and 2513 to 2634. ...	54—156
Calling Attention to Matter of Urgent Public Importance—	
Reported Heavy floods in the Ganges, Alaknanda, Teesta and the rivers of Assam ...	156—72
Papers Laid on the Table ...	172—78
Messages from Rajya Sabha ...	178—81
Delhi Sikh Gurdwaras (Management) Bill—	
As passed by Rajya Sabha ...	181
Business of the House ...	181—82
Statement <i>re.</i> Visit of UN High Commissioner for Refugees—	
Shri R. K. Khadilkar ...	182
Elections to Committees—	
(i) Council under the Institutes of Technology Act, 1961 ...	183
(ii) Council of the Indian Institute of Sciences, Bangalore ...	183—84
Agricultural Refinance Corporation (Amendment) Bill—	
<i>Introduced</i> ...	184
Statutory Resolution <i>re.</i> : Maintenance of Internal Security Ordinance (<i>Negatived</i>) and Maintenance of Internal Security Bill—	184—97, 353—402
Shri Atal Bihari Vajpayee ...	186—94
Shri S. M. Banerjee ...	194—97
Motion to consider the Bill—<i>adopted</i> ...	215
Clauses 2 to 18 and 1 ...	215, 75, 278—303
Motion to pass, as amended ...	353
Shri K. C. Pant ...	356, 383—85, 400—01
Shri Jyotirmoy Bosu ...	387
Shri Indrajit Gupta ...	387—92

*The sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.

			COLUMNS
Prof. S. L. Saksena	...	...	392—94
Shri K. Manoharan	...	...	395—96
Shri Samar Guha	...	...	396—97
Shri M. Satyanarayan Rao	...	...	397
Shri Hamendra Singh Banera	...	...	397—98
Shri Piloo Mody	...	...	398
Shri Shashi Bhushan	...	...	398
Punjab Budget, 1971-72	...	...	276—78
Committee on Private Members' Bills and Resolutions—			303
Second Report	...	...	303—11
Resolution <i>re</i> : Federal Debt Commission— <i>Negative</i>			311—21
Shri K. R. Ganesh	...	...
Shri Murasoli Maran	...	...
Resolution <i>re</i> : Recognition to Bangla Desh—			
Shri Samar Guha	...	...	322—35
Shri Krishna Halder	...	...	336—42
Shri Bibhuti Mishra	...	...	342—46
Shri Atal Bihari Vajpayee	...	...	346—53

LOK SABHA

*Friday, June 18, 1971/
Jyaishta 28, 1893 (Saka)*

*The Lok Sabha met at Eleven
of the Clock.*

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Security Arrangements at Calcutta International Air Terminal Building

*571. DR. RANEN SEN : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether the Calcutta International Air terminal building and the tarmac, where Aeroplanes from foreign countries halt, lack proper security arrangements and that any person can enter both the places without any check ; and

(b) if so, whether his Ministry propose to take proper security measures ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) :

(a) No, Sir. There are adequate arrangements at both the places.

(b) Does not arise.

DR. RANEN SEN : May I know from the hon. Minister whether she is aware of the fact that even today after the whole area has been infested with various types of people, anybody and everybody can have easy access to the Air Terminal Building and that there is no system of checking as is done in the Domestic Airport at Dum-Dum where one rupee is taken as an admission fee ?

DR. SAROJINI MAHISHI : I am sorry, the hon. Member has been wrongly

informed. There is a system of checking at the International Air Terminal Building also. But because a part of the building is under construction near the V.I.P. Lounge where mobile barricades have been put, some C.P.W D. workers and other workers sometimes go there. But they go inside with their passes and identity cards.

DR. RANEN SEN : Is it not a fact that in the south-eastern part of the runway of the Dum-Dum Airport and the tarmac, there are some non-scheduled air transport companies operating there and that they are free to carry any person inside without any pass and all that ?

DR. SAROJINI MAHISHI : No unauthorised persons is allowed to enter near the tarmac. An armed guard is there to prevent any access of unauthorised persons to the aircraft or to a place from which any damage to the aircraft can be done.

राष्ट्रीयकृत बैंकों की शाखाओं का खोला जाना

*572. श्री रामावतार शास्त्री : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) राष्ट्रीयकृत बैंकों की शाखाएं खोलने के लिए क्या शर्तें रखी गई हैं ; और

(ख) निर्धारित शर्तों के अनुसार बिहार में कितनी शाखाएं खोली जानी चाहियें और अब तक कितनी शाखाएं खोली गई हैं ।

वित्त मंत्री (श्री यशवन्तराव चव्हाण) : (क) और (ख). एक विवरण सभा पटल पर रख दिया गया है ।

बिबरन

जिन केन्द्रों में पहले से ही एक बैंक कार्यालय खुला हुआ हो उन केन्द्रों में नये कार्यालय

खोलने के लिए वाणिज्यिक बैंकों को लाइसेंस देने में भारतीय रिजर्व बैंक द्वारा अपनाये जाने वाले मापदण्डों में से एक महत्वपूर्ण मापदण्ड यह है कि प्रत्येक 10,000 की जनसंख्या के लिए सिद्धांत रूप में एक बैंक कार्यालय खोलने की अनुमति दी जाती है। स्थान विशेष के औद्योगिक और वाणिज्यिक महत्व को देखते हुए यदि उपर्युक्त सिद्धांत में ढील देना आवश्यक हो तो रिजर्व बैंक द्वारा इसमें छूट दी जाती है। ऐसी जगहों पर जहां बैंक की शाखाएं खोलने की गुंजाइश हो पर अभी तक शाखाएं नहीं खोली गयी हैं, आजकल बैंकों को कार्यालय खोलने की अनुमति आमतौर पर दे दी जाती है, चाहे उन स्थानों की जनसंख्या कितनी भी हो। इसके अतिरिक्त, ग्रामीण और अर्धशहरी क्षेत्रों में अपने कार्यालयों का विस्तार करने के लिये बैंकों को प्रेरित करने के उद्देश्य से रिजर्व बैंक, उन बैंकों को जिनकी 60 प्रतिशत से अधिक शाखाएं ग्रामीण और अर्धशहरी क्षेत्रों में हैं, ग्रामीण और अर्धशहरी क्षेत्रों में उनके दो कार्यालयों के पीछे एक शहरी केन्द्र के लिये लाइसेंस देता है, और इसके विपरीत अन्य बैंकों को ग्रामीण और अर्धशहरी क्षेत्रों में उनके तीन कार्यालयों के पीछे शहरी केन्द्र में एक कार्यालय खोलने का लाइसेंस देता है।

यद्यपि रिजर्व बैंक का जन संख्या सम्बन्धी स्थूल मापदण्ड यह निर्णय करने के लिए आधार-भूत सिद्धांत है कि किसी स्थान विशेष पर बैंक का एक या एक से अधिक कार्यालय हो, फिर भी किसी विशेष स्थान पर बैंक खोला जा सकता है या नहीं इस बात का निर्णय उस स्थान की औद्योगिक, वाणिज्यिक और अन्य आर्थिक गतिविधियों का व्यापक सर्वेक्षण करके और इस बात का विचार करने के बाद किया जाता है कि उस स्थान पर बैंक शाखा चलाने के लिए बैंकिंग व्यवसाय की काफी सम्भावना है या नहीं, जिससे कि खोली जाने वाली शाखा उचित समयावधि में आर्थिक दृष्टि से सक्षम हो सके। जबकि यह बताना कठिन है कि बिहार में

ऐसे केन्द्र कितने हैं, यह प्रयोजन के लिए नेता बैंक सर्वेक्षण कर रहे हैं और शाखा विस्तार सम्बन्धी कुल कार्य को चरणबद्ध रूप से शुरू किया जायगा।

जून 1969 और मार्च 1971 के अन्त की अवधि में बिहार में वाणिज्यिक बैंकों की शाखाओं की संख्या 273 से बढ़कर 416 हो गयी है अर्थात् 143 शाखाओं की वृद्धि हुई है, जिनमें से ज्यादातर शाखाएं सरकारी क्षेत्र के बैंकों ने खोली है। अब तक तैयार किये गये कार्यक्रम के अनुसार 1971 में बिहार में लगभग 130 नये कार्यालय खोलने का विचार है। उन बैंकों के खोले जाने से इस राज्य में जून 1969 में जहां 2,07,000 लोगों के पीछे एक बैंक कार्यालय था, वहां 1971 के अन्त तक एक लाख लोगों के पीछे एक कार्यालय हो जायेगा।

श्री रामाचतार शास्त्री : बिहार हर मामले में पिछड़ा हुआ है ; वह बैंकों के मामले में भी पिछड़ा हुआ है। मंत्री महोदय के वक्तव्य के मुताबिक बिहार का औसत अब एक लाख लोगों के लिए एक बैंक पर आने वाला है, जब कि हिन्दुस्तान का औसत 52,000 लोगों के लिए एक बैंक है और गुजरात का औसत 28,000 लोगों के लिए एक बैंक है। मैं यह जानना चाहता हूँ कि इस डिमपैरिटी की वजह क्या है और इस डिमपैरिटी को कम करने के लिये सरकार ने अब तक क्या कार्यवाही की है और आगे वह क्या कार्यवाही करने का विचार रखती है।

SHRI YESHWANTRAO CHAVAN : One of the reasons for this disparity was that the banks were not nationalised. After the nationalisation, you can see that the ratio of the population to bank branches which was more than 2 lakhs per branch in 1969, before nationalisation, has now reached to 1 lakh per branch. With the proposed opening of 330 new branches, in 1971, the proportion should further improve. This is the only explanation I can give.

श्री रामाबतार शास्त्री : बिहार एक औद्योगिक केन्द्र भी है। मंत्री महोदय ने अपने स्टेटमेंट में बताया है कि बिहार में बैंकों की शाखाएं 273 से बढ़कर 416 हो गई हैं। मैं यह जानना चाहता हूँ कि इन 416 शाखाओं में से कितनी शाखाएँ औद्योगिक केन्द्रों में हैं और कितनी शाखाएँ देहात में हैं, ताकि इस बात का अन्दाज़ लगाया जा सके कि सरकार बिहार की कृषि की प्रगति में कहां तक योगदान कर रही है।

SHRI YESHWANTRAO CHAVAN : I will try to find out whether I have got detailed information. I can tell him that of these additional branches which have been opened, more than 70 to 80 per cent were opened in the rural areas. Of the first branches, they were naturally in the industrial sectors. But the expansion is rural-oriented with greater emphasis on the unbanked areas or the under-banked areas.

श्री रामसहाय पांडे : बैंको की नयी शाखाएं रूरल एरियाज़ में खोलने के लिये जो मापदंड निर्धारित किया गया है, वह स्वागत-योग्य है। मैं यह जानना चाहता हूँ कि क्या छोटे-छोटे गांवों तक पहुँचने के लिए सरकार का इरादा कोई मोबाइल बैंक खोलने का भी है। क्या यह सम्भव नहीं है कि क्रेडिट और डेबिट के लिए, रुपया लेने और देने के लिए मोबाइल बैंक खोले जायें ?

श्री यशवन्तराव चव्हाण : मोबाइल बैंक और मोबाइल हास्पिटल में फ़र्क करना चाहिये। Regarding mobile banks, I think the attitude should be to reach the people. If mobility means that, I can understand. Merely a bank to carry cash to distribute, that is not the idea of a mobile bank, because normally loans are advanced on the assessment of productive activities applicant is undertaking. Therefore, our idea is to set up the Branch within the reach of the customers. This is the main idea.

श्री रामसहाय पांडे : तो फिर छोटे-छोटे गांवों तक कैसे पहुँचेंगे ?

SHRI YESHWANTRAO CHAVAN : That is the way we are proceeding with branch expansion. There are two or three criteria. First of all we have to see whether we cover the necessary population. At the present moment, the national average is one branch for 52,000 of the population. Really speaking, our idea is that at least one branch should reach 10,000 population if we can go to that extent.

Secondly, one will have to see that there is mobilisation of deposits potential also in that area. That also is there.

The third criterion is to meet the needs of the people as well. Those must be the productive needs. This is the general framework within which we have to work.

I won't say that there is any scheme of mobile banks as such, but the idea is to reach the people.

SHRI D. BASUMATARI : May I know whether it is a fact that the criterion laid down is that there should be one bank for an area of 10 miles. If it is so, may I know how in the tribal areas where the tribal population are spread out over a large area, the tribals' needs will be met ? What is the special measure undertaken for it ?

SHRI YESHWANTRAO CHAVAN : It is a fact that in one of the Circulars of the Reserve Bank the ten miles areas was mentioned and the idea was that the Bank Manager should also be able to supervise the operations and when the money is taken on loan, he must be in a position to go and see whether it was strictly used for the end purpose for which it was taken. So, in the guidelines they had mentioned the ten miles area but I found that that was literally taken and it has certainly created an atmosphere and a psychology of grievance. So, we have pointed out to the Reserve Bank that this should not be literally taken.

SHRI JAGANATH RAO : The main object of opening branches in the rural areas is to see that credit reaches the poorer sections of the community. Till

to-day, the poorer people, the self-employed persons are not able to get facilities from the nationalised banks. May I know from the Finance Minister whether instructions have been issued to the banks to liberalise the granting of credit loans to self-employed persons?

SHRI YESHWANTRAO CHAVAN : As I told, not you, but others in reply to many questions answered recently, we had appointed a special Committee to go into the question of self-employed; to go into the techniques of extension of credit to this category of borrowers to find out the methods and a very useful report has been submitted by Thakkar Committee. I think a copy of it has been placed in the Parliament Library. Probably you could make use of it. It is a very useful document. Of course, all these documents are useful. Only question is of implementation.

In order to discuss the application also of the principles in practice, I had some long discussions with the Custodians and necessary instructions have also been given to the banks. I hope the instructions, are very seriously taken at the field level. That, really speaking, is my main problem. If I get some time during this session also, I propose to go and see for myself in the field whether, these instructions have reached the field areas. This is, what I want to do myself if I can do that. Necessary thinking has been done. Necessary instructions have also been given, but, at the same time, I share the hon. Member's anxiety that we are not getting the results that we should get. I must admit that. But, it is such a vast work and a new type of work that we cannot really depend upon bureaucratisation of the matter...*(Interruptions)*. We will have to create an atmosphere for it.

MR. SPEAKER : I would request the Minister to be brief in his reply.

SHRI DHANDAPANI : What is the criteria for opening new branches in a particular area? Is it a fact that in the Third Five Year Plan the State Bank of India opened some 1400 branches all over India out of which 95 per cent branches have incurred heavy losses? Will the

Government take any action to minimise the loss?

SHRI YESHWANTRAO CHAVAN : I cannot rush to a conclusion that all the branches have been incurring losses. But it is quite natural in the beginning. The opening of new branches in a new area in the first stage involves certain overhead expenditure and this involves certain loss in the new branches in the beginning. But we will have to find that the banks as a whole do not go into loss. That is what we aim at and that is being kept as an objective.

SHRI DHANDAPANI : What is the criteria Government have for opening new branches?

MR. SPEAKER : If you had heard the reply to the earlier question, it would be clear to you—

Next question.

Free Secondary Education in Gujarat

*573. **SHRI P. M. MEHTA :** Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether the Government of Gujarat had made Secondary Education free in Gujarat; and

(b) whether after the imposition of President's Rule in Gujarat the relief given by the former Government to the students as mentioned in part (a) above has been withdrawn?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) Under successive resolutions of the former Government of Bombay and thereafter, of the Government of Gujarat, up to August 1969, education up to the Secondary School Certificate stage had been made completely free for girls and full freeship or half freeship had been allowed to boys coming from low income families, respectively. No order or resolution of the Government of Gujarat had been issued at any time making Secondary Education free for all boys, but a minute

had been recorded by the Chief Minister and an announcement had been made immediately before the imposition of President's Rule that Secondary Education would be made free for all boys also with effect from June 1971.

(b) Formal orders have been issued after the imposition of President's Rule, on May 28, 1971, reaffirming the earlier orders making Secondary Education free for girls, and substantially raising the limits of income or land holdings, which would entitle boys to free studentship or half free studentship, thereby extending the concession to a much larger number of students than before.

SHRI P. M. MEHTA : What about the second part of my question ?

SHRI D. P. YADAVA : There is no question of withdrawal. Actually the Chief Minister just made a press statement that secondary education will be free. But he should have all the paraphernalia before this.

SHRI P. M. MEHTA : After giving full thought and consideration to all the relevant factors, the decision was taken to make secondary education free. It was announced by the Chief Minister.

MR. SPEAKER : Please ask a question.

SHRI P. M. MEHTA : I am asking...

MR. SPEAKER : Please come to it direct.

SHRI K. S. CHAVDA : Everybody is doing like this. Every time there is introduction and then only the question.

MR. SPEAKER : That is not the way.

SHRI K. S. CHAVDA : The rule should be for everybody. Everybody puts question like this.

MR. SPEAKER : That is not the way. Don't get excited.

SHRI P. M. MEHTA : It was announced after the imposition of President's rule

that "it is not cancelled but it is postponed." May I know the factual position about this statement made by the Governor ?

SHRI D. P. YADAVA : Actually, President's rule was promulgated on 13th May. On 12th May, the Chief Minister gave a press statement that secondary education would be free for boys and girls. Actually, on the 11th May itself, the Cabinet had advised the Governor to dissolve the Assembly. So, after advising the Governor that the Assembly should be dissolved, there was no necessity to hurry with that press statement or order that secondary education would be completely free for all.

SHRI SHYAMNANDAN MISHRA : What is the factual position ? Has it been postponed or cancelled ?

SHRI P. M. MEHTA : Great unrest prevails among the student world of Gujarat and the students' unions have demanded that secondary education should be free. May I know whether there is any proposal to redress this grievance of the students ?

SHRI D. P. YADAVA : Of course, Government will be giving the students all help for advancement of education. But so far as secondary education is concerned, unless we do something better for primary education in which itself the Gujarat State is lagging behind, how can we think of secondary education ?

SHRI K. S. CHAVDA : May I know whether the students, the annual income of whose parents from all sources, and who belong to Scheduled Castes, Scheduled Tribes etc. get freeship today, and if so, whether they experience difficulty in obtaining income certificates and they desire that secondary education should be free ?

SHRI N. K. SINHA : May I know...

SHRI K. S. CHAVDA : He has not replied to my question yet.

SHRI N. K. SINHA : That question does not arise out of the main question. This relates to the whole state of Gujarat and not—to the Scheduled Castes and tribes alone.

SHRI K. S. CHAVDA : It does arise. I would like to know whether they demanded that secondary education should be free because they experience difficulty in getting the income certificates.

MR. SPEAKER : Let the hon. Member kindly not argue about this. The question was whether the Gujarat Government had made secondary education free in Gujarat. The hon. Minister has already given the reply. What else does he want ?

SHRI PILOO MODY : You know what the situation there now is ?

SHRI POPATLAL JOSHI : May I know the reason for the Governor to postpone the freeship ?

SHRI D. P. YADAVA : The Chief Minister should have observed all the paraphernalia before going in for a press release...

SOME HON. MEMBERS : What paraphernalia ?

SHRI D. P. YADAVA : He should have gone to the Cabinet first ; he should have consulted all the Cabinet Ministers. But he did not consult the Cabinet Ministers. He simply passed an order...

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मंत्री महोदय ने जो उत्तर दिया है क्या उससे यह समझा जाय कि भारत सरकार माध्यमिक शिक्षा को निःशुल्क करने के मिश्रिततः खिलाफ है ? यदि उत्तर हां में है तो क्या सरकार जम्मू काश्मीर की सरकार को भी सलाह देगी जिसने एम. ए. तक शिक्षा निःशुल्क कर रखी है कि वह भी इसको वापस ले ?

श्री डी. पी. यादव : पहले हम प्राइमरी को कर लें उसके बाद सेकण्ड्री के बारे में सोचेंगे ।

SHRI R. P. YADAV : May I know whether the order that was passed was in conformity with the requirements of the rules of business of the Gujarat Government

and whether the decision taken by the ex-Chief Minister was taken by the State Cabinet or in consultation with the State Cabinet ?

SHRI D. P. YADAVA : No.

Advance of Loans by State Bank of India to Village Agriculturists and Small Traders of Rural Areas in West Bengal

*574. **SHRI SUBODH HANSDA :** Will the Minister of FINANCE be pleased to state :

(a) whether Government are aware of the role played by the State Bank of India in West Bengal in regard to advance of loans to village agriculturists and small traders in rural areas ;

(b) whether State Bank of India has been able to meet the demands of the above categories of people ;

(c) whether innumerable applications are pending for decision since 1970-71 ; and

(d) how long the Bank would take to come a final decision on each application ?

THE MINISTER OF FINANCE (SHRI (YESHWANTRAO CHAVAN) : (a) Yes, Sir ; State Bank of India has formulated specific schemes for financing agriculture and has "adopted" villages for intensive coverage. Schemes for advancing working capital and equipment finance have been drawn for small traders.

(b) No, Sir ; the needs for agricultural credit specially, are very large and it cannot be expected that the State Bank of India alone, or even commercial banks by themselves, would be able to meet these demands fully.

(c) and (d). The State Bank of India has reported that there is no large accumulation of pending applications for loans from agriculturists and small traders in various branches in West Bengal. Very often an applicant for a bank loan also applies to a cooperative society for loan or has already taken loan from a cooperative society or

from the State Government. Checking and counter-checking on this account sometimes leads to delay in final disposal of the loan applications.

SHRI SUBODH HANSDA : Are Government aware that small agriculturists and traders with no capacity for giving security against the loans are finding it difficult to get such loans ?

SHRI YESHWANTRAO CHAVAN : It is true that in the early stages we did find that the small man was in difficulty and we had to find some new solution for that. In order to overcome this difficulty, a new Guarantee Corporation has been established ; it started functioning on 1st April. In reply to one of today's starred questions—I do not exactly remember the number of the question ; I am not sure whether it will be reached—I have in a statement given details of the functioning of this Corporation, what are limits upto which loans extended to traders etc. can be guaranteed, how the small traders, kisans can be helped, how the self-employed man or small businessman can be accommodated etc. The hon. member can refer to the details there so that I need not waste the time of the House on it now. But this matter is certainly important and we are making efforts in this direction.

SHRI SUBODH HANSDA : The Minister has stated that the SBI has already formulated schemes according to which loans are being advanced. Is he satisfied with the performance of the SBI in comparison with the other banks which are advancing such loans ?

SHRI YESHWANTRAO CHAVAN : I am not satisfied because I have again pointed it out to the Chairman of the SBI himself. The functioning of the State Bank so far as the agricultural sector is concerned is better in other States than in West Bengal. As a matter of fact, the State Bank is not a lead bank in any of the districts in West Bengal ; there are some other banks such as the United Commercial and Bank of India which have got a large number of branches in West Bengal. The SBI has its own responsibility in this matter. Therefore, we have pointed out to the bank that it will have to give a better account

in regard to the rural and agricultural sector.

SHRI K. SURYANARAYANA : the hon. Minister has stated that the State Bank has adopted some schemes for advancing loans to agriculturists. What are the policies adopted in this regard, will preference be given to the small farmers needing small amounts or to big farmers wanting Rs. 2 or Rs. 3 lakhs ? Very often we find the big farmers, taking advantage of their local influence, get loans of the order of two or three lakhs of rupees.

SHRI YESHWANTRAO CHAVAN : I think that what the hon. Member said did happen in the beginning. When they were asked to look to the agriculturists, their old banking instincts prompted them to look for clients who were more safe, the rich farmers. But consciously we tried to make a change, and in order to make it easy for them also to reach the small farmers, this Guarantee Corporation has been established. We will have to wait for some time to see its working. As I said, I am myself not very much satisfied with the results of extension of credit to agricultural sector.

SHRI INDRAJIT GUPTA : Details regarding most of these new schemes are not very clear even to Members of this House. So I would like to know from him, conditions in our country being what they are and the banking practices and banking habits being what they have been in the past, what methods are being employed to see that the particulars of these schemes are widely popularised among the people in the villages, small agriculturists, traders and so on, so that they are encouraged to approach the banks.

SHRI YESHWANTRAO CHAVAN : This is a very good suggestion. As a matter of fact, I myself made this suggestion that these schemes should be publicised in the local languages so that they reach the people. My first effort is to see that at least they reach the officers in the field. I would look into it. It is certainly a good suggestion.

SHRI BHAGWAT JHA AZAD : May I know what happened to the much-publicised idea of the hon. Finance Minister about

different rates of interest for different classes of people who want loans from the banks ?

SHRI YESHWANTRAO CHAVAN : I do not know whether it was much publicised but certainly I did make a reference to it more than once. A study group was appointed in the Reserve Bank and its report has been received recently. I propose to publish the report so that hon. Members who want can give their views also. There is difference of opinion between the members of the committee. We have not taken any decision so far. We have to examine the matter.

SHRI D. K. PANDA : May I know whether the Government has issued any specific instructions to advance loans to the share-croppers who are landless on co-security basis ?

SHRI YESHWANTRAO CHAVAN : I do not know if specific instructions have been issued to this. I will find out.

SHRI K. BASAPPA : Is there any proposal to have an Advisory Committee at the State and district levels for the State Bank ?

SHRI YESHWANTRAO CHAVAN : At the present moment there is no such proposal. There are local committees, Advisory Committees, for Bombay, Calcutta and Madras zones, but not for every State.

SHRI SOMCHAND SOLANKI : Before nationalisation security was given by the borrower...*(Interruption)*. May I know from the hon. Minister today, after nationalisation, what is the easy way to get a loan from the nationalised banks because they have to pay Rs. 200 to the management and after that they are getting the loan. What is the easy way to get loans from the nationalised banks ?

SHRI YESHWANTRAO CHAVAN : I do not know what he means by saying easy way. There are certain allegations of corruption. But it would be difficult to say that every agriculturist is supposed to pay Rs. 200 or something like that. Formerly there was a very difficult procedure, I quite agree. Now the procedures have been simplified.

In the past the banks normally insisted on third party guarantee because of the insecurity the man who sanctioned the loan was feeling. In order to facilitate matters, the credit guarantee corporation has been established and we shall have to watch the working of these things ; possibly this might facilitate the lending by the banks to the neglected sector.

Boeing Flights to Trivandrum

+

*575. **SHRI C. K. CHANDRAPPA :**
SHRI PHOOL CHAND VERMA :
SHRI A. K. GOPALAN :

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether the Government of Kerala had requested the Union Government to fly the Boeing flights to Trivandrum ;

(b) whether the runway in Trivandrum airport is suitable for the landing of jet aircraft ; and

(c) the decision taken on the request of the Kerala Government ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) :

(a) Yes, Sir.

(b) The runway is adequate for Boeing 737 jets.

(c) Indian Airlines propose to start a Boeing service to Trivandrum from October, 1971.

SHRI C. K. CHANDRAPPA : The Minister has said that there had been a request from the Kerala Government to start the Boeing service to Trivandrum. She also said that the runway was good. Why did not the Government start the Boeing flight earlier and why has there been this delay ? Why do they not start it as soon as possible ?

DR. SAROJINI MAHISHI : On account of certain technical difficulties the Boeing services could not be extended to Trivandrum earlier. Proving flights were carried out by

the IAC a few months ago. We use instrument landing system which is not there at the airport at Trivandrum. This year very high frequency omnirange will be established and the services are going to be extended.

SHRI C. K. CHANDRAPPA : May I know whether the Government of Kerala had requested the Centre to make available all the necessary modern facilities in that airport and what is the decision of the Government on that ?

DR. SAROJINI MAHISHI : Yes, Sir ; necessary facilities will be provided at the airport at Trivandrum, as early as possible.

SHRI N. SREEKANTAN NAIR : There were four flights from Bombay to Cochin and there is only one flight now. In view of the fact that even Members of Parliament find it difficult to get connections from Bangalore to Cochin, will the Government expedite the starting of the new Boeing 737 flights ?

DR. SAROJINI MAHISHI : We are extremely sorry for the inconvenience caused to the Members of Parliament travelling between Bombay and Cochin. The services between Bombay and Cochin are *via* Goa and another one *via* Relgaum, Mangalore, Cochin. From 15 October the services between Bombay, Goa, and Cochin, Bombay Bangalore Cochin and Bombay Belgaum Mangalore Cochin—all these services will start and Boeing services will be up to Goa Bangalore and further on the service will be by HS 748.

श्री कल्लचन्द्र वर्मा : अध्यक्ष महोदय, मैं आपके माध्यम से माननीय मंत्री महोदय से पूछना चाहता हूँ कि जेट विमानों के उतरने के लिये जो रन-वे का निर्माण किया जाता है उसके सम्बन्ध में केन्द्रीय सरकार की नीति सभी प्रान्तों पर एक जैसी लागू होती है ? यदि आपका उत्तर हाँ में है तो मध्य प्रदेश में इन्दौर रायपुर पर भी यही बात लागू होगी ?

श्री सरोजिनी महिशी : केन्द्रीय सरकार की नीति सभी प्रान्तों के लिए एक ही है। इन्दौर

हवाई अड्डे पर कुछ कठिनाइयाँ थीं लेकिन अब इन्दौर के लिए अक्टूबर तक उड़ानें आरंभ हो जायेंगी।

Steps to Improve the Working of Delhi Transport Undertaking

+

*577. **SHRI S. M. BANERJEE** :
SHRI B. S. BHAURA :

Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the steps taken to improve the working of D.T.U. ; and

(b) whether more buses are likely to be introduced ?

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS, AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (**SHRI OM MEHTA**) : (a) and (b). A statement giving the information required is laid on the Table of the Sabha.

Statement

STEPS TO IMPROVE THE WORKING OF THE DELHI TRANSPORT UNDERTAKING

(a) and (b). The Delhi Transport Undertaking has taken the following measures to improve the bus services operated by it in the Capital :—

- (i) The Undertaking has drawn up a phased programme for the replacement of the over-aged buses (i.e. vehicles over 8 years old) and purchase of additional buses to augment its fleet to meet the increasing requirements of commuters. Orders for the purchase of 309 single and double decker buses were placed during 1969-70 and 1970-71. Against this, 196 buses have been received and put on road. Most of these buses are being operated as express services on payment of an extra amount of 5 paise per head per journey. The new buses have larger carrying capacity. The remaining 109 buses are also expected to be received in the course of

the next three months in accordance with the stipulated delivery schedule.

The Government gave a loan of Rs. 130 lakhs to the Delhi Transport Undertaking during 1969-70 and of Rs. 178 lakhs during 1970-71 for the purchase of buses. Loans are also proposed to be given during the current financial year for the purchase of buses, as and when payments become due to the chassis suppliers and body building firms.

- (ii) A radio communication system and a well-knit telephone net work have been set up; field officers are posted and time regulation is watched at all important points.
- (iii) Maintenance points have been established in the network of the Undertaking's operational area to attend, on the spot, to minor defects which develop in the buses on the road.
- (iv) Regional control of depots and operation has been introduced so that senior officers are able to pay personal attention to operational matters besides depot administration.
- (v) Unserviceable vehicles are being converted into trailers, after renovating the bodies, to be run as trailer buses on selected routes.
- (vi) Old buses are being removed from normal duty for use as school buses and for special hire purposes.
- (viii) Intensive checking of ticketless passengers has been launched.
- (viii) Servicing and daily maintenance is being done at night under the supervision of senior officers.
- (ix) Private buses under D.T.U. operation have been engaged to cover the shortage of its own buses.

- (x) Stores and Workshops are being streamlined by the Undertaking so as to help in deploying the maximum number of buses on road.

SHRI OM MEHTA : Sir, in the statement, there is a small typing error. It is said there that "Orders for the purchase of 309 single and double decker buses were placed during 1969-70 and 1970-71." It should be 305.

SHRI S. M. BANERJEE : From the statement it appears that adequate steps have been taken by the Delhi Transport Undertaking. But I would like to know whether it has been brought to the notice of the hon. Minister that the behaviour in the buses, both of the drivers and the conductors, is awful, and sometimes the passengers are thrown out of the buses; the students also receive the same fate. I would like to know whether instructions have been issued to the staff concerned that they should at least be courteous to the passengers, even though there may not be accommodation.

I would like to know further whether it is a fact that passengers having tickets also are produced before the magistrate; after boarding the buses, they are turned out, and some of them were fined Rs. 25, Rs. 35 and Rs. 45 by the magistrate. If so, what steps have been taken by the Government to ask the DTU authorities not to do such things?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : As hon. Members know, the DTU functions under the Delhi Municipal Corporation. I am sure the Delhi Municipal Corporation supervises the staff, and the management. They do take due care and I believe they are anxious to see that the conductors and other members of the staff behave with the people who are their masters with due decorum, decency and courtesy. I have no doubt that.

In regard to the other question about the magistrates, etc., I do not exactly understand what he means.

SHRI S.M. BANERJEE : About the fines. Even today, there was one student

who has been fined Rs. 25. I hope the Minister reads the newspapers. (*Interruption*)

MR. SPEAKER : Order please. He may put his next question.

SHRI S. M. BANERJEE : May I know whether it is a fact that a decision would be taken by the Government to convert the DTU into an autonomous public corporation and, if so, the reason for the delay why it is not being done, and whether it is objected to by the Delhi Administration and, if so, how the objection is going to be met by the Government ?

SHRI RAJ BAHADUR : There is a demand from the people, which is really growing, for converting the DTU into a Corporation, but it involves so many factors. We have to take the Delhi Municipal Corporation with us, because it would amount to a major step, and it will certainly take away the management of the DTU from the Corporation, and it may not be liked by the concerned parties. We would like to have, in this case, as much consensus as possible.

SHRI S. M. BANERJEE : The question is whether they have accepted the principle.

SHRI RAJ BAHADUR : We shall consider this proposal sympathetically.

SHRI H. K. L. BHAGAT : May I know whether it is a fact that the Government of India appointed a committee sometime ago to go into the affairs of the DTU, particularly its financial condition, and, if so, what were the findings of that committee and in the light of those findings, what action do the Government of India propose to take ?

SHRI RAJ BAHADUR : Of course, a committee was appointed and it advised that it should raise the fares. In fact—well, my colleague will read the recommendations.

SHRI OM MEHTA : The recommendations are : the present organisational structure of the DTU is not satisfactory, and the existing arrangement should be

replaced by a statutory corporation ; the Board of Directors of the Corporation should be selected strictly on the basis of skills, and experience useful to a transport undertaking ; the Board should be capable of reviewing operations and recommending improvements ; the chief executive should be a person responsible for the management of the corporation at the top level, and he should be a member of the Board of Directors. There should be a larger delegation of powers for the Chief Executive and other managerial staff so as to ensure optimum performance. There have been more than 5 changes in the post of General Manager of DTU during the last 12 years, although under the Delhi Municipal Corporation Act, the tenure is five years. The concerned authority should avoid frequent changes in top management personnel.

SHRI RAJ BAHADUR : A recommendation has been made that the fare should be increased, but somehow or other, it has not found favour with the elected members of the Corporation.

श्री मान सिंह चौरा : मंत्री जी ने स्टेट-मेंट में लिखा है कि "Private buses under DTU operation have been engaged to cover shortage of its own buses" यह ठीक है कि बसेज की शॉर्टेज है इसलिए जो डी० टी० यू० प्राइवेट ऑपरेटर्स को एनगेज करती है इसलिए नहीं करती है कि प्राइवेट ऑपरेटर्स को कोई फायदा पहुंचाया जाय। तो क्यों नहीं डी. टी. यू. डायरेक्ट बसेज खरीद कर खुद चलाती जिससे उसको फायदा हो ?

श्री राज बहादुर : अगर माननीय सदस्य का यह मंशा हो कि बजाय इसके डी. टी. यू. के तत्वावधान में चलें, वह सीधे उनको परमिट दे दे तो मैं समझता हूँ.....

SHRI S. M. BANERJEE : Why have private buses been put ?

SHRI RAJ BAHADUR : There is a shortage of buses and to meet the requirements of the travelling public, we want to augment our fleet with private buses. I am talking on behalf of the Corporation,

Preservation of Tribal Art and Culture

*578. **SHRI SAMAR GUHA :** Will the Minister of CULTURE be pleased to state :

(a) whether Government propose to set up a Committee to go into the problems of preservation of the tribal art and culture in our country ; and

(b) the other steps proposed to be taken by Government in this regard ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE SHRI D. P. YADAV : (a) No, Sir.

(b) Tribal Research Institutes set up in the States study matters relating to art and culture of tribal people and suggest measures for their preservation and development. The Sangeet Natak Akademi has from its inception, been making efforts towards the documentation of the performing arts, viz., Music, Dance and Drama, of the Tribal communities. Under one of the Fourth Five Year Plan Schemes, the Akademi has been recording the music of the tribal communities of different regions of the country and filming and photographing their dances. The Akademi has also collected musical instruments, masks, etc. used by the tribal communities. The tribal art specially the tribal dances are highlighted every year during Republic Day Celebrations.

SHRI SAMAR GUHA : May I know whether any attempt has been made by Government to preserve the tribal dialects by having some script—Roman or some other script—for them and whether Government has prepared any literature for the tribal culture ?

SHRI D. P. YADAVA : So far as dialect is concerned, we have already set up several tribal research institutions in the areas, particularly in Assam, Bihar, Gujarat, M.P., Andhra Pradesh, Rajasthan, Orissa, West Bengal, Maharashtra, U.P. and Kerala, to study matters relating to art and culture of the tribal people and suggest measures for their preservation and development.

They are expert people and the hon. member's suggestion will be incorporated. It is a good suggestion.

SHRI SAMAR GUHA : It is good that almost every year during Republic Day celebrations, the tribal people are asked to perform their dance, drama and folk songs. May I know whether the Government has organised any troupe of the tribal people to perform their dances, drama and folk songs throughout the country and have inter-change among the different tribal communities ?

SHRI D. P. YADAVA : It is a good suggestion.

MR. SPEAKER : Every suggestion by you is being accepted today !

SHRI KARTIK ORAON : Religion plays an important part in moulding tribal art and culture.

MR. SPEAKER : Please come to the question.

SHRI KARTIK ORAON : So, unless the tribal religion is protected we cannot claim to protect the tribal art and culture. I would like to know whether the Government is aware that the British Government in the 1911 census report recorded tribal religion as "animism" defined as the name of a category to which are relegated all the pre-Hindu religions of India. In the 1931 census report the term "animism" has been replaced by tribal religion to denote the religions of all primitive tribes. The Constituent Assembly on the 11th May 1949 under the chairmanship of Sardar Vallabhai Patel passed a resolution by which they purported to preserve the tribal religion.

MR. SPEAKER : Let him come to the question.

SHRI KARTIK ORAON : Now I would like to know whether the government is aware that those people who destroyed the tribal culture, traditions and religion during the British regime were treated as good boys and girls. Unfortunately, even under the national government those who try to destroy our tribal culture, tradition and religion still continue to be treated as good boys and girls.

MR. SPEAKER : Unless he asks the question I will have to ask him to resume his seat.

SHRI KARTIK ORAON : May I know whether the government will take note of this that history is going to record a note of protest on the performance of the government and their madness in maintaining that religion is not for tribals, Democracy is not for tribals, secularism is not for tribals, justice and fair play are not for tribals.

MR. SPEAKER : I will not allow this speech. It is not at all a question. It need not be replied.

SHRI KARTIK ORAON : Government have no reply to give. They have done nothing for the Tribals.

श्री आर० बी० बाडे : अभी मंत्री महोदय ने जवाब दिया कि बाकी स्टेटों ने आर्ट और कल्चर के बारे में जानने के लिए कमेटियां बनायी है। लेकिन क्या शासन ने यह भी देखा है, राष्ट्रपति के अन्तर्गत यह शासन का कर्तव्य है, कि आर्ट और कल्चर के बारे में मध्य प्रदेश में जो रिसर्च होता है वह मध्य प्रदेश शासन कर रहा है या केन्द्र से उसको पैसा मिलता है ?

SHRI D. P. YADAVA : So far as assistance is concerned, we will give matching share to those States.

SHRI R. V. BADE : The Minister has given a reply where we could not understand even a word of what he said. Sir, I want your protection.

MR. SPEAKER : I can give protection if your question concerns the whole country. If you want to ask something about Madhya Pradesh you have to give fresh notice.

SHRI R. V. BADE : The question was :

"whether the Central Government propose to set up a Committee to go into the problems of preservation of the tribal art and culture in our country ; "

MR. SPEAKER : If you ask a question about the whole of India then you will get an answer.

SHRI R. V. BADE : My question is whether the State has done anything to preserve the art and culture of the Gonds of Madhya Pradesh.

MR. SPEAKER : He may give notice of a separate question. This question relates to the whole country.

SHRI DINEN BHATTACHARYYA : Question No. 582.

शिक्षा और समाज कल्याण मंत्रालय तथा संस्कृति विभाग में उप-मंत्री (श्री डी० पी० यादव) : (क) जी हां।

(ख) छात्रवृत्तियां विश्वविद्यालय अनुदान आयोग द्वारा इसी उद्देश्य के लिए गठित की गई प्रवरण समिति की सिफारिश पर दी जाती है। असम, नागालैंड, मणिपुर और नेफा के पहाड़ी क्षेत्रों के वास्तविक निवासी जिनके पास पहली और दूसरी श्रेणी की स्नातक डिग्री है, वे उत्तर-स्नातक अध्ययन के लिए छात्रवृत्ति पाने के पात्र हैं, और जिनके पास पहली या दूसरी श्रेणी की मास्टर डिग्री है, वे डाक्टर डिग्री के शोध कार्य के लिए अवर शोध शिक्षा-वृत्ति पाने के पात्र हैं।

(ग) अभी ऐसा कोई प्रस्ताव विचाराधीन नहीं है।

SHRI DINEN BHATTACHARYYA : I asked the question in English. I could not follow what the hon. Minister has read out. I want it to be repeated in English.

SHRI SAMAR MUKHERJEE : He has answered another question.

SHRI PILOO MODY : But in this House it does not matter.

SHRI D. P. YADAVA : I am sorry, Sir.

PL-480 Funds for Educational Activities

*582. **SHRI DINEN BHATTACHARYYA :** Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the total amount of PL-480 funds canalised for educational activities in India during the last three years ; and

(b) whether such funds were completely canalised through Government agencies or were at times canalised through private institutions ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) Rs. 24.56 crores as far as the Ministry of Education and Social Welfare is concerned.

(b) The funds are canalised both through Government and private agencies in accordance with the agreement concerning the use of PL-480 funds.

SHRI DINEN BHATTACHARYYA : What are the private agencies through which the fund is canalised and what is the basis of this ? Could the Minister kindly tell the House ?

SHRI D. P. YADAVA : The different ways in which PL-480 funds are being utilised for educational activities in India are through notional attribution against funds which are earmarked for Indian use and are set off against normal budgetary expenditures. This is done by the Department of Economic Affairs which has intimated that during the last three years the amount so utilised amounted to Rs. 21.33 crores for IIT Kanpur, higher technical education and elementary education.

SHRI DINEN BHATTACHARYYA : My question was specific. What are the private agencies through which PL-480 funds are canalised and up to what amount it has up till now been canalised ?

MR. SPEAKER : His question is very simple. He is asking about that part of the Question which relates to the canalisation through private agencies.

SHRI D. P. YADAVA : We have research institutions and we publish books also. As regards specific names, I need notice.

SHRI DINEN BHATTACHARYYA : The Government is not even ready to divulge the names of private agencies through which the PL-480 Fund is spent. So my next question is : What are the criteria on which the canalisation of this Fund is done both through Government agencies and private agencies.

SHRI D. P. YADAVA : We are spending PL-480 Fund through the U. G. C., the IIT and through book publications. In almost all the committees, our Government officials are incorporated. Of course, they are autonomous bodies (*Interruption*) I think, the hon. Member should not get irritated on this point, so far as PL-480 Fund is concerned. In almost all the committees, the Government officials are there.

SHRI S. M. BANERJEE : I would like to know from the hon. Minister whether it is a fact that PL-480 Fund is being used for other activities which have a bad effect on the minds of the students, that is, American culture, American activities, all sorts of activities. I want to know whether an inquiry will be made in regard to the IIT Kanpur about various allegations that this money is being used for purposes other than education.

SHRI D. P. YADAVA : There is no such information with us.

श्री कूलचन्द्र वर्मा : माननीय मंत्री महोदय ने प्रश्न के उत्तर में बतलाया कि पी. एल. 480 की जो धनराशि जाती है वह प्राइवेट एजेंसियों के माध्यम से शिक्षा के लिए खर्च की जाती है। मैं मंत्री महोदय से पूछना चाहता हूँ कि उनको क्या कठिनाई है उन प्राइवेट एजेंसियों के नाम बताने में ? कृपया वह उनके नाम बतायें कि किन के माध्यम से यह काम होता है।

श्री डी. पी. यादव : मुझे इसके लिए नोटिस चाहिये ।

MR. SPEAKER : Of course, I did not object to it. The Minister could give it. As you would see part (b) of the Question, it says,

"whether such funds were completely canalised through Government agencies or were at times canalised through private institutions."

He gave the factual information. About the names, it could have been easy for the Minister to come prepared.

श्री फूलचन्द बर्मा : मंत्री महोदय ने कहा कि प्राइवेट एजेंसियों के माध्यम से दी जाती है। इसका मतलब है कि उनको उन एजेंसियों की जानकारी है। तब फिर उनके नाम बताने में उनको क्या आपत्ति है ?

MR. SPEAKER : But he is not ready with that.

Question Hour is over. Again, the progress is very slow. I will have to be a little more strict in future.

WRITTEN ANSWERS TO QUESTIONS

Scheme for Development of Historical Places in Agra

*576. SHRI RAJDEO SINGH : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether Government have formulated any specific scheme for the development of historical places in Agra ; and

(b) if so, the outlines thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SARAJINI MAHISHI) :

(a) and (b). Maintenance of the monuments at Agra is done by the Archaeological Survey of India. The Department of Tourism has commissioned repairs to the road from the power house crossing to

Motilal Nehru Park. It also proposes to landscape the area around the Taj and construct a Tourist Reception Centre at Agra.

Reduction in the Number of Check-Posts for smooth flow of Inter-State Traffic

*579. SHRI BRIJ RAJ SINGH—KOTAH : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the names of the States which have agreed to reduce the number of existing checkpoints suggested by the Transport Development Council to ensure smooth flow of inter-State traffic ;

(b) the names of such States which have not considered this feasible ; and

(c) the main reasons given by them and the reaction of the Central Government thereon ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) :

(a) to (c). The Governments of Haryana, Jammu and Kashmir, Kerala, Orissa, Rajasthan, Tamil Nadu, Uttar Pradesh, Pondicherry, Tripura and Goa, Daman and Diu agree, in principle, to the reduction in the number of check-posts and are taking necessary action in this behalf. The Government of Uttar Pradesh have, however, referred to the difficulties in posting staff belonging to different departments, which have different objectives and techniques of checking, under a single authority. But they are considering methods of implementing the recommendation.

The Governments of Bihar, Gujarat, Punjab and West Bengal consider that the proposal for abolition/consolidation of checkpoints is not practicable. The Government of Punjab have, however, added that traffic check barriers to be established, in future, will be set up alongside the existing ones.

Maharashtra has stated that combination of checkpoints at places other than Greater Bombay is not possible. The feasibility of having a single consolidated checkpoint to serve the needs of all the Departments at

Bombay is being examined by the State Government.

There are only administrative checkposts in Manipur and Nagaland and no reduction in their number is considered desirable in these territories which are sensitive border areas.

There are no check-posts in the other Union Territories except Delhi which has only terminal tax barriers.

The reactions of the Governments of Andhra Pradesh, Assam, Madhya Pradesh, Mysore and Himachal Pradesh are awaited. The matter is being pursued with these States and the others who have not agreed to consolidation of checkposts.

Difficulties experienced by Private Sector Industries in obtaining Working Capital from the Nationalised Banks

*580. SHRI BISHWANATH JHUNJHUNWALA : Will the Minister of FINANCE be pleased to state :

(a) whether Government are aware that difficulties are being experienced by the private sector Industries in obtaining working capital from the nationalised banks in time to run their industries with the result that production is hampered considerably ; and

(b) whether in order to give fillip to the production activities in the country, Government propose to instruct the nationalised banks to deal with such cases more expeditiously ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) and (b). The Reserve Bank of India has advised the banks to exercise greater vigilance in regard to end-use of credit to all sectors of the economy so that banks' funds are not diverted for purposes other than those for which they are meant. This entails closer scrutiny by the banks of the credit applications particularly from the large account holders who have a number of sub-limits under each account. This may result in some delay in the sanction of loans in respect of a few cases. But there are no facts to indicate that unwarranted

difficulties are being experienced by the private sector industries generally in obtaining working capital from the nationalised banks in time. The need for expeditious disposal of credit applications is impressed upon the banks by the Reserve Bank of India from time to time.

Agreement for Loan from Netherlands

*581. SHRI S. M. KRISHNA :
SHRI NIHAR LASKAR :

Will the Minister of FINANCE be pleased to state :

(a) whether an agreement between the Government of India and Netherlands has been signed for a loan of Rs. 10.47 crores to India ;

(b) if so, how this amount is proposed to be utilised ; and

(c) the terms and conditions of the agreement ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) Yes Sir. An agreement has been signed with the Netherlands authorities for their advancing a loan equivalent to Rs. 10.36 crores.

(b) The loan is proposed to be utilized for import of components, raw materials, spares and capital equipment required for our development plans, in addition to obtaining services from Netherlands. These imports will be effected within the country's overall licensing policy.

(c) The loan carries a rate of interest of $2\frac{1}{2}\%$ per annum and is repayable in 30 years with an initial grace period of 8 years during which no repayment of the principal will be made.

Checking of Accounts of Bodies and Associations exempted from payment of Income Tax

*583. SHRI S. N. MISRA : Will the Minister of FINANCE be pleased to state :

(a) whether the accounts of the Bodies or Associations exempted under the Income-Tax Act are checked ;

(b) if so, at what intervals ; and

(c) if not, whether there is any check that the exemptions are not abused ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) to (c). Exemptions provided under the Income-tax Act are broadly of three types :—

- (1) Exemption available to bodies or associations because of the very nature of these institutions where the income earned does not form part of the total income. This exemption is available to institutions like hospitals and educational institutions not run for purposes of profit. These bodies do not have to file either their returns of income or present their accounts to enjoy exemption under the Income-tax Act.
- (2) Exemption to institutions whose income also does not form part of their total income under the Income-tax Act, only when certain statutory conditions are fulfilled. Under this category exemption is available to certain notified sports bodies, professional associations, etc. The information regarding the periodicity of checking of accounts of these institutions is not readily available. It will have to be collected from the field officers from all over the country and would take considerable time. If the Hon'ble Member has some specific institutions in mind, the information in respect of them will be collected and laid on the Table of the House.
- (3) Incomes of religious or charitable trusts derived from property held under trust or income from voluntary donation provided certain statutory conditions are fulfilled are exempt from tax. Prior to 1.4.1971 the exemption certificate in these cases was initially made valid for only one assessment year. The accounts of the first year were scrutinised and the certificates were

then renewed once in every three years after careful examination of the whole case. With effect from 1.4.1971, all such trusts, institutions or associations have to file their returns of income u/s 139(4A) of the Income-tax Act, 1961 annually. The accounts can now, therefore, be examined every year.

उत्तर प्रदेश के पहाड़ी इलाकों के छात्रों को विश्वविद्यालय अनुदान आयोग की छात्रवृत्तियां

*584. श्री नरेन्द्र सिंह बिष्ट : क्या शिक्षा और समाज कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विश्वविद्यालय अनुदान आयोग स्नातकोत्तर अध्ययन और शोधकार्य के लिए आसाम, नेफा, नागालैंड और मेघालय के पहाड़ी इलाकों के छात्रों को विशेष छात्रवृत्तियां देता है ;

(ख) यदि हां, तो उक्त छात्रवृत्तियां किस आधार पर दी जाती हैं ; और

(ग) क्या सरकार का विचार उत्तर प्रदेश के पहाड़ी क्षेत्रों के छात्रों पर भी उक्त योजना लागू करने का है और यदि हां, तो कब से ?

शिक्षा और समाज कल्याण मंत्रालय तथा संस्कृति विभाग में उप-मंत्री (श्री डी० पी० घाबरे) : (क) जी हां।

(ख) छात्रवृत्तियां विश्वविद्यालय अनुदान आयोग द्वारा इसी उद्देश्य के लिए गठित की गई प्रवरण समिति की सिफारिश पर दी जाती हैं। असम, नागालैंड, मणिपुर और नेफा के पहाड़ी क्षेत्रों के वास्तविक निवासी जिनके पास पहली या दूसरी श्रेणी की स्नातक डिग्री है, वे उत्तर-स्नातक अध्ययन के लिए छात्रवृत्ति पाने के पात्र हैं, और जिनके पास पहली या दूसरी श्रेणी की मास्टर डिग्री है, वे डाक्टर

हिंदी के शोध कार्य के लिए अवर शोध शिक्षा-वृत्ति पाने के पात्र हैं।

(ग) अभी ऐसा कोई प्रस्ताव विचारा-धीन नहीं है।

Indo-U.S. Text Book Agreement

*585. SHRI R. P. DAS : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the main features of the Indo-U.S. text book agreements and the scheme under which text books are published in India ;

(b) the total number of books published to date ; and

(c) the precautions which are taken to prevent the flooding of U.S.A. propaganda material in the guise of text books ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV) : (a) to (c). The Joint Indo-American Standard Works Programme was initiated in 1961 with the object of meeting the rapidly growing demand for reasonably priced American books in various disciplines both for purposes of reference and for use as text books in colleges and universities in India.

2. A Joint Indo-American Text Book Board comprising representatives of each side with Education Secretary of India as the Chairman was set up in 1961 to lay down the broad policy within which the U.S.I.S. was to operate on the scheme.

3. List of suitable American books are suggested to the Ministry of Education and Social Welfare by the USIS and USAID on the basis of selections made from lists submitted by the Indian publishers who have working arrangements with the U.S. publishers, after a survey of the requirements of the country and of the possibility of sales of these books in India. These lists are scrutinised first by USAID experts and then referred to the Ministry of Education and Social Welfare. That Ministry in turn

consults the University Grants Commission in regard to the assessment of books on Humanities and Sciences ; the Ministry of Food and Agriculture in regard to the assessment of books on Veterinary and Agricultural Science ; Technical Education Division for books in Business Management, Engineering and Technological subjects and experts designated by the Director General of Health Services for Medical books. The books considered suitable for Indian educational purposes are then approved by the Ministry. USIS or USAID provide subsidy from out of PL 480 funds to the concerned Indian publisher to reprint the U.S. book and price them about 1/5th or 1/6th of the price of the original U.S. edition.

4. 1188 titles have been published under this programme from its inception in 1961 to date.

5. As is apparent from paragraph 3 above the titles are scrutinised by the educational experts from the stand-point of their suitability, usefulness and possible demand among university students in India. The question of flooding of U.S.A. propaganda material in the guise of text-books therefore does not arise, under this scheme.

6. The Joint Indo-American Text Book Programme came into operation in 1961 by an exchange of Aide Memoir between the Government of India in the Ministry of Education and Social Welfare and the American Embassy in India. The main features of the programme are as follows :

(a) The Ministry of Education will clear the titles before these can be taken up for reprinting under the programme.

(b) Contracts would be entered into with publishers of standing who have secured the necessary copyright with regard to publication of the mutually agreed list.

(c) Royalty payments will not exceed 10% of U.S. copy per Indian reprint sold and the amount of

royalty will be intimated to the Ministry of Education for each title.

- (d) The sale price of the books published under the scheme should ordinarily be about 1/3rd of the original published price—the price being fixed in accordance with the cost of production, likely subsidy and the economic price to be charged. (The sale price now generally is between 1/5th to 1/6th of the U.S. retail sale price taking into account the later devaluation of the Rupee)
- (e) The distribution will generally be arranged through normal trade channels.
- (f) The U.S.I.S. will act as the operational body of the programme and for all contracts to be negotiated with it.
- (g) Ministry of Education will be informed of all contracts and other major steps taken by the American Embassy in the implementation of the scheme.

Functioning of Credit Guarantee Corporation of India

*586. SHRI JYOTIRMOY BOSU : Will the Minister of FINANCE be pleased to state :

(a) whether a new financial institution named "Credit Guarantee Corporation of India" has started its operation from 1st April, 1971 ; and

(b) if so, the functions thereof ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) and (b). A new public limited company, known as the Credit Guarantee Corporation of India Ltd., was registered on 14th January 1971 and has been entrusted with the responsibility for providing guarantees covering credit facilities granted to small

borrowers in certain priority and neglected sectors.

The Corporation has formulated a guarantee scheme which has been brought into force from 1st April 1971. This will cover, initially, credit facilities, within certain specified limits, granted by scheduled commercial banks to individual transport operators or to an association of not more than six such operators, individuals, firms and cooperative societies trading in fertilisers and goods, professionals, self-employed persons, individuals and firms owning business enterprises and farmers engaged in cultivation and allied agricultural operations. The Guarantee Organisation will bear losses upto seventy five per cent of the amounts which are bad or doubtful of recovery, the other twenty-five per cent being borne by the lending organisations. A guarantee fee of one half of one per cent per annum will be charged on the amounts outstanding on account of the eligible credit facilities.

According to the information given by the Reserve Bank of India, 67 scheduled banks have intimated acceptance of the scheme so far.

The eligibility ceilings to the various sectors as per scheme are broadly as follows :

(1) *Small farmers and agriculturists :*

For financing seasonal agricultural operations. Rs. 1000/-

For financing reclamation or improvement of land, construction of irrigation well, installation of pump-sets, purchase of machinery or equipment or other capital assets. Rs. 5000/-

For financing pisciculture, sericulture, animal husbandry poultry farming or dairy farming, such limits as the Corporation may notify from time to time but not exceeding. Rs. 50,000/-

(2) *Small Transport Operators :*

For financing an individual or an Association of not more than six individuals owning and operating a single transport vehicle. Loans limits not to exceed Rs. 50,000/-.

(3) *Small Retail Traders :*

Annual turn-over not exceeding Rs. 100,000/-

Primary dealers in fertilizers :

Annual turn-over not exceeding Rs. 200,000/-

(4) *Professional and self-employed persons :*

Medical practitioner including a dentist or a firm of medical practitioners owning or establishing a nursing home or clinic. Rs. 100,000/-

Construction contractor or a firm of Construction Contractors. Rs. 100,000/-

Engineering Consultant or Architect or a firm of Engineering Consultants or Architects. Rs. 50,000/-

Any other persons skilled in their profession whether they hold any professional or technical degree or diploma or not. Rs. 20,000/-

(5) *Business enterprises :*

All cases where original cost price of the equipment used should not exceed Rs. 50,000/-

The Corporation has also formulated a new scheme known as the Credit Guarantee Corporation of India small Loans (Financial Corporations) Guarantee Scheme, 1971 to cover credit facilities upto certain specified limits granted by the State

Financial Corporation including the Tamilnadu Industrial Investment Corporation Ltd., to small borrowers. As the advances to small scale industries are already covered under the Credit Guarantee Scheme for small scale industries, the new scheme will cover the residual categories of small borrowers who are likely to be (a) transport operators, (b) small hoteliers and (c) business enterprises engaged in the generation or distribution of electricity or any other form of power or in the development of management of any contiguous area of land as industrial estate. The new scheme will come into force from 1st July, 1971.

Smuggling on Indo-Nepal Border

*587. SHRI MUHAMMED SHERIFF : Will the Minister of FINANCE be pleased to state :

(a) whether there is smuggling on a very large scale along the Indo-Nepal border ;

(b) if so, the items which are being smuggled on this border ;

(c) the number of smugglers arrested during the years 1969-70 and 1970-71 ;

(d) the value of goods seized by the customs authorities during this period and

(e) whether there are some armed smugglers also at this border and if so, the steps taken by Government to deal with them ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K.R. GANESH) : (a) There is large scale smuggling along this border.

(b) Items smuggled from Nepal to India are various consumer articles like woollen and synthetic fabrics, nylon socks, metallic yarn, cigarettes, cigarette lighters, fountain pens, torches, cameras, blades, watches, transistors, tape recorders, clothes, cosmetics and playing cards.

Items smuggled from India to Nepal are raw jute, mica, bristles, skins of wild animals, reptiles and lambs, and cardamom.

(c) The number of smugglers arrested during 1969-70 was 111 and during 1970-71, 211.

(d) The value of goods seized during 1969-70 was Rs. 49,02,578 and during 1970-71 Rs. 75,37,498.

(e) Yes, Sir, there are some armed smugglers operating on this border and there have been a number of assaults on the Customs staff. The following steps have been taken to deal with the armed smugglers :

- (i) Arrangements have been made for the supply of rifles and revolvers to the Customs Preventive parties on the Indo-Nepal Border.
- (ii) The man power in the preventive parties has been increased.
- (iii) One Company of C.R.P. has been deployed in the Forbesganj Division of Patna Collectorate for prevention of jute smuggling to Nepal.
- (iv) A platoon each of C.R.P. Personnel has been temporarily diverted for a few months to the Muzaffarpur and Motihari Customs Divisions for prevention of smuggling.
- (v) Close liaison is maintained with the State Police Authorities on the Indo-Nepal border to provide help and protection to the Customs Staff engaged in the prevention of smuggling.

Setting up of a Shipyard at Haldia

*588. SHRI INDRAJIT GUPTA : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether the Indian Chamber of Commerce has urged Government to set up a shipyard at Haldia ; and

(b) if so, Government's decision thereon ?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : (a) Yes, Sir.

(b) Government are examining the matter.

Amount of Money in Circulation

*589. SHRI N.E. HORO : Will the Minister of FINANCE be pleased to state :

(a) the amount of money in circulation in the country during the last two years upto the 31st December, 1970 ; and

(b) the percentage of increase in circulation, yearwise during the last two years ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) and (b). Money supply with the public amounted to Rs. 6799 crores as on the last Friday of December 1970 as against Rs. 6036 crores as on the last Friday of December 1969 and Rs. 5389 crores as on the last Friday of December 1968. The annual rate of increase in money supply worked out to 12 per cent between end-December 1968 and end-December 1969 and 12.6 per cent between end-December 1969 and end-December 1970.

Cases Involving Arrears of Income-Tax Above Rs. 5 Lakhs

*590. SHRI S.R. DAMANI : Will the Minister of FINANCE be pleased to state :

(a) the names of the parties in respect of whom arrears of income-tax of Rs. 5 lakhs and above are outstanding ;

(b) the number of cases pending before the High Courts and Tribunals ; and

(c) the steps taken to clear the backlog in view of Government's assurance some time ago that all pending cases of assessment would be settled in two years ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K.R. GANESH) : (a) The information as on

31-3-1971 is not readily available. It is being collected and will be laid on the table of the House as soon as it is available.

(b) The desired information is given below :

(i) Number of cases pending before the High Courts as on 31-12-1970 : 7230
(Number as on 31-3-1971 not yet available),

(ii) Number of cases pending before the Income-tax Appellate Tribunals as on 31-3-1971 : 84,584

(c) With effect from 1-4-1968, the time-limit for completion of assessments has been reduced from four years to two years from the end of the assessment year in which the income was first assessable. To quicken the pace of assessments further, section 143 of the Income-tax Act, 1961 has been substituted by a new section 143. Under the new provisions, which have come into force from 1st April, 1971 it will be open to the Income-tax Officer, after receipt of the return of income, to make a regular assessment in a summary manner in most of the cases without requiring the presence of the assessee or the production by him of any evidence in support of the return. With the introduction of these provisions, it is hoped that the backlog of assessments would be cleared.

अलीगढ़ मुस्लिम विश्वविद्यालय विधेयक

*591. श्री शिव कुमार शास्त्री : क्या शिक्षा और समाज कल्याण मंत्री यह बताने की कृपा करेंगे कि अलीगढ़ मुस्लिम विश्वविद्यालय विधेयक को संसद में पेश करने में विलम्ब के क्या कारण हैं ?

शिक्षा और समाज कल्याण मंत्रालय में तथा संस्कृति विभाग में उप-मंत्री (श्री डी० पी० यादव) : अलीगढ़ मुस्लिम विश्वविद्यालय अधिनियम के कुछ उपबन्धों में संशोधन करने के लिए, 31 अगस्त, 1970 को राज्य सभा में एक विधेयक पेश किया गया था। जैसा कि इस

विधेयक से संबंधित उद्देश्य और कारणों के विवरण में उल्लिखित है, विश्वविद्यालय अनुदान आयोग द्वारा नियुक्त विश्वविद्यालय अभिशासन समिति की रिपोर्ट, केन्द्रीय विश्वविद्यालयों के लिए दीर्घकालीन कानून पर प्रभाव डालेगी। इसलिए समिति की रिपोर्ट प्राप्त होने और उसकी सरकार द्वारा जांच पड़ताल किए जाने के पश्चात ही, अलीगढ़ मुस्लिम विश्वविद्यालय के बारे में व्यापक कानून बनाने का कार्य हाथ में लिया जायगा।

Increase in Bank Rate

*592. SHRI C. CHITTIBABU : Will the Minister of FINANCE be pleased to state :

(a) whether as a result of one per cent increase in Bank rate in January 1971, small industries and industrial units have been facing difficulties in the matter of obtaining loans from Banks ;

(b) whether the increase in bank rate has also resulted in pushing up of the cost of production ; and

(c) the measures Government have adopted or propose to adopt to obviate these difficulties ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) No Sir,

(b) The proportion of increase in the interest on bank loans to the cost of production of industries is not so significant as to have a marked adverse effect on the total cost.

(c) In view of the replies to parts (a) and (b) the question does not arise.

राजस्थान में लोगों पर बर्काया कर

*593. श्री पन्नालाल बाकपात्र : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) राजस्थान में ऐसे लोगों की संख्या क्या है जिसके ऊपर आयकर, सम्पत्ति कर और

धन कर बकाया है तथा इस बकाया कर की राशि कितनी है ;

(ख) उनसे बकाया कर अभी तक वसूल न किए जाने के क्या कारण हैं ; और

(ग) बकाया करों की इस राशि को वसूल करने के लिए सरकार का क्या कदम उठाने का विचार है ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) : (क) राजस्थान में जिन व्यक्तियों की तरफ 31-3-1971 को आयकर, सम्पदा-शुल्क यथा धन-कर की बकाया रकम वसूली के लिए पड़ी थी उनकी संख्या के संबंध में सूचना उपलब्ध नहीं है। इस सूचना को एकत्र करने में बहुत अधिक समय और श्रम लगेगा। यनि माननीय सदस्य किसी विशिष्ट निर्धारित के सम्बन्ध में सूचना चाहते हों तो वह पेश की जा सकती है।

राजस्थान कार्य-क्षेत्र में 31-3-1971 को वसूली के लिए बकाया पड़ी आयकर की शुद्ध रकम 3.77 करोड़ रुपये थी। धन-कर और सम्पदा-शुल्क की बकाया के सम्बन्ध में सूचना अभी उपलब्ध नहीं है। यह सूचना इकट्ठी की जा रही है और उपलब्ध होते ही सदन की भेज पर रख दी जायगी।

(ख) और (ग). उपर्युक्त बकाया मांग में काफी बड़े अंश में निम्नलिखित किस्म की मांगें शामिल थीं जिनकी वसूली अपरिहार्य रूप से स्थगित रही :—

- (i) ऐसी मांगें जिनमें निर्धारित ने आय-कर अधिकारी/अपीलीय सहायक आयकर आयुक्त/अपीलीय न्यायाधिकरण के आदेश के विरुद्ध अपील/सम्बन्ध याचिकाएँ दायर कर दी हैं और वे विवादग्रस्त मांग की अदायगी नहीं कर रहे हैं।

(II) ऐसी मांगें जहाँ वसूली की कार्यवाही उच्च न्यायालय/अन्य न्यायालयों द्वारा स्थापित कर दी गई हैं।

(III) ऐसे व्यक्तियों की तरफ बकाया मांगें जिन्होंने भारत छोड़ दिया है और/अथवा जिनका पता नहीं चलता है।

(IV) ऐसे व्यक्तियों की तरफ बकाया मांगें जिनकी इस समय परिसम्पत्तियाँ कुछ भी नहीं हैं/अपर्याप्त हैं।

(V) ऐसी कम्पनियों की तरफ बकाया मांगें जिनका परिसमापन हो गया है।

(VI) ऐसी मांगें जिनकी वसूली इस कारण से रुक गई है कि संरक्षणात्मक उपाय के रूप में एक ही आय पर एक से अधिक निर्धारितियों की आय में शामिल करके कर लगाया गया हो।

(VII) ऐसी मांगें जिनकी वसूली इस कारण रुकी पड़ी है कि निर्धारित का दोहरे आयकर-राहत के दावे का सत्यापन किया जाना है।

शेष मांग की सामान्य रूप में वसूली हो रही है और कानून-सम्मत सभी उपाय किये जा रहे हैं।

पोस्ट के छिलकों का निर्यात

*594. डा० लक्ष्मीनारायण पांडे : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 'पोस्ट के छिलकों' का विदेशों को बड़ी यात्रा में निर्यात किया जाता है ;

(ख) यदि हां, तो देश में कृषकों द्वारा इसे किस मूल्य पर बेचा जाता है तथा इसका निर्यात मूल्य क्या है ; और

(ग) विभिन्न राज्यों में इस पर लगायी जाने वाली केन्द्रीय उत्पादन शुल्क की दर क्या है ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० गवेष) : (क) पोस्ट की भूसी का बड़ी मात्रा में विदेशों को निर्यात नहीं किया जाता है। विदेशों को निर्यात की गई पोस्ट की भूसी की मात्रा 1968 में 14 टन, 1969 में 27 टन तथा 1970 में 32 टन थी।

(ख) उपलब्ध सूचना के अनुसार, किमान पोस्ट की भूसी को लगभग 6 रुपये से 10 रुपये प्रति किबटल के दाम पर बेचते हैं। विदेशों में बिक्री के लिए निर्यात मूल्य उपलब्ध नहीं है। सूचना इकट्ठी की जा रही है और सभा-पटल पर रख दी जायगी।

(ग) पोस्ट की भूसी पर केन्द्रीय उत्पादन शुल्क नहीं लगाया जाता है। लेकिन राज्य सरकारें आबकारी शुल्क लगाती हैं जिसकी दरें प्रत्येक राज्य में अलग अलग हैं। पोस्ट उगाने वाले राज्यों में पोस्ट की भूसी पर लगाये जाने वाले आबकारी शुल्क की दरें इस प्रकार हैं :—

राज्य का नाम	शुल्क की दर प्रति किलोग्राम
--------------	--------------------------------

1. मध्य प्रदेश

(क) राज्य से बाहर निर्यात की जाने वाली पोस्ट की भूसी के लिए रु० .50

(ख) ऊपर (क) के अलावा अन्य प्रयोजनों के लिए पोस्ट की भूसी की बिक्री पर रु० 1.00

2. राजस्थान

(क) राज्य से बाहर निर्यात की जाने वाली पोस्ट की भूसी के लिए रु० 0.25

(ख) ऊपर (क) के अलावा अन्य प्रयोजनों के लिए पोस्ट की भूसी की बिक्री पर रु० 1.00

3. उत्तर प्रदेश

(क) राज्य से बाहर निर्यात की जाने वाली पोस्ट की भूसी के लिए रु० 0.25

(ख) ऊपर (क) के अलावा अन्य प्रयोजनों के लिए पोस्ट की भूसी की बिक्री पर रु० 0.50

Increase in Aircraft to Meet Increasing Requirements

*595. SHRI SHYAMNANDAN MISHRA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the extent of growth of air travel in India during the last three years ; and

(b) the extent of increase in aircraft to meet the increasing requirements during the same period ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) : (a) The number of passengers carried during the last three years, which is reflective of the growth of air travel in India, is as follows :—

Year.	No. of passengers.	Percentage variation over the previous year.
1968-69	1,959,417	+ 18.2
1969-70	2,248,177	+ 14.7
1970-71	2,125,357	— 5.5

The drop in 1970-71 was due to disruption of the Corporation's services on account of labour trouble and suspension of services overflying Pakistan since February, 1971.

(b) The fleet strength of the Corporation during the last three years, together with the ATKms* produced each year, is given below :

Aircraft	1968-69	1969-70	1970-71
Boeing 737	—	—	6
Caravelle	7	7	7
Viscount	14	14	14
F-27	15	14	11
HS-748	8	14	14
DC-4	3	—	—
DC-3	15	9	9
ATKms (in millions)	208.252	223.481	207.392

*(Available tonne kilometres.)

Development of Minor Ports in Kerala during the Fourth Plan Period

*596. SHRIMATI BHARGAVI THAN-KAPPAN : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether Government have under consideration any new proposal for the development of minor ports in Kerala during the Fourth Plan period ;

(b) if so, the names of such minor ports and the estimated cost thereof ; and

(c) the nature and extent of Central assistance to be provided to State for the implementation of the Scheme ?

THE MINISTER OF PARLIAMEN-TARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR): (a) and (b). Beypore port in Kerala has been

selected for development as a part of the scheme to develop one port in each maritime State under the 'Centrally Sponsored Schemes'. The estimate for the Development of Beypore is under examination.

(c) The Central Government extends financial assistance in the shape of loan to meet cent per cent of the approved cost of the Centrally Sponsored Schemes.

बैंक आफ बिहार लिमिटेड का स्टेट

बैंक आफ इण्डिया के साथ विलय

*597. श्री सरजू पांडे : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अगस्त 1968 में बैंक आफ बिहार लिमिटेड का, जिसका मुख्य कार्यालय पटना में था, स्टेट बैंक के साथ विलय कर दिया गया था ;

(ख) क्या तब से लेकर आज तक उक्त बैंक के शेयर होल्डरों को न तो उनके लेखे दिखाये गये हैं और न ही उन्हें कोई मुआवजा दिया गया है ; और

(ग) यदि हाँ, तो इसके क्या कारण हैं ?

वित्त मंत्री (श्री बसवन्तराव चव्हाण) :

(क) बैंक आफ बिहार लिमिटेड को 8 नवम्बर 1969 से भारतीय स्टेट बैंक में मिला दिया गया था ।

(ख) और (ग). भारतीय रिजर्व बैंक के निर्देशानुसार स्टेट बैंक, बैंक आफ बिहार लिमिटेड के शेयरधारियों को, समय-समय पर लेखा-विवरण जारी करके, बैंक के कार्यों के बारे में बताता रहेगा । 31-12-70 की स्थिति को दर्शाने वाला पहला लेखा-विवरण भी इसी शेयरधारियों को जारी किया जाने वाला है ।

बैंक आफ बिहार लिमिटेड के शेयरधारियों को कोई मुआवजा देने का प्रश्न केवल इस स्थिति में उठेगा जब कि बैंक आफ बिहार

लिमिटेड की अन्य परिसंपत्तियों की वसूली, जिसको फिकरहाल वसूल न हो सकने योग्य माना गया था, घाटे की रकम से अधिक हो जायगी। इस समय अनुमान है कि 1.34 करोड़ रुपये का घाटा है। भारतीय स्टेट बैंक, बैंक आफ बिहार लिमिटेड की परिसंपत्तियों की वसूली के लिए सभी सम्भव उपाय कर रहा है।

Panel for Appointments in Public Undertakings

*598. SHRI SOMNATH CHATTERJEE : Will the Minister of FINANCE be pleased to state :

(a) whether the Bureau of Public Enterprises prepares a panel for appointments to managerial positions in the public sector undertakings ;

(b) if so, the number of candidates included in the panel so far and how many of them have been appointed ; and

(c) if appointments have not been made from such panels, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) A Screening Committee, which is serviced by the Bureau of Public Enterprises, has been entrusted with the work of preparing panels of suitable names from the various possible sources—Government services, Public Enterprises as also private sector—for the appointments to top posts in Public Sector Undertakings.

(b) The Screening Committee, which was functioning during 1966 to 1970 had empanelled 595 persons for the various top posts in Public Enterprises. The Screening Committee was reconstituted by Government in August, 1970. This Committee has so far empanelled 105 persons.

Since 1966, 137 empanelled persons have been appointed to the top posts. However, during 1968 to 1970, Government had laid down that empanelment would not be a pre-condition to the appointment of managers of Public Enterprises to top posts in the same undertaking, where they are working.

(c) According to information available, 32 incumbents of top posts in Public Enterprises have been appointed without insisting on the condition of empanelment. (This excludes the appointments covered by the special dispensation for promotions to top posts within the individual enterprises in vogue during 1968 to 1970). The necessity of making these appointments arose due to non-availability of suitable persons in the panels for some of the specialised posts at the top level.

Reported Misappropriation of Rupees 20 Lakhs by the Staff of Khar Branch of the Union Bank of India, Bombay

*599. SHRI RAM KANWAR : Will the Minister of FINANCE be pleased to state :

(a) whether over 20 lakhs of rupee have been misappropriated by the staff of the Khar branch of the Union Bank of India in Bombay.

(b) the action, if any, taken against the persons involved in the misappropriation of the Bank money, and

(c) whether any action has been taken against senior officers responsible for supervising and auditing the accounts ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) Yes Sir, the amount misappropriated is reported to be Rs. 20,30,300/—

(b) The Agent and the Head shroff of the branch involved in the misappropriation have been arrested and remanded in custody.

(c) The bank has arranged for a team of Auditors to screen all operations of the Cash Department at the Branch. Action against officers responsible will be considered in the light of findings of Auditors.

Asian Education Ministers Conference held in Singapore

*600. SHRI BIBHUTI MISHRA : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether 20 nation Asian Education

Ministers Conference was held in Singapore in the first week of June, 1971 ;

(b) if so, the major decisions taken threat to reform the Present education system ; and

(c) to what extent India is expected to be benefited thereby ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV) : (a) Yes, Sir. The Regional Conference of Ministers of Education and those responsible for Economic Planning in Asia was held at Singapore from 31st May to 7th June, 1971.

(b) A statement is laid on the Table of the House. [*Placed in Library. See in LT-463/71*]

(c) The recommendations of the Conference if accepted by UNESCO and Asian member states, are likely to benefit India through greater regional co-operation and increased flow of international aid, in the field of education.

Measures to check Under-invoicing, Over-invoicing etc.

*271. SHRI JYOTIRMOY BOSU : Will the Minister of FINANCE be pleased to state :

(a) what measures have so far been taken by Government to check under-invoicing, over-invoicing and tax evasion ; and

(b) whether as a result of the measures adopted by Government, such incidents are on the decline ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) Measures both administrative and legislative have been taken to check under-invoicing, over-invoicing and tax evasion. The more recent and important of these measures are as follows :—

(i) Declarations of value for imported and exported goods, are being more closely scrutinized.

(ii) Section 12(1) of the Foreign Exchange Regulation Act has been amended so as to make mis-declaration of value in the G.R. Form an offence liable for action under the Customs Act, 1962.

(iii) The preventive and audit machinery has been strengthened for detection of evasion of Central Excise duties.

(iv) Various amendments have been made in the income-tax Act. The minimum and maximum limits of penalty for concealment of income and wealth have been increased and provision made for imprisonment of persons who fail to deduct tax at source and pay the same to the Government and for failure to furnish returns of income-tax.

The attention of the Hon. member is also invited to the several measures which have been proposed in the budget 1971-72 to curb the tax evasion.

(b) A Study team, which considered the issues relating to over-invoicing and under-invoicing have made various recommendations. It is proposed to sponsor legislation where necessary, to implement the decisions on the recommendations. In regard to tax evasion, the amount of tax evaded which has been detected has increased steadily. This indicates that measures to check tax evasion are having their effect.

पर्यटन केन्द्रों की सूची में मध्य प्रदेश के पंचमढ़ी को सम्मिलित करने का प्रस्ताव

2507. श्री मंगू चरण दीक्षित : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार पंचमढ़ी (मध्य प्रदेश) को पर्यटन केन्द्रों की सूची में सम्मिलित करने का है ;

(ख) यदि हा, तो कब तक ; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

पर्यटन और नागर विमानन मंत्रालय में राज्य मंत्री (डा० सरोजिनी महिषी) (क) से (ग). पर्यटन केन्द्रों की कोई विशिष्ट सूची नहीं रखी जा रही। परन्तु, पंचगढ़ी को पर्यटन विमान द्वारा प्रकाशित किए गये मध्य प्रदेश विषयक पर्यटन साहित्य में स्थान प्राप्त है। राज्य सरकार इसका पर्यटन केन्द्र के रूप में विकास कर सकती है।

Branches of Nationalised Banks opened in Gujarat

2508. SHRI SOMCHAND SOLANKI : Will the Minister of FINANCE be pleased to state the number of branches of the nationalised banks opened in rural and urban areas of Gujarat during the last year ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : The number of offices opened by nationalised banks at rural and urban (including semi-urban and metropolitan cities) centres in Gujarat during the year 1970 is given below :

	No. of offices opened
1. Rural centres (Places with a population upto 10,000)	109
2. Semi-urban, urban and metropolitan centres	37
Total :	146

Plan to link Jaipur and Bhopal by a National Highway

2509. SHRI BRIJ RAJ SINGH KOTAH : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether there is any plan to link Jaipur with Bhopal via Kotah and Jhalawar by a National Highway ; and

(b) if so, the main features thereof ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : (a) and (b). No, Sir. The road in question runs along the Jaipur—Kotah—Jhalawar—Biaora—Bhopal route. Of this, the Biaora—Bhopal Section is already a National Highway (part of National Highway No. 12). The rest of the road from Biaora to Jaipur via Jhalawar and Kotah is an existing State road. The Government of India have recently agreed to provide a loan of Rs. 40 lakhs for the construction of bridges over the Ghar and Kalisindh rivers on this (Jaipur—Biaora) Section.

Percentage of Enrolled Students in Rajasthan

2510. Dr. KARNI SINGH : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the total number of children in age group 6—11 in Rajasthan as per the latest figures available ;

(b) the total number of those enrolled in class I to class V ; and

(c) how does the above percentage of enrolled students compare with those of the other States ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) According to latest available figures for the year 1968-69, the number of children in the age-group 6—11 in Rajasthan was 35.66 lakhs.

(b) The total number of children enrolled in Classes I—V during 1968-69 was 20.13 lakhs.

(c) A statement, giving statewise picture of the percentage of students enrolled in classes I—V to the corresponding population of the age group 6—11, including that of Rajasthan, is laid on the table of the House. [Placed in Library. See No. LT-46/71].

**Prohibited Areas in Assam
for Foreign Tourists**

2511. SHRI BISWANARAYAN SHASTRI : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether certain parts of Assam are prohibited areas for foreign tourists ; and

(b) if so, which are these areas the reasons for the restrictions on foreign tourists ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) : (a) and (b). Under the Foreigners (Restricted Areas) Order, 1963, the entire State of Assam has been declared as a restricted area and foreigners are required to obtain permits for visiting it. Such permits are granted liberally to tourists for visits to Kaziranga, Manas and Shillong which are considered to be of tourists interest.

**Promotion of Matric Trained Teachers
by Andaman Administration**

2512. SHRI PHOOL CHAND VERMA : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether some Matric Trained Teachers in Andamans have been promoted as Trained Graduate Teachers and such teachers are teaching in Higher Secondary and Middle classes by virtue of their being Trained Graduate Teachers, if so, the number of such teachers ;

(b) whether such practice is prevalent in other Union Territories ; and

(c) if not, the reason why this practice has been allowed in Andamans ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) to (c). The requisite information is being collected and the same will be placed on the Table of the Sabha as soon as possible.

**Stabbing of a Teacher in Andaman
Islands**

2513. SHRI JAGANNATH RAO JOSHI : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether a teacher was stabbed by a student in Andamans Government Boys School ;

(b) whether the same teacher was posted in Girl's School prior to his transfer to the present school ;

(c) whether complaints against the character of the teacher were lodged by some publicmen when he was in the Girls School ;

(d) whether transfer to the present school was on the basis of public complaint ; and

(e) whether the complaint was hushed up by the authorities due to the interference of the teacher's relation employed in the Secretariat and the reaction of Government thereon ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) to (c). Yes, Sir.

(d) No, Sir. He was transferred in the normal course as he had been serving in the Girls School for more than five years.

(e) No, Sir. The complaint against the teacher was investigated by the Andaman and Nicobar Islands Administration and found baseless.

**Promotion of Untrained Graduate
Teachers by Andaman Administration**

2514. SHRI HUKAM CHAND KAGHWAI : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether two untrained Graduates have been promoted as Headmasters of Middle Schools in Andamans ;

(b) whether representations from teachers individually and through the Teachers Association were received against that promotion by the Directors of Education of Andamans ;

(c) whether untrained Graduates are not eligible for such posts in any other Union Territory ; and

(d) the steps taken by Government in the matter ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) Yes, Sir.

(b) Yes, Sir.

(c) This information is not readily available.

(d) As per recruitment rules prevailing at the time of promotion both these teachers were eligible for promotion as Headmasters. However, they were directed to obtain teaching degree within two years. Recruitment rules are being amended prescribing qualification in teaching as essential.

Creation of a Post of Education Secretary for Andaman Islands

2516. SHRI HUKAM CHAND KACHWAL : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether Government have created a post of Education Secretary in the Andaman and Nicobar Islands Administration ;

(b) if so, the name, designation, pay-scale and qualifications of the incumbent working against that post ; and

(c) the authority which is competent to create that post, make selection of the post, and make appointment to the post ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND

SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) No, Sir ; there is no separate post of Education Secretary in the Andaman and Nicobar Islands Administration. The Finance Secretary is in-charge of Education also.

(b) and (c). Do not arise.

Applications for Financial Assistance rejected by Nationalised Banks in Gujarat

2517. SHRI SOMCHAND SOLANKI : Will the Minister of FINANCE be pleased to state :

(a) the number of applications for financial assistance rejected by the branches of the nationalised banks in Gujarat during the last one year on the ground that applicants were not able to furnish security ; and

(b) how many applications are pending for more than three months and six months ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) and (b). Statistics about the rejection of applications category-wise are not kept separately by banks. As regards the number of pending applications the information is being collected

Reconstruction of Ahmedabad Airport

2518. SHRI SOMCHAND SOLANKI : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether Government have decided to reconstruct the Airport at Ahmedabad ;

(b) if so, the amount sanctioned for its reconstruction ;

(c) whether Government have also decided to turn it into an international airport ; and

(d) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) :

(a) and (b). No, Sir. Estimates for certain development works proposed to be undertaken at Ahmedabad aerodrome during the current Plan period are however, under preparation.

(c) No, Sir.

(d) Need has not arisen. Ahmedabad is already an alternate for Bombay international airport

Proposal to connect Rameshwaram Island with Mandapam by Road/Bridge

2519. SHRI G. BHUVARAHAN : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether there is any proposal to connect Rameshwaram Island by road bridge from Mandapam to Rameshwaram ; and

(b) if so, whether any survey has been conducted in this regard, and if so, the estimated cost thereof ?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) :
(a) Yes, Sir.

(b) Yes, Sir.

Estimated cost of the project is Rs. 532.87 lakhs approximately.

Report of Study Committee set up to Suggest Changes in Suppression of Immoral Traffic in Women and Girls Act, 1956

2520. SHRI CHANDRA SHEKHAR SINGH : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether the study Committee, set up to suggest changes in the Suppression of Immoral Traffic in Women and Girls Act, 1956, have since submitted its report to Government ;

(b) if so, whether the report has since been examined by Government ;

(c) whether a copy of its report or its main recommendations would be laid on the Table of the House ; and

(d) when Government are contemplating to bring forward an amending legislation, so as to remove the loopholes in the main Act ?

THE DEPUTY MINISTER FOR EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMASWAMY) : (a) Yes, Sir.

(b) to (d). Report submitted by the Committee on "Amendment to the Suppression of Immoral Traffic in Women and Girls Act, 1956" was examined in the Department of Social Welfare. A draft Bill for Amendment of the Act is under preparation. A copy of the report will be laid on the Table of the House in due course.

Indian Institute of Advanced Study, Simla

2521. SHRI NARAIN CHAND PARASHAR : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the total amount of recurring expenditure incurred annually on the Indian Institute of Advanced Study, Simla (Himachal Pradesh) ;

(b) the total strength of the staff administrative and research ;

(c) the total number and names of scholars granted fellowships during the year 1970-71 ;

(d) the subjects for which these fellowships are available ;

(e) the number of publications brought out by the Institute ;

(f) whether any Members of Parliament are associated with the Governing Body of the Institute and if so, their names ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) The expenditure incurred by Government on the Institute in 1970-71 in the shape of grants was as follows :

Non-plan	...	Rs. 16.14 lakhs
Plan	...	Rs. 1.50 lakhs.

(b) *Research Staff* (including Visiting Professors and Scholars granted financial assistance/subsidy during 1970-71) ... 45

<i>Administrative staff</i>		(excluding the Director)
Officers	...	8
Class III	...	42
Class IV	...	63

(c) A statement is laid on the Table of the House [*Placed in Library. See No. LT-465/71.*]

(d) Fellowships are available in the following disciplines :

- (i) Sociology and Anthropology ;
- (ii) Political Science and Law ;
- (iii) Mathematics ;
- (iv) Education and Psychology ;
- (v) Economics and Commerce ;
- (vi) Historical Sciences ;
- (vii) Literature and Linguistics ;
- (viii) Logic and Philosophy ;
- (ix) Fine Arts.

(e) Twenty-nine publications have been brought out so far.

(f) No, Sir. The Union Minister of Education and Social Welfare is, however, Chairman of the Governing Body of the Institute.

Amendment of Laws Governing the Appointment of Secretaries in Companies

2522. SHRI CHANDRA SHEKHAR SINGH : Will the Minister of COMPANY AFFAIRS be pleased to state :

(a) whether Government are aware that after the abolition of Managing Agency system, some companies have started circumventing the law by appointing the outgoing Managing Agents or its former officials as Company Secretaries on his salaries, without their being fully qualified to hold such posts ;

(b) if so, whether further legislation to amend the Company law is contemplated by Government with a view to making it obligatory on companies with a capital of Rs. 20 lakhs and above, to appoint only qualified people in responsible positions in their secretarial department ;

(c) if not, the reasons therefor ; and

(d) when the company law will be brought upto date with the changed social objectives of Government ?

THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) : (a) Instances have come to the notice of the Government where erstwhile managing agents or secretaries and treasurers have been appointed as secretary, consultants etc. of companies previously under their management.

(b) Certain suggestions for amendment of the Companies Act, 1956 so as to make it obligatory for companies of a certain size to have qualified Secretaries are under consideration of the Government.

(c) does not arise.

(d) various suggestions for amendment of the Act are still under consideration of the Government.

Powers of Company Law Board for fixation of Remunerations of Directors of Public Limited Companies

2523. SHRI CHANDRA SHEKHAR SINGH : Will the Minister of COMPANY AFFAIRS be pleased to state :

(a) whether the Company law Board's powers of reducing the remunerations of Directors of public limited Companies, in order to bring them within the limit recently laid down by Government, have been declared arbitrary and void by a Court order on 9th May, 1971 ;

(b) if so, the particulars of this case ; and

(c) the statutory action Government propose to take to set matters right again with a view to checking the rising remunerations of company directors beyond a certain ceiling, as laid down in the recent past ?

THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) : (a) and (b). The Upper Doab Sugar Mills Limited resolved to pay its two managing Directors a salary of Rs. 5,000/- per month plus commission amounting to 3½ % of the net profits of the company during the financial year and other perquisites. The Company Law Board while approving the appointment and the salary stipulated a condition that the total remuneration of each Managing Director by way of salary and commission shall not exceed Rs. 1,20,000/- per annum. This restriction was challenged by the company on the ground that it is contrary to the provisions of sections 198 and 309 of the Companies Act which permit managerial remuneration upto 5 % of net profits for one Managing/Whole-time Director and 10 % of net profits in the case of more than one Managing/Whole-time Directors. The Division Bench of the Delhi High Court upheld the contention and declared that the administrative ceilings are void in law, being contrary to the statutory provisions of sections 198 and 309. Government has decided to prefer an appeal against this judgement to the Supreme Court and an application for certificate

of fitness and interim stay has already been filed.

(c) Government is examining the question of amending the relevant provisions of the Act.

Proposal for Change in Companies Act, 1956

2524. SHRI CHANDRA SHEKHAR SINGH : Will the Minister of COMPANY AFFAIRS be pleased to state :

(a) whether Government have received a large number of representations from various interests seeking drastic changes in the Companies Act, 1956, keeping in view the changing social needs ;

(b) if so, the nature of changes sought by the various interests ;

(c) the steps Government are contemplating to bring about the necessary changes in the Company Law ; and

(d) when these changes are likely to be effected, either by administrative or by legislative action ?

THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) : (a) A large number of suggestions have been received from various interests for amendment of the Companies Act, 1956. These suggestions and other appropriate amendments are still under consideration of the Government.

बिल्ली और शिमला में सरकार द्वारा बलाये जा रहे होटल

2525. डा० लक्ष्मीनारायण पांडे : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय सरकार बिल्ली और शिमला में कितने होटल बला रही है और उनके नाम क्या हैं ;

(ख) गत दो वर्षों में, वर्षवार, उन होटलों के रखरखाव तथा उनके कर्मचारियों पर कुल कितना व्यय किया गया ; और

(ग) मत दो वर्षों में इससे अलग-अलग कितनी आय हुई ?

3. लोधी

4. रणजीत

पर्यटन और सागर विभाजन संस्थान में राज्य मंत्री (डा० सरोजिनी महिषी) : (क) भारत पर्यटन विकास निगम द्वारा, जो कि एक सरकारी कम्पनी है, इस समय दिल्ली में निम्न-लिखित होटल चलाये जा रहे हैं --

भारत पर्यटन विकास निगम द्वारा शिमला में कोई होटल नहीं चलाया जा रहा है।

(ख) और (ग) : 1968-69 और 1969-70 के दौरान इन होटलों द्वारा अपने कर्मचारियों के वेतन और भत्तों, तथा साधारण पर किया गया व्यय, और उनकी कुल आय का व्यौरा नीचे दिया गया है :—

1. अशोक

2. जनपथ

	साधारण		कर्मचारियों के वेतन और भत्ते		कुल आय	
	1968-69	1969-70	1968-69	1969-70	1968-69	1969-70
	(लाख रुपयों में)					
अशोक	5.61	6.96	38.46	59.26	151.20	180.08
जनपथ	1.30	1.66	22.52	21.73	55.79	68.09
रणजीत	0.65	0.90	8.19	9.20	15.89	25.29
लोधी	0.35	0.51	7.20	7.98	15.02	21.64

1970-71 के लेखे अभी अन्तिम रूप से तैयार नहीं है।

Development of Jaipur into 'B' Grade City

2526 RAJMATA GAYATRI DEVI : Will the Minister of FINANCE be pleased to state :

(a) whether the scheme to develop Jaipur into 'B' Grade City has been lying with Government since 1963-64 ; and

(b) if so, the reasons why it has not been implemented yet and when Government intend to implement it ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) and (b). In December, 1963 Government considered the question of re-classification of Jaipur and re-classified the city as 'B-2' with effect from 1st Janu-

ary, 1964. Any further classification/re-classification of cities and towns including Jaipur will have to await the results of 1971 Census. The final population figures are still awaited.

Work-Load on Central Government Employees

2527, SHRI MANORANJAN HAZRA Will the Minister of FINANCE be pleased to state :

(a) whether the increase in the number of Central Government employees was only 0.5 per cent in the year 1968-69 ;

(b) whether during the same period, the volume of work in the Central Government Establishments has increased manifold, and

(c) if so, whether such a situation has arisen due to the overwork imposed on the existing staff to avoid new expenditure or any other reasons?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) Yes, Sir.

(b) A realistic assessment of the change that has occurred in the total quantum of work is possible only by the work measurement studies in different Departments spread over a period of time. In the very nature of things it is not possible to make a firm assessment of the likely variation in the work-load in the different Departments of the Government of India during the span of one year.

(c) The low level of growth during 1968-69 would have been the cumulative result of various factors. Partly, it could be attributed to various economy measures taken by Government like restrictions on the creation of class IV posts and on recruitment to class III posts. These measures were designed to contain the growth of unproductive administrative expenditure and envisaged the intensive utilisation of existing staff.

Introduction of Central Industrial Security Force in Mormugao Harbour

2528. SHRI DINESH JOARDER : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether Central Industrial Security Force has been introduced in Mormugao Harbour, Goa, if so, the particulars thereof ;

(b) whether Government have received any protest note with regard to this from the Mormugao Port Trust and Dock Workers' Unions ;

(c) if so, the reaction of Government thereto ; and

(d) whether Government propose to withdraw the Central Industrial Security Force from the Harbour, and if not, the reasons therefor ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : (a) Yes. The watch and ward duties at the Mormugao Port were partially entrusted to the Central Industrial Security Force on the 1st February, 1971, and the Force has been inducted into the Mormugao Port in stages. The present strength of the Central Industrial Security Force posted at Mormugao is one Assistant Commandant, one Inspector, two Sub-Inspectors, one Assistant Sub-Inspector, one Head Security Guard, fortyfour Guards and three followers.

(b) A protest has been received by the Port Trust.

(c) and (d). Government see no justification for revising the decision already taken.

Discontinuance of English as Medium of Instruction in High Schools and Colleges in U.Ts. and Central Schools

2529. SHRI RIJ RAJ SINGH—Kotah : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether there is any proposal under Government's consideration to discontinue the use of English as a medium of instruction in the various High Schools and colleges in the Union Territories and in Central Schools ; and

(b) if so, by when ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) and (b). The requisite information is not readily available. It is being collected from the Administrations of the Union Territories concerned and will be laid on the Table of the Sabha as soon as possible.

So far as Central Schools are concerned, the medium of instruction is Hindi and English. Accordingly Science and Mathematics subjects are taught in English. There is no proposal under Government's consideration to discontinue the use of

English as a medium of instruction in Central Schools in these subjects.

Unicef Aid for Programmes for Children in India

2530. **SHRI MUHAMMED SHERIEF :** Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether recently any fresh assistance has been provided by the United Nations International Children's Emergency Fund for any programmes for children in India ; and

(b) if so, what is the amount sanctioned and on what terms and conditions ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMASWAMY) : (a) Yes, Sir.

(b) The 1971-Session of the UNICEF Executive Board in Geneva approved a fresh commitment of aid totalling \$ 10.127 million for various periods for projects and programmes (of which the Board approved an allocation of \$ 6.06 million for 1971/72 for programmes/projects) detailed as under ; -

	U. S. \$
(i) ANM Training (Family Planning)	1,315,000
(ii) Science Education Programme (for School children)	3,454,000
(iii) "Operation Flood" (City Milk Schemes in India).	940,000
(iv) Nutrition Training in India.	191,400
(v) Integrated Services for children in selected urban areas in India.	160,000
	<hr/> \$6,060,400

Aid is given by UNICEF in the form of equipments and supplies for utilization in approved Projects/Programmes in a manner mutually agreed to by Government and UNICEF in respective Plans of Operation.

इन्दौर में सूती कपड़ा मिलों से उत्पादन शुल्क और आयकर की वसूली

2531. **श्री फूल चन्द वर्मा :** क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) जिला इन्दौर (मध्य प्रदेश) में रुई और सूती कपड़ा मिलें कितनी हैं और उनके प्रबंध निदेशकों के क्या नाम हैं ;

(ख) गत तीन वर्षों में केन्द्रीय सरकार ने उक्त मिलों से कितना उत्पादन-शुल्क वसूल किया ;

(ग) उक्त अवधि में केन्द्रीय सरकार ने इन मिलों को चलाने वाले पक्षों से कितना आय-कर वसूल किया ;

(घ) दिसम्बर 1970 तक उन पर आय-कर और उत्पादन शुल्क की कितनी राशि बकाया थी ;

(ङ) क्या उक्त मिलों के लेखों का लेखा परीक्षण कर लिया गया है ; और

(च) यदि हां, तो जिस बरिष्ठ अधिकारी ने उनके लेखों का लेखा परीक्षण किया था उनका पद क्या है और उन्होंने लेखा परीक्षण कब किया था ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० मन्नेश) : (क) मध्य प्रदेश के इन्दौर जिले में सात सूती कपड़ा मिलें हैं ; उनके तथा उनके प्रबंध निदेशकों के नाम नीचे दिए हैं ।

मिलों के नाम	प्रबंध निदेशकों के नाम
हुकमचन्द मिस्स	श्री मन्ना लाल अग्रवाल
कल्याणमल मिस्स	श्री आर० सी० जाल
राजकुमार मिस्स	श्री जी० बी० जे० सेठ
के० बी० मिस्स	श्री एस० एन० भण्डारी
इन्दौर मालवा युनाइटेड मिस्स	श्री के० जी० सक्सेरिया
स्वदेशी काटन एण्ड फ्लोर मिस्स तथा नन्द लाल भण्डारी मिस्स	सूचना इकट्ठी की जा रही है और सभा की मेज पर रख दी जायगी।

(ख) पिछले तीन वर्षों में इन मिलों से वसूल हुए उत्पादन शुल्क की रकम इस प्रकार है :—

वर्ष	वसूल हुए उत्पादन शुल्क की रकम
1968-69	1,86,89,099 रु०
1969-70	1,73,11,152 रु०
1970-71	1,70,69,863 रु०

(ग) सूचना इकट्ठी की जा रही है और सभा की मेज पर रख दी जायगी।

(घ) इन मिलों पर बकाया उत्पादन शुल्क की रकम दिसम्बर 1970 तक 2,62,096 रुपये है। इन मिलों पर बकाया आय कर की रकम के सम्बन्ध में सूचना इकट्ठी की जा रही है और सभा की मेज पर रख दी जायगी।

(ङ) जी हाँ।

(च) उत्पादन शुल्क लगने योग्य माल के उत्पादन और निकासी सम्बन्धी हिसाबों की और मिल द्वारा अदा किये गये केन्द्रीय उत्पादन शुल्क की लेखा परीक्षा, मध्य प्रदेश के महा-लेखाकार कार्यालय के लेखा-अधिकारियों द्वारा निम्नलिखित तारीखों को की गई थी :

मिलों के नाम	तारीख
हुकम चन्द मिस्स	5-1-1971
कल्याणमल मिस्स	26-11-1969
राजकुमार मिस्स	16-11-1970
के० बी० मिस्स	25-2-1971
नन्दलाल भण्डारी मिस्स	25-2-1971
इन्दौर मालवा युनाइटेड मिस्स	23-12-1969
स्वदेशी काटन एण्ड फ्लोर मिस्स	6-11-1970

इन मिलों के उत्पादन शुल्क लगने योग्य माल के उत्पादन तथा निकासी से संबंधित हिसाबों की तथा इन मिलों द्वारा केन्द्रीय उत्पादन शुल्क की अदायगी की भी विभागीय लेखा परीक्षा, केन्द्रीय उत्पादन शुल्क के निरीक्षण दल के लेखा जांचकर्त्ता अथवा अधीक्षक द्वारा फरवरी से मई 1971 के बीच की गई थी।

Punishment to Smugglers

2432. SHRI RAJDEO SINGH : Will the Minister of FINANCE be pleased to state :

(a) whether in certain cases, only the smuggled goods are seized and the smugglers are not arrested ; and

(b) if so, whether Government propose to make smuggling a 'non-bailable offence' and ensure that those who are caught on a charge of smuggling are severely punished?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) Except where the value of smuggled goods is small, all practical attempts are made to arrest the smugglers.

(b) The penalties prescribed under the Customs Act, 1962 for smuggling offences are quite severe. In addition to confiscation of goods penalty upto five times the value of the goods can be imposed on the person concerned in the smuggling of goods. Further, on prosecution under section 135 of the Customs Act, the smuggler may be sentenced to 2 years' imprisonment. In case of offences relating to goods to which section 123 applies, (namely, gold, diamonds, manufacture of gold or diamonds, watches, cosmetics, mechanical lighters and flints therefor, playing cards, blades, cigarettes, transistors and radios, synthetic yarn and metallic yarn, fabrics made wholly or mainly of synthetic yarn,) imprisonment upto 5 years may be awarded where the Indian market price of the smuggled goods exceeds Rs. 1 lakh. Because of this provision for five years' imprisonment, in all such cases of smuggling the offences are already non-bailable in terms of the provisions of the Code of Criminal Procedure.

Higher Rate of Interest on Loans given by Banks to Industries.

2533. SHRI M. KATHAMUTHU : Will the Minister of FINANCE be pleased to state :

(a) whether the banks are now charging interest at the rate of 13 per cent per annum on loans advanced to industries; and

(b) whether this will adversely affect the growth of industries?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) and (b). Following the increase in bank rate from 5% to 6% scheduled commercial banks also realigned their rates of interest.

At present the larger banks are ordinarily charging 10½% to 12% and 9% to 10½% rate of interest on their advances to large scale industries and small scale industries respectively depending on the merit of each case. It is possible that in some cases a rate of 13% is also charged depending on the circumstances.

The increase in the rates of interest in most cases is only marginal and the proportion of rise in the rate of interest to total expense of industries is not so significant as would adversely affect the growth of industries.

Recruitment in Public Sector Undertakings

2535. SHRI CHINTAMANI PANIGRAHI : Will the Minister of FINANCE be pleased to state :

(a) whether Government had issued instructions to all public sector undertakings to the effect that recruitments to the posts carrying basic salary upto Rs. 500/- should be made through the Employment Exchange ;

(b) whether the instructions are being carried out in all the public sector industries, nationalised banks and other Central Government offices and establishments in Orissa ;

(c) whether similar instructions have been issued to Hindustan Aeronautics Limited, Sunabeda ; and

(d) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) Government have issued instructions to all Central Government industrial and commercial undertakings, which require that all recruitment to posts carrying a salary of not more than Rs. 500/- per month is made through the local employment exchange and recruitment from other sources is resorted to only if the concerned employment exchange gives a "Non-availability certificate".

(b) The above instructions apply only to Central Government industrial and

commercial undertakings, including those located in Orissa. Similar instructions exist that the local Employment Exchanges should be utilised for recruitment to posts other than the posts filled through the Union Public Service Commission in all Central Government offices and establishments. As regards the nationalised banks, they notify vacancies to the Employment Exchanges as stipulated under the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 and give due consideration to the candidates sponsored by them.

(c) Yes, Sir.

(d) Does not arise.

Prosecution of Smugglers

2536. SHRI G. Y. KRISHNAN :
SHRI N. SHIVAPPA :

Will the Minister of FINANCE be pleased to state :

(a) the number of smugglers caught during the year 1969-70; and

(b) how many of them have been released and how many were convicted during the year ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) and (b). Information in this regard is being collected and will be laid on the table of the Sabha.

Analysis made by Central Bureau of Correctional Services regarding Juvenile Delinquency

2537. SHRI B. S. BHAURA :
SHRI ROBIN SEN :

Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether an analysis made by the Central Bureau of Correctional Services on crime and punishment has shown that one fifth of the persons imprisoned are below 21 years ;

(b) the reasons for the increase in juvenile delinquency in the country ; and

(c) what corrective measures Government propose to take to deal with the problem ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMASWAMY) : (a) Statistics available with the Central Bureau of Correctional Services for the period from 1961 to 1965 indicate that persons below the age of 21 who were imprisoned was 17.1% in 1961 and 18.8% in 1962. The percentage had come down to 17.6% in 1965.

(b) A variety of factors are involved in the etiology of crime and delinquency. By and large, rise in population, rapid urbanisation and widespread unemployment would appear to be the main factors.

(c) Social Defence is the responsibility of the States. However, the Department of social Welfare has been impressing upon the State Governments the need for enactment and enforcement of Children Act, Probation of Offenders Act and Borstal Schools Act and expansion of services under them. The Department has also been impressing upon the State Governments to introduce and expand welfare schemes for children for preventing juvenile delinquency.

आयकर विभाग पटना, में लोअर डिबीजन क्लर्कों की नियुक्ति

2538. श्री रामाबतार शास्त्री : क्या वित्त मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या वर्ष 1964 से पहले आय कर विभाग, पटना में लोअर डिबीजन क्लर्कों के पदों पर नियुक्ति के लिए टाइपिंग का ज्ञान अनिवार्य था ;

(ख) क्या सरकार ने इस शर्त को वर्ष 1964 में हटा दिया था ;

(ग) क्या वर्ष 1966 और वर्ष 1968 में इसी आधार पर इन पदों की नियुक्तियाँ की गई थीं ;

(घ) यदि हां, तो वर्ष 1973 में उक्त पदों पर नियुक्ति के सम्बन्ध में उपर्युक्त शर्तों को पुनः लागू करने का क्या औचित्य है ; और

(ङ) क्या आयकर विभाग, पटना में इसी आधार पर कुछ योग्य प्रत्याशियों को नियुक्ति से वंचित कर दिया गया था और यदि हां, तो ऐसे प्रत्याशियों की संख्या क्या है ?

बिस्व मन्त्रालय में राज्य मंत्री (श्री के० आर० गणेश) : (क) जी, हां ।

(ख) सरकार ने गृह मन्त्रालय के दिनांक 13 जुलाई, 1964 के कार्यालय ज्ञापन सं० 15/3/63-स्थापना (डी) में इस आशय का संशोधन किया कि यद्यपि निम्न श्रेणी लिपिकों के लिए टाइप सम्बन्धी योग्यता प्राप्त करना अनिवार्य समझा जाता है तथापि अब यह निर्णय किया गया है कि भविष्य में निम्न श्रेणी लिपिकों के मामले में, भारत सरकार की सेवा में प्रवेश हेतु टाइप सम्बन्धी योग्यता रखने पर आप्रह्न करने की आवश्यकता नहीं है । लेकिन इस प्रकार नियुक्त व्यक्ति जब तक टाइप करने में 30 शब्द प्रति मिनट की निर्धारित गति प्राप्त नहीं कर लेते तब तक वे न तो बेतन-मान में बुद्धियां पाने के हकदार होंगे और न ही उस ग्रेड में स्थायी होने के ।

(ग) जी, हां । 1966 और 1968 में जो नियुक्तियां की गईं वे उपर्युक्त भाग (ख) में उल्लिखित गृह मन्त्रालय के कार्यालय ज्ञापन के आधार पर की गईं ।

(घ) वर्ष 1971 के दौरान नियुक्तियों के संबंध में टाइप सम्बन्धी योग्यता की शर्त फिर से लागू नहीं की गई है । तथापि जो व्यक्ति टाइप की परीक्षा में उत्तीर्ण हुए थे उन्हें टाइप की परीक्षा में अनुत्तीर्ण व्यक्तियों से अधिमानता दी गई और अनुत्तीर्ण व्यक्तियों को भविष्य में की जाने वाली नियुक्तियों के लिए प्रतीक्षा-सूची में रखा गया है ।

(ङ) कुछ उम्मीदवार, जो टाइप की परीक्षा में अनुत्तीर्ण रहे, अभी तक नियुक्त नहीं किये गये हैं । ऐसा, आयकर आयुक्त द्वारा आदेशों का गलत अर्थ लगाये जाने के कारण हुआ । ये उम्मीदवार भविष्य में होने वाले रिक्त पदों पर खपा लिए जायेंगे ।

इनकी संख्या छः है ।

Persons died of Accidents in Jamia Millia University Campus

2539. SHRI ACHAL SINGH : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether many poor persons have died in Jamia Millia University Campus, New Delhi from accidents of heavy quarry trucks run by Ms./ Niamtullah and Pramjeet Singh ;

(b) if so, the number of persons who died due to such accidents during the last three years ;

(c) the action taken by Government to prevent such accidents ; and

(d) whether any compensation has been paid to the families of the deceased and if not, the reasons therefor ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) :

(a) According to the Delhi Administration, no fatal accident occurred in the Jamia Millia University Campus during the last three years (i.e. 1968-69, 1969-70 and 1970-71). However, on the Okhla Road, which is an approach road and main road to that Campus, four fatal accidents took place during the above period. But the vehicles of Ms./ Niamtullah, Pramjit Singh and Company, Jamna Sand Supply Company, Okhla, were not involved in any of these accidents.

(b) Four persons were killed in the accidents mentioned in part (a).

(c) The Delhi Administration have reported that the District Magistrate, Delhi,

has restricted the movement of heavy transport vehicles on the Okhla Road from 7-00 A.M. to 8-30 A.M. and 1-30 P.M. to 2-30 P.M. to ensure the safety of school children during the hours of their arrival and departure from schools. Further, restrictions on speed limits have been imposed on the entire stretch of the Okhla Road at 34 K.M. per hour for all types of motor vehicles, as against the normal speed limit of 40 K.M. per hour and above.

(d) The information required is being collected and will be laid on the table of the Sabha, when received.

Setting up of Diamond Banking Service

2540. SHRI P. K. DEO : Will the Minister of FINANCE be pleased to state :

(a) whether Government propose to establish specialised Diamond Banking Service in the country ;

(b) if so, whether any decision has been taken in the matter ; and

(c) if so, the benefits likely to be derived therefrom ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) to (c). The question of improving the existing banking facilities for the diamond trade is under examination.

Opening of Lead Banks in Districts

2541. SHRI JAGANNATH MISHRA : Will the Minister of FINANCE be pleased to state :

(a) whether Government have allowed a lead bank to be started in each of the Districts of the country to help increase in agricultural products ;

(b) whether such a bank is in operation in the district of Darbhanga in Bihar ;

(c). to what extent agriculturists have been benefited by the said bank ;

(d) whether Government propose to open its branches at Sub-Divisional level also ; and

(e) if so, the time limit for its implementation ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) to (e). Under the lead bank scheme formulated in December, 1969, almost all the districts of the Indian Union including the District of Darbhanga in Bihar have been assigned to one or two existing major banks, (mostly public sector banks) for assuming the main responsibility for quickening the pace of banking operations in each district.

One of the major functions of the lead bank is to survey the concerned districts and identify areas of credit gaps and formulate schemes for extending credit to the neglected hitherto sectors including agriculture.

It is too early to assess the extent to which the lead bank scheme has benefited the agriculturists of a particular district. The first task of lead bank is to identify growth centres which are in urgent need of banking facilities so that plans for opening bank offices in all such centres can be drawn up. Assistance to Agriculture and other sectors would follow the opening of bank branches in the interior of the district.

Central Bank of India is the lead bank in the District of Darbhanga. Darbhanga had 17 commercial bank offices in June, 1969 ; now it has 24 offices of commercial banks of which 9 are of the lead bank. 10 more offices are proposed to be opened by the commercial banks in the district in 1971, of these 4 will be opened by the lead bank.

There is no proposal to open offices of lead banks on a sub-divisional basis as such. The lead banks are, however expected to have effective representation in their districts to enable them to discharge their responsibilities adequately.

जीवन बीमा निगम द्वारा मकान बनाने के लिए ऋण सुविधायें

2542. श्री भारत सिंह चौहान : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जीवन बीमा निगम ने अपने 480 केन्द्रों को मकान बनाने सम्बन्धी ऋण सुविधायें प्रदान करने का निर्णय किया है ; और

(ख) यदि हां, तो इस सम्बन्ध में अब तक क्या प्रगति हुई है ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) : (क) और (ख). जी, हां। मकान बनवाने के लिए ऋण देने की जीवन बीमा निगम की 'सम्पत्ति बन्धक' और 'अपने मकान के मालिक बनो' योजनाएं उन सभी स्थानों में लागू हैं, जहां पर निगम के शाखा कार्यालय अथवा उप-कार्यालय हैं। ये योजनायें कुछ ऐसे अन्य चुने हुए केन्द्रों में भी लागू हैं, जहां जीवन बीमा निगम का कोई कार्यालय नहीं है। जिन केन्द्रों में ये योजनायें लागू हैं, उनकी कुल संख्या 423 है।

Semester System in Schools and Colleges

2543. SHRI B. K. DASCHOWDHURY : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the names of the States which have switched over to semester system in Schools and Colleges ;

(b) whether these States consulted the Central Government before adopting the semester system in the schools and colleges and ;

(c) if so, the reasons put forward by these States in regard to this switch over ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI D. P.

YADAVA) : (a) to (c). The decision to introduce Semester system in schools and colleges is within the competence of the concerned Secondary Education Boards/Universities and they may or may not consult the Government of India or the University Grants Commission. On the basis of available information, the names of Universities/Institutions which have introduced semester/trimester system are indicated in the statement laid on the Table of the House. [Placed in Library. See No. LT-466/71].

Loans and credits received from World Bank and International Development Association

2545. SHRI N. SHIVAPPA : Will the Minister of FINANCE be pleased to state :

(a) the total amount of credits and loans received from the World Bank and the International Development Association during the last three years, yearwise ; and

(b) the terms of interest and other conditions laid down for repayment ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) and (b) A statement is placed on the Table of the House. [Placed in Library. See No. L.T-467/71].

विश्वविद्यालय अनुदान आयोग द्वारा बिहार के विश्वविद्यालयों को अनुदान

2546. श्री रामाक्षर शारदा : क्या शिक्षा और समाज कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विश्वविद्यालय अनुदान आयोग द्वारा वर्ष 1970-71 में बिहार राज्य में चल रहे विश्वविद्यालयों को कोई अनुदान दिए गये थे, और यदि हां, उनकी राशि क्या थी ;

(ख) क्या यह सम्पूर्ण धनराशि विश्वविद्यालयों द्वारा खर्च कर ली गई है ; और

(ग) यदि नहीं, तो कितनी कम धन राशि खर्च हुई है और पूरी धनराशि को खर्च न करने के क्या कारण हैं ?

शिक्षा और समाज कल्याण मंत्रालय तथा संस्कृति विभाग में उपमंत्री (श्री डी० पी० बाबू) : (क) 1970-71 के दौरान विश्व-विद्यालय अनुदान आयोग द्वारा बिहार राज्य में विश्वविद्यालयों को दिये गए अनुदानों को दर्शाने वाला विवरण संलग्न है।

(ख) और (ग). सम्पूर्ण धनराशि की उपयोगिता के बारे में तथा यदि कोई कमी है तो उसकी स्थिति भी 31 अगस्त, 1971 तक व्यय की प्रवृद्धि रिपोर्ट प्राप्त होने पर मालूम हो जाएगी इसी तारीख तक विश्वविद्यालयों द्वारा उपयुक्त शेष धनराशि के विवरणों को प्रस्तुत किये जाने की अपेक्षा की जाती है।

विवरण

	रुपये
1. भारतीय खनि विद्यालय धनबाद	1,19,296
2. भागलपुर विश्वविद्यालय	4,14,189
3. बिहार विश्वविद्यालय	11,13,667
4. कै० एस० दरभंगा संस्कृत विश्वविद्यालय	15,304
5. भगध विश्वविद्यालय	9,55,478
6. पटना विश्वविद्यालय	22,51,098
7. रांची विश्वविद्यालय	9,08,263

Missing Links on Coastal Highway Sections of Gujarat

2547. SHRI P. M. MEHTA : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the particulars of missing links on coastal highway Sections of Gujarat ; and

(b) the steps being taken to bridge these missing links ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR : (a) and (b). Presumably the Hon'ble Member is referring to the coastal highway connecting Baroda with Maliya proposed by the Government of Gujarat for development along the Baroda-Cambay-Bhavnagar-Veraval-Porbander-Okha-Maliya route, It is a State road, and the Gujarat Government are primarily concerned with its development. According to the information received from them sometime back, the following are the missing road sections on the aforesaid coastal highway :—

(1) Umeta-Dhuvaran	25 miles
(2) Porbander-Kuranga	44 miles
(3) Dhrol-Maliya	50 miles.

2. Whole length of the road from Baroda to Maliya was reported to be having 35 missing or weak bridges.

3. In January 1971, the Government of India agreed to give to the State Government 100% loan for the following works being undertaken on this road :—

Name of work	Length Mile or No. of bridges.	Cost (Rs. lakhs)
1	2	3
1. Dhuvaran-Umeta (missing section)	25	50.00
2. Miani-Kuranga (missing section)	23	50.00

1	2	3
<i>Porbander-Okha Section</i>		
1. Bridge across Bhogat	} 7 bridges	43.00
2. Bridge across Navadana		
3. Bridge across Khari		
4. Bridge across Kalipat.		
5. Bridge replacing causeway at Netar Creek.		
6. Bridge across Visavada Creek.		
7. Bridge across Kinnuri Creek.		
Total:—		143.00

4. In addition, the development of a part (Bhavnagar-Bavaliari—22 miles of the Baroda-Bhavnagar section is already in progress from the State's Central Road Fund Allocations Accounts.

Recognition of Bhil Community of Saurashtra Region as a Scheduled Tribe

2548. SHRI P. M. MEHTA : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether 'BHIL' Community in Saurashtra Region of Gujarat State is not considered as a Scheduled Tribe ;

(b) whether in some other parts of Gujarat, 'BHIL' community is considered as a Scheduled Tribe, if so, the reasons therefor;

(c) whether various 'BHIL' organisations in Gujarat have represented to Government to consider 'BHIL' Community of the said Saurashtra Region as Scheduled Tribe ; and

(d) if so, Government's reaction thereto ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMA-

SWAMY) : (a) and (b). The Bhil community is a Scheduled Tribe in the State of Gujarat except in the Rajkot Division. This difference is because the present Gujarat State comprises areas which formed parts of separate States prior to the Reorganisation of States. The Scheduled Castes and 'Scheduled Tribes Lists (Modification) Order, 1956 which was issued after the reorganisation did not amend the lists but only modified them according to the territorial changes brought about by the State Re-organisation.

(c) Yes, Sir.

(d) In the Bill which Government had introduced in the previous Lok Sabha the Bhil community was shown as a Scheduled Tribe throughout the State of Gujarat.

Setting up of Cochin University

2549. SHRI VAYALAR RAVI : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether a new University in Kerala, to be known as 'Cochin University' is being set up ;

(b) whether the Kerala Government or the University of Kerala have approached the University Grants Commission demanding any financial assistance for the Cochin University ; and

(c) If so, the amount of assistance asked for ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) Yes, Sir.

(b) The University Grants Commission has not received any formal proposal for financial assistance to the Cochin University.

(c) Does not rise.

Assistance and Grants to Viswa Yuvak Kendra, New Delhi.

2550. SHRI C. K. CHANDRAPPA : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the nature of assistance and grants given by Government to the Viswa Yuvak New Delhi ;

(b) what assistance the Kendra is receiving from abroad and from which Kendra, sources ; and

(c) whether there is any representative of Government on the Board of Trustees of the Kendra ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMASWAMY) : (a) (i) A plot measuring 2.149 acres was given at concessional rate for the construction of International House and hostel building.

(ii) Grant of Rs. 6,000,000/- was given for the construction of the hostel portion.

(iii) A grant of Rs. 23,000/- was given for holding a workshop for non-student youth.

(b) The Kendra receives assistance from abroad from time to time. During 1971 the Kendra expects to receive the following assistance.

(i) From UNECO :

Rs. 11,946/- for the Asian Youth Documentation Centre, and for the translation work.

(ii) From Institute for International Cooperation, Bonn: Rs. 3,56,748/- for training programmes, equipment and furniture, as also the services of a Programme Consultant.

(c) No, Sir.

Assistance Received by Wiswa Yuvak Kendra

2551. SHRI C. K. CHANDRAPPA : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether the Viswa Yuvak Kendra, New Delhi is receiving money channelled through the Institute for International Cooperation of the Adenaur Foundation in Bonn ;

(b) if so, the extent of assistance received ; and

(c) the condition of assistance ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMASWAMY) : (a) to (c). The authorities of the Viswa yuvak Kendra have informed the Government that the Kendra is receiving assistance from the Institute for International Cooperation, Bonn.

During the years 1969-70, the Kendra has received a sum of Rs. 1,66,840.33 towards the purchase of equipment, a sum of Rs. 5,830,71.96 for conducting the training programmes and a sum of Rs. 1,59,426.88 for the purchase of books for the Library and for publications.

There are no conditions other than that the amount should be spent on the items for which grants have been made and that the accounts should be audited by registered Chartered Accountant.

Board of Trustees of Viswa Yuvak Kendra

2552. **SHRI C. K. CHANDRAPPA** : Will the Minister of **EDUCATION AND SOCIAL WELFARE** be pleased to state :

(a) the name of the present Chairman of the Board of Trustees of the Viswa Yuvak Kendra, New Delhi ; and

(b) whether Shri Kanti Desai, son of Shri Morarji Desai was a member of the Board of Trustees at any time ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMASWAMY) : (a) and (b). The authorities of Viswa Yuvak Kendra have informed the Government that Shri Morarji Desai is the present Chairman of the Board of Trustees & Shri Kanti Desai had never been a member of the Board.

Enquiries and Applications received by the Indian Investment Centre

2553. **SHRI SAROJ MUKHERJEE** : Will the Minister of **FINANCE** be pleased to state :

(a) the number and particulars of enquiries and applications received by the Indian Investment Centre, New Delhi during the last three years ; and

(b) the number and particulars of applications out of them approved by Government ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) The number of enquiries received by the Indian Investment Centre (including its overseas offices) during the last three years from foreign as well as Indian entrepreneurs, for general information as also for information relevant to specific proposals, was as under :

1968-69	1219
1969-70	1643
1970-71	2859

The Centre does not receive any applications.

(b) Proposals involving foreign investment with which the Centre was actively associated and which received Government approval during the last three years were as under :

	No. of proposals	Total Investment	Foreign participation
		(in Rs. million)	
1958-69	16	41.60	18.87
1969-70	10	73.00	9.80
1970-71	29	926.67	101.82

Absence of Facilities at Tuliha Aerodrome Imphal

2554. **SHRI N. TOMBI SINGH** : Will the Minister of **TOURISM AND CIVIL AVIATION** be pleased to state :

(a) whether Government are aware of the absence of even minimum facilities for incoming and outgoing passengers at the Tuliha Aerodrome, Imphal ; and

(b) if so, the steps being taken to remove the long felt grievances in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) : (a) Yes.

(b) Proposals for extension of the passenger lounge at Tuliha aerodrome are under consideration.

Pay Scale of School Mothers of Elementary Schools in Manipur

2555. **SHRI N. TOMBI SINGH** : Will the Minister of **EDUCATION AND SOCIAL WELFARE** be pleased to state :

(a) whether Government are considering a proposal for introduction of a pay scale in place of the present fixed pay in

respect of school Mothers of Elementary Schools run by the Government of Manipur :

(b) whether Government are aware of the long drawn discontent among the Mothers in this respect ; and

(c) when the new scale is likely to be introduced ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) to (c). The requisite information is being collected from the Manipur Administration and will be laid on the Table of the Sabha as soon as possible.

Development of Tourism in Manipur

2556. SHRI N. TOMBI SINGH : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the steps taken by the Government of Manipur to attract more tourists to Manipur ; and

(b) the amount proposed to be spent during the current Five Year Plan for development of tourist centres and tourist facilities in Manipur ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION : (DR. SAROJINI MAHISHI) : (a) A statement of the schemes proposed to be taken up by the Government of Manipur during the Fourth Plan to attract more tourists is attached.

(b) A provision of Rs. 2.35 lakhs has been approved by the Planning Commission for tourism schemes in the State Plan.

Statement

1. Construction of Rash Mandal at Kaina.

2. Construction of a Tourist Home at Waithan.

3. Providing recreational facilities at Loktak.

4. Improvement of Sendra and Phnbala Tourist Homes.

5. Construction of a Tourist Home at Imphal.

6. Reconstruction of Chakpikarong Fishing Lodge.

7. Tourist Publicity.

8. Staff.

Scholarships for flying trainees of Manipur

2557. SHRI N. TOMBI SINGH : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether the Government of Manipur have been approached by the civil aviation flying trainees of Manipur for scholarships ;

(b) if so, how many such trainees have received or are likely to receive scholarships ; and

(c) whether Government have framed any rules for grant of such scholarships ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) : (a) and (b). Yes, Sir. Only one trainee applied to the Government of Manipur for financial assistance to complete his course. He has received Rs. 5,000 as Scholarship.

(c) Yes, Sir. The Government of Manipur have framed rules for awarding flying Scholarship which have been approved by the Government of India.

Introduction of Structural Reforms in Administrative Sphere of Education in Manipur

2558. SHRI N. TOMBI SINGH : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the main features of structural reforms in the administrative sphere of educa-

tion introduced in Manipur after the Division of Manipur into five Districts ;

(b) whether necessary additional posts of the Inspectors of schools are being created to man the posts of District Education Officers ;

(c) if so, how long this will take ; and

(d) if not, whether Government are satisfied with the Deputy Inspectors continuing as District Education Officers ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) to (b). The requisite information is being collected from the Manipur Administration and will be laid on the Table of the Sabha as soon as possible.

Loans Advanced or Invested in Shares by LIC, UTI, Nationalised Banks and other Financial Institutions in Indian Iron and Steel and Tata Iron and Steel Company

2559. SHRI BHOGENDRA JHA : Will the Minister of FINANCE be pleased to state :

(a) the total amount of loans advanced or invested in shares by the Life Insurance Corporation, Unit Trust of India, Industrial Finance Corporation of India, Nationalised Banks and other Central public financial institutions in the Indian Iron and Steel Company and Tata Iron and Steel Company ;

(b) whether it is proposed to transform all these amounts into equity shares and secure proportionate representation in the management of the above companies ; and

(c) if so, when this would be done ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) A statement giving the required information is laid on the Table of House. [Placed in Library See No. LT-468/71].

(b) and (c). The foreign currency loan sanctioned by the ICICI to TISCO and the

rupee loan sanctioned by IDBI to IISCO do not carry the convertibility option, both the loans having been sanctioned long before Government finalised the guidelines for public financial institutions incorporating the convertibility clause in respect of their loan transactions. The accommodation provided by the State Bank of India to both these companies is for working capital purposes. The limits sanctioned for working capital are renewed every year or even earlier. The loans given for purposes of working capital are also repayable on demand. The conversion of such loans into equity does not, therefore, arise.

As regards representation in the management, the LIC has one representative on the Board of Directors of IISCO. The IDBI also has reserved the right to appoint a nominee. In both the Companies, there is a Government Director who is a senior Government official.

Arrears of Income-tax Outstanding Against Individuals in Orissa

2560. SHRI D K. PANDA : Will the Minister of FINANCE be pleased to state :

(a) the names of companies and persons, either as Director of any Company or having any pecuniary interest in any company who are in arrears of income-tax beyond Rs. 20,000 as on 31st March, 1971 in Orissa ;

(b) the steps being taken by Government to publish the names of the defaulters during the last three months ; and

(c) the measures proposed by Government for realisation of the said arrears ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) The requisite information regarding the names of the Companies and the individuals who were in arrears of Income-tax exceeding Rs. 20,000 as on 31-3-1971 in the charge of the Commissioner of Income-tax, Orissa, is being collected and will be laid on the table of the House as soon as possible.

(b) In terms of section 287 of the Income-tax Act, 1961, the Government have empowered the Commissioners of Income-tax to publish the names and other particulars of the tax defaulters against whom certain demands are outstanding at the end of the particular financial year. Such publication is being done from time to time. The required publication of the names of defaulters for the year ending 31st March, 1971 will be made in due course.

(c) Such steps as are available in law and depending upon the facts and circumstances of each case are being taken to recover these arrears.

Steps taken to Develop Chilka Lake in Orissa

2561. SHRI D.K. PANDA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the steps being taken by Government for the development of Chilka Lake in Orissa State ;

(b) whether the promised amount of Rupees two lakhs has been given by the Central Government for providing recreational facilities there ; and

(c) if so, the progress made in the work so far ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) :
(a) A tourist bungalow has been constructed at Rambha.

(b) A tentative allocation of Rs 3 lakhs was made in the draft Fourth Five Year Plan for providing recreational facilities at Chilka Lake. With the drastic reduction in the plan outlay, which necessitated a strict order of priorities, and the discontinuance of Part II schemes, the scheme to provide recreational facilities at Chilka Lake had to be dropped.

(c) Does not arise.

Pay Scale of Principal of Higher Secondary Schools in Andaman Island

2562. SHRI HUKAM CHAND KACHWAI : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether the pay scale of Principals of Higher Secondary Schools in the Andaman Island has been revised with effect from 27th May, 1970 ; and

(b) if so, the revised pay scale, classification of the post, selecting authority, appointing authority and recruitment rules for the said post ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D.P. YADAVA) : (a) Yes, Sir.

(b) The revised pay scale is Rs. 700-1100. The post is General Central Services Class I. Revised recruitment rules for the post including selecting authority etc. consequent upon the revision of pay scales, are under consideration.

Opening of more Branches of Nationalised Banks in Uttar Pradesh

2563. SHRI RAJDEO SINGH : Will the Minister of FINANCE be pleased to state :

(a) whether Government propose to open some more branches of nationalised banks in Uttar Pradesh ; and

(b) if so, their number district-wise ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) Yes, Sir.

(b) A statement is laid on the Table of the House. [*Placed in Library. See No. LT-469/71*]

Raid by Income Tax Department in Kanpur

2564. SHRI M.M. JOSEPH : Will the Minister of FINANCE be pleased to state :

(a) whether the Income-tax authorities seized Rupees one lakh from a businessman

and also recovered some documents during a raid conducted in Kanpur on 26th May, 1971; and

(b) if so, the progress made in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) Yes, Sir. Cash of the order of Rs. 89,969 and some documents were seized.

(b) The matter is still under investigation.

Demand for Uniform Pay Scales and Service Conditions of Teachers in Colleges and Universities

2565. SHRI M.M. JOSEPH: Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state:

(a) whether All India Federation of University College Teachers' Organisation submitted any memorandum to him on 26th May, 1971 urging to scrap the multiple pay-scales in Colleges and Universities and introduce uniform service conditions; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA): (a) In a memorandum submitted to Minister of Education and Social Welfare on May 22, 1971, the All India Federation of University and College Teachers Organisations demanded a uniform

running grade and uniform service conditions for all college and university teachers.

(b) The matter is under consideration of the Committee on Governance of Universities and Colleges set up by the University Grants Commission.

शिक्षा विकास हेतु मध्य प्रदेश सरकार को दिया गया ऋण

2566. श्री धनराह प्रधान :

श्री हुसैन अहमद कछवाय :

क्या शिक्षा और समाज कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले तीन वर्षों में मध्य प्रदेश सरकार को शिक्षा के विकास हेतु सरकार द्वारा कितना ऋण दिया गया ; और

(ख) राज्य में केन्द्र सरकार द्वारा चलाई जाने वाली शिक्षा संस्थाओं की वर्तमान संख्या क्या है ?

शिक्षा और समाज कल्याण मंत्री और संस्कृति विभाग मंत्री (श्री सिद्धार्थ शंकर राम) :

(क) एक विवरण संलग्न है।

(ख) भारत सरकार द्वारा स्थापित निकायों अथवा उनकी शाखाओं के रूप में चलाई जाने वाली तीन संस्थाएँ हैं। इनके नाम हैं :—(1) पश्चिम क्षेत्रीय तकनीकी अभ्यासक प्रशिक्षण संस्थान भोपाल, (2) लक्ष्मीबाई शारीरिक शिक्षा कालेज, ग्वालियर और (3) क्षेत्रीय शिक्षा कालेज, भोपाल।

विवरण

योजना का नाम

वर्ष	मध्य कक्षावृत्ति योजना		तकनीकी तथा इंजीनियरिंग संस्थाओं के छात्रावासों का निर्माण	
	योजना	गैर-योजना	योजना	गैर-योजना
	रु०	रु०	रु०	रु०
1968-69	13,80,000	4,80,000	1,08,300	कुछ नहीं
1969-70	2,96,000	16,34,000	15,700	"
1970-71	3,66,000	16,34,000	89,000	"
जोड़	20,42,000	37,48,000	2,13,000	"

कुल जोड़ :—60,03,000 रुपये

Resignation of Director General, Archaeological Survey of India

2567, SHRI BISHWANATH JHUN-
JHUNWALA :
SHRI N. S. BISHT :
SHRI P. K. DEO :

Will the Minister of CULTURE be
pleased to state :

(a) whether the Director General of
the Archaeological Survey of India has
submitted his resignation ;

(b) if so, on what grounds ; and

(c) Government's reaction thereto ?

THE DEPUTY MINISTER IN THE
MINISTRY OF EDUCATION AND
SOCIAL WELFARE AND IN THE
DEPARTMENT OF CULTURE (SHRI
D. P. YADAVA) : (a) and (b). No, Sir
The Director General, Archaeological Survey
of India, has not submitted his resignation.
He has, however, given notice of retirement
after attaining the age of fifty years as
permitted by rules. He has also asked for
permission to take up a professional
appointment in an unnamed university.

(c) The matter is under consideration.

**Proposals to set up A Subsidiary Company of
Air India**

2568. SHRI BISHWANATH JHUN-
JHUNWALA : Will the Minister of
TOURISM AND CIVIL AVIATION be
pleased to state :

(a) whether Government propose to
set up a subsidiary company of Air India
for operating passenger and freight
charters ;

(b) if so, whether new aircrafts will be
purchased for this new company ; and

(c) whether any final decision about
the composition of the company has been
taken ?

THE MINISTER OF STATE IN THE
MINISTRY OF TOURISM AND CIVIL

AVIATION (DR. SAROJINI MAHISHI) :
(a) Air-India propose to set up a company
for air charter work.

(b) and (c). Details have not yet been
finalised.

Revision in the Target of Tourist Inflow

2569. SHRI BISHWANATH JHUN-
JHUNWALA : Will the Minister of
TOURISM AND CIVIL AVIATION be
pleased to state :

(a) whether the target for tourist inflow
from foreign countries into India by 1973 has
been revised from 6,00,000 to 4,00,000 ;

(b) if so, the reasons for the same ;

(c) whether the Fourth Plan targets
for the inflow of tourists will have to be
changed accordingly and if so, whether any
decision has been taken in this regard ;

(d) what would be the estimated loss
on account of the revision of the target ;
and

(e) the steps government propose
to take to keep up their original targets ?

THE MINISTER OF STATE IN
THE MINISTRY OF TOURISM AND
CIVIL AVIATION : (DR. SAROJINI
MAHISHI) : (a) and (c). Yes, Sir. The
target for tourist inflow from foreign coun-
tries into India for 1973 has been revised
from 6,00,000 to 4,00,000.

(b) An allocation of Rs. 84.76 crores
was proposed for tourism in the draft
Fourth Plan. This was, however, reduced
to Rs. 25 crores which meant that the
infrastructure required for attracting larger
number of tourists could not be developed
to the desired level and consequently the
target of tourist arrivals had to be revised.

(d) It is not possible to make this
estimation.

(e) In spite of the reduced allocation
for tourism, the Department of Tourism
has taken a number of steps to increase
tourist traffic to this country. They include

a vigorous sales oriented marketing approach overseas, relaxation of visa formalities, improved facilitation procedures and incentives for augmentation of transportation and accommodation facilities in both the private and public sectors. The scheme for joint promotion of tourism to India by the Department of Tourism and Air-India is to be extended to cover operations in the U.S.A.

Fall in the Inflow of Foreign Tourists

2570. SHRI BISHWANATH JHUN-JHUNWALA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether one of the factors accounting for the fall in the inflow of foreign tourists in India is the failure of the Indian Airlines to confirm air reservations in time within the country to facilitate visits of foreign tourists to places of tourist interest ;

(b) whether with the introduction of Jumbo services, the prospects of inflow of foreign tourists is going to be increased ; and

(c) if so, the steps taken by Government to ensure that the new tourist traffic that is likely to be created is not lost for lack of co-ordination and timely confirmation of reservations by the Indian Airlines ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION : (DR. SARAJINI MAHISHI) :

(a) There has been no fall in the inflow of foreign tourists in 1970 nor in the first four months of 1971 as compared to corresponding periods in the previous years.

(b) Yes, Sir.

(c) With the help of computerised reservation system, the Indian Airlines have been able to reply to reservation requests in less than 24 hours. This response time will be reduced to 6 hours by December 1971 with the installation of a second Computer, and will become almost nil when the "Real time" Computer is installed by about 1974.

Orders placed by Department of Teaching Aids with a firm in Bombay

2571. SHRI SAT PAL KAPUR : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the total value of orders placed by the Department of Teaching Aids of the National Council of Educational Research and Training with a Bombay firm for the films bought during the last quarter of the budget year 1970-71 for the Regional Colleges of the Council ;

(b) whether in inviting tenders, reasonable time was not allowed to the tenderers for importation and delivery of the films as a result of which the entire orders were diverted to the Bombay firm ;

(c) whether some of the prints of the films bought from the Bombay firm were damaged and yet they were not rejected ;

(d) What arrangements are made to check the technical quality of the prints before the bills are paid ; and

(e) whether a number of titles of these films are the same ones as are already available in the Regional Colleges of the Council ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) During the last quarter of the financial year 1970-71 the Department of Teaching Aids purchased 16 mm educational films worth Rs. 1,47,012/- for the development of Films Libraries in the four Regional Colleges of Education located at Ajmer, Bhopal, Bhubaneswar and Mysore. The total value of orders placed with M/s. National Education and Information Films Ltd., Bombay was Rs. 1,36,575/-. Films worth Rs. 10,437/- were also purchased from the Films Division, Ministry of Information and Broadcasting, Bombay.

(b) After preliminary work regarding the selection of 170 films considered suitable is consultation with the Regional Colleges

of Education, quotations were invited from 17 parties in September, 1970 to which five parties responded. In accordance with the budget provision of Rs. 1,50,000/-, the

Department, to begin with, selected 54 films out of the approved list of 170, and placed supply orders on the parties named below to the extent noted against each :—

	No. of films	Total value Rs.
1. M/s National Education and Information Films Ltd., Bombay.	30 (4-prints of each)	67,260/-
2. Films Division, Bombay.	7 (4-prints of each)	10,437/-
3. M/s Ama Private Ltd., Bombay.	15 (4-prints of each)	64,960/-
4. M/s Young India Films, New Delhi.	2 (4-prints of each)	6,040/-

The supply orders were placed simultaneously with all the parties on 8.2.1971 and they were requested to ensure supply by 15-3-1971. The first two parties mentioned above accepted the order. M/s Young India Films, New Delhi expressed their inability to supply the films as they were not available in their ready stock. As regards M/s Ama Private Ltd., Bombay, supply orders had been placed with them for films of two foreign producers, namely Encyclopaedia Britannica Films (11 films) and G.B. Instructional Films (4 Films). For the former the firm had quoted prices 15 % over those listed in the catalogue of Encyclopaedia Britannica Films, but the Department of Teaching Aids had asked them to supply these films at catalogue prices and the order was placed subject to their agreeing to this. The firm, however, did not agree to supply the films at catalogue prices. In respect of the four films produced by G.B. Instructional Films, there was no dispute about the prices but M/s Ama Private Ltd., Bombay could not import the films from the U.K. and supply them to the Department of Teaching Aids within the time prescribed. This was perhaps due to the postal strike in the U.K. which was going on about that time. Under the circumstances, the Department of Teaching Aids decided to utilize the

savings rendered above for the purchase of alternate films on Science from M/s National Education and Information Films Ltd., Bombay with the approval of the Council. However, the records relating to the present matter will be locked into separately at the time of conducting the technical examination mentioned in the following paragraph i.e. (c) and (d).

(c) and (d). All the prints of films supplied by National Education and Information Films Ltd., Bombay were thoroughly examined and checked for their technical quality by the experts of the Department of Teaching Aids and payments were arranged after satisfactory reports were received about them. All the films are, as a rule, checked in this manner before payments are made. However, in the present case, in response to an earlier letter received from the Honourable Member, this Ministry, in consultation with the Ministry of Information and Broadcasting, will be carrying out a thorough technical examination of the films received.

(e) The Department of Teaching Aids had consulted the Principals of the four Regional Colleges of Education about the titles of the films for which quotations had been invited from the parties. Of the films actually

received by the Department six titles were already available with each of the two of the colleges at Ajmer and Mysore, but the Principals of these Colleges had desired to have them as additional copies so that they could meet the demands of the educational institutions of their regions adequately.

**वैज्ञानिक तथा तकनीकी शब्दावली आयोग
और केन्द्रीय हिंदी निदेशालय का
मिलाया जाना**

2572. श्री जगन्नाथराव जोशी : क्या शिक्षा और समाज कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनका मंत्रालय वैज्ञानिक तथा तकनीकी शब्दावली आयोग और केन्द्रीय हिन्दी निदेशालय को मिलाकर, एक संगठन की स्थापना करने की योजना पर काफी समय से विचार कर रहा है ; और

(ख) यदि हां, तो इस बारे में कब तक निर्णय लिए जाने की संभावना है ?

शिक्षा और समाज कल्याण मंत्रालय तथा संस्कृति विभाग में उप मंत्री (श्री श्री० पी० बाबू) : (क) और (ख). जी हाँ,। शीघ्र ही निर्णय लिए जाने की आशा है।

मैसूर को दिये गये ऋण

2573. श्री जगन्नाथराव जोशी :
श्री कुबेर चन्ध कल्याण राव :
श्री जी० बाई० सुब्बन् :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) वित्तीय वर्ष 1968-69, 1969-70 और 1970-71 में केन्द्रीय सरकार द्वारा मैसूर की राज्य सरकार को कितनी राशि के ऋण दिये गये ;

(ख) उक्त ऋणों पर इस समय राज्य सरकार के नाम व्याज की कितनी राशि बकाया है : और

(ग) वित्तीय वर्ष 1971-72 के लिए सरकार ने कितनी राशि के ऋणों की मांग की है ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) : (क) वित्तीय वर्ष 1968-69, 1969-70 और 1970-71 में मैसूर सरकार को क्रमशः 60.69 करोड़ रुपये, 62.16 करोड़ रुपये और 66.16 करोड़ रुपये के केन्द्रीय ऋण दिए गये थे।

(ख) केन्द्रीय ऋणों पर इस समय मैसूर सरकार के नाम व्याज की कोई राशि बकाया नहीं है।

(ग) मैसूर राज्य की 1971-72 की आयोजना के लिये निर्धारित केन्द्रीय सहायता में 24.22 करोड़ रुपये की ऋण राशि शामिल है। इसके अलावा, राज्य सरकार को, अल्प-बचत की संगृहीत राशियों के बदले और केन्द्र-प्रायोजित योजनाओं आदि के लिये भी ऋण राशियां मिलेंगी जिनको अभी अन्तिम रूप दिया जाना है। राज्य सरकार ने मार्च, 1971 में प्रस्तुत किए गये 'लेखानुदान' बजट में कुल 61.01 करोड़ रुपये के केन्द्रीय ऋणों की कल्पना की है।

Proposal to Amend Insurance Act, 1938

2574. SHRI S. M. KRISHNA :
SHRI NIHAR LASKAR :

Will the Minister of FINANCE be pleased to state :

(a) whether Government are considering to amend the Insurance Act of 1938 substantially ; and

(b) if so, when the legislation in this regard is likely to be brought before Parliament ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) No, Sir.

(b) Does not arise.

Conference of International Air Transport Association Held in Singapore

2575. SHRI S. M. KRISHNA ;
SHRI NIHAR LASKAR :

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether a Conference of the International Air Transport Association was held in Singapore in the month of May, 1971 ;

(b) if so, how many countries participated in it and whether India also attended the Conference ; and

(c) if so, the main proposals considered and decisions taken ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) : (a) Yes, Sir. The conference opened in Singapore on 11th May, 1971.

(b) Does not arise since I.A.T.A. is an association of airlines.

(c) The conference is still in session and no decisions have so far been taken.

Excavation Work in Punjab

2576. SHRI P. K. DEO : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether excavations have recently been undertaken in Punjab by the Archaeological Department ;

(b) whether 'certain rare sculptures have been found as a result thereof, and

(c) if so, the period to which these sculptures belong ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) Archaeological Survey of India has not undertaken any excavation work in Punjab recently. However, the Department of Archaeology, Government of Punjab, has undertaken excavation at Sanghol during the last three seasons.

(b) and (c). A report on the 1968-69 field seasons has already been published in the "Indian Archaeology 1968-69—A Review" whereas Reports for the last two seasons have been called for.

दिल्ली और कोटा (राजस्थान) के बीच सीधी विमान सेवा

2577. श्री ओंकार लाल बेरवा :

क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) यदि दिल्ली और कोटा (राजस्थान) के बीच सीधी विमान सेवा चालू करने का कोई प्रस्ताव है ;

(ख) क्या कोटा में एक हवाई अड्डे का निर्माण किया जा चुका है ; और

(ग) यदि हां, तो उक्त सेवा चालू न किए जाने के क्या कारण हैं विशेष कर जबकि कोटा दिल्ली-बम्बई मार्ग पर पड़ता है ?

पर्यटन और नागर विमानन बंगाल में राज्य मंत्री (डा० सरोजिनी महिषी) : (क) जी, नहीं। इण्डियन एयरलाइन्स के पास ऐसा कोई प्रस्ताव नहीं है।

(ख) और (ग). कोटा का वर्तमान विमान-क्षेत्र डकोटा से बड़े विमानों द्वारा परिवहन के उपयुक्त नहीं है और डकोटा विमानों को क्रमशः खतम किया जा रहा है।

सेन्ट्रल स्कूल कोटा, का विस्तार

2578. श्री ओंकार लाल बेरवा : क्या शिक्षा और समाज कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) कोटा (राजस्थान) स्थित सेन्ट्रल स्कूल में केन्द्रीय सरकार के कर्मचारियों के कितने बच्चे पढ़ रहे हैं ;

(ख) क्या सरकार का विचार इस स्कूल का विस्तार करने का है ; और

(ग) यदि हां, तो यह कब तक किया जायेगा ?

शिक्षा और समाज कल्याण मंत्रालय तथा संस्कृति विभाग में उप-मन्त्री (श्री डी० पी० यादव) : (क) कुल 624 विद्यार्थियों में से 163 विद्यार्थी केन्द्रीय सरकारी कर्मचारियों के बच्चे हैं ।

(ख) और (ग). आवश्यकताओं के अनुसार स्कूल का विस्तार किया जाएगा । 4,45,000 रुपये की लागत से स्कूल के एक भवन का कार्य पूर्ण होने वाला है और अगले शिक्षा वर्ष के दौरान इसका उपयोग किये जाने की सम्भावना है । इस भवन में 480 और विद्यार्थी बैठ सकते हैं ।

Daily Air Service Between Allahabad, Lucknow and Delhi-Calcutta

2579. SHRI S. N. MISRA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the reason why air services between Delhi and Allahabad, and Allahabad-Calcutta and Lucknow have been closed ; and

(b) whether there is any proposal to provide daily air service between Allahabad-Lucknow, Delhi-Calcutta and if not, the reason therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SARAJINI MAHISHI) : (a) The service was suspended due to the lock-out in Indian Airlines. It has been restored from the 24th of May, 1971

(b) No, Sir. The traffic does not justify introduction of a daily service.

New Internal Air Services

2580. SHRI S. N. MISRA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the particulars of new internal air services opened during the Third Plan period and in Fourth Plan period so far , and

(b) the reasons why there has not been a rapid progress in opening new air services in the country ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SARAJINI MAHISHI)

(a) The following services were started during the period from 1961-62 to 1970-71

1961-62

- (i) Bombay/Ahmedabad/Baroda with Dakota on a daily frequency.
- (ii) Bombay/Goa/Cochin with Dakota on Daily frequency.
- (iii) Calcutta/Jamshedpur/Ranchi on daily frequency with Dakota aircraft.
- (iv) Delhi/Phoolbagh/Lucknow with Dakota on daily frequency.

1962-63

- (i) Delhi/Lucknow/Kanpur/Delhi with a Dakota on daily frequency.
- (ii) Hyderabad/Vijawada / Visakhapatnam on daily frequency with Dakota aircraft.
- (iii) Bombay / Belgaum/Cochin/Trivandrum with Dakota on daily frequency.

1963-64

- (i) Bombay/Poona/Belgaum with Dakota on daily frequency.
- (ii) Benaras/Kathmandu with Dakota on daily frequency.

With the introduction of Caravelles in 1963-64, the following services were operated by Caravelle aircraft.

- (i) Bombay/Calcutta — Daily service.
- (ii) Bombay/Delhi — Daily service.
- (iii) Bombay/Madras — Daily service.
- (iv) Calcutta/Delhi — Daily service.
- (v) Delhi/Madras — Daily service.

1964-65

- (i) Calcutta/Bhubaneswar / Visakhapatnam by Dakota aircraft on thrice weekly frequency.
- (ii) Delhi/Benaras/Kathmandu with Dakota on thrice weekly frequency.

1965-66

- (i) Caravelle introduced on Bombay/Bangalore service on a daily frequency.
- (ii) Caravelle introduced on Calcutta/Madras service on daily frequency.
- (iii) Delhi/Hyderabad/Madras by Caravelle on daily basis.
- (iv) Calcutta/Gauhati/Chabua by Viscount on daily basis.

1966-67

- (i) Delhi/Hyderabad/Bangalore by Caravelle on daily frequency.
- (ii) Delhi/Calcutta by Caravelle on daily frequency.

1967-68

- (i) Trivandrum/Colombo by HS-748 on twice weekly frequency.

- (ii) Trichy/Colombo by Viscount on twice weekly frequency.
- (iii) Caravelle introduced on Delhi/Srinagar service.
- (iv) Hyderabad/Madras/Madurai / Trivandrum by HS-748 daily service.

1968-69

- (i) Madras/Cochin/Trivandrum by HS-748.
- (ii) Calcutta/Bagdogra/Patna by F-27 on thrice weekly frequency.
- (iii) Calcutta/Cooch Behar by Dakota on daily basis.
- (iv) Delhi/Agra/Khajuraho/Benaras by Viscount on daily basis.

Fourth Plan Period

1969-70

- (i) Calcutta/Gaya/Patna by F-27 thrice weekly.
- (ii) Gauhati/Bagdogra by Viscount twice daily.

1970-71

- (i) Calcutta/Bagdogra/Cooch Behar by Dakota thrice weekly.

(b) There has been considerable increase in air traffic during the above period. Hence additional aircraft acquired by the airline had to be utilised largely to augment capacity on trunk and high-intensity regional routes. However, with the seven Boeings recently purchased and the 10 HS-748s on order, Indian Airlines hope to open some new services in due course.

Loans from Nationalised Banks to Kerala State

2581. SHRI PHOOL CHAND VERMA : Will the Minister of FINANCE be pleased to state :

(a) whether the State of Kerala is getting less amount of loans from the

nationalised banks in comparison to other States : and

(b) if so, the reasons thereof ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) and (b). Advances of the 14 nationalised banks in the State of Kerala, as at mid-September, 1970, were of the order of Rs. 60 crores. For the public sector banks as a whole the advances in the State of Kerala amounted to about Rs. 78 crores. Deposits of these banks in the State of Kerala were around Rs. 87 crores. The credit deposit ratio percentage of the public sector banks in Kerala thus worked out to about 90% as against the all-India average of 80.3%. It would not, therefore, be correct to say that the advances made by the public sector banks in Kerala compare unfavourably with the advances of these banks in the rest of India.

Investment by Japanese Firms in India

2582. SHRI KRISHNA HALDER : Will the Minister of FINANCE be pleased to state the total amount of private investment by the Japanese firms in India to date Sectorwise ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : The total amount of investment in India from private sources in Japan, sectorwise, as at the end of March, 1968, the latest date for which information is available, was as indicated below :

	Rs. Crores
Petroleum	2.1
Manufacturing	45.3
Services	34.4
Total Rs.	81.8 crores

Sanctuary for Elephants in the Country

2583. SHRI DHARAMRAO AFZAL-PURKAR : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether Government, are aware that Kakannakote Forest in Mysore is going to be submerged in the Kabini reservoir thereby depriving tourists of a major attraction in Mysore viz., hunting of elephant ; and

(b) whether there are any proposals under Government's consideration to have sanctuary for elephants in the country so that the elephant population may be properly preserved ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) : (a) The State Government has intimated that elephants affected by the submersion of Kakkankote Forest will move to adjoining forest areas. The hunting of elephants, except those declared as rogue elephants, however, is prohibited throughout the country.

(b) Since elephants are spread throughout the country, it is not possible to provide one single sanctuary for elephants. A number of wild life sanctuaries exist in the country where elephants are well protected.

Loans Advanced by Nationalised Banks in Gulbarga District, Mysore

2584. SHRI DHARAMRAO AFZAL-PURKAR : Will the Minister of FINANCE be pleased to state the various items on which loans were advanced upto 31st March, 1971 by the Nationalised Banks in the district of Gulbarga in Mysore State ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : The information is being collected and will be laid on the Table of the House.

Road Bridges Broken on National Highway No. 6 in District Sambalpur, Orissa

2585. SHRI P. GANGADEB : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the total number of road bridges which have suddenly broken between Barkota and Sambalpur on National Highway No. 6 in the district of Sambalpur in Orissa ;

(b) the reasons why the said bridges have simultaneously broken within a month's period (between 15th February and 13th March this year) ; and

(c) when the repair work is going to be started and whether it would be completed before the monsoon sets in ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : (a) to (c). The requisite information is being collected and will be placed on the table of the Sabha.

Inclusion of Chemman Community of Kerala in Scheduled Caste List

2586. SHRIMATI BIBHA GHOSH : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether Chemman community was included in the Scheduled Caste list in Kerala upto the year 1962 ;

(b) whether Government deleted this community from the approved list of Scheduled Castes from 1962 onwards, if so, the reasons thereof, and

(c) whether Government propose to include this community in the Scheduled Caste list, if so? when ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMASWAMY) : (a) and (b). According to the Scheduled Castes and Scheduled Tribes Lists (Modification) Order 1956 the 'Semman' community is a Scheduled Caste in those parts of Kerala which previously

constituted Malabar district. The list of Scheduled Castes in respect of Kerala has not since been revised.

(c) In the Bill which was introduced in the previous Lok Sabha for amending the lists of Scheduled Castes and Scheduled Tribes 'Chemman' along with 'Semman' was shown as Scheduled throughout the State of Kerala as synonym of 'Chakkiliyan'. The re-introduction of the Bill, which had lapsed on the dissolution of the previous Lok Sabha is under consideration.

Loans Advanced to Mysore State by Nationalised Banks

2587. SHRI G. Y. KRISHNAN : Will the Minister of FINANCE be pleased to state :

(a) the total amount of loans advanced to Mysore State by the nationalised banks during the last two years ; and

(b) the criteria fixed by Government for advancing loans to the State by the nationalised banks ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) Presumably, the honourable member has in mind loans advanced by the 14 nationalised banks in the State of Mysore. Total amount of such loans as at the middle of September, 1970 was of the order of Rs. 107 crores.

(b) The nationalised banks do not advance loans to State Governments. The main criteria for grant of loans to eligible borrowers by the nationalised banks is the viability and productivity of the project for which loans are asked for.

Proposal to start Regular Flights on Delhi-Jodhpur Route

2588. RAJMATA KRISHNA KUMARI JODHPUR : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether Government have under consideration a proposal to start regular flights of Indian Airlines on Delhi-Jodhpur route ;

(b) whether the Defence Authorities have agreed to the use of the Jodhpur Airfield for this purpose ; and

(c) if so, the time by which the said flights will be put into operation ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) :
(a) Indian Airlines have such a proposal in view.

(b) Yes, Sir.

(c) Indian Airlines hope to start the service in the winter of 1971.

Number of Students enrolled in Universities

2589. SHRI R. P. DAS : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the number of students enrolled in the Universities of India ;

(b) whether expenditure on University education has kept pace with the increase in the number of students ; and

(c) if so, to what extent ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) The number of students enrolled in Universities/Colleges, according to the latest available statistics pertaining to 1969-70 is 24.3 lakhs.

(b) The following table indicates the percentage increase (i) in enrolment of students in Universities and Colleges and (ii) in the expenditure on Universities and Colleges, for the period 1961-66 for which expenditure figures are available.

YEAR	No. of students enrolled	Percentage increase in enrolment	Expenditure on Universities/Colleges	Percentage increase in total expenditure
1	2	3	4	5

(figures in lakhs)

(Rs in crores)

1960-61	8.86	—	76.94	—
1961-62	9.63	8.7	85.42	11.0
1962-63	10.62	10.3	96.85	13.4
1963-64	11.68	10.0	109.18	12.7
1964-65	12.94	10.8	127.27	16.7
1965-66	14.64	13.1	157.33	23.5

(c) The increase in the expenditure, on current prices, has kept pace with the increase in enrolment.

Scholars from American Universities

2590. SHRI R. P. DAS : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the total number of Scholars from American Universities who have visited India to do research in the year 1969-70 ;

(b) whether Government keep a record of such scholars and the nature of their research ; and

(c) if so, what are the guidelines laid down in the matter ?

THE MINISTER OF EDUCATION AND SOCIAL WELFARE AND MINISTER OF DEPARTMENT OF CULTURE (SHRI SIDDHARTHA SHANKAR RAY) : (a) to (c). The requisite information is being compiled and will be laid on the Table of the House.

Scheme to Nationalise Mofussil Bus Routes in the Capital

2591. SHRI B. S. BHAURA : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether the scheme to nationalise 12 local mofussil bus routes in the capital which was initiated in 1962 has not yet been implemented ;

(b) if so, the reasons therefor ;

(c) whether the employees of the Delhi Transport Undertaking have threatened to launch an agitation on this issue ; and

(d) if so, the action taken by Government in the matter ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : (a) The Delhi Administration has reported that the scheme has not been implemented.

(b) The Delhi Administration has reported that all the objections received against the scheme have yet to be heard finally and disposed of by the Delhi Administration in accordance with the

provisions of Chapter IV A of the Motor Vehicles Act, 1939. The next hearing in this case is fixed for the 16th July, 1971.

(c) The Government have no information in this regard.

(d) Does not arise.

Loans Advanced by Nationalised Banks to Newspapers

2592. SHRI JYOTIRMOY BOSU :
SHRI PHOOL CHAND
VERMA :

Will the Minister of FINANCE be pleased to state :

(a) the total amount of loans advanced to Newspapers by the Nationalised banks during 1968, 1969 and 1970 ; and

(b) the amounts given as loans and advances (as on 1st April, 1971) to (i) Amrit Bazar Jugantar Group ; (ii) Ananda Bazar, Hindustan Standard Group and (iii) Statesman Group ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) Information in regard to the total amount of advances granted by Nationalised Banks to newspapers during 1968, 1969 and 1970 is not available. However, advances granted to newspapers by these banks and outstanding as on the last Friday of September, 1970 aggregated to Rs. 1,166.89 lakhs.

(b) Information relating to amounts advance by the Nationalised Banks to newspapers individually cannot be furnished in view of the provisions of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 which prohibits the banks from divulging any information relating to the affairs of their constituents except in certain specified circumstances.

Fleet Strength of Shipping Corporation of India and Private Shipping Companies

2593. SHRI JYOTIRMOY BOSU : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the total number of ships (with total tonnage) acquired by the Government-

owned Shipping Corporation of India year-wise from 1968-69 to 1970-71 ;

(b) the total fleet strength (with total tonnage) of the Shipping Corporation of India as on the 1st April, 1971 ;

(c) the total number of ships (with total tonnage) acquired by the Private Shipping Companies year-wise from 1968-69 to 1970-71 ;

(d) the total fleet strength (with total tonnage) of the Private Shipping Companies as on the 1st April, 1971 ;

(e) the share of the Foreign Shipping Companies in India's inland and foreign trade in 1970-71 ; and

(f) the amount of money paid to Foreign Shipping Companies by India on account of (i) inland trade and (ii) foreign trade, year-wise during the last three years ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) :

(a) The requisite information is as under :

Year	No. of ships acquired	Total GRT
1968-69	11	1,15,574
1969-70	8	1,31,803
1970-71	6	1,64,558

(b) 77 ships of 8,63,365 G. R. T.

(c) The requisite information is as under :

Year	No. of ships acquired	Total GRT
1968-69	10	1,07,803
1969-70	6	1,01,595
1970-71	9	80,373

(d) The total fleet strength of the private Shipping Companies as on 1st April, 1971, consisted of 164 ships of 15,40,967 G.R.T.

(e) The information for the year 1970-71 is under compilation. However, during 1969-70 the foreign shipping companies carried 78.68% of the Country's Overseas Trade and 76.2% of the Coasting Trade in Oil Products alone, the trade for dry cargo being fully reserved for Indian Shipping.

(f) In regard to inland Trade the entire volume of dry cargo trade is being handled by Indian ships and freight payments to foreign Shipping Companies do not arise. However, the required information in respect of Oil Products moved around the Coast is being collected and will be laid on the Table of the House in due course.

Freight payments to foreign shipping companies in respect of their Share in the Country's Overseas Trade during 1967-68, 1968-69 and 1969-70 have been estimated respectively as Rs. 221.81 crores, Rs. 211.35 crores and Rs. 180.66 crores.

Number of Book Titles Published in India

2594. SHRI JYOTIRMOY BOSU : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the number of book titles published in India between 1968 and 1970 ;

(b) the total copies of books published during the same period ;

(c) the share of the Government controlled and Government subsidized Publishing Houses in the total titles and total copies of books published during this period ;

(d) the number of book titles and total copies of books published in the U.S.S.R., U.S.A. and U.K. between 1968 and 1970 ; and

(e) whether India is lagging far behind some other countries in this respect, and if so, the causes thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) According to the figures compiled by the National Library, Calcutta under the Delivery of Books Act 1954, the number of titles including re-editions published in India between 1968 and 1970 are as follows :—

1968 = 11,413

1969 = 13,740

1970 = 14,145

(b) Generally on an average, an edition varies from 1000-3000 copies depending on the nature of the book. No figures are, however, available regarding the total number of copies published.

(c) Such figures are not compiled by Government and therefore are not available.

(d) According to the latest figures available in "Unesco Statistical Yearbook 1969", the number of book titles published in the U.S.S.R., U.S.A. and U.K. in 1968 are 75,723, 59,247 and 31,372 respectively. Information about the number of book titles published in 1969 and 1970 and the total copies of books in these countries between 1968 and 1970 is not available.

(e) According to the "Unesco Statistical Yearbook 1969", India is the second largest book producing country in Asia after Japan and the eighth largest book producing country in the world after the U.S.S.R., U.S.A., U.K., Japan, West Germany, Spain and France.

This comparison, however, does not take into account the book production programme of the Peoples' Republic of China, as their figures are not available.

दिल्ली परिवहन उपक्रम की बिक्री कर और छूट कर की छूट

2595. श्री हुकुम चन्द कछवाय : क्या नौबहन और परिवहन मंत्री यह बताने की कृपा करेंगे कि

(क) क्या दिल्ली परिवहन उपक्रम को हाल के वर्षों में भारी घाटा हुआ है, और

(ख) क्या सरकार को कोई ऐसा सुझाव दिया गया है कि इस घाटे को रोकने के लिए दिल्ली परिवहन उपक्रम की बिक्री कर और सड़क कर की छूट दी जाये तथा बकाया राशि को समकित ऋण में बदल दिया जाये ?

संसदीय कार्य तथा नौबहन और परिवहन मंत्री (श्री राज बहादुर) : (क) जी, हाँ।

(ख) दिल्ली नगर निगम और नई दिल्ली नगर पालिका समिति के वित्त जांच आयोग (पौराणिका आयोग) ने दिल्ली परिवहन उपक्रम पर अपनी रिपोर्ट के दूसरे बोल्यूम में सिफारिश की है कि इसे उपक्रम की बिक्री कर और मार्ग कर से छूट दी जाये और इसके वर्तमान ऋण और बड़ी देर से दिए हुए ऋण किस्तों की शेष राशि को समकित ऋण में बदल दिया जाये जो 10 किस्तों में देय हो और 1972-73 से ऋण किस्त प्रारम्भ हो।

दिल्ली परिवहन उपक्रम की सेवा की सुव्यवस्थित करने के लिए मुंजिली और एक मंजिली बसों की खरीद की योजना

2596. श्री हुकुम चन्द कछवाय : क्या नौबहन और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली परिवहन उपक्रम की सेवा को सुव्यवस्थित करने के विचार से दो मंजिली और एक मंजिली बसें खरीदने से सम्बंधित कोई योजना सरकार के विचाराधीन है, और

(ख) यदि हाँ, तो कितनी बसों के लिए क्रयदेश दिये गये हैं तथा उनमें से कितनी बसों के कब तक प्राप्त होने की संभावना है ?

संसाधन कार्य तथा नौवहन और परिवहन मंत्री (श्री राज बहादुर) : (क) राजधानी में दिल्ली परिवहन उपक्रम द्वारा बस सेवाओं में सुधार के लिए दो मंजिली तथा एक मंजिली बसें खरीदने के लिए दिल्ली परिवहन उपक्रम ने कार्यक्रम बनाया है।

(ख) उपक्रम ने सम्बन्धित आटोबाईल विनिर्माता तथा बाड़ी-बिल्डिंग फर्मों को 305 नयी बसें (100 दो मंजिली तथा 205 एक मंजिली) खरीदने के लिए आवेदन पहले ही दिये हुये हैं। इनमें से 196 बसें (50 दो मंजिली तथा 146 एक मंजिली) उपक्रम द्वारा पहले ही प्राप्त कर ली गयी हैं। सुपुर्दगी के निर्धारित समय अनुसार, शेष 109 बसें भी अगले तीन महीनों में प्राप्त होने की सम्भावना है।

Naming of Madras Outer Harbour Project

2597. SHRI T. S. LAKSHMANAN : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether a name has been decided upon for the rupees 50 crore Madras Outer Harbour Project ;

(b) whether the Government of Tamil Nadu has been consulted in regard to the naming of the Project ; and

(c) if not, whether it will be done now and the wishes of the people of Tamil Nadu taken into consideration while deciding on the name of the Project ?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : (a) and (b). Not Yet, but certain proposals are under consideration

(c) The new Outer Harbour forms an integral part of the major Port of Madras, which is under the control of the Government of India. The question whether any or what names should be given to new docks in major Ports is a matter that falls within the jurisdiction of the Government of India.

Credit given to Traditional and Non-Traditional Sectors

2598. SHRI JAGADISH BHATTACHARYA : Will the Minister of FINANCE be pleased to state :

(a) the requirements of investment for traditional and non-traditional sectors ; and

(b) the amount of credit given to the traditional and non traditional sectors by the Banks (Nationalised and non-nationalised) and other Government financial institutions during the years 1969-70 and 1970-71 ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) and (b). The information is being collected to the extent possible and will be laid on the table of the House as soon as it becomes available.

Schemes for setting up of Motels for Tourists Along the Principal National Highways

2599. SHRI MUHAMMED SHERIFF : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether Government are considering a scheme to have Motels for tourists travelling by car along the principal National Highways ; and

(b) if so, the names of places where motels to be set up ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SAROJINI MAHISHI) : (a) and (b). The India Tourism Development Corporation have plans to put up Motels at Jammu, Varanasi and Siliguri during the Fourth Five Year Plan. The work on the Motel at Jammu is in progress.

Programme in the Field of Social Welfare

2600. SHRI MUHAMMED SHERIFF : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether Government propose to launch a three-pronged action programme to

achieve speedy results in the field of Social Welfare ; and

(b) if so, the progress achieved in this regard ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMASWAMY) : (a) No, Sir.

(b) Question does not arise.

Financial Assistance to Thavanur Rural Institute (Kerala)

2601. SHRI M. K. KRISHNAN : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether Government have reduced the quantum of financial assistance to the Thavanur Rural Institute Thavanur, District Palghat (Kerala) if so, the reasons for the same ;

(b) whether Government propose to fix a reasonable quantum of financial assistance to the Institute ; and

(c) if not, the reasons therefor ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) There is a no decrease in the annual recurring grant to the Institute.

(b) and (c). Grants to the various Rural Institutes including the Thavanur Rural Institute for recurring expenditure are determined annually on the basis of the approved posts, number of students on rolls and the courses offered, keeping in view the pattern of Central assistance. It is not possible to fix a block grant under the scheme of assistance to Rural Institutes.

Smuggling of gold into India and Silver out of the Country

2692. SHRI S. R. DAMANI : Will the Minister of FINANCE be pleased to state :

(a) the estimated quantity and value of gold smuggled into the country and of

silver smuggled out of the country every year ;

(b) The number of seizures effected in the year 1970-71 and the value of gold smuggled into the country and of silver smuggled out of India ; and

(c) whether Government have thought of any foolproof method of checking such illegal activities and if so, the particulars thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) It is not practicable to make a reliable estimate of the quantity and value of gold smuggled into India and of silver smuggled out of India every year.

(b) The number of seizures effected by the Customs authorities during 1970-71 was 1019. The quantity and value of the gold and silver seized during this period was as indicated below :—

Commodity	Quantity seized	Value (Rs. lakhs)	
		At international monetary rate.	At Indian market rate
Gold	4,668	394	794
Silver	37,376	—	199

(c) In view of the size of the country with its long frontiers and coastline, working out of a foolproof method of checking smuggling of goods into and out of the country presents many intractable problems. However, various administrative, legislative and economic measures have been taken to combat smuggling. Some of the important measures taken by the Government are as under. Systematic collection and follow-up of information, keeping a watchful eye on the suspected smugglers, rummaging of suspected vessels or aircraft and patrolling of

vulnerable sectors along the coast and the land frontier. Some senior officers of the rank of Collectors of Customs, Additional Collectors of Customs and Assistant Collector of Customs have been posted in vulnerable areas to look after anti-smuggling work exclusively. Customs Act, 1962 has been amended making additional provisions to take special measures for the purpose of checking illegal import and export of certain commodities and facilitating their detention. The position is also reviewed frequently in the light of the information collected, for suitable action.

Diversion of Deposits by LIC and Unit Trust of India with Banks

2603. SHRI C. CHITTIBABU : Will the Minister of FINANCE be pleased to state :

(a) whether the life Insurance Corporation of India and the Unit Trust of India have been diverting their deposits with the banks to Inter-bank call money market ;

(b) whether this withdrawal will affect the liquidity ratio to be maintained by the Banks ;

(c) whether this action of the Life Insurance Corporation and the Unit Trust of India entering call money market and cornering huge profits, adversely affects the deposit mobilisation by the Banks ; and

(d) if so, the remedial action Government propose to take in this regard ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) Prior to June 1970 the Reserve Bank did not permit payment of interest by scheduled commercial banks on call and short notice deposits to parties other than banking institutions and cooperative banks. From June 3, 1970, the Reserve Bank has permitted the LIC and the Unit Trust to receive interest on call and short notice deposits made by them with banks at rates ruling in the Inter-bank call money market.

(b) No, sir.

(c) and (d). As the scheduled commercial banks can secure call and short notice

deposits from the LIC and the UTI in the inter-bank call money market the quantum of deposit with banks is not adversely affected. The banks, however, have to pay interest to the LIC and the UTI at inter-bank call money market rates which are generally higher than the rates admissible on savings and short-maturity deposits. Thus, the matter is one of adjustment in income and expenditure between two wings of financial bodies, viz. on one side the scheduled commercial banks and, on the other, two long-term financial institutions.

Checking of Baggages of V.I.Ps. and M. Ps. by Airlines Officials

2604. SHRI C. CHITTIBABU : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the reason why the Airlines Officials are checking the baggages of V.I.Ps. and Members of Parliament ; and

(b) the reason for Government not giving some directions to the Airlines Official in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SARAJINI MAHISHI) : (a) and (b). Arising out of the incident of hijacking of an Indian Airlines aircraft to Lahore on 30th January, 1971, a number of precautionary measures have been introduced, including frisking of passengers and search of baggage. These measures are applicable to all outgoing passengers (both domestic and international) travelling on any airline and most of the checks are carried out by the police.

House Rent and City Compensatory Allowance to Central Government Employees in Tambaram and Chingleput District of Tamilnadu

2605. SHRI C. CHITTIBABU : Will the Minister of FINANCE be pleased to state :

(a) whether Government of Tamilnadu has decided to pay house Rent and City Compensatory allowance to its employees staying at Tambaram and Chingleput Districts of Tamilnadu ; and

(b) whether Central Government propose to give House Rent Allowance and City Compensatory allowance to the Central Government employees posted at the above-mentioned places, and if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) The Information is being obtained from the State Government and will be laid on the Table of the House as soon as available.

(b) No, sir. These allowances are admissible only to Central Government employees stationed in classified cities/towns. Tambaram and Chingelput are not classified cities/towns on the basis of their population figures according to 1961 census. Any further classification/re-classification of cities/towns, including Tambaram and Chingelput, will have to await the results of 1971 Census. The final population figures are still awaited.

राजस्थान द्वारा देय ऋण

2606. श्री पञ्चालाल बाकपाल : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय केन्द्रीय सरकार का कुल कितना ऋण राजस्थान सरकार की ओर बकाया है ;

(ख) गत तीन वर्षों में केन्द्रीय सरकार से राज्य सरकार को कितनी राशि के ऋण प्राप्त हुए ; और

(ग) क्या प्राप्त किए गये ऋण वस्तुतः उन्ही मदों पर खर्च किए गये थे जिनके लिए वे मंजूर किये गये थे ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) : (क) 31 मार्च, 1971 की स्थिति के अनुसार, केन्द्रीय सरकार का कुल \$67.55 करोड़ रुपया राजस्थान सरकार की ओर बकाया है ।

(ख) राजस्थान सरकार को केन्द्रीय सरकार से 1968-69 में \$4.34 करोड़ रु०, 1969-70 में 151.34 करोड़ रु० और 1970-71 में 111.70 करोड़ रु० के ऋण प्राप्त हुए ।

(ग) इन ऋणों का काफी बड़ा भाग या तो व्यय की प्रतिपूर्ति के रूप में था (जैसे, सूखा राहत व्यय के लिए ऋण) या सामान्य प्रयोजनों के लिए था (जैसे, राज्य में अल्प बचतों की संगृहीत राशियों के बदले ऋण, विशेष ऋण सहायता और अर्थोपाय अधिम) । अन्य मामलों में, ऋण अनुमोदित परिव्ययों और कार्यक्रमों के संदर्भ में, आमतौर पर अन्तिम रूप से मंजूर किए गए थे, और व्यय के लेखा-परीक्षित आंकड़ों के आधार पर उनका समायोजन किया जाएगा ।

रतलाम, मन्दासौर और भोपाल स्थित

कारखानों द्वारा आयकर तथा

उत्पादन-शुल्क का भुगतान

2607. डा० लक्ष्मीनारायण पांडे : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) भूसा-उत्पादों, स्टाच, चीनी, सूती धागे तथा कपड़ों का उत्पादन करने वाले मध्य प्रदेश के रतलाम, भोपाल तथा मंदसौर जिलों के कारखानों के पिछले तीन वर्षों में उत्पादन शुल्क के रूप में कितनी राशि का भुगतान किया है ;

(ख) पिछले तीन वर्षों में इन कारखानों के प्रबन्ध निदेशकों अथवा इन्हें चलाने वाली कंपनियों से सरकार ने कितना आयकर प्राप्त किया और 30 दिसम्बर, 1970 को इनकी ओर आयकर तथा उत्पादन शुल्क की कितनी राशि बकाया थी ; और

(ग) क्या पिछले तीन वर्षों में केन्द्रीय सरकार के कुछ वरिष्ठ अधिकारियों ने इन उद्योगों के लेखों का परीक्षण किया था ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) : (क) मध्य प्रदेश के रतलाम,

भोपाल तथा मंदसौर जिलों में भूसे (straw) के उत्पादों के स्टार्च, चीनी (sugar), सूती धागे तथा कपड़ों का उत्पादन करने वाले कारखानों

द्वारा वर्ष 1968-69, 1969-70 तथा 1970-71 में नीचे दिए अनुसार उत्पादन-शुल्क अदा किया गया।

जिन्सों के नाम	1968-69	1969-70	1970-71
	र०	र०	र०
भूसे के उत्पादों का स्टार्च	कुछ नहीं	कुछ नहीं	कुछ नहीं
चीनी	41,35,472	24,45,444	66,59,480
सूती धागे	5,48,604	7,36,627	9,63,404
कपड़े	13,22,537	12,09,427	11,56,313

(ख) दिसम्बर 1970 के अन्त में उक्त कारखानों की ओर उत्पादन शुल्क को 33,637 र० की रकम बकाया थी। 1968-69 में 1970-71 की अवधि में इन कारखानों का संचालन करने वाले प्रबंध निदेशको अथवा कम्पनियों से आयकर की बसूली तथा दिसम्बर 1970 के अन्त में उनकी तरफ बकाया आयकर की रकम से सम्बन्धित सूचना एकत्रित की जा रही है और उसे सभा-पटल पर रख दिया जायगा।

(ग) उत्पादन शुल्क लगने योग्य माल के उत्पादन और निकासी सबंध हिस्सों की तथा इन एकको द्वारा अदा किए गये केन्द्रीय उत्पादन शुल्क की सामान्य तौर पर लेखा परीक्षा केन्द्रीय उत्पादन शुल्क विभाग के अधिकारियों तथा कुछ मामलों में महालेखाकार के कार्यालय के लेखा परीक्षा दलों द्वारा की गई थी।

पोस्ट के छिलकों की बिम्बी

2608. डा० लक्ष्मीनारायण पांडे : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या एक अफीम उत्पादक प्रतिवर्ष जून के बाद अपने पाम पोस्ट के छिलके नहीं रख सकता ;

(ख) क्या उसे अपने उत्पात के लिए केवल 4 या पांच रुपये प्रति क्विंटल मिलते हैं ;

(ग) क्या उसे वह बाजार में बेचने के लिए जिला कलेक्टर से परमिट लेना पड़ता है ;

(घ) क्या दूर-दूर बसे गांवों में रहने वाले किसानों को इस प्रकार का परमिट लेना बड़ा कठिन होता है क्योंकि कभी-कभी उनके गांवों और जिला कलेक्टर के कार्यालय की दूरी 100-100 मील तक होती है ; और

(ङ) यदि हाँ, तो क्या सरकार का संबंधित नियम में कोई परिवर्तन करने का विचार है ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० शर्मा) : (क) अफीम उगाने वाला प्रतिवर्ष 1 अप्रैल से 31 जुलाई तक 'पोस्ट की भूसी' अपने पास रख सकता है।

(ख) उपलब्ध सूचना के अनुसार, किसान को 'पोस्ट की भूसी' के प्रति क्विंटल पर लगभग 6 रुपये से 10 रुपये तक मिलते हैं।

(ग) प्रतिवर्ष 4 अप्रैल से 31 जुलाई तक, बाजार में 'पोस्ट की भूसी' बेचने के लिए किसान को किसी प्रकार का परमिट लेना आवश्यक नहीं है। इस तारीख के बाद पोस्ट की भूसी बेचने

के लिए राज्य सरकार के उपयुक्त अधिकारी से परमिट लेना आवश्यक है।

(घ) और (ङ). इस सम्बन्ध में सरकार को किसानों से कोई शिकायत प्राप्त नहीं हुई है क्योंकि वे लोग आम तौर पर पोस्ट की भूसी बेचने का काम प्रतिवर्ष 31 जुलाई से पहले ही पूरा कर लेते हैं।

मध्य प्रदेश में समाज कल्याण संस्थाओं को अनुदान

2609. डा० लक्ष्मीनारायण पांडे : क्या शिक्षा और समाज कल्याण मंत्री यह बताने की कृपा करेंगे कि मध्य प्रदेश में उन समाज कल्याण संस्थाओं के नाम क्या हैं जिनको गत दो वर्षों में केन्द्रीय समाज कल्याण बोर्ड द्वारा अनुदान दिए गये थे ?

शिक्षा और समाज कल्याण मंत्रालय में उप-मंत्री (श्री के० एस० रामास्वामी) : यह जानकारी सभा पटल पर रखे गये विवरणों में दी गई है। [प्रश्नालय में रख दिये गये। देखिए संख्या LT—470/71]

Income Tax outstanding against M/s Bharat Commercial Company

2610. SHRI K. LAKKAPPA :
SHRI YAMUNA PRASAD
MANDAL :

Will the Minister of FINANCE be pleased to state :

(a) whether a sum of Rs. 34 lakhs has been outstanding against M/s Bharat Commercial Company as Income-tax ;

(b) if so, since when this amount has been outstanding ; and

(c) the steps taken or proposed to be taken by Government to realise this amount ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K.R. GANESH) : (a) Income-tax demand of Rs. 34 lakhs has been outstanding against M/s Bharat Commercial Company for the assessment year 1962-63.

(b) This amount has been outstanding since the 7th January, 1970.

(c) The recovery of this amount (and some other amounts pertaining to other assessment years) has been stayed by the Income-tax Appellate Tribunal till the disposal of the relevant appeals by them. The Tribunal however, directed that a sum of Rs. 45.33 lakhs should be placed by the assessee company in fixed deposit with the State Bank of India in the name of M/s Khaitan & Co. Solicitors of the company, and a guarantee be given by the Solicitors for the said sum to the Income-tax Department. The Solicitors have accordingly furnished necessary guarantee to the Income-tax Officer.

Income-Tax outstanding against Ashoka Marketing Co.

2611. SHRI YAMUNA PRASAD MANDAL : Will the Minister of FINANCE be pleased to state :

(a) whether a sum of Rs. 38 lakhs has been outstanding against M/s Ashoka Marketing Co. as Income-tax ;

(b) if so, since when this amount has been outstanding ; and

(c) the steps taken by Government to recover this amount ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) A sum of Rs. 55.46 lakhs is outstanding against M/s Ashoka Marketing Co.

(b) This amount consists of the following items outstanding since the dates noted against them :—

Amount Rs.	Date since which outstanding
15,96,000	29.8.1967
4,89,000	1.4.1962
27,07,000	1.3.1963
51,000	29.2.1968
7,03,000	1.6.1970

(c) The first item of demand of Rs. 15.96 lakhs noted above has been stayed by the Calcutta High Court. The next three items totalling Rs. 32.47 lakhs have been stayed by the Central Board of Direct Taxes. The last item of demand of Rs. 7.03 lakhs has been stayed by other authorities till the decision of the appeal filed by the assessee. Although recovery certificate

proceedings for the last four items of demand stayed by the Central Board of Direct Taxes and other authorities have been formally initiated, active steps can be taken after the pending matters for which stay has been given, are cleared.

Number of Students gone Abroad

2612. SHRI SHYAMNANDAN MISHRA Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the number of students who went abroad for studies during, 1968, 1969 and 1970 year-wise ; and

(b) the number of students out of them who went on their own, on Government account, and on foreign account, separately during this period ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) and (b). A Statement is enclosed.

Statement

Year	Own Account	Government Account	Foreign Account	Other Sources*	Total
1	2	3	4	5	6
1968	2,053	211	2,533	468	5,265
1969	2,310	127	1,886	448	4,771
1970	2,952	48	1,320	314	4,634

सारन जिले के तरय्या बाजार में राष्ट्रीयकृत
बैंक की एक शाखा खोलना

2613. श्री कमल मिश्र मजदूर : क्या
वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने निकट भविष्य में
सारन जिले के तरय्या बाजार में किसी एक
राष्ट्रीयकृत बैंक की एक शाखा खोलने का कोई
निर्णय लिया है ; और

* Trainees etc. deputed by firms/companies etc.

(ख) यदि हाँ, तो बैंक की एक शाखा कब तक खोली जायेगी ?

वित्त मंत्री (श्री यशवन्तराव चव्हाण) : (क) और (ख). इस समय बिहार में सारन जिले के तरम्या बाजार में राष्ट्रीयकृत बैंक का कोई कार्यालय खोलने का प्रस्ताव नहीं है। किन्तु, इस जिले के नेता बैंक, बैंड्रल बैंक आफ इंडिया, से उक्त स्थान पर एक कार्यालय खोलने की सम्भाव्यता पर विचार करने के लिए कहा गया है।

बिहार के चम्पारन जिले में राष्ट्रीयकृत बैंकों से ऋण लेने में असुविधा

2614. श्री कमल मिश्र मधुकर : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बिहार के चम्पारन जिले के लोगों को उस क्षेत्र में स्थित राष्ट्रीयकृत बैंकों से ऋण प्राप्त करने में काफी असुविधा का सामना करना पड़ता है हालाँकि उनके द्वारा इन बैंकों में जमा किया गया धन उन्हें अपना व्यापार चलाने के लिए दिए ऋण की राशि से बहुत अधिक है ; और

(ख) यदि हाँ, तो इस स्थिति को सुधारने के लिए सरकार का क्या कार्यवाही करने का विचार है ?

वित्त मंत्री (श्री यशवन्तराव चव्हाण) : (क) और (ख). अलग-अलग ऋणकर्ताओं को दिये गये ऋणों की राशि का किसी विशेष क्षेत्र में संगृहीत रकमों से कोई प्रत्यक्ष सम्बन्ध नहीं होता है। सक्षम समझे जाने वाले सभी उत्पादनशील प्रयोजनों के लिए ऋण दिये जाते हैं। राष्ट्रीयकृत बैंकों द्वारा छोटे ऋणकर्ताओं के सम्बन्ध में उबार ऋण नीति अपनाये जाने के तत्वावृद्ध, यह आरोप लगाते हुए शिकायतें अवश्य आती हैं कि छोटे ऋणकर्ताओं की ऋण सम्बन्धी आवश्यकताओं पर पर्याप्त ध्यान नहीं दिया जा रहा है। छोटे ऋणकर्ताओं को ऋण

सम्बन्धी वास्तविक आवश्यकताओं पर तत्परता से विचार करने के लिए बैंकों पर जोर डालने के अलावा जब विशिष्ट शिकायतें मिलती हैं तो सम्बद्ध बैंक से मामले की जाँच करने और उन शिकायतों को दूर करने के उपायों को अपनाने का अनुरोध किया जाता है।

बिहार के चम्पारन जिले में राष्ट्रीयकृत बैंकों की समूची सुविधाओं में कृषकों का भाग

2615. श्री कमल मिश्र मधुकर : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) बिहार के चम्पारन जिले में राष्ट्रीयकृत बैंकों द्वारा किसानों को दी गई समूची सुविधाओं में मध्यम श्रेणी के और छोटे किसानों का अनुपातिक भाग कितना-कितना है ; और

(ख) मध्यम श्रेणी के और छोटे किसानों को इनका लाभ न मिलने की स्थिति में सरकार का विचार ऐसी योजनाओं को ग्राम पंचायत और मंडलीय स्तर पर प्रभावी बनाने के लिए क्या कार्यवाही करने का है ?

वित्त मंत्री (श्री यशवन्तराव चव्हाण) : (क) और (ख). राष्ट्रीयकृत बैंक मध्यम श्रेणी के और छोटे किसानों को दिये गये अग्रिमों के आँकड़े अलग-अलग नहीं रखते। फिर भी, सरकार ने राष्ट्रीयकृत बैंकों पर, अब तक उपेक्षित क्षेत्रों, जिनमें कृषि, विशेष रूप से छोटे किसान शामिल है, को प्राथमिकता देने की आवश्यकता पर जोर दिया है।

ग्रामों में सांस्कृतिक जीवन की बिगड़ती हुई स्थिति

2616. श्री कमल मिश्र मधुकर : क्या संस्कृति मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार ने ग्रामों में सांस्कृतिक जीवन की बिगड़ती हुई स्थिति को सुधारने का प्रयत्न किया है ;

(ख) यदि हां, तो सरकार द्वारा इस सम्बन्ध में बिहार में की गई कार्यवाहियों का क्या परिणाम निकला है ; और

(ग) ग्रामों में सांस्कृतिक क्रियाकलापों को बढ़ावा देने के लिए चौथी योजना के अन्तर्गत तैयार किये गये कार्यक्रम क्या हैं ?

शिक्षा और समाज कल्याण मन्त्रालय और संस्कृति विभाग मन्त्री (श्री सिद्धार्थ शंकरराय) :

(क) सरकार का ऐसा विचार नहीं है ग्रामों में सांस्कृतिक जीवन की स्थिति में कोई गिरावट आई है। ग्रामों में सांस्कृतिक जीवन की स्थिति में सुधार लाने के लिए कोई विशिष्ट योजना नहीं बनाई गई है।

(ख) प्रश्न नहीं उठता।

चौथी पंचवर्षीय योजना में केवल ग्रामों के हेतु सांस्कृतिक कार्यक्रमों की उन्नति के लिए कोई विशिष्ट कार्यक्रम नहीं बनाया गया है।

Loans advanced by Nationalised Banks in District Bahraich U. P.

2618. SHRI B. R. SHUKLA : Will the Minister of FINANCE be pleased to state :

(a) the total amount of loans advanced by the nationalised banks functioning in the district Bahraich (U. P.) after nationalisation ;

(b) the respective amounts of loans advanced to cultivators, businessmen, persons of low-income groups such as rikshaw pliers, motor car drivers and to persons carrying on trade on a small scale ; and

(c) whether any loan was advanced by the nationalised banks functioning at Bahraich to any engineer or doctor ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : (a) to (c). Information asked for is not readily available ; to the extent possible it will be collected and laid on the Table of the House.

Demonetisation of Currency to Unearth Black Money

2619. SHRI JYOTIRMOY BOSU : Will the Minister of FINANCE be pleased to state :

(a) whether the Direct Taxes Enquiry Committee, appointed by the Central Government about a year ago, has recommended almost wholesale demonetisation of Indian currency as the best way to smash the "Parallel Economy of Black Money" ;

(b) if so, whether Government have accepted the said recommendation of the Committee ; and

(c) if not, the reasons thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : (a) to (c). The interim report of the Direct Taxes Enquiry Committee is under the consideration of the Government.

Grants to Higher Secondary Schools in Tripura for Construction of Hostels

2620. SHRI DASARATHA DEB : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether any amount was granted to the Higher Secondary Schools in Tripura out of Tribal Welfare Fund with a view to constructing Hostels for providing accommodation to Tribal students during the Third Five Year Plan ;

(b) if so, the names of the recipient Institutions and the amount received by each of them so far ; and

(c) the number of Tribal students staying in each Hostel at present ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) to (c). The requisite information is being collected from the Tripura Administration and will be laid on the Table of the Sabha as soon as possible.

Steps to improve Transport System of Tripura

2621. **SHRI BIREN DUTTA** : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether due to scarcity of tyres and tubes of Motor vehicles in Tripura a bottleneck has been created ;

(b) whether the Lt. Governor of Tripura has assured to remove the bottlenecks; and

(c) the steps Government propose to take to improve the transport system of Tripura already over-burdened by the heavy influx of displaced persons ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) :

(a) A wireless message was received from the Tripura Administration asking for assistance to the Tripura Road Transport Corporation in securing 100 truck tyres required by it for relief work for refugees from East Bengal. A representative of M/s. Dunlop (India) Limited was contacted immediately for arranging to rush supplies to that corporation. Intimation about the actual despatch of tyres to the Tripura Road Transport Corporation is awaited.

Apart from the above, no report of shortage of truck tyres in Tripura has been received from the Tripura Administration.

(b) and (c). The information required is being collected from the Tripura Administration and will be laid on the table of the Sabha, when received.

State Transport Board in Tripura

2622. **SHRI BIREN DUTTA** : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether a State Transport Board has been constituted in Tripura, if so, on what date ; and

(b) how many buses and trucks are under the control of this Board ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) :

(a) and (b). No State Transport Board has been constituted in Tripura but the Tripura Road Transport Corporation was established on the 31st March, 1970, under the Road Transport Corporations Act, 1950, for the management of the road transport services in the territory. This Corporation has already purchased 34 trucks and proposes to purchase a further 26 trucks before the end of June, 1971. No bus has yet been purchased by this Corporation.

Grant for Upgrading of School in Tripura

2623. **SHRI BIREN DUTTA** : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether Government of Tripura have asked for grants for upgrading Jalghara school of Tripura upto Higher Secondary stage ; and

(b) if so, the reaction of Government thereto ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) and (b). No, Sir. There is no School named Jalghara school in Tripura. However, there is a school named Salgarah Senior Basic School in Tripura. The upgradation of this school into High School during the current financial year is under the consideration of the Tripura Administration.

Grants to Andhra Pradesh Government for Construction of Houses for Harijans

2624. **SHRI T. BALAKRISHNIAH** : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether any amount has been allotted to the Government of Andhra Pradesh for construction of houses for Harijans and Girijans during 1970-71 ; and

(b) if so, what ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMASWAMY) : (a) Yes, Sir.

(b) Information is given in the statement laid on the Table of the House. [Placed in Library. See No. LT-471/71]

Loans Advanced to Small Scale Industries by Nationalised Banks in Tamilnadu

2625. SHRI BHUVARAHAN : Will the Minister of FINANCE be pleased to state :

(a) the amount of loans and advances so far given to small scale industries by the nationalised banks in Tamil Nadu during the last two years ; and

(b) whether there is any target fixed for each Bank for giving loans and advances to small scale industries ?

THE MINISTER OF FINANCE (SHRI YESHWANTRA CHAVAN) : (a) Upto the end of December 1970, figures of advances extended by the nationalised banks to small scale industries in Tamil Nadu are given below :

No. of accounts : 9709

*Amount Outstanding : Rs. 22.36 crores.

*Includes advances to industrial estates also.

(b) Nationalised Banks do not allocate amounts separately for each category. Under the liberalised procedure for giving credit since nationalisation the banks are endeavouring to meet the credit requirements of the small-scale sector in an increasing measure.

Students Sent Abroad for Higher Studies

2626. SHRIMATI BHARGAVI THANKAPPAN : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the number of students sent abroad for higher studies during last three years, year-wise and state-wise ;

(b) the number of students belonging to the Scheduled Castes and Scheduled Tribes ; and

(c) the criteria regarding the selection of students for higher studies abroad ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) and (b). A statement is attached

(c) There are two scholarship schemes for studies abroad administered by the Ministry of Education and Social Welfare. The first relates to the offers made by foreign Governments/Agencies. For this the only criterion of selection is merit. The second scheme which is financed entirely by the Govt. of India is open to Scheduled Castes, Scheduled Tribes and Denotified Tribes students only. Nine scholarships under this scheme are available every year. Though 9 candidates are selected every year, it is not always possible to find placement for them in their selected subjects in foreign countries and hence the shortfall during the three years. It is also to be noted that during the last three years one Scheduled Caste candidate was selected on merit basis for scheme number one mentioned above.

Statement

The following number of scholars were sent abroad for higher studies during the last three years :

Year	No. of student sent abroad and Scheduled Castes and Scheduled Tribes amongst them		
	Total No.	S.C. & S.T. amongst them	
		S.C.	S.T.
1968-69	326	6	2
1969-70	323	5	6
1970-71	300	4	1

The number of Scheduled Castes and Scheduled Tribes scholars sent abroad statewise and year-wise is as under :—

State/U.T.	Year	1968-69		1969-70		1970-71	
		S.C.	S.T.	S.C.	S.T.	S.C.	S.T.
Tamil Nadu		1	—	3	—	—	—
Mysore		2	—	—	—	1	—
Rajasthan		1	—	—	—	—	—
Maharashtra		1	1	—	—	—	—
Himachal Pradesh		—	1	—	1	—	—
Utter Pradesh		1	—	—	—	—	—
Assam		—	—	—	3	—	—
Nagaland		—	—	—	1	—	—
Punjab		—	—	2	—	—	—
Madhya Pradesh		—	—	—	1	1	—
Andhra Pradesh		—	—	—	—	1	1
Tripura		—	—	—	—	1	—
Not known		—	—	—	—	—	—
		6	2	5	6	4	1

Information, State-wise, regarding students sent under the General Scholarships scheme is not maintained in the Ministry.

University Grants Commission's Grants to Kerala University

2627. SHRIMATI BHARGAVI THANKAPPAN : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) the amount of grants given to the Kerala University by the University Grants Commission during the last two years ; and

(b) how does it compare with the grants given to other Universities in the country during the last two years, year-wise and State-wise ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND

SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) and (b). A statement showing the grants paid by the University Grants Commission to the University/Institution deemed to be Universities including the Kerala University, is laid on the Table of the House. [Placed in Library. See No. LT—472/71]

Housing Loans Scheme of L.I.C.

2628. SHRIMATI BHARGAVI THANKAPPAN : Will the Minister of FINANCE be pleased to state :

(a) whether Government propose to extend the housing loans scheme of the Life Insurance Corporation to cities having a population of more than ten thousand ; and

(b) if so, when a decision is likely to be taken in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) and (b). No, Sir. The LIC's "Property Mortgage" Scheme and "Own Your Home" Scheme, which provide loan finance for housing, have been extended to all centres where it has either a branch office or a sub-office, irrespective of the population. At some centres the population is even less than 10000. The Scheme are also in operation at a few other selected centres where the LIC does not have any office. The total number of centres where the Schemes are in operation is 423.

आर्थिक कार्य विभाग में अनुभाग अधिकारी, हिन्दी अनुवादक और हिन्दी सहायक

2629. श्री जन्मपाल सेलानी : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मन्त्रालय के आर्थिक कार्य विभाग के हिन्दी अनुभाग में अनुभाग अधिकारियों, हिन्दी अनुवादकों और हिन्दी सहायकों की संख्या कितनी है ;

(ख) उक्त पदों के लिए भर्ती और पदोन्नति की पद्धति क्या है ;

(ग) उनमें अनुसूचित जाति और अनुसूचित जनजाति के कर्मचारियों की संख्या कितनी है ; और

(घ) अगर उपर्युक्त भाग (ग) का उत्तर नकारात्मक हो तो उसके क्या कारण हैं ?

वित्त मन्त्रालय में राज्य मंत्री (श्री के० जार० गजेश) : (क) हिन्दी अनुभाग में कर्मचारियों की स्थिति इस प्रकार है :

(i) अनुभाग अधिकारी	2
(ii) हिन्दी अनुवादक	10
(iii) हिन्दी सहायक	7

(ख) (i) अनुभाग अधिकारी : विभाग में अनुवादक पदक्रम (ग्रेड) में 5 वर्ष की सेवा वाले अनुवादकों की पदोन्नति द्वारा, ऐसा न होने पर प्रतिनियुक्ति पर अन्तरण द्वारा, ऐसा भी न होने की स्थिति में सीधी भर्ती द्वारा ।

(ii) हिन्दी अनुवादक : वित्त मन्त्रालय में काम करने वाले और फिलहाल हिन्दी सहायक के पद पर कार्य करने वाले ऐसे व्यक्तियों के अन्तरण द्वारा जिन्होंने हिन्दी सहायक (पदक्रम 210—530 रुपये) के रूप में कम से कम 3 वर्ष काम किया हो, ऐसा न होने की स्थिति में सीधी भर्ती द्वारा ।

(iii) हिन्दी सहायक : चूँकि सरकार ने इन पदों को समाप्त करने और इनके बदले अनुवादकों के पद बनाने का फैसला किया है इसलिए इन पदों के सम्बन्ध में भर्ती के कोई नियम नहीं बनाए गए हैं। वर्तमान पदधार्मियों को अखिल सचिवालयिक आधार पर, हिन्दी जानने वाले उच्च श्रेणी लिपिकों और निम्न श्रेणी लिपिकों में से चुना गया था ।

(ग) कोई नहीं ।

(घ) अनुभाग अधिकारी पद क्रम के मामले में प्रारक्षण सम्बन्धी आदेश लागू नहीं होते क्योंकि इन्हें पदोन्नति द्वारा भरा गया है । जहाँ तक अनुवादकों का सम्बन्ध है, ऐसे हिन्दी सहायक, जिन्हें पदोन्नत करके अनुवादक बनाया गया है, शुरू में संघ लोक सेवा आयोग के माध्यम से भर्ती किये गये थे और गृह मन्त्रालय द्वारा नामित किए गए थे । उस मन्त्रालय द्वारा अनुसूचित जाति और अनुसूचित आदिम जाति के किसी हिन्दी सहायक को आर्थिक कार्य विभाग में नामित नहीं किया गया था । हिन्दी सहायकों के मामले में, तदर्थ नियुक्तियाँ, अखिल सचिवालयिक आधार पर, हिन्दी जानने वाले उच्च श्रेणी लिपिकों और निम्न श्रेणी लिपिकों में से की गयी हैं । ये पूर्णतः तदर्थ नियुक्तियाँ हैं क्योंकि गृह मन्त्रालय के वर्तमान अनुदेशों के अनुसार हिन्दी सहायकों के पद समाप्त किये

जाने हैं और इनके स्थान पर हिन्दी अनुवादकों के पदों का निर्माण किया जाना है। इस सम्बन्ध में कार्रवाई की जा रही है और जब भर्ती के नियम बन जायेंगे, तो पदों को नियमित आधार पर भरा जायगा और अनुसूचित जातियों, अनुसूचित आदिम जातियों के लिए प्रारक्षण सम्बन्धी आदेशों का पालन किया जायगा।

**Recognition to National Diploma in
Commerce for Admission to
M.B.A. Course**

2630. SHRI KINDER LAL : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state :

(a) whether the Delhi University has withdrawn from this year the recognition of Government of India's National Diploma in commerce course for admission to Master of Business Administration course, if so, the reasons therefor ;

(b) the reasons for certain restrictions being imposed by Delhi University on Government of India's National Diploma holders for admission to Post-Graduate courses ;

(c) whether Aligarh University has sent a scheme for government's approval for starting Correspondence course at Post-Graduate level for National Diploma holders, if so, whether Government propose to implement it early ; and

(d) how Government propose to find a solution for further studies in Post-Graduate courses by National Diploma (Commerce) students at the Delhi University ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : (a) The Delhi University had at no time recognised the National Diploma in Commerce for admission to the Master's Degree Course in Business Administration. Therefore, the question of withdrawal of the recognition does not arise.

(b) The University has not considered the National Diploma in Commerce as academically equivalent to its B. Com. degree for the purpose of admission to the M. Com. Course. The University, however, under a temporary Ordinance (1968) made a special provision for the holders of the National Diploma in Commerce to either appear for the B. Com. degree examination of the University or to sit for an entrance test for admission to the M. Com. course, after undergoing a course of instruction of two academic terms in both cases.

(c) No specific scheme has been received from the University. The proposal is still under the consideration of the University.

(d) A number of Indian universities have recognised the National Diploma as equivalent to their B. Com degree for purpose of admission to postgraduate courses in commerce. National Diploma holders can seek admission to these universities for continuing their studies for the M. Com. degree.

**Finance Allocation for Prohibition
Programme in U. P.**

2631. SHRI K. C. PANDEY : Will the Minister of EDUCATION AND SOCIAL WELFARE be pleased to state the amount allotted by the Central Government for prohibition during the Fourth Plan period for U. P. ?

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMASWAMY) : As per entry 8 of List II of the Seventh Schedule to the Constitution, the prohibition programme and its implementation fall in sphere of the responsibility of State Governments, and as such no amount has been allotted by the Central Government to U. P. in this regard under Plan provision.

**Development of Places of Tourist Interest
in Rajasthan**

2632. SHRI BRIJ RAJ SINGH-KOTAH : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state the steps taken up by Government for the development of places of tourist interest in Kota and its environment in Rajasthan and further plans in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) : Due to limitation for resources and strict order of priorities no schemes have been formulated in the Central Sector for the development of tourist facilities in and around Kota.

Air Flights connecting regional Capitals with Delhi

2633. SHRI BRIJ RAJ SINGH-KOTAH : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether Government are aware that at present there is no proper air-link of important regional capitals like Trivandrum, Bangalore and Bhubaneswar with Delhi ; and

(b) whether Government have any plans to remove the difficulty of passengers who want to save time ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) : (a) and (b). Same-day connections, both ways, are available between (1) Delhi and Bhubaneswar ; and (2) Delhi and Bangalore. There is a same day connection from Trivandrum to Delhi but not in the reverse direction. Indian Airlines have plans to provide this from the winter of 71.

Booking done by Indian Airlines on Bombay-Cochin and Cochin-Bombay Sectors

2634. SHRI VAYALAR RAVI : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) the total number of bookings done by Indian Airlines on Bombay-Cochin and Cochin-Bombay Sector since January, 1970 ; and

(b) how far the Indian-Airlines has met with the demands of passengers ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (DR. SAROJINI MAHISHI) : (a) and (b). Indian Airlines carried 26,880

passengers from Cochin to Bombay and 25,767 from Bombay to Cochin during the period January, 1970 to May, 1971. However, capacity fell short of the requirements.

12.00 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED HEAVY FLOODS IN THE GANGES, ALAKNANDA, TEESTA AND THE RIVERS OF ASSAM

श्री रामावतार शास्त्री (पटना) : मैं अवि-लम्बनीय लोक महत्व के निम्नलिखित विषय की ओर सिंचाई और बिद्युत मंत्री का ध्यान दिलाता हूँ और प्रार्थना करता हूँ कि वह हम बारे में एक वक्तव्य दें :

“बिहार में गंगा नदी में, उत्तर प्रदेश में अलकनन्दा नदी में, पश्चिम बंगाल के कूच बिहार और जलपाईगुड़ी जिलों में तीस्ता नदी में तथा असम में कुछ नदियों में कथित भारी बाढ़ आ जाने से उत्पन्न स्थिति ।”

सिंचाई और बिद्युत मंत्रालय में उप-मंत्री (श्री बैजनाथ कुरील) : दक्षिण पश्चिमी मानसून असम में 29 मई को, उत्तर बंगाल में 31 मई को, बिहार में 3 जून को, पूर्वी उत्तर प्रदेश में 6 जून को और पश्चिमी उत्तर प्रदेश में 8 जून को आगे बढ़ा। 16 जून तक मानसून वृष्टि उत्तर बंगाल, बिहार और उत्तर प्रदेश में अधिक थी और असम में कम थी। इस अवधि के दौरान रिकार्ड की गई भारी वृष्टि इस प्रकार थी—असम में पस्तीचाट में 9 जून और 10 जून को 13 सेन्टीमीटर, डिब्रुगढ़ में 9 जून को 10 सेन्टीमीटर और जोरहाट में 15 जून को 14 सेन्टीमीटर, उत्तर बंगाल में बागडोगरा में 11 तथा 12 जून को 18 सेन्टीमीटर, जलपाईगुड़ी में 12 या 13 जून को 19 सेन्टीमीटर और कूच बिहार में 15 जून को 22 सेन्टीमीटर, उत्तर प्रदेश के जोशीमठ में 12 तथा 14 जून को क्रमशः 8 सेन्टीमीटर तथा 6 सेन्टीमीटर और धारपूरा में 14 जून को 27 सेन्टीमीटर।

चालू मानसून के दौरान असम में ब्रह्मपुत्र तथा इसकी कुछ सहायक नदियों, उत्तरी बंगाल में तीस्ता ; उत्तर बिहार में गंगा और कुछ नदियों और उत्तर प्रदेश के चमोली तथा पिथौरागढ़ जिलों में, बाढ़ों की सूचना मिली है। अब तक प्राप्त बाढ़ों की स्थिति का ब्यौरा निम्नलिखित है:—

असम में ब्रह्मपुत्र और इसकी सहायक नदियों सुबनसिरी और पगलाडिया में बाढ़ें आईं। ब्रह्मपुत्र डिब्रुगढ़ में 31 जून को और नियामाटी में 12 जून से आगे चेतावनी स्तर से ऊपर थी। डिब्रुगढ़ में जल-स्तर 14 जून को चेतावनी स्तर से नीचे गिर गया था। नियामाटी में जल-स्तर 16 जून को गिरना शुरू हो गया परन्तु 17 जून तक भी चेतावनी स्तर से ऊपर था। अन्य स्थानों पर जल-स्तर चेतावनी स्तरों से नीचे थे। भू-कटाव के परिणामस्वरूप सुबनसिरी के बाएं नटबन्ध में दरार आ गई।

उत्तर बंगाल में 4 जून को तीस्ता में माधारण दर्जे की बाढ़ें आईं और जलपाईगुड़ी तथा कूच बिहार जिलों के अरक्षित क्षेत्रों में जल-उमड़ाव (स्पिलोंग) हुआ। 8 जून को तीस्ता में फिर बाढ़ें आयीं। 14 जून के प्रारम्भिक घण्टों में तीस्ता में भारी बाढ़ आई थी। बाढ़ें उसी दिन दोपहर तक घट गयीं।

बिहार में गंगा में केवल नीची बाढ़ें आयीं। कमला बालान, बागमती और कोसी में मध्यम बाढ़ें आयीं। 17 जून को बागमती बढ़ रही थी लेकिन फिर भी चेतावनी स्तर के नीचे थी। अभी तक किसी क्षति की सूचना नहीं मिली है।

उत्तर प्रदेश में 10 जून को चमोली जिले के अलकनन्दा बेसिन में भारी वर्षा हुई। भू-स्तरस्तर तथा मकानों के गिरने से 5 व्यक्तियों की मृत्यु होने की सूचना मिली है। रीनीगाव पर एक पुल बह गया था। नन्दप्रसाग से आगे

बदरीनाथ सड़क पर कई जगहों में दरारें पड़ गई थीं। बिरही पर एक अस्थायी पुल बह गया। पिथौरागढ़ जिले में 10 और 11 जून को भारी वर्षा हुई। धारचूला के निकट गर्लपति पुल बह गया तथा यातायात भंग हो गया। एक व्यक्ति की जान गई। धारचूला में सरकारी और निजी सम्पत्ति की हानि हुई।

राज्य सरकारें क्षति का मूल्यांकन कर रही हैं।

श्री रामावतार शास्त्री : 23 वर्षों की आजादी के बाद भी हमारे देश में हर साल किसी न किसी सूबे में या कुछ सूबों में बाढ़ें प्रायः आती रहती हैं और लाखों व्यक्तियों को इससे जान माल की क्षति उठानी पड़ती है। इस साल हम में से किसी को भी उम्मीद नहीं थी कि वर्षा इतनी पहले शुरू हो जायेगी और उसके परिणामस्वरूप बाढ़ें पहले आ जायेंगी। लेकिन इस साल बाढ़ें समय से पहले आ गई हैं। बिहार में गंगा नदी, कोसी, गंडक, बागमती, भुतही, बलान, पुनपुन, सोन इत्यादि जितनी भी बिहार की नदियां हैं चाहे वे बिहार में हों या उत्तरी बिहार में, सभी में बाढ़ आ गई है और बहुत सी फसलों को नुकसान हुआ है। मकई की फसल करीब-करीब बरबाद हो गई है। लेकिन सरकार ने बयान में कहा है कि कोई क्षति नहीं हुई। मालूम नहीं यह समाचार उन्हें कैसे मिला। बाढ़ के फलस्वरूप बिहार के जितने भी जिले हैं, दरभंगा, मुजफ्फरपुर, सारन, चम्पारन, पूर्णिया, सहरसा, भागलपुर, मुंगेर पटना, गया, शाहाबाद आदि सभी बाढ़ की चपेट में हैं और सैकड़ों गांव बाढ़ से घिरे हुए हैं। कई जगहों से यह रिपोर्ट आ रही है कि संक्रामक रोग भी फैलने लगा है। पशुओं को चारा मिलना मुश्किल हो गया है और हजारों घर क्षतिग्रस्त हो चुके हैं। करोड़ों रुपये की बर्बादी हुई है। यह स्थिति आज हमारे बिहार की है। हर साल यहां बाढ़ आती है और बिहार के लिए यह कोई नई बात नहीं है।

[श्री रामावतार शास्त्री]

उत्तर प्रदेश में भी अलकनंदा नदी में बाढ़ आई। पिछले साल भी वहाँ उसमें बाढ़ आई थी जिसकी वजह से 22 बसें पानी में बह गई थीं और सैकड़ों लोग उस समय मारे गये थे। इस साल फिर उसमें बाढ़ आई और तीन लड़कियां बह चुकी हैं। आपने खुद बताया है कि पांच या सात आदमी और मर चुके हैं। आवागमन के साधन बदरीनाथ को बन्द हो चुके हैं और बहुत भारी क्षति का अनुमान है। यह उत्तर प्रदेश की स्थिति है। वहाँ भू-स्खलन भी हो रहा है, पहाड़ टूट कर गिर रहे हैं जिसकी वजह से भी नुकसान हो रहा है, लोग मर रहे हैं। चार गांवों का तो बिल्कुल पता ही नहीं है कि कहाँ है, बह कर कहाँ चले गये हैं।

जहाँ तक बंगाल का सम्बन्ध है उत्तरी बंगाल में तीस्ता नदी में बाढ़ आने की वजह से कूच बिहार और जलपाईगुड़ी में खतरा उत्पन्न हो गया है। जलपाईगुड़ी शहर में पानी आ गया है जैसे बिहार के सीतामढ़ी में आ गया है। असम की ब्रह्मपुत्र नदी में बाढ़ आ गई है जिसकी वजह से 146 गांव प्रभावित हुये हैं। अभी बरमात के दो महीने बाकी है। अभी तो श्रीगणेश ही हुआ है, प्रारम्भ ही हुआ है और आगे चलकर पता नहीं स्थिति कहाँ तक बिगड़ेगी। इसी से आप अनुमान लगा सकते हैं कि आने वाले दिनों में कैसी मुसीबत हिन्दुस्तान के विभिन्न सूबों के नागरिकों को उठानी पड़ेगी, किसानों, मजदूरों और गरीब लोगों को भुगतनी पड़ेगी। इस स्थिति पर 23 वर्ष की आजादी के दौरान भी हम काबू नहीं पा सके हैं।

इस पृष्ठभूमि में मैं सरकार से जानना चाहता हूँ कि सरकार ने बाढ़ों की समस्या को स्थायी रूप से हल करने के लिए पिछले तीन सालों के अन्दर कौन सी योजनाएँ लागू की हैं और उसका क्या गतीबिगति निकला है और इसमें सरकार की कितनी धनराशि व्यय हुई है।

अबिध्य में बाढ़ें न आयें और अगर आएँ तो हम उनका मुकाबला कर सकें, इसके लिए

आपने अगर कोई योजना बनाई है तो उस योजना का खाका सदन के सामने और देश के सामने आप रखें ताकि जनता को यह भरोसा हो सके कि सरकार सबकुछ में बाढ़ों को रोकने और बाढ़ों से प्रताड़ित लोगों की मदद करने के लिए तैयार है।

इस साल जो बाढ़ आई है, क्या सरकार को इसके बारे में पहले से कोई अनुमान था या नहीं; अगर था, तो इससे बचने के लिए सरकार ने क्या उपाय किये?

1967 के चुनाव के बाद पश्चिमी बंगाल में जो संयुक्त मोर्चा की सरकार बनी थी, उसके सिंचाई मंत्री, श्री विश्वनाथ मुकर्जी, ने पश्चिमी बंगाल में बाढ़ की रोक-थाम के लिए, और बिहार को उसके असर में बचाने के लिए, एक मास्टर प्लान दिया था। उसके बाद 1968 में वहाँ फिर बाढ़ आई। उन्होंने 1969 में फिर मास्टर प्लान दिया। मैं यह जानना चाहता हूँ कि क्या केन्द्रीय सरकार ने उस मास्टर प्लान को लागू किया है या नहीं; अगर नहीं, तो कौन से व्यवधान उपस्थित हो गये, जिनकी वजह से उस मास्टर प्लान को लागू नहीं किया गया। क्या सरकार पश्चिमी बंगाल और बिहार की जनता को बाढ़ से बचाने के लिए उस प्लान को लागू करने का इरादा रखती है या नहीं? अगर सरकार ऐसा नहीं करेगी, तो वह हिमालय से निकलने वाली नदियों की बेगवती धारा को नहीं रोक सकेगी, जिसका परिणाम यह होगा कि उस क्षेत्र में जीवन और सम्पत्ति की बहुत क्षति होगी।

यह बाढ़ हर साल आती है और इस बार भी आई है। हर साल लाखों सरकारी कर्मचारी बाढ़ की चपेट में आते हैं, जिससे उन्हें अनेक बाधाओं और कठिनाइयों का सामना करना पड़ता है। पिछली बार जब बिहार में बाढ़ आई थी तो सरकार ने वहाँ के केन्द्रीय सरकारी कर्मचारियों को फ्लड एडवांस दिया था। इस बार बिहार, उत्तर प्रदेश, पश्चिमी बंगाल के उत्तरी भाग और आसाम में जो बाढ़ आई है,

उससे भी हजारों सरकारी कर्मचारी प्रभावित हुए होंगे। देश भर में जहाँ-जहाँ बाढ़ आई है, क्या सरकार यहां के सरकारी कर्मचारियों की मदद के लिए फ्लड एडवांस, बाढ़ सम्बन्धी अग्रिम राशि, देगी, ताकि वे लोग निश्चिन्त हो कर अपना काम कर सकें ?

श्री बीजनाथ कुरील : इसमें कोई शक नहीं है कि बाढ़ से हर साल जन, धन और पशुओं की बहुत क्षति होती है। इसको ध्यान में रखते हुए सरकार ने 1954 की भयंकर बाढ़ के बाद इस सम्बन्ध में एक नेशनल पालिसी बनाई थी, जिसके तीन फेज हैं : इम्मीडिएट, शार्ट-टर्म और लांग-टर्म। उसी के आधार पर काम हो रहा है। एक फ्लड कंट्रोल बोर्ड बना है, आसाम में एक कमीशन बना है और एक टेकनिकल कमेटी भी है, जो इन सब मामलों में सलाह देती है। बाढ़ की रोक-थाम और उससे उत्पन्न कठिनाइयों को दूर करने के लिए कुछ स्कीमें हाथ में हैं, जिनमें से कुछ मुख्य काम है एम्बैकमेंट बनाना, पहले के एम्बैकमेंट्स को मजबूत करना और ड्रेनेज के द्वारा पानी को बाहर निकालने की कोशिश करना, आदि।

ये स्कीमें इस समय हाथ में हैं : आसाम में प्रोटेक्शन आफ कोकिलमुख एरिया फ्रॉम इरोज़न आफ रिवर ब्रह्मपुत्र—336 लाख रुपये, दुबरी प्रोटेक्शन वर्क्स—155 लाख रुपये और भाईजन प्रोटेक्शन वर्क्स—100 लाख रुपये। बिहार में रेजिंग एण्ड स्ट्रेंथनिंग आफ कमला बालान एम्बैकमेंट—103 लाख रुपये और प्रोटेक्शन वर्क आफ कौसी एम्बैकमेंट—320 लाख रुपये। बंगाल में ईस्टर्न मोगराहाट ड्रेनेज स्कीम—296.50 लाख रुपये, स्वर्णरेखा एम्बैकमेंट स्कीम—132.54 लाख रुपये और इम्पूरबमेंट आफ लोजर दामोवर (फेज वन)—655 लाख रुपये।

एक आधुनिक सचिव : श्री शास्त्री जी ने तो उत्तर बंगाल की बात कही है।

श्री बीजनाथ कुरील : उसमें सियालदांग में बेसिन ड्रेनेज स्कीम—115 लाख रुपये, नौबी

बेसिन ड्रेनेज स्कीम—149 लाख रुपये और रिसर्सीटेशन आफ रिवर कालियाघरी—425 लाख रुपये।

उत्तर प्रदेश में लखनऊ टाउन प्रोटेक्शन वर्क्स—296 लाख रुपये और स्ट्रेंथनिंग आफ रेलवे एम्बैकमेंट नियर चितौनी रेलवे स्टेशन—119 लाख रुपये।

ये योजनायें इस समय हमारे हाथ में हैं। जहां जहां आवश्यकता होगी, वहां के लिए भी योजनायें बनाई जायेंगी।

श्री शास्त्री ने पूछा है कि क्या इस बाढ़ के बारे में कोई अनुमान था। अन्दाज तो रहता है, लेकिन बाढ़ इतनी जल्दी आ जायेगी, यह क्याल नहीं था। गंगा में पानी अभी डेंजर पायंट से ऊपर नहीं गया है। अलकनन्दा का कुछ पता नहीं लगता है और उसका कोई फोरकास्ट नहीं हो पाता है। वह तुरन्त घटती है और तुरन्त बढ़ जाती है, जिससे नुकसान हो जाता है। पिछले साल से इस तरह की घटनायें शुरू हुई हैं। इससे पहले इस तरह की घटनायें इस नदी में नहीं होती थी।

श्री रामाकृष्ण शास्त्री : अध्यक्ष महोदय माननीय मंत्री ने फ्लड एडवांस के बारे में नहीं बताया है।

श्री दुना उरांव (जलपाईगुड़ी) : नार्थ बंगाल में बराबर बाढ़ आया करती है। अभी मंत्री महोदय ने कहा है कि वहां बाढ़ आई है, लेकिन वहां पर फ्लड कंट्रोल के उपायों के बारे में उन्होंने कोई जिक्र नहीं किया है। उसकी रिपोर्ट भी नहीं निकली है। मैं यह जानना चाहता हूँ कि सरकार उसकी रिपोर्ट को निकालने के लिए और उसको कार्य रूप में परिणत करने के लिए क्या कर रही है।

श्री बीजनाथ कुरील : नार्थ बंगाल के लिए कुछ काम जारी हुए हैं। एक तो एक्सटेंशन

[श्री वैजनाथ कुरील]

आफ बाटरवे आफ जलपाईगुरी रोड एण्ड रेलवे
ब्रिजिज की योजना हाथ में है और दूसरी है
प्रोवाइडिंग ए प्रापर आउटफाल टु करला रिवर
टु प्रिवेंट फ्लडिंग इन जलपाईगुरी टाउन ।
जलपाईगुरी टाउन को जो डेंजर है, उससे बचने
के लिए ये दो योजनायें हाथ में हैं ।

SHRI B. K. DASCHOWDHURY
(Cooch-Bihar) : What about Cooch-Bihar ?

I wish to make a humble submission.
We do not understand what is the purpose
of tabling calling attention motions if this
is the type of answer that is to be given.
I would seek your protection in this
regard. If you kindly go through the
statement of the Minister, you will find that
it is just a catalogue of events and nothing
more. Is this the only function of the
Minister, to present a catalogue ? Are we,
the members here, and the people outside
not entitled to know what Government is
doing about this matter ? But about that,
nothing has been said. This is very
reprehensible I think Government should
be asked by you to come prepared with a
better statement in reply to future calling
attention notices.

In the statement it has been said that
severe floods took place in various places,
and particularly in North Bengal between
the 3rd and 8th June. But what about
the damages or loss of property ? Nothing
has been mentioned. This simply shows
that the hon. Minister is very complacent
about the flood situation in North Bengal
as also the other parts of India. But the
Minister should know that this complacency
will not be excused by the turbulent
rivers. The time will come when the
Minister and the Government will be washed
away unless they take drastic steps now.

It is reported in almost all the news-
papers that about 30,000 people were forced
to leave their homes in North Bengal,
about 800 acres of paddy land eroded and
160 houses were washed away. The hon.
Minister has not said anything about that.

We know what happened in the great
October flood of 1968. When that shock

has not subsided, we find particularly
in the Jalpaiguri District this further danger
and devastation, even though the Govern-
ment is sitting tight and doing nothing.

It has been announced that the North
Bengal Flood Control Commission would
be formed, and a small office has been
opened. I would like to know whether
this Commission has started functioning
in the North Bengal area to control the
floods, and whether the hon. Minister is
aware that a scheme was taken up as
long back as 1969 at the Irrigation Ministers'
Conference held in Simla to control
the North Bengal rivers ? The estimated
expenditure under this scheme for the
various rivers was as under :

Master plan for Teesta river	... Rs. 114 crores.
Master plan for Jaldhaka river	... 9.41 crores.
Master plan for Roydoh river	... 30.85 crores.
Master plan for Torsha river	... 28.30 crores.
Master plan for Mahendra river	... 1.82 crores.

The total comes to Rs. 184.38 crores.

May I know whether this entire amount
of Rs. 184.38 crores for the work of the
North Bengal Flood Control Commission
has been sanctioned by the Government
of India ?

The hon. Minister said that certain
actions have been taken to control the flood
fury of the North Bengal rivers. Besides
the expansion of the rail and road bridges,
what were the other suggestions made by
the Technical Committee in 1969 ? In
this connection, may I know whether the
flood protection scheme by an effective
armoured embankment in that area from
Mandalghat and Jalpaiguri town of Beltali
and Jhar Singheswar was sanctioned, but
suddenly for God knows what reasons,
the officials stopped the work at Ribiganj ?
As a result, serious apprehensions have
appeared in the minds of the local people

there. If this scheme is not extended upto Beltali and Jhar Singheswar as originally proposed, the entire area of Haldibari, Dewaganj, Hemkumari etc., will be washed away during the monsoon period. I would appeal to the Minister that the original scheme be implemented.

Lastly, I would like to know what steps have been taken to give relief, house construction and other kinds of relief, to the 30,000 people who have been forced to leave their hearths and homes in North Bengal.

Lastly I would like to know whether he is thinking in terms of giving certain permanent relief not only by the construction of the flood protection scheme but also by initiating a scheme, flood insurance scheme, in areas which are affected by floods and people in those areas who want to insure their life and properties insured may do so. Is the Government thinking on these lines ?

SHRI B. N. KUREEL : I have already stated that the Government has got a national flood control scheme and I also stated that it has got three phases, immediate, short term and long term. The long term scheme will take about 30-40 years. That is the plan. At present schemes to give immediate relief are taken. He asked about the persons who had been evacuated from that place. The State Governments are making estimates and other things and when they ask for help from the Central Government certainly we shall look into this. The hon. Member has given certain details. We shall see that this part of the country does not get washed away by the rivers. We shall make all efforts to control it.

SHRI B. K. DASCHOWDHURY : The specific question was whether Rs. 184.28 crores had been sanctioned.

SHRI B. N. KUREEL : That plan has been prepared, but as I said it is a long term policy ; it will take a long time to spend this amount.

श्री० लक्ष्मीनारायण पांडे (मंदसौर) : अध्यक्ष महोदय, मंत्री महोदय ने अभी अपना

वक्तव्य दिया है। उसी संदर्भ में मंत्री महोदय से मैं जानना चाहूंगा कि बाढ़ें इस प्रकार से प्रति वर्ष इन नदियों में आया करती हैं। इस बार भी आई, गत वर्ष भी आई। इस में एक दो नहीं सैकड़ों मनुष्यों की जाने गईं, कई पशु बह गए, कई मकान ढह गये। इस बार अलकनन्दा की बाढ़ के कारण जो हानि हुई है वह असाधारण है। बिहार के पूर्णिया जिले के कटिहार सब-डिवीजन में भी अनेक नगरों को क्षति पहुंची है और कटिहार की स्थिति यह है कि वह भी शायद जलमग्न होने की दशा में पहुंच जाये। इस बारे में मंत्री महोदय का केवल यह कहना कि हम कुछ कदम उठा रहे हैं, काफी नहीं हैं। बार बार इस बारे में सदन में आश्वासन दिए गए कि फ्लड कंट्रोल प्रोग्राम के अन्तर्गत और दूसरी स्कीमों के अन्तर्गत हम इस पर विचार कर रहे हैं। मैं जानना चाहूंगा कि आप के पास कोई ऐसा साधन है या किसी ऐसे निश्चित उपाय के ऊपर आप विचार कर रहे हैं जिससे कि फ्लड फोरकास्टिंग सिस्टम का लाभ लेकर पहले से मालूम हो जाय कि बाढ़ आ रही है जिस में सैकड़ों व्यक्ति जो बह जाते हैं वह बचाये जा सकें और जो इतना नुकसान होता है उसे बचाया जा सके ? क्या ऐसा कोई उपाय अपनाया जा रहा है ? इस प्रकार की घोषणा डा० के० एल० राब ने अपने भाषण में उस कान्फरेंस के अन्दर की थी जो पिछले वर्ष नवम्बर में यहां हुई थी जिस में पार्लियामेंट के मेम्बर भी थे और दूसरे और एक्सपर्ट लोग भी थे। मैं माननीय मंत्री महोदय से यह भी जानना चाहूंगा कि उस सम्बन्ध में जो भी उस मीटिंग के अन्दर घोषणायें की थीं उसमें जो सुझाव दिए गए थे उन के ऊपर आप ने अब तक कौन सी कार्यवाही की है, कौन से कदम उठाए हैं ? मैं यह भी जानना चाहता हूं कि यह केवल ब्रह्मपुत्र, गन्डक, कोसी या अलकनन्दा का ही सवाल नहीं है, गुजरात और मध्य प्रदेश की नर्मदा नदी और दूसरी अनेक नदियों में बाढ़ आती रहती है जिस से कि अपार जनहानि होती है, मकान बह जाया करते हैं, करोड़ों, अरबों

[श्री लक्ष्मीनारायण षोडे]

रूपे की सम्पत्ति की हानि होती है। जैसा हमारे अनेकों माननीय सदस्यों ने यहां पर विचार रखे हैं कि कोई सैन्ट्रल बोर्ड होना चाहिए और उस समिति ने भी सिफारिश की थी कि उचित समझा जाय तो संविधान में संशोधन किया जाय ताकि कुछ अधिकार इस के बारे में जो स्टेट्स को दे रखे हैं, वे केन्द्र को मिलें और केन्द्र उन के बारे में विचार कर सके। यह सबाल इरिगेशन मंत्रालय की कन्सल्टेटिव कमेटी में भी सदस्यों ने उठाया था और अपने विचार प्रगट किए थे।

मैं माननीय मंत्री महोदय का ध्यान श्री के० एल० राव के दो वक्तव्यों की ओर आकर्षित करना चाहता हूँ, जिस में उन्होंने बतलाया था—

"The Union Government has prepared a comprehensive plan to provide "substantial" protection from floods, cyclones, sea erosions and water-logging in the coming years.

Giving this information today, the Union Irrigation and Power Minister, Dr. K. L. Rao, suggested the creation of a revolving fund for financing these massive flood control works. The schemes which can be taken in the current plan period, he observed, were additions and improvements in the flood forecasting units, organising joint inspection of flood control works by the Centre and the States well in advance of the monsoon season, and intensification of soil conservation measures particularly in the catchment area of the Himalayan rivers."

मैं जानना चाहूँगा कि इस के बारे में आप ने क्या कदम उठाये हैं? अगर नहीं उठाये हैं तो इस पर आप क्या विचार करने जा रहे हैं?

दूसरे वक्तव्य में माननीय मंत्री महोदय ने कहा था—

"The Union Government has now admitted that five States in India are the worst-affected by floods. During the 16-year period from 1936, the total loss suffered by those States is of the order of Rs. 333.31 crores. The admission came at the meeting of the Consultative Committee of the Members of Parliament for Irrigation and Power. The Ministry has expanded today's meeting to include those who also serve on the Central Flood Control Committee."

मैं जानना चाहूँगा कि इन पांच स्टेट्स के बारे में जो वर्तमान स्थिति है उस के बारे में आप क्या करने जा रहे हैं। अभी आप ने कहा कि आंकड़े नहीं आये हैं कि कितना लौम हुआ है। लेकिन मैं जानना चाहता हूँ कि आप ने क्या सहायता दी है, किस प्रकार की सहायता देने जा रहे हैं, किस रूप में देने जा रहे हैं? क्या कोई यूनिट तैयार करने जा रहे हैं जो हमेशा फ्लड-कंट्रोल पर काबू पाने के लिए कोई निश्चित फॉर्म के रूप में तत्काल वहां जा कर काम करे और उन को तत्काल सहायता दे?

श्री बंजनाथ कुरील : अध्यक्ष महोदय, माननीय सदस्य ने पहली बात तो यह पूछी है कि क्या हमारे पास कोई बार्निंग या फोरकास्टिंग सैन्टर्स हैं? हमारे पास इस का प्रबन्ध है। यह जलपाइगुड़ी में है, पटना में है। जो पटना में है उस के कंट्रोल इन्ज मुजफ्फरपुर, दरभंगा मुंघेर और बीरपुर में हैं। इसी तरह से जो लखनऊ में है, उस के कंट्रोल इन्ज इलाहाबाद, वाराणसी, गोरखपुर में हैं।

दूसरी बात माननीय सदस्य ने यह पूछी थी कि कन्सल्टेटिव कमेटी में जो कमिटेमेन्ट्स हुई थीं, उन पर क्या काम हुआ है? मैं इन के बारे में डिटेल्स अभी नहीं बता सकूँगा, लेकिन बाद में उन की जानकारी प्राप्त कर के माननीय सदस्य को अवगत करा सकूँगा।

इस में कोई शक नहीं है कि वे चार-पांच स्टेट्स बहुत ही ज्यादा इफेक्टिव हैं और हर

साल लाखों नहीं, बल्कि करोड़ों रुपये का नुकसान होता रहता है। जैसा मैंने बताया है कि इस बारे में सरकार की एक निश्चित नीति है, नेशनल स्कीम बनी हुई है और उस के अन्तर्गत इन सब की मदद पहुंचाने की बात होती रहती है। उस का जो कन्ट्रोल बोर्ड है, कन्ट्रोल कमीशन है, टेकनीकल कमेटी हैं, उन सब के फंक्शन अलग अलग हैं।

एक बात माननीय सदस्य ने पूछी है कि जिन लोगों का नुकसान हुआ है, उस का कोई एस्टीमेट है। एस्टीमेट तो नहीं है, लेकिन जब एस्टीमेट बनने और स्टेट गवर्नमेंट्स सेंट्रल गवर्नमेंट से मदद मागेगी, उस वक्त हम लोग इसके बारे में कुछ कर सकेंगे।

डा० लक्ष्मीनारायण पांडे : मैंने कास्टीचूशन में संशोधन के लिए पूछा था, उस के बारे में आप ने कुछ नहीं बताया।

श्री बंजनाथ कुरील : वह स्टेट और सेंटर के रिलेशन की बात है, उस के बारे में आफ-हैंड में कुछ नहीं कह सकता हूं, लेकिन उस पर विचार किया जा सकता है।

श्री नरेन्द्र सिंह बिष्ट (अल्मोड़ा) : अध्यक्ष महोदय, मंत्री महोदय ने जितनी भी घटनायें घटी हैं, लखनऊ से लेकर कलकत्ते तक, सब का जिक्र किया लेकिन जहाँ से ये घटनायें शुरू होती हैं, उन का जिक्र नहीं किया। मेरा तात्पर्य उत्तर प्रदेश के पहाड़ी हिस्से के है, जहाँ से अलकनन्दा नदी निकलती है। उन्होंने धारचूला और पिथौरागढ़ का जिक्र किया, लेकिन वहाँ क्या रिलीफ पहुंचा रहे हैं या क्या योजनायें बना रहे हैं, इस का कोई जिक्र स्टेटमेंट में नहीं है—इस का मुझे दुःख है।

मैं उन का ध्यान आज के टाइम्स आफ इण्डिया की तरफ आकर्षित करना चाहता हूँ, उस के पेज 7 पर लिखा हुआ है—

"600 pilgrims stranded at Chamoli"

कल के हिन्दुस्तान टाइम्स में भी यह समाचार है कि 350 बकरियाँ वहाँ बह गईं, बहुत से मकान टूट गये, बहुत सी खेती बह गई और 600 यात्री वहाँ पर स्ट्रैंडर्ड हैं। उत्तर प्रदेश की सरकार ने यह आदेश दिया है कि कोई ब्रह्मिनाथ और कैदार नाथ की यात्रा न करें, क्योंकि लैंड-स्लाइड वहाँ इतने ज्यादा हो रहे हैं कि कहीं भी खतरा पैदा हो सकता है। ऐसी परिस्थिति में सरकार का ध्यान उस तरफ आकर्षित होना चाहिए था और इस तकलीफ के निराकरण के लिए कुछ काम अवश्य होना चाहिए था। मेरे पूर्व-वक्ताओं ने ऐसी योजनाओं का काफी जिक्र किया है जिन से फ्लड-कन्ट्रोल किया जा सकता है, मैं उन को दोहराना नहीं चाहता हूँ लेकिन यह निवेदन अवश्य करना चाहता हूँ कि जितने दुखित परिवार हैं, जिन की खेती को नुकसान हो गया है, मकान टूट गये हैं, जानवर बह गये हैं, उन की क्षतिपूर्ति के लिए सरकार को अवश्य ध्यान देना चाहिए। मैं जानना चाहता हूँ कि सरकार इस के लिए क्या कर रही है ?

दूसरी बात मैं यह जानना चाहता हूँ कि जो योजनायें करोड़ों रुपयों की लखनऊ से कलकत्ता तक के लिए आप ने बतलाई है, क्या कोई थोड़े से करोड़ रुपयों की योजना इस क्षेत्र के लिए भी आपने बनाई है, क्योंकि यह इलाका बहुत पिछड़ा हुआ इलाका है, इस की तरफ आप का ध्यान नहीं जाता है। शुरू से यह बहुत तिरस्कृत इलाका रहा है, बोकल इलाका न होने की वजह से सब मामलों में तिरस्कृत रहा है। आज वे लोग महसूस करते हैं कि हमारे साथ सौतेला व्यवहार होता है। जहाँ काश्मीर, हिमाचल प्रदेश, नागालैंड, मेघालय और पुनिया भर में काम हो रहा है, लेकिन उत्तर प्रदेश के ये 8 जिले हमेशा पिछड़े रहे। अभी आज ही मेरा संबाल था, लेकिन दुर्भाग्य-वश वह नहीं आ सका, सब जगहों के लिए आप स्कालरशिप दे रहे हैं लेकिन उत्तर प्रदेश के इन 8 जिलों के लिए पढ़ाई के स्कालरशिप्स नहीं देते हैं। इस तरह से यह इलाका तिरस्कृत

[श्री नरेन्द्र सिंह बिष्ट]

नहीं रहना चाहिए, इस की ओर सरकार का ध्यान जाना चाहिए। पिछले साल आप ने सुना होगा 20 बसें वहाँ पर बह गई, बहुत से यात्री बह गये थे, बड़ी भयंकर स्थिति नन्दप्रयाग में हो गई थी। इस लिए मैं सरकार से प्रार्थना करना चाहता हूँ कि थोड़ी बहुत योजना वहाँ के लिए भी बननी चाहिए।

अध्यक्ष महोदय : यह तो ध्यान आकर्षित किया है, प्रश्न नहीं है।

श्री बंजनाथ कुरील : अध्यक्ष महोदय, हम में कोई शक नहीं है कि उत्तर प्रदेश के ये पर्वतीय जिले काफी पिछड़े हुए हैं, इनके निराकरण के लिए कुछ अवश्य होना चाहिए। दिक्कत यह है कि हम तरह की कोई घटना पहले हम नदी में नहीं हुई थी। भागीरथी और अलकनन्दा दोनों गंगा की ट्रिब्यूटरीज है, देवप्रयाग में ये दोनों गंगा को बनाती हैं। पहले इन में कोई प्राबल्य इस तरह की पैदा नहीं हुई थी, पिछले साल यह प्राबल्य आई और उस के आधार पर अब कुछ स्कीम बनेगी और जरूर बनेगी। लैंड स्लाइड से बहुत सी जाने चली जाती है। इस लिए कोई बड़ी स्कीम इस के लिए बननी चाहिए—ऐसा मेरा ख्याल है। हम इस पर विचार करेंगे और हम पर्वतीय-आंचल का अवश्य ध्यान रखा जायगा—इतना ही आश्वासन मैं इस समय दे सकता हूँ।

श्री परिपूर्णानन्द पैगुली (टिहरी गढ़वाल)
अध्यक्ष महोदय, आप इजाजत दें तो दो शब्द मैं भी कहना चाहता हूँ।

अध्यक्ष महोदय : मुझे आपसे बड़ी हमदर्दी है कि बैलट ने आपका लिहाज नहीं किया।

श्री परिपूर्णानन्द पैगुली : ध्यानाकर्षण प्रस्ताव पर मैंने भी अपना नाम भेजा था लेकिन मेरा दुर्भाग्य है कि बैलट में मेरा नाम नहीं आ सका। यह अलकनन्दा का जो प्रश्न है

वह मेरी कांस्टीट्यून्सी का है। आपकी इजाजत हो तो केवल दो शब्द ही कहना चाहता हूँ।

अध्यक्ष महोदय : यह एक ऐसा मसला है जिस पर किसी दिन शाम को जब बिजनेस खत्म होगा तो आध घंटे, घंटे का टाइम दे दूंगा।... (व्यवधान)...

12.40 hrs.

PAPERS LAID ON THE TABLE

DELHI MOTOR VEHICLES (AMDT.) RULES

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR)
I beg to lay on the Table a copy of the Delhi Motor Vehicles (Amendment) Rules, 1971 (Hindi and English versions) published in Notification No. F 3(1)/71-Tpt in Delhi Gazette dated the 16th April, 1971, under sub-section (3) of section 133 of the Motor Vehicles Act, 1939. [Paced in Library. See No. LT-448/71]

ANNUAL REPORT RE. INDUSTRIAL AND COMMERCIAL UNDERTAKINGS, P. O. SAVINGS CERTIFICATES (2ND AMDT) RULES AND NOTIFICATIONS

THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI K. R.
GANESH) : I beg to lay on the Table :—

- (1) A copy of the Annual Report (Hindi and English versions) on the working of the Industrial and Commercial Undertakings of the Central Government for the year 1969-70. [Placed in Library. See No. LT-450/71.]
- (2) A copy of the Notification No S. O. 874 (Hindi and English versions) Published in Mysore Gazette dated the 20th May, 1971, under sub-section (2) of section 9 of the Mysore Stamp Act, 1957 read with clause (c) (iv) of the Proclamation dated the 27th March,

- 1971, issued by the President in relation to the State of Mysore. [Placed in Library. See No. LT-449/71]
- (3) A copy of the Post Office Savings Certificates (Second Amendment) Rules, 1971 (Hindi and English versions) published in Notification No. G. S. R. 907 in Gazette of India dated the 5th June, 1971, under sub section (3) of section 12 of the Government Savings Certificates Act, 1959. [Placed in Library. See No. LT 451/71].
- (4) A copy each of the following Notifications under section 296 of the Income-tax Act, 1961 :—
- (i) The Income-tax (Second Amendment) Rules, 1971 (Hindi and English versions) published in Notification No. S. O. 1997 in Gazette of India dated the 14th May, 1971
 - (ii) The Income-tax (Third Amendment) Rules, 1971 (Hindi and English versions) published in Notification No. S. O. 2168 in Gazette of India dated the 28th May, 1971.
 - (iii) The Income-tax (Fourth Amendment) Rules, 1971 (Hindi and English versions) published in Notification No. S. O. 2272 in Gazette of India dated the 1st June, 1971 together with an explanatory memorandum.
 - (iv) S. O. 2276 (Hindi version) published in Gazette of India dated the 1st June, 1971 containing corrigendum to Notification No. S. O. 4001 dated the 16th December, 1970. [Placed in Library. See No. LT-452/71.]
- (5) A copy of each of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944 :—
- (i) G. S. R. 611 published in Gazette of India dated the 24th April, 1971 together with an explanatory memorandum.
 - (ii) G. S. R. 706 published in Gazette of India dated the 15th May, 1971 together with an explanatory memorandum.
 - (iii) G. S. R. 775 published in Gazette of India dated the 25th May, 1971 together with an explanatory memorandum.
 - (iv) G.S.R. 801 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
 - (v) G. S. R. 810 to G. S. R. 875 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
 - (vi) G. S. R. 894 published in Gazette of India dated the 1st June, 1971 together with an explanatory memorandum. [Placed in Library See No. LT-453/71.]
- (6) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962 :—
- (i) G. S. R. 689 published in Gazette of India dated the 11th May, 1971 together with an explanatory memorandum.
 - (ii) G. S. R. 803 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
 - (iii) G. S. R. 876 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
 - (iv) G. S. R. 877 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.

- (v) G. S. R. 878 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
- (vi) G. S. R. 879 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
- (vii) G. S. R. 880 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
- (viii) G. S. R. 881 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
- (ix) G. S. R. 882 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
- (x) G. S. R. 883 published in Gazette of India dated the 29th May, 1971 together with explanatory memorandum.
- (xi) G. S. R. 884 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
- (xii) G. S. R. 885 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
- (xiii) G. S. R. 886 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
- (xiv) G. S. R. 887 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
- (xv) G. S. R. 888 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum.
- (xvi) G. S. R. 889 published in Gazette of India dated the 29th May, 1971 together with an explanatory memorandum. [Placed in Library. See No. LT-454/71.]
- (7) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962 and section 38 of the Central Excise and Salt Act, 1944 :—
- (i) The Customs and Central Excise Duties Export Draw-back (General) Twentieth Amendment Rules, 1971 published in Notification No. G. S. R. 676 in Gazette of India dated the 8th May, 1971.
- (ii) The Customs and Central Excise Duties Export Draw-back (General) Twenty-first Amendment Rules, 1971 published in Notification No. G. S. R. 677 in Gazette of India dated the 8th May, 1971.
- (iii) The Customs and Central Excise Duties Export Draw-back (General) Twenty-second Amendment Rules, 1971 published in Notification No. G. S. R. 678 in Gazette of India dated the 8th May, 1971.
- (iv) The Customs and Central Excise Duties Export Draw-back (General) Twenty-third Amendment Rules, 1971 published in Notification No. G. S. R. 679 in Gazette of India dated the 8th May, 1971.
- (v) The Customs and Central Excise Duties Export Draw-back (General) Twenty-fourth Amendment Rules, 1971 published in Notification No. G. S. R. 680 in Gazette of India dated the 8th May, 1971.

- (vi) The Customs and Central Excise Duties Export Draw-back (General) Twenty-fifth Amendment Rules, 1971, published in Notification No. G. S. R. 681 in Gazette of India dated the 8th May, 1971.

- (vii) The Customs and Central Excise Duties Export Draw-back (General) Twenty-sixth Amendment Rules, 1971, published in Notification No. G. S. R. 682 in Gazette of India dated the 8th May, 1971.

- (viii) The Customs and Central Excise Duties Export Draw-back (General) Nineteenth Amendment Rules, 1971, published in Notification No. G. S. R. 683 in Gazette of India dated the 8th May, 1971, together with an explanatory memorandum. [Placed in Library. See No. LT-455/71.]

ANNUAL ASSESSMENT REPORT RE. USE OF HINDI

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHSIN): Sir, on behalf of Shri K. C. Pant, I beg to lay on the Table a copy of the Annual Assessment Report for the year 1969-70 (Hindi and English versions) on the programme for accelerating the spread and development of Hindi and its progressive use for various official purposes of the Union. [Placed in Library. See No. LT-456/71.]

CERTIFIED ACCTS, ANNUAL REPORT AND STATEMENT RE. INDIAN INSTITUTE OF TECHNOLOGY

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI B. P. YADAVA): I beg to lay on the Table—

- (1) (i) A copy of the Certified Accounts of the Indian Ins-

titute of Technology, Bombay, for the year 1968-69 along with the Audit Report thereon under sub-section (4) of Section 23 of the Institute of Technology Act, 1961. [Placed in Library. See No. LT-457/71.]

- (ii) A statement (Hindi and English versions) explaining the reasons as to why the Hindi version of the above Accounts could not be laid on the Table simultaneously. [Placed in Library. See No. LT-458/71].

- (2) A statement (Hindi and English versions) showing reasons for delay in laying the above Accounts. [Placed in Library. See No. LT-459/71].

- (3) (i) A copy of the Annual Report of the Indian Institute of Technology, Madras, for the year 1969-70. [Placed in Library. See No. LT-460/71].

- (ii) A statement (Hindi and English versions) explaining the reasons as to why the Hindi version of the above Report could not be laid on the Table simultaneously. [Placed in Library. See No. LT-461/71].

12.41 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY : Sir, I have to report the following messages received from the Secretary of Rajya Sabha :—

- (i) 'I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on Tuesday, the 8th June, 1971, adopted the following motion in regard to the Committee on Public Accounts :—

"That this House concurs, in, the recommendation of the Lok Sabha that the Rajya Sabha do agree to nominate seven members from the Rajya Sabha to associate with the Committee on Public Accounts of the Lok Sabha for the term ending on the 30th April, 1972, and do proceed to elect, in such manner as the Chairman may direct, seven members from among the members of the House to serve on the said Committee."

2. I am further to inform the Lok Sabha that in pursuance of the above motion, the following members of the Rajya Sabha have been duly elected to the said Committee :—

1. Shri S. B. Bobdey
2. Shri B. K. Kaul
3. Shri Niranjan Verma
4. Shrimati Vidyawati Chaturvedi
5. Shri Thillai Villalan
6. Shri Shyam Lal Yadav
7. Shri Sheel Bhadra Yajee.'

(ii) "I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on Tuesday, the 8th June, 1971, adopted the following motion in regard to the Committee on Public Undertakings :—

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do agree to nominate five members from the Rajya Sabha to associate with the Committee on Public Undertakings of the Lok Sabha for the term ending on the

30th April, 1972, and do proceed to elect, in such manner as the Chairman may direct, five members from among the members of the House to serve on the said Committee."

2. I am further to inform the Lok Sabha that in pursuance of the above motion, the following members of the Rajya Sabha have been duly elected to the said Committee :

1. Shri Syed Ahmed
2. Shri Narayana Kalliyans Krishnan
3. Choudhary A. Mohammad
4. Shri Dahyabhai V. Patel
5. Shri Kota Punnaiah.'

(iii) "In accordance with provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Delhi Sikh Gurdwaras (Management) Bill, 1971, which has been passed by the Rajya Sabha at its sitting held on the 16th June, 1971."

(iv) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Bengal Finance (Sales Tax) (Delhi Validation of Appointments and Proceedings) Bill, 1971, which was passed by the Lok Sabha at its sitting held on the 14th June, 1971, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

(v) "In accordance with the provisions of Rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am direct to

181 *Business of the JYAISTHA 28, 1893 (SAKA) Visit of U. N. High Com- 182*
House missioner for Refugees (St)

inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 17th June, 1971, agreed without any amendment to the Gold (Control) Amendment Bill, 1971, which was passed by the Lok Sabha at its sitting held on the 14th June, 1971."

12.42 hrs.

**DELHI SIKH GURDWARAS
 (MANAGEMENT BILL)**

AS PASSED BY RAJYA SABHA

SECRETARY : Sir, I lay on the Table of the House the Delhi Sikh Gurdwaras (Management) Bill, 1971, as passed by Rajya Sabha

BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : With your permission, Sir, I rise to announce that Government Business in this House during the week commencing from Monday, the 21st June, 1971, will consist of :—

- (1) Discussion on the Statutory Resolution seeking approval of the Proclamation issued by the President on the 13th May, 1971, regarding the State of Gujarat.
- (2) General discussion on the Punjab Budget for 1971-72.
- (3) Discussion and voting on the Demands for Grants in respect of the Punjab Budget for 1971-72.
- (4) Discussion on the Statutory Resolution seeking disapproval of the Delhi Sikh Gurudwaras (Management) Ordinance, 1971 and consideration and passing of the Delhi Sikh Gurudwaras (Manage-

ment) Bill, 1971, as passed by Rajya Sabha.

- (5) Consideration and passing of the Mysore State Legislature (Delegation of Powers) Bill, 1971, as passed by Rajya Sabha.
- (6) Discussion on the Statutory Resolution seeking disapproval of the West Bengal Security (Tripura Re-enacting) Second Amendment Ordinance, 1971.
- (7) Consideration of a motion for concurrence in the recommendation of Rajya Sabha for the reference of the Advocates (Amendment) Bill, 1970, to a Joint Committee.
- (8) Discussion and voting of the Demands for Grants under the control of the Ministry of ;

Home Affairs

Irrigation and Power

Communications

12.43 hrs.

STATEMENT RE : VISIT OF U. N. HIGH COMMISSIONER FOR REFUGEES

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : Sir, Prince Sadruddin Aga Khan, United Nations High Commissioner for Refugees, expressed a desire to visit India...

MR. SPEAKER : Is it a long statement ?

SHRI R. K. KHADILKAR : Two pages.

MR. SPEAKER : It may be laid on the Table.

SHRI R. K. KHADILKAR : I beg to lay a copy of the statement on the Table. [Placed in Library. See No. LT-462/71].

12.44 hrs.

ELECTIONS TO COMMITTEES

(i) COUNCIL UNDER THE INSTITUTES OF TECHNOLOGY ACT, 1961

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAVA) : I beg to move :

"That in pursuance of Section 31 (2) (k) of the Institutes of Technology Act, 1961, the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Council established under Section 31(1) of the said Act."

MR. SPEAKER : The question is :

"That in pursuance of Section 31(2) (k) of the Institutes of Technology Act, 1961, the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Council established under Section 31(1) of the said Act."

The motion was adopted.

(ii) COUNCIL OF THE INDIAN INSTITUTE OF SCIENCE, BANGALORE

SHRI D. P. YADAVA : Sir, I beg to move :

"That in pursuance of sub-clause (e) of clause 9(1) of the Scheme for the Administration and Management of the properties and funds of the Indian Institute of Science, Bangalore, read with regulations 3.1 and 3.1.1 of the Regulations of the Institute, the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Council of the Institute for the term ending on the 31st December, 1973."

MR. SPEAKER : The question is :

"That in pursuance of sub-clause (e) of clause 9 (1) of the Scheme for the Administration and Management of the properties and funds of the Indian Institute of Science, Bangalore, read with regulations 3.1 and 3.1.1 of the Regulations of the Institute, the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Council of the Institute for the term ending on the 31st December, 1973."

The motion was adopted.

AGRICULTURAL REFINANCE CORPORATION (AMENDMENT) BILL*

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : Sir, I beg to move for leave to introduce a Bill further to amend the Agricultural Refinance Corporation Act, 1963.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Agricultural Refinance Corporation Act, 1963."

The motion was adopted.

SHRI YESHWANTRAO CHAVAN : Sir, I introduce the Bill.

12.46 hrs.

STATUTORY RESOLUTION RE MAINTENANCE OF INTERNAL SECURITY ORDINANCE AND MAINTENANCE OF INTERNAL SECURITY BILL—Contd.

MR. SPEAKER : The House shall now take up discussion on the Statutory Resolution disapproving of the Maintenance of Internal Security Ordinance and on the Bill. The Minister has replied to the

* Published in Gazette of India Extraordinary, Part II, section 2, dated 18-6-71.

debate yesterday. How much time does Shri Vajpayee want ?

SHRI ATAL BIHARI VAJPAYEE (Gwalior) : Reasonable time.

MR. SPEAKER : We decided yesterday to dispense with the Lunch Hour today. Do you think, we should have voting during the Lunch Hour ?

SOME HON. MEMBERS : After the Lunch Hour.

MR. SPEAKER : Then, how can we proceed unless there is voting on this ?

SHRI S. M. BANERJEE (Kanpur) : It was notified in the Bulletin that there would be no Lunch Hour today.

MR. SPEAKER : It was duly notified that there would be no Lunch Hour.

SHRI ATAL BIHARI VAJPAYEE : It was also notified that there would be no voting during the Lunch Hour.

SHRI D. N. TIWARY (Gopalganj) : It is not there.

SHRI ATAL BIHARI VAJPAYEE : If the question of quorum cannot be raised during the Lunch Hour, how can voting take place ?

MR. SPEAKER : How can we resume discussion of the Bill if there is no voting ? Why not have lunch then ? There was a special procedure that we adopted yesterday and I think, we should go in for voting during the Lunch Hour.

श्री एस० एम० बनर्जी : अध्यक्ष महोदय, स्टेट्यूटरी रेजोल्यूशन में मेरा भी नाम था, मुझे भी थोड़ा सा समय दे दीजिए। मैं तो अभी बोला ही नहीं हूँ। दस मिनट या पांच मिनट, जो भी आप मुनासिब समझें दे दीजिए।

MR. SPEAKER : After Shri Vajpayee's speech, Shri Banerjee will have three or four minutes and then there will be voting, because there cannot be any discussion of the Bill unless the disapproval motion is disposed of.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, नजरबन्दी अध्यादेश का निरनुमोदन करने के लिए मैंने जो संकल्प रखा था उस पर जिन माननीय सदस्यों ने भाग लिया है और मेरे संकल्प का समर्थन किया है मैं उनके प्रति अपना आभार प्रकट करना चाहता हूँ। जिन्होंने विरोध किया है उनमें भी ऐसे सदस्य हैं जिनकी भावनायें नजरबन्दी कानून को पुनरुज्जीवित करने के पक्ष में नहीं हैं। कुल मिलाकर इस विवाद में 25 व्यक्तियों ने भाग लिया और अध्यक्ष महोदय, आपको यह जानकर सुखद आश्चर्य होगा कि 25 सम्मानित सदस्यों में से 13 सम्मानित सदस्यों ने मेरे प्रस्ताव का समर्थन किया और श्री पंतजी द्वारा प्रस्तुत विधेयक का विरोध किया। इन 13 सदस्यों में से कांग्रेस संगठन के नेता श्री एस० एन० मिश्रा और नामजद सदस्य श्री फ्रैंक एन्थोनी को भी शामिल कर रहा हूँ। यद्यपि उन्होंने कहा कि वह विधेयक के विरोधी नहीं हैं लेकिन कुल मिलाकर उनका सारा भाषण इस विधेयक के खिलाफ था और वह चाहते थे कि विधेयक में ऐसे संशोधन किए जायें जिससे उसे व्यक्तिगत स्वाधीनता के विरुद्ध प्रयुक्त न किया जा सके।

जहां तक दलों का सवाल है अध्यक्ष महोदय, माननीय पंत जी को यह स्वीकार करना चाहिए कि विरोधी दलों में इस सवाल पर मतभेद पैदा करने का उनका प्रयत्न विफल हुआ है। एक पुराना तरीका अपनाया जाता रहा है एक दल को दूसरे के विरुद्ध प्रयुक्त करने का, दोनों तरह के तर्कों को इस आधार पर काटने का कि वे एक दूसरे का खंडन करते हैं। लेकिन इस प्रयत्न में सफलता नहीं मिली। यह कहना कि भारतीय जनसंघ ने और मार्क्सिस्ट पार्टी ने हाथ मिला लिए हैं, यह हास्यास्पद है, निराधार है।

गृह मंत्रालय में राज्य मंत्री (श्री कृष्ण कर्मा पन्त) : निराधार नहीं, हास्यास्पद है।

श्री अटल बिहारी वाजपेयी : हाथ मिलाना हास्यास्पद नहीं है, कहना हास्यास्पद है। अध्यक्ष

[श्री अटल बिहारी वाजपेयी]

जी, जब मार्क्सिस्ट पार्टी सरकार के कुछ कदमों का समर्थन करती है तब मार्क्सिस्ट पार्टी अच्छी है।

प्रधान मंत्री, परमाणु ऊर्जा मंत्री, गृह मंत्री तथा सूचना और प्रसारण मंत्री (श्रीमती इन्दिरा गांधी) : हम पार्टी को बुरा नहीं कहते। उनके कुछ गलत कार्यों को हम बुरा कहते हैं।

श्री अटल बिहारी वाजपेयी : प्रधान मंत्री कल सदन में नहीं थी। अगर अपने पक्ष के माननीय सदस्यों के भाषण सुनतीं तो उनको आश्चर्य भी होता और दुःख भी होता।

अध्यक्ष जी, इस विवाद में यह भी कहा गया कि हम गरीबी हटाना चाहते हैं इसलिए हमें नजरबन्दी कानून चाहिए। सत्तारूढ़ दल के सदस्यों की ओर से यह भी कहा गया कि हमने चुनाव में राइटरी-एक्शन और नेफ्ट ऐक्म-ट्रिमिज्म से लड़ने का ऐलान किया था और दोनों से लड़ने के लिए हम नजरबन्दी कानून ला रहे हैं।

कुछ माननीय सदस्य : ऐसा किसी ने नहीं कहा।

श्री अटल बिहारी वाजपेयी : यह बात कही गई। श्री स्टीफेन्स ने कहा। मैं जानता हूँ कि नजरबन्दी कानून को पुनर्जीवित करना, उसे सदन के सामने पेश करना, उसके लिए स्वीकृति लेना बड़ा कठिन काम है, और यह काम माननीय पन्त जी के जिम्मे आया। मारला बहुत खराब था और उन्होंने उसको कम खराब बनाकर पेश करने में थोड़ी बहुत सफलता पाई। वह योग्य पिता के योग्य पुत्र हैं। लेकिन उन्हें विधेयक ऐसा थमा दिया गया कि जिसका किसी तर्क-संगत आधार पर समर्थन नहीं किया जा सकता है।

अध्यक्ष जी, यह प्रश्न नहीं है कि किन्हीं विधेय परिस्थितियों में सरकार को किसी व्यक्ति

को नजरबन्दी में लेने का अधिकार है या नहीं। प्रश्न यह है कि क्या आज ऐसी परिस्थितियाँ विद्यमान हैं और क्या यह विधेयक इन परिस्थितियों पर काबू पाने में सफल हो सकता है। कल पन्त जी ने कुछ आंकड़े पेश किए थे। अध्यक्ष महोदय, मैं भी कुछ आंकड़े उद्धृत करना चाहता हूँ। यह गृह मंत्रालय द्वारा प्रकाशित एक रिपोर्ट है जिसमें 30 सितम्बर, 1968 से 30 सितम्बर, 1969 तक नजरबन्दी कानून के अन्तर्गत की गई कार्यवाहियों का ब्योरा है। होना तो यह चाहिए था कि 30 सितम्बर, 1969 से लेकर 30 सितम्बर, 1970 तक की रिपोर्ट आ जाती। यह 1971 का जून का महीना है। अध्यक्ष महोदय, कई प्रदेशों में नजरबन्दी कानून लागू था लेकिन जो रिपोर्टें पेश हैं आप उसको जरा देखें। नजरबन्दी कानून का कोई औचित्य नहीं है, कोई आवश्यकता नहीं है।

आन्ध्र प्रदेश : 177 व्यक्ति नजरबन्द किए गये, और विवरण में लिखा है कि :

Andhra Pradesh—177—bad character ; Assam—633—bad character ; Bihar—7—5 for violent activity, 1 for goondaism and 1 for communal agitation ; Gujarat—1—bad character ; M.P.—2—for harbouring dacoits.

अध्यक्ष जी, जब अखबारों में यह खबर छपती है कि एम० पी० डेकोइड्स अरेस्टेड तो एम० पीज० को बड़ी कठिनाई पड़ा होती है। यद्यपि खबर का मतलब यह होता है कि मध्य प्रदेश के डाकू पकड़े गये, पार्लियामेंट के मेम्बर डाकू नहीं पकड़े गये। लेकिन क्या डाकूजों को रक्षा देना ऐसा जुर्म है जिसके लिए नजरबन्दी कानून की जरूरत है ?

Maharashtra—19—bad character ; Orissa—31—bad character ; Punjab—1—bad character ; Rajasthan—1—bad character ; U.P.—7—bad character ; West Bengal—1610—for criminal and goonda activities.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Against Congress.

SHRI ATAL BIHARI VAJPAYEE :
Delhi—5—bad character ; Manipur—79—bad
character ; Tripura—3—bad character.

श्री पीलू मोदी (गोधरा) : पार्लियामेंट
हाउस का क्या लिखा है ?

श्री अटल बिहारी वाजपेयी : अगर आप कुल
मिलाकर देखें तो विदेशों की गुप्तचरी करने के
लिए या विदेशों के साथ सम्बन्ध बिगाड़ने के लिए
या पूर्ति सामान की सप्लाई और सेवाओं को भंग
करने के लिए कोई गिरफ्तारियां नहीं हुई हैं,
किसी को नजरबन्द नहीं किया गया। पश्चिम
बंगाल में जून 1483 व्यक्तियों को हिंसात्मक
कार्यवाहियों के लिए पकड़ा गया है। लेकिन मैं
पूछना चाहता हूँ कि हिंसात्मक कार्यवाहियां इस
नजरबन्दी कानून से कैसे रुक सकती हैं। पहले
मे पश्चिम बंगाल में एक प्रिवेंशन आफ वायलेट
गेविटिविटीज ऐक्ट कायम है। उससे पहले नजर-
बन्दी कानून था, और मार्मनीय पंत जी ने कल
स्वीकार किया कि केवल नजरबन्दी कानून से
नक्सलवादी हिंसा का सामना नहीं किया जा
सकता है, उसके लिए अन्य उपाय अपनाने होंगे।
मगर मैं पूछना चाहता हूँ नजरबन्दी कानून क्या
थोड़ा भी दूर तक उसमें सहायक होता है ?
हवाला दिया गया कलकत्ता में हिंसा हो रही है।
हवाला दिया गया फौरखंड ब्लाक के नेता श्री
हेमन्त कुमार बसु की हत्या कर दी गयी, राज-
नीतिक कार्यकर्ता मौत के घाट उतारे जा रहे
हैं। मगर मैं पूछना चाहता हूँ कि क्या सरकार
को पहले से पता होता है कौन हत्या करने
वाला है। अगर यह पहले से पता नहीं है तो
निवारक निरोध अधिनियम के अन्तर्गत कार्यवाही
कैसे हो सकती है। स्थिति तो यह है कि अब
तक श्री हेमन्त कुमार बसु की हत्या करने वाले
गिरफ्तार नहीं किए गए।

राजनीतिक हत्यायें बन्द हों यह हम चाहते
हैं। लोग हिंसा का परित्याग करने का संकल्प
करें, यह आवश्यक है। लोकतन्त्र और हिंसा
साथ साथ नहीं चल सकते। लेकिन मैं यह

समझने में असमर्थ हूँ कि नजरबन्दी कानून यह
राजनीतिक हत्याओं को किस प्रकार रोक
सकता है ? हत्यायें कोई घोषणा करके नहीं
करता, हत्यायें कोई इरादे की जानकारी दे कर
नहीं करता। हत्या करने वाले चोरी छिपे हत्या
की तैयारी करते हैं। और अगर सरकार चोरी
छिपे हत्या करने वालों के बारे में जानती है तो
मेरा निवेदन है कि उसको सामान्य कानून के
अन्तर्गत गिरफ्तार किया जा सकता है। उसके
लिए केन्द्रीय आधार पर नजरबन्दी कानून की
आवश्यकता नहीं है।

अध्यक्ष महोदय, अनेक प्रदेशों में नजरबन्दी
कानून बने। जहाँ नहीं बने वहाँ या तो राष्ट्रपति
राज लागू होता जा रहा है या केवल सत्तारूढ़
दल का शासन है। राज्यों में अगर राज्यों के
शामल समझने है कि नजरबन्दी कानून की
आवश्यकता है तो कानून बना सकते हैं। केन्द्रीय
स्तर पर कानून की आवश्यकता क्या है, श्री
पंत इस सम्बन्ध में सदन को विज्जाम में नहीं
ले मके।

13 00 hrs.

श्री पीलू मोदी : मेरा भी अमेंडमेंट है,
उसको मंजूर कीजिए।

श्री अटल बिहारी वाजपेयी : उन्होंने माना है
कि कुछ मामलों में ज्यादातियां हो सकती हैं।
श्री अमृत नाहाटा ने जो भाषण दिया वह तो
सबसे इस कानून के अनौचित्य को सिद्ध
करने के लिए पर्याप्त होना चाहिए।

SHRI AMRIT NAHATA (Barmer) :
I don't want your crocodile tears or your
sympathy.

श्री अटल बिहारी वाजपेयी : मैं जानता हूँ,
श्री अमृत नाहाटा को व्यक्तिगत स्वाधीनता की
चिंता नहीं है। कल उन्होंने यह भी कहा।
उन्होंने कहा कि राष्ट्रीय सुरक्षा के लिए क्या
संकट है वह मुझे मालूम नहीं है, लेकिन चूंकि

[श्री अटल बिहारी वाजपेयी]

मेरे क्षेत्र के मुसलिम मतदाताओं के साथ पिछले दिनों में इस कानून के अन्तर्गत अन्याय हुआ था, इस लिए मैं इसका विरोध करता हूँ। अन्याय हुआ या नहीं, मैं नहीं जानता लेकिन श्री अमृत नाहाटा सत्तारूढ़ दल के सदस्य होते हुए जब इस कानून को कार्यान्वित करने के बारे में अन्याय और भ्रम के शिकायत करते हैं तो मेरा यह आरोप प्रमाणित हो जाता है कि जिन लोगों के हाथ में इस कानून को कार्यान्वित करने का भार सौंपा जा रहा है वह इसका दुरुपयोग कर सकते हैं, दुरुपयोग कर चुके हैं और भविष्य में भी दुरुपयोग करेंगे। अगर साम्प्रदायिक आधार पर भेदभाव हो सकता है तो राजनीतिक आधार पर भेदभाव होने के तो और भी कारण हैं। श्री कृष्ण चन्द्र पन्त ने मदन को इस सम्बन्ध में विश्वास में लेने का प्रयत्न नहीं किया।

इस कानून में जो आपत्तिजनक अंश है उनमें सुधार करने के लिए क्या किया जा रहा है? उदाहरण के लिए, जिस व्यक्ति को पकड़ा जायगा उसे गिरफ्तारी का आधार बताया जायगा किन्तु उसकी गिरफ्तारी के पक्ष में कौन से तथ्य हैं उनसे उसे अवगत नहीं किया जायगा। ऐडवाइजरी बोर्ड केवल सिफारिश देगा, ऐडवाइजरी बोर्ड की रिपोर्ट जिसको नजरबन्द किया जायेगा उसको नहीं दी जायेगी। जिसको नजरबन्द किया जायेगा वह ऐडवाइजरी बोर्ड के सामने अपने वकील को लेकर हाजिर नहीं हो सकेगा, वह उन गवाहों से जिरह नहीं कर सकेगा। और इस लिये मैं कहता हूँ कि यह स्वाभाविक न्याय के प्रतिकूल है।

अगर कोई राष्ट्र विरोधी कार्यवाहियों में संलग्न है, अगर कोई विदेशों के साथ मिलकर षडयन्त्र कर रहा है या कोई हमारी स्वाधीनता को संकटापन्न बनाने में सचेष्ट है तो उसके विरुद्ध कार्यवाही होनी चाहिए, अगर उसे खुली अदालत में अपराधी साबित करने की आवश्यकता है।

न्याय का सिद्धांत यह है कि 100 अपराधी छूट सकते हैं, लेकिन एक निपराधी दंडित नहीं किया जाना चाहिए। मैं नहीं चाहता कि 100 अपराधी छूटें, लेकिन एक बार आप नजरबन्दी कानून बना लेते हैं तो फिर यह सरकारी अधिकारियों को इस बात के लिए प्रेरित नहीं करता कि वह प्रमाण जुटावें और अदालत के आगे अपने पक्ष की पुष्टि कर सकें।

श्री पंत ने कहा कि हम किसी को हाई कोर्ट या सुप्रीम कोर्ट में जाने से नहीं रोकते। बड़ी कृपा है उनकी, इसके लिए हम उनके आभारी हैं। इतनी दया वह दिखा रहे हैं यह क्या कम है? लेकिन यह दया उनकी दी हुई नहीं है, यह संविधान प्रदत्त अधिकार हैं कि किसी को हाई कोर्ट या सुप्रीम कोर्ट में जाने से रोका नहीं जा सकता। लेकिन हाई कोर्ट और सुप्रीम कोर्ट तब तक हस्तक्षेप नहीं कर सकते जब तक गिरफ्तारी के आधार अस्पष्ट न हो या अपूर्ण न हों—अगर हम अधिकारी को इस बात का हक देते हैं कि वह लिख दे कि वह व्यक्ति भारत की सुरक्षा के खिलाफ कार्यवाही कर रहा था, क्या कार्यवाही कर रहा था यह बतलाना जनहित में नहीं है, तो मुझे शक है कि हाईकोर्ट और सुप्रीम कोर्ट इच्छा रखते हुए भी नजरबन्द व्यक्ति के पक्ष में निर्णय नहीं दे सकते।

आज श्री फ्रैंक ऐन्थनी मदन में नहीं हैं, लेकिन मैंने पिछले संसद की कार्यवाहियों को देखा, उनकी आवाज हमेशा इस विधेयक के खिलाफ उठती रही है। वह इसमें संशोधन कराने का निरन्तर प्रयत्न करते रहे हैं, लेकिन अभी तक उनको सफलता नहीं मिली।

पहले यह कानून एक साल के लिए था, फिर उसकी अवधि तीन वर्ष के लिये बढ़ाई गई, फिर तीन वर्ष के लिये बढ़ाई गई, लेकिन अब इस विधेयक में कोई अवधि नहीं है और इसको और बढ़ाने के लिए सरकार को सदन के सामने नहीं आना पड़ेगा।

श्री पंत यह स्वीकार करने को भी तैयार हैं कि हमारे देश में वस्तुतः संकट की स्थिति है। कल उन्होंने एक संकेत दिया। मैं उस संकेत को गम्भीरता के साथ लेना चाहता हूँ कि परिस्थितियाँ ऐसी बन रही हैं जिनमें शायद हमें राष्ट्रीय संकट की घोषणा करनी पड़े। ऐसी स्थिति में मूलभूत अधिकार स्थगित हो जायेंगे। उस स्थिति में हम को राष्ट्रीय स्वतन्त्रता और सुरक्षा को चुनना पड़ेगा और व्यक्तिगत स्वाधीनता को सीमित करना पड़ेगा। इस वाद-विवाद के सम्बन्ध में मेरे मन में कोई द्विविधा नहीं है। अगर राष्ट्र की सुरक्षा और व्यक्ति की स्वाधीनता में संघर्ष होता है तो राष्ट्र की स्वाधीनता और सुरक्षा सर्वोपरि है, व्यक्ति की स्वाधीनता नहीं लेकिन आज वह संकट नहीं है और आप इस विधेयक द्वारा वह संकट पैदा नहीं कर सकते, उस संकट की अनुमति भी आप नहीं कर सकते। आम सरकारी अधिकारियों के हाथ में ऐसे अधिकार दे सकते हैं जिनका वह दुरुपयोग करेंगे। दुरुपयोग करेंगे राजनीतिक विरोधियों के खिलाफ, दुरुपयोग करेंगे अपने से मतभेद रखने वालों के खिलाफ।

अगर राष्ट्रीय संकट की घोषणा होती है, आपात्कालीन स्थिति की घोषणा होती है तब तो इस विधेयक की आवश्यकता नहीं है, और मैं प्रधानमंत्री से कहना चाहूँगा कि अगर सचमुच कोई राष्ट्रीय संकट है तो कृपया इस विधेयक पर मतभेद पैदा मत कीजिए। इस विधेयक को लेकर इस सदन को या इस देश को बांटने का समय नहीं है। अगर आज आवश्यकता है तो सारा देश बंगला देश की समस्या का सामना करने के लिए एक व्यक्ति के रूप में खड़ा रहे, यह नजरबन्दी कानून बीच में नहीं आना चाहिए। देश बंगला देश की स्वाधीनता के लिए बड़ी से बड़ी कुर्बानी करने के लिए तैयार है, लेकिन उस के लिये बिल्कुल सामान्य कार्य-वाही होनी चाहिए, नजरबन्दी कानून का डर नहीं, और अगर डर पैदा किया जायेगा तो सामान्य रूप से जो शासन का समर्थन करते हैं

वह भी विरोध करने के लिए विवश होंगे, और फिर देश में राष्ट्रीय संकट का सामना करने के लिए जिस बातावरण की आवश्यकता है वह नहीं बनेगा।

मैं जस्टिस तेंबुलकर का एक उद्धरण पढ़कर समाप्त कर दूँगा :

"Power is an incomparable intoxicant and the tendency exists in all governments all the world over to encroach upon the fundamental rights, sometimes consciously and sometimes unconsciously. It is the duty of every citizen to resist such encroachment with all his might. Thus alone shall we prove ourselves worthy citizens of an independent democratic republic."

सम्पूर्ण देश भर में आज जो परिस्थिति है उसका सामना करने के लिए पर्याप्त हथियार है। परिस्थिति और गम्भीर होती है सो सदन नये अधिकार देने में संकोच नहीं करेगा, लेकिन वर्तमान परिस्थिति में इस कानून का कोई औचित्य नहीं है, और यह अध्यादेश ठुकरा दिया जाना चाहिये। मुझे विश्वास है कि अभी भी विवेक जागेगा, श्री पंत जो प्रचण्ड विरोध हुआ है उसको ध्यान में रखेंगे और इस विधेयक को इस समय आगे बढ़ाने पर जोर नहीं देंगे।

केन्द्रीय सरकार के पास पर्याप्त साधन हैं। जिन राज्यों में स्थिति बिगड़ सकती है उनमें पहले से कानून बने हुए हैं। केन्द्रीय स्तर पर आज इस तरह के कानून की कोई आवश्यकता नहीं है, कोई औचित्य नहीं है। यह देश को बांटने वाला कानून है, यह राष्ट्र की सुरक्षा की मजबूत करने वाला कानून नहीं है। यह जनता में भेद करने वाला कानून है और मैं चाहूँगा कि इस कानून को वापस लिया जाये।

श्री एस० एम० बनर्जी : मेरी पार्टी की ओर से तथा समस्त वामपंथी विरोधी दलों की ओर से तथा और जो विरोधी दल हैं उनकी ओर से इस विधेयक का विरोध हुआ है इसलिये मैं भी

[श्री एस० एम० बनर्जी]

इसका विरोध करता हूँ। मैं आपको बतलाना चाहता हूँ कि जिस दिन यह कानून इस सदन में इंट्रोड्यूस किया गया था उस दिन भी हम लोगों ने एक राय से इसका विरोध किया था। मैं आपको यह भी बतलाना चाहता हूँ कि बंगला देश की समस्या के बारे में प्रधान मंत्री जी ने जब विरोधी दलों की एक मीटिंग बुलाई थी और जिस में बंगला देश में उत्पन्न हुई स्थिति के बारे में विचार किया था, उस वक्त भी हम लोगों ने बार बार उनके सामने इसरार किया था कि आज जो देश के सामने परिस्थिति उत्पन्न होने जा रही है, इस में राष्ट्रीय एकता की जरूरत है और ऐसी जरूरत के मौके पर ऐसा कानून जिस को हम लोग न चाहें या विरोधी दल वाले न चाहें, न लाना ही बेहतर है। हम लोगों ने उनसे निवेदन किया था कि इसको हटा दिया जाए और इसको न लाया जाए।

पन्त जी के भाषण को मैंने बहुत गौर के साथ सुना है। उनके भाषण को सुनने के बाद मैं समझता हूँ कि हमारी चिन्ता में कोई कमी नहीं हुई है और हमारी चिन्ता के पीछे जो तर्क हैं उनका जबाब नहीं दिया गया है। उन्होंने कोई ऐसी दलील नहीं दी जिससे यह आवश्यक प्रतीत होता हो कि इस विधेयक को पास करना बहुत जरूरी है ..

SHRI K. N. TIWARY (Bettiah) : On a point of order. After the Minister's reply, no other speech than that of the Mover of the Resolution is allowed in this case.

MR. SPEAKER : He is also one of the signatories of the Resolution.

श्री एस० एम० बनर्जी : मैं यह कह रहा था कि उन्होंने कोई ऐसी दलील नहीं दी है जिससे यह सिद्ध हो सके, कि इस कानून को पास करना बहुत आवश्यक है।

अभी काफ़ी दृष्टान्त इस सदन में रखे हुए हैं और कहा गया है कि इस कानून का जिस तरह से पिछले कानून का नाजायज इस्तेमाल किया गया था, नाजायज इस्तेमाल होगा।

MR. SPEAKER : This is an exception because he insisted on speaking for two or three minutes ; this is not a precedent and should not be a rule for the future.

SHRI S. M. BANERJEE : I said only five minutes.

SHRI JYOTIRMOY BOSU : I will require five minutes.

MR. SPEAKER : Is he also a signatory ?

SHRI JYOTIRMOY BOSU : Yes.

MR. SPEAKER : Then I will have to stop Shri Banerjee.

SHRI JYOTIRMOY BOSU : I do not want to speak ; let him speak.

श्री एस० एम० बनर्जी : पन्त जी ने कहा है और बहुत समझाने की कोशिश की है कि इस कानून का नाजायज इस्तेमाल नहीं होगा। लेकिन हम समझते हैं कि जिस तरह से पिछले कानून का दुरुपयोग किया गया था उसी तरह इसका भी दुरुपयोग होगा। कभी नक्सलवादियों के नाम से और कभी दूसरों के नाम से उन्होंने इस बिल के औचित्य को सिद्ध करने की कोशिश की है और कहा है कि नक्सलवादी प्रवृत्तियाँ जो देश में अपना सिर उठा रही हैं, उन से निबटने के लिए इस कानून की बहुत जरूरत है। नक्सलवादियों की समस्या हमारे सामाजिक जीवन में जो परिवर्तन हो रहे हैं, उसके कारण उत्पन्न हुई है। जो नवयुवक आज अपने चारों ओर निराशा के बादल घिरे हुए देखते हैं, बेकारी की हालत से तंग आ जाने के बाद उनके सामने जो परिस्थिति बनती है और उस कारण जो समस्या पैदा होती है उसका इलाज यह नहीं है कि नजरबन्दी कानून

के अन्तर्गत उनको गिरफ्तार कर लिया जाए। श्री बदरुद्दुजा की बात भी की गई है। मुझे ताज्जुब होता है कि अभी तक भी उनके खिलाफ चार्ज क्या है, यह लोगों को मालूम नहीं है। इस बास्ते मैं समझता हूँ कि इस कानून का नाजायज इस्तेमाल होगा और उसी तरह से होगा जिम तरह से प्रिवेंटिव डिटेन्शन का हुआ। जिम तरह से हमने उसका विरोध किया था उसी तरह से हम इसका भी विरोध करना चाहते हैं। विरोध केवल इसलिए नहीं करना चाहते हैं कि इसका नाजायज इस्तेमाल होगा बल्कि इसका एक और भी कारण है। आज देश को एकता की जरूरत है। गरीबी हटाओ का नारा भी उन्होंने दिया है। आपको याद ही है कि चीनी आक्रमण तथा पाकिस्तानी आक्रमण के वक्त सारा देश एक इन्सान की मानिन्द खड़ा हो गया था और उसने एक होकर उन आक्रमणों का मुकाबला किया था। उस एके को खत्म न किया जाए। इससे वह खत्म हो सकता है। एक विरोधी के रूप में मैं उन से निवेदन करना चाहता हूँ कि इस पर वह दुबारा सोचें और मोचबे के बाद आज वह इसको वापिस ले लें तो इसी सदन में हम सब एक राय होकर उनको यह आश्वासन दे सकते हैं कि देश के ऊपर अगर कोई ऐसी आपत्ति आएगी चाहे वह बाहर से आए या अन्दर से आये जिस का हम सब को मुकाबला करना होगा तो उसका मुकाबला हम सब अपने राजनीतिक मतभेदों को भुलाकर एक होकर करेंगे।

MR SPEAKER : The question is :

"This House disapproves of the Maintenance of Internal Security Ordinance, 1971 (Ordinance No. 5 of 1971) Promulgated by the President on the 7th May, 1971."

The Lok Sabha divided.

Division No. 4] AYES [13.23 hrs.

Agarwal, Shri Virendra

Bade, Shri R. V.

Banera, Shri Hamendra Singh

Benerjee, Shri S. M.

Berwa, Shri Onkar Lal

Bhagirath Bhanwar, Shri

Bhattacharyya, Shri Dinen

Bhattacharyya, Shri Jagadish

Bhattacharyya, Shri S. P.

Bhaura, Shri B. S.

Bishma Dev, Shri M.

Bosu, Shri Jyotirmoy

Brahman, Shri Rattanlal

Chandra Shekhar Singh, Shri

Chandrappan, Shri C. K.

Chatterjee, Shri Somnath

Chaudhary, Shri Ishwar

Chauhan, Shri Bharat Singh

Chittibabu, Shri C.

Das, Shri R. P.

Deb, Shri Dasaratha

Dhandapani, Shri

Dhote, Shri Jambuwan

Dutta, Shri Biren

Ghosh, Shrimati Bibha

Gupta, Shri Indrajit

Halder, Shri Madhuryya

Halder, Shri Krishna

Hazra, Shri Manoranjan

Horo, Shri N. E.

Janardhanan, Shri C.

Joarder, Shri Dinesh
 Kalyanasundaram, Shri M.
 Krishnan, Shri M. K.
 Lalji Bhai, Shri
 Manoharan, Shri K.
 Maran, Shri Murasoli
 Menon, Shri Krishna
 Modak, Shri B. K.
 Mody, Shri Piloo
 Mohanty, Shri Surendra
 Mukherjee, Shri Saroj
 Muthuswamy, Shri
 Narendra Singh, Shri
 Pandey, Dr. Laxminarain
 Pradhan, Shri Dhan Shah
 Purty, Shri M. S.
 Ramkanwar, Shri
 Reddy, Shri B. N.
 Roy Dr. Saradish
 Saha, Shri A. K.
 Saha, Shri Gadadhar
 Saksena, Prof. S. L.
 Sambhali, Shri Ishaq
 Saminathan, Shri
 Sen, Dr. Ranon
 Sen, Shri Robin
 Sezhiyan, Shri
 Shamim, Shri S. A.
 Sharma, Shri R. R.

Shastri, Shri Ramavatar
 Sivasamy, Shri M. S.
 Swatantra, Shri Teja Singh
 Ulaganambi, Shri R. P.
 Vajpayee, Shri Atal Bihari
 Verma, Shri Phool Chand
 Viswanathan, Shri G.
 Yadav, Shri G. P.
 Yadav, Shri Shiv Shanker Prasad

NOES

Afzalpurkar, Shri Dharamrao
 Ahirwar, Shri Nathu Ram
 Alagesan, Shri
 Ambesh, Shri
 Ankincedu, Shri
 Ansari, Shri Ziaur Rahman
 Arvind Netam, Shri
 Asgar Hussain, Shri
 Aziz Imam, Shri
 Babunath Singh, Shri
 Banamali Babu, Shri
 Barman, Shri R. N.
 Basappa, Shri K.
 Basumatari, Shri D.
 Bhagat, Shri H. K. L.
 Bhandare, Shri R. D.
 Bhargava, Shri B. N.
 Bhatia, Shri D. D.
 Bhuvarahan, Shri
 Bisht, Shri N. S.
 Chandrakar, Shri Chandu Lal
 Chandrashekharaappa, Shri T. V.
 Chandre Gowda, Shri
 Chaturvedi, Shri R. L.
 Chaudhury, Shri Amarsini
 Chavan, Shri D. R.

Chavan, Shri Yeshwantrao	Ishaque, Shri A. K. M.
Chawla, Shri A. N.	Jadeja, Shri
Choudhury, Shri Moinul Haque	Kadam, Shri Dattajirao
Dalbiri Singh, Shri	Kadam, Shri J. G.
Dakip Singh, Shri	Kakoti, Shri Robin
Damani, Shri S. R.	Kale, Shri
Das, Shri Dharnidhar	Kavde, Shri B. R.
Daschowdhury, Shri B. K.	Khadilkar, Shri R. K.
Deo, Shri S. N. Singh	Kisku, Shri A. K.
Deshmukh, Shri K. G.	Kotoki, Shri Liladhar
Dhamankar, Shri	Kotrashatti, Shri A. K.
Dixit, Shri G. C.	Kulkarni, Shri Raja
Dube, Shri Jwala Prasadji	Kureel, Shri B. N.
Dumada, Shri L. K.	Maharaj Singh, Shri
Dwivedi, Shri Nageshwar	Mahishi, Dr. Sarojini
Gandhi, Shrimati Indira	Majhi, Shri Gajadhar
Ganesh, Shri K. R.	Majhi, Shri Kumar
Gavit, Shri. T. H.	Mehta, Dr. Mahipatray
Genda Singh, Shri	Minimata Agamdas, Shrimati
Gogoi, Shri Tarun	Mirdha, Shri Nathu Ram
Gohain, Shri C. C.	Mishra, Shri Bibhuti
Gokhale, Shri H. R.	Mishra, Shri G. S.
Gotkhinde, Shri	Murthy, Shri B. S.
Gopal, Shri K.	Nimbalkar, Shri
Gounder, Shri T. N. T.	Oraon, Shri Kartik
Gowda, Shri Pampan	Oraon, Shri Tuna
Hansda, Shri Subodh	Oza, Shri Ghanshyam
Hari Kishore Singh, Shri	Pahadia, Shri Jagannath

Painuli, Shri Paripoornanand	Samanta, Shri S. C.
Pandey, Shri N. N.	Sankata Prasad, Dr.
Pandey, Shri R. S.	Sant Bux Singh, Shri
Pandey, Shri Tarkeshwar	Sarkar, Shri S. K.
Pant, Shri K. C.	Satish Chandra, Shri
Paokai, Haokip, Shri	Satpathy, Shri Devendra
Parashar, Shri Narain Chand	Savitri Shyam, Shrimati
Patel, Shri Ramubhai	Sayajirao, Shri
Patil, Shri S. B.	Shankar Dev, Shri
Patil, Shri T. A.	Shankaranand, Shri B.
Peje, Shri S. L.	Sharma, Shri A. P.
Radhakrishnan, Shri S.	Sharma, Dr. H. P.
Raghu Ramaiah, Shri	Sharma, Shri Madhoram
Raj Bahadur, Shri	Sharma, Shri S. D.
Rajdeo Singh, Shri	Shashi Bhushan, Shri
Ram Dhan, Shri	Shastri, Shri Raja Ram
Ram Swarup, Shri	Shastri, Shri Ramanand
Ramji Ram, Shri	Shastri, Shri Shivpujan
Rana, Shri M. B.	Shenoy, Shri P. R.
Rao, Shri Rajagopala	Shinde, Shri Annasaheb P.
Rao, Dr. V. K. R. Varadaraja	Shukla, Shri B. R.
Reddy, Shri K. K. Rami	Siddayya, Shri S. M.
Reddy, Shri M. Ram Gopal	Siddheshwar Prasad, Shri
Rohatgi, Shrimati Sushila	Singh, Shri Kedar Nath
Roy, Shri Bishwanath	Singh, Shri S. D.
Rudra Pratap Singh, Shri	Singh, Shri V. N. P.

Sinha, Shri Dharam Bir

Sokhi, Shri Swaran Singh

Surendra Pal Singh, Shri

Suryanarayana, Shri K.

Tarodekar, Shri V. B.

Tayyab Hussain Khan, Shri

Tiway, Shri D. N.

Tiway, Shri K. N.

Tombi Singh, Shri N.

Vekaria, Shri

Verma, Shri Balgovind

Vikal, Shri R. C.

Yadav, Shri Karan Singh

Yadav, Shri N. P.

Yadav, Shri R. P.

Yadava, Shri D. P.

MR. SPEAKER : The result* of the division is :

Ayes 69 ; Noes 150.

The motion was negatived.

120 hrs.

MAINTENANCE OF INTERNAL SECURITY BILL—Contd.

MR. SPEAKER : We shall take up the amendments. The amendments that shall be putting to vote one by one, are : 2, 3 and 60.

I shall first put amendment No. 1 to the vote of the House. The question is :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1971." (1)

The motion was negatived.

MR. SPEAKER : I shall now put amendment No. 2 to the vote of the House. The question is :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 10th November, 1971." (2)

The Lok Sabha divided :

Division No. 5] AYES [13.31 hrs.

Agarwal, Shri Virendra

Bade, Shri R. V.

Balakrishnan, Shri K.

Balathandayutham, Shri

Banera, Shri Hamendra Singh

Banerjee, Shri S. M.

Berwa, Shri Onkar Lal

Bhagirath Bhanwar, Shri

Bhattacharyya, Shri Dinen

Bhattacharyya, Shri Jagadish

Bhattacharyya, Shri S. P.

Bhaura, Shri B. S.

Bosu, Shri Jyotirmoy

Brahman, Shri Rattanlal

Chandra Shekhar Singh, Shri

*The following members also recorded their votes :—

Ayes : Sarvashri K. Balakrishnan, K. Veeriah, Samar Mukherjee, D. K. Panda, Balathandayutham, C. K. Chinnaraji and S. A. Muruganantham.

Noes : Sarvashri N. K. Sinha, Sidrameshwar Swamy, Chiranjib Jha, Chhotey Lal, Z. M. Kahandole, A. Shafi, P. V. G. Raju and C. M. Stephen.

Chandrapan, Shri C. K.
 Chatterjee, Shri Somnath
 Chaudhary, Shri Ishwar
 Chauhan, Shri Bharat Singh
 Chinnareji, Shri C. K.
 Chittibabu, Shri C.
 Das, Shri R. P.
 Deb, Shri Dasaratha
 Dhandapani, Shri
 Dhote, Shri Jambuwant
 Dotta, Shri Biren
 Ghosh, Shrimati Bibha
 Halder, Shri Madhuryya
 Halder, Shri Krishna
 Hazra, Shri Manoranjan
 Horo, Shri N.E.
 Janardhnan, Shri C.
 Jha, Shri Bhogendra
 Joarder, Shri Dinesh
 Kalyanasundaram, Shri M.
 Krishnan, Shri M. K.
 Lalji Bhai, Shri
 Manjhi, Shri Bhola
 Manoharan, Shri K.
 Maran, Shri Murasoli
 Menon, Shri Krishna
 Modak, Shri B.K.
 Modi, Shri Pilo
 Mohanty, Shri Surendra

Mukherjee, Shri Samar
 Mukherjee, Shri Saroj
 Muruganatham, Shri S. A.
 Muthuswamy, Shri
 Narendra Singh, Shri
 Pandey, Dr. Laxminarain
 Pradhan, Shri Dhan Shah
 Purty, Shri M. S.
 Ramkanwar, Shri
 Reddy, Shri B. N.
 Reddy, Shri Eswara
 Roy, Dr. Saradish
 Saha, Shri A. K.
 Saha, Shri Gadadhar
 Saksena, Prof. S. L.
 Sambhali, Shri Ishaq
 Sen, Dr. Ranen
 Sen, Shri Robin
 Sezhiyan, Shri
 Shamim, Shri S. A.
 Sharma, Shri R. R.
 Shastri, Shri Ramavatar
 Sivasamy, Shri M. S.
 Swatantra, Shri Teja Singh
 Thevar, Shri P. K. Mokkiah
 Ulaganambi, Shri R. P.
 Vajpayee, Shri Atal Bihari
 Vetrish, Shri K.
 Verma, Shri Phool Chand

Vishwanathan, Shri G.

Yadav, Shri G. P.

NOES

Afzalpurkar, Shri Dharamrao

Ahrwar, Shri Nathu Ram

Alagesan, Shri

Ambesh, Shri

Ankineedu, Shri

Ansari, Shri Ziaur Rahman

Aziz Imam, Shri

Babunath Singh, Shri

Barman, Shri R. N.

Basappa, Shri K.

Basumatari, Shri D.

Bhagat, Shri H. K. L.

Bhandare, Shri R. D.

Bhargava, Shri B. N.

Bhatia, Shri D. D.

Bhuvarahan, Shri

Bisht, Shri N. S.

Chandrakar, Shri Chandulal

Chandrashekarappa, Shri T. V.

Chandre Gowda, Shri

Chaturvedi, Shri R. L.

Chaudhary, Shri Nitiraj Singh

Chaudhury, Shri Amarsinh

Chavan, Shri D. R.

Chavan, Shri Yeshwantrao

Chawla, Shri A. N.

Chotey Lal, Shri

Chodhury, Shri Moinul Haque

Dalbir Singh, Shri

Dalip Singh, Shri

Darbara Singh, Shri

Das, Shri Dharnidhar

Daschowdhury, Shri B. K.

Deo, Shri S. N. Singh

Deshmukh, Shri K. G.

Dhamankar, Shri

Dixit, Shri G. C.

Dube, Shri Jwala Prasadji

Dumada, Shri L. K.

Dwivedi, Shri Nageshwar

Gandhi, Shrimati Indira

Ganesh, Shri K. R.

Gavit, Shri T. H.

Genda Singh, Shri

Gogoi, Shri Tarun

Gohain, Shri C. C.

Gokhale Shri H.R.

Gopal, Shri K.

Gowda, Shri Pampan

Hansda, Shri Subodh

Hari Kishore Singh, Shri

Ishaque, Shri A. K. M.

Jadeja, Shri

Jha, Shri Chiranjib

Joshi, Shri Popatlal

Kadam, Shri Dattajirao

Kadam Shri J. G.

Kahandole, Shri Z. M.

Kakoti, Shri Robin

Kale, Shri

Kapur, Shri Sat Pal

Kasture, Shri A. S.

Kavde, Shri B. R.

Kisku, Shri A. K.

Kotoki, Shri Liladhar

Kotrashatti, Shri A. K.

Kulkarni, Shri Raja

Kurcel, Shri B. N.

Maharaj Singh, Shri

Mahishi, Dr. Sarojini

Majhi, Shri Gajadhar

Majhi, Shri Kumar

Mehta, Dr. Jivraj

Mehta, Dr. Mahipatray

Minimata Agamdas, Shrimati

Mirdha, Shri Nathu Ram

Mishra, Shri Bibhuti

Mishra, Shri G. S.

Mishra, Shri Jagannath

Murthy, Shri B. S.

Nahata, Shri Amrit

Nimbalkar, Shri

Oraon, Shri Kartik

Oraon, Shri Tuna

Oza, Shri Ghanshyam

Pahadia, Shri Jagannath

Paintuli, Shri Paripoornanand

Pandey, Shri R. S.

Pant, Shri K. C.

Paokai, Haokip, Shri

Patil, Shri S. B.

Patil, Shri T. A.

Peje, Shri S. L.

Qureshi, Shri Mohd. Shafi

Radhakrishnan, Shri S.

Raghu Ramaraj, Shri

Raj Bahadur, Shri

Rajdeo Singh, Shri

Raju, Shri P. V. G.

Ram Dhan, Shri

Ram Swarup, Shri

Ramji Ram, Shri

Rana, Shri M. B.

Rao, Shrimati B. Radhabai A.

Rao, Shri Rajgopala

Rao, Dr. V. K. R. Varandaraja

Reddy, Shri K. K. Rami

Reddy, Shri M. Ram Gopal

Rohtagi, Shrimati Sushila

Roy, Shri Bishwanath

Rudra Pratap Singh, Shri

Samanta, Shri S. C.

Sankata Prasad, Dr.

Sant Bux Singh, Shri	Singh, Shri S. D.
Sarkar, Shri S. K.	Singh, Shri V. N. P.
Satish Chandra, Shri	Sinha, Shri Dharam Bir
Sa pathy, Shri Devendra	Sinha, Shri N. K.
Savitri Shyam, Shrimati	Sokhi, Shri Swaran Singh
Sayajirao, Shri	Stephen, Shri C. M.
Shafi, Shri A.	Surendra Pal Singh, Shri
Shankar Dev, Shri	Suryanarayana, Shri K.
Shankaranand, Shri B	Swamy Shri Sidrameshwar
Sharma, Shri A. P.	Tarodekar, Shri V. B.
Sharma, Dr. H. P.	Tayyab Hussain Khan, Shri
Sharma, Shri Madhorani	Tewari, Shri Shankar
Sharma, Shri N K	Tiwari, Shri K. N.
Sharma, Shri S D	Tombi Singh, Shri N.
Shashi Bhushan, Shri	Vekaria, Shri
Shastri, Shri Raja Ram	Verma, Shri Balgovind
Shastri, Shri Ramanand	Vikal, Shri R. C.
Shastri, Shri Shivpujan	Yadav, Shri Karan Singh
Shenoy, Shri P. R.	Yadav, Shri N. P.
Shinde, Shri Annasaheb P.	Yadava, Shri R. P.
Shukla, Shri B. R.	Yadava, Shri D. P.
Siddayya, Shri S M.	
Siddheswar Prasad, Shri	
Singh, Shri Kedar Nath	

MR. SPEAKER : The result* of the division is :

Ayes 75 ; Noes 158.

The motion was negatived.

* The following members also recorded their votes :—

Ayes : Sarvashri M. Satyanarayan Rao, Shiv Shanker Prasad Yadav, Indrajit Gupta, Saminathan, and D. K. Panda ;

Noes : Sarvashri Chhuttan Lal, Gotkhinde, Ram Bhagat Paswan, Asgar Hussain, N. N. Pandey, Narain Chand Parashar, Arvind Netam, Rasiklal Parikh, Ramchandra Patel and T. N. T. Gounder.

MR. SPEAKER : Now, Shri Jyotirmoy Bosu's amendment No. 2 was tabled also by Shri Ram Deo Singh ; that was up to 31st December, 1971. Amendment No. 2 of Shri S. M. Banerjee was up to 10th November, 1971. So Shri Jyotirmoy Bosu's date comes in between. This is all infructuous. (*Inter-ruption*) It is redundant now. So, I am not putting it.

MR. SPEAKER : I will now put Mr. Dage's amendment No. 60. The question is :

"That the Bill to provide for detention in certain cases for the purpose of maintenance of internal security and matters connected therewith be referred to a Select Committee consisting of 7 members, namely :—

- (1) Shri Chhuten Lal
- (2) Shri Hiralal Doda
- (3) Shri Nathuram Mirdha
- (4) Shri Shrikishan Modi
- (5) Shri Krishna Chandra Pant
- (6) Shri Natwarlal Patel ; and
- (7) Shri Nawal Kishore Sharma with instructions to report by the first day of the next session." (60)

The motion was negatived.

MR. SPEAKER : The question is :

"That the Bill to provide for detention in certain cases for the purpose of maintenance of internal security and matters connected therewith, be taken into consideration."

The motion was adopted.

Clause 2 (Definitions)

MR. SPEAKER : We will now take up clause-by-clause consideration. There are no amendments to clause 2.

The question is :

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 (Power to make orders detaining certain persons)

MR. SPEAKER . There are a number of amendments.

SHRI M. KALYANASUNDARAM (Tiruchirapalli) : I beg to move :

Page 2, lines 5 and 6,—

omit "the relations of India with foreign powers," (7)

Page 2, —

omit lines 7 and 8, (8)

Page 2, —

omit lines 20 and 21 (10)

Page 2, line 29,—

for "twelve days" *substitute* "five days" (11)

Page 2, line 35 —

for "twenty-two days" *substitute* "fourteen days" (12)

SHRI DINEN BHATTACHARYYA (Serampore) : I beg to move :

Page 2, lines 7 and 8,—

omit "or the maintenance of public order" (18)

Page 2,

omit lines 9 and 10 (19)

Page 2,—

omit lines 18 and 19 (20)

Page 2,—

omit lines 31 to 35 (22)

Page 2, line 37,—

for "as soon as may be" *substitute* "within seven days" (23)

SHRI ATAL BIHARI VAJPAYEE
(Gwalior) : I beg to move :

Page 2,—

for lines 17 to 19, substitute—

“(a) Chief Secretary,

(b) Home Secretary,” (55)

SHRI D. K. PANDA (Bhanjanagar) :
I beg to move :

Page 2,—

after line 15, insert—

Provided that no order of detention shall be passed in respect of an Indian national if measures under the existing law would meet the needs for which detention order is proposed :

“Provided further that no order of detention shall be made without the unanimous endorsement of the Committee comprising of seven Lok Sabha Members representing all the political parties.

(1A) The detaining authority shall give reasons as to why such measures were not found sufficient ;

(1B) The detenu shall have a right of appeal against the order passed under clause (b) of subsection (1) of section 3 to the Parliamentary Committee.”(61)

SHRI NATHU RAM AHIRWAR
(Tikamgarh) : I beg to move :

Page 2,—

after line 10, insert—

“(iv) the maintenance of communal, regional and linguistic or inter-cast harmony, or” (64)

SHRI N. K. SHARMA (Dausa) : I beg to move :

Page 2,—

for lines 20 and 21, substitute—

“(c) Commissioners of Police, wherever they have been appointed,” (65).

SHRI M. KALYANASUNDARAM :
Sir, subject to our fundamental opposition to the Bill as a whole, I am seeking to get some of these clauses amended by moving these amendments. While doing so, I do not commit myself or my party to the principles underlining this Bill.

My one amendment seeks to delete Sub-clause (1) of clause (a), the relationship of India with any foreign powers. If the object of the Bill, as was stated by Shri Pant yesterday, was only to maintain internal security, why should this clause be there ? Clause (3) has been resurrected word by word from the Preventive Detention Act, 1950. Yesterday I was listening to the speech of Shri Pant. After this massive mandate obtained by the party there should be no need for such a Bill. For more than a year there was no such Act and the government had functioned. Then, for more than one and a half months you had it by means of an Ordinance. Can the government tell us that during the period of one and a half months there was improvement in the situation described by Shri Pant yesterday ?

This is not a law and order problem measure. This has been there even during the days of the British. After that we had it in 1950 under the name Preventive Detention Act. This Act has been directed against my party for the last 23 years. I have suffered this preventive detention, I have suffered preventive detention under the British rulers, under the Congress regime, as late as 1962-63 and very recently under the DMK rule I have seen what a prison is.

Why should this government, which claims to build socialism in this country, seek to include in this enactment relations with foreign powers, maintenance of public order, maintenance of supplies and essential services to the community ? What does it mean ? Can you say that

[Shri M. Kalyanasundaram]

the enactment is concerned only with the security of the State? No, it is not confined to the security of the State alone. Because of the inclusion of maintenance of public order here, any strike of the railway or posts and telegraphs employees can be declared as interfering with the maintenance of public order and the strike can be banned and the leaders of the strike arrested. Similarly, maintenance of supplies essential to the community is included here. Now that the budget is passed, government anticipate trouble from the wage-earners because they have refused to raise the dearness allowance of the Central Government employees. Mills are being closed creating unemployment. Land reforms are not being effectively implemented, creating dissatisfaction among the peasants. So, more than any trouble in the borders, government anticipate more trouble from the workers and peasants inside the country who agitate for their just demands. Because of the assurances given by the ruling party during the elections the workers and peasants and middle class employees were expecting much from the government. Now they are disappointed. So government anticipate trouble from the Central and State Government employees, workers and peasants. This Act is only intended to suppress those struggles of the workers and peasants and not to defend the country or to certain internal security.

Even if there are any forces which have something to do with violence, they have a misconceived idea about revolution and they are not so serious. Do not try to magnify it. The problem of Naxalbari is sought to be magnified only to suppress all genuine struggles of the workers and peasants in our country so that the landlords and the capitalists class can be allowed to swindle the 55 crores of people and their labour.

There is no change from the original Preventive Detention Act, which was clearly directed against the workers and peasants and the Communist Party. The same thing is continued. What is the change? The ruling party spoke so much about polarisation and the need to fight against right reaction. Now what is happening?

By this Act they are only going to strengthen the reactionary forces, the capitalist exploiters, both outside and inside.

But I want to tell them one thing. Let them not think that they will succeed in suppressing the movement with this Act. We have faced even worse Acts and repression. The workers and peasants of this country know how to defend themselves, either with this Act or without this Act. Do not rely on this Act, the Police and bullets.

What is called for is a change in your policy if you want to succeed in maintaining peace and internal security. Do not blame our people. Our people have shown their sense of patriotism twice recently, in spite of this Government's policy. So, do not blame the people. Examine the policies that you are pursuing in the sphere of economy.

I am opposed to this clause as a whole but at least if they accept these amendments, they can go to the people and tell them that this is not directed against the workers, peasants or the political opposition; this is intended only for internal security.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, इस काले विधेयक को पूरी तरह से रद्द करने का हमारा प्रयत्न विफल हुआ...

श्री राम सहाय पांडे (राजनन्दगांव)
अब सफल हो गये हैं।

श्री अटल बिहारी वाजपेयी : अब हम कोशिश कर रहे हैं कि इस की कालिख जितनी कम हो जाय उतना ही अच्छा है, लेकिन यह रहेगा काला कानून।

इस धारा के अन्तर्गत जो हमारी आपत्तियां हैं, वे इस प्रकार हैं—भारत की सुरक्षा समझ में आने वाली बात है, लेकिन 'दी रिलेशनज आफ इण्डिया बिद फारन पावर्स' यह इतना व्यापक है, निरर्थक है कि इस को यहाँ रखने

का कोई अर्थ नहीं है। विदेशों की, दूसरे देशों की आलोचना करने का अधिकार आप छीनना चाहते हैं, यह उचित नहीं है, यह इसमें रहना चाहिए। दूसरे देशों के साथ सम्बन्ध बिगाड़ने की किसी की इच्छा नहीं है, लेकिन कोई पड़ीसी यदि सम्बन्ध बिगाड़ने पर तुला हुआ हो, तो फिर उस के सम्बन्ध में जनता को बोलने से, जनमत जाग्रत करने से रोकना नहीं चाहिए। आज पाकिस्तान का सवाल है, पाकिस्तान का समर्थन करने वाला चीन है—इन की खुली आलोचना होगी और होनी चाहिए।...

श्री राम सहाय पांडे : श्री ज्योतिर्मय बसु से पूछ लीजिए कि होगी या नहीं होगी।

श्री अटल बिहारी वाजपेयी : हर बार ज्योतिर्मय बसु का नाम लेना—उन को खतरनाक बनाना नहीं, बल्कि उन को महत्व प्रदान करना है। इस लिए मेरा निवेदन है कि हम से “रिलेशन-ज आफ इण्डिया विद फारन पावर” निकाल दीजिए।

दूसरा सशोधन यह था कि “मेन्टेनेन्स आफ पब्लिक आर्डर” की हम में आवश्यकता नहीं है। डिफेन्स आफ इण्डिया, सिक्योरिटी आफ इण्डिया, सिक्योरिटी आफ स्टेट तक ठीक है, मेन्टेनेन्स आफ पब्लिक आर्डर के लिए सामान्य कानून पर्याप्त है, उन का उपयोग किया जा सकता है। मेन्टेनेन्स आफ पब्लिक आर्डर के नाम पर इस विधेयक की भावना का काफी दुरुपयोग हुआ है, उस को इस में रखने की जरूरत नहीं है।

तीसरी बात—जैसा अभी मेरे पूर्ववक्ता ने कहा—मुनाफाखोरों, चोरबाजारी करने वालों को गिरफ्तार करना एक अलग चीज है, और कर्मचारियों के, मजदूरों के आन्दोलनों, उन की न्यायोचित मांगों को मनवाने के लिए उन के संघर्ष और उन के परिणामस्वरूप होने वाली सुविधाओं में गड़बड़ी पृथक चीज

है। इस में कहा गया है—“दी मेन्टेनेन्स आफ सप्लाइज एण्ड सर्विसिज एसेन्शल टु दी कम्युनिटी” इस का भाव यह निकलता है कि यह चोर-बाजारों के खिलाफ कानून है, जबकि एसेन्शल कमिडिटीज एक्ट के अन्तर्गत चोर-बाजारों को मुनाफाखोरों को पकड़ा जा सकता है। मेन्टेनेन्स आफ एसेन्शल सर्विसिज एक्ट के अन्तर्गत सुविधाओं को बनाये रखा जा सकता है, जब इन के लिए हमारे पास पर्याप्त कानून है, तो उस का इस कानून में समावेश करने की क्या आवश्यकता है।

चौथा सशोधन यह है कि इस कानून में अधिकार दिया गया है कि कोई भी जिला मैजिस्ट्रेट, अतिरिक्त जिला मैजिस्ट्रेट, कोई भी पुलिस कमिश्नर—कलकत्ता, बम्बई, मद्रास, हैदराबाद का—नजरबन्द करने का आदेश निकाल सकता है। इंग्लैंड में इस तरह का कानून था, लेकिन केवल होम सैफ्टी नजरबन्दी का आदेश निकाल सकता था। कल की भण्डारे ने अमरीका का हवाला दिया, लेकिन उस के अन्तर्गत भी संकट काल की घोषणा करना जरूरी है। अगर सरकार सचमुच इस बात के लिए प्रयत्नशील है कि इस कानून का दुरुपयोग न हो तो यह अधिकार जिला मैजिस्ट्रेट को नहीं होना चाहिए, एडीशनल जिला मैजिस्ट्रेट को नहीं होना चाहिए, यह अधिकार स्टेट के चीफ सैफ्टी और होम सैफ्टी को होना चाहिए। मैं समझता हूँ कि इस संशोधन के मानने से आप को आपत्ति नहीं होनी चाहिए। आजकल सचार के पर्याप्त साधन उपलब्ध किसी भी जिले से राज्य की राजधानी के साथ सम्पर्क करना कठिन नहीं है, लेकिन छोटे से पुलिस आफिसर को ऐसा अधिकार नहीं देना चाहिए। अगर सचमुच किसी को गिरफ्तार या नजरबन्द करने की जरूरत है तो राज्य के चीफ सैफ्टी और होम सैफ्टी का अधिकार होना चाहिए, जिला मैजिस्ट्रेट का नहीं।

SHRI DINEN BHATTACHARYYA : In clause 3, I want that "maintenance of public order" should go. This is the most elastic thing. For anything, anybody can be detained under this. For any doubt, a man can be brought under detention if this is there.

Another thing is that "maintenance of supplies and services essential to the community" should go. There are enough laws already existing under which this can be controlled. But if you put this thing here it means that the intention of the Government is to see that there is no trade union movement by the workers who are engaged in supply work and in any essential services. So, this should also go.

Then, about giving powers to District Magistrate and Additional District Magistrates, I say, they are no better than rubber stamps. I have met many District Magistrates with so many cases of P.U.A. Act under which more than 300 persons of my party have been arrested in West Bengal. In almost all the cases, the orders have been passed by District Magistrates as if they have nothing to do but simply to put their signatures down below the cyclostyled order brought before them by the police authorities. In almost all the cases, this order has been served only to victimise and harass the political opponents, specially, the C.P.M in West Bengal.

I could have produced facts before this House that almost all these people are connected with trade unions, working classes and the movements for the upliftment of rural people. We know that the real anti-social elements are not arrested. But the persons who are doing some political activity are arrested simply on concocted charges. So, I want to say very categorically that no power should be given to District Magistrates and Additional District Magistrates who are always busy to oblige the Government. I want that the power that has been given here should not be there.

Down below I have another amendment that in no case anybody should be detained for more than five days and after five days, that man who is detained should be produced before a court of law and full opportunity

should be given to him to defend himself and the Government if it had any complaint against that particular detenu, must also come forward with full facts and the detenu should be given opportunity to defend his case and in no case a person should be detained for more than five days. After five days, he should be brought before a court of law to be tried under the existing law.

There are my amendments with regard to this clause.

SHRI D. K. PANDA : My amendment is that after clause 3, sub-clause (1) insert :

"Provided that no order of detention shall be passed in respect of an Indian national if measures under the existing law would meet the needs for which detention order is proposed ;

Provided further that no order of detention shall be made without the unanimous endorsement of the Committee comprising of seven Lok Sabha Members representing all the political parties.

(1A) The detaining authority shall give reasons as to why such measures were not found sufficient ;

(1B) The detenu shall have a right of appeal against the order passed under clause (b) of sub-section (1) of section 3 to the Parliamentary Committee."

Sir, I am totally opposed to this Bill as it is more draconian than any law that has been passed so far. Even under Sec. 44 of the Defence of India Act the British gave some rights and it is said that the executive cannot suddenly come in and claim the right to wield absolute and arbitrary powers not even during war time. Then Sec. 44 says :

"There should be interference with the liberty of the citizens of India *as little as possible*."

Even under the Defence of India Rules 1962, Rule 30 provides for lesser restrictions on the liberty and movement of a citizen.

So, even under the British regime, they had given certain rights and the restrictions were somewhat lessened by the provision of Sec. 44. Now, here absolutely no such measure has been taken and the Bill contemplates that the executive authority shall assume all the powers—judicial, administrative and executive and ride roughshod and they can do and undo things. I would just remind the hon. Minister that out of 87 people who were detained under the P. D. Act, there is not a single profiteer. There is not a single hoarder. There is not a single smuggler. There is not a single person who was indulging in espionage activities. So, it is all a clear case of political vindictiveness against the leftist and progressive forces and in my own State of Orissa, 27 CPI Members were detained during the Chinese aggression absolutely without any reason and specially when we held the first meeting of the kind denouncing the Chinese attack and six months thereafter 27 members of our Party including the Party Secretary were put under detention. So, our past experience is bitter and after the massive mandate they won which they say they won for liquidating poverty, they are now going to liquidate the very liberty of the citizen of free India by this very Bill.

So, while opposing this, I also appeal to Hon. Members of the House, that in view of the reassurance given by the Minister that this arbitrary power will not be abused, let it be put statutorily in the Bill so that it may be a safeguard and I request them to support my amendment. I hope this will be accepted even by the Treasury Benches.

SHRI N. K. SHARMA : I have already moved my amendment No. 65. It is a formal one. This relates to Clause 3. The Bill gives powers to Commissioner of Police, Bombay, Calcutta, Madras and Hyderabad. With the contemplated change in Criminal procedure Code it is likely that more places may be required where they may be posted as and when necessary. So, I want to substitute—Commissioners of Police, wherever they have been appointed. This is more or less a formal amendment and I hope my friend Mr. Pant will agree to it.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI

K. C. PANT) : I accept amendment No. 65 of Shri N. K. Sharma. I will surprise Mr. Dinen Bhattacharyya by accepting his amendment No. 23. He wants that the State Government should communicate within 7 days. In the Bill it is 'as soon as may be'. I accept his amendment because it is a Central Act and Centre has responsibility to see these things. That point was made by several hon. Members. So, I would accept his amendment also. I heard the other hon. Members also very carefully. Shri M. Kalyanasundaram and Shri Dinen Bhattacharyya said that this measure would be used against workers and peasants etc. etc. Shri M. Kalyanasundaram said that we had said that there was need to fight against right reaction, but this would only strengthen right reaction. In this House, he usually refers to right reaction when he speaks of Shri Piloo Mody. In this case, he himself says that the opposition is cutting across party lines..

SHRI M. KALYANASUNDARAM : He has given them that opportunity.

14 00 hrs

SHRI K. C. PANT : There are different considerations which are impelling different parties to take different postures, but the fact of the matter is this. Can he cite a single instance where the Preventive Detention Act or the preventive detention measures have been used anywhere against the trade union movements....

SHRI INDRAJIT GUPTA (Allpore) : In hundreds of cases I can show him hundreds of cases. What is he saying? Why does he ask us to show them here? We cannot show them here. If he is interested in seeing them, I shall give him those cases.

SHRI K. C. PANT : I am interested in knowing. But let me complete my sentence...

SHRI ATAL BIHARI VAJPAYEE : The leaders of the Central Government employees were detained.

SHRI K. C. PANT : Let me complete my sentence.

SHRI M. KALYANASUNDARAM : We shall give him copies of the detention order; he can examine them and he will find there nothing else but this.

SHRI K. C. PANT : If hon. Members do not want to listen to me, that is a different matter. The Preventive Detention has not been used in any single case of a trade union movement or trade union activity which is legitimate.....

SHRI DINEN BHATTACHARYA : I shall give him two names. One trade union worker by name Sonar Bhattacharya was detained.....

SHRI INDRAJIT GUPTA : I was detained in 1953 for allegedly having told the workers to stage a demonstration before the office of the Indian Jute Mills Association. I was kept under preventive detention for three months for this. This was the ground brought against me. The High Court released me eventually. What is he talking about? Was that not a legitimate movement?

SHRI K. C. PANT : This only confirms that the safeguards are effective.

SHRI INDRAJIT GUPTA : I want compensation for three months' deprivation of my liberty. Will he compensate me?

SHRI K. C. PANT : All these detentions have helped him to come to Parliament also.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : We can give him hundreds of cases. Let him not tell us bogus things.

SHRI M. KALYANASUNDARAM : He is not going to change his mind.....

SHRI K. C. PANT : I began by saying that where possible, I was ready to accept some of the amendments.....

SHRI M. KALYANASUNDARAM : Because it helps him.

SHRI K. C. PANT : If hon. Members have given an amendment, and I accept it, I think that there should be some appreciation of that fact.

There was reference to the relations of India with foreign powers, and some hon. Members wanted to delete it. I can only assure them that this provision will be used

extremely sparingly. We have not used it even in the past except on one occasion where it was found to be necessary. We are not using this to curb criticism against foreign governments, normally, but there are occasions, and in fact, there was one occasion where it was found necessary to use this. I can only assure hon. Members that it will not be used unless it becomes absolutely essential. I can certainly give that assurance.

SHRI M. KALYANASUNDARAM : There are other methods for it.

SHRI ATAL BIHARI VAJPAYEE : That applies to all the clauses.

SHRI K. C. PANT : With regard to amendments 9, 18 and 53 and so on, there, internal security and public order are involved. In the matter of public order, the Constitution has laid the responsibility primarily on the State Governments, and we are here to help them. After the Preventive Detention Act at the Centre lapsed on 31st December, 1969, or rather before that, all the State Governments were asked, and as I had explained yesterday, being faced with the direct responsibility of law and order, all the State Governments barring one agreed that they needed such an Act; it was only Kerala which said that they would only like this to be used for maintenance of essential services etc.....

SHRI INDRAJIT GUPTA : Which means that they were prodded by the Central Government. The Centre prodded them.

SHRI K. C. PANT : Not all the State Governments were run by our party. My hon friend's party was also in some of the Governments. Shri Atal Bihari Vajpayee's party was also in some of the Governments. Other parties were also there. But there was a difference between them and their parties. Those parties which had undertaken the task of Government were far more responsible and being faced with the direct task of maintenance of law and order, they were much more responsive to the needs of the situation. Therefore, the State Governments said that they would need the law. Today, these friends can say that they do not need it, but they should ask their State Governments or their members

who were in those governments and were in power why they had at that time felt the necessity for such a law. This is the real point that they will have to consider.

DR. RANEN SEN (Barasat): I had quoted the statement of Shri C. Achuta Menon, Chief Minister of Kerala, wherein he has said that this is not needed in his State.

SHRI K. C. PANT: I mentioned that the then Kerala Government said they would like to confine it only to the maintenance of essential services etc. That was the communication which we had received at that time and which I placed before the House yesterday and today. As to what is their opinion today, I cannot say.

SHRI M. KALYANASUNDARAM: Can he place the whole letter before us.

SHRI K. C. PANT: It is his own Government there; he can get that letter.

SHRI ATAL BIHARI VAJPAYEE: He is referring to the letter and says 'you get it from the Government there'.

SHRI M. KALYANASUNDARAM: He is distorting the letter.

SHRI K. C. PANT: There was a question asked why Commissioners of Police are allowed to use these powers. They are in fact more senior officers than district magistrates. If district magistrates can be accepted, we can accept the Commissioners of Police as well. They have to handle the law and order situation on the ground.

SHRI JYOTIRMOY BOSU: A Commissioner himself was in the list of spies, according to the intelligence report of Shri P. K. Basu, DIG, I. B., he was in contact with the British secret service agent, Brig. Stevans.

SHRI K. C. PANT: Conspiracies are always in his mind.

Two amendments were moved for reducing the period of 12 days to 5 days and the period of 22 days to 14 days. I do not know if my hon. friends realise the implica-

tions of their own suggestions. In the old scheme, 5 days are given for the grounds to be communicated to the detenu and 12 days are given for the State Government to take a decision, either to approve or to disapprove. That scheme remains intact even here under ordinary circumstances. In extraordinary circumstances it will be extended; within 15 days he will have to communicate the grounds to the detenu and within 22 days the State Government must make up its mind. If they reduce it to 5 days, the detenu may not have a chance either to put forward his case or have that examined by the State Government. Surely they did not intend to deprive the detenu of the opportunity either to put forward his case or for it to be considered by the Government. I am sure they did not mean this, but the amendment, if accepted, would lead to this.

Then I am amazed that Shri Samar Mukherjee, Shri Dinan Bhattacharyya, Shri Mohammed Ismail as well as Shri Vajpayee should have asked us to omit lines 9 and 10. These lines enable us to use this measure against blackmarketeers, hoarders etc. I cannot understand why they should want this, of all provisions, to be taken out.

SHRI DINEN BHATTACHARYYA: 'Maintenance of order' is a *para brahma* you can bring anything under it.

SHRI K. C. PANT: If you are opposed to the principle of the Bill, that is a different matter; but having accepted the Bill in its principle, this should be the last provision to take out.

SHRI M. KALYANASUNDARAM: Let us know what he means by the term, 'maintenance of supplies and services essential to the community'. Can he categorically say that it would be used only against blackmarketeers and none else. If the railway workers, port workers, electricity workers go on strike, you say you will not proceed against them under this.

SHRI K. C. PANT: I have already said that this enables us to proceed against blackmarketeers, hoarders etc. I am surprised that they want this out.

SHRI INDRAJIT GUPTA : What is wrong with the Essential Services and Maintenance of Supplies Act already on the statute book ?

SHRI K. C. PANT : That is prospective. Nobody seems to realise this difference between an act being committed and the court looking into it and preventive action to prevent the act being committed.

SHRI INDRAJIT GUPTA : Has the Essential Services Act been used against a single blackmarketeer ? It has been invoked only to crush strikes of port and dock workers, railway workers and so on.

SHRI K. C. PANT : We on this side are second to none in this country in our concern for labour and this attempt to be the spokesmen of workers to attract publicity is not fair,

Shri Panda's amendment also cannot be accepted because action under the ordinary law providing for penalties will naturally take time and preventive detention is resorted to where immediate action is called for to prevent mischief. I have been underlining this again and again.

Since we are short of time, I would not like to say anything more.

MR. SPEAKER : I shall put amendments Nos. 7, 8, 10, 11 and 12 to the House.

Amendments Nos. 7, 8 and 10 to 12 were put and negatived.

MR. SPEAKER : I shall put amendments Nos. 18, 19, 20 and 22 to the House.

Amendments Nos. 18 to 20 and 22 were put and negatived.

MR. SPEAKER : The question is :

"Page 2, line 37,—

for "as soon as may be"
substitute—

"within seven days" (23)

The motion was adopted.

MR. SPEAKER : I shall put amendment No. 55 to the House.

Amendment No. 55 was put and negatived

MR. SPEAKER : I shall put amendment No. 61 to the House.

Amendment No. 61 was put and negatived.

MR. SPEAKER : I shall put amendment No. 64 to the House.

Amendment No. 64 was put and negatived.

MR. SPEAKER : The question is :

Page 2,—

for lines 20 and 21,
substitute—

"(c) Commissioners of Police,
wherever they have been
appointed," (65)

The motion was adopted.

MR. SPEAKER : As amendments 21, 53, 54 and 56 and 63 sought to be moved by Shri Dinesh Bhattacharyya, Shri Vajapayee and Shri Kalyanasundaram are the same as earlier amendments moved, these are barred and will not be put to vote. The question is :

"That clause 3, as amended, stand part of the Bill"

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clause 4 was added to the Bill

CLAUSE 5 (POWER TO REGULATE
PLACE AND CONDITIONS OF
DETENTION)

MR. SPEAKER : We go to clause 5. There are some amendments.

SHRI S. A. MURUGANANTHAM
(Tirunelveli) : Sir I move :

MR. SPEAKER : Now that you have moved.....

Page 3,—

for lines 8 to 11, substitute—

“(a) to be detained in such place and under such conditions which are applicable to special class of political prisoners without lock-up in cells.” (13)

SHRI DINEN BHATTACHARYYA :
I move :

Page 3, lines 9 and 10,—

omit “including conditions as to maintenance, discipline and punishment for breaches of discipline,” (24)

SHRI M. KALYANASUNDARAM :
I have an amendment No. 14. There is no other place where it can be moved ; so, I shall move it now.

MR. SPEAKER : It is a new clause, it is a separate one. Let us first take up clause 5 ; then you can move it later on.

SHRI M. KALYANASUNDARAM :
There is no other place for taking it up and so I move :

Page 3,—

after line 17, insert—

“5 As Every person in respect of whom a detention order has been made shall be eligible to reasonable allowances to be fixed by the concerned Government, for the maintenance of the family and dependents of the detainee, which shall include the education of the children.” (14)

The amendments 13 and 24 are to clause 5.

*SHRI S. A. MURUGANANTHAM :
Mr. Speaker, Sir, we are totally opposed to the Bill in full, and in our view it is blackest piece of legislation. I was myself a victim twice under such a law. For 150 years our country was cruelly subjected to the oppressive rule of British Imperialism. The people of our country, after a long and arduous struggle achieved Independence. But fifteen days after declaring our country as a Sovereign Democratic Republic, i.e., 11th February, 1950, 22 innocent and unarmed political prisoners in Salem Jail were killed. In Cuddalore also the prisoners were shot dead. When this Government is armed with such powers, why should the Government be granted more powers, under a new law ? There is absolutely no need for such arbitrary powers. Every citizen of the country has the fundamental right to freedom for political activity. It is not proper that the political prisoners should be put in the jail without trial. Worse still is to confine such political prisoners in lock-ups, where they do not have freedom even to move around within the prison also. Hence my amendment not to keep such prisoners in lock-ups. They should be allowed to exercise their freedom. That is why I have moved my amendment and I hope that the Government will accept it.

SHRI DINEN BHATTACHARYYA :
In my amendment which I have moved I have asked for the omission of “including conditions as to maintenance, discipline and punishment for breaches of discipline,” on page 3.

Now, Shri Badrudduja has been arrested. Mr. Sasanka Shekhar Sanyal, his counsel, wanted to meet him in jail. He was asked to go there by the jail authorities, but on reaching the jail gate, Mr. Sanyal, who is also a member of the Rajya Sabha, was told by the jail authorities that “the Secretary, Home Department, has asked us not to allow you to see Mr. Badrudduja.” This is

[Shri Dinen Bhattacharya]

the discipline. Then, Mr. Sanyal asked him, "Under what law and under what rule you are asking me not to see Mr. Badrudduja who has been arrested under mere suspicion and kept as a detenu?" The Home Secretary had no answer to this, and he only said, "I will ask the Law Department to inform you under what rule you are not permitted to see the detenu." This is the condition; this is the discipline imposed on the detenu. So, I want to state emphatically that the authorities want to impose these rules and always use these rules according to their own whims, and the detenu does not get any opportunity to have even the minimum facilities, not to speak of a decent life, in the jail. So, I am moving this amendment in order that these things should go.

SHRI M KALYANASUNDARAM : I have given an amendment to clause 5. I am also opposed to the provisions of clause 5 as they are. Clause 5(a) says : "to be detained in such place and under such conditions, including conditions as to maintenance, discipline and punishment for breaches of discipline, as the appropriate Government may, by general or special order, specify :". It will lead to all sorts of discrimination from State to State. Already, the detenus in my State are classified as C class prisoners. These prisoners are not even eligible for coffee or anything in the morning. They are treated just as ordinary criminals in some States. In some other States, there are two divisions — first class and second class. So, there should be uniformity,

Then, when you want to detain, only political prisoners are to be detained. My amendment only seeks to treat them as political prisoners. Cannot the Government go even to that extent? Even in this respect, should we follow the old British tradition in the matter of treatment? Yesterday, I was astonished when the esteemed Minister of State in the Ministry of Home Affairs, Shri Pant, was quoting from Rajaji for justification. Rajaji has been discarded by history. And he is now quoting from Rajaji for justification. He said that he is more progressive than Rajaji. Today,

he is quoting from Rajaji who in 1950 was holding a high position.

Now, to maintain discipline, there are the jail manuals in all the States. *(Interruption.)*

14 24 hrs.

[SHRI R. D. BHANDARE in the Chair]

The jail manuals are there. The State Governments are competent to deal with any breach of discipline inside the jails. The rules are also there. Why do you want this to be specifically mentioned here? If you want to improve it, it is all right. But this will make matters worse. Inside the jails, there has been shooting, there has been lathi charge. For instance, in the Cuddalore jail and in the Salem jail, the jail warders and the jail superintendents have been beating the detenus. I was one of those who was beaten. Every hair in my head was plucked inside the jail. These have happened in the past. Today, you are asking the jail authorities to behave in the same way as they behaved during the days of the British or in the earlier days after we achieved freedom. This clause should not be there in this Bill.

Then, I have suggested that every person detained shall be eligible to a reasonable allowance to be fixed by the concerned Government for the maintenance of the family and dependants of the detenu, which shall include the education of such children. When you deprive him of his liberty without any charge or conviction, should you not be humanitarian and give him this allowance, treating him as a decent human being and not as a convict? If you think that only by enforcing this Act you can maintain the internal security of the country, revise your budget and plan allocations, construct more jails and purchase more arms to be kept in jail for maintaining discipline. Jatin Das fought for the rights of political prisoners and died after starving for 57 days. You might not have known that history. At least read that history and bear that tradition. You are the son of an illustrious father. Don't support this Bill. But if you are forced to do it, do not have this clause. Or, at least accept my amendment.

SHRI K. C. PANT : Sir, on the first point, there appears to be an impression in the mind of my hon. friend that this measure is going to be used against political opponents. That is not so. As I explained yesterday, we are certainly not against political dissent.

SHRI M. KALYANASUNDARAM : You said, this will be directed against Naxalites. Are they not political workers ?

SHRI K. C. PANT : If they resort to violent means which may bring them under the mischief of this Act, certainly this Act will be used against them. We can have a regular debate on this if he wants, but there is a difference between political dissent and violent methods. Political dissent is the basis of democracy. But the condition for the success of democracy is that peaceful methods must be resorted to. If one accepts that violent methods can be used to subvert the State or change the Government, that is not a democratic method at all.

SHRI M. KALYANASUNDARAM : Even Gandhiji said, for self-defence, you can use violence.

SHRI K. C. PANT : There can be no confusion of ideas so far as this basic thing is concerned. We must ensure that violent methods are not used which would destroy the fabric of democracy. If this basic point is not clear to him, no matter what I say, I cannot explain our purposes...

SHRI M. KALYANASUNDARAM : Is not the jail manual adequate to maintain discipline ? Why have this clause ?

SHRI K. C. PANT : I am only trying to explain our approach to this problem. We in this country are proud of the freedoms we have. We have freedoms of association, of speech, etc., enshrined in our Constitution. We have just had an election of which we can be proud. Ours is the biggest democracy in the world, so many people peacefully taking part in the elections and expressing their political views through the ballot box.

AN HON. MEMBER : Ha, ha !

SHRI K. C. PANT : Even the hon. member who says "Ha, ha" has been elected by the people. Or, does he believe in Mr. Madhok's theory about chemically treated ballot papers ?

SHRI ATAL BIHARI VAJPAYEE : You persuade Shri Gokhale to order an inquiry.

SHRI K. C. PANT : Therefore, we are proud of our record of freedom and democracy in this country and I think we have to preserve this record. For this purpose if we have to encroach upon the freedom of a few individuals who are out to destroy this system, I think this House should not grudge this power.

SHRI INDRAJIT GUPTA : What is this long lecture about freedom and democracy ?

SHRI DASARATHA DEB (Tripura East) : I was detained in the Agartala jail and even though I was a Member of Parliament I was treated ...

MR. CHAIRMAN : Let him resume his seat. The Minister is not yielding.

SHRI K. C. PANT : I am sorry to find that my hon. friend, Shri Indrajit Gupta, who is normally not agitated is today... (Interruptions) So many general remarks were made here during the course of the discussion and I have simply given the general approach of the government in this matter and Shri Indrajit Gupta, who is usually fair to the other members of this House is less than fair to me today.

So far as amendment No.13 is concerned, even under the Preventive Detention Act, 1950 the question regarding the place of detention was left to be decided, according to the circumstances of each case, by the detaining authorities themselves and this is a reasonable arrangement and it worked satisfactorily in the past.

So far as amendment No. 24 goes, if you accept this amendment then perhaps clause 5 would be left very very vague. In this context, a specific point was raised just now that some counsel went to meet

[Shri K. C. Pant]

Shri Badruddin and he could not meet him.

AN HON. MEMBER : He was not only a counsel but a member of the Rajya Sabha.

SHRI K. C. PANT : Whatever it is, he went in the capacity of a legal counsel. We will have to enquire into this particular aspect of a counsel having gone and not being able to meet him. I shall make enquiries.

SHRI M. KALYANASUNDARAM : Why could they not be treated as political prisoners ? They should be allowed the courtesy of regular letters, interviews etc.

SHRI K. C. PANT : There is no special class known as political prisoners.

So far as amendment No 25 goes, I do not know whether it has been moved.

MR. CHAIRMAN : It has not been moved.

SHRI K. C. PANT : So far as that goes, it is a suggestion for a new provision, I do not want to go into all the details though I have them here. This is essentially a matter to be decided by the detaining authority, having regard to the circumstances of each case. If at all it is considered necessary by the appropriate government to grant any such allowance, that would be in the nature of *ex gratia* payment. I cannot vouch for the fact, but I did make enquiries this morning as to whether the State Governments did make such *ex gratia* payments and I was told that they do it in deserving cases. I have asked for further facts. I cannot say anything more at this stage.

MR. CHAIRMAN : I will now put amendment No. 13 to the vote of the House.

Amendment No. 13 was put and negatived

MR. CHAIRMAN : I will now put amendment No. 24 to the vote of the House.

Amendment No. 24 was put and negatived.

MR. CHAIRMAN : The question is :

"That clause 5 stand part of the Bill."

The motion was adopted

Clause 5 was added to the Bill.

MR. CHAIRMAN : Now I am putting amendment No. 14, seeking to insert a new clause, 5A, to the vote of the House.

Amendment No. 14 was put and negatived.

MR. CHAIRMAN : The question is,

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill

Clause 7—(POWERS IN RELATION TO ABSCONDING PERSONS)

SHRI S. A. MURUGANANTHAM : Sir, I move :

Page 3, line 34,—

Omit "and his property" (15)

SHRI M. KALYANASUNDARAM : In the case of a person wanted under the Act, if he goes underground, his property is to be attached and his family is to be teased. This is very atrocious. The property may be the property of the family. If a small peasant, who may be having two acres of land or a small house to live in with his family, evades arrest and is not found they will attach his property and will tease the members of his family. This is all British tradition. We are all shouting so much about Yahya Khan's military atrocity in Bangla Desh. This is what is going to happen here if this measure is there. This is very bad and he should remove it.

*SHRI S. A. MURUGANANTHAM : Mr. Chairman, instead of taking steps to trace the offender who has gone underground, what the Government want to do is to starve the family of the offender by confiscating the property, which may rightfully belong to the family and not merely to the offender. During our Independence struggle, when non-cooperation movement and Satyagraha were taking place, the whole village was penalised for the simple reason that a person of that village participated in that struggle. The Government cannot confiscate the property of the family simply because they are unable to trace the offender. That is why I have moved my Amendment to omit the words "and his property" in line 34 on page 3 of the Bill.

SHRI K. C. PANT : I was listening to Shri Kalyanasundaram who chose to refer to Yahya Khan's atrocities in the context of this clause and his amendment. The only conclusion I can draw from that is that he is probably accustomed to overstating his case, because this is a gross overstatement of any case that he might have. After all, here is a case in which after due processes of law the magistrate will issue a warrant etc, a man will go and try to arrest somebody. This man, who is sought to be detained under law, goes underground as he was about to say.

SHRI M. KALYANASUNDARAM : I am not ashamed of that word. It is perfectly right to go underground if the police misbehave.

SHRI K. C. PANT : If he gets excited, he might give more away than he intends to. So, I think, he should not get excited. I was only saying that this man deliberately evades detention and, therefore, he does not allow the law to take its course. . .

SHRI M. KALYANASUNDARAM : Because the law is bad.

SHRI K. C. PANT : This is my precise point. If Parliament passes a law, you have to accept it. This is one of the disciplines of democracy. Whether you are on this side or that side, you must accept it. The day you accept this, that day you

will be a true democrat, not till then. Therefore, this will have to stay.

MR. CHAIRMAN : Now, I put Amendment No.15 to the vote of the House.

The question is :

'Page 3, line 34,—

Omit "and his property" (15)

The Lok Sabha divided

Division No. 6] AYES [14.47 hrs.

Bade, Shri R. V.

Balathandayutham, Shri

Banera, Shri Hamendra Singh

Banerjee, Shri S. M.

Bhattacharyya, Shri Dinen

Bhattacharyya, Shri Jagadish

Bhattacharyya, Shri S. P.

Bhaura, Shri B. S.

Bosu, Shri Jyotirmoy

Brahman, Shri Rattanlal

Chandrappan, Shri C. K.

Chatterjee, Shri Somnath

Chauhan, Shri Bharat Singh

Chittibabu, Shri C.

Das, Shri R. P.

Deb, Shri Dasaratha

Deo, Shri P. K.

Dhandapani, Shri

Dhote, Shri Jambuwant

The original speech was delivered in Tamil.

Dutta, Shri Biren

Ghosh, Shrimati Bibha

Gupta, Shri Indrajit

Halder, Shri Madhuryya

Halder, Shri Krishna

Hazra, Shri Manoranjan

Janardhanan, Shri C.

Jha, Shri Bhogendra

Jorder, Shri Dinesh

Kalyanasundaram, Shri M.

Lalji Bhai, Shri

Madhukar, Shri K. M.

Manjhi, Shri Bho'la

Manoharan, Shri K.

Modak, Shri B. K.

Modi, Shri Ploo

*Mohammad Yusuf, Shri

Mukherjee, Shri Samar

Muruganatham, Shri S. A.

Narendra Singh, Shri

Pandey, Dr. Laxminarain

Pradhan, Shri Dhan Shah

Rao, Shri M. Satyanarayan

Reddy, Shri Eawara

Roy, Dr. Saradish

Saha, Shri A. K.

Sambhali, Shri Ishaq

Sen. Dr. Ranen

Sen, Shri Robin

Sharma, Shri R. R.

Sivasamy, Shri M. S.

Subravelu, Shri

Ulaganambi, Shri R. P.

Vajpayee, Shri Atal Bihari

Verma, Shri Phool Chand

Vishwanathan, Shri G.

Yadav, Shri G. P.

NOES

Afzalpurkar, Shri Dharamrao

Ahirwar, Shri Nathu Ram

Ambesh, Shri

Ankineedu, Shri

Ansari, Shri Ziaur Rahman

Arvind Netam, Shri

Aagar Hussain, Shri

Aziz Imam, Shri

Babunath Singh, Shri

Bahuguna, Shri H. N.

Banamali Babu, Shri

Barman, Shri R. N.

Bassappa, Shri K.

Basumatari, Shri D.

Bhargava, Shri B. N.

Bhatia, Shri D. D.

Bhuvarahan, Shri

Chandrakot, Shri Chandulal

Chandrashekharappa, Shri T. V.

*Wrongly voted for Ayes

Chaturvedi, Shri R. L.	Judeja, Shri
Chavan, Shri Yeshwantrao	Jaffer Shariff, Shri C. K.
Chawla, Shri A. N.	Jamilurrahman, Shri Md.
Chhotey Lal, Shri	Jha, Shri Chiranjib
Choudhury, Shri Moinul Haque	Joshi, Shri Popatlal
Chutten Lal, Shri	Kadam, Shri Dattajirao
Das, Shri Dharnidhar	Kadam, Shri J. G.
Deo, Shri S. N. Singh	Kahandole, Shri Z. M.
Deshmukh, Shri K. G.	Kakoti, Shri Robin
Dhamankar, Shri	Kale, Shri
Dharia, Shri Mohan	Kamala Prasad, Shri
Dinesh Singh, Shri	Kamble, Shri T. D.
Dumada, Shri L. K.	Kapur, Shri Sat Pal
Dwivedi, Shri Nageshwar	Kasture, Shri A. S.
Gandhi, Shrimati Indira	Kavde, Shri B. R.
Ganesh, Shri K. R.	Kisku, Shri A. K.
Gautam, Shri C. D.	Kotoki, Shri Liladhar
Gavit, Shri T. H.	Kureel, Shri B. N.
Ghosh, Shri P. K.	Lutfal Haque, Shri
Gill, Shri Mohinder Singh	Majhi, Shri Gajadhar
Gogoi, Shri Tarun	Malaviya, Shri K. D.
Gohain, Shri C. C.	Malhotra, Shri Inder J.
Gotkhinde, Shri	Mehta, Dr. Mahipatray
Gopal, Shri K.	Minimata Agamdas, Shrimati
Gounder, Shri T. N. T.	Mirdha, Shri Nathu Ram
Gowda, Shri Pampan	Mishra, Shri Bibhuti
Hansda, Shri Subodh	Mishra, Shri G. S.
Hari Kishore Singh, Shri	Mishra, Shri Jagannath
Ishaque, Shri A. K. M.	Modi, Shri Shrikishan

Mohammad Tahir, Shri

Naik, Shri B. V.

Nimbalkar, Shri

Oraon, Shri Kartik

Oraon, Shri Tuna

Oza, Shri Ghanshyam

Pahadia, Shri Jagannath

Pandey, Shri N. N.

Pandey, Shri R. S.

Pant, Shri K. C.

Paokai Haokip, Shri

Parthasarathy, Shri

Patil, Shri S. B.

Patil, Shri T. A.

Peje, Shri S. L.

Pradhani, Shri K.

Qureshi, Shri Mohd. Shafi

Radhakrishnan, Shri S.

Raghu Ramaiah, Shri

Rai, Shrimati Sahodrabai

Raj Bahadur, Shri

Rajdeo Singh, Shri

Raju, Shri P. V. G.

Ram Dhan, Shri

Ram Swarup, Shri

Ramji Ram, Shri

Rana, Shri M. B.

Rao, Shrimati B. Radhabai A.

Rao, Shri Jaganath

Rao, Shri Rajagopala

Rao, Dr. V. K. R. Varadaraja

Raut, Shri Bhola

Reddy, Shri M. Ram Gopal

Rohatgi, Shrimati Sushila

Roy, Shri Bishwanath

Samanta, Shri S. C.

Sankata Prasad, Dr.

Satish Chandra, Shri

Satpathy, Shri Devendra

Savant, Shri Shankarrao

Sayajirao, Shri

Shankar Dev, Shri

Shankaranand, Shri B.

Sharma, Shri A. P.

Sharma, Dr. H. P.

Shashi Bhushan, Shri

Shastri, Shri Shivpujan

Shetty, Shri K. K.

Shinde, Shri Annasaheb P.

Shiva Chandika, Shri

Shukla, Shri B. R.

Siddayya, Shri S. M.

Siddheshwar Prasad, Shri

Singh, Shri Kedar Nath

Sinha, Shri Dharam Bir

Sinha, Shri N. K.

Sokhi, Shri, Swaran Singh

Stephen, Shri C. M.

Surendra Pal Singh, Shri

Page 4,—

Suryanarayana, Shri K.

for lines 13 to 15, substitute—

Swamy, Shri Sidrameshwar

"detention, produce him (the man who has been detained) before a court of law to be tried under the existing law." (28)

Tiwary, Shri K. N.

Tombi Singh, Shri N.

Vekaria, Shri

Verma, Shri Balgovind

Yadav, Shri Karan Singh

Yadav, Shri N. P.

Yadav, Shri R. P.

MR. CHAIRMAN : The result* of the division is :

Ayes 56 ; Noes 145.

The motion was negatived.

MR. CHAIRMAN : Now I put clause 7 to the vote of the House.

The question is :

"That Clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

CLAUSE 8. (GROUNDS OF ORDER OF DETENTION TO BE DISCLOSED TO PERSONS AFFECTED BY THE ORDER)

SHRI DINEN BHATTACHARYYA : Sir, I beg to move :

This is the crux of the whole thing that I want to put before the House. The Bill empowers the executive authority to detain a man merely on suspicion and without giving him an opportunity to go to any court of law. My amendment is this that if anybody is detained, he may be put in jail for five days after which he must be brought before a court of law to be tried under the existing law. I don't understand why the Government which is so proud of its big majority is afraid of giving a person an opportunity to be tried under the law. Why should they not give him an opportunity to at least defend himself that he is not guilty of the charges which are brought against him and the Government should accept it. Hon. Minister, Mr. Pant is every time referring to democracy, liberty and freedom. Where will the freedom go if the little fundamental rights that we have in the Constitution are sought to be whittled down by this Bill ?

So, my point is that a man who has been detained will after five days be brought before a court of law and an opportunity given to him to get the benefit of the existing law and all charges that are brought against him should be made known to him and after that, if he was found guilty, then you can very well put him in jail. I am not against putting anybody in jail if he was really guilty of any charge. Without establishing the charges against anybody, how can you detain a person year after year and there is no limit to the detention. So, while I oppose the whole Bill, I want to

*The following members also recorded their votes :

Ayes : Dr. Jivraj Mehta, Shri Krishna Menon, Prof. S. L. Saxena, Sarvasbri Shiv Shanker Prasad Yadav, Bhagirath Bhanwar, M. S. Purty, Saroj Mukherjee, E. R. Krishnan, B. N. Reddy and Gadadhar Saha.

Noes : Sarvasbri D. P. Yadava, Hari Singh, Ram Bhagat Paswan, H. R. Gokhale, B. P. Maurya, Shrimati Savitri Shyam, Sarvasbri V. B. Tarodekar, Mulki Raj Saini, Dr. Govind Das Richhariya, Sant Bux Singh, Dalip Singh, Darbara Singh, Genda Singh, Shankar Tewari, K. C. Pandey, S. P. Verma and Mohammad Yusuf.

[Shri Dinen Bhattacharya]

emphasize that nobody should be detained without being brought to the court of law within five days of detention.

SHRI M. KALYANASUNDARAM :
A word, Sir.

MR. CHAIRMAN : Time is very short. No, please.

SHRI S. M. BANERJEE (Kanpur) : This is a fascist measure they are rushing through this House. Can't you allow us to say a word, Sir ?

MR. CHAIRMAN : Mr. Banerjee, kindly take your seat first. You had agreed that there will be guillotine after 2.30.

SHRI S. M. BANERJEE : Not at all.

MR. CHAIRMAN : We have to pass this Bill before 3 p. m.

SHRI S. M. BANERJEE : We did not agree to it.

SHRI PILOO MODY (Godhra) : How can you pass it before 3 p. m. ? I have yet to speak.

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : This is what hon. Shri Kalyanasundaram said yesterday :

"Let the Minister reply to-day and let Mr. Vajpayee also reply to-day. Let us take up the clause by clause consideration tomorrow and finish it by 3.30 p. m."

The Speaker's ruling is :

"The decision on time limit was unanimously adopted by the House. Now I want to put it to the House."

..(Interruptions)

SHRI PILOO MODY : I don't think the Minister of Parliamentary Affairs should be allowed to interfere with the proceedings of the House.

SHRI S. M. BANERJEE : As a Member of the Business Advisory Committee, I made it clear to the hon. Speaker when he was in the Chair that the time will have to be extended. The House is supreme and it can extend the time.

MR. CHAIRMAN : Mr. Kalyanasundaram.

SHRI K. N. TIWARY (Bettiah) : The House never agreed for extension of time. It was decided that by 3-30 P.M. the whole business will be finished. So, unless you take the opinion of the House whether they agree or not, how can the time be extended ?

SHRI M. KALYANASUNDARAM : You send the whole opposition out and have it passed.

SHRI K. N. TIWARY : It does not depend upon the opposition ; the whole House does not mean opposition only.

SHRI M. KALYANASUNDARAM : You called me, Mr. Chairman.

MR. CHAIRMAN : Yes, you may continue.

SHRI M. KALYANASUNDARAM : Clause 8 is very dangerous, especially sub-section (2) which says :

Nothing in sub-section (1) shall require the authority to disclose facts which it considers to be against the public interest to disclose.

Who is the authority ? The third grade or fourth grade police officer, who collects information. That information will be piled up in the D.I.G.'s office and cyclostyled grounds will be prepared and those grounds are put as vague as possible.

MR. CHAIRMAN : You are repeating the same point.

SHRI M. KALYANASUNDARAM : I am not repeating. I had the privilege of being served with so many detention charges ; when I went through them, I found them all quite vague. The informa-

tion is furnished by the Special Branch constable not even the Inspector. These are the facts. Even in respect of furnishing of the information, here you say, details will not be disclosed. Why should it be so? Why should they be afraid like this?

If Kalyanasundaram happens to be agent of China, it is your duty to expose him before the people. Say, here is such and such evidence that Kalyanasundaram has such and such link with China. That is an honest way of dealing with political opponents. I am not here to shield anybody who is anti-national. Whoever may be in the Communist party, this country is his country. He is a citizen of this country. Only when he treats this country as his country could he come here. These police officers can make any number of concocted charges; I have myself been a victim of so many concocted charges. Honest communists are victims of so many such concoctions. You do not want to disclose the details. He cannot appeal against the police. Are you going to be defended only by the Police? This Act is going to be implemented by the Police. This Act is going to be enforced by the Police. Grounds will be supplied by the Police. The Advisory Committee will become a farce. It will be guided by the Police. Government will be guided by the Police. You know the fate of those who were only guided by the Police. In this way, you are not going to save democracy, but you are destroying democracy.

SHRI K. C. PANT : The provision contained in sub-clause (2) of Clause 8 is based on the Constitutional provision contained in Art. 22(6). Even if this provision may not be used, it is essential in the public interest that the authority should be there for not disclosing facts which are considered against public interest to be disclosed. In certain types of cases, the facts cannot be disclosed in public interest. I do not want to specify those cases, but my hon. friends can understand the types of cases that I am referring to. In those cases, revealing the facts to the detenus can further jeopardise the interests of security. There are certain types of detenus under this Act, who can be made detenus, and if you reveal the facts to them, that can be a dangerous thing. Many of the reports are intelligence

reports, and it may lead to exposure of sources for those reports. So, hon. Members can well understand that there are various implications. But the facts are placed before the advisory body, and when my hon. friend says that the grounds are very vague and very sketchy and so on, may I remind him that the Supreme Court has given various rulings on this, and the effect of it is as follows. Firstly, the grounds communicated to the detenus should be sufficient to enable him to make an effective representation and the court may examine whether the grounds are sufficient or not. Secondly, the grounds furnished should not be vague, and the courts can examine whether or not the grounds are vague. Thirdly, the grounds should not be irrelevant, and the courts can go into the question of the relevancy of the grounds.

SHRI M. KALYANASUNDARAM : You will kick me inside jail, and you are asking me to go to the court even to know the details of the grounds.

SHRI K. C. PANT : I am afraid that even in a murder case, when a man is just apprehended for murder, even then, he has to be kept in jail. The arguments can go on, and sometimes a man goes in appeal right up to the Supreme Court, and sometimes he has to spend one year in jail till his case is decided.

SHRI DINEN BHATTACHARYYA : But there are specific charges against him. The detenu knows what the charges are.

SHRI K. C. PANT : I am only pointing out that sometimes even under the ordinary law, detention is inevitable, even while the case is being tried

SHRI S. M. BANERJEE : But he knows the charges.

SHRI K. C. PANT : So, these things have to be seen in their totality, and the best way of preventing the mischief of this Act is to stay away from those activities which will bring the mischief of this Act into play.

MR. CHAIRMAN : I shall now put amendment No. 28 to the vote of the House.

[Mr. Chairman]

The question is :

'Page 4, for lines 13 to 15, *substitute*—

"detention, produce him (the man who has been detained) before a court of law to be tried under the existing law." ' (28)

Let the Lobby be cleared.

The Lok Sabha divided :

Division No. 7] AYES [15.04 hrs.

Bade, Shri R. V.

Balathandayutham, Shri

*Banera, Shri Hamendra Singh

Benerjee, Shri S. M.

Berwa, Shri Onkar Lal

Bhattacharyya, Shri Dinen

Bhattacharyya, Shri Jagadish

Bhattacharyya, Shri S. P.

Bhaura, Shri B. S.

Bosu, Shri Jyotirmoy

Brahman, Shri Rattanlal

Chandrappan, Shri C. K.

Chauhan, Shri Bharat Singh

Chittibabu, Shri C.

Das, Shri R. P.

Deb, Shri Dasaratha

Deo, Shri P. K.

Dhandapani, Shri

Dhote, Shri Jambuwant

Dutta, Shri Biren

Ghosh, Shrimati Bibha

Guha, Shri Samar

Gupta, Shri Indrajit

Halder, Shri Madhuryya

Halder, Shri Krishna

Hazra, Shri Manoranjan

Janardhanan, Shri C.

Jha, Shri Bhogendra

Joarder, Shri Dinesh

Kalyanasundaram, Shri M.

Krishnan, Shri M. K.

Lalji Bhai, Shri

Madhukar, Shri K. M.

Manjhi, Shri Bhola

Manoharan, Shri K.

Menon, Shri Krishna

Modak, Shri B. K.

Mody, Shri Piloo

Mohanty, Shri Surendra

Mukherjee, Shri Samar

Mukherjee, Shri Saroj

Muruganatham, Shri

Narendra Singh, H. H. Maharaja

Panda, Shri D. K.

Pandey, Dr. Laxminarain

*He voted by mistake from a wrong seat and latter informed the Speaker accordingly.

Pradhan, Shri Dhan Shah

Ansari, Shri Ziaur Rahman

Purty, Shri M. S.

Asgar Hussain, Shri

Rao, Shri M. Satyanarayan

Babunath Singh, Shri

Reddy, Shri B. N.

Bahuguna, Shri H. N.

Roy, Dr. Saradish

Banamali Babu, Shri

Saha, Shri A. K.

Barman, Shri R. N.

Saha Shri Gadadhar

Barupal, Shri P. L.

Saksena, Prof. S. L.

Basappa, Shri K.

Sambhali, Shri Ishaq

Basumatari, Shri D.

Sen, Dr. Ranen

Bhargava, Shri B. N.

Sen, Shri Robin

Bhatia, Shri D. D.

Sezhiyan, Shri

Bhuvarahan, Shri

Sharma, Shri R. R.

Chandrashekharaappa, Shri T. V.

Sivasamy, Shri M. S.

Chaturvedi, Shri R. L.

Subravelu, Shri

Chavan, Shri Yeshwantrao

Swatantra, Shri Teja Singh

Chawla, Shri A. N.

Ulaganambi, Shri R. P.

Chhotey Lal, Shri

Vajpayee, Shri Atal Bihari

Choudhury, Shri Moinul Haque

Verma, Shri Phool Chand

Chhuttan Lal, Shri

Viswanathan, Shri G.

Dalbir Singh, Shri

Yadav, Shri G. P.

Dalip Singh, Shri

Darbara Singh, Shri

Deo, Shri S. N. Singh

Deshmukh, Shri K. G.

Dhamankar, Shri

Dharia, Shri Mohan

Dinesh Singh, Shri

NOES

Afzalpurkar, Shri Dharmarao

Ahirwar, Shri Nathu Ram

Ambesh, Shri

Dumada, Shri L. K.

Kamble, Shri T. D.

Dwivedi, Shri Nageshwar

Kapur, Shri Sat Pal

Gandhi, Shrimati Indira

Kasture, Shri A. S.

Ganesh, Shri K. R.

Kavde, Shri B. R.

Gavit, Shri T. H.

Kedar Nath Singh, Shri

Genda Singh, Shri

Kisku, Shri A. K.

Ghosh, Shri P. K.

Kureel, Shri B. N.

Gill, Shri Mohinder Singh

Lutfal Haque, Shri

Gohain, Shri C. C.

Majhi, Shri Gajadhar

Gokhale, Shri H. R.

Malaviya, Shri K. D.

Gotkhinde, Shri

Malhotra, Shri Inder J.

Gopal, Shri K.

Maurya, Shri B. P.

Gounder, Shri T. N. T.

Mehta, Dr. Jivraj

Gowda, Shri Pampan

Mehta, Dr. Mahipatray

Hansda, Shri Subodh

Minimata Agamdas, Shrimati

Hari Singh, Shri

Mirdha, Shri Nathu Ram

Ishaque, Shri A. K. M.

Mishra, Shri Bibhuti

Jadeja, Shri

Mishra, Shri G. S.

Jaffer Shariff, Shri C. K.

Mishra, Shri Jagannath

Jamilurrahman, Shri Md.

Modi Shri, Shrikishan

Jha, Shri Chiranjib

Mohammad Tahir, Shri

Joshi, Shri Popatlal

Mohammad Yusuf, Shri

Kadam, Shri Dattajirao

Mohsin, Shri

Kahandole, Shri Z.M.

Naik, Shri B. V.

Kakoti, Shri Robin

Nimbalkar, Shri

Kale, Shri

Orson, Shri Kartik

Kamala Prasad, Shri

Oraon, Shri Tuna

Rana, Shri M. B.

Oza, Shri Ghaushyam

Rao, Shrimati B. Radhabai A.

Pahadia, Shri Jagannath

Rao, Shri Jaganath

Painuli, Shri Paripoornanand

Rao, Shri Rajagopala

Pandey, Shri K. C.

Rao, Dr. V. K. R. Varandaraja

Pandey, Shri N. N

Raut, Shri Bholi

Pandey, Shri R. S.

Reddy, Shri M. Ram Gopal

Pant, Shri K. C.

Richhariya, Dr. Govind Das

Paokai, Haokip, Shri

Rohatgi, Shrimati Sushila

Parashar, Shri Narain Chand

Roy, Shri Bishwanath

Parthasarathy, Shri

Samanta, Shri S. C.

Paswan, Shri Ram Bhagat

Sankata Prasad, Dr.

Patil, Shri, S. B.

Sant Bux Singh, Shri

Patil, Shri T. A.

Sarkar, Shri S. K.

Peje, Shri S. L.

Satish Chandra, Shri

Pradhani, Shri K.

Satpathy, Shri Devendra

Qureshi, Shri Mohd. Shafi

Savant, Shri Shankarrao

Radhakrishnan, Shri S.

Savitri Shyam, Shrimati

Raghu Ramaiah, Shri

Sayajirao, Shri

Rai, Shrimati Sahodrabai

Shankar Dev, Shri

Raj Bahadur, Shri

Shankaranand, Shri B.

Rajdeo Singh, Shri

Sharma, Shri A. P.

Raju, Shri P. V. G.

Sharma, Dr. H. P.

Ram Dhan, Shri

Sharma, Shri Madhoram

Ram Swarup, Shri

Shashi Bhushan, Shri

Ramji Ram, Shri

Shastri, Shri Ramanand

Shastri, Shri Shivpujan

MR. CHAIRMAN : The result* of the division is :

Shetty, Shri K. K.

Ayes 66 ; Noes 158.

Shinde, Shri Annasaheb P.

The motion was negatived

Shiva Chandika, Shri

MR. CHAIRMAN : The question is :

Shukla, Shri B. R.

"That clause 8 stand part of the Bill"

Siddayya, Shri S. M.

The motion was adopted.

Siddheshwar Prasad, Shri

Clause 8 was added to the Bill.

Sinha, Shri Dharam Bir

AN HON. MEMBER : It is past three now. What about the Punjab Budget due to be presented at 3 P. M. ?

Sinha, Shri N. K.

15.00 hrs.

Sokhi, Shri Swaran Singh

[MR. SPEAKER in the Chair]

Stephen, Shri C. M.

Surendra Pal Singh, Shri

MR. SPEAKER : I think when members settled about the time they did not care for the technicalities. I wanted to put it to the House at 2.30 P. M. But they said 'No'.

Suryanarayana, Shri K.

Swamy, Shri Sidrameshwar

Tarodekar, Shri V. B.

SHRI INDRAJIT GUPTA : The Minister of Parliamentary affairs read out the record just now ; it is 3.30 P. M.

Tiwary, Shri K. N.

Tombi Singh, Shri N.

MR. SPEAKER : Anyway it is not a constitutional provision that it must come at 3 P. M. It can come after the Bill.

Vekaria, Shri

Verma, Shri Balgovind

SHRI ATAL BIHARI VAJPAYEE : We would like to hear the Minister.

Vikal, Shri R. C.

Yadav, Shri Karan Singh

MR. SPEAKER : This Bill must first be disposed of ; this is the third extension we are having.

Yadav, Shri N. P.

SHRI ATAL BIHARI VAJPAYEE : Where is the Budget ?

Yadava, Shri D. P.

* The following members also recorded their votes :—

Ayes : Sarvashri Shiv Shanker Prasad Yadav, E. R. Krishnan and Somnath Chatterjee ;*Noes* : Sarvashri Dharnidhar Das, C. D. Gautam, Ankineedu, R. P. Yadav, Shankar Tewari, J. G. Kadam and C. M. Tewari

SHRI INDRAJIT GUPTA : Your State will be without a budget.

MR. SPEAKER : Does not matter ; we are without many other things. I think there is nothing very special necessitating its presentation at 3. M.

प्रधान मंत्री, परमाणु ऊर्जा मंत्री, गृह मंत्री तथा सूचना और प्रसारण मंत्री (श्रीमती इन्दिरा गांधी) : आ तो जाना चाहिए क्योंकि राज्य सभा में भी जाना है ।

MR. SPEAKER : We can take it up after this Bill.

Clause 9 (Constitution of Advisory Boards)

SHRI DINEN BHATTACHARYYA : I beg to move :

Page 4, for clause 9, substitute—

"9. The Central Government and each State Government shall, as the case may be, offer all kinds of help including financial help to the detenu so that he may get the assistance of legal practitioner to conduct his case in the court." (29)

This follows an earlier amendment I had moved.

SHRI DINEN BHATTACHARYYA : My amendment No. 29 is consequential to amendment No. 28. The purpose of the amendment is this, that after five days, when the detenu is produced before the court, he may not have the opportunity of engaging a lawyer etc. So the amendment says that he should be given financial and other assistance for the purpose to defend his case before the court.

SHRI BIBHUTI MISHRA (Motihari) : I beg to move :

Page 4, lines 21 and 22,—

omit "or have been, or are qualified to be appointed as," (40)

अध्यक्ष जी, मैं यह कहना चाहता हूँ कि जो व्यक्ति जज की योग्यता रखता है या जो रिटायर्ड जज है उसको रखने के सम्बन्ध में यहाँ पर बहुत से माननीय सदस्यों ने एतराज किया है। इसलिए मेरा अमेन्डमेन्ट यह है कि हाई कोर्ट का जो सिटिंग जज ही उसी को बोर्ड में रखा जाये। जो व्यक्ति जज होने लायक है या जो रिटायर्ड जज है उसके बारे में लोग यही सोचेंगे कि यह सरकार के पक्ष में अपनी राय जाहिर कर रहा है क्योंकि इससे उसको फायदा हो सकता है। लोगों को इस प्रकार की शंका उसके प्रति हो सकती है। इसीलिए मैं चाहता हूँ कि हाई कोर्ट के सिटिंग जज को ही यह काम सौंपना चाहिए। कल फ्रैंक ऐंथनी साहब ने भी इस पर एतराज किया था। दूसरे वकीलों ने भी इस पर एतराज किया है। इसलिए मैं समझता हूँ यह बहुत जरूरी अमेन्डमेन्ट है और सरकार को इसे मान लेना चाहिए।

SHRI ATAL BIHARI VAJPAYEE : I beg to move :

Page 4, line 22,—

omit "or are qualified to be appointed as," (57)

अध्यक्ष जी, यदि आप पुरानी कार्यवाही उठाकर देखेंगे तो पायेंगे कि इस सवाल पर बहुत बहस हुई थी। हाई कोर्ट का जज रखना अलग बात है लेकिन ऐसे व्यक्ति को एडवाइजरी बोर्ड में रखना जो कि हाई कोर्ट का जज बन सकता है वह दूसरी बात है। जैसा कि कल ऐंथनी साहब ने कहा था कि जब वकीलों को कोई मुकदमा नहीं मिलता है उनके लिए एडवाइजरी बोर्ड के दरवाजे खुले रहते हैं। इसलिए मैं समझता हूँ यह संशोधन मान लेना चाहिए कि एडवाइजरी बोर्ड में हाई कोर्ट का सिटिंग जज होगा। मेरा संशोधन भी यही है।

SHRI K. C. PANT : The simple point is that there may be many situations in the States where serving Judges are simply not available for this kind of work. Therefore, we have to provide for this.

MR. SPEAKER : I put amendment No. 29 to the House.

Amendment No. 29 was put and negatived.

MR. SPEAKER : The question is : 'Page 4, lines 21 and 22,—

omit " , or have been, or are qualified to be appointed as," ' (40)

The Lok Sabha divided :

Division No. 8] AYES [15.16 hrs.

Balathandayutham, Shri
Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Berwa, Shri Onkar Lal
Bhattacharyya, Shri Dinen
Bhattacharyya, Shri Jagadish
Bhattacharyya, Shri S. P.
Bhaura, Shri B. S.
Bosu, Shri Jyotirmoy
Brahman, Shri Rattanlal
Chandrappan, Shri C. K.
Chatterjee, Shri Somnath
Chauhan, Shri Bhara Singh
Deb, Shri Dasaratha
Deo, Shri P. K.
Dhandapani, Shri
Dhole, Shri Jambuwant
Dutta, Shri Biren

Ghosh, Shrimati Bibha
Guba, Shri Samar
Gupta, Shri Indrajit
Halder, Shri Madhuryya
Halder, Shri Krishna
Hazra, Shri Manoranjan
Janardhanan, Shri C.
Joarder, Shri Dinesh
Kalyanasundaram, Shri M.
Krishnan, Shri E. R.
Krishnan, Shri M. K.
Lalji Bhai, Shri
Manoharan, Shri K.
Maran, Shri Murasoli
Modak, Shri B. K.
Mody, Shri Pitoo
Mohanty, Shri Surendra
Mukherjee, Shri Samar
Mukherjee, Shri Saroj
Muruganatham, Shri
Narendra Singh, H. H. Maharaja
Pandey, Dr. Laxminarain
Pradhan, Shri Dhan Shah.
Rao, Shri M. Satyanarayan
Reddy, Shri B. N.
Reddy, Shri Eswara
Roy, Dr. Saradish

Saha, Shri A. K.

Shah, Shri Gadadhar

Saksena, Prof. S. L.

Sambhali, Shri Ishaq

Scindia, Shri Madhavrao

Sen, Dr. Ranen

Sezhiyan, Shri

Subravclu, Shri

Swa antra, Shri Teja Singh

Ulaganambi, Shri R. P.

Vajpayee, Shri Atal Bihari

Verma, Shri Phool Chand

Viswanathan, Shri G.

Yadav, Shri G. P.

Yadav, Shri Shiv Shanker Prasad

NOES

Afzalpurkar, Shri Dharamrao

Ahirwar, Shri Nathu Ram

Ambesh, Shri

Ankineedu, Shri

Ansari, Shri Ziaur Rahman

Asgar Hussain, Shri

Babunath Singh, Shri

Bahuguna, Shri H. N.

Banamali Babu, Shri

Berman, Shri R. N.

Barupal, Shri P. L.

Basappa, Shri K.

Basumatari, Shri D.

Bhandare, Shri R. D.

Bhargava, Shri B. N.

Bhatia, Shri D. D.

Bhuvarahan, Shri

Chandrashekarappa, Shri T. V.

Chaturvedi, Shri R. L.

Chavan, Shri Yeshwantrao

Chawla, Shri A. N.

Chhotey Lal, Shri

Choudhury, Shri Moiaul Haque

Chhuttan Lal, Shri

Dalbir Singh, Shri

Darbara Singh, Shri

Das, Shri Dharnidhar

Deo, Shri S. N. Singh

Deshmukh, Shri K. G.

Dhamankar, Shri

Dharia, Shri Mohan

Dinesh Singh, Shri

Dixit, Shri G. C.

Dumada, Shri L. K.

Dwivedi, Shri Nageshwar

Ganesh, Shri K. R.

Gautam, Shri C. D.

Gavit, Shri T. H.

Genda Singh, Shri

Ghosh, Shri P. K.

Gill, Shri Mohinder Singh

Gohain, Shri C. C.

Gokhale, Shri H. R.

Gotkhinde, Shri

Gopal, Shri K.

Gowda, Shri Pampan

Hansda, Shri Subodh

Hari Singh, Shri

Jadeja, Shri

Jaffer Shariff, Shri C. K.

Jamilurrahman, Shri Md.

Jha, Shri Chiranjib

Kadam, Shri Dattajirao

Kadam, Shri J. G.

Kahandole, Shri Z. M.

Kakoti, Shri Robin

Kale, Shri

Kamala Prasad, Shri

Kamble, Shri T. D.

Kapur, Shri Sat Pal

Kasture, Shri A. S.

Kavde, Shri B. R.

Kedar Nath Singh, Shri

Kisku, Shri A. K.

Kotoki, Shri Liladhar

Kureel, Shri B. N.

Lutfal Haque, Shri

Majhi, Shri Gajadhar

Malaviya, Shri K. D.

Maurya, Shri B. P.

Mehta, Dr. Jivraj

Mehta, Dr. Mahipatray

Mirdha, Shri Nathu Ram

Mishra, Shri G. S.

Mishra, Shri Jagannath

Modi, Shri Shrikishan

Mohammad Tahir, Shri

Mohammad Yusuf, Shri

Mohsin, Shri

Naik, Shri B. V.

Oraon, Shri Kartik

Oraon, Shri Tuna

Oza, Shri Ghanshyam

Pahadia, Shri Jagannath

Pandey, Shri K. C.

Pandey, Shri N. N.	Roy, Shri Bishwanath
Pandey, Shri R. S.	Sankata Prasad, Dr.
Pant, Shri K. C.	Sant Bux Singh, Shri
Paokai Haokip, Shri	Satish Chandra, Shri
Parthasarathy, Shri	Satpathy, Shri Devendra
Paswan, Shri Ram Bhagat	Savant, Shri Shankarrao
Patil, Shri T. A.	Savitri Shyam, Shrimati
Peje, Shri S. L.	Sayajirao, Shri
Pillai, Shri R. Balakrishna	Shankar Dev, Shri
Pradhani, Shri K.	Shankaranand, Shri B.
Radhakrishnan, Shri S.	Sharma, Shri A. P.
Raghu Ramaiah, Shri	Sharma, Dr. H. P.
Rai, Shrimati Sahodrabai	Sharma, Shri Madhoram
Raj Bahadur, Shri	Shashi Bhushan, Shri
Rajdeo Singh, Shri	Shastri, Shri Ramanand
Raju, Shri P. V. G.	Shastri, Shri Shivpujan
Ram Dhan, Shri	Shinde, Shri Annasaheb P.
Ram Swarup, Shri	Shiva Chandika, Shri
Ramji Ram, Shri	Siddayya, Shri S. M.
Rao, Shrimati B. Radhabai A.	Siddheshwar Prasad, Shri
Rao, Shri Jaganath	Sinha, Shri Dharam Bir
Rao, Shri Rajagopala	Sinha, Shri N. K.
Rao, Dr. V. K. R. Varadaraja	Sokhi, Shri Swaran Singh
Rauf, Shri Bhola	Stephen, Shri C. M.
Reddy, Shri M. Ram Gopal	Surendra Pal Singh, Shri
Richhariya, Dr. Govind Das	Suryanarayana, Shri K.
Rohatgi, Shrimati Sushila	Swamy, Shri Sidrameshwar
	Tarodekar, Shri V. B.

Tewari, Shri Shankar

15.15 hrs.

Tiwary, Shri K. N.

PUNJAB BUDGET, 1971-72

Tombi Singh, Shri N.

MR. SPEAKER : Just for a minute, the Punjab Budget will be presented, and then we resume discussion of the Bill.

Vekaria, Shri

THE MINISTR OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : Sir, I beg to...

Verma, Shri Balgovind

Virbhadra Singh, Shri

SOME HON. MEMBERS : Let him read it.

Vikal, Shri R. C.

MR. SPEAKER : Place everything on the Table.

Yadav, Shri Karan Singh

Yadav, Shri N. P.

SHRI K. R. GANESH : I beg to present a statement of the estimated receipts and expenditure of the State of Punjab for the year 1971-72.

Yadava, Shri D. P.

MR. SPEAKER : The result* of the division is :

SHRI ATAL BIHARI VAJPAYEE (Gwalior) : Sir, what is "place everything on the Table ?"

Ayes 60 : Noes 150.

The motion was negatived.

MR. SPEAKER : Whatever he has got.

MR. SPEAKER : He has not moved amendment No. 41.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : This is the outcome of horsetrading that these people have done.

So, I shall put amendment No. 57 to vote of the House.

MR. SPEAKER : We have very fine horses.

Amendment No 57 was put and negatived.

Statement

MR. SPEAKER : The question is :

"That clause 9 stand part of the Bill."

Sir, I beg to present the Budget of the State of Punjab for 1971-72. Sir, the House is aware that a Proclamation under Article 356 of the Constitution was issued by the President on the 15th June, 1971 in respect of the State of Punjab. By virtue of this Proclamation the powers of the Legislature of the State are now exercisable by or

The motion was adopted

Clause 9 was added to the Bill.

*The following members also recorded their votes.

Ayes : Sarvaishri Krishna Menon, M. S. Purty, D. K. Panda, Robin Sen and R. P. Das.

Noes : Sarvaishri Paripoornanand Painuli, Narain Chand Parashar, Dalip Singh, T. N. T. Geunder, C. M. Tewari and Alageran.

under the authority of the Parliament. The Budget of the State of Punjab for the year 1971-72 was presented to the State Vidhan Sabha in January 1971 and a 'Vote on Account' was obtained for three months i.e., upto the end of this month. Accordingly, the State Budget for this year is now being presented to the Parliament.

2. The Budget Estimates for this year show a surplus on revenue account of Rs. 12.01 crores; the receipts are placed at Rs. 161.37 crores and the expenditure met from revenue at Rs. 149.36 crores. The revenue receipts compared with the Revised Estimates for last year show a shortfall of Rs. 3.36 crores. But if the national recovery of interest arrears from the Punjab State Electricity Board (Rs. 9 crores) made last year by grant of equivalent loans is ignored, the receipts reflect an improvement of Rs. 5.64 crores mainly under tax receipts and because of larger devolution from the Centre. The expenditure estimates of Rs. 149.36 crores show an increase of Rs. 13.44 crores over the Revised Estimates of 1970-71 because of larger provision for Debt Services (Rs. 2 crores), Social and Developmental Services (Rs. 5.83 crores), Irrigation and Public Works (Rs. 2.29 crores), Road Transport (Rs. 1.62 crores) and other items (Rs. 1.70 crores).

3. The provision for capital expenditure is Rs. 22.06 crores as against Rs. 16.17 crores in the Revised Estimates of 1970-71. The current year is expected to close with an overall deficit of Rs. 4.29 crores. This deficit, however, is likely to be covered by larger collection of taxes and devolution from the Centre.

4. The Budget provides for an outlay of Rs. 68.23 crores for the annual Plan of 1971-72 which includes Central assistance of Rs. 20.20 crores. The Irrigation and Power Sector accounts for 30 per cent of the outlay budgeted for this year, Agriculture and Community Development about 21 per cent, Road Transport and Social Services about 26 per cent and the balance is spread over other sectors.

5. The State's economy has continued to make steady progress. Production of

foodgrains during 1970-71 is expected to have reached 72.5 lakh tonnes against 69.6 lakh tonnes during 1969-70. Increase in the production of wheat has been quite significant—50 lakh tonnes in 1970-71 against 48 lakh tonnes in the previous year. The industrial sector has also achieved greater stability. The progress in these two sectors would have been more appreciable but for power shortage.

6. For the construction of roads a programme of Rs. 10 crores has been formulated for the year 1971-72. Of this rural roads have been allocated a sum of Rs. 4.72 crores. 6,131 villages have already been electrified and 86,917 tube-wells energised. With the commissioning of first unit of Guru Nanak Thermal Plant, apart from meeting the domestic and industrial demands, all the villages are expected to be electrified and 1.2 lakh tube-wells energised.

7. For the welfare of scheduled castes and backward classes, a programme for the construction of Dharamshalas and Chaupals has been launched and as many as 1600 villages are expected to be covered by the end of 1971-72. A sum of Rs. 50 lakhs was provided for this purpose last year and a further provision of Rs. 50 lakhs has been made this year. The Punjab Scheduled Castes Development and Finance Corporation has been set up to promote and undertake programmes of agricultural development, marketing, processing, supply and storage of agricultural produce, small-scale industry, building construction, transport and other business, trade, etc., for the welfare of Scheduled Castes. The Corporation will have an authorised capital of Rs. 5 crores.

15 16 hrs.

MAINTENANCE OF INTERNAL SECURITY BILL—Contd.

Clause 10 (Reference to Advisory Boards)

MR. SPEAKER : We now take up clause 10 of the Bill.

SHRI DINEN BHATTACHARYYA (Scramore) : I move :

[Shri Dinan Bhattacharya]

Page 4, line 33, for "thirty days"
substitute "five days" (30)

Page 4, line 34, for "Advisory Board"
substitute "court of law" (31)

Sir, in regard to amendment No. 30, I wish to state that instead of asking for 30 days for placing the matter before the Advisory board, I have said that it should be not more than five days. Within five days after a man is detained, he must be brought to a court of law and tried by the court. In amendment No. 31, instead of the advisory Board, I want that the detenu should be given the opportunity to be produced before a court of law. They are asking for a detenu to be detained for 30 days even without giving any reason. My point is that you cannot detain a man without giving him the opportunity to be tried in a court of law. I have asked that instead of the Advisory Board, you must substitute a court of law, because, the man concerned, who is detained, will at least get the opportunity to be defended in a court of law, and as such I have moved these two amendments.

THE MINISTER OF STATE
IN THE MINISTRY OF HOME
AFFAIRS (SHRI K. C. PANT) : The whole scheme of the Bill is that the cases of preventive detention should be reviewed by the Advisory Board and not by a court of law. That is the whole scheme of the Bill.

SHRI DINEN BHATTACHARYYA : That is our dispute. It should be the court of law.

MR. SPEAKER : Order please. I shall put amendment Nos. 30 and 31 to the vote.

*Amendments Nos 30 and 31
were put and negatived.*

MR. SPEAKER : The question is :

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill.

Clause 11 (Procedure of Advisory Boards)

SHRI M. KALYANASUNDARAM
(Tiruchirapalli) : I move :

Page 4, line 45, for "ten"

substitute "six" (16)

My suggestion is that the whole procedure should be finished within six weeks and not 10 weeks. Mr. Pant has an Advisory Board and everything else that he wanted. At least reduce the time of the whole procedure, so that the detenu may be sure of his future as early as possible instead of lingering inside the jail indefinitely. Let him know the result within six weeks. I am only seeking to reduce the period from 10 weeks to six weeks.

SHRI DINEN BHATTACHARYYA : I move :

Page 4, line 39,—

for "Advisory Board" substitute—
"Court" (32)

Page 4, line 45,—

for "report" substitute "order" (33)

Page 5, line 1,—

for "The report of the Advisory Board" substitute "The order of the court" (34)

Page 5, line 2,—

for "Advisory Board" substitute—
"Court" (35)

Sir, these are all consequential amendments. My point is that there should be no detention without trial. I have asked and I am now demanding that a man should be tried in a court of law, and there should not be any detention without trial. So, everywhere in the clause, wherever the Advisory Board is mentioned, I have asked for "Court" and "report" instead of "order." After the trial, the magistrate or the trial

magistrate should give the order. I have asked for the substitution of "order" instead of "report" and for the substitution of "The order of the court" instead of the "report of the Advisory Board." My submission is, for the sake of democracy, please do not enact this blackest law, that the country has ever seen. You can make use of all the existing laws. Don't put anybody under detention month after month, year after year, without giving him an opportunity to be tried in a court of law.

श्री अटल बिहारी वाजपेयी (ग्वालियर) : अध्यक्ष महोदय, मुझे भी अपने संशोधन पेश करने हैं।

अध्यक्ष महोदय : अब तो 3.30 भी बजने वाले हैं।

SHRI S. M. BANERJEE (Kanpur) : We have moved amendments. This is going to be opposed by all the opposition parties including Mr. Vajpayee's party. There is no doubt that this Bill is going to be passed by a huge majority. But at least let us have a full discussion on the clause and amendments. This is the beginning of fascism. Let us not have fascism in this House.

MR. SPEAKER : You asked for 1 hour more ; it was given. You asked for another 2 hours ; it was given. Again it was extended by 1½ hours. You should have raised it in the Business Advisory Committee.

SHRI S. M. BANERJEE : The House is supreme. It can change the decision of the Business Advisory Committee.

श्री अटल बिहारी वाजपेयी : मुझे तो ऐसा लगता है कि इस विधेयक को सोमवार तक ले जाने के अलावा कोई चारा नहीं है।

MR. SPEAKER : Rajya Sabha is adjourning. We can continue with this and finish it. Whatever time is taken from the time allotted for private members business, that time can be added on at the end.

श्री अटल बिहारी वाजपेयी : मैं प्रस्ताव करता हूँ :

Page 5, line 7,—

for "entitle" substitute "debar" (58)

Page 5, for lines 9 to 12, substitute—

"matter connected with the reference to the Advisory Board" (59)

मैंने इन संशोधनों के द्वारा यह मांग की है कि जब भी कोई व्यक्ति नजरबन्द किया जाता है तब उस को वकील के साथ ऐडवाइजरी बोर्ड के सामने अपना मामला रखने की इजाजत होनी चाहिए। आप यह स्वीकार करेंगे कि कई व्यक्ति ऐसे नजरबन्द किये जायेंगे जो कानून की बारीकियों को नहीं जानेंगे, जो अच्छी तरह से शिक्षित भी नहीं होंगे। अगर हम उन को ऐडवाइजरी बोर्ड में न्याय देना चाहते हैं तो उनके लिए किसी वकील की सहायता आवश्यक होगी। इस लिए मैंने यह संशोधन रक्खा है कि उन्हें वकील ले जाने की इजाजत हो।

दूसरी बात मैंने यह कही है कि ऐडवाइजरी बोर्ड की कोई भी कार्रवाई गुप्त न रखी जाये। उस को प्रकाश में लाना जरूरी है, जिस से लोग समझ सकें कि किस व्यक्ति को किस लिए गिरफ्तार किया गया है और किन कारणों से गिरफ्तार किया गया है। नहीं तो जनता के मन में सन्देह पैदा होंगे और सरकार अधिकारों का दुरुपयोग कर रही है इन आरोपों से आप नहीं बच सकेंगे।

SHRI K. C. PANT : So far as the amendment of my hon. friend, Shri Dinan Bhattacharyya goes, I would again repeat that an advisory board cannot be made into a court of law and, therefore, that distinction has been explained before, that remains.

AN HON. MEMBER : What about the period ?

SHRI K. C. PANT : Regarding the period, even though we are short of time, Sir,

[Shri K. C. Pant]

if you will permit me one minute to read the clause, it says :

"(1) The Advisory Board shall, after considering the materials placed before it and, after calling for such further information as it may deem necessary from the appropriate Government or from any person called for the purpose through the appropriate Government or from the person concerned, and if, in any particular case, it considers it essential so to do or if the person concerned desires to be heard, after hearing him in person, submit its report to the appropriate Government within ten weeks from the date of detention."

So, considering all the processes that have to be gone through, ten weeks is a reasonable period.

So far as the question of lawyer is concerned, the amendment cannot be accepted as the presence of the lawyer before the Advisory Board will work a change in the entire relationship of the Advisory Board with the detenu. I would like Shri Vajpayee to take note of the fact that under this Bill the detenu is not debarred from seeking legal advice or drafting a representation if he is not educated or he has other difficulties. The lawyer can go to him. Only, the lawyer cannot appear before the Advisory Board. The Advisory Board is the custodian of the detenu and it is supposed to look after his interests. That is the scheme. The Advisory Board is not a court of law and its proceedings are not open to the public.

MR. SPEAKER : I will now put amendment Nos 16, 32, 33, 34, 35, 58 and 59 to the vote of the House.

Amendments Nos 16, 32 to 35, 58 and 59 were put and negatived

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Sir, I rise on a point of order. Rule 26 of the Rules of Procedure clearly says :

"The last two and a half hours of a sitting on Friday shall be allotted for the transaction of private members' business."

May I inform you that we have now got only one minute to half past three ?

MR. SPEAKER : I have already extended the time for this Bill. The private members' business will be taken up after this Bill is passed and then it will have full two and a half hours.

SHRI JYOTIRMOY BOSU : But, Sir, the proceedings here will have to be conducted strictly under the rules and the rules say what I have said.

MR. SPEAKER : I have already put it to the House, and the House has agreed, that the two and a half hours for the private members' business will start from the time the Bill is passed.

SHRI S. M. BANERJEE : Sir, I rise on a point of order. No such decision has been taken. You in your wisdom, without taking the sense of the House,.....

MR. SPEAKER : I put it to the House.

SHRI PILOO MODY (Godhra) : When did you put it ?

SHRI S. M. BANERJEE : Sir, you in your wisdom, without taking the sense of this House, ruled that the House will discuss and finish this matter, taking as much time as it wants, and then the private members' business will be taken up. Private Members' business may come up at 4.30, 5.30, 6.30 or 8.30. It is something extraordinary. When we on this side have cooperated with this Government on the last occasion in passing many Bills, it is a sad commentary on parliamentary democracy. This is nothing but a sort of fascism.

MR. SPEAKER : Not at all...(*Interruption*). This Bill was to be finished yesterday. You wanted two hours, you got it, you again wanted two hours and you said, "we will finish it at 2.30 today." When you do not do it, I have got no other alternative.

The question is :

"That clause 11 stand part of the Bill."

Those in favour will please say 'Aye'.

SEVERAL HON. MEMBERS : 'Aye'.

MR. SPEAKER : Those against will please say 'No'.

SOME HON. MEMBERS : 'NO'.

MR. SPEAKER : I think the 'Ayes' have it.

SOME HON. MEMBERS : The Noes have it.

MR. SPEAKER : Let the lobbies be cleared.

The Lobby have been cleared.

The question is :

"That clause 11 stand part of the Bill."

The Lok Sabha divided :

Division No. 9] AYES [15.38hrs.

Ahirwar, Shri Nathu Ram

Alagesan, Shri

Ankineedu, Shri

Asgar Hussain, Shri

Ariz Imam, Shri

*Bahuguna, Shri H. N.

Banamali Babu, Shri

Barman, Shri R. N.

Basappa, Shri K.

Basumatari, Shri D.

Bhandare, Shri R. D.

Bhargava, Shri B. N.

Bhuvarahan, Shri

Buta Singh, Shri

**Chandrappan, Shri C. K.

**Chatterjee, Shri Somnath

Chaturvedi, Shri R. L.

Chavan, Shri Yeshwantrao

Choudhury, Shri Moinul Haque

Dalbir Singh, Shri

Dalip Singh, Shri

Darbara Singh, Shri

*Deb, Shri Dasaratha

Deo, Shri S. N. Singh

Deshmukh, Shri K. G.

Dhamankar, Shri

Dharia, Shri Mohan

Dhote, Shri Jambuwant

Dinesh Singh, Shri

Dixit, Shri G. C.

Dumada, Shri L. K.

Ganesh, Shri K. R.

Gautam, Shri C. D.

*He voted by mistake from a wrong seat and later informed the Speaker accordingly.

**Wrongly voted for Ayes.

Gavit, Shri T. H.	Lutfal Haque, Shri
Ghosh, Shri P. K.	Majhi, Shri Gajadhar
Gill, Shri Mohinder Singh	Malaviya, Shri K. D.
Gohain, Shri C. C.	Mehta, Dr. Jivraj
Gokhale, Shri H. R.	Mehta, Dr. Mahipatray
Gotkhinde, Shri	Menon, Shri Krishna
Gopal, Shri K.	Minimata Agamdas, Shrimati
Gowda, Shri Pampan	Mirdha, Shri Nathu Ram
Hansda, Shri Subodh	Mishra, Shri Bibhuti
Ishaque, Shri A. K. M.	Mishra, Shri G. S.
Jamilurrahman, Shri Md.	Mishra, Shri Jagannath
Joshi, Shri Popatlal	Mohammed Tahir, Shri
Kahandole, Shri Z. M.	Mohsin, Shri
Kakoti, Shri Robin	*Mukherjee, Shri Samar
Kale, Shri	*Muruganatham, Shri S. A.
*Kalyansundaram, Shri M.	*Narendra Singh, H. H. Maharaja
Kamble, Shri T. D.	Nimbalkal, Shri
Kapur, Shri Sat Pal	Oraon, Shri Kartik
Kasture, Shri A. S.	Oraon, Shri Tuna
Kavde, Shri B. R.	Oza, Shri Ghanshyam
Kedar Nath Singh, Shri	Pandey, Shri R.S.
Kotoki, Shri Liladhar	Pant, Shri K. C.
Kureel, Shri B. N.	Paokai, Haokip, Shri
Lalji Bhai, Shri	Parashar, Shri Narain Chand

Patil, Shri T. A.	Sharma, Dr. H. P.
Peje, Shri S. L.	Sharma, Shri Madhoram
Pillai, Shri R. Balakrishna	Shashi Bhushan, Shri
Pradhani, Shri K.	Shastri, Shri Ramanand
Radhakrishnan, Shri S.	Sher Singh, Shri
Raghu Ramaiah, Shri	Shinde, Shri Annasaheb P.
Rai, Shrimati Sahodrabai	Shiva Chandika, Shri
Raj Bahadur, Shri	Shukla, Shri B. R.
Rajdeo Singh, Shri	Siddayya, Shri S. M.
Raju, Shri P. V. G	Siddheshwar Prasad, Shri
Ram Swarup, Shri	Sinha, Shri Dharam Bir
Rao, Shrimati B. Radhabai A.	Sokhi, Shri Swaran Singh
Rao, Shri Jaganath	Stephen, Shri C. M.
Rao, Shri Rajagopala	Surendra Pal Singh, Shri
Richhariya, Dr. Govind Das	Tarodekar, Shri V. B.
Rohatgi, Shrimati Sushila	Tewari, Shri Shankar
Roy, Shri Bishwanath	Tiwary, Shri K. N.
Saksena, Prof. S. I.	Vekaria, Shri
Sankata Prasad, Dr.	Verma, Shri Balgovind
Sant Bux Singh, Shri	*Verma, Shri Phool Chand
Sarkar, Shri S. K.	Virbhadra Singh, Shri
Satish chandra, Shri	Yadav, Shri N. P.
Sayajirao, Shri	NOES
Shankar Dev, Shri	Balathandayutham, Shri
Shankaranand, Shri B.	Banera, Shri Hamendra Singh

Banerjee, Shri S. M.
 Berwa, Shri Onkar Lal
 Bhattacharya, Shri S. P.
 Bhaura, Shri B. S.
 Bosu, Shri Jyotirmoy
 Brahman, Shri Rattanlal
 *Chawla, Shri A. N.
 Das, Shri R. P.
 Deo, Shri P. K.
 Dhandapani, Shri
 *Genda Singh, Shri
 Ghosh, Shrimati Bibha
 Guha, Shri Samar
 Gupta, Shri Indrajit
 Halder, Shri Krishna
 Jha, Shri Bhogendra
 Joarder, Shri Dinesh
 Krishnan, Shri M. K.
 Kulkarni, Shri Raja
 Manoharan, Shri K.
 Maran, Shri Murasoli
 Modak, Shri B. K.
 Mody, Shri Piloo
 Mohanty, Shri Surendra
 Mukherjee, Shri Saroj

Pandey, Dr. Laxminarain
 *Pandey, Shri N. N.
 *Parthasarathy, Shri
 *Ramji Ram, Shri
 Rao, Shri M. Satyanarayan
 Rao, Dr. V. K. R. Varadaraja
 Reddy, Shri M. Ram Gopal
 Roy, Dr. Saradish
 Saha, Shri A. K.
 Sambhali, Shri Ishaq
 Savant, Shri Shankarrao
 Sezhiyan, Shri
 *Sharma, Shri A. P.
 *Shastri, Shri Shivpujan
 Sivasamy, Shri M. S.
 Suryanarayana, Shri K.
 Vajpayee, Shri Atal Bihari
 *Vikal, Shri R. C.
 Viswanathan, Shri G.
 Yadav, Shri G. P.
 Yadav, Shri Karan Singh
 *Yadav, Shri R. P.

MR. SPEAKER : The result** of the discussion is :

Ayes 128 ; Noes 49.

The motion was adopted.

Clause 11 was added to the Bill.

*Wrongly voted for Noes.

**The following members also recorded their votes :—

Ayes : Sarvashri C. P. Shailani, Hari Singh, Ram Bhaug Paswan, Devendra Satpathy, Chiranjit Jha, Chhotey Lal, J. G. Kadam, Jadeja, K. C. Pandey, A. N. Chawla, N. N. Pandey, A. P. Sharma, Parthasarathy, Ramji Ram, Shivpujan Shastri, R. P. Yadav, Genda Singh and R. C. Vikal.

Noes : Sarvashri Dinen Bhattacharyya, Ranen Sen, Manoranjan Hazra, Robin Sen, Bharat Singh Chauhan, Teja Singh Swatantra, B. N. Reddy, Biren Dutta, Chandra Shekhar Singh, Jagadish Bhattacharyya, Gadadhar Saha, Samar Mukherjee, Dasaratha Deb, M. Kalyanasundaram, H. H. Maharaja Narendra Singh, Phool Chand Verma, Somnath Chatterjee, C. K. Chandrappan and S. A. Muruganantham.

SHRI INDRAJIT GUPTA (Alipore) :
At this stage, once again, we request you to please allow this Bill to be taken up at the end of the Private Members' Business. You should not encroach upon the Private Members' Business. You will be setting a very unfortunate precedent. This will become a bad precedent. It will upset all the conventions which we have been following.

SHRI K. C. PANT : Sir, the Minister of Parliamentary Affairs and many other friends who are in the House today were not in the House yesterday when this matter came up. After more than the allotted time had been spent, a demand was raised from the Opposition side that more time should be given. I think, Mr. K. N. Tiwary was in the Chair at the time and he asked the Government whether we would have any objection. Then, some members suggested that the sitting of the House should be extended beyond 6 O' Clock, that we should have an extra hour or so and finish it. Mr. Vajpayee said that he had some engagement and, therefore, he had to leave, and so, we should not extend the sitting beyond 6 O' Clock. In deference to his wishes and the wishes of other Members, we agreed to extend the time. Many of the Members, on this side were inconvenienced because they had purchased tickets yesterday...

SHRI ATAL BIHARI VAJPAYEE :
They have got passes.

SHRI K. C. PANT : They were inconvenienced. In spite of that, we accommodated the Opposition. I was made perfectly clear that we will pass the Bill today and send it to the Rajya Sabha. We have been told that unless it is sent now, they will not have enough time.

I think, considering everything that happened yesterday, it is only fair that, when we have extended our cooperation and accommodated the Opposition, in the same spirit, they should allow us to get through this measure now so that the Rajya Sabha gets enough time.

SHRI INDRAJIT GUPTA : What about the Private Members' Business? You want to give precedence to your own Bill.

SHRI K. C. PANT : You made a promise yesterday.....(*Interruptions*)

MR. SPEAKER : We will provide the necessary time for the Private Member's Business after passing this Bill. We now take up clause 12. (*Interruptions*)

SHRI PILOO MODY : With your permission, I would like to move, now that this Government has a massive mandate, we should do away with the Private Members Business. It is not necessary to Indian democracy. (*Interruptions*)

MR. SPEAKER : Clause 12.

SHRI JYOTIRMOY BOSU : What is the use of passing this Bill? You cannot do it unless we give special sanction.....(*Interruptions*)

MR. SPEAKER : Amendments on clause 12.

SHRI JYOTIRMOY BOSU : Sir, I rise on a point of order. If you kindly read Rule 93, sub-para (2) it says :

"Where a Bill has undergone amendment the motion that the Bill as amended be passed shall not be moved on the same day on which the consideration of the Bill is concluded,....."

unless of course the Speaker allows the motion.....(*Interruptions*)

MR. SPEAKER : It was to be passed yesterday.....(*Interruptions*) This is not a relevant point of order.

SHRI S. M. BANERJEE : Sir, I rise on a point of order. The main objection of the Treasury Benches is that this Bill has to be sent to the other House. They have not raised any other objection in accordance with the Rules of Procedure and the main objection is that because the Rajya Sabha is going to adjourn on the 24th, we should pass this to-day. We, members of this House, are not answerable to the Members of the Rajya Sabha and we are not concerned with what is happening in Rajya Sabha. I think the Rajya Sabha has been extended upto 24th. We have read it in the Press. They

[Shri S. M. Banerjee]

can as well get the Rajya Sabha extended by one day more upto 25th. But, I feel we should have every right to speak in the Second Reading and in the Third Reading of this Bill and this can as well be postponed till Monday. Another thing is that there is a resolution on Bangla Desh. They want to sabotage the whole because they have not made up their mind about recognition of the Bangla Desh(Interruptions)

MR SPEAKER : Order please.

SHRI S. M. BANERJEE : I want a ruling from you, Sir, whether for the convenience of the Rajya Sabha a decision should be taken here. I want you to give a ruling so that the Rajya Sabha may also give a ruling whether because a recommendation has come from the Lok Sabha they have to sit longer hours. This is a wrong decision taken by the Treasury Benches. They have taken advantage of the massive majority. Had they brought this Bill in December 1970, they would have been defeated in the House. (Interruptions)

MR SPEAKER : Time allotted by the Business Advisory Committee finished day before yesterday. They wanted two hours more. It was given yesterday. Then again 2 hours. It was given yesterday and when we wanted to finish it, Mr. Vajpayee said he had certain engagement.

SHRI ATAL BIHARI VAJPAYEE : That was the First Reading and not the whole Reading. That is not correct.

MR. SPEAKER : Please don't do it. You are all eminent people.

SHRI ATAL BIHARI VAJPAYEE : The whole Bill could not have been passed.

MR. SPEAKER : The total time allotted for this Bill was extended by the same period as the original time allotted. It is almost the double. Yesterday they said, 'We will finish it by 2.30'. Then they said in the same sitting to-day, 'Let it be upto 3 p. m.'. Then Mr. Gupta said, 'We will do it before 3.30.' After all, we shall be bound by certain things.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, क्या कोई रीजनेबल डीबेट होगी या नहीं ? क्या आप उस के लिए टाइम देंगे या नहीं ? यह अच्छा तरीका है ।

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : I would like to assure my hon. friends on the other side that there is much more than a mere consideration namely that the Bill has to be passed by the Rajya Sabha also within time. It involves a matter of understanding too. We will have to work together. Yesterday you put to the House Sir, that the Bill has to be(Interruptions) Let me have my say. You said that the Bill has to be passed within time. So we must pass this Bill to-day. And Mr. Kalyanasundaram who belongs to Mr. Banerjee's Party said, "Let us take up the clause-by-clause consideration tomorrow and finish it by 3.30 p. m. tomorrow." Mr. Vajpayee went to the extent of saying, 'We will pass the Bill before the Non-Official Business is taken up tomorrow.' This is the solemn understanding. This is the gentlemen's understanding.....(Interruptions) It is much more than that. Do we work here on mutual confidence and with understanding of the minds of all. Or do we give assurances and back out of them ? We cannot break our conventions. We will have to work together.

SHRI INDRAJIT GUPTA : Whatever you have read does not mean that Private Members' Business should be pushed out.

SHRI RAJ BAHADUR : For that Resolution we are prepared to sit till mid night. We are not afraid of it at all. Don't attribute motives. These were the very words from the Opposition side. Either you stick to them or you say, you do not. If you do not stick to such understandings, working becomes very difficult. Mr. Speaker also said that it is a gentleman's understanding. But that is not honoured. (Interruption)

PROF. S. L. SAKSENA (Maharajan) : It is a very important Bill. We may extend the time by one day. (Interruption)

SHRI INDRAJIT GUPTA : Let us take up the Private Members' Business and after that we will take up this, whatever may be the time at night. We will continue this after Private Members' Business is over.

SOME HON. MEMBERS—*rose (Interruption)*

MR. SPEAKER : Please sit down. My only sad experience is this. The Business Advisory Committee's decision is never stuck to. It is always the party that agrees to it ; then they break it.

SHRI M. KALYANASUNDARAM : We are not breaking at all.

MR. SPEAKER : There is no use of agreeing to any extension, unless we stick to it.

SHRI SHYAMNANDAN MISHRA (Begusarai) : Who made that commitment, Sir ? That was Mr. Vajpayee. But, that is not the commitment on behalf of the Opposition.

MR. SPEAKER : I thought it like that.

SHRI SHYAMNANDAN MISHRA : Don't interpret it in their favour...

SHRI JYOTIRMOY BOSU : In the Business Advisory Committee we pleaded for 16 hours. That also should not be forgotten.

MR. SPEAKER : We will have to devise a procedure whereby the decision of the Business Advisory Committee... (*Interruption*)

SHRI P. K. DEO (Kalahandi) : How are they concerned with the Private Members' Resolution? There is a separate Committee for Private Members' Resolution. How the Business Advisory Committee is going to regulate it ? How can they regulate Private Members' Business ?

श्री अटल बिहारी वाजपेयी : मेरा नाम लिया गया है। मुझे सफाई देनी जरूरी है।

अध्यक्ष महोदय : आप की बजह से तो कल किया... (व्यवधान)...

SHRI P. K. DEO : There is a separate Committee for Private Members Business... (*Interruption*)

श्री अटल बिहारी वाजपेयी : प्राइवेट मेम्बर्स बिजनेस ले लीजिए पहले। बाद में हम इस पर विचार कर लेंगे।

MR. SPEAKER : What I propose is this I think I should not agree to both sides. I will put some *via media*... (*Interruption*)

SHRI K. MANOHARAN (Madras North) : Sir, I would like to know whether we are going to stick to the procedure or not.

SHRI ATAL BIHARI VAJPAYEE : How can I give a promise on behalf of the Opposition ? That was not a promise on behalf of the Opposition.

SHRI SHYAMNANDAN MISHRA : We just cannot make him our leader. The Hon. Speaker is interpreting it in such a way as to make it a commitment of ours, and that is simply amazing. We just cannot put up with this kind of interpretation of the Chair. The Chair will have to be told very frankly that it must not interpret anything of this kind in favour of the Treasury Benches. We are going to take a very strong stand in this matter... (*Interruptions*)

MR. SPEAKER : I shall interpret what he has said in this House only...

SHRI K. MANOHARAN : May I make one submission ? In the name of point of order, in the name of procedure-wrangling and so many other things, I am afraid we have wasted more than 25 minutes and within this time I am sure one Private Member's Bill could have been completed...

SHRI K. C. PANT : This also could have been completed by then.

SHRI K. MANOHARAN : I request you, Mr Speaker, that let us not depart from the procedure, and let us give prece-

[Shri K. Manoharan]

dence to the Private Members' business. We are prepared to sit till midnight to see that this Bill is over.

SHRI C. M. STEPHEN (Muvattupuzha) : May I make one submission? The suggestion just made by Shri Manoharan appears to be impracticable under the rules. The rule, as has been pointed out already says that the last 2½ hours are to be allotted for private Members' business, whereas under rule 15 you can decide up to what time the House is to sit. It need not be up to 17.00 hours only but it can sit beyond that also. Whatever be the time that you decide up to which the House must sit, the last 2½ hours have got to be taken up by private Members' business. It cannot be otherwise. There is no power anywhere under the rules for such a procedure; there is no provision in the rules which would authorise the utilisation of a time prior to the finalisation of the scheduled time. Therefore, I would submit that the last 2½ hours may be allotted for private Members' business.

SHRI JYOTIRMOY BOSU : The List of Business clearly says that private Members' business is from 3.30 p.m. to 6.00 p.m. It is printed in the Order Paper itself.

SHRI A. P. SHARMA (Buxar) : It is subject to change by the House.

SHRI C. M. STEPHEN : Rule 14 says :

"Unless the Speaker otherwise directs, sitting of the House on any day shall ordinarily conclude at 17.00 hours."

MR. SPEAKER : It is very clear that last 2½ hours should be allotted for private Members' business. Shri Jyotirmoy Basu says that it is scheduled to start at 3.30 p.m. But I stand by what they said during the last two days that this Bill should have been over by 3.30 p.m. But it is not over...

SHRI JYOTIRMOY BOSU : Then, it has to be guillotined.

SHRI P. K. DEO : That means that you encroach upon private Members' business.

Why do you encroach upon private Members' business?

SHRI K. C. PANT : I accept Shri Jyotirmoy Basu's suggestion to guillotine this and pass this, and then we can pass on to private Members' business.

SHRI PILOO MODY : Let them wait for another few hours before they can take control of that guillotine.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मेरा नाम इसमें लिया जा रहा है, इस लिए मुझे यह कहना है कि हम चाहते थे कि यह विधेयक साढ़े तीन बजे तक पास हो, लेकिन यह तो मैंने नहीं कहा कि इस विधेयक की धाराओं पर विचार नहीं होगा। अगर देर लगी है तो आप समझ सकते हैं कि देर का कारण यह है कि विरोधी दल इस विधेयक के बारे में .

अध्यक्ष महोदय : मेरी गलती है, मैंने विश्वास कर लिया था।

श्री अटल बिहारी वाजपेयी : इस में विश्वास का मवाल नहीं है।

अध्यक्ष महोदय : मैं आप की गलती नहीं बता रहा हूँ, मैं तो कह रहा हूँ कि मेरी गलती है।

श्री अटल बिहारी वाजपेयी : अब निर्णय क्या दे रहे हैं ?

SHRI PILOO MODY : May I make a submission ?

MR. SPEAKER : The House will finish this business today...

SHRI PILOO MODY : I thought that you had allowed me...

MR. SPEAKER : The hon. Member may please sit down. The House will finish this business today...

SHRI PILOO MODY : Before you say anything, let me say a few words.

I think the row that has been going on about time between Government benches and the Opposition should be resolved in a manner in which nobody feels that he is the aggrieved party. The Minister for Parliamentary Affairs has read out certain things which seem to imply that the Opposition had committed itself to pass a particular Bill.

SHRI ATAL BIHARI VAJPAYEE : We are opposed to the Bill.

SHRI PILOO MODY : I do not think that the Opposition can ever be committed to passing a Bill by a certain time. There are contingencies of debate.

SHRI RAJ BAHADUR : I never said what he alleges I said ; he is distorting what I said.

SHRI PILOO MODY : There may be amendments which may prolong the period. I realise the difficulty. Government is facing in the sense that it has to get this Bill passed through the Rajya Sabha before the 24th of this month.

SHRI S. M. BANERJEE : Why ? Is it a target date ?

SHRI PILOO MODY : Because otherwise the Ordinance expires. I realise they have this particular problem. But I would like to appeal to Government through you that when they have such a mammoth majority, of which they are all very proud, let them be as generous as they should be... (Interruptions) This debate has been as acrimonious as it has been for one reason, that the Minister has been so overwise that he will not accept any member's suggestion on any point whatsoever. I think part of the reaction that you see today is the result of that acrimonious attitude of the Minister.

Therefore, appeal to him to adjust his mental thinking in such a way that he can still get the Bill passed through the Rajya Sabha, making the necessary concessions to the House here just now.

MR. SPEAKER : We have had enough of excitement on both sides. We will finish the Bill before we adjourn tonight. As for

the Private Members' business, we will take it up at 4 P.M. and then at 6.30 we will again take up this Bill.

श्री अटल बिहारी वाजपेयी : आप पहले ही यह फैसला दे देते तो अच्छा होता ।

MR. SPEAKER : This is suppressing my own conscience, since the Opposition has felt aggrieved and pained on this.

SHRI K. C. PANT : If you follow the procedure, you will be flouting the rule which has been quoted that the last 2½ hours of today shall be devoted to Private Members' business.

MR. SPEAKER : I have not at all interpreted that rule. It is only to accommodate the Opposition that I have done this.

SHRI S. M. BANERJEE : Is he questioning your ruling ?

SHRI K. C. PANT : With all respect, we had a gentlemen's agreement. Now they want to go back on it. Are you sure in your own mind that at 6.30 no new point of order will be raised ?

SHRI S. M. BANERJEE : Who said that ?

SHRI K. C. PANT : We have seen what has happened to the promises of Shri Indrajit Gupta and Shri Vajpayee, though they are on record. They have gone back on the gentlemen's agreement.

SHRI INDRAJIT GUPTA : Prospective detainees are not gentlemen. Do not talk about gentlemen's agreement

SHRI K. C. PANT : I want you to be satisfied in your own mind that they will not raise this objection (Interruptions)

16.00 hrs.

MR. SPEAKER : After finishing the business in the Private List, we will take up the Bill and I think no objection will be taken. The Bill will be passed tonight. So long as it is not passed, we will not adjourn.

SHRI DINEN BHATTACHARYA : If the members are not here, how will it be passed ? We are opposing. We will not allow it to be passed.

16-01 hrs.

COMMITTEE ON PRIVATE MEMBERS'
BILLS AND RESOLUTIONS

SECOND REPORT

SHRI G. G. SWELL (Autonomous Districts) : I beg to move :

"That this House do agree with the Second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 16th June, 1971".

MR. SPEAKER : The question is :

"That this House do agree with the Second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 16th June, 1971".

The motion was adopted.

16-02 hrs.

RESOLUTION RE : FEDERAL DEBT
COMMISSION—Contd.

MR. SPEAKER : Further discussion of the Resolution moved by Shri Murasoli Maran, Shri Shivappa was on his legs. He is not here. The Minister may reply.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K.R. GANESH) : I have heard with great interest the various points made by hon. members on the Resolution moved by Mr. Maran. It is a very sensitive subject and it involves the relation between the Centre and the States. Harmonious relationship between the Centre and the States is very vital for the functioning of our democracy. The only point I wish to convey here is that the formation of a Commission as suggested by

Mr. Maran will not serve the purpose which he has in mind. We have developed various institutions like the National Development Council, the Chief Ministers' Conference etc. This debate has now become a national debate and it is possible through the various instruments that our democracy has evolved to come to grips with this problem and bring about a harmonious decision on this.

16-03 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Having said this, I would like to confine myself to the various points specifically raised by Mr. Maran. Before I do so, I would like to mention the various provisions that are there in the Constitution governing the transfer of resources from the Centre to the States. The Constitution provides for both obligatory and permissive participation of the States in Union taxation. We have article 268 which fixes the duties levied by the Centre but collected and retained by the States. We have article 269 under which the net proceeds of certain taxes which are levied and collected by the Centre are entirely assigned to the States. Under article 270 a percentage of the net proceeds of income-tax is assigned to the States which is 75 per cent under the Fifth Finance Commission's award. Under article 272 a percentage of the net proceeds of Union Duties of Excise 'may be' allocated to the States—20% under the Fifth Finance Commission's award. Article 275 provides for grants-in-aid by the Centre to the States for meeting their gaps on non-plan revenue account as assessed by the Finance Commission. Article 282 provides for grants to the States for any public purpose. Article 293 (2) provides for loans being advanced by the Centre to the State Governments. The provisions in the Constitution have not so far proved insufficient to meet any legitimate needs of the State Governments. The elasticity of the Constitution to adjust to the various demands that might come up, as they have come up now has been discussed and commended upon by the Fifth Commission which states :

"No such machinery for periodical re-adjustments has been provided in any of the older federations. The only near parallel is the Australian Commonwealth

Grants Commission which examines annually the plea of the claimant States of Australia for Commonwealth assistance.....It has no power to suggest changes in tax sharing or to recommend conditional grants. Its functions are confined to recommending unconditional grants for a few States. The innovation of a periodical Finance Commission in the Indian Constitution has the advantage of making it possible to formulate periodically an appropriate combined scheme to cover most of the transfers from the Union to the States".

This problem has been commended upon by the Administrative Reforms Commission in their report on Centre-State Relationships :

"No Constitutional amendment is necessary for ensuring proper and harmonious relations between the Centre and the State, in as much as the provisions of the Constitution governing Centre-State relations are adequate for the purpose of meeting any situation or resolving any problems that may arise in this field".

Shri Maran has commended upon the decisions of the Finance Commission. The Finance Commission periodically appointed by the President under article 280 makes recommendations regarding distribution of Income-tax and Union Excise Duties between the Union and the States and allocation of States' share amongst them and also about grants-in-aid under article 275 to cover non-Plan revenue gaps of States as assessed by the Commission. I am taking the time of the House in going into details of that because Shri Maran has dealt at length with some of these problems. The recommendations made by the Finance Commissions regarding devolution have, by convention, been accepted as awards by the Centre.

The successive Finance Commissions have recommended progressive enlargement of divisible pool of taxes to be shared as well as States' share therein and payment of grants-in-aid to States in need of such assistance. The Fifth Finance Commission has also included advance tax collections in the

tax divisible pool and the States will get nearly Rs. 270 crores on account of arrears of such collections upto 1966-67 in three instalments from this year. Also the net collections of Special Duties of Excise will be shared by the States from next year, the States would get 20% of their net collections. The transfers from the Centre under the Commission's awards have risen from Rs. 386 crores in the First Plan to Rs. 4,266 crores (eleven times) in the Fourth Plan. That Tamil Nadu has benefited from these awards need hardly be emphasized. Their share of Central taxes and statutory grants has gone up from Rs. 207 crores under the Fourth Finance Commission's award to Rs. 295 crores under the Fifth Finance Commission's recommendations.

Sir, Shri Maran has also mentioned that the States' resources are inelastic with the result that the major, or as he put it, the potent resources are with the Centre. In our federal Constitution, our financial relations have been developed in a manner which harmonises the interests of the resource mobilisation of the Centre as well as the demands and the needs of the States.

One of the main criticisms of Shri Maran, and probably the major cause of his anger, was that the fifth Finance Commission did not take into account the burden on the State Governments as a result of the pay increase of the Tamil Nadu Government employees ; it has cost the State about Rs. 22 crores. Here, I think he is not being fair to the fifth Finance Commission, because the fifth Finance Commission took note of the recommendations of the decisions of some of the Pay Commissions which were in the process of being worked out in respect of many States. As far as Tamil Nadu is concerned, the Pay Commission was appointed after the report of the fifth Finance Commission was submitted. Therefore, the fifth Finance Commission could not have taken into account what would have been the position, because the State Pay Commission was not functioning when the fifth Finance Commission submitted its report.

Shri Maran has also referred to the Planning Commission, and has called it a monster which has overshadowed the Fin-

[Shri K. R. Ganesh]

ance Commission as a semi-constitutional authority. As I mentioned earlier, the Planning Commission has also been given a special position in relation to our Constitution. He mentioned that liberal use of article 282 has been made. When the Constitution was framed, the framers of the Constitution could not have visualised the tremendous amount of investments and Public spending that would be necessary as a result of various development projects in the wake of the successive Plans that we have. Therefore, it is inevitable, in the conditions of a growing economy, in the conditions of a vast economic development and the problems that arise out of it, that the rights given under article 282 should have been utilised in a liberal manner as they have been. I do not, therefore, think that this should be a cause for complaint. Rather, a liberal use of the provisions and the rights under article 282 is very necessary in the coming developmental stage which our country would be definitely passing.

Massive assistance had to be given to the States in the commencement of the first Plan for financing the State plans. The quantum of his assistance has risen from Rs 880 crores in the first Plan to Rs. 3,500 crores for the fourth Plan period. As in the case of transfers under the Finance Commission's recommendations, the Union Government has not exercised any discretion in the allocation of Central assistance among the States, because the criterion, as the hon. House knows, for allocation of Central assistance to the States is worked out by the National Development Council. The National Development Council is a very high-powered body with which all the Chief Ministers of the various States are associated. Therefore, a high-powered body of this nature lays down the criteria and the Central Government has invariably accepted them and the decisions given are on the recommendations of the National Development Council.

Shri Maran was also critical of the allocation of Central assistance for the fourth Plan period for Tamil Nadu which was reduced from Rs. 250 crores in the draft Plan to Rs 202 crores. Here again, the basic criteria for the allocation of Central assistance to various States have been worked out by the National Development Council on a

principle that has been accepted. The Chief Ministers are represented on the National Development Council; and it is not only Tamil Nadu but various other States also had their total allocation reduced, as a result of the working of these criteria. For instance, it has affected the Governments of Gujarat, Haryana, Kerala, Maharashtra, Mysore, Rajasthan and West Bengal.

He referred to the allocation of 10 per cent of Central assistance on the basis of per capita income of the States, whose *per capita* income is less than the national average. He cited the case of Mysore whose *per capita* income was more than the national average by Rs. 2 and of Tamilnadu, whose *per capita* income was more by Rs 16. He said, this is a very ridiculous position. The formula for distribution on the basis of certain criteria has been worked out by the National Development Council. Any departure from it would mean a lot of difficulties. Once the criteria have been worked out, they have to be accepted and implemented.

He said that State Governments are suffering from shortage of resources to implement some of their plans. The House knows that the resources of the Centre itself are limited. The Central Government is called upon to look after the planning and development of the entire country. There is a point that in a large and vast country like India with its complex problems, centralised planning is absolutely vital in the present stage of development. What has happened is, as a result of certain factors, political and other, the States have not kept pace with the Centre so far as resource mobilisation is concerned. Certain States have given up the resources they have been mobilising, like land revenue, profession tax, etc., for political and other reasons. It is not my intention to cast any aspersion on the right of States to give up certain resources depending on the needs of their area, the complexities of their problems, etc. But they should understand that the Centre's resources are also limited. The Centre has been going in for additional resources mobilisation in a big way year after year, when the States have not been able to proceed in the same manner.

SHRI SAMAR GUHA (Contd) : Sir, the time for this resolution has been exhaus-

ted; You know how important the next resolution is.

MR. DEPUTY-SPEAKER : I know. You will get enough time.

SHRI SAMAR GUHA : Not only myself, but other members should also participate.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : I have to answer a very well-argued speech made by the mover and put the case of Government squarely before this House. During 1969-70 the target of additional taxation agreed to by the States was Rs. 122 crores. But they actually raised Rs. 52.37 crores. During 1970-71 the actuals of additional taxation of States was Rs. 38.05 crores as against a target of Rs. 79.55 crores for that year. During the current year the proposals so far add up to Rs. 10.56 crores against a target of Rs. 34.50 crores. These are some of the facts which I have to place before the House in answer to some of the points which the hon. Member, Shri Maran, has raised. He also mentioned about accommodation, of Rs 800 crores provided to certain States during the Fourth Plan period for covering their inescapable gaps in resources. The genesis of this arrangement has been explained in this House more than once and it has been debated in various forms. The reappraisal of States resources made by the Planning Commission consequent on the Fifth Finance Commission's award and other developments showed that some States would have genuine difficulties in financing their approved Plan outlays. In this connection, Shri Maran mentioned that Tamilnadu has not received anything under the special accommodation. I think his facts were not so correct. Tamilnadu has received Rs. 7 crores during 1969-70 to make up the shortfall in its resources for financing the plans approved by the Planning Commission.

Apart from these, non-plan loan assistance is given for specified purposes. For example, two-thirds of the net small savings collections are made over to States in the form of loans. The Centre does not use any discretion in allocating these funds. Again, for meeting relief expenditure connected with natural calamities, assistance is provided to States on the basis of recommendations made by Central Study Teams set up

for this purpose which are usually headed by officers of the Planning Commission.

I now come to the States' debt repayments to the Centre. In view of the phenomenal increase in the developmental work, both of the Centre and the States, it is natural that some of the States expenditure on plan as well as non-plan items may increase. Centre's own debt has gone up from Rs. 2054 crores in 1950-51 to Rs. 14,043 crores approximately at the end of last year. The increase in States' debts is evidence of massive assistance provided by the Centre to the States for investment in their developmental outlays and creation of assets. If the loans given to the States which are primarily for plan purposes are utilised purposefully, they should generate adequate resources for repayment and interest charges.

I now come to the terms of repayment of loans. The terms are by no means hard. Centrally sponsored schemes and Central Plan schemes are repayable in 15 annual instalments. Terms of loans out of small savings collections have been liberalised from 1969-70. These are now repayable in 25 years in 20 annual equal instalments commencing from the sixth year of their drawal. The interest rate on loans to the States is also very moderate- 4½ per cent effective whereas the Centre itself is now raising loans at 5½ and 5¾ per cent from the market and the cost of States borrowings from the market and other institutions is still higher.

Another point that he raised was the debt burden position. He suggested that a committee should go into it. After a lot of discussion it was felt that the classification of schemes into productive and unproductive categories would also involve scrutiny of individual schemes which would be contrary to the accepted objectives of allowing greater freedom to States in the formulation and implementation of schemes included in the State Plans. As a result of this, now block loans are given and loans are not tagged on to individual projects.

He has also mentioned about the burden of the States in the matter of repayment. The total transfers from the States to the Centre by way of loan repayments and inter-

[Shri K. R. Ganesh]

rest payments form only 15 per cent of the total expenditure of the States. In the case of the Tamilnadu it is only 11.6 per cent.

He also mentioned that loans to Tamil Nadu from the Central were less than what the State Government had to repay and that this was a very funny position. The facts are as follows. This year Tamil Nadu assumed a credit of Rs. 143.53 crores by way of devolution, grants and loans from the Centre against which provision made for repayments to the Centre adds up to Rs. 53.28 crores. Even if devolution is taken out, the transfer from the Centre to Tamil Nadu reckoned in their Budget of Rs. 69.34 crores far exceeds their repayments and interest payments to the Centre.

This position is true in the case of other States also.

Having replied to some of the specific points that Shri Maran raised, I will not stand between the Resolution that Shri Samar Guha wants to move. I have only to add that this is a very sensitive question. A national dialogue is going on this. Our own democratic institutions have worked out various forms and institutional arrangements in which this question can be discussed. There is the Finance Commission which is a quasi-judicial body. There is the Planning Commission and the National Development Council. This Parliament is there and there are political avenues available to the various States to take up this question. In the larger field of the country a national dialogue is going on. Having served the purpose of attracting the attention of this House by raising this very important question, I would request the hon. Member to withdraw this Resolution, because his main purpose of focussing attention on this problem has been achieved.

SHRI MURASOLI MARAN (Madras South): Mr. Deputy-Speaker, Sir, I am grateful to the hon. Minister for the light he has thrown on this subject. He elaborately explained the *status quo* situation that is being maintained for the fund flow from the Centre to States or *vice versa*. The other day, when we discussed this Resolution, Members who participated in it all com-

plained that their States were neglected and were backward. Even the hon. Member from Gujarat, Shri Desai, wanted to join the queue of backward States.
16 27 hrs.

[SHRI K. N. TIWARY *in the Chair*]

Actually, on that day all the Members had spoken for their own States; in fact, my reference to Tamil Nadu provoked them. I am glad such things happen, because it underlines the fact that our country of such continental proportions is fit to be a federal country. If it is not federal, we should make it a genuinely federal country. But many people expressed doubts whether such advocacy for their own States would not weaken the foundations of the country. I do not think so.

The unity of the country is equivalent to a long chain. I think, the strength of the chain lies in the strength of the links. If everybody tries to strengthen the links, it means that the chain will be stronger.

India is a backward State. I think, all the States are equally backward, but the truth is that some States are more backward than other States. But what should have been the ideal policy is that the federal government should give a helping hand to the backward States but, at the same time, should not restrain the progress or advancement of another State.

The hon. Minister has explained how the funds are flowing from the Centre to the States. There are four ways of transfer of funds. Firstly, there is the share of divisible taxes. Secondly, there are the statutory grants under article 275(1) which is taken care of by the Finance Commission. Thirdly, there are the discretionary grants under article 282 which is taken care of by the Planning Commission even though it has no constitutional authority. Fourthly, there are loans for capital expenditure which come under the Plans.

Now, the question is: Is there any central authority to look after all this? The answer is, definite no.

We have a quinquennial body, a quasi-judicial body like the Finance Commission

to look after the non-Plan expenditure. Then comes the Planning Commission which looks after the Plan expenditure. So, overlapping of functions take place. What happens is this. When the States approach the Finance Commission, they all plead that they are poor. Even the rich States plead that they are poor so that they may get more. On the other hand, when they go to the Planning Commission, they say that they command rich resources so that matching money will come from the Planning Commission. In fact, what is happening is that these States are behaving like income-tax evaders. Somebody may be surprised at my remark because we are supposed to be the advocates of States.

Why I am saying is this. When we ask for more powers, nobody need doubt that we are shaking the foundations of this federation. We are asking for more powers because then only the States can responsibly manage their financial efforts according to the promises given to the people by them during the elections. For the responsible behaviour of the States, that is very essential.

Now, what is it the Planning Commission doing? Even after three plans, even after two decades of planning; every State is complaining that they are not getting enough. Every State is complaining that their State is being neglected. Why? Our federal institution has so far failed to get an image of impartiality and independence.

I would like to quote one authority here. On 3rd May, 1970, Mr. Morarji Desai, when he was addressing the Indian Parliamentary Association in New Delhi on "Centre-State Relations" made it very clear and he said :

"It is true in the earlier years, there was not a regular system in this matter and that sometimes favouritism was shown to some people according to as the predilections of people lay."

If it were a remark about socialism, we could ignore Mr. Morarji Desai's words. But he was holding a responsible position here. He was our Finance Minister and Deputy Prime Minister for so many years. He wanted to be the Prime Minister also. I give weightage to his remark because he speaks out of his experience here. He says that there was some favouritism. That is

why every State points a finger at the Planning Commission under the Central Government saying that favouritism has been shown one way or the other.

The *Statesman* has given a news-item and, according to this news-item, Maharashtra had demanded Rs. 38.28 crores and now, for certain reasons, this newspaper says that it is going to have Rs. 49.10 crores. Next comes Uttar Pradesh. It is going to receive the highest planning assistance, that is, Rs. 105.02 crores. This will be the highest amount ever given.

So, as my friends point out, naturally the common man thinks that Maharashtra is being given because Mr. Chavan is Finance Minister, that UP is being given because the Prime Minister belongs to that State and elections are around the corner. Suppose tomorrow if the Planning Commission gives Tamil Nadu more, even if it is legitimately due to it, our friends will say, 'Oh. Mr. Subramaniam belongs to Tamil Nadu So he has given it more.' Why I am saying this is because we have not evolved any scientific criteria. The hon. Minister explained a great deal. It is so because the criteria is such. We do understand. But he has also said that the criteria have been evolved by the National Development Council and he said that is the highest political body in India. That is true. I differ with him on this score. These criteria are not sacrosanct. They are not immutable. Everyday we are amending the Constitution for our convenience. So, if the entire nation thinks that the criteria evolved are not scientific or realistic, we should change the criteria. Here, I would like to point out as to how they have arrived at the criteria.

Dr. Gadgil, the then Dy Chairman of the Planning Commission, was addressing a seminar in Bangalore. He explained the fact. He said that a snap decision was taken. A snap decision they have taken and implemented it. We find it is not scientific. It is not realistic. I think instead of maintaining the *Status quo*, we must arrive at some kind of a scientific, rational and realistic criteria.

The other day when the DMK Members met the Planning Commission, we explained

[Shri Murasoli Maran]

to them that 60% is being distributed as Plan assistance on the basis of population and also the Minister of State was also there and we urged that due consideration should be given for States which are implementing the Family Planning programme. He said that the Cabinet is considering such a situation and they might evolve a policy soon and I expected a reply from the Minister today but he did not reveal it.

Then the National Development Council at one time took important decisions even without consulting the State Legislatures. The Chief Ministers took a decision to give some of the taxing powers to the Central Government. It happened when? When the mono-Party system was existing—when the Congress Party was ruling here, there and everywhere. Now, the situation has changed. That is why Mr. K. Santhanam once described it as 'Super Cabinet' because such a decision was taken to transfer the taxing power from the State to the Centre. I don't think it is a 'Super Cabinet'. It is a magnificent zero because even the Five Year Plans are prepared in the Secretariats of the States and you know for years and years they prepare it. What happens? The National Development Council meets very rarely. It meets according to the convenience of the Prime Minister and other Chief Ministers. The Plan which had been on the anvil for years together, they discuss it within four or five hours. They have no permanent Secretariat. So, snap decisions are taken. I think that criteria should not be continued because so many States have complained against it. I think the hon. Minister will consider this idea.

I have been explaining how injustice is being done and how the States feel about it. Dr. Gadgil in his paper on formulating the plan has condemned horse-trading in respect of the First, Second and the Third Plans. We have heard horse-trading on in politics but, here, in finance horse-trading is going on. This very phrase was used by Dr. Gadgil. On what basis? 100, 50, and 25 per cent grants are being given for dairy farms, poultry, and piggery. That percentage has got transformed in another year. It is a mystery even to Dr. Gadgil. One year they give 100, 50 and 25 per cent to dairy farms, poultry

and piggery and next year they suddenly reduce it. Even to Dr. Gadgil it is a mystery. So, I think care should be taken that such things do not recur again. So, the best thing would be devolution of plan resources. It should be regulated by statute, not according to the whims and fancies of the politicians, if I may say so.

The hon. Minister made it very clear that the emoluments of Government employees will not be taken into consideration by his Ministry. I got an answer also. It has been the policy. I do accept. It was explained that at the time of the Finance Commission, we did not appoint such a Commission. I do accept it. If we had appointed such a Commission before the crucial date—the crucial date is before the appointment of the Finance Commission,—we would have got Rs. 25 crores, but, because we failed to appoint such a Commission we are not getting anything.

The question is : Why did we not appoint such a Commission? Because, we wanted to balance our budget; we did not want to incur any overdraft with the Reserve Bank. That is why we did not appoint. They did not appreciate that. Even then we said, this is a fact, for 10 years we have not given any emolument increase, this should be considered. We said, you may not consider it now, but at least give us the Grant under Art. 275 of the Constitution. It was not at all considered. I do not think it is a wise policy.

I would now like to quote what Mr. Virendra Patil said when he was Chief Minister. He said :

The Centre has been increasing the pay and other allowances of their employees unilaterally without even consulting the States—or giving any thought to the problem this would create for the States. In fact, these increases in the pay and allowances by the Centre have repercussions in States. There is clamour by employees of the State Governments to follow in the footsteps of the Central Government and increase their pay and allowances also. Nobody bothers to remember that our capacity

to meet these persistent demands is limited.

Therefore, we have to face the situation. Planning Commission has not considered it. Finance Commission has not considered it. Finance Ministry is not considering it. We are in a dilemma. But we have to meet the situation. The entire Planning Commission and the Finance Ministry are closing their eyes to the reality. What will happen after 5 years? Another Finance Commission will be appointed. They will go into it. They can evade the issue for the next 4 or 5 years. But, again, they will have to meet this problem.

Therefore, Sir, if there had been a permanent Finance Commission, this problem would not have arisen. That is why we wanted that there should be a national policy on employees' emoluments. Otherwise it will not solve the problem. Heart-burning will be there. Friction between Centre and States will remain there.

I now come to the question of Debts. I have already made it very clear. The outstanding debt of State Governments at the end of March, 1971 is Rs. 8139 crores. It is a Himalayan amount. What was an amount of Rs. 52 crores at the time of independence has now risen to Rs. 8139 crores of which loan from Reserve Bank alone account for 74.2% and the overdraft of all the 14 States, according to the budget speech of our hon. Minister, is Rs. 260 crores.

About overdrafts, I will tell why States incur overdrafts. They do it, not for the fun of it. If the Finance Commission and various central organisations do not consider their problem they have no other go except to go to the Reserve Bank. Every day we are seeing in the newspapers of a statement that Reserve Bank is giving notices to State Governments. States are supposed to be equal partners of the Central Government. Yet, a body of the Central Government issues such notices to the State Governments. And they demand that the overdraft should be cleared. I do not think that this kind of treatment is in good spirit, and I do not know whether this is conducive to the self-respect of the States.

My claim is that the State Governments also have got a claim to have an overdraft. I shall explain presently why. A private business concern which has an account with a bank can have an overdraft according to the volume of transaction which they have. But the State Governments are having all the transactions and they are having all their banking business, not with the individual banks like Indian Bank or the Indian Overseas Bank but with the Reserve Bank. So, they have a right to get overdraft from the Reserve Bank. From the Economic Survey, we find that during the year 1964-65, on the 31st day of March, 1965, the Reserve Bank's net credit to all the Governments, both the Centre and in the States, was Rs. 136 crores; the net credit to the Central Government alone was Rs. 123 crores, and all the States Governments together had an overdraft of Rs. 13 crores. So, we find that the Centre can have an overdraft from the Reserve Bank, but at the same time, it is said that the States cannot have. This is the policy that is being followed.

But I do concede that there should be a limit to the overdrafts. Otherwise, financial discipline will not be there. But what is the limit which should be fixed? Who is to fix it? We have not fixed it so far. It is done by some kind of understanding. The private people can clear the overdraft on the 31st March, and after a week, they can once again open an overdraft account. But I do not think that the State Governments can do it, though some States are doing it. But now I understand from some sources that every day in the morning the Reserve Bank people tell the Finance Secretaries of all the State Governments, that on the previous evening, each particular State had such and such amount of overdraft. I submit that this kind of thing is not proper. So, I think something should be done to regulate this. This kind of thing which is happening now has become an annual feature. Every year and every day we are hearing news that this State Government or that State Government has been given notices. But I would like to point out another thing also. What is the best way?

I would suggest that the Central Government should convert all these overdrafts

[Shri Murasoli Maran]

into long-term loans. Otherwise, we cannot solve the problem. There is also another problem that arises. If they behave like schoolmasters, if they behave like a feudal lord to a vassal, then what will happen is this. One day, the State Governments or some recalcitrant State Governments may buy a small bank and they may run it. At present, the credit creation powers are surrendered to the Reserve Bank. Instead of that, why should a State Government not buy a small bank and run the show? Thereby they can create some credit and thereby they can have their own overdraft system like other commercial firms. I do not know why it should not be done. If the Centre continues this kind of feudal attitude and they continue these harassing methods such as sending notices and other things and giving publicity in all the newspapers, then I think that the States will explore that possibility also, and I think that that time is fast approaching.

Regarding loans, the hon. Minister was explaining that the flow was there from the Centre to the States. Here, I would like to refer to the Explanatory Memorandum on the budget of the Central Government for 1971-72. During 1970-71, the total non-Plan assistance was Rs. 654.60 crores, and during the same year, repayment of loans and advances by the States to the Centre was of the order of Rs. 595.53 crores. What is happening? They are giving by the right hand Rs. 654 crores and taking away with the left Rs. 595 crores. What was left with the State was only Rs. 5.07 crores.

SHRI DINEN BHATTACHARYA
(Serampore) : Just like American loans.

SHRI MURASOLI MARAN : Now the flow is in the reverse direction. They only make an appearance of giving. Instead of this, let them say : we give you only Rs. 59 crores.

The hon. Minister said regarding Tamil Nadu that we are getting more than our own repayment. It may be so because they resort to some kind of rescheduling to which I am coming. You are resorting to *ad hoc* methods every year. There is

no principle binding that. Even last year, about Rs. 150 crores were adjusted like that. But how long can you continue? That is the problem. During 1967-68, the Centre provided ways and means advances for clearance of OD to the tune of Rs. 128 crores. In 1968-69 it was Rs. 65 crores and in 1969-70 Rs. 102 crores. You should evolve some method for the States to bridge the gap between receipts and disbursements. This issue is cropping up year after year. The States are important units of the Union and nothing should be done to bring them down in the public eye.

Concerning interest rates, they are not uniform. The Centre behave like a money-lender. Grants given to it are converted into loans to States. For example, the Canadian Government made a free gift of some amount to the Government of India which the latter passed on to the Tamil Nadu Government for the Kunda Project charging interest. The Centre is behaving not like an ordinary moneylender but like a village moneylender, a Kabuliwala.

Take another case. Loans got at a lesser interest rate from abroad are passed on to States as loans at a higher interest rate. One example is the PL 480 counterpart funds. They get loans from the World Bank at 1/2 or 3/4 per cent over a 50-year period but these are converted into 7-10 year loans for States at 6-7 per cent interest.

There are certain loans for rehabilitation of goldsmiths. How was the problem created? Not because of any State Government's policy. By some Central law, thousands of goldsmiths were affected. Then we came here for a loan on which we have been charged interest. We are not responsible for the situation that necessitated the loans. There should be some kind of policy governing interest rates.

The Second Finance Commission made it clear when they said :

"The Union should not deal with the States as if they were a commercial banker. The Union and the States are partners in the big enterprise of national development. While there is no reason why the Union should lend to States

at less than the true cost of its borrowing, there is no justification either for charging more than the true cost".

We have crossed three more Finance Commissions, but we are not following this policy.

The hon. Minister was making the accusation that some States are not using their tax powers to increase their resources. During the original Fourth Plan period of 1967-71 we were asked by the Finance Commission to find resources so that they would also give more. So, during that five year period on two occasions we taxed people, not the poor people but the rich, to the extent of Rs.100 crores. What happened? The Finance Commission came into the picture, but they did not consider our tax effort. The only reward secured in return for this is that the Finance Commission took the proceeds of this tax into account as normal receipts. So, we suffered because we taxed, because we found more resources.

What is going to be done regarding the debt problem is a big question mark. I think we have reached a critical stage. We should re-schedule it or give a moratorium. If this moratorium is given, I do not think the Centre will suffer. The Setalvad Committee report has made it clear that the widening gap between fresh loans and loan repayments shows that even if a moratorium were given to all repayments, the Centre would still have sizable capital resources left from which to grant assistance to the States. You have got resources, but because you are closing your eyes, because the Centre is behaving like an ostrich, they are afraid of looking at the reality.

One State in India is receiving about Rs. 100 crores from the Special Accommodation Fund, but on what criterion? The hon. Minister has not made that clear. That State is Mysore. Their gap is not as big as Rs. 100 crores, but how did Mysore get it? I am not jealous of Mysore, but we should also get something. I hope the hon. Minister will one day make this clear.

MR. CHAIRMAN : The question is :

"This House views with concern the financial difficulties of various States

arising from the present system of devolution of Central Taxes, Loans, Grants and Plan assistance with special reference to the problems of Tamil Nadu whose legitimate claims have been ignored and in particular resolves that a Federal Debt Commission be set up to review the indebtedness of States and suggest ways and means of lightening the burden of debt."

The motion was negatived.

16.59 hrs.

RESOLUTION RE : RECOGNITION TO BANGLA DESH

SHRI SAMAR GUHA (Contai) : I beg to move :

"This House resolves that in view of our national commitment to the sacred principles of freedom, democracy and socialism and for bringing an end to the savage genocide of the people of Bangla Desh by the Pakistani Army and efficaciously dealing with the vast problems of millions of the uprooted refugees and for eventual ushering in a new era of peace, progress and prosperity in the sub-continent, the Government of India should give immediate recognition to the Government of the people's Republic of Bangla Desh and offer all assistance necessary for early consolidation of their national freedom."

17.00 hrs.

I consider myself fortunate for getting this opportunity to move this momentous resolution in this House today. It is a coincidence that a similar resolution is now being moved in the British Parliament by the leader of the British Labour Party and is supported by 122 other Members. In the United States Senate also another similar resolution is being moved by Senator Kennedy, the youngest brother of late President Kennedy, to give recognition to Bangla Desh.

It is to be remembered that the revolution that is taking place in Bangla Desh is not an accident of history but the logical end process of the internal contradictions that were inherent in the very entity of

[Shri Samar Omba]

Pakistan. In 1933 when a young student of Cambridge, Rahmatulla, who was inspired by the conservative elements, first profounded the idea of Pakistan and when that idea was brought to the notice of Mr. Zafullah Khan who was a British Official at that time, he immediately rejected that idea and said that the whole idea was a 'political chimera.' This political chimera came into existence and as such internal contradictions started from the day of the origin of Pakistan on 14th August, 1947 at dead of night.

I was then in Dacca. I left Dacca in 1951 and came to Calcutta.

I hope you will allow me a little digression. I wrote twenty articles in a Calcutta weekly called Juguvani where my whole thesis was that independent East Bengal was bound to emerge and that could be the solution not only to the problem of minorities but also to the Indo-Pakistan problems. I was ridiculed by many friends for such fantastic idea at that time. But then I continued writing one book, another book and many books on East Bengal issues. In 1964 after the great killings in Dacca many people tried to interpret it as communal events. I met Shastriji then. I was not a Member of Parliament then. He wanted me to put everything in writing and within a few days, I did that in the form of a book. About the solution; how we can solve the problems of minorities, the first point suggested in this book was: "all possible help should be given to the independent East Bengal movement of the Bengali people."

Then again after the Indo-Pakistan war in 1965, I wrote another book: "Independent East Bengal." This book sold like hot-cake among the students of East Bengal. It was banned by Pakistan Government. It was after the Indo-Pakistan conflict that there was a radical transformation in the whole political outlook of the Bengalis in East Bengal. Again in 1967 after the six point decision was taken by the Awami League, I wrote another book not in my own name. I was told by friends to write in a pseudo name and I used that. I request you to allow me this digression only because I want to say that the evolution in Bangla Desh is not a mere historical accident. It was inevitable. This explosion was the inevi-

table results of the internal contradictions of Pakistan itself. That is why I wanted to draw your attention to the fact that although the problems of Bangla Desh refugees are so much connected with the national revolution in Bangla Desh, but that is not the major point under consideration. I should say that the freedom of Bangla Desh by itself is not the whole crux of the problem. What has happened in Bangla Desh is a historic and revolutionary event. It has immense revolutionary potentiality to change the socio-political matrix of the whole of this sub continent of India from Khyber to Kohima.

Sir, if Bangla Desh's freedom were to become a settled fact, it will bring about a qualitative change in the character of political correlations among the peoples and among the two powers of the divided sub-continent. If you look into the whole problem of Bangla Desh, from this fundamental perspective, then you will realise the importance of it, the momentous character of it, the revolutionary character of it as also the historic call that the millions of Bangla Desh martyrs with their blood have given to you, first, to the Indian people and then to humanity at large. That is the reason why I want to ask whether the Government is alive to this immense revolutionary potentiality that is before us today as generated by the national revolution in Bangla Desh.

A few days before, the Prime Minister said in the Rajya Sabha that "we will go through hell to meet the situation arising out of the revolution in Bangla Desh." Well, the people of India will readily, gladly, go through hell and will undergo all sufferings, provided this Government has the courage, has the gut, has the determination to take positive action, to take firm decision, firstly in giving recognition to Bangla Desh and thus facilitating the process of completing the national revolution of Bangla Desh and thereafter consolidating it. If the Government takes that positive action, I have no doubt that the whole of the Indian people will rise as one man to support the Government, stand behind it and to go through all the suffering, even to hell.

Two months and a half have passed but what is the attitude of the Government

The people of India are feeling that the Government at the moment is pursuing a policy of drift and dodgery with the issue that is facing Bangla Desh today. Therefore, it is our apprehension: yes; we are ready to go through hell, but our country is not ready to go into hell, but to get out of it. By their callousness, I should say, the Government has allowed the situation to develop which was the crisis of Pakistan into a disaster for India.

With this preamble about the basic nature of the problems facing us today, I want to draw your attention to the fact that our Government, the Prime Minister and other Ministers on more than one occasion said that the issue of recognition of Bangla Desh is under their active consideration and constant review. This means evidently that our Government do not deny the claim of legitimacy of the sovereignty of Bangla Desh. With them, it is a question of expediency; it is question of time; when and how this recognition will be given.

A few days before, the Prime Minister said that recognition will be given, and a right decision about recognition will be taken at the right time. Well, the Government has not made any clarification as to what is the right time, what are the circumstantial factors that will ripen the situation or when the situation will mature for them to take a decision at the right moment. The Government is maintaining strict silence about it. Not only that; they are even refusing to share the reasoning with the Members of Parliament as to what are the factors, the circumstantial factors, that will determine the right time for taking a right decision in regard to Bangla Desh.

But what is the will of the people? Most of the State legislatures in India have passed unanimous resolutions and all Congress members subscribing to it and asking the Central Government to give immediate recognition to Bangla Desh. Some of the Cabinet ministers and very important leaders of the Ruling Congress have publicly stated that Government should give immediate recognition to Bangla Desh. All the opposition parties in the Parliament except the Muslim League, were unanimous that

it is the right time for recognition. Eminent jurists who have the capacity to go into international laws about sovereignty, from Mr. Chagla to Mr. Setalvad, have unanimously said that Government should give immediate recognition to Bangla Desh. At innumerable public meetings people have demanded the immediate recognition of Bangla Desh. A few days ago, when the Bangla Desh parliamentary delegation addressed members of both Houses in the Central Hall, when they appealed to you to give immediate recognition to Bangla Desh, there was a thundering cheer from all sides, both from Lok Sabha and Rajya Sabha members. What do these facts indicate? It indicates very largely that the national consensus is in favour of giving immediate recognition to Bangla Desh. But our Government is either isolated from the will of the people, or the will of the people is isolated from our Government. A big hiatus has developed between the Government and the people. The Government claims the monopoly of wisdom to decide the right moment for a right decision, whereas all sections of our people have given the verdict that already the right time has passed; and urged the Government not to miss the bus again and again.

Government wants to wait for the right time. It means, we want time. Naturally as a corollary, it means, you want to give Pakistan time also. Pakistan is more willy, more conspiratorial than you can imagine to be. They will go to the lowest levels, which you cannot think of. They will utilise this time for consolidation of their military force, to crush the revolutionary movement, to create quislings and puppets there, to unleash the war of communalism for perpetuation of political theocracy in Bangladesh, to drive out the Hindus, to create communal trouble in India and to create international complications. On your part, you also want time. Do you think the millions of refugees are nothing but a mass of inert matter? They are also susceptible to anger and anxiety. You cannot expect to control them by your dictates from New Delhi. Already so many social, economic and political problems have been created. There is the problem of law and order. There is tension between the local people and the refugees. These things are bound to happen. It will create colossal problems for you. Therefore, this

[Shri Sama Guha]

time factor will react more on you than it will affect Pakistan. It will give an opportunity to Pakistan to create more conspiracy and to put you in more troubles.

What to speak of acting, our Government has not even reacted to the different political moves of Pakistan, from genocides at the beginning, now on the communal war. This communal war is the last attempt, I should say, on the part of Pakistan to sabotage the freedom movement there, and you have not even reacted.

The only one step that the Government have taken is that they have sent Shri Swarn Singh and some other Ministers to the countries abroad for rousing world conscience. Would it not have been the strategy the real politik if you had first given recognition and then went to the different countries of the world, to create opinion in favour of recognition of Bangladesh? That would have perhaps set a process of re-thinking in the minds of many of the world powers. Our government knows it very well that no power in the world wants that the existence of Pakistan should no longer be. They want to create conflict and keep the balance between India and Pakistan. What about the United States of America? Even today you would have found the news of their pressing India for having restraint. They have asked both India and Pakistan to be restrained. Pakistan, the killer, the murderer, the butcher who committed genocide, those who have killed thousands of mothers and sisters of Bangladesh, those who have kidnapped many mothers and sisters, the U.S. Government want to equate that criminal Pakistan with India.

Because you have not given them recognition. So when Shri Swarn Singh goes to countries he cannot advocate recognition; he can only speak about the refugee problem; no basic issue can be raised and no question of rousing world opinion about genocide could be broached. You cannot even advocate for the democratic right of the people of Bangla desh. You have only one thing, begging, begging of the world, wailing before the world that the whole of our country is going to be swamped by the refugees.

You have adopted a wrong strategy. If on the contrary, your representations had gone with a firm decision,—you know in the world today a right decision, a firm decision has its own logic, its own action and reaction—that would have at least compelled countries like Yugoslavia and others to follow India in giving recognition to Bangla Desh.

There has been another wrong choice. It is known to everybody that Shri Swarn Singh was opposed not only to recognition but even to taking any positive action on Bangla desh. What is the result? When this gentleman has gone abroad as the spokesman of the Indian Government, naturally his subjective predilections will play a major part and it has already done so. Now, what is it that he has talked? What right has Shri Swarn Singh to talk about political solution, political settlement within the framework of Pakistan, when the Mukti Fauz and the Awami League say that there is no power on earth to resurrect Pakistan in Bangla desh? I should say that the government spokesman who has come to act this way—it will be a very strong word, if I use it; I do not want to complete it; I should say the spokesman acted like an imperialist power in canvassing a political solution within the framework of Pakistan.

The Prime Minister that day told the House that our government is not going to accept the death of Bangla desh. These are her words. But I should say that in political diplomacy India has got into the trap of international cliques, international intrigues and international pressure tactics and we have got involved in their ways of bringing about a political solution for Bangla Desh. The Prime Minister said that she will not accept the death of Bangla Desh. But I should say with regret that by the political utterances, the political dialogues, the communique issued from the different State capitals of the world, Shri Swarn Singh has prepared the ground for writing the document of death warrant for Bangla Desh.

The Mukti Fauz and the Awami League have categorically stated that there is only one political solution and that solution is the immediate withdrawal of the Pakistan

army of occupation from Bangla Desh and allowing the elected representatives of the people of Bangla Desh to have their own Sovereign Coustituent Assembly to draw up their own National Constitution for Bangla Desh.

That is the only solution. There is no other solution. There cannot be any solution whatsoever within the framework of Pakisthan. I warn you about this from my personal experience. I have had many dialogues with the freedom fighters. You must remember, these freedom fighters are not members of the Awami League. They are not members of any political party. They have been recruited from the East Bengal Regiment, former East Pakistan Rifles, Ansars and ordinary police ranks. You should also remember that 50 per cent members of the East Bengal Regiment had been killed on the 25th night ; 50 per cent of the East Pakistan Rifles has been butchered and machinegunned. None of you has gone to border area and met them and felt the depth of their anger, agony and hatred against the Pakistan Army. Some of the Bangla Desh Government officers, who have lost their parents and near and dear ones, said, "If any Government had any understanding with Pakistan or any political solution within the framework of Pakistan, we tell you that party will be thrown out. The people or the Mukti Fouj are not going to tolerate any kind of a political settlement within the framework of Pakistan. Pakistan is dead for us. Bangla Desh is our land. Freedom for Bangla Desh is an absolute reality."

Today we find that in our country a feeling is developing that our Government from exuberant initial enthusiam are now showing a strange attitude of indecision and bewilderment. Our Government's attitude can be described as one of hesitation to vacillation, from vacillation to indecision, from indecision to prevarication, from prevarication to quandary and then, in the ultimate stage, of a stance of complete emasculation. They are only using brave, courageous words, I think, to keep up some sentiment alive in the country and among the people of Bangla Desh.

This is a pathetic scene. Why it is so, I do not know. Mabe, our Government is not getting the green signal from somewhere else, although they boast of always pursuing an independent policy.

There are other dangerous things. I was feeling hesitant whether I should raise this matter in this House. Among the people not only rumours but gossip and talks are going on**

I want to remind the Government that in 1950 I was the first man to escape from Dacca. I came straight here and met Panditji.**

But I think, in their apprehension it may be a political camouflage—these gossips and rumours have been set to roll.**

MR. CHAIRMAN : Mr. Samar Guha, you are giving certain facts. But you must apply your mind how it will be used.

SHRI SAMAR GUHA : That is why I have not said it categorically, I have said that gossip is going on. The Government should clarify it. It may not be a camouflage for inaction of political elements**

SHRI S. M. BENERJEE (Kanpur) : Sir, may I make a submission ? I fully appreciate the sentiments of Mr. Samar Guha. He has said something out of emotion. In my opinion, it should not go to the press, about the Army Chief, etc.

SHRI INDRAJIT GUPTA (Alipore) : I go a step further than Mr. Benerjee.

Let this thing not go on record,**

At least, that was unknown to me.

SHRI SAMAR GUHA : It was known to everybody.

SHRI INDRAJIT GUPTA : I do not know whether it is a historical fact also.

SHRI SAMAR GUHA : Without waiting for protocol, immediately Mr. Liaquat Ali was flown from Karachi to Delhi. I know that.

SHRI S. M. BANERJEE : In 1950, Panditji had always believed in good relations with Pakistan. The entire world knows it. This should not go on record.

MR. CHAIRMAN : Mr. Samar Guha, we all agree that we want to serve the cause of Bangla Desh and want to do no harm to the nation. This is the purpose. But if I allow that on record, we do not know how it will be used. I think, you will not mind if I remove it from the record.

SHRI SAMAR GUHA : I will not claim my individual wisdom to prevail upon others. If the House thinks so, I quite agree. Neither our armed forces should be unjustly blamed. But I should say only that our political leaders should clarify the position as to why they are not taking action. What will be the criteria, what will be the circumstantial conditions which they will consider as sufficiently mature for taking a right moment ?

My apprehension is that the Government is hesitating because a feeling has developed in the minds of the Government that if recognition is given to Bangla Desh, it will inevitably lead to an armed conflict with Pakistan. I do not know how this will follow. There are many instances where a neighbouring country has given recognition to other national emerging country. But that did not follow an armed conflict with the other country. Even if it follows, even if there is an armed conflict between India and Pakistan, I do not know what can be the more opportune occasion, opportune moment, to courageously handle the situation in Bangla Desh. Because the Pakistan Government, I should say, have failed to have their military balance. They have shifted 2½ divisions from West Pakistan to Bangla Desh. There is the military imbalance in the disposition of Pak army. You know the economic crisis developing in Pakistan. You know the world pressure is growing against them. Therefore, there is the least chance of having an armed conflict with Pakistan. Even if Pakistan undertakes any misadventure against India, it will prove fatal to Pakistan and not to India.

There is another apprehension. One thing I should say. Propaganda is being

made in this country as if the economic crisis developing in Pakistan will bring about the structural collapse of the political edifice of Pakistan from within. It is absolutely a wrong speculation.

SHRI S. M. BANERJEE : As long as America is helping, that will not happen.

SHRI SAMAR GUHA : Not only America, UK and others are there, who want that Pakistan should exist in its present form. They will not allow Pakistan to collapse from within due to economic reason.

There is another apprehension in the mind of our Government that if there is an armed conflict between India and Pakistan as a result of giving recognition to Bangla Desh, China may come in. Sir, I should say one thing. Our Government is making a costly mistake. They have sent emissaries to almost all the countries of the world—big and small. I do not understand why our Government do not try to open a dialogue with China on the issue of Bangla Desh. At least, we have a weapon, an ideological weapon, to use against China. China, for the last, I should say, 25 years, has been carrying on propaganda day in and day out that they are helping the world by spreading and aiding national liberation movements. Taking advantage of their own commitment to national liberation movement, our Government should have approached China and opened a dialogue with them about the national liberation movement in Bangla Desh. We should also take notice of one thing. China has not categorically mentioned anything about Bangla Desh. They are maintaining scrupulous silence about Bangla Desh. They have not uttered a word in support of Pakistan against Bangla Desh. They have said something in favour of Pakistan, but, categorically, they have not said anything yet about Bangla Desh.

SHRI M. RAM GOPAL REDDY (Nizamabad) : They said that they would maintain the integrity of Pakistan.

SHRI SAMAR GUHA : At least I have not seen so far the official communiqué. When the C-in-C and the Defence Minister of Pakistan went to China and

met Chou En Lai, certain statement was made. They said that China would help Pakistan and will be with Pakistan on Kashmir issue. They have not mentioned a single word about Bangla Desh.

SHRI P. K. DEO (Kafahandi) : They have supplied them gun-boats.

SHRI SAMAR GUHA : That they will do. All the big powers are doing that from America to Russia. Even Russia is giving them electronic equipment to be sent to Chittagong for setting up a new factory there. And the gun-boats that Pakistan is using in Bangla Desh are supplied by USA, by France and other countries, not by China alone.

I should also like to draw the attention of the House to the *volte face* of the politics of China in regard to her post-War world diplomacy.

After 1950, America was the inveterate imperialist enemy of China. But now China is trying to get into the UNO through the window of Washington.

SHRI S. M. BANERJEE : Ping-pong diplomacy.

SHRI SAMAR GUHA : Sir, you should remember China is a very seasoned, conservative country, diplomatically very conservative in its outlook. It does not easily change its policy. This we should remember. This radical change in the diplomatic posture of China *vis-a-vis* U. S. is not a casual political game in the international field. It is a calculated move to get a seat in the UNO and to get other economic benefits from U.S.A. Do you think that China is interested in Vietnam, Laos or Cambodia? Nowhere they are physically involved, directly involved. They have given help to them. They may give help to Pakistan too in the eventuality of a conflict between India and Pakistan but there is no possibility that China will sacrifice her own national interest and the new stance of rapprochement between China and USA is just to help Pakistan and jump into East Bengal. The apprehension that China will directly get

us involved in any operational commitment between India and Pakistan, is a wrong apprehension. Even for diplomatic reasons, we should try to enter into dialogue with China.

Immediate recognition should be given to Bangla Desh. That is the only way you can help. There will be no necessity for arms even, but they want this help from you, of recognition. If you go to border areas you find hundreds and thousands of university and college boys willing to die for their liberty and freedom. Their Mukti Fouz is fighting the Pakistan army very well. What they are fighting with?—Meagre food, meagre clothing, meagre bedding, no amenities for them. Your recognition will bring about a qualitative change in the national revolution in Bangla Desh; it will galvanize them and there will be confidence in the hearts and minds of the people of Bangla Desh. It will help them to consolidate themselves; to liberate and have consolidation of their freedom and liquidate the army of Pakistan. The Mukti Fouz has made the Pakistan army demoralised. So many reports have come in the Press. These are correct reports. They are penetrating inside, even inside Dacca. They have attacked Dacca aerodrome; they have blasted the powerhouse inside Dacca. These young men have such a fine spirit but we are not helping these fine, dedicated souls, to achieve and consolidate their freedom.

The Prime Minister had the image that she successfully projected before the people of India which shot her into a summit of absolute power. That image was an image of courage, confidence and decision.

SHRI ATAL BIHARI VAJPAYEE (Gwalior) : What is the image now?

SHRI SAMAR GUHA : I do not want to belittle her because I am very conscious of the reality that we, in the Opposition, may create public pressure, public opinion, we may exert all our might, but, nevertheless, ultimately, the decision has to be taken by her. At this critical moment I do not want to denigrate her. But may I remind my friends, those who

[Shri Samar Guha]

are with he. : You are getting isolated from the will of the people ; you are getting isolated from the conscience of the people. The Prime Minister's image is changing. It is now appearing as an image of a prisoner of indecision and timidity.

AN HON. MEMBER : Vajpayee ji has provoked him.

SHRI SAMAR GUHA : This revolutionary opportunity is not only involved with the fate of the refugees of Bangla Desh, not even with the fate of the freedom of Bangla Desh alone, but is an opportunity which will radically change the whole character of our sub-continent. As soon as Bangla Desh becomes independent, that will bring about a radical change in West Pakistan, a revolutionary change—a new era, a new milieu will start maturing in this sub-continent of India. A new outlook and mentality will develop and envelope the whole of the Indian sub-continent. You should seize this revolutionary opportunity. You talk of revolution ; you talk of socialism ; this revolutionary opportunity, if seized upon, will bring about a radical transformation, a qualitative reorientation in the lives of the whole people of our sub-continent,—from Khyber to Kohima. Can you rise to the occasion and seize this opportunity to resolve for good the post-Partition tragedies and miseries, that have taken the toll of millions of lives, that have produced tears in the eyes of millions of our mothers, sisters and parents ? This is a unique revolutionary opportunity. Either the Government will seize this, or as the Prime Minister inadvertently expressed they will go through hell ; I say, no, they will not be able to go through hell, but they will get into the hell ; that will be the fate of our country, if our Government continues its policy of drift and dodgery about Bangla Desh.

MR. CHAIRMAN : There are some amendments to the resolution. Hon. Members who wish to move them may do so now.

SHRI S. M. BANERJEE : I beg to move :

"That in the resolution, for 'give immediate recognition to the Government of the People's Republic of Bangla Desh and offer all assistance necessary for early consideration of their national freedom', substitute 'recognise the People's Republic of Bangla Desh before 30-6-1971 and offer all assistance to them.'"

The resolution as moved by Shri Samar Guha says 'give immediate recognition'. The word 'immediate' may mean today or it may mean after three months. So, my substitute amendment is that it should be recognised before 30th June, 1971. I want that a definite date should be fixed, so that by 1st July, we shall be able to offer all assistance. I hope my hon. friend would accept this amendment, because he wants immediate recognition of Bangla Desh.

श्री बिभूति मिश्र (मोतीहारी) : मैं प्रस्ताव करता हूँ कि संकल्प के अन्त में यह जोड़ा जाये :—

"और बंगला देश की जनता के प्रति हार्दिक सहानुभूति प्रकट करती है, यह कामना करती है कि वे शीघ्र ही अपने स्वतंत्रता संग्राम में सफलता प्राप्त करें, उन के बलिदान और निष्ठा की अति सराहना करती है और आशा करती है कि विश्व के देश उन्हें पूर्ण सराहना देंगे तथा सरकार से अनुरोध करती है कि वह वर्तमान परिस्थितियों को देखते हुए आवश्यक एवं उपयुक्त कार्यवाही करे।"

MR. CHAIRMAN : These amendments are now before the House.

SHRI KRISHNA HALDER (Assam) : Mr. Chairman, Sir, I want to speak today in my mother-tongue Bengali

*Mr. Chairman, Sir, I want to speak today in my mother tongue, Bengali. Sir, it is a matter of great regret to people of India, a great shame to the Government of India that a non-official resolution had to be

*The original speech was delivered in Bengali.

brought forward in this House pleading for the recognition of Bangla Desh. It is known to the entire world what happened in Bangla Desh before the present liberation struggle started there. In the present Bangla Desh—previously known as East Pakistan—60 per cent of the total population of Pakistan live there and it is the biggest unit of Pakistan. It is also known to everybody that the people of Bangla Desh had to resort to a serious agitation in order to get official recognition for their mother tongue. They demanded that their language should be given official status and it should be used in official work.

The military rulers of Pakistan were earning foreign exchange worth crores of rupees from the Jute grown in East Bengal. So long the people of East Bengal had been subject to economic exploitation by the military rulers of West Pakistan. The people there were deprived of their constitution and democratic rights. The protest against economic exploitation and political domination by West Pakistan found its first expression in the language agitation. But reactionary rulers of West Pakistan tried to suppress that language movement through brute force and the soil of Bangla Desh was drenched with the blood of many martyrs.

After the downfall of Ayub Khan, the military rulers again tried to deprive the people of Bangla Desh of their constitutional and democratic rights. Even the minimum basic human rights were denied to them; so they again struggled against military authorities through constitutional means in order to establish their human rights. When the people of Bangla Desh saw hope in getting back their constitutional and democratic rights after their massive victory in the election, the Pakistani rulers again tried to suppress their democratic aspirations with the help of an organised and mechanised army. It was an attempt to suppress the democratic aspirations of the people through brute force, Sir, it is known to everybody that since Bangla Bandhu Mujibur Rehman stood against the military rulers of Pakistan for democratic rights of his people, he was arrested on false and imaginary charges and now he is passing his days in detention without trial.

Sir, the people of Bangla Desh have sacrificed their blood in order to secure their

democratic rights from the military rulers of Pakistan. Many of them have already become martyrs. It is known to the entire world that after undergoing so much sacrifice and suffering the people of Bangla Desh have been able to secure their rights from the military rulers of Pakistan. They have proved to the world that military might is not the most important factor in human affairs. If a nation, though unarmed, fights unitedly with determination and sacrifice for their democratic rights, there is no power on earth which can subjugate that nation. When Ayub Khan wanted to suppress the democratic movement in Bangla Desh how much blood the people of present Bangla Desh shed for achieving their rights, is known to everybody. After so much struggle and sacrifice the people of Bangla Desh got their democratic rights in spite of resistance from the West Pakistan rulers. The people of Bangla Desh gave their electoral verdict in favour of democracy. The verdict in the election, given by the people of Bangla Desh, has no parallel in the history of world. In this election the Awami League Party, under the leadership Bangla Bandhu Mujibur Rehman, got absolute majority not only in East Bengal but also in entire Pakistan. Mujibur Rehman and the people of Bangla Desh fought for their democratic rights in the election on the basis of 6-point programmes. They did not demand separation from Pakistan. They fought for self-government. They wanted to put an end to economic exploitation of which they became a victim for a long time. The wealth that was being produced by the peasants of Bangla Desh through their hard labour, a major portion of that was always taken away by the West Pakistani rulers for their own benefit. The people of Bangla Desh were denied their legitimate share in the wealth that was produced by their hard labour. So East Bengal was turned into a colony of West Pakistan and was a victim of constant economic exploitation by the West Pakistani rulers. That is why the people of Bangla Desh raised their voice against the economic exploitation of West Pakistan. Their demand was that except for defence and foreign affairs the people of Bangla Desh will have control over the entire administrative matters. But this demand of the people for democratic rights was suppressed through treachery. Taking advantage of the political dialogue which was going on between Yahya Khan

[Shri Krishna Chandra Halder]

and Mujibur Rehman, the West Pakistani rulers brought thousands of soldiers from West Pakistan. After the Army was fully reinforced, the Pakistan soldiers, equipped with all modern weapons, jumped over the unarmed people of Bangla Desh. So democratic aspirations of the people were throttled down by using brute force. Already, more than five lakhs people have become martyrs. The parallel of such a treachery we do not find in the history of any part of the world, except perhaps in Vietnam.

Sir, my party, C.P.M., believes that danger to parliamentary democracy does not come from the general masses; it comes from the ruling party. When the ruling party finds that parliamentary democracy is not going to serve its vested interests, it tries to destroy it. The same thing happened in the case of Bangla Desh. When the military rulers found that with the establishment of parliamentary democracy in Pakistan it would not be possible to exploit any more the people of Bangla Desh, they were out to destroy the yet-born parliamentary democracy there. Therefore, when the interests of the ruling class is in conflict with the parliamentary democracy, the ruling party does not hesitate to destroy the sacred entity of parliamentary democracy in order to safeguard its vested interests.

The resolution that was passed in Parliament in support of Bangla Desh was due to the pressure exerted by the entire opposition parties upon the Government. The Government of India had to bow down before the wishes of the entire opposition parties. When the resolution was adopted in Parliament, the entire opposition parties demanded full support to the cause of Bangla Desh. But at that time only partial support was shown to the independence movement in Bangla Desh. We hoped that the Government of India would bring forward some proposal for the full support to the Bangla Desh Government. But after 25th March two and a half months have passed and yet nothing has been done by our Government. The Government of India have rather made an appeal to other countries of the world for giving recognition to the Bangla Desh Government in spite of our full support to the freedom struggle

there. Even we have gone to other countries of the world with begging bowls for solving the refugee problem. If the Government of India is really interested to solve the refugee problem, it must give immediate recognition to the Bangla Desh Government as it will inspire the refugees to go back to their homes with confidence. As the freedom struggle in Bangla Desh will take a new turn, the refugees, if they go back to their homes, will come forward to participate in the liberation struggle. So there is no alternative way to solve the problems of Bangla Desh refugees excepting this one. Of course, the Government may try to solve the refugee problem otherwise. It is the opinion of many people that 55 to 65 lakhs refugees have already come to India. In order to solve the refugee problem completely, the only way, I feel, is to recognise the provisional Government of Bangla Desh immediately. We have got blood relationship with the people of Bangla Desh. I am not saying this on account of my being a Bengali. You know Sir, that the people of both the countries fought together against the British imperialist powers for long to achieve their independence. But it is a matter of great regret that because of the weakness of national movement India was partitioned. The British imperialist power wanted that both India and Pakistan should fight each other continuously as that would serve their vested interests. The British imperialist power wanted to play this game of treachery with India and Pakistan always out of imperialist interest. Sir, lakhs of people in Bangla Desh have already sacrificed their blood as they understood the conspiracy of the British imperialist power and rose against it. They are continuing their freedom struggle. They are fighting against the vested interests of the imperialist forces.

18.00 hrs.

Sir, a similar struggle is going on in West Bengal. The people of West Bengal are fighting for their democratic rights. The Central Government is treading a dangerous path there. They want to crush the constitutional rights of the people of West Bengal. In the entire State Section 144 of the IPC has been imposed. People are being detained on false charges under the Preventive Detention Act. The CRP and military

personnel have been deployed there. People are receiving inhuman treatment in the hands of CRP men. Therefore, if the Government really wants to support the cause of Bangla Desh then the people of West Bengal should be given to enjoy freedom and their constitutional rights, they should save them from the torture of CRP and military personnel. But, alas ! the Government is determined to pass the Maintenance of Internal Security Ordinance. By passing this legislation, the Central Government wants to turn the State of West Bengal into a Police State. Sir, before the present resolution was taken up for consideration, another resolution was discussed by the House and the subjectmatter of that resolution was related to the Centre-States relationship. That resolution was an important one. Our party has already demanded that in order to establish true democracy in the country all the States should be given more autonomy. Not only this. The State Governments should be given more financial powers. If this demand is not accepted by the Central Government, what course future history of India will take is not known to any one. Even nobody in this House can predict it.

At the end I would say that immediate recognition may be given to the Bangla Desh Government. I would also appeal to the socialist Countries and Afro-Asian countries to come forward in recognising the Government of Bangla Desh. I would also appeal to the progressive forces of the world to assist the freedom fighters in Bangla Desh by organising an international brigade as it was done to fight the Fascist forces in Spain.

Sir, lakhs of refugees are living in camps and now they have become victims of cholera epidemic. We are not concerned with what other countries have done for the refugees or for the freedom movement in Bangla Desh. But we are surely concerned with the freedom movement in Bangla Desh because of our blood relationship with the people there. Not only this. We fought together against the British imperialist power for our independence.

Sir, India claims to be the biggest democracy in the world. In order to justify that claim the Government of India should recognise immediately the Government of

Bangla Desh as that Government is fighting for the establishment of democracy there. By recognising the Government of Bangla Desh the Government of India will set an example before other nations of the world. I know that because of the pressure of American imperialists the Government of India is hesitating to give recognition to the Bangla Desh Government. I demand that the provisional Government of Bangla Desh be recognised immediately. This demand has also been made by crores of people of India. So acceptance of my demand means the acceptance of people's demand. By giving recognition to the Government of Bangla Desh the Government of India will definitely do justice to the people of Bangla Desh who are struggling hard for their independence. With these words, I conclude my speech. Thank you.

श्री बिभूति मिश्र : महापति जी, जो मैंने सशोधन पेश किया है मैं उस का समर्थन करता हूँ और मैं बंगला देश के सेनानियों के साथ सहानुभूति प्रकट करता हूँ। जिस वीरता के साथ, जिस धैर्य के साथ अपनी स्वाधीनता के लिए बह लड़ रहे हैं उसकी प्रशंसा करना बहुत मुश्किल है। हम लोगो ने भी असहयोग का और सत्याग्रह का युद्ध अंग्रेजों के साथ किया है। जिस तरह से बड़े पैमाने पर हम लोगो ने अंग्रेजों के साथ लड़ाई की उस में जिस तरह से हमारे देश के लोगो ने साथ दिया उससे कहीं ज्यादा, कहीं बहुत अधिक संख्या में बंगला देश की जनता और बंगला देश के लोगो ने बंगला देश की आजादी के लिए त्याग और तपस्या की है। उन का त्याग और उनकी तपस्या बहुत ज्यादा प्रशंसा की चीज है और उन के साथ हम लोगो की पूरी सहानुभूति है। हम लोग चाहते हैं कि उन्हें स्वाधीनता प्राप्त हो, परिवर्ती पाकिस्तान से उन की मुक्ति हो। उनकी मुक्ति के लिए और स्वाधीनता प्राप्त करने के लिए जैसी परिस्थिति है, जिस बर्बरता के साथ फौज की भिड़ा करके लोगों की जान, माल और इज्जत को पश्चिमी पाकिस्तान वाले हुरण कर रहे हैं उस की हम लोग खोर निन्दा करते हैं। लेकिन स्वाधीनता प्राप्त करने के

[श्री बिभूति मिश्र]

लिए कुछ ताकत चाहिए। उस ताकत के लिए अब वहाँ अहिंसा के बजाय हिंसा की लड़ाई हो गई। हिंसा की लड़ाई में वहाँ की मुक्ति फौज वाले हिंसात्मक तरीके से युद्ध कर रहे हैं। उस के लिए उन्हें आज आवश्यकता कुछ चीजों की है। वियतनाम में जिस तरह से वियतनामी लड़ रहे हैं, उन्हें चीन और रूस से उस के लिए मदद मिल रही है। लेकिन बंगला देश को कहीं बाहर से मदद मिल रही है इस में मुझे शक मालूम होता है। बंगला देश को जब तक बाहर से इस हिंसात्मक युद्ध में सहायता नहीं मिलेगी तो आज के आधुनिक युग के जो हथियार आधुनिकतम पाकिस्तान सरकार के पास हैं उस का मुकाबिला करना कठिन है। उस का मुकाबिला करने के लिए आज दुनिया के सभी आधुनिक हथियार चाहिए। यह कहाँ से मिलें कैसे मिलें यह सोचना है। लोग कहते हैं कि हमारी सरकार तुरन्त उस को मान्यता दे दे। मैं आप लोगों से पूछना चाहता हूँ कि अगर हमारी सरकार मान्यता दे दे तो उसके दुनिया में क्या इम्प्लीकेंस होंगे, अन्तरराष्ट्रीय क्या परिस्थिति होगी और हमारी क्या परिस्थिति होगी? क्योंकि हम अपनी स्वाधीनता को रखते हुए, अपने देश को अक्षुण्ण रखते हुए, अपने देश की ताकत को रखते हुए दूसरे की मदद कर सकते हैं। ऐसा न करें कि दूसरे की मदद करते जायें और हम खुद लड़ाई में फँस जायें (व्यवधान)... लड़ाई के लिए आह्वान करना बड़ा आमान है...

श्री पी० के० बेब : डरपोक है।

श्री बिभूति मिश्र : डरपोक आप हैं। हम अंग्रेजों से लड़ते रहे तो आप कहाँ थे उस दिन और आज क्यों नहीं चले जाते हैं? मैं कहना चाहता हूँ, हम डरपोक नहीं हैं। हम बहादुर हैं और हम अपने कदम को सोच विचार कर के, दुनिया की परिस्थिति से मिला कर के, दुनिया के हालात से मिला कर के उठाना

चाहते हैं। यह हमारे लोग जो स्वाधीनता की लड़ाई लड़े हैं, इधर ज्यादा हैं, उन को पता है जेल में जाने में, लड़ाई करने में... (व्यवधान)...

श्री पी० के० बेब : पार्टीशन आप लोगों ने कराया है।

श्री बिभूति मिश्र : हम ने नहीं, पार्टीशन आप ने कराया। आप के जैसे राजा महाराजा जैसे बंगला देश के लोग लड़ रहे हैं, ऐसे ही हमारा साथ दिए होते तो पार्टीशन नहीं होता। पार्टीशन आप लोगों ने कराया। .. (व्यवधान) .. उस का इतिहास मैं पीछे बनाऊंगा।

श्री अटल बिहारी वाजपेयी : आजादी यह लाए और पार्टीशन हम ने कराया, कड़वा कड़वा घू और मीठा मीठा गप।

श्री बिभूति मिश्र : हम लोग चाहते हैं कि विश्व के देश बंगला की हालत को देखें। लेकिन दुनिया के सब देश अपने स्वार्थ में लगे हुए हैं। दुनिया में कोई देश ऐसा नहीं है जो स्वायत्त रहित हो। उन का अपना देश है, अपनी राजनीति है और हमारा अपना अलग स्थान है। इस लिये मैं सरकार से कहूँगा कि सरकार जो भी कदम उठाये सोच-विचार कर उठाये, हम ऐसे विरोधी लोगों के फन्दे में न पड़ें। जब 1942 का मूवमेंट छेड़ने की बात आई

श्री सत्यर नुहू : मिश्र जी, जितने नेजिस्लेचर्स में पाम हुआ है क्या वह ऐसे ही पास हो गया है?

श्री बिभूति मिश्र : 1942 की मूवमेंट छेड़ने के पहले सब कहते थे कि गांधी जी बुढ़े हो गये हैं, इनकी ताकत नहीं है, इनकी अक्ल मारी गई है, यह अंग्रेजों से नहीं लड़ सकते। लेकिन जब गांधी जी ने 1942 का मूवमेंट छेड़ा, तो जो लोग उनको बुढ़ा, कायर कहते थे, सब धम गये, और वही पुराना ठीस कांग्रेसी सत्याग्रही बेल गया। ऐसे राजा साहब क्या राजा प्रताप की तरह से बिचौली (बटाई) पर

सोचेंगे। मैं जानता हूँ जब पाकिस्तान के साथ पिछला युद्ध हुआ, कितने राजा-महाराजाओं ने अपना कान्ट्रीड्यूशन दिया, कितनों ने अपनी धन-सम्पत्ति दी... (व्यवधान)... आप हम की छेड़िये नहीं, इस देश में अंग्रेजों के साथ जो लड़ाई हुई, उस में आप लोगों का कोई इतिहास नहीं है...

श्री पी० के० देव : आप ने पार्टीशन कराया, इतने आदमी मारे गये।

श्री विभूति मिश्र : हम ये नहीं कराया, आप ने कराया, आप ने अंग्रेजों का साथ दिया। जब हम जेल जाते थे तो यही राजा-महाराजा अंग्रेजों के साथ...

सभापति महोदय : आप उधर ध्यान मत दीजिये, बंगला देश पर बोलिये।

श्री विभूति मिश्र : मैं चाहता हूँ कि हमारी सरकार, हमारी प्राइम मिनिस्टर सोच समझ कर कदम उठाये और जो कदम उठा रही है, जो देख-भाल कर रही हैं—इन का कदम सराहनीय है। हमारे नेजिस्लेचर्स ने जो पास किया है, उसमें उनके प्रति सदभावना जाहिर की है, उनकी तारीफ़ की है लेकिन आखरी कदम इस मामले में केन्द्रीय सरकार को उठाना है। इसमें केन्द्रीय सरकार ही जवाबदेही है, किसी के बहुकावे में आ कर, किसी के आवेश में आ कर कोई कदम नहीं उठाना चाहिये।

हमारी सरकार ने दुनिया के देशों में अपने आदर्शियों को भेजा है। हर दुनिया के देश के साथ बातचीत कर रहे हैं, दुनिया के देशों की हालत को देखने के वास्ते कदम उठाया है। बंगला देश के साथ हमारी पूरी सहानुभूति है पूरी मिथ्या है, उनके त्याग और तपस्या की हम पूरी तारीफ़ करते हैं, लेकिन राजनीति में अपना कदम तब उठाये, जब देखें कि दुश्मन का कदम हम से जोरदार है या हम से कमजोर है, हमारे कदम उठाने से हम पर क्या असर

पड़ेगा। उन पर क्या असर पड़ेगा, आवेश में आकर हमें कोई काम नहीं करना चाहिये। आवेश में आकर कोई काम करने से बाद में तकलीफ़ होती है।

इस लिये मैं कहना चाहता हूँ कि हमारी सरकार सोच-विचार कर कदम उठाये, आवेश में आकर जो झुकाना चाहते हैं, उनकी बातों में न आये। इनकी बातों में आने से पहले सरकार सोच ले, समझ ले कि हमें क्या करना चाहिये। यह जरूर है कि जो लोग बंगला देश से आ गये हैं, उनकी मदद करनी चाहिये और हम कर रहे हैं, लेकिन यह हमारे लिये एक बड़ी भारी समस्या है। रिफ्यूजीज का खिलाना, उनको रखना, उनको जगह देना आसान काम नहीं है, क्योंकि हमारे पास पहले ही जगह की कमी है। हमारी आर्थिक परिस्थितियाँ बेसी नहीं हैं कि हम उनको सुलटा सकें। लेकिन जितनी ताकत हमारे पास है, जितनी शक्ति है, हम उसको पूरा करेंगे और पूरा करने का वायदा करते हैं।

मैं अपनी सरकार से विनम्रतापूर्वक निवेदन करना चाहता हूँ कि सरकार सोच समझ कर कदम उठावे, क्योंकि इस मामले में हमारी जवाबदेही है। अगर ये लोग जो आज सामने बैठे हैं, इस सरकार में आ जायें तो इनकी बात भी दूसरी हो जायेगी। अगर ये यहाँ होते तो दूसरी भाषा बोलते, चूँकि आज विरोध में बैठे हैं इस लिये ऐसी भाषा बोल रहे हैं। कांग्रेस वालों ने हिन्दुस्तान की आजादी की लड़ाई को लड़ा था, इस लिये हम स्वाधीनता की कीमत को जानते हैं और दूसरों की स्वाधीनता की कीमत को समझते हैं। इस लिये सोच विचार कर कदम उठाना चाहिए, राजा महाराजा के चक्कर में नहीं आना चाहिए।

श्री अटल बिहारी वाजपेयी : मैं श्री समर गुह को बधाई देना चाहता हूँ जिन्होंने बंगला देश के सम्बन्ध में अपना प्रस्ताव लाकर इस सदन को बंगला देश की नवीनतम स्थिति पर

[श्री अटल बिहारी वाजपेयी]

विचार करने का अवसर दिया है। वह प्रस्ताव सरकार को भी मौका देता है कि वह नयी परिस्थिति के प्रकाश में अपनी नीति को स्पष्ट करे। मुझे श्री बिभूति मिश्र के भाषण को सुन कर बड़ी निराशा हुई। ऐसा लगता है कि सत्ताकूट दल, किस विषय पर, किस वक्ता को बोलने के लिए खड़ा करना चाहिए, इसका भी निर्णय नहीं कर पा रहा है। बंगला देश के सम्बन्ध में जब लोक सभा में प्रस्ताव पर चर्चा हो रही है तो चर्चा गम्भीरता के वातावरण में राष्ट्र की भावनाओं का प्रकटीकरण करने वाली और विश्व को यह अनुभूति कराने वाली होनी चाहिए कि अब भारत के धैर्य का बांध टूट रहा है और विश्व का जनमत यदि इस्लामाबाद को सही रास्ते पर नहीं ला सकता तो भारत सरकार के लिए अपनी 51 करोड़ जनता की मांग की ठुकराना असंभव हो जायेगा। लेकिन श्री बिभूति मिश्र का भाषण इसकी पुष्टि नहीं करता और विश्व में वह वातावरण बनाने में सहायक नहीं होता। आजादी के लिए कौन लड़े, कौन नहीं लड़े, यह आज के विवाद का विषय नहीं है। आजादी के लिए कांग्रेस लड़ी थी, इससे कौन इनकार कर सकता है? उस समय आजादी के लिए जो लड़ना चाहते थे वे सब कांग्रेस में थे लेकिन उस समय कांग्रेस से बाहर भी आजादी के लिए लड़ने वाले थे, जिन की अहिंसा में निष्ठा नहीं थी, जो अंधेजों के खिलाफ हथियार उठाकर लड़े थे। देशभक्ति का ठेका केवल कांग्रेस के सदस्यों ने ही नहीं ले रखा है। (व्यवधान) मैं सन् 42 में जेल में था, आप कहाँ थे यह बताइये? ... (व्यवधान) ...

समाप्ति महीबख्त : आप व्यक्तिगत चीज छोड़ दीजिए।

श्री अटल बिहारी वाजपेयी : समाप्ति जी, जब से इंडियन एक्सप्रेस ने ऐंथनी मैस्करनहेस का, बंगला देश में नरसंहार के सम्बन्ध में लेख छपा है, एक विचित्र सी बेबनी देश में छाई

हुई है। मैं श्री ऐंथनी मैस्करनहेस को बधाई देना चाहता हूँ। वे कराची में लन्दन से प्रकाशित होने वाले सैंडे-टाइम्स के पाकिस्तान में 'संवाददाता थे और 'आनिंग न्यूज' जो पाकिस्तान से प्रकाशित होता है उसके सहायक सम्पादक भी थे। वे पाकिस्तान की नागरिकता स्वीकार कर चुके थे, मूलतः वे गोवा के निवासी हैं, अभी तक वे पाकिस्तान में रहे और पाकिस्तान की सरकार पूर्व बंगाल की, स्थिति को दिखाने के लिए जिन कुछ चुने हुए पत्रकारों को ले गई उनमें श्री मैस्करनहेस भी थे। लौट कर अगर वे चाहते तो पाकिस्तान के रंग में अपनी कहानी लिख सकते थे लेकिन उन्होंने देखा कि बंगला देश में मनुष्यों का जो रक्त बहा है वह इतना लाल है, इतना गाढ़ा है और उनकी आत्मा को सन्तोष नहीं हुआ—उन्होंने जो कहा है मैं उन्हीं के शब्दों को यहाँ पर उद्धृत करना चाहता हूँ, एक पत्रकार के ये शब्द पत्रकारिता के इतिहास में अंकित किए जायेंगे :

"Either I would write the full story of what I had seen or I would have to stop writing. I would never again be able to write with any integrity."

श्री मैस्करनहेस जानते थे कि पाकिस्तान में रहकर वे अपनी बात नहीं लिख सकते इसलिए वे लन्दन गए, अपने परिवार को उन्होंने निकाला और यह कहानी लिखी है रक्त से लिखी हुई कहानी, आँसुओं से डूबी हुई कहानी—मैंने जब से इसको पढ़ा है मैं अपने पर काबू नहीं कर पा रहा हूँ। हम यहाँ बैठकर पोलिटिकल साल्यूशन की बात कर रहे हैं, एक साल्यूशन इस्लामाबाद के भी विभाग में है, उसका अनुमान हम लगा रहे हैं या नहीं, वे पाकिस्तानी पत्रकार के शब्द हैं उनको हम जरा ध्यान से पढ़ें। मैस्करनहेस का कहना है कि पूर्वी बंगाल के बारे में पाकिस्तान की दो योजनाएँ हैं। एक तो कत्लेआम, किर्गिज और बुखरा कोसोवाइबेशन। मैं उद्धृत करना चाहता हूँ उन के लेख का एक अंश :

"The Government's policy for East Bengal was spelled out to me in the Eastern Command Headquarters at Dacca. It has three elements :—

- (1) The Bengalis will have proved themselves "unreliable" and must be ruled by West Pakistanis ;
- (2) The Bengalis will have to be re-educated along proper lines. The "Islamisation of the masses"—this is the official jargon—is intended to eliminate secessionist tendencies and provide a strong religious bond with West Pakistan ; and
- (3) When the Hindus have been eliminated by death and flight, their property will be used as a golden carrot to win over the under-privileged Muslim middle-class. This will provide the base for erecting administrative and political structures in the future."

मैस्करनहेम लिखते हैं कि आज पूर्वी बंगाल के नगरों में बंगाली नहीं मिलते। गांवों में सन्नाटा छाया हुआ है, बेतों में फसल पैदा नहीं की जा रही है। आतक का राज्य है, लोग मौत के घाट उतार दिये गये हैं। मैं फिर उन के शब्दों को उद्धृत करना चाहता हूँ :

"Where are the Bengalis?" I had asked my escorts in the strangely empty streets of Dacca a few days earlier. "They have gone to the villages," was the stock reply. Now, in the countryside, there were still no Bengalis. Comilla town, like Dacca was heavily shuttered. And in 10 miles on the road to Lakshani, past silent villages, the peasants I saw could have been counted on the finger of both hands."

पूर्वी बंगाल के बारे में पाकिस्तान के शासक एक निश्चित योजना से चल रहे हैं, और वह योजना है: कालेबाज की, वहाँ पर जनता की प्रतिनिधित्व पैदा करने की। मैं फिर मैस्करनहेम की उद्धृत करना चाहता हूँ :

"Discussing the problem in his plush air-conditioned office in Karachi recently, the Chairman of the Agricultural Development Bank, Mr. Qurni, said bluntly : "The famine is the result of their acts of sabotage. So, let them die. Perhaps, the Bengalis will come to their senses."

हम पूर्वी बंगाल की सहायता करना चाहते हैं। हम ने उनके प्रति सर्वसम्मत से प्रस्ताव स्वीकार किया है। राज्यों के विधानमण्डल भी इन आशय की माँग कर चुके हैं कि बंगला देश को मान्यता दी जानी चाहिए। प्रधान मंत्री के भाषण आज देश को किस दिशा में ले जाना चाहते हैं यह स्पष्ट नहीं है। जिस पोलिटिकल मौल्युशन का हम विचार कर रहे हैं क्या उस पोलिटिकल मौल्युशन के लिए बक्त मिलेगा ? क्या पाकिस्तान के शासक उसे मानेंगे ? मेरे मित्र श्री ममर गुह कह रहे हैं कि अबामी लोग उसे नहीं मानेंगे। इतने अत्याचार के बाद फिर से पाकिस्तान के अंग के रूप में बंगला देश के लिए जीवित रहना कठिन होगा। लेकिन मैं उस की चर्चा नहीं कर रहा हूँ। क्या पाकिस्तान के शासकों को राह पर लाया जा सका है ? क्या विश्व का जनमत पाकिस्तान के शासकों को विवश कर सका है ? मैं जानना चाहता हूँ कि नई दिल्ली से जो मिनिस्ट्रो का कारवां गया था वह क्या वापस लेकर लौटा है ? विश्व की राजधानियों की क्या प्रतिक्रिया है ? सिवाय इस के कि वह शरणार्थियों की सहायता के लिए रुपया देने को तैयार है, या मौखिक सहानुभूति प्रकट करने के लिए तैयार है। जिस पोलिटिकल मौल्युशन की हम चर्चा करते हैं और जिस का अर्थ है बंगला देश में वहाँ के चुने हुए प्रतिनिधियों का शासन कायम हो, बंगला देश उपनिवेश न रहे, बंगला देश से जो भी शरणार्थी आये हैं वह वापस जा सकें, उन का जीवन, धन, सम्मान सुरक्षित रहे, क्या इस मौल्युशन के लिए दुनिया के देश हमारी मदद करेंगे ? दुनिया के देश हमारी मदद करेंगे हम की हमें सम्भावना नहीं दिखाई देती। हम सुनेंगे मंत्री महोदय को क्या कहना है।

[श्री अटल बिहारी वाजपेयी]

सभापति महोदय मुझे कहना है कि बंगला देश पर जितनी चर्चा ब्रिटिश पार्लियामेंट में हुई है शायद उतनी हमारी पार्लियामेंट में नहीं हुई है। ब्रिटिश लेबर पार्टी के उन 120 सदस्यों को मैं बधाई देना चाहता हूँ जिन्होंने मांग की है कि बंगला देश का मामला सुरक्षा परिषद में उठाना चाहिए। लेकिन मैं पूछता हूँ कि भारत सरकार यह मामला सुरक्षा परिषद में क्यों न उठाये? आज मैंने पढ़ा कि स्वतन्त्र पार्टी के 18 सदस्यों ने यूनाइटेड नेशन्स के सेक्रेटरी जनरल को तार भेजा है कि यह मामला मिक्थोरिटी कौंसिल में उठाया जाये। अगर सेक्रेटरी जनरल कहे कि हमें तार भेजने के बजाय आप अपनी सरकार से कहे कि वह यह मामला मिक्थोरिटी कौंसिल में उठाये तो हमारा क्या भूह रहेगा?

कोई इन्कार नहीं कर सकता कि नरसंहार हो रहा है। क्या नरसंहार का मामला संयुक्त राष्ट्र संघ में नहीं उठ सकता? भारत सरकार उठा कर देके। यह आवश्यक नहीं है कि हमें विश्व का समर्थन मिले, मगर एक तो हमें अपनी कार्यवाही में सन्तोष होगा दूसरे दुनिया के कुछ देश कितने पानी में हैं यह भी स्पष्ट हो जायेगा। फिर उम के बाद हमें अपनी नीति निर्धारित करना सरल होगा। नीति एक ही हो सकती है, और वह नीति संकल्प करने की है कि आज जो निश्चय है उस के साथ समझौता नहीं होगा और बंगला देश में ऐसी स्थिति पैदा करनी होगी जिस में बिस्वापित बापस आ सकें तथा लोकतन्त्र स्थापित हो सके। और उस के लिए अगर लड़ने के अलावा कोई बाग नहीं है तो भारत को लड़ने के लिए भी तैयार रहना होगा।

1965 में भारत और पाकिस्तान की लड़ाई हुई, उस पर 50 करोड़ रुपये खर्च हुआ। आज तो पाकिस्तान बिना बन्दूक की एक गोली चलाने लाजों बिस्वापितों को हमारे देश में भेज कर हमारी अर्थ-व्यवस्था को

बिम्बुल्लित कर रहा है। श्री चट्टोपाय ने कहा कि 60 करोड़ ६० खर्च होंगे, प्रधान मंत्री ने कहा कि 180 करोड़ खर्च होगा तथा आज श्रम और पुनर्वासि मंत्री ने अपने वक्तव्य में कहा है कि करीब 300 करोड़ रुपये खर्च होंगे। युद्ध मंहगा है मगर इतना मंहगा नहीं। हम युद्ध न करें हम पूर्वी बंगाल की मदद करें। हम पाकिस्तान को एक अन्तिमेटम दें, एक अन्तिमेटम दें, कि पूर्वी बंगाल में जो भी नरसंहार चल रहा है वह रोकना चाहिए और जो लोग अपने जीवन, धन और स्वयं की रक्षा के लिए भारत-माता के आचल में शरण के लिए आ रहे हैं उन के बड़ी रहने की परिस्थितियाँ पैदा होनी चाहिए, नहीं तो भारत अपने हित में, भारत की सुरक्षा के हित में कठोर कदम उठायेगा, और वह कठोर कदम युद्ध तक हो सकता है। जो देश युद्ध में भागता है, युद्ध उग के पीछे भागता है। युद्ध को हम निमन्त्रण न दें लेकिन बिना युद्ध के अगर हम यह लड़ाई हारने वाले हैं तो फिर हर एक कदम उठाने के लिये सरकार को तैयार रहना चाहिए।

मैंने अधिक पहलू की चर्चा की। उसका और क्या परिणाम होने वाला है? आज बंगाल में श्री चपल कान्ठ भट्टाचार्य आये हैं। वह कहते हैं कि कलकत्ते में ऐसी परिस्थिति पैदा हो रही है कि किसी भी दिन बिस्फोट हो जायेगा। हो सकता है कि लोग राइटर्स बिल्डिंग को घेर लें। पानी नहीं पहुँच रहा है, जीवन अस्त व्यस्त हो रहा है, रक्षा और कानून की व्यवस्था बिम्बुल्लुट रही है, जन-मानस आन्दोलित हो रहा है और पश्चिम बंगाल सरकार संकट की स्थिति की घोषणा करने का विचार कर रही है।

प्रश्न केवल बंगाल का नहीं है, सारे भारत-वर्ष का बंगला देश से सम्बन्ध हो गया है। पहले ही हमने घेर कर ली है। अगर सरकार का दिमाग साफ होता और 25 मार्च को, जब पाकिस्तानी कौबों ने अन्धकार आरम्भ किया तब हम ने अपनी नीति निर्धारित कर ली होती

तो बायद बंगला देश की परिस्थिति भिन्न होती।

18.29 hrs.

[MR. DEPUTY SPEAKER in the Chair]

हमें चूक गये। लेकिन अभी भी जो देर हुई है उस को अपने पक्ष में बदला जा सकता है। विश्व के जनमत के जायज का मैं विरोधी नहीं हूँ, वह काम चलता रहे, अगर नई दिल्ली का विभाग साफ होना चाहिए। बंगला देश और बंगला देश से आने वाले विस्थापितों की तकदीर का फैसला वाशिंगटन में, लन्दन में, वान में या मास्को में नहीं होगा, नई दिल्ली में होगा और अगर नई दिल्ली साहम के साथ निर्णय करती है तो नया इतिहास लिखा जा सकता है। आज हमें देखना है कि सरकार नया इतिहास बनाने की शक्ति रखती है या नहीं।

18.30 hrs.

MAINTENANCE OF INTERNAL SECURITY BILL—Contd

MR. DEPUTY-SPEAKER : Now we may resume discussion on the Maintenance of Internal Security Bill.

SHRI S. M. BANERJEE (Kanpur) : Sir, time should be extended for the discussion of this resolution on Bangla Desh.

MR. DEPUTY-SPEAKER : Naturally. It is inconclusive. Naturally, it will be resumed the next day.

Clause 12—(Action upon the Report of Advisory Board)

MR. DEPUTY-SPEAKER : We were on Clause 12. There is an amendment by Shri Frank Anthony. But he is not here. So, it is not moved. I will put Clause 12 to the vote of the House. The question is :

"That Clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

Clause 13—(Maximum period of detention)

MR. DEPUTY-SPEAKER : We go to Clause 13. There is an amendment by Mr. Kalyanasundaram. Is he moving it ?

SHRI M. KALYANASUDARAM (Tiruchirapalli) : Yes I am moving.

I beg to move :

Page 5, line 23,—

for "twelve months" substitute "six months" (17)

My amendment says that the period will be 'six months' instead of 'twelve months' as is provided in the Bill. The Home Minister had got all that he wanted in the way in which he wanted it. He has got powers to put anybody in jail without trial for any reason on the basis of a report submitted by a head constable. Anybody can be kept for any number of months. The Advisory Board will be only a mockery. Now at least let him consider whether it is possible to limit the period of detention to 6 months. This Bill provides maximum detention of 12 months. I am submitting that it can be reduced to 6 months. If this law is necessary for detention without trial, at least limit the period, instead of 12 months, to 6 months. So, my amendment seeks to restrict the period of the maximum detention to 6 months.

There can be no objection to this. Let me see whether his democratic conscience allows him to accept it.

श्री अटल बिहारी वाजपेयी (वालिपर) : वैसे तो छः महीने का समय भी अधिक है। लेकिन मुझे शक है कि पन्त जी उसे स्वीकार करने के लिए तैयार होंगे। मैं उनको एक बात स्मरण दिलावा चाहता हूँ। जो व्यक्ति गजर-मन्दी के बाद छोड़ा जाता है उसको फिर भी

[श्री अटल बिहारी वाजपेयी]

पकड़ा जा सकता है उसी वक्त। इसलिए छः महीने के इस संशोधन को मानने में आपत्ति नहीं होनी चाहिए। मैं तो चाहूँगा कि तीन महीने से अधिक आप प्रथम चरण में नजरबन्दी की अवधि न रखें। लेकिन यहां साल भर रख दी गई है। ऐसा मान कर चला जा रहा है कि भारत के नागरिकों को नजरबन्द किया जाए और नागरिक स्वाधीनता का हनन हो। मैं देखना चाहता हूँ...

श्री राम सहाय पांडे (राजनन्द गाँव) : बड़े दुख की बात है।

श्री अटल बिहारी वाजपेयी : पांडे जी को दुख नहीं हो रहा है।

मैं चाहता हूँ कि पन्त जी इस पर विचार करें और इस संशोधन को मान लें।

श्री एस० एम० बनर्जी : यह जो संशोधन रखा गया है इसका मैं समर्थन करता हूँ। पन्त जी से मैं निवेदन करता हूँ कि अगर इस अवधि को एक साल के बजाय छः महीने कर दिया जाए तो पन्त जी को कोई आपत्ति नहीं होनी चाहिए। अगर किसी को डिटेन किया जाए मामूली शक व शुबहे पर, किसी पुलिस के कांस्टेबल की रिपोर्ट पर, तो छः महीने के बाद तो उसके साथ इन्साफ होना ही चाहिए। मैं निवेदन करूँगा कि कोई एमेंडमेंट न मानने की कसम ही अगर उन्होंने नहीं खा रखी है तो इस मामूली से संशोधन को वह स्वीकार कर लें और अगर वह इसको मान लेते हैं तो थोड़ी बहुत अच्छी बात यह होगी।

SHRI JYOTIRMOY BOSU (Diamond Harbour) : This idea of detention is so very deep-rooted in the mind of the Government. It is always applied against political opponents. Please see Clause 14. Then, you will see what it means. It says :

The revocation or expiry of a detention order shall not bar the making of a

fresh detention order under section 3 against the same person in any case where fresh facts have arisen after the date of revocation or expiry on which the Central Government or a State Government or an officer, as the case may be, is satisfied that such an order should be made.

So, this has come out very clearly there. The Government must show some consideration. They want to call themselves a democratic Government interested in the ways of civilised thinking.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT) : The period has not been introduced by us as 12 months in this Bill only for the first, time, but in the Preventive Detention Act, 1953, the maximum period of detention was fixed at 12 months.

SHRI M. KALYANASUNDARAM : Are we still in 1950 ?

SHRI K. C. PANT : We are continuing with that 12 month-period. It does not mean necessarily that every detenu must be detained for 12 months. That is not the meaning. The maximum period is 12 months. Shri Dinen Bhattacharyya earlier in one of his many interpellations said that there was no maximum period at all, and that this could go on for any length of time.

SHRI M. KALYANASUNDARAM : Let him read this along with clause 14 (2), and he will see that there is no limit.

SHRI JYOTIRMOY BOSU : We know that it is a lawless law, and it is a law of the jungle, but still we must point this out.

SHRI K. C. PANT : It is left to the appropriate Government to decide on the merits of each case the period up to which a person should be kept in detention, subject to the maximum period of 12 months. That is the purpose. I do hope that there will not be many opportunities for this kind of thing which is being suggested, namely that a man is released and again immediately he is taken back into prison. I hope that there will not be many such occasions...

SHRI HAMENDRA SINGH BANERA
(Bhilwara) : It happened during my elections.

SHRI K. C. PANT : It depends on that person as well. It is not entirely for the Government, but it is for those who come within the mischief of this Bill also to behave in a manner that the mischief of this Bill is not attracted.

MR. DEPUTY-SPEAKER : I shall now put amendment No. 17 to the vote of the House.

The question is :

"Page 5, line 23, for "twelve months" substitute "six months," (17)

Let the Lobby be cleared.

The Lok Sabha divided :

Division No. 10] **AYES** • [18.43 hrs.

Balathandayutham, Shri

Banera, Shri Hamendra Singh

Banerjee, Shri S. M.

Bhattacharyya, Shri Dinen

Bhattacharyya, Shri Jagadish

Bhattacharyya, Shri S. P.

Bosu, Shri Jyotirmoy

Brahman, Shri Rattanlal

Chandra Shekhar Singh, Shri

Das, Shri R. P.

Deb, Shri Dasaratha

Dhandapani, Shri

Dhote, Shri Jambuwant

Dutta, Shri Biren

Ghosh, Shrimati Bibha

Guha, Shri Samar

Gupta, Shri Indrajit

Halder, Shri Madhuryya

Halder, Shri Krishna

Hazra, Shri Manoranjan

Joarder, Shri Dinesh

Kalyanasundaram, Shri M.

Krishnan, Shri M. K.

Lalji Bhai, Shri

Manoharan, Shri K.

Modak, Shri B. K.

Mody, Shri Piloo

Mukherjee, Shri Samar

Mukherjee, Shri Saroj

Muruganantham, Shri S. A.

Rao, Shri M. Satyanarayan

Reddy, Shri B. N.

Reddy, Shri Eswara

Roy, Dr. Saradish

Saha, Shri A. K.

Sen, Shri Robin

Sezhiyan, Shri

Subravelu, Shri

Swatantra, Shri Teja Singh

Ulaganambi, Shri R. P.

Viswanathan, Shri G.

Yadav, Shri G. P.

NOES

Ambesh, Shri
 Asgar Hussain, Shri
 Austin, Dr. Henry
 Azad, Shri Bhagwat Jha
 Aziz Imam, Shri
 Babunath Singh, Shri
 Bahuguna, Shri H. N.
 Banamali Babu, Shri
 Barman, Shri R. N.
 Basappa, Shri K.
 Bhandare, Shri R. D.
 Bhuvarahan, Shri
 Buta Singh, Shri
 Chandre Gowda, Shri
 Chaudhary, Shri Nitiraj Singh
 Chawla, Shri A. N.
 Chhotey Lal, Shri
 Choudhury, Shri Moinul Haque
 Dalbir Singh, Shri
 Darbara Singh, Shri
 Das, Shri Dharnidhar
 Daschowdhury, Shri B. K.
 Deo, Shri S. N. Singh
 Deshmukh, Shri K. G.
 Dhamankar, Shri
 Dixit, Shri G. C.
 Dumasda, Shri L. K.

Dwivedi, Shri Nagashwar
 Ganesh, Shri K. R.
 Gavit, Shri T. H.
 Gonda Singh, Shri
 Ghosh, Shri P. K.
 Gill, Shri Mohinder Singh
 Gohain, Shri C. C.
 Gokhale, Shri H. R.
 Gotkhinde, Shri
 Gopal, Shri K.
 Gounder, Shri T. N. T.
 Gowda, Shri Pampan
 Hansda, Shri Subodh
 Hashim, Shri M. M.
 Ishaque, Shri A. K. M.
 Jadeja, Shri
 Jagjiwan Ram, Shri
 Jamilurrahman, Shri Md.
 Jha, Shri Chiranjib
 Kadam, Shri Dattajirao
 Kadam, Shri J. G.
 Kahandole, Shri Z. M.
 Kale, Shri
 Kamala Prasad, Shri
 Kamble, Shri T. D.
 Kamla Kumari, Kumari
 Kasture, Shri A. S.
 Kavde, Shri B. R.

Kedar Nath Singh, Shri	Ram Prakash, Shri
Kotoki, Shri Liladhar	Ram Swarup, Shri
Kotreshatti, Shri A. K.	Ramji Ram, Shri
Kulkarni, Shri Raja	Rao, Shrimati B. Radhabai A.
Kumaramangalam, Shri Mohan	Rao, Shri Jaganath
Kuroel, Shri B. N.	Rao, Shri Rajagopala
Lutfal Haque, Shri	Raut, Shri Bhola
Maharaj Singh, Shri	Reddy, Shri M. Ram Gopal
Majbi, Shri Gajadhar	Richhariya, Dr. Govind Das
Mehta, Dr. Mahipatray	Rohatgi, Shrimati Sushila
Mirdha, Shri Nathu Ram	Roy, Shri Bishwanath
Mishra, Shri Bibhuti	Samanta, Shri S. C.
Mishra, Shri G. S.	Sankata Prasad, Dr.
Mishra, Shri Jagannath	Sarkar, Shri S. K.
Mohammad Tahir, Shri	Satish Chandra, Shri
Nimbelkar, Shri	Satpathy, Shri Devendra
Oraon, Shri Kartik	Sayajirao, Shri
Oraon, Shri Tuna	Shankaranand, Shri B.
Oza, Shri Ghanshyam	Sharma, Shri A. P.
Pandey, Shri K. C.	Sharma, Dr. H. P.
Pandey, Shri R. S.	Sharma, Shri N. K.
Pant, Shri K. C.	Shastri, Shri Shivpujan
Parashar, Shri Narain Chand	Shenoy, Shri P. R.
Parthasarathy, Shri	Shinde, Shri Annasaheb P.
Patil, Shri T. A.	Shiva Chandika, Shri
Pradhani, Shri K.	Shukla, Shri B. R.
Raghu Ramaiah, Shri	Sinha, Shri Dharam Bir
Raj Bahadur, Shri	

Sokhi, Shri Swaran Singh

Stephen, Shri C. M.

Surendra Pal Singh, Shri

Suryanarayana, Shri K.

Swamy, Shri Sidrameshwar

Tayyab Hussain Khan, Shri

Tiwary, Shri K. N.

Vekaria, Shri

Verma, Shri Balgovind

Vikal, Shri R. C.

Yadav, Shri Karan Singh

Yadav, Shri N. P.

Yadav, Shri R. P.

Yadava, Shri D. P.

MR. DEPUTY SPEAKER : The result* of the division is :

Ayes 42 ; Noes 124.

The motion was negatived.

MR. DEPUTY-SPEAKER : The question is :

"That clause 13 stand part of the Bill,"

The motion was adopted.

Clause 13 was added to the Bill.

Clauses 14 and 15

MR. DEPUTY-SPEAKER : There are no amendments to clauses 14 and 15. I shall put them together to vote.

SHRI M. KALYANASUNDARAM : I want to speak.

MR. DEPUTY-SPEAKER : No.

SHRI M. KALYANASUNDARAM : Then we shall insist on division.

MR. DEPUTY-SPEAKER : The question is :

"That Clause 14 stand part of the Bill."

The Lok Sabha divided :

Division No. 11] AYES [18 48 hrs.

Afzalpurkar, Shri Dharamrao

Ambesh, Shri

Asgar Hussain, Shri

Austin, Dr. Henry

Azad, Shri Bhagwat Jha

Aziz Imam, Shri

Babunath Singh, Shri

Babuguna, Shri H. N.

Banamali Babu, Shri

Barman, Shri R. N.

Barua, Shri Bedabrat

Basappa, Shri K.

Basumatari, Shri D.

Bhandare, Shri R. D.

Bhuvanaban, Shri

*The following members also recorded their votes :

Ayes : Dr. Jivraj Mehta, Prof. S. L. Sakseena, Sarvaashri Somnath Chatterjee, Gadadhar Saha and Bhola Manjhi ;

Noes : Sarvaashri Ram Bhagat Paswan, S. L. Pate, N. N. Pandey and Mulki Raj Sahai ;

Buta Singh, Shri	Haneda, Shri Subodh
Chandre Gowda, Shri	Ishaque, Shri A. K. M.
Chaudhary, Shri Nitiraj Singh	Jadeja, Shri
Chawla, Shri A. N.	Jaggiwan Ram, Shri
Chhotey Lal, Shri	Jamilurrahman, Shri Md.
Choudhury, Shri Moynul Haque	Jha, Shri Chiranjib
Dalbir Singh, Shri	Joshi, Shri Popatlal
Darbara Singh, Shri	Kadam, Shri Dattajirao
Das, Shri Dharnidhar	Kadam, Shri J. G.
Daschowdhury, Shri B. K.	Kahandole, Shri Z. M.
Deo, Shri S. N. Singh	Kale, Shri
Desamukh, Shri K. G.	Kamala Prasad, Shri
Dhamankar, Shri	Kamble, Shri T. D.
Dixit, Shri G. C.	Kamla Kumari, Kumar
Dumada, Shri L. K.	Kasture, Shri A. S.
Dwivedi, Shri Nageshwar	Kavde, Shri B. R.
Ganesh, Shri K. R.	Kedar Nath Singh, Shri
Gavit, Shri T. H.	Kotoki, Shri Liladhar
Genda Singh, Shri	Kotrashatti, Shri A. K.
Ghosh, Shri P. K.	Kulkarni, Shri Raja
Gill, Shri Mohinder Singh	Kumaramangalam, Shri Mohan
Gohain, Shri C. C.	Kureel, Shri B. N.
Gokhale, Shri H. R.	Lutfal Haque, Shri
Gotkhinde, Shri	Maharaj Singh, Shri
Gopal, Shri K.	Majhi, Shri Gajadhar
Gounder, Shri T. N. T.	Mehta, Dr. Jivraj
Gowda, Shri Pampan	Mehta, Dr. Mahipatray
	Mirdha, Shri Nathu Ram

Mishra, Shri Bibhuti

Mishra, Shri G. S.

Mishra, Shri Jagannath

Mohammad Tahir, Shri

Nimbalkar, Shri

Oraon, Shri Kartik

Oraon, Shri Tuna

Oza, Shri Ghanshyam

Pandey, Shri K. C.

Pandey, Shri N. N.

Pandey, Shri R. S.

Past, Shri K. C.

Parashar, Shri Naraïn Chand

Parthasarathy, Shri

Paswan, Shri Ram Bhagat

Patil, Shri, T. A.

Peje, Shri S. L.

Pradhani, Shri K.

Raghu Ramaiah, Shri

Raj Bahadur, Shri

Ram Swarup, Shri

Ramji Ram, Shri

Rao, Shrimati B. Radhabai A.

Rao, Shri Jaganath

Rao, Shri Rajagopala

Raut, Shri Bhole

Reddy, Shri M. Ram Gopal

Richhariya, Dr. Govind Das

Rohatgi, Shrimati Sushila

Roy, Shri Bishwanath

Samanta, Shri S. C.

Senkata Prasad, Dr.

Sarkar, Shri S. K.

Satish Chandra, Shri

Satpathy, Shri Devendra

Savant, Shri Shankarao

Sayajirao, Shri

Shambhu Nath, Shri

Shankaranand, Shri B.

Sharma, Shri A. P.

Sharma, Dr. H. P.

Sharma, Shri N. K.

Shastri, Shri Shivpujan

Shenoy, Shri P. R.

Shinde, Shri Annasaheb P.

Shiva Chandika, Shri

Shukla, Shri B. R.

Siddheshwar Prasad, Shri

Sinha, Shri Dharam Bir

Sokhi, Shri Swaran Singh

Surendra Pai Singh, Shri

Suryanarayana, Shri K.

Swamy, Shri Sidrameshwar

Tayyab Hussain Khan, Shri

Tiwary, Shri R. N.

Vekaria, Shri

Verma, Shri Balgovind

Kalyanasundaram, Shri M.

Vikal, Shri R. C.

Krishnan, Shri M. K.

Yadav, Shri Karam Singh

Lalji Bhai, Shri

Yadav, Shri N. P.

Manjhi, Shri Bhola

Yadav, Shri R. P.

Manoharan, Shri K.

Yadava, Shri D. P.

Modak, Shri B. K.

NOES

Mody, Shri Piloo.

Balathandayutham, Shri

Mukherjee, Shri Samar

Benerjee, Shri S. M.

Mukherjee, Shri Saroj

Bhattacharyya, Shri Dinen

Muruganatham, Shri S. A.

Bhattacharyya, Shri Jagadish

Rao, Shri M. Satyanarayan

Bhattacharyya, Shri S. P.

Reddy, Shri B. N.

Bosu, Shri Jyotirmoy

Reddy, Shri Eswara

Brahman, Shri Rattanlal

Roy, Dr. Saradish

Chandra Shekhar Singh, Shri

Saha, Shri A. K.

Chatterjee, Shri Somnath

Saha, Shri Gadadhar

Das, Shri R. P.

Saksena, Prof. S. L.

Deb, Shri Dasaratha

Sen, Shri Robin

Dhandapani, Shri

Sezhiyan, Shri

Dhote, Shri Jambuwant

Stephen, Shri C. M.

Dutta, Shri Biren

Subravelu, Shri

Ghosh, Shrimati Bibha

Swatantra, Shri Teja Singh

Guha, Shri Samar

Viswanathan, Shri G.

Gupta, Shri Indrajit

Yadav, Shri G. P.

Halder, Shri Madhuryya

MR. DEPUTY-SPEAKER : The result*
of the division is :

Halder, Shri Krishna

Ayes 132 ; Noes 45.

Hazra, Shri Manoranjan

The motion was adopted.

Joarder, Shri Dinesh

* The following members also recorded their votes : —

Ayes : Sarvashri Mulki Raj Saini and M. M. Hashim ;

Noes : Shri Atal Bihari Vajpayee.

Clause 14 was added to the Bill

MR. DEPUTY-SPEAKER : The question is :

"That clause 15 stand part of the Bill."

The motion was adopted.

*Clause 15 was added to the Bill.**Clause 16 (Protection of Action Taken
under the Ordinance)*

MR. DEPUTY-SPEAKER : We take up clause 16. Is Mr. Bibbuti Mishra moving his amendment ? No. The question is :

"That clause 16 stand part of the Bill."

The Lok Sabha divided :

Division No. 12] AYES [18 58 hrs.

Afzalpurkar, Shri Dharamrao

Ambesh, Shri

Asgar Hussain, Shri

Austin, Dr. Henry

Azad, Shri Bhagwat Jha

Aziz Imam, Shri

Babunath Singh, Shri

Bahuguna, Shri H. N.

Banarnali Babu, Shri

Barman, Shri R. N.

Barua, Shri Bedabrata

Basappa, Shri K.

Basumatari, Shri D.

Bhandare, Shri R. D.

Bhavarahan, Shri

Buta Singh, Shri

Chandre Gowda, Shri

Chaudhary, Shri Nitiraj Singh

Chawla, Shri A. N.

Chhotey Lal, Shri

Choudhury, Shri Moinul Haque

Dalbir Singh, Shri

Darbara Singh, Shri

Daschowdhury, Shri B. K.

Deo, Shri S. N. Singh

Deshmukh, Shri K. G.

Dhamankar, Shri

Dharia, Shri Mohan

Dixit, Shri G. C.

Dumada, Shri L. K.

Dwivedi, Shri Nageshwar

Ganesh, Shri K. R.

Gavit, Shri T. H.

Genda Singh, Shri

Ghosh, Shri P. K.

Gill, Shri Mohinder Singh

Gohain, Shri C. C.

Gokhale, Shri H. R.

Gotkhinde, Shri

Gopal, Shri K.

Gowder, Shri T. N. T.

Gowda, Shri Pannan

Hansda, Shri Subodh

Ishaque, Shri A. K. M.

Jadeja, Shri

Jamilurrahman, Shri Md.

Jha, Shri Chiranjib

Josh, Shri Popatlal

Kadam, Shri Dattajirao

Kahandole, Shri Z. M.

Kale, Shri

Kamala Prasad, Shri

Kamble, Shri T. D.

Kamla Kumari, Kumari

Kasture, Shri A. S.

Kavde, Shri B. R.

Kedar Nath Singh, Shri

Kotoki, Shri Liladhar

Kotrashatti, Shri A. K.

Kulkarni, Shri Raja

Kumaramangalam, Shri Mohan

Kureel, Shri B. N.

Lutfal Haque, Shri

Maharaj Singh, Shri

Majhi, Shri Gajadhar

Mehta, Dr. Jivraj

Mehta, Dr. Mahipatray

Mirdha, Shri Nathu R

Mishra, Shri Bibhuti

Mishra, Shri G. S.

Mishra, Shri Jagannath

Mohammad Tahir, Shri

Nimbalkar, Shri

Oraon, Shri Kartik

Oraon, Shri Tuna

Oza, Shri Ghanshyam

Pandey, Shri K. C.

Pandey, Shri N. N.

Pandey, Shri R. S.

Pant, Shri K. C.

Parashar, Shri Narain Chand

Partap Singh, Shri

Parthasarathy, Shri

Paswan, Shri Ram Bhagat

Patil, Shri T. A.

Pradhani, Shri K.

Raghu Ramaiah, Shri

Raj Bahadur, Shri

Ram Swarup, Shri

Ramji Ram, Shri

Rao, Shrimati B. Radhabai A.

Rao, Shri Jagannath

Rao, Shri Rajagopala

Raut, Shri Bhoja

Reddy, Shri M. Ram Gopal

Richhariya, Dr. Govind Das

Rohatgi, Shrimati Sushila

Roy, Shri Bishwanath
 Saini, Shri Mulki Raj
 Samanta, Shri S. C.
 Sankata Prasad, Dr.
 Sarkar, Shri S. K.
 Satish Chandra, Shri
 Satpathy, Shri Devendra
 Savant, Shri Shankarrao
 Sayajirao, Shri
 Shambhu Nath, Shri
 Shankaranand, Shri B.
 Sharma, Shri A. P.
 Sharma, Dr. H. P.
 Sharma, Shri N. K.
 Shastri, Shri Shivpujan
 Shenoy, Shri P. R.
 Shinde, Shri Annasaheb P.
 Shiva Chandika, Shri
 Shukla, Shri B. R.
 Siddheshwar Prasad, Shri.
 Sinha, Shri Dharam Bir
 Sokhi, Shri Swaran Singh
 Surendra Pal Singh, Shri
 Suryanarayana, Shri K.
 Swamy, Shri Sidrameshwar
 Tayyab Hussain Khan, Shri
 Tewari, Shri Shankar
 Tiwary, Shri S.

Vekaria, Shri
 Verma, Shri Balgovind
 Yadav, Shri Karan Singh
 Yadav, Shri N. P.
 Yadav, Shri R. P.
 Yadava, Shri D. P.

NOES

Balathandayutham, Shri
 Banera, Shri Hamendra Singh
 Banerjee, Shri S. M.
 Bhattacharyya, Shri Dinen
 Bhattacharyya, Shri Jagadish
 Bhattacharyya, Shri S. P.
 Bosu, Shri Jyotirmoy
 Chandra Shekhar Singh, Shri
 Chatterjee, Shri Somnath
 Chauhan, Shri Bharat Singh
 Das, Shri R. P.
 Deb, Shri Dasaratha
 Dhandapani, Shri
 Dhote, Shri Jambuwant
 Dutta, Shri Biren
 Ghosh, Shrimati Bibha
 Guha, Shri Samar
 Gupta, Shri Indrajit
 Halder, Shri Madhurya
 Halder, Shri Krishna
 Hazra, Shri Manoranjan

Jha, Shri Bhogendra

Swatantra, Shri Taja Singh

Joarder, Shri Dinesh

Ulaganambi, Shri R. P.

Kalyanasundaram, Shri M.

Vajpayee, Shri Atal Bihari

Krishana, Shri M. K.

Verma, Shri Phool Chand

Lalji Bhai, Shri

Viswanathan, Shri G.

Manjhi, Shri Bhola

Yadav, Shri G. P.

Manoharan, Shri K.

MR. DEPUTY SPEAKER : The result* of the division is:

Modak, Shri B. K.

Ayes 131 ; Noes 52.

Mody, Shri Piloo

The motion was adopted.

Mukherjee, Shri Samar

Clause 16 was added to the Bill

Mukherjee, Shri Saroj

Muruganatham, Shri S. A.

MR. DEPUTY SPEAKER : Now, I come to the point of order. The point of order that was raised was whether a discussion can take place on a clause even when there is no amendment. That is the point of order. We are following rules ; we are following certain conventions in this House. (*Interruption*) Order, please. You will be satisfied when you hear me out. We are also following certain conventions. So far, the convention in the House is that when there is an amendment, there is a discussion, and when there is no amendment the clause is put to the House. Even so, having regard to the very strong feeling that the hon. Members have on this side of the House today, I shall permit some discussion.

Narendra Singh, H. H. Maharaja

Rao, Shri M. Satyanarayan

Reddy, Shri B. N.

Reddy, Shri Eswara

Roy, Dr. Saradish

Saha, Shri A. K.

Saha, Shri Gadadhar

Saksena, Prof. S. L.

Sambhali, Shri Ishaq

Sen, Shri Robin

Sezhiyan, Shri

Stephen, Shri C. M.

Subramulu, Shri

SHRI S. M. BANERJEE : Not today, Sir. I rise to a point of order. We do not want any mercy from the Chair. It is our right. There may not be any amendment to any clause. But if a particular clause is absolutely injurious and if it is beyond any amendment, if we cannot move any amendment, even then, we have a right to

* The following members also recorded their votes :—

Ayes : Servashri Dharnidhar Das, S. L. Peje, R. C. Vikal, J. G. Kadam and M. M. Hashim ;

Noes : Shri Rattanlal Brahman

[Shri S. M. Banerjee]

speak on it. Of course, we in our wisdom should move that it should be deleted. But even otherwise, supposing we feel that the whole clause is bad, then we can speak on it irrespective of any amendment. Sir, more democratic forces are coming into Parliament and we should build up more democratic traditions and conventions instead of sticking to a rule. (*Interruption*)

MR. DEPUTY-SPEAKER : Order, order. Let me reply to Mr. Banerjee's point of order. I am grateful to Mr. Banerjee for bringing this to my notice, but I would also have expected that Members who take so much interest, who feel so strongly against a particular clause, should also have taken the trouble of moving an amendment. (*Interruption*) I am only saying that they could have tabled an amendment when they were opposed to something. In any case, I have said this was only a convention, and now I will agree to a discussion of the rest of the clauses, even if there is no amendment, if you want. That should be sufficient.

SHRI M. KALYANASUNDARAM : You are indirectly criticising us for failure to give an amendment.

MR. DEPUTY-SPEAKER : I am not criticising. (*Interruption*)

SHRI M. KALYANASUNDARAM : For instance, take clause 16. It is a very vital clause. We are opposed to that clause as a whole, but no amendment will be admitted if we move for the deletion of the whole clause. It is a single-clause provision. I have been in the legislature for more than 15 years, and I know. The practice is to oppose the clause as a whole and speak on it. You must allow us to speak. Members have a right to oppose any single-clause provision, and it is the inherent right of the Members, and the Chair has no right to take that right away.

MR. DEPUTY-SPEAKER : I am not taking away any right....(*Interruption*)

Let us take clause 17.

Clause 17 (*Duration of Detention in Certain Cases of Foreigners*)

MR. DEPUTY-SPEAKER : There are two amendments by Shri Frank Anthony.

He is absent. If nobody has anything to say I shall put the clause to the House. Yes; I am putting clause 17 to the vote of the House. The question is:

"That clause 17 stand part of the Bill."

The motion was adopted.

Clause 17 was added to the Bill.

19.00 hrs.

Clause 18 (*Repeal and Saving*)

MR. DEPUTY-SPEAKER : There are no amendments to clause 18. If nobody wants to speak on it, I will put it.

SHRI ATAL BIHARI VAJPAYEE : support the clause.

MR. DEPUTY-SPEAKER : The question is :

"That clause 18 stand part of the Bill."

The motion was adopted.

Clause 18 was added to the Bill.

Clause 1 (*Short Title and Extent*)

SHRI ATAL BIHARI VAJPAYEE : I beg to move :

Page 1, lines 5 and 6,—

omit "except the State of Jammu and Kashmir" (36)

SHRI PILOO MODY : I beg to move :

Page 1,—

for lines 5 and 6, substitute—

"(2) It will be applicable only to specific areas for specific periods of time, where in the opinion of Parliament Law and Order is in jeopardy, and the Government makes out a convincing case that the lack of these powers will inhibit the preservation of Public Order."
(62)

SHRI PILOO MODY : Sir, in the course of my earlier speech, I quoted the reasons why such blanket powers cannot be enjoyed by any democratic Government anywhere in the world. The minister made a personal request to me saying, "You come and listen to my speech and if you are convinced, vote for the Bill." I have listened to his speech with all the concentration I could muster, but the one point on which I could not be convinced was that he kept describing the conditions only in West Bengal. His entire speech was an attempt to paint a rather gruesome picture of what was happening in West Bengal, with an occasional incident described in Punjab or Bihar. He said, because of this picture, we need to arm the Government of India with this power. But these conditions do not exist in Bangalore or Bombay or Madras or in Godhra. In large tracts of this country, covering millions and millions of people these conditions do not exist. Then, why does he want the power of life and death over these people? I want to question his motives, because these are emergency powers. He wants to catch spies and saboteurs. But over vast tracts of this country, no spies or saboteurs exist.

He already has those powers in West Bengal. But has the incidence of crime gone down there? No. He says, after you give me this power, everything will be fine in West Bengal. I doubt his protestation, because on more than one occasion, even at the risk of repetition, they say, law and order has become a socio-economic problem. Does this Act solve the socio-economic problem? It does not. I believe him and want to co-operate with him. This amendment of mine meets his point as well as my point. He tells me that he has certain difficulties about imposing this only in certain limited areas. I think that these technicalities and the limited difficulties that he has, is a small price to pay for the civil liberties of hundreds of millions of people. Therefore, I strongly urge him once again, and I wish the gracious Prime Minister was also here so that I could have appealed to her heart, or at least to her femininity, if nothing else, an appeal which in a very genuine sense meets their requirements and also meets our requirements. It cannot meet the requirements of some of my friends

over there, but they have to contend with this Government in which I am not concerned. But it does meet with the requirements of a large majority of people. Therefore, I urge him, even at this late hour..... I thought at 7 O'Clock he would be in a better frame of mind than at 4 O'Clock in the afternoon when the sun is high on the horizon—I appeal to him in this twilight hour, may be his twilight also as a Minister, not as a man, I appeal to him to accept this amendment which is offered in a spirit of genuine co-operation and not as opposition. Please accept this amendment and you will satisfy yourself as well as something like 500 million people of this country.

श्री अटल बिहारी वाजपेयी : उपाध्यक्ष जी, मेरा संशोधन यह माँग करता है कि इस काले कानून को मारे देश पर थोपना है तो जम्मू काश्मीर को इस दुर्भाग्य से बंचित नहीं रखना चाहिए। भारत की सुरक्षा के लिए यह कानून बनाया जा रहा है। विदेशी जासूसों को शिकंसे में कसने के लिए यह हथियार बढ़ा जा रहा है। लेकिन जिम प्रदेश में इस देश की सुरक्षा के लिए सब से अधिक खतरा है और जहाँ हर महीने विदेशी जासूसों के चक्क चकनाचूर किए जाते हैं, यह बात अलग है कि उनमें से कितने अदालतों में पेश किए जाते हैं, कितनी को सजा दी जाती है, यह पता नहीं लगता है, लेकिन ये खबरें जाती रहती है कि वहाँ जासूसों के चक्क पकड़े गए हैं, तो मैं पूछना चाहता हूँ कि जम्मू काश्मीर को क्यों छोड़ा गया है? अगर संजी महोदय का उत्तर यह है कि वहाँ पहले से ही कानून है और शायद इससे कड़ा कानून है तो अनेक राज्य ऐसे हैं जिन्होंने कानून बना रखे हैं और अनेक राज्यों में कानून होते हुए भी केन्द्रीय स्तर पर कानून बनाया जा रहा है, तो कोई कारण नहीं है कि जम्मू काश्मीर को इससे अलग रखा जाए।

संजी महोदय दूसरा तर्क यह दे सकते हैं कि इस तरह का कानून जम्मू काश्मीर पर लागू करने के लिए हमें वहाँ की विधान सभा की स्वीकृति चाहिए। मैं पूछना चाहता हूँ कि वहाँ

[श्री अटल बिहारी वाजपेयी]

की विधान सभा की स्वीकृति प्राप्त करने में क्या कठिनाई थी। अगर सरकार पहले से प्रयत्न करती तो वहाँ की विधान सभा की स्वीकृति प्राप्त की जा सकती थी। अगर आप आवात्मक एकता की चर्चा करते हैं तो हर कानून में जम्मू काश्मीर के लिए अलग व्यवस्था हो, यह हम नहीं चाहते हैं। हम दावा करते हैं कि भारत के एक भाग के रूप में जम्मू काश्मीर विकसित हो रहा है और यह दावा ठीक भी है। अगर हम हिमाची दीवार तोड़ना चाहते हैं तो कानूनों में ऐसा लिखना बन्द होना चाहिए जिस में यह कहा जाए कि कानून शेष भारत पर लागू होगा किन्तु जम्मू काश्मीर पर लागू नहीं होगा।

SHRI K. C. PANT: Sir, I had explained at some length why we cannot extend this particular Bill, this particular measure, to the State of Jammu and Kashmir. I do not want to repeat all that I have said earlier.

SHRI ATAL BIHARI VAJPAYEE: Say something new.

SHRI K. C. PANT: If something new had been said about it, I would also have replied something new about it. But actually he has repeated my arguments.

SHRI ATAL BIHARI VAJPAYEE: Countered your arguments.

SHRI K. C. PANT: I had referred to their Constitution.

SHRI S. M. BANERJEE: What is your answer to the arguments advanced by P. M.?

SHRI K. C. PANT: Coming to my friend, Shri Piloo Mody, I am grateful to him for wishing that my twilight has not come as an individual. I also wish him a very long life. But there are twilights and twilights and in one respect he may have reached his twilight. I wonder if it was not over-ambitious on his part to seek to appeal to the femininity of the Prime Minister.

The need for the legislation has been explained by me earlier and I do not want to repeat all that. We will be both repeating ourselves by making the same speech. But there are certain points which my hon. friend, Shri Mody, has raised which deserve an answer. The first is as to why if some of the States have this legislation, the Centre also wants to legislate in this field. Firstly, the States cannot legislate in the interest of Defence of India or the security of India; that Parliament alone can do. Therefore, even if all the States have their own laws in this field, it will not enable Parliament or the Central Government to act in the interest of the Defence of India or the security of India. In this, that is the important and primary consideration, particularly at this stage.

Secondly, the Centre cannot act under the State laws. The State Governments can act under their laws, but the centre can only operate under a law passed by this Parliament. Therefore, even if all the State Governments had their laws, the Centre cannot operate in the particular area that I mentioned.

The second important point is that a State like Bihar or Punjab does not have a Preventive Detention Act. My hon. friend said that Bengal has such a measure on its statute book. Yes, Bengal does; but Bihar does not, Punjab does not and some other States do not. Today the situation in Bihar is well known to him. The shadow that we have seen over Bengal, the shadow of violence, is spreading to some extent in Bihar also. I am sure, the House is not unaware of this. In Punjab also we have seen instances of this. I have given instances earlier of Punjab also.

SHRI PILOO MODY: What inhibits you from slapping it on to Punjab, Bihar and Bengal?

SHRI K. C. PANT: Now a State may want a piece of legislation like this, but it is not always possible in the political situation in the country today, considering the political compulsions under which political parties act, that even when a State may want this law, they can pass it. It may not be able to pass it in its own Legislature for factors

which I need not go into now. Is the Centre in such a situation, knowing that such a measure is needed in the State, to sit back helplessly?

Again, he says that some States are more affected by this than others. I do not deny that. The situation in West Bengal is not the same as in Madras and Kerala. The situation is different in each State but I thought, his whole point was that we took too long in taking action in Bengal. We have had this debate so many times in the House and it has been flung in our face again and again that we do not wake up in time; we do not take action in time; we allow things to grow and reach a point where we cannot then nip the thing in the bud and it grows out of hand. Now here in this situation we want to see to it that this charge cannot be flung in our face. Now that we have seen in certain areas that this tendency of violence of this kind has developed, which we have mentioned and discussed in this House, we should not wait till it has spread all over the country and then think of having a preventive detention measure. So, it is now that we take action in this field.

SHRI PILOO MODY : Timely action for the maintenance of law and order and timely action for preventive detention are two different worlds.

SHRI K. C. PANT : The two different worlds are both important in their own areas.

SHRI PILOO MODY : One in a democratic system and the other outside it

SHRI K. C. PANT : He is again provoking me to quote Rajaji which I will not do because he got angry yesterday.

SHRI PILOO MODY : He is becoming a good student of Rajaji.

SHRI K. C. PANT : At least I am a good student than his partymen. Even his party is not studying him.

SHRI PILOO MODY : What inhibits you from passing the law for specific area, in Bihar and Punjab, since you happened

to mention them, and also in West Bengal. Why can't you pass this law only for these geographical areas?

SHRI K. C. PANT : I am not a legal expert. Even in the matter of Emergency, the Constitution does not empower us, as far as my knowledge goes. We cannot declare an Emergency for a State.

SHRI PILOO MODY : Why not?

SHRI K. C. PANT : Because if the Centre declares an Emergency, it will be for the whole country. It cannot be for a State. You can study the constitutional position. This is to the best of my knowledge. The Law Minister is here and you can ask him.

SHRI PILOO MODY : He is not a Law Minister; he is a politician.

SHRI K. C. PANT : These are practical difficulties. In all seriousness, I wanted to reply to his question. Now, after he has listened to me, he may change his mind. I assume an open-mindedness on his part which will now be on the test and we shall see whether, after hearing me, he has an open mind in the matter or not.

MR. DEPUTY-SPEAKER : I now put first the amendment moved by Shri Atal Bihari Vajpayee.

Amendment No. 36 was put and negatived

MR. DEPUTY-SPEAKER : Then I put Amendment moved by Shri Piloo Mody.

Amendment No. 62 was put and negatived

MR. DEPUTY-SPEAKER : The question is :

"That clause 1 stand part of the Bill."

The motion was adopted

Clause 1 was added to the Bill

The Enacting Formula and the Title were added to the Bill

SHRI K. C. PANT : I beg to move :

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

SOME HON. MEMBERS rose—

SHRI BHOGENDRA JHA (Jainagar) : May I make a submission? We have now come to the end of it. Here, the hon. Minister, Shri K. C. Pant, has stated the objects and reasons of the Bill. I would again appeal to him as to whether he thinks it expedient even at this stage that in consonance with the entire objects and reasons given by him here, he will consider that it will not apply to the movements of workers, peasants, students and employees. I hope, he will accept it and make up his mind even at this stage.

SHRI JYOTIRMOY BOSU : Mr. Deputy-Speaker, Sir, in West Bengal, we are living in a big prison. But those outside have illusions about the Government and, to them, I say, that it will be crystal clear that this Government is taking the country to a neo-fascist State. I can say that today it is meant for us but tomorrow it will come to others, in other States. So, let them not think that it is not going to touch them in future. This is being done solely with the object of furthering the party cause of the ruling party.

We have seen, in 1965, how 8000 Muslims were detained and how their families were ruined and their hearths and homes were ruined. I want to tell them that it is strange they have forgotten that the P.D. Acts and all the similar type of black Acts have ruined them.

This time we have come with a much bigger force here. If they misuse it again and bring those black Acts which are fascist in character, they are only digging their own grave.

Thank You.

SHRI INDRAJIT GUPTA (Alipore) : Mr. Deputy Speaker, Sir, I think this debate has shown that history will provide few examples of a ruling Party so cynically disregarding the assurances and the promises it made only recently to the people of this country and the mandate that the

people gave to it, so soon after coming to power.

This Preventive Detention legislation, whatever name it may go by, is nothing new in this country. For the last 20 years we have tasted it. We have full experience of it and, therefore, when we are opposing it and making concrete criticisms of the way in which it is applied and used, we are not talking in the air. Many people sitting on this side of the House, they know of it and they have first-hand experience. We have been victims of it. We know what it means. Mr. Pant should not forget although he is probably for the first time as a Minister having to pilot this odious and obnoxious principle of preventive detention in the form of a statute, please remember the murky history of this thing and don't try to make a virtue out of it.

Sardar Vallabhbhai Patel only brought this up for the first time in 1950 or 1951 in an attempt to circumvent the judiciary. Who does not remember it? Hundreds of people, detainees were lying in the prison under various types of local and State laws and the High Court at Calcutta was on the verge of releasing all of them because it found that there were no grounds, valid grounds for their detention and then Sardar Vallabhbhai Patel came before this House and said that he spent sleepless nights and he was haunted by a nightmare that the prison gates were going to be opened and all these terrible detainees are going to be let loose upon the world and, therefore, to forestall that somehow and to circumvent the judiciary which was about to give a judgement in the Calcutta High Court, this Act was brought for the first time and rushed through the Parliament. Don't we remember it?

Then, Sir, to-day, in order to score a debating point over Mr. Piloo Mehta, the Minister wants to walk in the footsteps of Rajaji. Only three months ago you have gone to the polls and fought against the grand alliance one of whose main architects is the same Rajaji. I do not know what was grand about it and what was grand about Rajaji that you are to-day swearing by him and saying that this is a great thing he did and, therefore, 'we

are proud to do it again'. An amazing logic :

Please go and explain it to the voters who have voted for you three months ago.. (Interruptions) Let us see what principle is behind it. In the later half of 1969 when this Government had lost its majority in this House and it was time to extend the validity of this Act which was expiring and they came forward with a proposal to extend it, all the Opposition Parties were against it and they knew they could not pass it here because we would have opposed it. They did not have the majority. What did they do ? They dropped it altogether.. (Interruptions) Why did you not make that an issue when you went to the Elections ? When you went to the voters and said, "We cannot abolish the princely purses because we could not pass it. Therefore, we are appealing to you 'Give us the mandate'", why didn't you go and tell the voters that we could not pass the Preventive Detention because.. (Interruptions) What was the mandate given to you by the voters ? To come back and enact Preventive Detention law ? In spite of that what did the Government do ? Because they could not pass it here, they egged on a number of State Governments to enact their own State legislations. Madhya Pradesh, Rajasthan, Uttar Pradesh, Assam—all these States were prodded and egged on to pass their own State legislations because they were not able for the time being to do it here because they were in a minority...

SHRI A. P. SHARMA (Ruxar) : Then what ?

SHRI INDRAJIT GUPTA : And then, Sir, as soon President's rule came in West Bengal, then, once again using their powers under President's Rule, they brought in that Prevention of Violent Activities Act and promulgated it. I don't know. There seem to be very many new members on that side who seem to be blissfully ignorant of the fact that there is a full fledged Preventive Detention Act in Bengal since March 1970. They don't seem to be aware of it.

You are going to have two Acts for Preventive Detention, to solve the problems of West Bengal. Don't make us laugh ;

you are not able to do anything ; you are not tackling the real problem at all, because, some Police Commissioner, I. G. of Police are some Home Secretary, or some bureaucrat sitting in Writers Building, came and told you : Unless we are armed with more powers of Preventive Detention, We cannot control the law and order situation, that is why you did it. Therefore, the Consultative Committee of West Bengal, during the period of the President's rule was faced with this very thing and we fought bitterly against it there. We warned them. We said, this is not going to solve the problem. But they said : No, this is the panacea, the magic-wand, which would bring about peace and law and order in West Bengal and they forced this through. And now you can see the result of what is happening today.

Mr. Pant will probably argue that if this Bill had not been passed at that time the situation would have been worse. This is one philosophical way of arguing anything which you can never counter, because it is all in the realm of what-might-have-beens, conjectures, and all sorts of things like that.

The Minister said when he was winding up the General Discussion that but for this Prevention of Violent Activities Act, people would not have gone to the polls in West Bengal. He wants me to believe that millions and millions of voters who came out to exercise their franchise in West Bengal were only able to do it because some thousand people had been locked up under the Preventive Detention Act. He is only casting a slur on them, on the democratic consciousness of the people of West Bengal. Everybody was like a gloomy prophet saying, there won't be any election, people are too much frightened, they won't come out to vote because bombs are bursting on all sides etc. But the people defied everybody and came out in their thousands to vote. Was it because of this miserable, bitter legislation which was there ?

Therefore, I say, the whole thing has got a murky background and the reason why they have brought forward this ordinance last month is very simple. The ruling party,—at least the Members of the Government,—knew that those assurances and promises they gave during the election time are not going to be fulfilled by them, and

[Shri Inderjit Gupta]

cannot be fulfilled,—assurances like fight against unemployment, curbing high prices, and the resolve that they would take bold measures against monopolist and big landlords and princes, and all that. They knew that they are not going to be serious about it. And, this massive majority that they got is now also blissfully going along on that path. That is why the Presidential Address to the joint Houses, never contained a single word against the monopolists. That is why the Budget that has come is of a type we have seen, where the big business has been left scot-free.

They say : we have done a very progressive thing in taking over the management of General Insurance Companies, and saddling us with Rs. 38 lakhs every month, to be paid as compensation for taking over the management. And it is because they know that prices are going to go up because of these policies— even Members who spoke from that side on the Budget expressed their justified apprehension that this Budget is going to cause an allround rise in prices,—it is because they know what it will lead to and they know there is going to be agitation, discontent, strikes, demands for wages and higher D.A.,—that they have brought this forward. You cannot escape it. There have been demands by the peasantry and landless peasants and agricultural labourers for quick distribution of surplus lands and waste lands and Government fallow lands. They were committed to such demands but are not taking any steps to implement them. Because of that, they know that they need this weapon in their armoury.

All this Bangla Desh affair has come as a hardy excuse. That is all. The events that I described of 1967-70 took place long before anything had happened in Bangla Desh. All these arguments now about spies coming in and Pakistani agent coming in, and this and that is an after-thought. At that time there was none of these things. At the second half of 1969, why did they want to extend the term? Was there any Bangla Desh affair going on? No. In 1970, why did they bring Prevention of Violent Activities Act? Was there any Bangla Desh trouble at that time? Nothing. All this is now used as convenient excuses, as a package

deal. They now come forward and say : The country is facing this great crisis, spies are going to come, espionage is taking place, etc. This is all convenient after-thoughts. The whole motive behind this Black Act is to arm themselves to suppress the movement of the people which is inevitable, being made inevitable, because of the pro-capitalist policies that they are out to follow. They know that there will be big struggles and democratic movements, and in order to crush them and to behead those movements and to, us it, against the workers and peasants and other democratic movements, they have armed themselves with this Bill.

Therefore, we are completely opposed to it. This is not a Bill which can be amended, however much my friends may try. This is not a Bill which can be amended, and we are totally against this Bill, and, therefore, I want to express my party's total opposition to it.

PROF. S. L. SAKSENA (Maharajanji) : I am opposed to the Bill lock, stock and barrel. It is not from today that I am opposed to it. From the very day that this principle was introduced in the Constitution 22 years back, I have opposed this. I had the misfortune to be detained under the Defence of India Rules in 1940.

When therefore this principle of preventive detention was being introduced in the Constitution 22 years back in 1949, my whole being revolted against the proposal. I went to Pandit Jawaharlal Nehru and told him that he had been the greatest fighter for civil liberties all his life. How could he tolerate preventive detention being provided for in the Constitution. Then I went to Pandit Pant, I went to Sardar Patel, I went to Dr. Ambedkar, and told them 'What are you doing? You were most vociferous in condemning detention without trial. But now, you are introducing the principle of preventive detention in the Constitution. What face shall we show to our electorate. But except Dr. Ambedkar, they all said 'Boy, you do not know; times have changed; then, we were under a foreign power and under a foreign government. Now, we are trying to protect our newly won freedom. I could not be convinced. This was what I had stated in the Constituent Assembly on that day. I shall read out a few lines from

page 1376 of The Constituent Assembly Debates dated the 16th September, 1949 :

"So far as the present draft is concerned, Dr. Ambedkar has himself confessed that the magistracy will not be under the High Court. I am glad for the frankness with which he admitted in regard to 15A that he wanted 'due process of law' but he has not been able to get what he wanted. Similarly, he has confessed that he wanted the judiciary to be entirely under the High Court, but he has not been able to have it. He is giving us some compromise against his wishes for satisfying the Home Ministry. I realise the difficulty, but as we are making the Constitution for the future generations, we should at least have it on record that we are not in agreement with the views of the Home Ministry, whether it be at the Centre or in the Provinces. Articles 15 and 15A are a complete denial of liberty of person. They are the darkest part of the Constitution."

This was what Dr. Ambedkar had stated,

SHRI K. N. TIWARY (Bettiah) : Is it a regular debate that we are having or is it the third reading stage ?

MR. DEPUTY-SPEAKER : I would request Members of the ruling party to be a little more considerate and a little more generous. They know their strength and they know that they can get this Bill passed. What is the harm in giving the Opposition a little more time to express themselves ?

PROF. S. L. SAKSENA : This was what Dr. Ambedkar had said. I am quoting from page 1497 of the Constituent Assembly Debates dated the 15th September, 1949

"Sir, the House will recall that when at a previous session of this Assembly we were discussing article 15, there was a great deal of controversy on the issue as to whether the words, 'due process' should be there in place of the words which now find a place in article 15. It was ultimately accepted that instead of the words 'due process' the words should be 'according to procedure established by law'. I know that a large part of the

House including myself were greatly dissatisfied with the wording of article 15".

AN HDN MEMBER : Kindly read also what Sardar Patel said.

PROF. S. L. SAKSENA : I had been to Sardar Patel and he said that he was sorry but we had to protect our newly won freedom, and, therefore, we should not worry. But I was not satisfied with that assurance. I had expected that after we had been without this Act for a year and a quarter, when surely the heavens had not fallen, they would not commit the blunder of bringing forward this Bill again, especially when they have got such a massive majority and in any emergency they can get it passed in no time. So, why should they bring such a black Bill and put it on the statute-book ?

Therefore, I would request the Minister to withdraw this Bill. I know he will not do it. But my regret is that his father is not here. If he were here, he would not have brought such a draconian Bill before this House which is much worse than its previous version.

I have suffered under this preventive detention Bill twice. Sardar Patel when he brought this Bill made it very clear that this was meant only for saboteurs and spies. But I was detained under this legislation in connection with strike in a sugar factory in Gorakhpur. The growers were ill-treated. One police sub-inspector beat a cane-grower without any fault. This infuriated all the cane-growers. They could not tolerate what the police had done to one of them. So they refused to supply cane to the factory unless the police sub-inspector came and apologised. For seven days the strike went on. I was leading the strike. Then I was arrested and detained for 11 months. Afterwards, the Supreme Court released me. This is the way the Act had been used. This is how it will be used again. It is going to be used against whomever the ruling party does not like. So I would request the Government not to blacken the statute book with this legislation.

MR. DEPUTY-SPEAKER : There are still a large number of members who would

[Mr. Deputy-Speaker]

like to speak. So I would request them to be as brief as possible.

SHRI K. MANOHARAN (Madras North) : I have listened to the able defence put up by Shri Pant justifying this draconian measure which is now allowed to enter the statute book of this country. I consider this a cobra allowed to enter the democratic garden. As I said, it is a draconian measure ; it is an Act immoral. I would request the Minister to consider certain aspects that have already been brought to his notice for his consideration.

I have been watching him speak. I have got the highest regard for Shri Pant because he is a young, dynamic person taking a really keen interest and applying his mind to problems he deals with, and he is a successful Minister. I wish him well. But in this case, his approach and his reply has been always negative. For example, take the speech of Shri Krishna Menon. I did not hear his reply to it, but I read from newspapers the reply Shri Pant gave. He said that Shri Menon had expressed his own dissatisfaction and opposition to the Bill but that while he was Defence Minister, this Bill was piloted and then as Minister he did not have any objection. He further said that during his tenure as Minister, an extension of the Act was sought and even then he did not resign. I say this is a negative approach. Our experience has been that whenever a Minister comes out of the Cabinet, he speaks the truth. I will not be surprised if after coming out of the Cabinet, Shri Pant also does the same. He will also then oppose this Bill. So let us not shirk responsibility and bypass the whole issue.

This is definitely a Bill which will not help the image of the present ruling party. After the elections, the ruling party has got a nimbus around its head, a cloud of glory, a halo. But I am doubtful whether this glory can be maintained and the image can be protected. I am sure it is going to be denigrated. I am sure the halo, the nimbus, around the personality of the Prime Minister would disappear.

So I would request the Minister to consider one aspect. I know you cannot withdraw the Bill, because it is now beyond that stage. If we ask him to withdraw it, I know the futility of that request. You are not going to withdraw, but one thing I can request you is this. Use it very sparingly and do not abuse it for political purposes, and try to behave like good political boys in the country.

SHRI SAMAR GUHA (Contg.) : I was surprised to find that the ruling party has failed even to gauge the depth of feeling of the opposition. It has not entered their mind as to what it is that has brought all the opposition parties, with radically divergent views on political and other matters, together to vehemently oppose this Bill. The massive victory in the last elections has gone to their head so much and developed a sense of absolutism, and the brute majority has made them brutally impervious to the apprehensions of the opposition. They cannot understand why parties with diametrically opposite views have combined to fight this Bill tooth and nail. If the sense of power had not gone so deep into their minds, they would have applied their minds to understand the cause of the apprehension.

Much has been said about West Bengal. Even after the passing of the Prevention of Violent Activities Act, can you say the situation has improved in West Bengal? Has it not become worse? Is it not a fact that dozens of persons have been killed? With your additional legal power, were you able to bring about peace there? You could not. Therefore, there should have been a different approach in dealing with the problems of West Bengal.

I have another serious apprehension. As I said when I opposed the Bill, they are using the name of Bangla Desh, the situation in the border. If any positive action was to be taken to deal with the problem of Bangla Desh, as it happened in 1962 and 1965, this House would not have taken even an hour to pass such a law, if it was meant for the defence of our national security. But if this Bill is passed into an Act I am afraid that many legitimate grievan-

oes of the Bangla Dash refugees will go unheeded. You may not be able to give them food or shelter, and those who defend their rights on humanitarian grounds will be gagged. Therefore, I want to record my opposition and the opposition of my party to this black Bill.

SHRI M. SATYANARAYAN RAO (Karimnagar) : I am really surprised to see that the Congress Members are very jubilant to pass this law. I want to remind them that they are not going to rule this country for ever. At the most they may rule for five years, and I request them to realise that if any other party comes to power what the fate of this country is going to be. They are going on the wrong path.

MR. DEPUTY-SPEAKER : You have made your point.

SHRI M. SATYANARAYAN RAO : Why are you not allowing me to speak ?

MR. DEPUTY-SPEAKER : I am only appealing to you.

SHRI M. SATYANARAYAN RAO : I am the only speaker on behalf of my party. Yesterday also you did not allow me. I am sorry. I stage a walk out in protest against this. What is this ? This is too much on your part. This is a very important occasion. I protest. This is not good. I am sorry for this. I strongly protest against this. Why are you not allowing me to speak ? You did not give me a chance. I must have my say. You suspend me if you want. I am not going to tolerate this. This is very arbitrary.

The hon. Member tore off some paper and then left the House.

श्री हेमन्त सिंह बनेरा (भीलवाड़ा) : उपाध्यक्ष महोदय, अब जब कि इस बिल पर विचार समाप्त होने जा रहा है, हम सत्तारूढ़ दल के सदस्यों के चेहरों पर हमी की लहर देख रहे हैं। पूरी आपोजीशन ने युनाइटेड होकर इस बिल का घोर विरोध किया है। अब देश आजाद हुआ, तो युवा पीढ़ी की आशा थी कि हम लोग लोकतंत्र के आधार पर स्वतंत्रता से

अपने विचार प्रकट कर सकेंगे और इस देश को एक प्रगतिशील राष्ट्र बना सकेंगे।

मैं आप के सामने एक उदाहरण पेश करना चाहता हूँ कि किस प्रकार लोक सभा के मध्यावधि चुनाव के दौरान मेरे चुनाव क्षेत्र में इस ला का दुरुपयोग किया गया। हमारे एक समर्थक को इस एक्ट के अन्तर्गत गैरेस्ट कर लिया गया, लेकिन जब उसने सत्तारूढ़ दल की तरफ हाथ बढ़ाया, तो उस को रिहा कर दिया गया।

हमें आशका है कि इस ला का दुरुपयोग होगा और इसलिए मैं इसका विरोध करता हूँ यह ठीक है कि सत्तारूढ़ दल अपने बहुमत के बल पर यहाँ जीत जायेगा और हम हार जायेंगे। लेकिन मैं सत्तारूढ़ दल को चुनौती देना चाहता हूँ कि हम बाहर देश में इसका विरोध करेंगे और उसमें हमारी जीत होगी।

SHRI PILOO MODY : All I would like to do is to point out to this House and to this Government how by introducing this Bill and getting it passed, they have converted that magnificent massive mandate into a miserable minority. Because you have people representing 43 per cent of the electorate putting through this Bill against the massive opposition of 57 per cent of the people of this country. We do represent 57 per cent of the people and they represent only 43 per cent. That is how the magnificent massive mandate is turned into a miserable minority. It is the tragedy of our electoral system and that is why I say : so much for their "yem-yem."

श्री शशि भूषण (दक्षिण दिल्ली) : उपाध्यक्ष महोदय, इस बिल को पास करने में हमें कोई गंभ नहीं है। मैं मंत्री महोदय से सिर्फ यह प्रार्थना करना चाहता हूँ कि इस कानून को मजदूर और किसान आन्दोलन के खिलाफ इस्तेमाल न किया जाये। ये जो राजा महाराजा और बड़े बड़े मानोपलिस्ट्स हैं, उनके खिलाफ तो मुझे ही ज्यादा से ज्यादा आन्दोलन करना

[श्री कल्लि भूषण]

पड़ता है। हमारी पार्टी को प्रजातंत्र और समाजवाद पर बाल्वा है और इस लिए मुझे बाधा है कि इस कानून को बजट और किसान आन्दोलन के खिलाफ इस्तेमाल नहीं होगा—अगर सम्प्रदायवादियों के खिलाफ हो, तो मुझे कोई एतराज नहीं है।

SHRI K. C. PANT : A certain amount of mutual grace, a certain amount of mutual respect and a certain amount of acceptance of each other's point of view and at least not doubting each other's motive must inform the deliberations of this House if we are to function smoothly. Even at this late stage, I realise that everybody is tired and tempers are frayed; but I would beg of my friends opposite, since they have raised some points, to give me a few minutes to reply to them.

The first thing is that Shri Bhogendra Jha raised the point that this measure should not be used against workers, farmers and students. I appreciate the sentiment and I appreciate the spirit. I do not know whether I may add it to the Statement of Objects and Reasons at this stage. But as I said even earlier—because I do not know how it can be done without an amendment and so on—I can assure him and my friend Shri Shashi Bhushan, that this Bill is not being put forward to suppress any legitimate movement of workers or farmers or students.

SHRI BHOGENDRA JHA : You are not saying it seriously. Bring in an amendment if you are serious (*Interruption*).

SHRI K. C. PANT : I am very serious, and I am saying it in all seriousness. It is a matter of record. (*Interruption*) My friend Shri Bhogendra Jha knows that an amendment to the objects and reasons, even if it is possible, does not form part of the law. It forms part of the record. I have already said so. So, it is as good as putting it there.

SHRI M. KALYANASUNDARAM : Why do you want to play this political game? (*Interruption*)

SHRI K. C. PANT : Mr. Kalyanasundaram, you will appreciate the point that the courts also will not be guided by the Statement of Objects and Reasons. Therefore, my records. (*Interruption*)

SHRI BHOGENDRA JHA : If you want to assure us, then move an amendment. You are not serious.

SHRI K. C. PANT : What I have said is said in all sincerity and seriousness. Now, my hon. friend, Shri Manoharan, asked me a direct question. He asked, will you use it sparingly and not use it for political purposes? Again, I would like to say that certainly it shall be our endeavour to use this very sparingly and not for political purposes. I have made the point earlier also. (*Interruption*)

SHRI DINLN BHATTACHARYYA (Serampore) : At the time of passing the PD Act also, you said the same thing. But you had victimised thousands of workers. (*Interruption*)

SHRI K. C. PANT : Why not you give me a patient hearing? It will help both of us if you give me a patient hearing and you will be able to understand our approach to the problem. I have listened to you all. You have to listen to only one infliction from me. Just think of my lot.

My hon. friend Shri Manoharan asked me these questions, and I am prepared to reply to them, and again, in a spirit of sincerity. But naturally all political parties must also abjure violence, the ways of violence. They must abjure any thought of undermining our democratic structure and must abide by the rules of the game, within the framework of the Constitution which guides our actions. This is also essential. It cannot be omitted. Therefore, if under the guise of political activity, someone seeks to act in manner which is prejudicial to the unity of this country, to the sovereignty of this country, to the safety of his country, prejudicial to the communal harmony, which is prejudicial to the freedoms what we all want to preserve, prejudicial to the democratic structure which we all want to preserve, then, I am afraid in those circumstances, the clauses here may come into play. But

for that, the blame must rest squarely on those who seek to use those methods against our established values and the values that we cherish. This, I must make clear.

Mr. Indrajit Gupta said, "You have the people's mandate" and he twitted us for bringing forth this measure. May I remind the House that in our election manifesto, along with other things, we have said :

"The Congress, therefore, appeals to the people to return its candidates to the Lok Sabha and give it a clear mandate .. (2) to put down the forces of violence and disorder so that all our citizens can live in peace and harmony "

So, this is as much our mandate as the other things he mentioned. It is in pursuance of this promise to our people that we seek to take whatever measures are necessary in the situation that prevails today to preserve the unity and integrity and the basic institutions of the country. The situation in the country is extraordinary. We are living in troubled times. It is my duty to point out that many of the border States do not have such laws. There is an impression created by Mr. Mody that all those States have this law. There is no such law in Assam, Nagaland, Bihar, UP, Himachal Pradesh, Punjab and Gujarat. The border is hotting up. The whole country is anxious about it. These border States do not have this law. Is this the time to quibble over small things or is this the time to realise that if tomorrow the need for such law can arise, we must be prepared for it? It is in that spirit, in the spirit of preserving the freedom and sovereignty of this country and the peace of this country that I appeal to this House to pass this measure. We know, there are elements in the country which want to destroy this unity and this freedom and which want to disrupt the fabric of our

society. It is against them that such measures are necessary. But for that, these measures would not be necessary. Therefore, I hope, even though it is late, my friends in the opposition, realising the gravity of the situation, will give it cool thought and support the measure.

श्री अटल बिहारी वाजपेयी : हम अपना विरोध प्रकट करते हैं, हम मतदान में भाग नहीं लेगे। हम इस को धिक्कारते हैं, हम बाहर जा रहे हैं। (Interruptions)

MR. DEPUTY-SPEAKER : The question is :

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

Those in favour will say 'Aye'.

SOME HON. MEMBERS : Aye.

MR. DEPUTY-SPEAKER : Those against will say 'No.'

I think the Ayes have it. The Ayes have it. The Bill, as amended, is passed. (Interruptions)

The motion was adopted.

Shri Atal Bihari Vajpayee and some other hon. Members left the House.

MR. DEPUTY-SPEAKER : The House stands adjourned till Eleven of the Clock on Monday.

20.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, June 21, 1971 (Jyaishta 31, 1893 (Saka)