

ber Board Service (Classification, Control and Appeal) Amendment Rules, 1968, published in Notification No. G.S.R. 231 in Gazette of India dated the 3rd February, 1968, under sub-section (3) of section 25 of the Rubber Act, 1947. [Placed in Library, See No. LT-147/68.]

12-10 hrs.

MESSAGE FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

"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 Rice-Milling Industry (Regulation) Amendment Bill, 1968, which has been passed by the Rajya Sabha at its sitting held on the 13th February, 1968."

12-10½ hrs.

RICE-MILLING INDUSTRY (REGULATION) AMENDMENT BILL

As Passed by Rajya Sabha

SECRETARY: Sir, I lay on the Table of the House the Rice-Milling Industry (Regulation) Amendment Bill, 1968.

12-10½ hrs.

STATEMENT RE: AWARD OF INTERNATIONAL TRIBUNAL REGARDING INDO-PAKISTAN BORDER IN GUJARAT-WEST PAKISTAN AREA

MR. SPEAKER: The hon. Prime Minister.

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय, इनका वक्तव्य आने से पहले मेरी एक प्रार्थना सुनिये। इस कच्छ करार के निणय के संबंध में स्थगन प्रस्ताव भी आया है तथा सरकार के प्रति अविश्वास का प्रस्ताव भी

दिया गया है। हमारी प्रार्थना है कि जैसे इन के वक्तव्यों से मामला पहले खराब हो चुका है ओ डर है कि आज के इन के वक्तव्य से समस्या और ज्यादा उलझ जायेगी। इस लिये हम चाहते हैं कि हमारे स्थगन प्रस्ताव या अविश्वास प्रस्ताव को आप पहले लें और उस पर जो बहस होगी उस के जवाब में उन को जो कहना है, वह कहें। हम लोगों की बात यहाँ सुन लें। हम नहीं चाहते कि वे यहाँ पर वक्तव्य दें क्योंकि उससे मामला और उलझ सकता है। हम नहीं चाहते कि प्रधान मंत्री का वक्तव्य आज यहाँ हो। (Interruptions).

MR. SPEAKER: Order, order. Will that help me? It something has to be said, when the Prime Minister is here and other Ministers are there it is, not going to be helpful at all.

श्री मधु लिमये : अध्यक्ष महोदय, जा निर्णय आया है उसके बारे में वे सरकारी नीति की घोषणा न करें क्योंकि उससे बड़ी खतरा पैदा हो सकता है। इसलिए आप उनको वक्तव्य देने की इजाजत न दें।

MR. SPEAKER: Do not go into the merits.

श्री अटलबिहारी वाजपेयी (बलरामपुर) : मैं व्यवस्था का प्रश्न उठाना चाहता हूँ, नियम 198 के अनुसार। मैं उस नियम को पढ़ कर सुनाता हूँ :

"198(1) A motion expressing want of confidence in the Council of Ministers may be made subject to the following restrictions, namely:—

(a) leave to make the motion shall be asked for after questions and before the list of business for the day is entered upon."

प्रश्नों के बाद और अन्य कार्यवाही से पहले यह आवश्यक है कि अविश्वास के प्रस्ताव को लिया जाए। अध्यक्ष महोदय, अविश्वास

[श्री भटल बिहारी बाजपेयी]

का प्रस्ताव कच्छ के मामले से संबंधित है। प्रधान मंत्री महोदया उसी मामले पर वक्तव्य करने जा रही हैं। सदन को इस विषय पर चर्चा करने का मौका मिलेगा, सदन इस बारे में सरकार में अपना अविश्वास प्रकट करना चाहता है और प्रधान मंत्री बहस के उत्तर में सरकारी पक्ष को प्रस्तुत कर सकती हैं। फिर इस बात की कोई आवश्यकता नहीं है कि वह वक्तव्य इस समय सदन में दिया जाय। इसलिए मेरा आप से निवेदन है कि आप पहले अविश्वास के प्रस्ताव को लें।

इस का एक दूसरा पहलू भी है कि इस समय सरकार कोई ऐसी बात न कहे जो कि इस मामले में भारत की कठिनाइयों को बढ़ाए। इस बात की आशंका है कि सदन का मत जाने बिना, सम्मानित सदस्यों की राय को सुने बिना, सरकार कोई फैसला करे तो वह फैसला गलत हो सकता है और जन-भावनाओं के प्रतिकूल हो सकता है। इसलिए प्रधान मंत्री महोदया वक्तव्य न दें और अविश्वास के प्रस्ताव पर उन्हें जो कुछ कहना है वह कहें।

SHRI SURENDRANATH DWIVEDI (Kendrapara): I would like to point out, although the rules are very clear on this point, that whenever there is a motion of no-confidence it will get precedence. After the Question Hour, we should go into that matter. You have already proceeded with it, and I think it is all right, but now, the statement of the Prime Minister means that we are really going into the business of the House; a substantive motion is there, and they will make a statement and things like that will happen.

Secondly, as has been pointed out, the no-confidence motion specifically relates to the matter on which the Prime Minister is going to make a statement. So, it is better that the no-confidence motion is taken up first.

MR. SPEAKER: I have no objection, but the rules are very clear.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (DR. RAM SUBHAG SINGH): Yesterday, on the request of the hon. Members of the Opposition, we agreed that a statement will be made by the Prime Minister, but if they are not so eager to listen, we are not at all anxious.

MR. SPEAKER: Yes; the hon. Members were very anxious yesterday, and it was brought up on the request of the Opposition. (*Interruption*). Let me have my say. That is what I feel, and I would appeal again to hon. Members to conduct the business in a calm way. After all, we are taking it up; the rules are there. May I request hon. Members to read the direction by the Speaker on the arrangement of business, when it is categorically stated. . . .

SHRI P. K. DEO (Kalahandi): Which directions?

MR. SPEAKER: Direction No. 2. Please see. It is very clear. The motions for leave to make a motion of no-confidence in the Council of Ministers come after all the other items including statements by Ministers. But I have no objection, because the Minister also is not anxious to make a statement. (*Interruption*). Will hon. Members kindly resume their seats? After all, when I am on my legs, no one else should stand up. So, both are agreed: you do not want a statement and the Minister also says that they are not anxious. This item was included at the specific request of the Opposition Members. (*Interruption*).

Some Hon. Members rose—

Mr. SPEAKER: I am on my legs. At least you should allow the Speaker to say what he wants to say. It was done at the specific request of the hon. Members, particularly from the Opposition. Therefore, it was included in the agenda. The Directions by the Speaker also lay down that the statements by Ministers will be made first and later on comes the no-confidence motion. The Minister of Parliamentary Affairs says the Government

is not anxious to make a statement. (Interruptions).

DR. RAM SUBHAG SINGH: We have not received the full text of the award.

SHRI SURENDRANATH DWIVEDY: It is all right that all of us were anxious and we demanded that the Prime Minister should make a statement. But we now learn that she has not got the full text of the award of the tribunal yet and she may be making only a preliminary statement. Therefore, since the no-confidence motion is there, she need not make any statement now.

MR. SPEAKER: It is for her to decide whether to make the statement or not. It is her choice. From the Chair, I say that it is included in the agenda. The rules permit it. The no-confidence motion is before me, but according to the Directions, it will be taken up only after the statements of the ministers are made. Therefore, I permit her to make a statement if she likes. It is for her to decide. This is my ruling.

SHRI ATAL BIHARI VAJPAYEE: To put the record straight, we did not want a statement. We wanted an assurance from the Government that Pakistan will not be allowed to occupy that area forcibly.

कल जब हमने कहा था उस समय अविश्वास का प्रस्ताव सदन के सामने नहीं था। इस मामले में इस सरकार को कठिनाइयों से बचाना चाहते हैं। लेकिन अगर वह कृपे में कूदना ही चाहती है तो कूदे।

SHRI PILOO MODY (Godhra): On the basis of the sentiments expressed, I do not think it will be difficult to request the Prime Minister and persuade her to defer her statement. Although you have given your ruling, I am sure the Prime Minister will listen to this simple request.

श्री पिलू लिये : मैं केवल इतना ही कहना चाहता था कि कल हमने केवल

आश्वासन ही माँगा था कि पाकिस्तान 350 वर्गमील का इलाका जबरदस्ती अपने अधिकार में न ले ले, इतने ज्यादा आश्वासन हमने नहीं माँगा था। यह आश्वासन श्री राम सुभग सिंह ने दे दिया है। इस लिये अब हम ध्यान नहीं चाहते हैं।

MR. SPEAKER: Order, order. (Interruptions). Nothing will go on record now. (Interruptions).

THE PRIME MINISTER AND MINISTER OF ATOMIC ENERGY MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): Mr. Speaker, Sir, the International Tribunal to determine the border between India and Pakistan in the Gujarat-West Pakistan area, delivered its Award at Geneva yesterday. Government have not yet received this Award. My statement is therefore based on the message received from our Consulate-General in Geneva.

श्री मधु लिमये : जय सरकार को अभी ऐवार्ड की निर्णय की, बाक यदा कौरी मिली नहीं है तब प्रधान मंत्री जी को यह बयान नहीं देना चाहिये।

SHRIMATI INDIRA GANDHI: The constitution of the Tribunal and the Award flows from the Indo-Pakistan Agreement on the Gujarat-West Pakistan border concluded on June 30, 1965. That Agreement was laid on the Table of the House by Prime Minister Shastri on August 16, 1965, along with his statement. The House discussed this statement on the Agreement and on August 18, 1965, adopted the following resolution:—

"This House, having considered the statement laid on the Table of the House by the Prime Minister on the 16th August, 1965, on the Indo-Pakistan Agreement of

[Shrimati Indira Gandhi]

June, 1965 relating to Gujarat-West Pakistan border, approve of it".

It is not necessary to take the time of the House to recapitulate the Agreement which now forms part of the records of the House.

श्री मधु लिमये : बंगलौर ए० आई० सी०
सी० में भी पास नहीं करा सके। क्या हम भूल
गये हैं ?

SHRIMATI INDIRA GANDHI: In accordance with the terms of the Agreement, India nominated Ambassador Ales Bebler, Judge of the Constitutional Court of Yugoslavia, Pakistan nominated Ambassador Nasrollah Entzani of Iran and the Secretary-General of the United Nations appointed Judge Gunnar Lagergren of the Stockholm Court of Appeals, Sweden.

I should like to recall what was stated in this House by Prime Minister Lal Bahadur Shastri explaining the function of the Tribunal, and I quote:—

"...I would like to state what is to be determined by negotiations or by the verdict of the Tribunal is not of any new boundary between India and Pakistan. That is not the claim of either of the two countries. What is to be determined is the boundary which came into being as a result of the partition of the country and the accession of the State of Kutch of India...."

Thus, the Award of the Tribunal was intended to settle the boundary between the former State of Kutch and the Province of Sind as it existed at the time of Partition.

The preparation and presentation of India's case was entrusted to a team of eminent Counsel. The Attorney General of India, Shri C. K. Daphthary, was the leading Counsel,

the others being Shri N. C. Chatterji, M.P., and Shri N. A. Palkhiwala, Senior Advocates of the Supreme Court, and Shri J. M. Thakore, Advocate-General of Gujarat. The Counsel had the assistance of a team of officers headed by Shri B. N. Lokur, Law Secretary to the Government of India. Hundreds of files, maps, books and reports were examined by our team which spared no effort in preparing and presenting our case before the Tribunal, which it did with great ability and thoroughness.

• The claim of Pakistan was that the boundary lay roughly along the 24th parallel; in other words, Pakistan laid claim to half the Great Rann of Kutch, with an area of some 3500 sq. miles. We had contended that the entire Rann was a part of India and the boundary lay roughly along the northern edge of the Rann. The Tribunal has unanimously rejected the Pakistani claim that the border lies along the 24th parallel. One member of the Tribunal has upheld our claim, while the other two members have upheld it with modifications in some sectors of the boundary. By a majority, the Tribunal has held that about 3200 sq. miles lies on our side of the boundary while about 300 sq. miles of the territory claimed by Pakistan lies on the Pakistan side of the boundary.

Mr. Speaker, Sir, I am conscious of the anxiety of the hon. Members and, indeed, of the country as a whole. I share this concern. This is a grave matter. Government are awaiting the full text which will be fully examined. Then, we shall be in a better position to make a fuller statement.. (interruptions).

श्री मधु लिमये : शर्म शर्म। ताली बजा रहे हैं।

श्री रवि राय (पुरी) : बेशर्म लोग, कोई शर्म नहीं है।

MR. SPEAKER: Order, order Now, before taking up the No-Confidence

Motion, I want to say something. Shri Nath Pai may resume his seat; I am on my legs. Yesterday, hon. Members on both sides of the House not only from the Opposition but also from the Congress side, wanted a statement by the Minister about the strike by the teachers. Naturally, I wanted to admit a Calling Attention Notice but, then, the Minister himself has agreed to make a statement.

SHRI VASUDEVAN NAIR (Peer-made): The Calling Attention Notice could have been admitted.

MR. SPEAKER: I have already admitted one each for today, tomorrow and the day after. So, instead of prolonging the agonies of the teachers now on strike, I thought I will allow the Minister to make a statement. Later on, if necessary, I will allow a discussion. I repeat that on every statement that is made on the floor of the House, if it is on an important matter, I am allowing a discussion. So, this can also be discussed. It is for the Business Advisory Committee to decide it. Now, it is only a statement by the Minister. After that, we shall decide in the BAC whether we need one hour discussion or some other discussion. After this statement, we will take up the No-Confidence motion

12.27 hrs.

STATEMENT RE: TEACHERS' STRIKE

THE MINISTER OF EDUCATION (DR. TRIGUNA SEN): I regret to say that the teachers in Delhi have resorted to general strike from 19th February, 1968 on the plea that their demands have not been met by the Government. Their main demand has been for revision of salary scales. The Hon'ble Members will recall my statement in the House on 21st December, 1967, when I informed the Sabha that after taking into account the emoluments of teachers in various categories in different parts of the country and considering other relevant aspects

of the matter, the Government had decided to improve the salary scales of teachers in Delhi. Subsequent to this announcement, Government improved further the maximum of the revised scale of Matric Trained Primary Teachers and raised it from Rs. 250 to Rs. 270 bringing it at par with the maximum of the Higher Secondary Trained Primary Teachers. The revised pay scales are given in the Annexure. Salary scales of teachers in Delhi were revised last in 1959 by applying the same principles as were applied in the case of other Central Government servants in accordance with the recommendations of the Second Pay Commission. On account of the prevailing acute financial stringency in the country, the present time was not opportune for considering any programme, however important, involving considerable outlay of expenditure. Even so, as a very special case, the Government decided to revise salary scales of the teachers in Delhi and asked the Delhi Administration to implement the decision with effect from 21st December, 1967 in accordance with the Fundamental Rules.

The revised pay scales represent an improvement on the present position in respect of all the categories of teachers. There has been an increase in the maximum in all cases, and in so far as the minimum is concerned, there has generally been an increase. The annual rate of increment has also been improved in several cases. The Delhi teachers have been receiving full benefits of increasing dearness allowance granted to the Central Government servants. Thus, the total emoluments of the different categories of teachers in Delhi under the revised pay scales generally exceed those recommended by the Education Commission as well as those enjoyed by their counter-parts in most parts of the country.

With the permission of the Chair, I would like to give some factual information to the House which will show that fullest consideration has been given by Government to the question