

श्री मोलू प्रसाद (बांसगांव) : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। मैंने एक कार्य स्थगन प्रस्ताव की सूचना दी थी लेकिन मुझे पता चला है कि आप ने उसे रिजेक्ट कर दिया है। पिछले महीने अनुसूचित जातियों के आयुक्त की तीन रिपोर्टें रखी गई थीं तथा उन पर विचार के लिये पांच घंटे का समय रखा गया था, लेकिन कल की जो कार्यसूची मेरे पास आई है, उस में आप ने मध्य निषेध का मामला भी घुसेड़ दिया है, इस तरह से इन रिपोर्टों पर विचार करने के लिए 5 घंटे का समय नहीं मिल पायेगा। मैं चाहता हूँ कि मंत्री महोदय, इस के सम्बन्ध में वक्तव्य दें। मैं यह भी जानना चाहता हूँ कि आपने मेरा कार्य स्थगन प्रस्ताव किस नियम के अनुसार रिजेक्ट किया है। जब यह प्रस्ताव नियम 56, 57, 58, 59 के अनुकूल है तब आपने इस को एक्सेप्ट क्यों नहीं किया। आप को इसे स्वीकार करने का अधिकार है, आप आज्ञा देते तो हम 50 आदमी इस के पक्ष में खड़े हो जाते तो हमारी यह चर्चा मान ली जाती।

MR. SPEAKER : Order, order. Everything was brought before the Business Advisory Committee. It is not my personal decision,

SHRI RANGA (Srikakulam) : I would like you to tell the Minister of Parliamentary Affairs to see that a statement is made, as has been indicated in the papers, at least tomorrow as to what the Government wishes to do in regard to Birla Bhavan and also about the installation of the Mahatma Gandhi statue. (*Interruption*.)

MR. SPEAKER : Let us see about the pending matters.

श्री कंवर लाल गुप्त (दिल्ली-सदर) : अध्यक्ष महोदय, मैंने भी आप को आज सुबह एक बिट्टी लिखी है, जिस में दो बातों का उल्लेख किया है...

अध्यक्ष महोदय : आप ने सुबह बिट्टी लिखी है, उस को कल देखूँगा।

13.23 hrs.

RESOLUTIONS RE : RAILWAY CONVENTION COMMITTEE—(Contd.)

THE MINISTER OF RAILWAYS
(SHRI NANDA) *Rose*—

SHRI SEZHIYAN (Kumbakonam) : Sir, on a point of order about item No. 17.

Yesterday—

MR. SPEAKER : You should have left something for me also to tell you. He discussed it with me and the resolution, because it was not withdrawn, was allowed to come as it is today. Now, he will accept the amendment, and it will come.

SHRI SEZHIYAN : Yesterday, that was moved and you suggested that the amended form will come.

MR. SPEAKER : He is not going to confine himself to four.

SHRI SEZHIYAN : We have not received any motion of amendment. There was ample time and so the Minister himself might have given a notice of amendment. He has not given it. We have not received it in the required form. As there was ample time given, why not he come with an amendment ?

श्री कंवर लाल गुप्त (दिल्ली-सदर) : अध्यक्ष महोदय, मेरा संशोधन है कि चार के बजाय दो कर दिया जाय। इसे आप मान लीजिये।

MR. SPEAKER : Well, Mr. Sezhiyan, he consulted me and I looked into the matter. There was no way out except that he will move it now and then accept it.

SHRI NANDA : In the course of the discussion yesterday it was pointed out to me that it will serve my purpose as well if instead of having four more members there are two more members.

So, with your permission, I beg to move :

In the Resolution,

in line 8, for the figure "4", substitute the figure "2".

MR. SPEAKER : The question is :

In the Resolution,

in line 8, for the figure "4", substitute figure "2".

The motion was adopted.

MR. SPEAKER : Now, I shall put the amended resolution to the vote. The question is :

"That this House do resolve that the membership of the Parliamentary Committee appointed in pursuance of a resolution adopted by Lok Sabha on 28th November, 1968 to review the rate of dividend which is at present payable by the Railway Undertaking to General Revenues as well as the other ancillary matters in connection with the Railway Finance *vis-a-vis* the General Finance and make recommendations thereon, be increased by 2 more members of this House to be nominated by the Speaker."

The motion was adopted.

SHRI NANDA : I shall now move the next Resolution.

I beg to move :

"That this House do recommend to Rajya Sabha to agree to associate one more member from Rajya Sabha with the Parliamentary Committee to review the rate of dividend which is at present payable by the Railway Undertaking to General Revenues as well as other ancillary matters in connection with the Railway Finance *vis-a-vis* the General Finance and make recommendations thereon, to be nominated by the Chairman and to communicate the name of the member so appointed to this House."

MR. SPEAKER : The question is :

"That this House recommend to Rajya Sabha to agree to associate one more member from Rajya Sabha with the Parliamentary Committee to review the rate of dividend which is at present payable by the Railway Undertakings to General Revenues as well as other ancillary matters in connection with the Railway Finance *vis-a-vis* the General Finance

and make recommendations thereon, to be nominated by the Chairman and to communicate the name of the member so appointed to this House."

The motion was adopted.

13.27 hrs.

The Lok Sabha adjourned for Lunch till thirty minutes past Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at thirty-three minutes past Fourteen of the Clock.

[Mr. Deputy-Speaker in the Chair]

SHRI S. M. BANERJEE (Kanpur) : Sir, I am raising this point because tomorrow is the last day of the session. As you know, many assurances have been given in this House. When the policemen were discharged or dismissed or their services terminated for participation in the strike or demonstration, it was suggested that their case should be sympathetically considered. The hon. Home Minister, Shri Y. B. Chavan assured a group of Members belonging to all parties that he will see that some favourable orders are issued and they are reinstated. I want that statement should be made by the hon. Home Minister.

श्री शिव चन्द्र झा (मधुबनी) : मैं भी इसका समर्थन करता हूँ।

SHRI S. M. BANERJEE : Secondly, when an announcement was made here regarding the appointment of the Pay Commission a suggestion was made about grant of interim relief. Now we do not know when the Pay Commission is going to submit its report. So, I would submit that the Finance Minister should make a statement on this question.

श्री शिव चन्द्र झा : इस बात का भी मैं समर्थन करता हूँ।

श्री रामावतार शास्त्री (पटना) : उपाध्यक्ष महोदय, बर्नार्जी साहब ने जो कुछ कहा है, मैं भी उसका समर्थन करता हूँ।

इसके अतिरिक्त मुझे यह निवेदन करना है कि इंडियन रेलवेज लोको मेकेनिकल स्टाफ

एमोशिएशन के आसाम ब्रांच के सेक्रेटरी ने हमारे पास यह चिट्ठी लिखी है :

"This is to inform you that a good number of members of our Association working in Assam area have since been arrested on the alleged Naxalites. The allegation is baseless and it is suspected that the Unions of the Federations have been playing the foul..."

वहां पर हमारे वक़र को नक्सलाइट कह कर गिरफ्तार किया जा रहा है इसलिये कि वे यूनियन का काम कर रहे हैं और जो दूसरी फेडरेशन के लोग हैं वे उनको गिरफ्तार करवा रहे हैं। यह तरीका उचित नहीं है। उनकी मांगों पर ध्यान देना चाहिए। मैं आपकी मार्फत सरकार से निवेदन करूंगा कि इन लोगों को रिहा कर दिया जाये।

श्री नवल किशोर शर्मा (दोसा) : उपाध्यक्ष महोदय, नेशनल फिटनेस कोर के बहुत से आदमी भूख हड़ताल पर हैं। उनका एजिटेशन चल रहा है। उनके बारे में बनर्जी साहब ने जो कहा है, मैं उनका समर्थन करता हूँ और चाहता हूँ कि शिवा मन्त्री महोदय उसके बारे में जल्दी बयान दें।

14.36 hrs.

INDIAN SOLDIERS (LITIGATION) AMENDMENT BILL

THE MINISTER OF DEFENCE, AND
STEEL AND HEAVY ENGINEERING
(SHRI SWARAN SINGH) : Mr. Deputy
Speaker, Sir, I beg to move :

"That the Bill further to amend the Indian Soldiers (Litigation) Act, 1925, as passed by the Rajya Sabha, be taken into consideration."

This is a non-controversial piece of legislation.

It is proposed to bring certain type of proceedings within the purview of the facilities which are afforded to the Defence personnel in matters of litigation. The Indian Soldiers (Litigation) Act, 1925 gives protection to soldiers by way of postponement of the proceedings initiated against

them before Civil and Revenue Court and also provides for the setting aside of decrees and orders passed against them *ex-parte* when they are working under war conditions, or overseas or at any place beyond India. At present Rent Controllers, Tribunals and such other-judicial authorities are not covered by the definition of the term "Court" in the Act. It is now proposed that the protection afforded to soldiers under the Act, should be extended to cover proceedings before such authorities which are judicial or quasi-judicial in character. As the honourable Members are aware, there are a number of proceedings before such bodies which do not strictly come within the definition of a court, but nevertheless are of great importance for the persons involved in the proceedings. Litigation regarding any matters provided for by special enactments, such as rent laws dealing with fixation of rent of premises or eviction from premises before a rent controller, tribunal or other authority, is of the same nature as civil litigation and Government are of the view that the soldiers should be protected in respect of such proceedings to the same extent as proceedings before a court.

Another important amendment to the Indian Soldiers (Litigation) Act, which is now proposed to be made, is the enlargement of the definition of the special conditions under which the soldiers must be working to enjoy the protection afforded by the Act. Under the Act, as it is worded, the protection is available only when the soldiers are serving under war conditions or overseas or at any place beyond India. As the House is no doubt aware, many soldiers are deployed at distant places on our borders. During the period of last emergency, soldiers serving in such places were made entitled to the protection of the Act by declaring their services as under war conditions, for the purposes of the Act. With the lifting of the emergency W.E.F. 10.1.1968, the notification issued for the purpose in November 1962, has become inoperative. It is obviously necessary that our soldiers who serve in such remote areas should be given the protection available under the Indian Soldiers (Litigation) Act, as the exigencies of service would obviously prevent them from taking effective part in such proceedings so long as they are serving in the remote areas. It is accord-