

श्री ओंकारलाल बेस्वा
राष्ट्रपति और प्रधान मन्त्री के पदों पर शिड्यू-
लड कास्ट्स और शिड्यूलड ट्राइब्ज के ध्यमितियों
को देखूंगा, तभी मैं समझूंगा कि देश को
आजादी मिली है।

श्री रामावतार शास्त्री (पटना) : उपाध्यक्ष
महोदय, श्री सूरज भान ने जो संविधान(संशो-
धन) विधेयक पेश किया है

MR. DEPUTY-SPEAKER : You can
continue the next day. We pass on to the
next item.

11.30 hrs.

HALF-AN-HOUR DISCUSSION

RESTRICTION ON INDIANSTAKING WINE IN BIG HOTEVS IN DELHI

MR. DEPUTY-SPEAKER : we shall
now take up the half-an-hour discussion
to be raised by Dr. Sushila Nayar. This
was originally fixed for the 21st August,
1970. The discussion, however, was post-
poned and it is being held now. The
ballot of notices seeking permission to
partieipate in the discussion received under
rule 55 (5) which was held on the 21st
August, 1970, the date orginally fixed for
the half-an-hour discussion holds good for
today also. Therefore, the Members who
secured the first four positious in the ballot
held on the 21st August, 1970, will also
participate in the discussion in addition
to the Mover.

DR. SUSHILA NAYAR (Jhansi) : I am
raising this discussion on points arising out
of the answers given to Starred Question
No. 34 on the 28th July, 1970, regarding
discrimination against Indians at the hotel
bars. The hon. Minister had replied on
that day there was no discrimina-
tion. He said that Indians staying in
hotels could drink but other Indians
could only be served durinks in the
hotel bars if they were the guests of for-
eigners. Is this not discrimination?
What then is the meaning of discrimina-
tion? I think this istriction is not only dis-
crimination and halds Indians second-class
citizens, but it is something worse; it
makes beggars of Indians. It means more
or less virtually forcing them to become

dependent on their foreign friends to buy
them a drink.

As you know, I am opposed to drinking
altogether. I stand for complete prohibi-
tion. Therefore, when the Minister says
that he is not going to allow the facilities
granted to foreigners to be used by Indians
to have a good time etc. etc., I sympathise
with this object, but I think that a better
method to achieve it would be for the
the Minister to stop serving drinks to all
people, foreigners or Indians, at the hotel
bars.

I have nothing to say against restrictions
on drinking. I however, do feel that these
restrictions should apply equally to foreig-
ners and Indians. If certain concessions are
to be given to foreigners, I can understand
it, and, they may serve them drinks in
their own rooms. So long as there is no
prohibition or there is partial prohibition
in any particular State, those who stay in
the hotels, if they come from such a culture
that they need drinks, that may by all means
be allowed to have drinks in their own
rooms, but let there be no public drinking
in the hotels. When our people go abroad,
do the foreigners bend backward to provide
facilities and the type of atmosphere and
the type of food and other drinks which
we are used to? They do not. But there
are certain places where we can get those
things. Similarly, we may also enable our
foreign guests to have some of the facilities
they need and even go out of our way to
provide them with those facilities, but not
in public, not in such a way that the drink
habit gets respectability. This means that
the hotel bars may be closed down and
drinks may be served to whoever is staying
in the hotel, if they so desire, in their own
rooms; further, in States where there is
prohibition, the foreigners can be given
permits and they can avail of them if they
want to. As the hon. Minister knows,
when Mr. Khurschev came to Bombay, Shri
Morarji Desai was the Chief Minister and
he offered him a permit for drinking, but
Mr. Khurschev said 'No' while I am in your
State, I shall abide by the laws that you
have here. I wish I could also have pro-
hibition in Russia', and he narrated the
havoc that drink was playing in U. S. S. R.
The hon. Minister may at least put all

the restrictions that the USSR is putting on the drink habit in their country; in India, to stop this evil from spreading. But this small step of stopping public drinking at the hotel bars will have a salutary effect upon all concerned, particularly upon Government servants, and especially high Government servants of those departments which have a lot to do with foreigners. I think it will be very good, if all drinking in the public is stopped both for the sake of officers and the people in general.

I know the Minister is in sympathy with the idea of prohibition. This country has enshrined prohibition in the Constitution in the Directive Principle of State Policy. Further, more than 80 per cent of the people in the country do not drink and do not approve of the drink habit. It is a minority who think differently and are vociferous. It is well known how the Father of the Nation gave a prominent position to prohibition in his constructive programme. It was one of the four pillars of swarajya, as he called it.

I would bring to the notice of the hon. House and the Minister that a veteran Gandhian of 65 has been fasting near the Boat Club close to this august House from the 21st of this month. He is invoking the help of God through his self-suffering to change the thinking of the powers that be so that they would do justice to prohibition which has been accepted to be necessary by the formers of the Constitution and presented in the form of a Directive Principles of State Policy.

Shri Atmaram Bhatt wrote to the Prime Minister before coming here. I am sorry to say his letter has not even been acknowledged. It shows the utter indifference of the bureaucrats who must be opening the Prime Minister's dak and advising her on all subjects. If she knows about this fast and realises what this gentleman is suffering for, she would not have been so indifferent to an honourable old person who has spent 15 years in prisons in this country during the various phases of our freedom struggle.

Banning public drinking in hotels will produce the right type of climate for prohibition in the country. If we stop public drinking in hotels, and I hope elsewhere too, it will also take away some of the respectability which has been given to the

drink habit which is more dangerous than anything else.

In the interest of poor people of this country, if we want to improve their living conditions, it is necessary to save them from the drink evil. Without that, increase in wages of labour does not help, increase in the price of the produce of the farmer will not help, because the extra money somehow finds its way back into the pockets of the rich people, capitalists and their friends via the liquor trade.

Therefore, all this talk of socialism is meaningless and will remain nothing more than mere slogans until the Directive Principle of State Policy concerning prohibition is put into effect. To that end, I plead with the hon. Minister to take this small step of stopping public drinking in hotel bars which will help incidentally also in removing discrimination between Indians and foreigners and put them on the same level restore the self-respect and dignity of Indian citizens and not make them feel that they are in any way inferior or different from the visiting foreigners.

श्री श्री० प्र० त्यागी (मुरादाबाद) : उपाध्यक्ष महोदय, मैं शराब पर प्रतिबन्ध लगाने के पक्ष हूँ और महात्मा गांधी जी के उस सिद्धांत से सहत हूँ कि तमाम बुराइयों की जड़ शराब है, शराब का प्रचार है और शराब का पीना है और इसी दृष्टि से उन्होंने सारे देश में शराब पर प्रतिबन्ध लगाने की भावना का प्रचार किया। परन्तु मुझे खेद है कि आज हम गांधी जी का नाम लेते हैं परन्तु गांधी के देश में शराब का प्रचार पहले ज्यादा। इतना ही नहीं बहिन जी ने आज जो प्रश्न उठाया है, वह उस से भी ज्यादा महत्वपूर्ण है—शराब पर आपने प्रतिबन्ध नहीं लगाया, वह तो बुराई है ही, लेकिन उस से भी ज्यादा है बुराई यह है कि होटल में शराब पीने की टेबिल पर बंठा हुआ एक भारतीय नागरिक अपने ही देश में शराब नहीं पी सकता, इस तरह से आप ने उसको एक सैंकेण्डर्ड सिटिजन बना दिया, उस की बे इज्जती कर दी। आज जब हम विदेशों में

[कृष्णजी० प्र० त्यागी]

जाते हैं तो काला रंग होने कारण हम को होटलों से भगाया जाय, कुत्तों से भी बुरा व्यवहार वहाँ हमारे साथ किया जाय, तो कम से कम यहाँ तो अहने देश में हमारे साथ बराबरी का व्यवहार होना चाहिए। या तो आप ऐसा नियम बनाइए कि पब्लिक में शराब सर्व नहीं की जायगी। जो पीने वाला है वह तो पीयेगा ही, चाहे आप कितना रोक लींजिए, वह तो पहले दिन लेकर अपने कमरे में बैठ कर पीयेगा दूसरी जगह पीयेगा, लेकिन होटलों में एक विदेशी पी सके और उसके सामने बैठा हुआ भारतीय नहीं पी सकता, इस से ज्यादा बे इज्जती और क्या होगी। मैं जानना चाहता हूँ कि एक भारतीय नागरिक को सैक्रेडग्रेड सिटिजन बना कर उस की बे इज्जती करने की व्यवस्था आप ने किस दृष्टिकोण से की है ?

दूसरा प्रश्न आप ने इस नियम के लागू हो जाने के पश्चात कितने आदमियों को पकड़ा, कितने आदमियों पर कैंसेज चलवाए और कितने आदमियों को सजा दिलवाई ? क्या यह कानून केवल भ्रष्टाचार के लिए, पुलिस वालों के लाभ के लिए बनाया है ? क्रियात्मक रूप में मुझे इस का कोई अर्थ नजर नहीं आता है, और आप की दृष्टि में है तो कृपा कर मन्त्री महोदय बतायें ?

श्री कवर लाल गुप्त (दिल्ली सदर) :
उपाध्यक्ष जी, प्राहिबिशन के सम्बन्ध में जो सरकार की पालिसी है, वह मेरी समझ में बिल्कुल नहीं आती है। एक तरफ आप प्राहिबिशन की बात करते हैं और दूसरी तरफ हर स्टेट में रिलेक्सेशन होता जा रहा है। इस सरकार को एक ग्राहरी बात तय करनी चाहिए कि आप प्राहिबिशन करना चाहते हैं या नहीं करना चाहते हैं—बीच का रास्ता मुझे पसन्द नहीं है। इस लिए मेरा कहना है कि आप इस

के बारे में कोई निश्चित बात कहिये।

अभी हमारी बहिन सुशीला जी ने कहा कि जो शराब पीये, वह कमरे में पीये। क्या शराब कभी कमरों में पी जाती है, वहाँ तो कभी नहीं पी जाती, शराब तो कम्पनी में पी जाती है, महफिल में पी जाती है, उस पर कोई कानून लागू नहीं होना चाहिए, वह तो बगैर कानून के पी जाती है। आज दिल्ली में रुकावट होने की बजह से लोग मोटरों में बैठ कर पीते हैं इतना ही नहीं, मैं जानता हूँ कि गवर्नमेंट आफ इण्डिया की पार्टीज में, जिन में प्राइम मिनिस्टर आती हैं, डिप्टी प्राइम मिनिस्टर आते हैं—यह बात मेरी नालिज में है कि कुछ एम्बेसीज और गवर्नमेंट के महकमों ने दिल्ली एडमिनिस्ट्रेशन को लिखा कि आप ड्राई डे के दिन हमें शराब सर्व करने के लिए दे दीजिए, क्योंकि प्राइम मिनिस्टर आ रही हैं, डिप्टी प्राइम मिनिस्टर आ रहे हैं। एक तरफ प्राहिबिशन कर रहे हैं और दूसरी तरफ प्राइम मिनिस्टर आ रहे हैं, डिप्टी प्राइम मिनिस्टर आ रहे हैं, इस लिए शराब दे दीजिए—यह क्या है ?

उपाध्यक्ष मसोदय, मेरी समझ में यह नियम भी नहीं आता-कुछ लोग तो होटलों में बैठ कर शराब पी लें और कुछ को मना कर दिया जाय।

मैं तो इस हक में हूँ कि पूरा प्राहिबिशन होना चाहिए, जैसा कि टेकचन्द कमेटी ने कहा है कि पूरा प्राहिबिशन करो, अगर नहीं करते हैं तो डिक्लेअर कर दो कि हमें प्राहिबिशन नहीं करना है और उसके बाद जो कुछ करना हो, वह किया जाए। यह जो ऊपर के दांत कुछ और, और अन्दर के दांत कुछ और। यह नहीं होना चाहिए।

मैं मन्त्री महोदय से यह एशोरेंस चाहता हूँ कि आप अपनी पालिसी साफ साफ बतायें। आया आप प्राहिबिशन में विश्वास करते हैं या नहीं करते हैं। अगर नहीं करते हैं तो यह रेस्ट्रिक्शन कि यहाँ पीओ, वहाँ न पीओ, हटा देनी

चाहिए, आधे पर लागू हो, आधे पर लागू न हो—इसे पर हटा दीजिए।

श्री शिवचन्द्र भ्वा (मधुबनी) : उपाध्यक्ष महोदय, मेरा पहला सवाल यह है कि यदि होटलों में, चाहे दिल्ली के होटल हों या हिन्दुस्तान के होटल हों, उसमें शराब पीने की इजाजत देते हैं और उसमें देशी और विदेशी का तफरक रखते हैं, विदेशी पी सकता है, हिन्दुस्तानी नहीं पी सकता है, यह गलत है, इसमें किसी तरह की रोक नहीं होनी चाहिए, यह संविधान के खिलाफ है। अगर आप विदेशियों को देते हैं तो हिन्दुस्तानी को क्यों महरूम रखते हैं।

दूसरा सवाल—प्राहिबिशन की बात गाँधी जी के वक्त से चली आती है लेकिन इस पर अभी तक कुछ सफाई नहीं हो पाई है। जब आप नशे की बात लाते हैं तो उसमें भाँग भी आती है, भाँग पर भी रोक लगनी चाहिए, नीरा पीने की बात आती है। गाँधी जी ने उस को रिकमण्ड किया था, परन्तु उस पर भी रोक लगे, बीअर की बात भी आती है, उसमें भी थोड़ा सा अलकोहल होता है, आप की जो भी नीति है, वह साफ होनी चाहिए। अभी भी देर नहीं हुई है। देर आघद दुरुस्त आयद। आप डाक्टरों और सोशल लीडरों की एक कमेटी बनायें और उसमें सब बातें साफ कर दें, भाँग पीना शराब की श्रेणी में आता है या नहीं आता है, नीरा उसमें आता है या नहीं आता है। सब के बारे में सफाई होनी चाहिए।

दूसरी बात—होटलों में शराब बन्दी से ही काम नहीं चलेगा वहाँ और भी खराबियाँ हैं और जो पैसे वाले लोग हैं, वे इसके पीछे जाते हैं। इसलिए मैं चाहता हूँ कि इसको रोकने के लिए जिस तरह से इन्कम पर सीलिंग लगाने की बात

है, उसी तरह से होटल में खर्च की सीलिंग के बारे में कोई नीति सोच रहे हैं या नहीं ?

MR. DEPUTY-SPEAKER : Shri Lobo Prabhu is absent. We all know that among us Mr. Oberoi has the most to do with this question because he is a great hotel magnet. His name was there but unfortunately did not come up in the ballot. If other hon. Members do not object I shall allow him to put a question.

SHRI. M. S. OBEROI (Hazaribagh) : I am thankful that you have given me permission to say a few words on this particular subject. I shall take only two minutes to read out what Justice Tek Chand has said on this particular problem so that Dr. Sushila Nayar's mind might be cleared up; her mind is slightly clouded because she has not gone through the recommendations of Tek Chand Committee and come to decisions on its recommendations of Tek Chand Committee and come to decisions on its recommendations about hotels in Delhi. Briefly, Justice Tek Chand said about drinking in rooms. Dr. Sushila Nayar suggested that drinking should be in the rooms, not in the dining room, Justice Tek Chand particularly recommended that under no circumstances drink should be served in the bed rooms because at times even ladies are invited into rooms and it is not desirable... (Interruptions) Secondly, I want to bring to the attention of Dr. Sushila Nayar that the consumption of liquor has gone up in Delhi. Why? Because of this reason. Previously people were allowed to go to hotels and restaurants to have drinks. Now they they could not have drinks there and so they go home and take as much as they require from the shops.

DR. SUSHILA NAYAR : It is completely wrong ; he is misleading the House.

SHRI M. S. OBEROI : It has had a bad influence on the wives and children in homes with the result that even students have started drinking.

DR. SUSHILA NAYAR : There is no prohibition in Delhi.

MR. DEPUTY-SPEAKER : You should put a question, not make a Speech.

SHRI M. S. OBROI : Yes, Sir, Dr. Sushila Nayar was the Health Minister for so many years and she was a staunch supporter of Morarji Bhai. Why did she not get introduced complete prohibition in Delhi and in other places, all over India ?

DR. SUSHILA NAYAR : It was done under Dr. Sushila Nayar's department. Yet she did everything she could then and she would continue to do so.

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI K. HANUMANTHAIYA) : Sir, the hon. Members who have broached the subject have made out a case for prohibition in their own way. So far as the Government is concerned, we are committed to the policy of prohibition. It is one of the State policies enshrined in the Constitution. The point now is, as in all other questions, we have a goal before us and we have to travel towards that goal by way of implementation. In the beginning, as soon as the Constitution was framed, the leaders of the nation, whether in the States or at the Centre, were very enthusiastic about prohibition and they introduced prohibition in several States. (*Interruption*). Recently several State Governments have changed their policy as is well known to the House, but the Government of India is still continuing to consistently support the policy of prohibition through measures which are known to hon. Members. I would not make a long speech because I have only three or four minutes left.

DR. SUSHILA NAYAR : Please mention those measures. We do not know what measures you are talking of.

SHRI K. HANUMANTHAIYA : So far as discrimination is concerned, they have totally misunderstood the proposition. In their anxiety to blame the Government and uphold what is called non-discrimination, they are lending themselves against prohibition.

The very people who advocate prohibition should not do so. Therefore, they must be guarded in construing what is discrimination and what is not discrimination. The Government has never adopted a policy of discrimination.

The Government of India has jurisdiction only on Indians. We have no jurisdiction on foreign nationals. When

they come here, according to our policy of encouraging tourism, we provide facilities to drink to foreigners. The question arises whether these foreigners could invite Indians also for a drink. That, we have allowed in order to encourage foreigners. (*Interruption*) Please resume your seat and listen to me, and then you can speak. Now, Sir, for foreign nationals, if they are invited by some Indians, the facility is given in big hotels. We need not get perturbed so far as the policy of prohibition is concerned, merely because in some half a dozen or so top hotels they do it. The real thing is, prohibition has to be followed outside these hotels any amount of propaganda or effort by any of us will not matter for these people who go and stay in those hotels or who partake of drinks and entertainment there.

So, I would earnestly appeal to my hon. friends, let us concentrate all our energy, attention and effort on those people who are amenable to our advice, instead of on those who are not amenable. (*Interruption*). So far as discrimination is concerned, there has been no discrimination at any time. This very subject went up to the Supreme Court whether there is discrimination or not. The Supreme Court upheld that there was no discrimination. Therefore, there is no question of discrimination being encouraged or allowed to continue. It is only a question of encouraging tourism by providing facilities to foreigners.

As for the various measures that we have taken, I may say that the Government of India for the last 10 years has adopted a policy of local option, and also of meeting 50 per cent of the losses sustained by the States by the introduction of prohibition. If there are any more points, I say in all humility to my hon. friends, who are very great people in this field, I am prepared to consider all their suggestions. We are going to meet soon, so that we can discuss. Such of those suggestions as are practicable and can be implemented, I will certainly adopt them.

So far as prohibition is concerned, not only I personally, but I can assure the House on behalf of the Government of India, that the Government would

be very happy if we are able to implement the directive principles contained in the Constitution to Complete success.

BUSINESS OF THE HOUSE—(Contd.)

MR. DEPUTY-SPEAKER : Mr. Umanath.

SHRI UMANATH (Pudukkottai) : Sir, you will recall this morning when the business for next week was announced by the Minister, I proposed that the Patents Bill must be taken up and passed.

AN HON. MEMBER : You move the motion.

SHRI UMANATH : I beg to move :

“That rule 338 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for fixing a sitting of the House on Saturday, the 29th August, 1970, be suspended.”

SHRI DATTATRAYA KUNTE (Kolaba) : I oppose the motion not because I do not want the Patents Bill to be taken up, but because I have received this motion at 5.15 P.M. Tomorrow is not a working day. If it was a working day, I could understand Government wanting to give priority for this business. To give a notice at 5.15 P.M. and disturb all the programme and arrangements is not proper. I have an arrangement to go to Poona because some body in my family is very seriously ill. If this business is taken up tomorrow, it will be depriving me from taking part in the deliberations of the House. As a matter of fact, the Patents Bill should have come much earlier. If it has not come earlier and other business has intervened, it shows the lack of responsibility on the part of the Government itself. Let it come up on Monday or Tuesday. We can sit longer on Monday and Tuesday. Or, you can extend the session for this purpose. I have no objection. But it should be taken up on a working day. I oppose it on the ground that we are being asked to work to-morrow which is not a working day at such short notice,

SHRI RANGA (Srikulam) : Sir, according to the Directions of the Speaker,

it was made very clear that except on very rare occasions and for exceptional reasons, the Speaker should not give his consent for bringing such a motion as this, when a decision had already been taken by the House in the same session. In fact, on this matter whether the House should sit on Saturday or not, we took a decision only last fortnight. I do not know for what good or bad reasons this Government has thought it fit to kotow our friends when they were dead set this morning—unfortunately I did not happen to be here then—that this Bill should be taken up. Not only that, in order to get it passed in post haste manner it should be taken up tomorrow; the House should get over its own decision taken earlier and sit on Saturday and help the Government to get it passed. If they were so keen on passing this Bill, one could have understood it if they wanted the session to be extended by two or three days, so that the House would have an opportunity to give full careful and responsible consideration to this very important Bill. Everybody admits that it is important. It was referred to a Joint Committee and it has come back. Who asked the Government to delay it all this time? They had their own reasons—political or housewife; I do not know what the reasons are—for delaying it for such a long time.

18 hrs.

Even earlier, for other purposes we wanted the Government to extend the session by one or two days. They were not willing; they said that they had some extraordinary, unavoidable items of business with which their Ministers were seized and, therefore, they could not very well extend the session at all because their Ministers would not be released to discharge those other functions. Now, suddenly they want to make an inroad into the time and the programmes that we have made and misappropriate our Saturday.

SHRI UMANATH : Grab.

SOME HON. MEMBERS : Saturday—grabbing.