

[श्री जनेश्वर मिश्र]

उत्तर प्रदेश की तरक्की में केन्द्र बाधक हो रहा है। यह बहुत ही गम्भीर मामला है। चूंकि मुख्य मंत्री के नाते यह बयान है, इसलिये इस पर यहां चर्चा होनी चाहिये। मैं संसद कार्य मंत्री से कहूंगा कि वे इस पर चर्चा का समय दें कि क्या केन्द्र ने ऐसा व्यवहार किया है? अगर किया है तो वह निन्दनीय है, अगर नहीं किया तो उत्तर प्रदेश के मुख्य मंत्री के खिलाफ कोई कार्यवाही या चेतावनी दी जानी चाहिये।

दूसरा निवेदन यह है कि हमारी इलाहाबाद यूनिवर्सिटी अनिश्चित काल के लिये बन्द है, यद्यपि यह आपका विषय नहीं है, लेकिन जिस वजह से झगड़ा है—यूनिवर्सिटी ग्रान्ट्स कमीशन के एक मोटर ड्राइवर ने वहां की एक नहकी के साथ बलात्कार किया, इस वजह से यह केन्द्र का विषय हो जाता है। इस पर भी विचार करने के लिये आधा घन्टा या एक घंटे का समय दिया जाना चाहिये।

SHRIMATI SUSHILA ROHATGI

(Bilhaar) : Seeing that the normal civic life in Calcutta has been dislocated and business is paralysed, and the citizen is denied basic things like security of life and seeing that the Constitution is being openly flouted as it happened at the civic reception which the Calcutta Corporation accorded to the President when neither the national flag was unfurled nor the national anthem was sung, can we not have a special session of the Parliament tomorrow or on some other day for two or three hours and give priority to the resolution moved by Shri Guha?

श्री ओम प्रकाश त्यागी : उपाध्यक्ष महोदय, मैं सरकार से अनुरोध करूंगा कि वह इस बात पर प्रकाश डाले—इन्टरनेशनल फिल्म फेस्टिवल के नाम पर इस प्रकार की गन्दो फिल्में क्यों दिखाई जा रही हैं जिनका भारतवर्ष के नौजवानों पर बड़ा गन्दा प्रभाव पड़ रहा है.....

श्री स० मो० बनर्जी : उपाध्यक्ष महोदय, मैं भी वहां गया था और मैंने देखा कि सब जनसंघ के नुमाइंदे वहां पर मौजूद थे, श्री अटल बिहारी वाजपेयी भी वहां पर थे, इसमें ऐसी क्या बात है।

So far as the International Film Festival is concerned, we are unable to *tyag* those films. If Mr. Tyagi wants, let him *tyag* them. There is nothing immoral in them.

श्री ओम प्रकाश त्यागी : आपका कुछ नहीं बिगड़ेगा, बच्चों का बिगड़ेगा। आप तो पहले ही बिगड़े-बिगड़ाए हैं।

SHRI RAGHU RAMAIAH : Hon. members have made various suggestions about various matters which they consider important. Some of them were before the Business Advisory Committee when it considered some of these things at the last meeting. In respect of some of them, provision has already been made either in the business of Government or by way of discussions which the hon. Speaker has fixed. I am not belittling any of these items, but it is a question of priorities and time.

SHRI RANDHIR SINGH : Let there be a debate in the House on Chandigarh.

SHRI RAGHU RAMAIAH : If there is any item of great importance which has been left over, I am sure the Business Advisory Committee will again consider such matters.

Mr. Guha raised the point about Mr. Prakash Vir Shastri's part-heard motion. Mr. Prakash Vir Shastri had himself said that he will not be in Delhi today and he had requested the Government to postpone it to a later date. That is why it has been done.

11.45 Hrs.

RE : INDIAN TARIFF (AMENDMENT) BILL.

MR. DEPUTY-SPEAKER : Now introduction of Bills. Shri Bhagat.

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI RAM SEWAK) : On behalf of Shri Bhagat....

MR. DEPUTY-SPEAKER : At the introduction stage the Minister in whose name the Bill stands should be present. Under the rules it cannot be done by some other Minister. So, I will go to the next item.

1.46 Hrs.

BIHAR LAND REFORMS LAWS (REGULATING MINES AND MINERALS) VALIDATION BILL

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS (SHRI JAGANATHA RAO) : I beg to move :

"That the Bill to validate certain provisions contained in the Bihar Land Reforms Act, 1950, and the Bihar Minor Mineral Concession Rules, 1964, and action taken and things done in connection therewith, be taken into consideration."

The Supreme Court in *Baij Nath Kedia vs. State of Bihar* held that (a) to the extent of the topics covered by the Parliamentary legislation [the Mines and Minerals (Regulation and Development) Act, 1957] the powers of the State Legislature are excluded; (b) after the creation of statutory mining leases under the provisions of sections 9 and 10 of the Bihar Land Reforms Act, 1950, any attempt to regulate those mining leases will fall not in Entry 18 of the State List but in Entry 54 of the Union List although it touches land not *vice versa*; (c) the whole field of regulation and development of minor minerals have been taken over under the control of the Union and consequently certain provisions of the Bihar Land Reforms Act, 1950, as amended by the Bihar Land Reforms (Amendment) Act, 1964, and sub-rule (2) of rule 20 of the Bihar Minor Mineral Concession Rules, 1964, as inserted by the Bihar Minor Mineral Concession (First Amendment) Rules, 1964, were struck down.

The Government of Bihar have pointed out that as a result of the aforesaid judgment, the levy and collection of royalty on minor minerals in respect of statutory leases by the State Government under the provisions of the Bihar Minor Mineral Concession Rules, 1964, have not only become void but they may also be required to refund royalty collected by them on minor minerals in respect of those leases which runs into a few crores of rupees. It is also likely that as a result of the general principles laid down in the aforesaid Supreme Court judgment, the proceedings initiated by the State Government to resume unworked statutory lease-holds under section 10(2) of the Bihar Land Reforms Act, 1950, as amended by the Bihar Land Reforms (Amendment) Act, 1965, may be challenged.

In view of the principles laid down by the Supreme Court in the aforesaid judgment, it is Parliament which is competent to frame legislation in regard to matters referred to in paragraph 1 above. The Bill seeks to re-enact and validate the provisions of the State laws specified in the Schedule to the Bill.

Since it is a simple non-controversial Bill it is hoped that it will be passed unanimously.

MR. DEPUTY-SPEAKER : Motion moved :

"That the Bill to validate certain provisions contained in the Bihar Land Reforms Act, 1950, and the Bihar Minor Mineral Concession Rules, 1964, and action taken and things done in connection therewith, be taken into consideration."

It would like to acquaint the House with the time allotment in regard to this Bill. Altogether two hours have been allotted and the division of time is as follows : Congress (O) 12 minutes, Swatantra 8 minutes, Jan Sangh 6 minutes, DMK 6 minutes, CPI 6 minutes, CP(M) 4 minutes, SSP 4 minutes, PSP 4 minutes, UIPG 6 minutes, BKD 2 minutes, Unattached 6 minutes and Government 44 minutes.

SHRI JAIPAL SINGH (Khunti) : May I know whether the areas which will be