

[Shri K. A. Rajan]

amended to the effect that for any violation of the provisions of the Plantation Labour Act, 191, and the rules made thereunder, the management shall be punished with imprisonment which should not be less than three months, by a competent court not below the rank of a first class Magistrate."

Why I am mentioning this is because of this. What is going on regarding housing? For housing we give so much subsidy and so much loan but how far house construction is satisfactory in the plantations. It is better to entrust the whole construction programme to the State Government and let the State Government concerned do the job and the money will be recovered from the plantation people.

MR. CHAIRMAN: Now it is 5 O'clock. You would like to continue tomorrow?

SHRI K. A. RAJAN: Yes, Sir, I will continue tomorrow.

17.00 hrs.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS: (SHRI P. VENKATASUBBAIAH): Sir it is now 5 O'clock. My item is coming. I only request that the Plantation Labour may be completed today itself.

MR. CHAIRMAN: How?

SHRI P. VENKATASUBBAIAH: After this, there is half-an-hour discussion. After the Half-an-hour dis-

cussion is completed, this Bill may be taken up.

AN HON. MEMBER: No, Sir.

SHRI P. VENKATASUBBAIAH: Sir, our time schedule is tight and there are large number of items.

SHRI KRISHAN CHANDRA HALDER (Durgapur): After all we may take up this Bill tomorrow morning. I wanted to help you.

# MOTION RE. ANNULMENT OF ALL-INDIA SERVICES (DEATH- CUM-RETIREMENT BENEFITS) AMENDMENT RULES, 1981

MR. CHAIRMAN: Now we may take up item No. 24. Shri Shejwalkar is not here. Shri Phool Chand Verma is also not here. Dr. Vasant Kumar Pandit.

DR. VASANT KUMAR PANDIT (Rajgarh): Mr. Chairman, Sir, I beg to move the following:—

"That this House resolves that in pursuance of sub-section (2) of section 3 of the All-India Service Act, 1951 (61 of 1951) the All-India Services (Death-cum-Retirement Benefits) Amendment Rules, 1981, published in the Gazette of India by Notification No. G.S.R. 248 dated the 7th March, 1981 and laid on the Table of the House on the 15th April, 1981 be annulled.

"This House do recommend to Rajya Sabha that Rajya Sabha do concur in this resolution."

Sir, there is a matter of principle due to which I have stood and I say:

"That this House do recommend to Rajya Sabha that Rajya Sabha do concur in this resolution."

I stood to annul this notification as a matter of principle the All India Services (Death-cum-Retirement Benefits) Amendment Rules.

They have been Amended in the past. So, this is not the first time that this has been done. Sir, in the previous two amendments, you will find that there was a sort of formula and the increase was more or less uniform and regular as long as it was attached to a particular class of service. The differentiation is this. The Amendment Rules and the Notification indicate a clear departure from this principle and the principle of uniformity. In the earlier part, the pension was raised to Rs. 15,00. From Rs. 500 it was raised to Rs. 725. All others were given forty per cent blanket rise. I have no objection to this so long as there was uniformity in the rise. But in the present order, it appears to be motivated as long as this relating totally to one, particular post—not to a class of post—and that's relating to the post of the Cabinet Secretary. I would therefore like to know whether this benefit will go to one particular person, that is, the Cabinet Secretary as he is now called the Secretary to the Council of Ministers. He is also a class I Officer. To my knowledge, all Principal Secretaries in the Government, the Army Generals and the Chairman of the Railway Board are also included in the same grade. But, they have been denied this rise for reasons best known to the Government.

Therefore, I would like to know whether there is any particular classification for the Cabinet Secretary the Secretary to the Council of Ministers. I would like to know in the hierarchy of officials who stand on the same level why the benefit of this raise has not been given to them? Why the principle of uniformity which has been followed all along in

the previous amendments of the rule has not been followed in this particular rule.

Sir, if the explanation is not cogent logical I will be only left with the choice to conclude that this will lead to a lot of bitterness and disalienation. I would like the Government to make it clear as to why this distinction and differentiation is being done against those who are on the same level, grade and classification. For what reason has the Government thought it fit to bring about these regulations?

Sir, I personally feel the workload is the same for all Principal Secretaries, Chairman of the Boards and Army Generals. Is it that we are trying to make distinction between work-load of Secretaries and of that rank? Therefore, may I know from the Government why these amendment rules have been formulated and what is the underlying principle due to which they have selected one particular category of Cabinet secretarial post for the benefits which are to accrue hereafter?

MR. CHAIRMAN: Motion moved:

"That this House resolves that in pursuance of sub-section (2) of section 3 of the All-India Services Act, 1951 (61 of 1951), the All-India Services (Death-cum-Retirement Benefits) Amendment Rules, 1981, published in the Gazette of India by Notification No. G.S.R. 248 dated the 7th March, 1981 and laid on the Table of the House on the 15th April, 1981, be annulled.

"This House do recommend to Rajya Sabha that Rajya Sabha do concur in this resolution."

THE MINISTER OF STATE IN  
THE MINISTRY OF HOME AF-



# FAIRS AND DEPARMENT OF PARLIAMENTARY AFFAIRS

(SHRI P. VENKATASUBBAIAH):

Mr. Chairman, Sir, my friend Dr. Pandit has raised certain points and has questioned the Government's wisdom in discriminating and making discrimination between the Cabinet Secretary and other officers of that cadre. Sir, he has also pointed out as to whether there are any officers who are analogous to the rank of Cabinet Secretary and they are having same scale pay and pensionary benefits.

Sir, the Cabinet Secretary enjoys a unique position. He is the doyen of the Secretaries and occupies a higher position in the warrant of precedents than the Chiefs of Staff holding the rank of full General or equivalent rank. He is also a person holding a special job. That is why the Government—not our Government—when Shri Charan Singh was the Deputy Prime Minister made a statement in the Floor of the House about the new pension formulae based on slab system. According to this new formulae the total amount of relief and pension at average price index of 328 was subject to a ceiling of Rs. 1, to and in the case of Cabinet Secretary it was decided that his pension would be fixed at par with that of the Chiefs of Staff. The Chief of the State get the same sort of pension as the Cabinet Secretary gets and the Cabinet Secretary in the warrant of precedents occupies a higher position than the Chiefs of Staff. In order to implement the commitment made in both Houses of Parliament by the then Deputy Prime Minister this has been brought. There is no discrimination and Rs. 1,500 ceiling is there for all the other IAS officers and only in this particular case because in the order of precedents he is on par or more than that of the Chiefs of Staff and the Chiefs of Staff are getting Rs. 1,700 as pension that this has been done. So, there is no discrimination about it.

And at that time some arrangements had been made with all the services. In the statement made by the Dy. Prime Minister, this was announced. So, in pursuance of that, this Notification was made amending the rules. Therefore, there is no discrimination. It is a simple proposition. And, as I have said the Cabinet Secretary holds a very high position. Also, in order to keep him on par with the Chiefs-of-Staff this arrangement was made. I do not think our friend Dr. Vasant Kumar Pandit has got any objection to this sort of a thing. He was a member of the ruling party then. His party was there. More than me, he must come forward to support this amendment which had been made by a former Chief Minister and a former Dy. Prime Minister. Shri Charan Singh.

MR. CHAIRMAN: You are only doing his job.

SHRI P. VENKATASUBBAIAH: I am only doing his job, Sir.

DR. VASANT KUMAR PANDIT: In 1979 April, the then Government collapsed and an interim Government was installed in power; it was not my Government.

PROF. N. G. RANGA (Guntur): He was Deputy Prime Minister, Mr. Charan Singh.

DR. VASANT KUMAR PANDIT: Our party was not there at that time.

SHRI P. VENKATASUBBAIAH: As Deputy Prime Minister he made this statement.

DR. VASANT KUMAR PANDIT: From 1951 onwards till 1979 this higher grade or higher work or superiority of this post of Cabinet Secretary was not thought of by the Government. All these years, this logic or this sort of argument never came up.

**SHRI P. VENKATASUBBAIAH:** What can I do? Mr. Charan Singh brought it. Dr. Vasant Kumar Pandit. This is the first time we see it. We are glad to know about it. This is the first time that they are coming forward saying that something good was done in our time and they are continuing it; in spite of it, if there are mistakes done in our regime, they should not continue them.

**PROF. N. G. RANGA:** Where is the question of discrimination?

**SHRI P. VENKATASUBBAIAH:** In very rare cases they had not committed any mistakes. This is one of those cases.

**MR. CHAIRMAN:** It is a compliment to you!

**DR. VASANT KUMAR PANDIT:** Every time, while considering the case of Bonus for P&T workers, University Teachers, etc., they were giving the stock argument saying, 'Look, we have to see whether any other persons are benefited, or any other persons are discriminated against' and so on. And therefore, in this particular case, I do feel that at a very higher level of Class I officialdom this sort of discrimination should not have been done. However, as the hon. Minister has given his explanation, I would not press for my motion.

**MR. CHAIRMAN:** Is it the pleasure of the House that the motion moved by Dr. Vasant Kumar Pandit be withdrawn?

*The motion was, by leave, withdrawn*

17.15 hrs.

# HALF-AN-HOUR DISCUSSION THREE LANGUAGE FORMULA IN DELHI SCHOOLS

श्री राजनाथ सोनकर शास्त्री (संदपुर)  
सभापति महोदय, पहले तो मैं माननी

स्वीकर साहब को धन्यवाद देता हूँ कि उन्होंने इस महत्वपूर्ण विषय पर प्राधे घण्टे की चर्चा स्वीकार की है। लेकिन मैं देख रहा हूँ कि हमारे सामने उप शिक्षा मंत्री जी बैठे हुए हैं, शिक्षा मंत्री जी नहीं हैं। उप शिक्षा मंत्री जी रेल मंत्री ज़्यादा हैं और शिक्षा मंत्री कम हैं। मैं नहीं समझता कि क्या वह इन प्रश्नों का जवाब दे पायेंगे। बहुकाल, मैं आपके संरक्षण में चन्द शब्द इस संदर्भ में विनम्रतापूर्वक निवेदन करता हूँ।

मान्यवर, आज मुल्क में हिन्दी राष्ट्र-भाषा और राजभाषा के रूप में मानी जा रही है। 14 सितम्बर, 1949 को हिन्दी कानून हमारे मुल्क में राजभाषा के रूप में स्वीकार की गई। इसी के साथ-साथ हिन्दी हमारी राष्ट्रभाषा भी थी। हमारे शासकों ने हिन्दी की प्रगति के लिए इस हाउस में और इस हाउस के बाहर बड़ी-बड़ी प्रतिज्ञाएँ की और बड़े-बड़े वायदे किए और एक बार नहीं सैकड़ों-हज़ारों बार उन्होंने हिन्दी की प्रगति के लिए पूरे मुल्क की शासन व्यवस्था को और शासन के जिम्मेदार लोगों को बड़े आवश्यक निर्देश दिए, लेकिन आज 34 वर्ष के बाद भी ये सारे के सारे निर्देश, सारी की सारी व्यवस्था कागज़ पर ही रह गई है।

मुझे खेद के साथ कहना पड़ रहा है कि इस मुल्क में हिन्दुस्तान के अन्दर हिन्दी को राजभाषा स्वीकार करते समय, हिन्दी राष्ट्रभाषा के रूप में होते हुए, जितना हिन्दी का अपमान हुआ है, उतना किसी भी भाषा का अपमान नहीं हुआ है। मान्यवर, मुझे यह कहने में ज़रा भी संकोच नहीं है कि इस मुल्क के अन्दर हिन्दी को मेहतारानी के रूप में स्वीकार किया गया है और अंग्रेज़ी को महागानी के रूप में स्वीकार किया गया है। वह