

[Secretary-General]

received from the Secretary-General of Rajya Sabha.

- (i) "In accordance with the provisions of rule III of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Public Wakfs (Extension of Limitation) (Delhi Amendment) Bill, 1973, which has been passed by the Rajya Sabha at its sitting held on the 29th November, 1973."
- (ii) "In accordance with the 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 Indian Works of Defence (Amendment) Bill, 1973, which has been passed by the Rajya Sabha at its sitting held on the 29th November, 1973."

**BILLS AS PASSED BY RAJYA
SABHA**

SECRETARY-GENERAL: Sir, I lay on the Table of the House the following Bills, as passed by Rajya Sabha:—

- (1) The Public Wakfs (Extension of Limitation) (Delhi Amendment) Bill, 1973.
- (2) The Indian Works of Defence (Amendment) Bill, 1973.

12 03½ hrs

CORRECTION OF ANSWER TO SQ No 90, DATED 26TH FEBRUARY 1973 RE EXPENDITURE ON REPAIRS OF NEWLY PURCHASED SHIPS.

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI KAMLA-PATI TRIPATHI): I beg to lay on the Table a statement:—

(i) correcting the answer given on the 26th February 1973 to Starred

Question No. 90 by Sarvashri Krishna Chandra Halder and H. M. Patel regarding expenditure on repairs of newly purchased ships by Shipping Corporation; and

(ii) giving reasons for delay in correcting the answer.

Statement

In reply to Starred Question No. 90 asked by Sarvashri Krishna Chandra Halder and H. M. Patel on 26th February 1973, it was stated in the Lok Sabha that the ratio of the total expenditure on repairs and maintenance of the eight ships as shown in the statement laid on the Table of the Sabha, worked out to 311 per cent of their total capital cost

However the above mentioned ratio comes to 3198 per cent instead of 311 per cent.

The figure 311 may be substituted by 3198 in the aforesaid reply

This statement could not be made earlier, as it was originally felt that the mistake was not substantial. On reconsideration, however, it has now been decided to make this statement.

SHRI KRISHNA CHANDRA HALDER (Aurangabad): I have not seen the statement but I want to say that on 26th February myself and Mr. H M Patel put a question when the then hon Minister for Shipping & Transport made a statement. After that, I was not satisfied and on 27th April 1973 I raised a half-an-hour discussion. At that discussion also, the hon Minister, Shri Raj Bahadur, denied my charges. Now I want to say that after 26th February and 27th April there was sufficient time to correct his answer. I do not understand why so much time has been taken to correct his reply. The hon. Minister, Shri Raj Bahadur has misled the House..

MR SPEAKER: There is a procedure for that. So far as the proce-

sure is concerned, after the statement of the Minister, no question is allowed. If there is some incorrect statement, you can proceed under Direction 115

SHRI DINEN BHATTACHARYYA (Serampore) His point is very relevant. Your help and guidance is necessary. How long will a Minister take to correct his own statement? In the meantime there was an half-an-hour discussion. You must pull up the Minister.

MR SPEAKER He has already made a statement correcting the answer. You may go through it. It is already laid on the Table of the House. If you think something is necessary you can proceed under Rule 115.

SHRI S M BANERJEE (Kanpur) Shri Kamalapati Tripathi was not Minister at that time. This relates to Starred Question No 90 by Shri K C Halder on 26-2-73.

MR SPEAKER I will examine the position.

(Interruptions)

MR SPEAKER You are all speaking simultaneously. I am not allowing anybody. Shri Banerjee. Please be brief.

SHRI S M BANERJEE My point of order is this. This question arose on 26th February, 1973. After that there was Half-an-hour discussion on 27th April. It could have been corrected at that time. Mr Kamalapati Tripathi took over recently and the baby has been passed on to him. If the reply is being corrected in December, don't think you it is a sad commentary on the performance of the Ministry? Will it be too much to pull up the Minister, Sir? It has happened with Members. If you do not correct the statement within three days it is published as it is.

MR SPEAKER Kindly sit down. I am happy that you have not put it in the form of a question. Now, your

objection is about this long delay. Shri Madhu Limaye, what is your point?

श्री मधु लिमये (बाका) अध्यक्ष महोदय, जब किसी प्रश्न का गलत उत्तर दिया जाता है तो दो रास्ते हमारे सामने रहते हैं। अगर अपूर्ण उत्तर है तो आप कहते हैं कि आधे घंटे की बहस कीजिए। अगर गलतबयानी है तो कहते हैं कि डायरेक्शन न० 115 क तहत आप दे बीजिए।

अब हाफ ऐन अवर डिस्कशन वाला नियम क्या है। उस में यह कहा है

The Speaker shall allot half an hour on three sittings in a week for raising discussion on a matter of sufficient public importance which has been the subject of a recent question oral or written and the answer to which needs elucidation on a matter of fact.

अब इन्होंने आधे घंटे की बहस उठाई। उस के बाद भी मंत्री महोदय ने अपनी गलती नहीं सुधारी। वास्तव में आधे घंटे की बहस के बाद एक या दो दिन में करना चाहिए था। इसलिये यह कोई मामूली सुधार नहीं किया गया है अपनी गलतबयानी करें। तो आप को इस के बारे में आदेश देना चाहिये।

(इपबचान) गलतबयानी के बारे में दर्जनों मामले हम लोग उठते हैं। आप के सामने इस वक्त तीन चार मेरे मामले पड़े हुए हैं।

अध्यक्ष महोदय आप के तो आते ही रहते हैं।

श्री मधु लिमये अध्यक्ष महोदय, हम लोग बिल्कुल असहाय लोग हैं सरकार के सामने। आप अगर हमारी इन बातों में मदद नहीं करेंगे तो सार्वजनिक हितों की रक्षा करने का काम हम लोग अच्छी तरह से नहीं कर सकेंगे।

अध्यक्ष महोदय : आप हेल्पलेस नहीं हैं। आप बड़े तगड़े हैं। मैं यह नहीं मानता कि आप हेल्पलेस हैं।

श्री मधु लिमये : जो दण्डधारी है उन के सामने हमारी शक्ति क्या है ?

अध्यक्ष महोदय : होता सब तरफ से है, वह तो बैठे सुनते रहते हैं।

SHRI KRISHNA CHANDRA HALDER: Mr. Speaker, Sir, in reply to a question in Half-an-Hour Discussion, Shri Raj Bahadur said:

'I have great respect for my hon. friend, Shri Krishna Chandra Halder, but I am afraid I cannot plead guilty to the charge that he levelled about my deliberately withholding any facts in regard to the answer to the question he put to me on February 26, 1973. His question read as follows:'

He categorically said that he denied my charge levelled against him.

So, on 27th April, 1973 he got the opportunity to correct his statement which was laid on the Table of the House on the 26th. So, I think Shri Raj Bahadur not only made an incorrect answer but he also misled the House deliberately.

MR. SPEAKER: Let him please come out with his observations.

SHRI KRISHNA CHANDRA HALDER: He had the time. Now, the Indian Airlines have declared a lock-out. I want to know whether he would now make a statement on this or not.

MR. SPEAKER: Kindly don't go astray. Have you anything to say now?

SHRI SEZHIYAN (Kumbakonam): Mr. Speaker, Sir, I want to ask a question.

MR. SPEAKER: Let me get a clear reply from the Minister.

श्री कमलापति त्रिपाठी : मान्यवर, इस में देर तो हो गई है, इस में कोई सन्देह नहीं है। माननीय सदस्यों को जो शिकायत है कि देर हो गई है, यह अनूचित शिकायत भी नहीं है हमारे सामने जब यह मामला आया तो हम ने सोचा कि इस का क्वैरिफिकेशन कर देना चाहिये। अगर इस से माननीय सदस्यों को कोई कष्ट हुआ है तो विनाम इस के कि कन्स कीजिये, इस के सिवा और कोई रास्ता नहीं है।

श्री कृष्णकान्त हल्दर : आपसे कोई शिकायत नहीं है, लेकिन राज बहादुर जी..

श्री कमलापति त्रिपाठी : राज बहादुर जी का उत्तराधिकारी मैं हूँ, इस लिये मेरी बात सुनिये....

श्री मधु लिमये : इस में उत्तराधिकारी की बात नहीं है, यह व्यक्तिगत जिम्मेदारी की बात है।

श्री कमलापति त्रिपाठी : इस में जवाइंट रेस्पॉन्सिबिलिटी होती है। लोकतन्त्र की परम्परा तो आप जानता ही है।

श्री मधु लिमये : लेकिन व्यक्तिगत जिम्मेदारी को भी भुनाया नहीं जा सकता।

श्री कमलापति त्रिपाठी : व्यक्तिगत जिम्मेदारी है, तभी तो मैं यह कह रहा हूँ। एक छोटी सी भूल के लिये हाउस को क्षमा करना चाहिये। जहाँ तक मधु लिमये साहब का यह ब्याज है कि हम दण्डधारी हैं—तो, मान्यवर, एक पुरानी बहावत है—बडेम रक्षाति राष्ट्रं शास्त्रं चर्चा प्रवर्तते। राष्ट्र दण्ड हाथ में न रखें तो शास्त्र की बात करने का अवसर ही नहीं मिलेगा।

SHRI SEZHIYAN: Mr. Speaker, Sir, in this regard, the hon. Minister himself has accepted that there has been delay. We are not interested in who is responsible for this delay—

Shri Raj Bahadur or Shri Tripathy— but we are interested in the working of the Ministry. I want to know what are the reasons for this delay and whether they have fixed the responsibility for the same.

MR. SPEAKER: I think the points raised were about the statement made by the hon. Minister. I am now taking up the procedure in this regard. The Minister had given his reply in the half-an-hour discussion, probably, one day after the question was answered.

SHRI KRISHNA CHANDRA HALDER: Half-an-hour discussion was on 27th April, 1973.

MR. SPEAKER: You mean he gave the reply in the half-an-hour discussion which took place subsequently. He had two months' clear notice. After that, when this was discussed, it could have been easily explained to the House and rectified. But anyway the hon. Minister has come out with a regret. He is representing the other Minister. As for the reasons, he says that the correction is only this namely that the above-mentioned ratio comes to 3.198 per cent instead of 3.11 per cent. At the end, he has said:

"This statement could not be made earlier as it was originally felt that the mistake was not substantial. On reconsideration, however, it has now been decided to make the statement."

That is the reason for this small substantial or insubstantial correction by way of this small difference in percentage. An equally good apology has come from the hon. Minister. There is absolutely little difference between Shri Raj Bahadur and Shri Kamalapati Tripathi as there is little difference between the two percentages, and we accept it.

SHRI SAMAR GUHA (Contai): May I make a submission to you? My submission is that I had written to you earlier also that some of my very

important questions seeking factual information have been waiting for eight months. What am I to do? I had written once, twice and perhaps several times. What am I to do?...

MR. SPEAKER: I am not permitting it.

SHRI SAMAR GUHA: I would avail of this opportunity, if you would permit me....

MR. SPEAKER: I am not permitting it. He is asking for my permission, but I say that I am not permitting him. I shall look into it, if he writes to me.

श्री भान सिंह भोरा (भटिडा) : अध्यक्ष महोदय,.....

MR. SPEAKER: Let the hon. Member resume his seat. He cannot get up suddenly and start raising something. I am not allowing anything without permission. If he goes on speaking, it would not come on the records. Why do you come in between the items of business fixed in the agenda?

As for the Professor, I can say to him that everything cannot be solved by shouting. But it is a wrong impression that has gone into your head. If you had given me any authority either to hang a Minister or do anything, I would not shirk. But all I can do by way of action in this regard is to invite the Minister's attention which I will do if you write to me.

SHRI SAMAR GUHA: I have written to you several times.

MR. SPEAKER: Let me know what is the remedy in my hands. Let me know what I should do.

आप चाहिये बनाइये मुझे। न कोई बात है न एजेन्डा में नाम रखा है, उबरदस्ती उठ कर बड़े हो गये हैं।

SHRI SAMAR GUHA: If you take the matter seriously I expect a response from you.

MR. SPEAKER: The only alternative, if you are not satisfied, is to bring in a no-trust motion, which we have discussed already; or you can ask the Speaker and then I can write to them. But do not put me in a difficult situation everyday.

I may again make it clear that unless I call a member he will not be allowed.

श्री भानु सिंह भौरा: माननीय ज्योतिर्मय बसु के पीइट का मिनिस्टर ने जवाब दिया था।

अध्यक्ष महोदय : वह मैं ने भलाउ नहीं किया था।

I made it very clear. I am not allowing that. It was never allowed.

12.21 hrs.

ELECTIONS TO COMMITTEES

(i) NATIONAL SHIPPING BOARD

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI KAMLA-PATI TRIPATHI): I move

"That in pursuance of sub-section (2) (a) of section 4 of the Merchant Shipping Act, 1958, the members of this House do proceed to elect in such manner as the Speaker may direct, four members from among themselves, to be members of the National Shipping Board".

MR. SPEAKER: The question is:

"That in pursuance of sub-section (2) (a) of section 4 of the Merchant Shipping Act, 1958, the members of this House do proceed to elect in such manner as the Speaker may direct, four members from among themselves, to be members of the National Shipping Board".

The motion was adopted.

(ii) CENTRAL SILK BOARD

MR. SPEAKER: As for item 8, I have allowed Shri C. Subramaniam to move the motion.

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): I move:

"That in pursuance of clause (c) of sub-section (3) of section 4 of the Central Silk Board Act, 1948, the members of this House do proceed to elect in such manner as the Speaker may direct one member from among themselves to be a member of the Central Silk Board vice Shri Inder J. Malhotra appointed Chairman of the Board".

MR. SPEAKER: The question is:

"That in pursuance of clause (c) of sub-section (3) of section 4 of the Central Silk Board Act, 1948, the members of this House do proceed to elect in such manner as the Speaker may direct one member from among themselves to be a member of the Central Silk Board vice Shri Inder J. Malhotra appointed Chairman of the Board".

The motion was adopted.

12.28 hrs.

CENTRAL EXCISES AND SALT (SECOND AMENDMENT) BILL

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): I beg to move for leave to introduce a Bill further to amend the Central Excises and Salt Act, 1944.

MR. SPEAKER: Motion moved:

"That leave be granted to introduce a Bill further to amend the Central Excises and Salt Act, 1944".

Shri S. M. Banerjee. Wanted to say something on this.