

(Shri K. C. Pant)

(ii) A copy of the Order (Hindi and English versions) dated the 15th June, 1971, made by the President in pursuance of sub-clause (i) of clause (c) of the above Proclamation, published in Notification No. G.S.R. 945 in Gazette of India dated the 15th June, 1971. [Placed in Library. See No, LT—425/71].

(iii) A copy of the Report (Hindi and English versions) of the Governor of Punjab dated the 13th June, 1971 to the President. [Placed in Library. See No. LT—426/71].

(Delegation of Powers) Bill, 1971 which has been passed by the Rajya Sabha at its sitting held on the 15th June, 1971,"

MYSORE STATE LEGISLATURE
(DELEGATION OF POWERS)
BILL

As Passed by Rajya Sabha

SECRETARY : Sir, I lay on the Table of the House the Mysore State Legislature (Delegation of Powers) Bill, 1971, as passed by Rajya Sabha.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : May I ask why it is not in the Order paper ?

MR. SPEAKER : I allowed it this morning. It came after printing.

COMMITTEE ON PRIVATE MEMBERS'
BILLS AND RESOLUTIONS

Second Report

SHRI G. G. SWELL (Autonomous Districts) : I beg to present the Second Report of the Committee on Private Members' Bills and Resolutions.

MESSAGES FROM RAJYA SABHA

SECRETARY : I have to report the following messages received from the Secretary of Rajya Sabha :—

(i) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Manipur Appropriation (No. 2) Bill, 1971, which was passed by the Lok Sabha at its sitting held on the 11th June, 1971, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

(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 Mysore State Legislature

MOTION RE. CONSTITUTION OF
COMMITTEE ON THE WELFARE
OF SCHEDULED CASTES
AND SCHEDULED TRIBES

THE DEPUTY MINISTER IN THE
MINISTRY OF EDUCATION AND
SOCIAL WELFARE (SHRI K. S. RAMA-
SWAMY) : I beg to move :

"(1) (a) That a Committee of both the Houses to be called the 'Committee on the Welfare of Scheduled Castes and Scheduled Tribes' be constituted, consisting of thirty members, twenty from Lok Sabha and ten from Rajya Sabha to be elected in accordance with the system of proportional representation by means of the single transferable vote; and the voting at such election shall be by secret ballot ;

- (b) That a Minister shall not be eligible for election as a member of the Committee and that if a member after his election to the Committee is appointed a Minister, he shall cease to be a member thereof from the date of such appointment ;
- (2) That the functions of the Committee shall be :—
- (i) to consider the reports submitted to the Commissioner for Scheduled Castes and Scheduled Tribes under article 338 (2) of the Constitution and to report to both the Houses as to the measures that should be taken by the Union Government in respect of matters within the purview of the Union Government including the Administrations of the Union Territories ;
 - (ii) to report to both the House on the action taken by the Union Government and the Administrations of the Union Territories on the measures proposed by the Committee ;
 - (iii) to examine the measures taken by the Union Government to secure due representation of the Scheduled Castes and Scheduled Tribes in services and posts under its control (including appointments in the public sector undertakings, statutory and semi-Government Bodies and in the Union Territories) having regard to the provisions of article 335.
 - (iv) to report to both the Houses on the working of the welfare programmes for the Scheduled Castes and Scheduled Tribes in the Union Territories ; and
 - (v) to examine such other matters as may seem fit to the Committee or are specifically referred to it by the House or the Speaker.
- (3) That the members of the Committee shall hold office for a period of two years from the date of the first meeting of the Committee ;
- (4) That in order to constitute a sitting of the Committee the quorum shall be ten ;
- (5) That in all other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and
- (6) That this House do recommend to the Rajya Sabha that the Rajya Sabha do join in the Committee and communicate to this House the names of members elected from amongst the members of the Rajya Sabha to the Committee as mentioned above."

SHRI SEZHIYAN (Kumbakonam) : While I welcome the formation of this Committee, I want to bring to your notice a serious omission in the functions of the Committee.

This Committee was formed in 1968 and it was renewed on 9th December, 1970. That Committee was formed on the basis of the motion moved in this House. Para 2(5) of that motion reads like this.

MR. SPEAKER : What has been omitted ?

SHRI SEZHIYAN : The following item had been omitted :

"To consider generally and report to both the Houses on all matters concerning the welfare of the Scheduled Castes and Scheduled Tribes which fall within the purview of the Union Government including the Administration of the Union Territories."

This has been omitted.

My contention is that this is the purpose for which this committee was formed and last year it was clearly stated and I do not know why this function has been omitted now. There is one clause here which says : to examine such matters as may seem fit to the Committee ; and, it can come under that. But I do not think it is proper. It is a specific function given to the Committee by the Last Lok Sabha. Is the Government no more interested in the welfare of Scheduled Castes and Tribes and that is why it is omitted ?

[Shri Sezhiyan]

My second point is this. The first function of the Committee is to consider the reports submitted by the Commissioner for Scheduled Castes and Scheduled Tribes. For more than one year the post of the Commissioner has not been filled. From whom are they going to get a report for the Committee to function ?

Thirdly, what action has been taken by the Government on the reports submitted by the Committee. Why has the Government not given due respect to the reports of the Committee ? So far 19 reports had been submitted. Members of that Committee will bear me out when I say that no report has been considered by full by the Government and no recommendation worthwhile has been implemented by the Government ? Is this the respect they want to show to a Parliamentary Committee ?

SHRI B. K. DASCHOWDHURY (Cooch-Bihar) : The hon. Member touched upon one point. I was on that Committee. I must say that he has not gone through all the points that have been mentioned here and in the earlier motion also. It is true that one part has been deleted but that part was redundant. By the deletion of this part, it does not mean that the functions or powers of the committee are eroded in any way.

SHRI K. S. CHAVDA (Patan) : The main function of the Committee is to consider the reports submitted by the Commissioner for Scheduled Castes and Tribes under article 338(2). As has already been pointed out no Commissioner has been appointed and two years have passed.

I would like to know from the Minister concerned, when the Commissioner will be appointed.

SHRI SEZHIYAN : Sir, please allow me to move a formal amendment to this motion. I beg to move—

MR. SPEAKER : Just listen to him. *(Interruption)*. I have not received this amendment in time.

SHRI SEZHIYAN : I request you to condone the delay.

SHRI S. M. BANERJEE : Sir, I just want to say a word ; just one minute.

MR. SPEAKER : Order, please. Kindly sit down. Let the Minister reply.

SHRI K. S. RAMASWAMY : Sir, the item mentioned against the old resolution, item 2(v) is covered by the other terms of reference contained in the same resolution. The Committee is going to consider the report of the Commissioner for Scheduled Castes and Scheduled Tribes ; it goes into all the aspects of the welfare of Scheduled Castes and Scheduled Tribes. That is what exactly is mentioned in item (v). That has already been covered. *(Interruption)*. We feel that this is redundant and this should be omitted. This is also covered by present item (v) : "to examine such other matters as may seem fit to the Committee...". So, the Committee can go into any question they like. We do not want to have something which is redundant : we do not want to repeat it. That is what I wanted to inform the House.

MR. SPEAKER : He raised two or three points. So far as laying before the House is concerned, that is not there. So far as the Commissioner's appointment is concerned, it is pending since long. These are the two points to which you may reply.

SHRI K. S. RAMASWAMY : It is true that the Commissioner has not been appointed. We are taking steps to appoint one very soon. Regarding the recommendations and the report of the Committee, the various departments have already gone into them and we are accepting many of the recommendations. We are getting and sending reports on all the recommendations.

MR. SPEAKER : I think there is a little misunderstanding about this.

SHRI SEZHIYAN : The Minister's reply is not satisfactory. Even in item (vi) of last year's resolution, it was stated : "to examine such other matters as may seem fit to the Committee..." etc. That was there even previously.

SHRI K. S. RAMASWAMY : That is why I said this one was redundant.

SHRI SEZHIYAN : What was not redundant last year has become redundant now. Why is it so ? *(Interruption)*

SEVERAL HON. MEMBERS : *rose*—

MR. SPEAKER : Order, order. I was looking at the last year's Chairman. He is very quietly listening to it.

SHRI SEZHIYAN : The Basumatari is here. Please ask his opinion.

SHRI D. BASUMATARI (Kokrajhar) *rose*—

MR. SPEAKER : I do not force him to say anything. Please keep sitting. He is quite unaware.

MR. SPEAKER : The question is :

"(1) (a) That a Committee of both the Houses to be called the 'Committee on the Welfare of Scheduled Castes and Scheduled Tribes' be constituted, consisting of thirty members, twenty from Lok Sabha and ten from Rajya Sabha to be elected in accordance with the system of proportional representation by means of the single transferable vote : and the voting at such election shall be by secret ballot ;

(b) That a Minister shall not be eligible for election as a member of the Committee and that if a member after his election to the Committee is appointed a Minister, he shall cease to be a member thereof from the date of such appointment ;

(2) That the functions of the Committee shall be :—

(i) to consider the reports submitted by the Commissioner for Scheduled Castes and Scheduled Tribes under article 338 (2) of the Constitution and to report to both the Houses as to the measures that should be taken by the Union Government in respect of matters within the purview of the Union Government including the

Administrations of the Union Territories ;

(ii) to report to both the Houses on the action taken by the Union Government and the Administrations of the Union Territories on the measures proposed by the Committee ;

(iii) to examine the measures taken by the Union Government to secure due representation of the Scheduled Castes and Scheduled Tribes in services and posts under its control (including appointments in the public sector undertakings, statutory and semi-Government Bodies and in the Union Territories) having regard to the provisions of article 335 ;

(iv) to report to both the Houses on the working of the welfare programmes for the Scheduled Castes and Scheduled Tribes in the Union Territories ; and

(v) to examine such other matters as may seem fit to the Committee or are specifically referred to it by the House or the Speaker.

(3) That the members of the Committee shall hold Office for a period of two years from the date of the first meeting of the Committee ;

(4) That in order to constitute a sitting of the Committee the quorum shall be ten ;

(5) That in all other respects the Rules of Procedure of the House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and

(6) That this House do recommend to the Rajya Sabha that the Rajya Sabha do join in the Committee and communicate to

[Mr. Speaker]

this House the names of members elected from amongst the members of the Rajya Sabha to the Committee as mentioned above."

The motion was adopted.

MR. SPEAKER : Now, Shri Bade wanted to raise some point. Of course, I had no objection, but this was raised in the House twice, thrice—about cholera—by two Calling Attention Motions and other motions. You can have a minute or two but not more than that.

SHRI R. V. BADE (Kargone) : I just want to know what steps have been taken in this matter by the Government. Under rule 377—

MR. SPEAKER : This poor rule 377 is so much misused and molested. Anyhow—

SHRI R. V. BADE : Rule 377 is the only rule under which we can take up such important questions and bring them to the House.

MR. SPEAKER : So long as I am the Speaker.

SHRI R. V. BADE : There is a report in the Press that there is outbreak of cholera in the Mansa refugees camp. What steps have the Government taken in this matter ?

MR. SPEAKER : That would be directed to the minister.

SHRI R. V. BADE : What about the reply to my question ?

MR. SPEAKER : Don't worry about the reply. It is my duty to do it now.

SHRI S. M. BANERJEE (Kanpur) : I have already written to you that I have received a letter from the father of Deepak Banerjee, who is behind the bars in Pakistan. The Minister should make a statement about the journalists in prison in Pakistan. Their parents are extremely worried about it.

MR. SPEAKER : You cannot raise it stupidly like this. I am not allowing it,

12.47 hrs.

SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT (AMENDMENT) BILL *Contd.*

MR. SPEAKER : The House will now take up further consideration of the Salaries and Allowances of Officers of Parliament (Amendment) Bill. There was no member on his legs. (*Interruptions*).

I wish it could be passed, because very few are in the know of the fact that between the Speaker and the M. Ps., the difference is only about Rs. 300 to 400. If you agree we do not mind parting with this sum of Rs. 300 or 400, provided we get the facilities you get for your presence here every day. Of course, I am not in the Bill, but I was not very happy when this was discussed. The Deputy Speaker was equated with the Minister of State and he will now get just what the Minister of State gets. After deduction of taxes, etc., only so much is left that the difference between the MP and the Deputy Speaker is only about Rs. 300 or Rs. 400. If you agree, that can be changed. If we do away with that Rs. 300 or 400 and if you give us the concession of Rs. 50 a day, we accept it.

There was no member on his legs yesterday.

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : May I reply now ?

SHRI PILOO MODY (Godhra) : May I submit that we agree to pass the Bill as it is, provided, the minister does not reply ?

SHRI RAJ BAHADUR : I do not mind it. But some observations were made which should not go unanswered.

SHRI PILOO MODY : We are all convinced of the need for the Bill ; no necessity for a reply.

SHRI RAJ BAHADUR : I do not think that they do not like my voice. Even so I will sit down. I have no objection to their offer that I do not speak. I will not speak at all, if the members so desire. I will leave it to them. But I think I should be allowed to say a few things.