

[Shri K. S. Ramaswamy]

(7) The Seventh Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954, published in Notification No. G.S.R. 1805 in Gazette of India, dated the 2nd August, 1969. [Placed in Library. See No. LT-1652/69]

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Fifty-second Report

SHRI S. M. SOLANKI (Gandhinagar) : I beg to present the Fifty-second Report of the Committee on Private Members' Bills and Resolutions.

अध्यक्ष महोदय : मुझे मिले थे और उन्होंने बताया था कि एक दो दिन के बाद आ जायेंगे। अगर आपका खयाल है कि जल्दी आना चाहिये तो उनको बुला लेता हूँ।

श्री कंबर लाल गुप्त : अच्छा होगा। जरा देख लेंगे।

अध्यक्ष महोदय : आ जायेंगे। आप इतने उदासीन क्यों हो रहे हैं ?

12.35 hrs.

STATEMENT RE : PRESIDENT NIXON'S VISIT TO INDIA

MR. SPEAKER : Shri Dinesh Singh.

SHRI HEM BARUA (Mangaldai) : Where is Shri Khadilkar, Sir ? Has he resigned his office or is he discharging the functions of the Deputy-Speaker ?

SHRI HEM BARUA (Mangaldai) : On a point of order. While welcoming a statement from the Minister on President Nixon's visit to India, I want to draw your attention to certain relevant things. We submitted certain call attention notices ; we also submitted some short questions. The call attention notices were rejected ; so were the short notice questions. I received a communication this morning rejecting my short notice question.

SHRI P. K. DEO (Kalahandi) : Is he keeping fit ? We are anxious to know about his health.

MR. SPEAKER : About keeping good health, if a member is absent, it should not always be presumed that he must be sick.

This raises a fundamental question. If the Minister communicated to you his decision to make a statement before the short notice questions or call attention notices were tabled, it is all right. But if it was done after that I should say that it is an attempt to limit the functioning of Members of Parliament.....(Interruptions.)

SHRI HEM BARUA : I am concerned about knowing whether he has resigned his office or he is still discharging the functions of the Deputy-Speaker. We should not be kept in the dark about it. (Interruptions.)

श्री कंबर लाल गुप्त (दिल्ली सदर) : क्या आपके चुने जाने के बाद सपाध्यक्ष आप से मिले हैं ? आपको क्या उन्होंने कुछ बताया है कि वह प्रिजाइड करेंगे या नहीं करेंगे या इस्तीफा देंगे.....

श्री स० मो बनर्जी (कानपुर) : उनकी इतनी चिन्ता कैसे हो गई है ?

श्री कंबर लाल गुप्त : को भी प्रिजाइड करे उसकी सेहत का भी बहुत खयाल हमें रखना पड़ता है। क्या आपको उन्होंने कुछ बताया है कि प्रिजाइड करेंगे या नहीं करेंगे ?

श्री कंबर लाल गुप्त (दिल्ली सदर) : अध्यक्ष महोदय, 29-30 तारीख को निकसन साहब आए थे। आज तेरह तारीख है। करीब पन्द्रह दिन के बाद ये बयान दे रहे हैं। इसका कोई अर्थ नहीं रह जाता है। अगर बयान देना था तो दो तीन दिन के बाद देना चाहिये था ताकि सदन और देश को मासूम होता कि इनकी क्या जानकारी है। यह बहुत गलत परम्परा है।

श्री शिव चन्द्र शर्मा (मधुबनी) : उनके आने

के एक दो दिन बाद मैंने कॉलिग एटेंशन मोशन दिया था। अब इस पर आप हमें सवाल पूछने का मौका अबबय दें।

MR. SPEAKER : Shri Hem Barua refers to call attention notices. Some call attention notices are admitted by the Chair ; others are rejected. There is no question why they are rejected. Usually the Chair asks the Minister concerned before deciding on a call attention notice. I can reject adjournment motions and call attention notices. In this case the normal practice has been followed that of asking the Minister if he would like to make a statement. But leaving aside that, the Minister has got a basic right according to the rules of procedure to make a statement any time in this House ; there are no limits on that..... (Interruptions.)

He is exercising his right and I am not here to prevent that. How can I check a Minister from making a statement ? I am not sitting here to tell him about propriety or impropriety. He is exercising his right to make a statement.

श्री जार्ज फर्नेन्डोज (बम्बई दक्षिण) : मेरा एक व्यवस्था का प्रश्न है। बयान जो मन्त्री मद्देय देने जा रहे हैं वह हमको आज सुबह मिला गया था। श्री हेम बरुआ ने अभी कहा है कि इस पर हमने कॉलिग एटेंशन मोशन दिया था। उसको मानना या नहीं मानना आपके अधिकार क्षेत्र में है। लेकिन उस बयान में ऐसी बातें कही गई हैं जो बिल्कुल गलत हैं। अमरीका की हाउस आफ कॉन्ग्रेस में यह आरोप हुआ है अमरीका की सरकार पर एक सदस्य का द्वारा कि पाकिस्तान से हिन्दुस्तान की लड़ाई के तीसरे दिन के बाद अमरीका ने पाकिस्तान को हथियार देना शुरू कर दिया था :

"We were also informed that no decision had been taken to supply arms to Pakistan."

MR. SPEAKER : The statement has not been laid on the Table of the House nor has it been given by the hon. Minister. How can the hon. Member discuss it ? What is this ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI DINESH SINGH) : Would you like the statement to be laid on the Table of the House, Sir ?

MR. SPEAKER : Yes.

SHRI DINESH SINGH : I lay it on the Table of the House.

Statement

At the invitation of the President of India, President Nixon and Mrs. Nixon paid a visit to Delhi from 31st July to 1st August, 1969. Talks were held between the Prime Minister and President Nixon, in an atmosphere of cordiality and friendship. The discussions covered a wide range of subjects, including matters of international importance, the situation in Asia and bilateral relations. President Nixon gave the Prime Minister his impressions of his visits to countries of South-East Asia. He expressed his continued interest in the peace and progress of Asia and his hope that the countries of Asia would solve their problems in their own way and without interference from outside. He also expressed his Government's determination to co-operate, both bilaterally and multilaterally, in the economic development of the countries of Asia.

The Prime Minister gave President Nixon a picture of the social and economic progress achieved in India in recent years, the determination of the Government and people of India to achieve self-sufficiency in food shortly and self-sustaining economy in the next decade. She expressed India's appreciation of the economy assistance received from U. S. A.

The President expressed his happiness at the progress achieved by India in recent years and his continued desire to help in India's economic development.

Simultaneously with the meetings between the Prime Minister and the President, talks were also held between the officials of the two sides. These talks broadly covered the same area as these talks between the two heads of Governments.

The Indian side referred to the efforts being made by Asian nations to promote greater economic co-operation among themselves under the aegis of various regional

[Statement]

organisations like E. C. A. F. E., the Asian Council of Ministers etc., and the need to give support to these efforts. A reference was also made to the various proposals for economic collaboration and regional trade and transit arrangements between India, Pakistan, Afghanistan, Iran and other countries.

President Nixon showed sympathetic interest in the various moves being made to strengthen economic co-operation in Asia and said the U. S. A. was studying the situation carefully.

The question of security in Asia was touched upon and the Prime Minister expressed India's conviction that there could be no real security for the countries of the region unless there was rapid economic development and social justice. The President agreed that it was unrealistic to envisage security in terms that did not take into account the real economic and social problems of the countries of the region.

The two sides discussed the problem of a peaceful settlement in Vietnam and the possibilities of economic development after a Vietnam settlement. Both sides expressed the hope that the present negotiations would lead to a speedy peaceful solution acceptable to all parties concerned.

The situation in West Asia was discussed. Both sides felt that a lasting and durable peace should be achieved in terms of the Security Council Resolution of November 22, 1967. They expressed the hope that the situation in West Asia would not deteriorate further or escalate into a larger conflict.

The Prime Minister discussed with the President the present state of Indo-Pakistan relations and explained the efforts that India had made to normalise relations with Pakistan. The President reiterated his Government's view that Indo-Pakistan relations should be settled peacefully and bilaterally between the two countries. We were also informed that no decision had been taken to supply arms to Pakistan.

President and Mrs. Nixon received a very warm and cordial reception from the Government and the people of India. The exchange of views between the two leaders led to a better understanding of each other's points of view and will, it is hoped, result in greater co-operation for mutual benefit and for peace in Asia and the world.

श्री जार्ज फरनेन्डीज : अध्यक्ष महोदय, अब मेरा व्यवस्था का प्रश्न सुनिये ।

MR. SPEAKER : I am not going to allow any discussion on the statement. They can take note of it.

श्री जार्ज फरनेन्डीज : अध्यक्ष महोदय, आप इस विषय पर बहस होने दीजिए । मेरा आरोप है कि अमरीका के राष्ट्रपति ने झूठ और गलत बातें कही हैं, जो इस बयान में लिखी गई हैं ।

श्री शिव चन्द्र भा : अध्यक्ष महोदय, इस विभाग द्वारा बड़ी घाबलियां हो रही हैं । अगर मन्त्री महोदय त्यागपत्र दे दें, तो अच्छा हो ।

MR. SPEAKER : Please sit down.

श्री जार्ज फरनेन्डीज : अध्यक्ष महोदय, आप मेरी अर्ज सुन लीजिए ।

MR. SPEAKER : Will you please sit down or not ?

श्री जार्ज फरनेन्डीज : आप कम से कम इस पर बहस होने दीजिए ।

अध्यक्ष महोदय : देखेंगे ।

When a statement is made by the Minister, the rules provide that a discussion cannot automatically follow. But, in spite of that, you are forcing the House. I am really sorry.

SHRI DINESH SINGH : May I say a word ? The hon. Member has made an allegation that the President of the United States has told a lie. I do not think that it is right for us to make such remarks about the head of a State.

SHRI GEORGE FERNANDES : He is charged in his own House.

SHRI DINESH SINGH : Whatever he may be charged with in his own House, is not the reason for us to charge the head of a State of another country. (Interruption.) The hon. Member must listen to me first. It is I think a practice in the House not to

make such allegations and references in respect of the head of a State. I would beg of you to request the hon. Member to withdraw that, because it will create a certain amount of misunderstanding. What happens in the House in the United States is not our concern here.

श्री जार्ज फरनेन्डोज : मैं उन शब्दों को वापस लेने के लिए तैयार हूँ, लेकिन मैं यह भी कहना चाहता हूँ कि हममें अमरीका के राष्ट्रपति के नाम से जो बयान दिया गया है, वह बिल्कुल गलत है।

MR. SPEAKER : No reflections can be made, according to the Rules of Procedure, on the head of a State. I am not going to allow Mr. George Fernandes to proceed with this. Take it for granted. I am not going to allow it. It can be discussed on merits, but you cannot use any improper remarks about any Head of a State. The rules provide that it should not be done. (*Interruption.*) Should there not be some healthy precedents, because, tomorrow somebody will say it is a remark against the Head of a State. You cannot make remarks even against the Government of another State.

श्री जार्ज फरनेन्डोज : मैं उन शब्दों को वापस लेता हूँ, लेकिन मन्त्री महोदय ने गलत बताया है।

MR. SPEAKER : In spite of my repeated request, you get up and make some remark and then withdrawn the same. What is this ?

Let us proceed to the next item of business.

12.43 hrs.

DELHI HIGH COURT (AMENDMENT)
BILL—(*Contd.*)

MR. SPEAKER : The House will now take up the Delhi High Court (Amendment) Bill. The time taken already is one hour and 15 minutes. 15 more minutes are left.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY) : Mr. Speaker, Sir, yesterday, I was explaining the reason for

raising the limit of the original civil jurisdiction of the Delhi High Court. The proposal actually emanated from the Chief Justice of the Delhi High Court, and we have consulted the Chief Justice of India and he also concurred with the proposal. The Advocates Association of the subordinate courts of Delhi are also of the view that the jurisdiction should be like this

In this connection, I may mention the position that is prevailing in the major cities like Calcutta, Bombay and Madras. In Calcutta, the jurisdiction of the City Civil Court extends up to Rs. 10,000. In Bombay, it is Rs. 10,000 and the State Government has been given the power to increase it to Rs. 25,000. In Madras, the Madras Government have put it at Rs. 50,000. So, this is in line with the policy pursued in other States. If the limit is further enhanced up to Rs. 1 lakh, then the subordinate courts will be burdened with more work and arrears will start collecting in those courts.

Many hon. Members had suggested that the arrears should be reduced and for that purpose more Judges should be appointed. We have already taken steps in that direction. We have advised the States to appoint more number of Judges wherever it is necessary taking into consideration the filing of suits, their disposal and arrears, and also to fill up the vacancies as soon as possible. If any Judge is appointed for any other work, like a commission or any such thing, and if he is not returned in six months, another person should be appointed on an *ad-hoc* basis so that the work does not suffer.

In the last two years the strength of the various High Court Judges has been increased from 245 to 294. The Government has also proposed to constitute a three-Judges committee with the Chief Justice of India as chairman to go into the question of delay and to suggest some remedial measures.

The hon. Member, Shri Lobo Prabhu, said that Judges are appointed on party basis and that relatives of so-and-so are appointed. I strongly refute this criticism. The Constitution has laid down certain guidelines as to how Judges should be appointed and we are following that strictly. They are appointed on the basis of merit, integrity and honesty. Under article 217 a Judge of the High Court is to be appointed by the President after consultation with the Chief Justice of India, the Governor of the State, and, in the case of appointment of a Judge other than