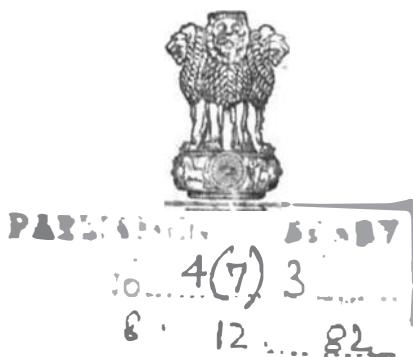


Seventh Series, Vol. XXX No. 55

Thursday, May 7, 1981
Vaisakha 17, 1903 (saka)

LOK SABHA DEBATES

(Fifth Session)



(Vol. XXX contains Nos. 51 to 55)

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA DEBATES

LOK SABHA

Thursday, May 7, 1981/Vaisakha
17, 1903 (Saka)

The Lok Sabha met at Eleven
of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUES- TIONS

MR. SPEAKER : Questions.
Shri R. L. P. Verma.

(Interruptions) **

MR. SPEAKER : No please. Nothing will go on record. This is Question hour. Nothing is going on record. I have already called Shri R. L. P. Verma.

डाक्टरों की नियुक्ति और आयुर्वेदिक
चिकित्सा पद्धति को प्रोत्साहित करने के लिए
कार्यकारी

* 1092. श्री रीतलाल प्रसाद वर्मा : क्रा. स्टेट्यूर और परिवार कल्याण मंत्री वह बताने की कृपा करेंगे कि :

(क) क्या यह सब है कि एलोपैथिक चिकित्सा पद्धति को सरकारी संरक्षण मित्रों और आयुर्वेदिक चिकित्सा पद्धति की उपेक्षा किये जाने के कारण देशी चिकित्सा पद्धति के चिकित्सकों और

आयुर्वेदिक औषध निर्माताओं की स्थिति दयनीय होती जा रही है ;

(ख) यदि हां, तो क्या सरकार का विचार आयुर्वेदिक चिकित्सा पद्धति से लाइलाज रोगों का इलाज करने के लिए अस्पतालों में आयुर्वेदिक डाक्टर नियुक्त करने का है और कब इस चिकित्सा पद्धति को प्रोत्साहित करने का विचार है ; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

THE MINISTER OF STATE
IN THE MINISTRY OF
HEALTH AND FAMILY WEL-
FARE (SHRI NIHAR RANJAN
LASKAR) : (a) No Sir.

(b) The Government has already appointed Ayurvedic doctors in Government Ayurvedic hospitals and is taking appropriate steps to encourage the Ayurvedic system of medicine.

(c) Does not arise.

श्री रीतलाल प्रसाद वर्मा : अव्यक्त महोदय, मंत्री जी ने जो जवाब दिया है वह संतोषजनक नहीं है। आयुर्वेद के साथ सौतेला व्यवहार हो रहा है जबकि आयुर्वेद की दवाओं की विदेशों में भी आवश्यकता समझी जा रही है। विदेशी लोग इंडियन हॉस्पिट्स की बड़ी प्रशंसा कर रहे हैं लेकिन हम अपने देश की डॉक्टरियों की ओर उपेक्षा कर रहे हैं। यह जो उत्तर

मैं कहा है—“आयुर्वेद चिकित्सा पद्धति को प्रोत्साहन देने के लिए सरकार समुचित कदम उठा रही है” — मैं जानना चाहता हूँ कि वे कौन से कदम उठाये गये हैं? मंत्री जो न यह भी जवाब नहीं दिया कि आयुर्वेदिक महाविद्यालयों की पूर्ण संस्था क्या है तथा प्रतिवर्ष कितने आयुर्वेदिक स्नातक पास कर के वहाँ से निकलते हैं। जब से आयुर्वेदिक कालेज प्रारम्भ किये गये हैं तबसे कितने आयुर्वेदिक डाक्टर वहाँ से पास हुए हैं?

अध्यक्ष महोदय : आप स्टेटिस्टिक्स पूछ रहे हैं, आकड़े पूछ रहे हैं, आप प्रश्न पूछिए।

श्री रीतलाल प्रसाद वर्मा : इस के साथ ही मैं यह जानना चाहता हूँ कि सरकार के पास आयुर्वेदिक डाक्टरों का भी कोई पैनल है जिस तरह से एलोपैथी के डाक्टरों का पैनल सरकार के पास होता है?

SHRI NIHAR RANJAN LAS-KAR : The policy of the present Government about the development of Ayurvedic system of medicine is very clear. This is in accordance with our party manifesto. I can read it out for the information of the hon Member. It says:—

“All systems of medicine will be developed, each in accordance with its own genius and potential, and support and assistance will be given to all systems of medicine for research.”

In this connection, I can also inform hon. Members how we are financing this from the First Plan period till the present Plan period. In the first Plan it was Rs. 40 lakhs. In the Second Plan it was Rs. 4 crores. In the Third Plan (1961-66) it was Rs. 9.80 crores. In the Fourth Plan (1969-74) it was Rs. 15.83 crore. In the Fifth Plan, it was Rs. 25 crores. In the current plan period it is Rs. 29 crores

in the Central Sector and including all States, it is Rs. 81.9 crores. So, we are giving all emphasis and also financial help to develop all indigenous systems of medicine, including Ayurveda, Siddha, etc.

श्री रीतलाल प्रसाद वर्मा : मैंने जो प्रश्न पूछा था उसका मंत्री जी ने यह उत्तर दिया है। मैंने पूछा था कि कितने आयुर्वेदिक कालेज हैं और उन कालेजों से कितने डाक्टर पास करते हैं? क्या उनकी बहाली उसी गारण्टी के साथ की जाती है जिस गारण्टी के साथ एलोपैथी डाक्टरों की की जाती है? यदि नहीं, तो आप उनकी क्या मदद कर रहे हैं?

SHRI NIHAR RANJAN LAS-KAR: This is primarily the State sector. But I can also inform the hon. Member that there are over 11,000 Ayurvedic dispensaries all over the country, 242 Ayurvedic hospitals and 91 Ayurvedic colleges throughout the country.

श्री रीतलाल प्रसाद वर्मा : जो मंत्री महोदय ने उत्तर दिया है, उससे क्या आप संतुष्ट हैं?

अध्यक्ष महोदय : मैंने कहा न कि आप आकड़े पूछ रहे हैं।

श्री रीतलाल प्रसाद वर्मा : मेरा प्रश्न था कि कितने आयुर्वेदिक डाक्टर परीक्षा पास करते हैं। मेरा दूसरा सत्त्वी-मेंट्री यह है कि जिस तरह से आई० डी० पी० एल० द्वारा दवाएं तैयार की जाती हैं, उसी तरह से आयुर्वेदिक औषधियों के निर्माण के लिए जड़ी-बूटियों का श्रनुसन्धान करने की कोई योजना है? आयुर्वेदिक डिस्पेंसरीज के लिए दवा निर्माण करने के लिए क्या आप कुछ करने जा रहे हैं, ताकि विशुद्ध दवाएं असाध रोगों के उपचार के लिए उपलब्ध हो सकें।

SHRI NIHAR RANJAN LAS-KAR : We have these facilities. We have recently established separate Central Research Councils in different systems of Indian Medicines.

In this connection, I may point out that the Central Council for research in Indian medicines and Homoeopathy was established in 1969. Then it was bifurcated into 4-Ayurvedic, Siddha and Unani, Homoeopathy and Naturopathy. There are 4 Research Councils which have been established in the country and they are doing research in this field.

SHRI XAVIER ARAKAL : The hon. Minister has said that Rs. 81.95 crores are earmarked in the Sixth Plan. He has also said that steps are being taken in this respect. I would like to know what are the criteria for this and how they are going to implement these appropriate steps. They are still on paper because they are still not categorised. This is an important issue. This House, time and again, raised a point that there should be a policy in this subject. Now, there are four schools of thought—Ayurvedic, Unani, Homoeopathy and Alopatherapy. They require a systematic approach. In these matters, I would like to know how this amount of Rs. 81.95 crores is going to be divided. This is a very important issue. What are the appropriate steps which Government is visualising in this matter? Will the hon. Minister enlighten this house on this issue?

SHRI NIHAR RANJAN LAS-KAR : The following schemes are being implemented or are being developed by the Government of India. (1) The Central Council of Indian Medicines to evolve a uniform standards of education in Indian systems of medicines to maintain a Central Register also. (2) The National Institute of Ayurvedic medicines at Jaipur has been established to provide education and research of a high order in Ayurvedic both at the undergraduate and post-graduate levels. (3) The Gujarat Ayurvedic University at Jamnagar is having

facility not only for under-graduate education but also for post-graduate degree and P.H.D. The Indian Institute of Advance Studies and Research in Ayurveda at Trivandrum is also being developed which is financed by the Central Government. At present there are 91 colleges in the country and we are also helping them. We are taking several steps to develop these systems.

Sale of Coal ash to Cooperative Societies

*¹⁰⁹³ : **SHRI NITYANANDA MISRA :** Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that instructions have been issued by his Ministry for sale of coal ash on priority and preferential basis to Cooperative Societies only which are engaged in national building activities especially in Central and South Central Railways;

(b) if so the details in this regard;

(c) whether it is also a fact that these instructions are not being carried by the Authorities and extension for contracts to such societies which were due in 1980 have not been extended so far ;

(d) if so the reasons thereof and what steps Government have taken or propose to take in this regard for extension of contract for sale of coal ash to Cooperative Societies; and

(e) the authorities responsible for non implementation of instructions and the steps taken against them?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALIKARJUN) : (a) to (e). A statement is laid on the table of the Sabha

Statement

(a) Yes Sir.

(b) Instructions have been issued to the Railway Administrations to give preferential treatment to the Cooperative Societies and Organisation engaged in nation building activities in the sale of coal ash surplus to the requirements of Railways whenever such institutions participate in tender/auction held for the purpose and agree to pay the highest quoted price. After initial contractual period of one year the contracts with such institutions are to be extended for further period of three years on yearly basis treating the first year rates as basic and rates during the further period being varied in consultation with the F.A. & C.A.O. of the Railway to the extent the Consumer Price Index may justify from time to time. At stations where there is no demand from Cooperative Societies, the Railways are authorised to dispose off surplus coal ashes by auctions/tenders to individuals or firms.

(c) and (d). The instructions are being generally carried out. Central Railway had proposed a change in this policy, which is receiving attention. Pending further examination the Railway has been advised to follow the extant policy.

(e) Does not arise.

SHRI NITYANANDA MISRA : From the answer given to parts (a) and (b) of my question the Government policy is clear, unequivocal and unambiguous. We accept the principle of giving coal ash to the Cooperative Societies. Perhaps the hon. Minister knows that coal ash is used for making of bricks and burning of lime by these cooperative societies. A number of persons in these cooperative societies belong to the weaker section and poorer section of the society. In view of this, the Railway authorities have evolved the principle of giving coal ash on priority

and preferential basis to the cooperative societies. This is very clear from the answer. The price to be paid by these cooperative societies will be the highest quoted price in the tender/auction for the first one year and subsequently it would vary according to the Consumer Price Index from time to time.

I would like to know whether it is not a fact that the Government after evolving the principle of giving coal ash to the cooperative societies has failed to implement it. Will the hon. Minister assure the House that the local railway authorities who are contravening the Government orders and are not following the instructions will be severely dealt with?

SHRI MALLIKARJUN : It is our policy laid down to give coal ash to the cooperative societies.

SHRI NITYANANDA MISRA : The local railway authorities, specially in Jabalpur, Sholapur and Nagpur area are giving coal ash to individuals and they seem to be in connivance with the vested interests. That is the reason why they are suggesting that instead of giving it to the cooperative societies, it should be given to individuals. Will the hon. Minister assure the House that the principle evolved by the Railways for giving coal ash to the cooperative societies will be followed and no change in this policy will be allowed which will adversely affect the interest of the cooperative societies and the weaker section?

SHRI MALLIKARJUN : In Jabalpur division on the Central Railways, there were certain complaints about the malfunctioning of the cooperative societies. Therefore, the Central Railways have proposed to give coal ash to private individuals also; 50% to the cooperative societies and 50% to others. However, we have asked the Central Railways to adhere to the instructions of the Railway Board and now these are being followed.

SHRI BHERAVADAN K. GADHANI : The poor people who are engaged in making bricks are coming to grief for want of coal ash. The cooperative societies and other people take it on a monopoly basis. There is a lot of misconduct on their part also. In view of this, I would like to know whether the Government contemplates to sell coal ash to the poor potters, particularly those who hail from the villages.

Secondly, it has also come to light that because of scarcity of coal, at certain places a racket is going on. Instead of dropping down the ash, sometimes in connivance with these people, the drivers and others drop down the live burning coal at a particular spot, which benefits these people. Will the Government take action in this regard also ?

SHRI MALLIKARJUN : The unburnt coal, cinder as we call it, is dropped out of the fire boxes and it is not being given to the cooperative societies. The hon. Member says that in connivance with the drivers and others, coal is dropped and the private contractors and others make use of it. We have issued strict instructions to exercise proper vigilance in this regard and if any particular case comes to our notice, action will be taken immediately.

SHRI Y. S. MAHAJAN : Sir, the potters are in backward community in our society. They have formed cooperative societies, for instance, in my district. But they are not being given coal ash. In the Bhusawal Division of the Central Railway coal ash is given to contractors. I would like to know whether the Hon. Minister will give instructions to the Bhusawal Division to see that Government policy is followed ?

THE MINISTER OF RAILWAYS (SHRI KEDAR PANDAY) : I shall look into it and see that justice is done.

DR. SUBRAMANIAM SWAMY: You will look into it that Government policy is followed.

SHRI KEDAR PANDAY : We sell coal ash to cooperative societies. That is the confirmed policy of the Railway Ministry. If there are real specific cases of departure that shall be looked into and that should be referred to us.

श्री मोती भाई आर० चौधरी : पश्चिम रेलवे में भी ऐसा कदाचार चल रहा है। छोटे मोटे रेलवे स्टेशनों पर जो कोयले की राख होती है उसके घोटाले में रेलवे कमचारी भी शामिल रहते हैं और इसीलिए प्राइवेट लोगों को वह कोयले की राख दे देते हैं और छोटे छोटे वर्तन बनाने वालों की कोआपरेटिव सोसाइटीज को वहाँ कोयले की राख नहीं मिलती है। तो क्या मंत्री जी, पश्चिम रेलवे को कहेंगे कि कड़ाई से सरकार की पौलिसी पर अप्रल हो ?

श्री केदार पांडे : छोटे छोटे लोग भी कोआपरेटिव सोसायटी बना सकते हैं, उनको बनाना चाहिए, यही हमारी पौलिसी है। अब इंडिविजुअल को देने में गड़बड़ हो सकती है।

बिटेन की प्रधान मंत्री के साथ हुई बातचीत

+

* 1094. **श्री मूल चन्द डागा :**
श्री इन्द्र जीत गुप्त :

क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) 15 अप्रैल, 1981 को भारत की यात्रा पर श्राध्य बिटेन की प्रधान मंत्री के साथ किन-किन विषयों पर बातचीत हुई थी और भारत तथा बिटेन के बीच किन-

किन मामलों के बारे में समझौते निये गये थे : और

(d) क्या ब्रिटेन की प्रधान मंत्री के साथ अमेरिका द्वारा नाइस्टान का हथियारों की सत्त्वाई के सम्बन्ध में भी बातचीत हुई थी और इस सम्बन्ध में दिटेन की प्रधान मंत्री को क्या प्रतिक्रिया रही ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO): (a) The British Prime Minister and our Prime Minister discussed major international issues, the new Nationality Bill and Indo-British Economic relations. The following five Memoranda of Understanding were signed:

- (i) Cooperation in certain industries and in trade;
- (ii) Collaboration on Space Activities;
- (iii) Cooperation in Science and Technology;
- (iv) The development of the Indian Power Generation sector; and
- (v) Cooperation in the development of the Indian Coal Industry.

Letters were also exchanged on two Economic Cooperation Agreements on the Thal Fertilizer Project and on Local Costs Grants for 1981. A convention on Avoidance of Double Taxation was also signed, which will facilitate further commercial and economic activities between the two countries.

(b) Yes, Sir. Our Prime Minister conveyed India's concern on the proposed US delivery of arms to Pakistan to the British P.M. The British Prime Minister said that every nation has the right to protect itself.

श्री मूल चन्द्र डागा : ब्रिटेन की प्रधान मंत्री 15 अप्रैल से 19 अप्रैल तक यहां रही और मैं आर्थिक मुद्दों को छोड़ कर यह जानना चाहता हूँ कि ऐसे कौन से राजनीतिक मुद्दे थे जो उभरे हुए थे और जिन राजनीतिक मुद्दों को भारत के प्रधान मंत्री और हमारे यहां के मंत्रियों ने उठाया हो और उनका निराकरण नहीं हुआ हो ? और भारत के हित में और भारतीय मूल के जो लोग ब्रिटेन में रहते हैं उनकी समस्याओं का निराकरण नहीं हुआ हो ? उनका निराकरण न होने का क्या कारण था ? और क्या यह सही है कि राजनीतिक मामलों में भारत और ब्रिटेन की वैचारिक दूरी अमरोका और ब्रिटेन में अनुदार दलों की सरकारें बनने के बाद और बढ़ गई है ?

श्री पी० बी० नरसिंह राव : मैं कह चुका हूँ कि चर्चा हुई है अन्तर्राष्ट्रीय मामलों पर, नेशनलिटी विल पर और ब्रिटेन और भारत की आर्थिक समस्याओं पर। अब जो अन्तर्राष्ट्रीय मामले हैं उन पर चर्चा हुई, जिनका यह हुआ कि उन्होंने अपनी बात कही, हमने अपनी बात कही।

श्री मूल चन्द्र डागा : कौन से ऐसे मुद्दे आपने उठाये जिनका निराकरण नहीं हो सका, खासकर भारतीय मूल के लोग जो ब्रिटेन में रहते हैं उनके बारे में मैंने जानना चाहा था ?

श्री पी० बी० नरसिंह राव : वह तो उठाया गया। निराकरण नहीं होने का कारण यही था कि उनको अपनी बात पर अड़े रहना था और हमको अपनी बात उनको सुनाना थी। दोनों तरफ से यह काम पूरा हुआ।

श्री मूल बन्द ढागा : ब्रिटेन की प्रधान मंत्री, श्रीमती थैचर, ने पालियामेंट के सदस्यों के सामने भाषण देते हुए अपनी इम्मीग्रेशन पालिसीज के बारे में कहा था कि नैशनेलिटी विल से भारतीयों को कोई फ़र्क नहीं पड़ेगा । हमने कहा था कि इस सम्बन्ध में इन्हें और अश्वेत में भेद न किया जाए । क्या मैं मान सकता हूँ कि क्या ब्रिटिश सरकार की इम्मीग्रेशन पालिसीज कई वर्षों से ब्रिटेन में रहने वाले भारतीयों के हित में होगी या उनके प्रति डिसक्रिमिनेशन किया जायेगा ?

श्री पी० बी० नरसिंह राव : जब ब्रिटेन की प्रधान मंत्री यहां बोल रही थीं तो हम सब सुन रहे थे । उन्होंने साफ कहा कि नैशनेलिटी विल के कारण कोई प्रभावात् नहीं होगा रंग या किसी और बुनियादी पर । हमारे प्रधान मंत्री ने खास तौर से उस बात को तरफ इशारा करते हुए कहा कि हम यह आशा करते हैं कि आपके इस कानून में ऐसा कोई बुरा अतर नहीं पड़ेगा । उनके कहने का मतलब यह था कि कोई बुरा असर नहीं पड़ना चाहिए ।

SHRI INDRAJIT GUPTA: I cannot ask a question in such a diplomatic language, as his answers are. I would like to know (a) whether all this boils down to this, viz. that on almost all questions pertaining to international relations, international security and so on, the views expressed by Mrs. Thatcher were at complete variance with the perceptions and outlook of our Government. This is number one; (b) as far as the economic part of this agreement goes—which he has listed here—in the items which were covered, I don't find any mention—whether any discussion was held regarding the protectionist policies which the British Government is following, as a

result of which in the last few years, our adverse balance of trade with Britain is running to nearly Rs. 300 crores, affecting very badly Indian exports to Britain. There is no mention here about what happened regarding this question. (Interruptions)

SHRI P. V. NARASIMHA RAO: While it is true that on several important matters, our perceptions are different, on one very important matter in the Middle East, we found considerable similarity in our approach; and that is the Palestinian problem. Mrs. Thatcher clearly said that Britain's approach to the Palestinian problem was different from the approach of the United States; and to that extent, we found that her views were more in line with ours, although they may not be identical. Except this one matter, on all other matters, all other important matters we only ended up by trying to understand each other's point of view.

SHRI INDRAJIT GUPTA : Agreed to differ.

SHRI P. V. NARASIMHA RAO: The second part of Mr. Gupta's question did come up for discussion. We were able to persuade the British to agree that UK and the European Community give sympathetic consideration to appropriate commercial policy measures to improve India's exports. Both countries also agreed that vigorous efforts have to be made to resist protectionism, and to maintain and improve the open and multilateral world trading system. This is what happened on the trade side.

SHRI MADHAVRAO SCINDIA: The British Prime Minister has justified the American re-armament of Pakistan, when she has said that every country has a right to protect itself. A lot of

people have assumed that she has obviously the Afghanistan situation in mind; but in its very nature, this statement is specifically directed against us, because is it not true that a majority of the arms that are being supplied by America to Pakistan are of absolutely no use in the mountainous terrain of Pakistan's western frontier, but are only to be used on its eastern frontier ? I would like to know from the hon. Minister of External Affairs whether this has been pointed out to the British Prime Minister, and if this has been pointed out, and in spite of that, she has made the statement, in the opinion of the Minister of External Affairs, does this not mean that she has tactfully accepted that India harbours aggressive intention against Pakistan in the face of which she is justifying the rearming of Pakistan ?

SHRI P. V. NARASIMHA RAO: It has not come quite to that point. In fact, I enquired whether Mrs. Thatcher had discussed the massive scale military assistance to Pakistan by the U.S. when she visited Washington. I also said that this was something which caused us great concern. The British Prime Minister said that they did not really touch on this. They discussed bilateral relations and NATO. So, we need not go to the extent of reading too much in her statement because she has said that this particular point did not come up for discussion between her and the U.S.; it was clear that she was not committing herself to any position which we would like to allege.

MR. SPEAKER: Shri G. Y. Krishnan—next question
(Interruptions)

SHRI MADHAVRAO SCINDIA: Did you point out to her about the quantity of arms ?

SHRI P. V. NARASIMHA RAO: It was pointed out to her

that the quantity and also the nature of arms that were sought to be supplied to Pakistan were of quite a different character and they would be only used against India; this has been our past experience. All these things were put to her and then I asked her whether she discussed this aspect of massive arms aid to Pakistan in Washington. She said, "No, this was not touched upon."

Restricting use of Conventional weapons

*1095. **SHRI G. Y. KRISHNAN:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that a number of countries have signed a U.N. convention forbidding or restricting the use of the most cruel and inhuman conventional weapons; and

(b) if so, the names of such countries which are not supporting such conventions ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V. NARASIMHA RAO) : (a) Yes, Sir. According to information presently available to Government, the following 35 countries have signed the Convention on 'inhumane' weapons, which was opened for signature in New York on 10 April 1981:

1. Afghanistan, 2. Austria,
3. Belgium, 4. Bulgaria, 5. Byelo-russian Soviet Socialist Republic, 6. Canada, 7. Cuba,
8. Czechoslovakia, 9. Denmark,
10. Egypt, 11. Finland, 12. France,
13. German Democratic Republic, 14. Germany, Federal Republic of, 15. Greece, 16. Hungary, 17. Iceland, 18. Ireland, 19. Italy, 20. Luxembourg, 21. Mexico, 22. Mongolia,
23. Morocco, 24. Netherlands, 25. New Zealand, 26. Norway, 27. Poland, 28. Portugal,

29. Spain, 30. Sudan, 31. Sweden, 32. Ukrainian Soviet Socialist Republic, 33. Union of Soviet Socialist Republic, 34. United Kingdom, and 35. Viet Nam.

Instructions have been sent to our P.R. to the U.N. to sign this Convention on May 15, 1981, on behalf of India.

(b) Government has no information regarding any country announcing its intention to oppose or not to support this Convention.

SHRI G. Y. KRISHNAN: I would like to know whether the wording of the convention has been made mandatory so that the violation of restrictions of use of these weapons can be dealt with by the United Nations.

SHRI P. V. NARASIMHA RAO: I am not in a position to lay my hands on that particular part of it. But a copy of the Convention is with me. I can find out and let you know later.

SHRI G. Y. KRISHNAN: In the list of the countries which have signed, except one country, we have not observed any other big powers concurring to sign the Convention. What is the reaction of those big powers?

SHRI P. V. NARASIMHA RAO: I think they are still considering it. The big power that has not concurred, according to the list is the United States and we understand that it is under their consideration.

SHRI G. Y. KRISHNAN: Which are the weapons which are considered to be most cruel and inhuman and the countries which are manufacturing these weapons? What is the reaction of those countries?

SHRI P. V. NARASIMHA RAO: I have said that 35 countries—

including India 36—would have signed and there is still time. There are three Protocols. The Annexed Protocol No. I bans the use of any weapons intended to injure by fragmentation undetectable by x-rays. The Annexed Protocol No. II *inter alia* bans the use of mines and booby-traps, against civilian population, prevents the indiscriminate use of such weapons and requires the location of mine fields, mines and booby-traps to be recorded so as to reduce the danger of accidents to civilians. The Annexed Protocol No. III *inter alia* bans the use of incendiary weapons, including napalm bombs, against civilians and the use of air-delivered incendiary weapons against any military targets within a populated area.

Referring to the earlier supplementary, I understand that this is mandatory for the signatories.

Memo by All India Loco Running Staff Association to P.M.

*1096. SHRI BHOGENDRA JHA: Will the Minister of RAILWAYS be pleased to lay a statement showing:

(a) whether the President, All India Loco Running Staff Association has submitted any Memorandum dated 6th April, 1981 to the Prime Minister;

(b) if so the details thereabout and Government's reaction thereon;

(c) the number of locomen zone-wise penalised during the recent agitation and after the withdrawal of agitation respectively and whether it is proposed to restore *status quo ante*; and

(d) if not the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (d). A statement is laid on the Table of the Sabha.

Statement

(a) Yes Sir.

(b) The more important observations made in this Memorandum and Government's reaction thereon are given below in juxtaposition :—

- (i) The recent agitation was provoked by the railway administration and on account of non fulfilment of certain demands, and in view of the mass victimisation, the Association had to resort to the same;
- (ii) The 10-hour duty rule introduced after a settlement with the loco running staff in 1973 was overthrown by lower level officers on the Railways;
- (iii) The negotiating facilities extended to the Association at all levels were withdrawn;
- (iv) Anticipated implementation of the demands agreed to after the deliberations by the Committee such as Running Allowances Committee and Uniforms Committee has been totally ignored.
- (i) This is not correct. In this Connection I would invite attention of the House to the *Suo Moto* Statement made by me on the floor of the House on 17-2-1981.
- (ii) This is also not correct. In fact, Railways are working to the 10 hours rule in the case of running staff, and have been taken measures for ensuring operational efficiency on Railways.
- (iii) Even now discussions are held with the recognised federations on Railways, who represent also the cases of running staff. The All India Loco Running Staff Association is an unrecognised organisation and the interests of this body of Railway staff are projected by the recognised federations.
- (iv) There are no demands which were agreed to and require to be implemented. However, decisions on the recommendations of the Running Allowances Committee and Uniforms Committee are in the process of being taken.

(c) and (d). No employee is victimised for his legitimate trade union activities. However, in the context of the recent loco running staff agitation in January-February 1981 for specific acts of omission and commission action has been taken and a statement showing the same is given below. Similarly no employee

is victimised for his post-strike activities unless there has been a dereliction of duty etc. An employee against whom action has been taken has got a right to make an appeal/representation to the Appellate/Competent authority against such action who will no doubt examine the case on merits and take appropriate action.

The number of employees who were taken up during the recent loco running staff agitation in January-

February, 1931 for specific acts of omission and commission are given below :—

Railway	No. of employees dismissed/ removed from service/ terminated.	No. prematurely retired on review of service	No. reverted/ Break in services/ minor penalty etc.
I	2	3	4
Central	..	3	40
Eastern	42	52	179
Northern	121	70	1451
North Eastern	64	..	985
N.F.	129	138	91
Southern	30	84	2
South Central	39	82	909
South Eastern	36	40	332
Western	127	134	656
TOTAL :	588	603	4645

SHRI BHOGENDRA JHA : In the statement that has been laid, there are some points which I would like the Minister to clarify. The first is that against a large number of persons one or the other measure of disciplinary action has been taken. A total number of 588 people have been either dismissed or removed from service. And 603 employees have been prematurely retired from service. The total of these comes to about 1,200. And then 4,645 have been reverted or suffered break in service or other minor penalty has been imposed against them. The total of all them comes to 5,836. The loco running staff play a decisive part in the running of the Railways in any country. Does the Government think that after taking

action against such a large number of employee; — about 6,000 — it is going to improve the efficiency of Railways or does it think of withdrawing some of the cases in the background of the agitation ?

Also the statement mentions that the Railways are working to the 10-hour rule in the case of the loco running staff. I would like to know from the Minister whether there have been any violations of these rules because I know certain cases.

MR. SPEAKER : Let him give the answer.

SHRI BHOGENDRA JHA : want to know whether any action is proposed to be taken against the officers who are defaulting.

MR. SPEAKER : This is a catalogue of questions. You can ask only one question on one point.

SHRI MALLIKARJUN : As the hon. Member has said the loco running staff are very essential to the running of the system itself. So such essential staff of the system gets disrupted by instigations and vested interests. So we have got to be very careful in handling such a situation. So in the recent past the loco-running staff which is an un-recognised union had given a call for mass sick leave. Government dealt with that strongly in order to see that neither passenger trains nor goods trains would suffer in the interests of the nation as a whole. As for the action taken against them they have got an appellate authority. They can appeal before it and the due process of law will be followed.

SHRI BHOGENDRA JHA : Again the statement narrates that no negotiation can take place or is taking place with the loco-running staff association as a category. I would like to know whether it will be helpful for the Railways themselves not to allow staff association representing loco-running staff to talk or negotiate. Again, the statement narrates that the recommendations of the running allowance committee or uniforms committee are under consideration. Is there any time-limit for consideration and implementation of those recommendations?

SHRI MALLIKARJUN : It is true that the Railways administration will negotiate only with the recognised union. Last week, we had certain discussions with them. Even the demand concerning the loco-men are being represented by the recognised union.

SHRI BHOGENDRA JHA : He has not replied to the point about the time limit for implementing the recommendation.

MR. SPEAKER : No.

SHRI NIREN GHOSH : The statement that has been laid on the Table is misleading. In fact, two years back, there was negotiation and there was some sort of understanding. Is it not a fact that this understanding is being violated? They are provoking the staff. Safety measures were ignored by the Railways. A certain percentage of vacuum brake, tools, etc. are needed in certain coaches. The Railways did not recognise all those things and they flouted those decisions. Whenever they protested, they were retired, dismissed and terrible vendetta had taken place. I would like to know whether, as a result of the railway policy towards locomen, the railway accidents have increased. Will the Government now resume discussion with them and correct this terrible mistake and vendetta that they have unleashed against them?

SHRI MALLIKARJUN : Referring to the threat given by the essential loco-running staff and saying that accidents are increasing because of that is totally wrong. The Government is prepared to face and deal with any challenge of that nature with firm conviction. The hon. Member has mentioned about provocation. There is no provocation from our side. If somebody provokes them, it is for them to realise in the interest of the nation. So far as we are concerned, as a Government we always take maximum interest in the welfare of our employees. And it is our bounden duty to keep them satisfied and happy.

श्री रामबत्तार शास्त्री : मैं मंत्री जी से जानना चाहता हूँ कि रेल मजदूरों को सिक्क लोब, वर्क टु रूल आर वर्क एकाडिंग टु डेजिनरेशन— यह अधिकार प्राप्त है या नहीं? मैं साफ तीर से हां या नहीं में इसका उत्तर मंत्री जी से चाहता हूँ और अगर उनको यह अधिकार प्राप्त है तो फिर इस तरह के काम के लिए मजदूरों

को दण्डित करने का क्या अधिकार है ?
 इसके साथ ही मैं यह भी जानना चाहूँगा कि
 5836 एम्प्लाईज के खिलाफ आपने
 विभिन्न तरीके की कार्यवाही की है तो उनमें
 से कितने मजदूरों ने आपके पास अपील
 की है और उसका क्या हश्र हुआ है ?

रेल बंदी (श्री केदार पांडे) : अध्यक्ष महोरय, माननीय शास्त्री जी ने जो समाल रखा है कि मजदूरों को अपनी डिमाण्ड रखने का हक है और उस पर स्ट्राइक करने की भी वात है । मैंने मानता हूँ, इस वात को कि उनका लोगल स्ट्राइक का हक है । मैंने भी इस फौलड में बीस वरस काम किया है । इसमें कोई गल नहीं कि मजदूरों का राइट है, लेकिन अगर ट्रैक से बाहर चले जाये और 72 घण्टे में हड्डताल कर दें, यह उनका हक कहीं नहीं है । ऐसी हालत में एम्प्लायर को राइट है, वह उनको डिसमिस करें और पनिश करें । इसमें छिपाने की कोई वात नहीं है । ... (अवधान) ... सुनिए, मैं एक बात और कहना चाहता हूँ, उसमें 1100 लोग हटाए गए हैं और वाकी लोगों की ब्रैक-सविस है या और कुछ है । अपील करता उनका राइट है, लेकिन इस यूनियन को हम मान्यता नहीं देते हैं । यह जो लोको-रनिंग स्टाफ है, इसकी यूनियन को मान्यता नहीं है और हम नहीं देंगे । वजह यह है कि हमारी दो फैडरेशन हैं और दोनों रिकॉर्नाइजन हैं । इनके अलावा यूनियन बनाइएगा तो यूनियन को कमज़ोर कीजिएगा, ट्रेड-यूनियन - मूवमेंट को बबदि कीजिएगा, तो यह ठीक बात नहीं है । इसलिए मैं आपसे कहता चाहता हूँ कि लोको रनिंग-स्टाफ 82 हजार हैं, सारे देश के इंडियन रेलवे में । उनमें एक हजार आदमी डिसमिस हैं और वाकी लोगों की ब्रैक-सविस है और यदि वे अपील करेंगे तो हम देखेंगे ।

श्री रामावतार शास्त्री : अपील की है या नहीं ... (अवधान) ... अध्यक्ष जी, हमारा रक्षा कीजिए, इन्होंने जब नहीं दिया है । मैंने पूछा है कि कितने लोगों ने अपील की है और अपील का हश्र क्या हुआ ?

अध्यक्ष महोरय : How can he say that? How does he know it?

हश्र क्या हुआ, यह फैसला ट्रिव्यूनल करेगा । जिसके पास अपील है, वह फैसला करेगा ।

SHRI KEDAR PANDEY: Not the unions but individually he has got the right of appeal, appeal to the appropriate authorities.

SHRI CHINTAMANI JENA: May I know whether it is a fact that even the locomen and their supporters who have not joined the strike are victimised by the Department in several ways, like reduction of one day's salary from the month of April on the plea that they have not joined the duty at the time of the Bangla Bandh, whether the Minister has studied the facts and if so, what action the Government has taken? May I also know whether the Hon. Minister has received a letter from me on this issue and, if so, the action taken to redress the grievances of the employees, who are victimised by the department, mentioned in my letter?

SHRI MALLIKARJUN: The letter of the hon. Member has been received. It is under examination.

MR. SPEAKER: Next question. Shri Rawat.

SHRI A. K. BALAN: Sir, I want to ask a supplementary.

MR. SPEAKER: I can't allow it. I have gone to the next question.

SHRI A. K. BALAN: Why can't you allow me? What is the reason?

MR. SPEAKER: I have not to give any explanation. I have gone to the next question.

तीर्थ यात्रा के मार्गों और सीमा-दरों को खोलने के सम्बन्ध में चीन से बात-चीत



* 1097. श्री ज्योतिर्मय बसु :
श्री हरीश चन्द्र सिंह
रावत :

क्या विदेश मंत्री वह बताने की छापा करेंगे कि क्या मानसरोवर की तीर्थ यात्रा का मार्ग खोलने और तिब्बत से व्यापार के लिए उत्तर प्रदेश में सीमा दरों खोलने के प्रस्ताव पर वह चीन के विदेश मंत्री से उनकी भारत की प्रस्तावित यात्रा के दौरान बातचीत करेंगे ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI NARSIMHA RAO) : All matters of bilateral interest, including resumption of pilgrimage by Indian citizens to Kailash and Mansarovar, will be on the agenda for the discussions with the Chinese Foreign Minister when he visits India.

SHRI JYOTIRMOY BOSU: Will the hon. Minister kindly tell the House whether it is a fact or not that the Chinese at their own initiative have already started a process by which Indian citizens would be able to visit the shrines at Mansarovar and Kailash? In that respect an elaborate press report has already come out. If so, will he furnish us the details with regard to this?

SHRI P. V. NARASIMHA RAO: The latest position is that we had moved this matter several times. They have come back to us to say that they are agreeable. Last year, at a rather late stage they asked us whether a limited number of pilgrims could go. We asked them for some more details about the arrangements and thereafter we did not get any reply. This is the position. However, I think that we have found the Chinese side willing to consider this and I hope when the Chinese Foreign Minister comes here, we will be able to clinch the issue.

SHRI JYOTIRMOY BOSU: I would like to know whether the hon. Minister is aware of the fact that the Chinese people in their anxiety to normalise the relations genuinely with India have..... (*Interruptions*).

Would the hon. Minister kindly tell us about this? As it is clearly evident that the Chinese are showing enough anxiety to normalise the relations genuinely with India which had been in a different state for the last 20 years and in that they are allowing more and more Indian citizens to visit China, will the hon. Minister be in a position to tell this House as to how many Indian citizens visited China during the last one year?

SHRI P. V. NARASIMHA RAO: Sir, this is a sweeping question, I would have been happy if he had not put it because I can neither say 'yes' nor say 'No'. The Chinese Foreign Minister is coming here and I would like to be in a position to talk about all things quietly without any excitement in any quarter. So, Let us wait and see.

About the pilgrimages, you have asked and I have clarified the position and in any case his pilgrimage to India is the first in the series!

(*Interruptions*)

SHRI JYOTIRMOY BOSU: My question was couched in the politest form of language. I asked..

SHRI P.V. NARASIMHA RAO: I did not object to your language.

SHRI JYOTIRMOY BOSU: No, no. I said: 'Will the hon. Minister be in a position to tell us'. I said that I know this is not an easy question to answer. It is all right. But I said this in case he has done better home work.

SHRI P.V. NARASIMHA RAO: I entirely acknowledge for a change the politeness of his language !

(*Interruptions*)

SHRI JYOTIRMOY BOSU: When have I been rude to you?

SHRI P. V. NARASIMHA RAO: I do not have the figures of how many Indians visited China this year. If you want, I will count and let you know.

(*Interruptions*)

DR. SUBRAMANIAM SWAMY: Sir, I would like to know from the Minister.....

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN): What a combination!

DR. SUBRAMANIAM SWAMY: You also come here and then we will have the real zoo here.

Sir, when I went to China I raised this question on a number of occasions and they said that they were very keen to have pilgrims come. They are only repairing the roads and building the hospitals and so on and they have told me that I will be the first one to go, not Mr. Jyotirmoy Bosu.

Any way I would like to ask the Minister whether in view of the fact that this is a very place for Indians, for Hindus particularly, and in view of the fact that the temples are being renovated the Government of India would offer its technical expertise in renovating the temples when their Foreign Minister comes here and offers to share some of the expenses.

SHRI P.V. NARASIMHA RAO: I do not wish to anticipate the discussion on that. We really do not know if they have architects already and whether they want any architect from us it is obvious that I can't force anything on him unless there is such a proposal. If there is a proposal we shall go into it.

PROF. K.K. TEWARY : Mr. Speaker Sir, the forthcoming visit of the Chinese Foreign Minister to India is a welcome event and this shows a definite thaw in our relations with China. But it was preceded by a very dramatic development viz. the visit of an hon. Member of this House to China.

It is said that he paved the way in this visit. After that he visited America also. I would like to know whether the special connections of Dr. Subramaniam Swamy with the Chinese and Americans were utilised for normalisation of these relations ?

SHRI P. V. NARASIMHA RAO : The extent to which Dr. Subramanian Swamy paved the way will be known only when we feel the way.

Dr. SUBRAMANIAM SWAMY: I would request the Minister to please Prof. Tewary. He should send me to Moscow to that Prof. Tewary is happy.

MR. SPEAKER: I am happy that you are all pleasing everybody now.

U. S. A. setting up high power Surveillance System for Pakistan

*1098. SHRI K. MALLANNA :
SHRI ARJUN SETHI :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the United States has decided to set up a high power air Surveillance System in Pakistan ;

(b) whether it is also a fact that after establishing this radar, U.S. will be in a position to exercise Surveillance over a vast area from Soviet Union to the entire Indian Ocean under the sensitive electronic eyes ; and

(c) if so, the reaction of Indian Government thereon ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V. NARASIMHA RAO) : (a) and (b). Govt. are aware that discussions have taken place between the United States and Pakistan on the supply of military equipment including possibly an integrated Air Defence System along Pakistan's western border which would include sophisticated radars. Government are not, however, aware of any Surveillance system capable of covering a large area being installed by the United States in Pakistan.

(c) Government consistently keep under review all developments in the region which have a bearing on India's security environment, and every effort is made so that the security of the country is not compromised.

SHRI K. MALLANNA : The hon. Minister has not denied the United States' decision to set up a high power air Surveillance System in Pakistan. Has Government made any efforts to find out

from the U.S.S.R. to detect this kind of strategy of the United States and Pakistan ? If so, what are the details ? If not, why not ?

SHRI P. V. NARASIMHA RAO : I have already said that we are not aware of any surveillance system as has been described in the question. I have also added that we are still keeping everything under review, which means that we are trying to take steps to find out what the position is.

SHRI K. MALLANNA : It has been stated in the answer :

"that discussions have taken place between the United States and Pakistan on the supply of military equipment including possibly an integrated Air Defence System along Pakistan's western border which would include sophisticated radars"

Has any protest been made to Pakistan and U.S.A. regarding supply of equipments ? If so, what are the reactions of U.S.A. and Pakistan Governments ?

SHRI P. V. NARASIMHA RAO : We have made our position abundantly clear not once, not twice but several times, both to Pakistan and to the United States. The position is as I have stated several times before in this House and there is nothing to add to what I have already stated.

SHRI ARJUN SETHI : In recent weeks many press reports have appeared that U.S.A. is supplying arms to Pakistan, whereby the position has become serious. The hon. Minister is likely to visit Pakistan. Will he tell the Minister of External Affairs, Pakistan, that the best way to keep our relations normal is not to allow China, U.S.A. or any other country to come to this region so that the tension which is mounting every day is dealt with peacefully ?

SHRI P. V. NARASIMHA RAO : I am grateful to the hon. Member for the suggestion he has given. Suggestions such as this are welcome. Since I am going, I would like hon. Members to suggest on what lines points could be made. I shall make a note of them.

DR. FAROOQ ABDULLAH : I would like to ask the hon. Minister whether, in view of all that is happening, the arms that are coming to Pakistan, the Simla Agreement or the spirit of the Simla Agreement is not dead.

SHRI P. V. NARASIMHA RAO : We have made this clear many times that doing anything which has the effect of escalating tension in this region makes the implementation of the Simla Agreement that much more difficult. We have very clearly stated that.

Goods Handling Contract at Allahabad Goods Shed

*1099. **SHRI RANJIT SINGH :** Will the Minister of RAILWAYS be pleased to state :

(a) whether the goods handling contract at Allahabad Goods Shed held by Railway Cycle Stand Karmachari Sangh, Allahabad was terminated in 1980;

(b) if so, the reasons therefor;

(c) whether the work of Allahabad Goods Shed was again allotted to the same Society without observing the extant rules; and

(d) the reasons for termination and re-allotment of the said contract to the same society ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) :

(a) and (b). The goods handling contract at Allahabad Goods Shed held by the Railway Cycle Stand

Karmachari Shram Samvida Sahkari Samiti Ltd. was terminated in December, 1980 for unsatisfactory performance.

(c) and (d). It was found that there were circumstances beyond the control of the Society for the unsatisfactory working and the contract was restored to them for the remaining period to complete their tenure upto 4-6-1981.

श्री रणजीत सिंह : क्या मंत्री महोदय यह बतला सकते हैं कि इलाहाबाद, टुण्डला में कितने श्रम कोश्चार्प्रैटिंग हैं और उनमें कितने डिफाल्टर हैं? क्या डिफाल्टरों में रेलवे साईकिल स्टेंड कर्मचारी संघ, इलाहाबाद भी है?

श्री महिलकार्जुन : मान्यवर यहाँ कोई डिफाल्टर की समस्या नहीं है। इस कर्मचारी श्रम संविदा सहकारी समिति में कुछ असंतोषजनक कार्य के कारण यह ठेकारोंका गया था। बाद में वहाँ पर इंक्वायरी की गयी जिनसे यह पता चला कि वहाँ पर कुछ ऐसे रीजंस थे जिनकी वजह से यह समिति प्रोपर तरीके से फंक्शन नहीं कर रही थी। फिर उसके बाद इसको काट्रेक्ट फिर रेस्टोर कर दिया गया।

श्री रणजीत सिंह : अध्यक्ष महोदय, मेरे प्रश्न का ये जवाब नहीं दे रहे हैं। क्या कोई डिफाल्टर सोसायटी रूल्स एण्ड रेग्लेशंस के अन्तर्गत ठेका चला सकती है? ये जवाब दूसरे तरीके से दे रहे हैं कि इंक्वायरी हुई, फिर दिया गया। इसको ठेका देने के क्या कारण थे? क्या इसको किसी परसनल असिस्टेंट का व्यक्तिगत हित होने के कारण से यह दिया गया?

श्री महिलकार्जुन : मान्यवर, मैं पहले ही बता चुका हूँ कि कोई डिफाल्टर नहीं

है। वहां पर अनसेटिसफेक्ट्री फंक्शनिंग थी। उसका सब किया गया और इंक्वायरी की गई। इंक्वायरी के बाद जैसे पावर सप्लाई को रेस्टोर कर दिया जाता है, वैसे ही इस ठेके को रेस्टोर कर दिया गया।

श्री रणजीत सिंह : क्या रेल मंत्री यह बतलाने की कृपा करेंगे कि क्या किसी डिफाल्टर को अप्रेटिव सोसाइटी को आप ठेका देने का काम कर सकते हैं या ठेका दे सकते हैं? क्या आपके रूल्स यह प्रोवाइड करते हैं?

श्री मलिकार्जुन : मैंने जो पहले बताया, फिर उसको दोहराना पड़ेगा। डिफाल्टर सोसाइटी को कण्ट्रैक्ट नहीं दिया जाता है और ये सोसाइटीज डिफाल्टर नहीं थीं। कुछ दूसरे कारण थे, जिनकी बजह से यह कार्यवाही की गई।

श्री रणजीत सिंह : वह डिफाल्टर था, जिसको कण्ट्रैक्ट दिया गया है। आप छिपा रहे हैं।

WRITTEN ANSWERS TO QUESTIONS

Double line from Ernakulam to Trivandrum

*1100. SHRI V. S. VIJAYA RAGHAVAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal to double the railway line from Ernakulam to Trivandrum during the Sixth Five Year Plan; and

(b) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI C. K. JAFFER SHARIEF):

(a) No, Sir.

(b) Does not arise.

Admissible and Non-Admissible Ayurvedic Medicines

*1101. SHRI K. LAKKAPPA: SHRI H. N. NANJE GOWDA:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether certain Ayurvedic medicines have been included in the list of inadmissible allopathic medicines for the purpose of C. C. S. (Medical Attendance) Rules;

(b) if so, the reasons therefor; and

(c) whether there is a proposal to issue fresh lists of Ayurvedic admissible and non-admissible medicines for the purpose and if so, when?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR):

(a) and (b). A List of inadmissible medicines has been issued on the authority of Rule 2 (h) (iii) of Central Services (Medical Attendance) Rules, 1944. The list contains the names of allopathic drugs/preparations as well as some of the Ayurvedic preparations, cost of which is not reimbursable to Central Government employees under the Central Services (Medical Attendance) Rules, 1944 and Orders. The items have been so included because of their proprietary nature.

(c) The list of admissible medicines of Ayurveda, Siddha, Unani and Homoeopathy is under constant review.

स्वास्थ्य सर्वेक्षण तथा संकामक रोगों पर नियंत्रण के उपाय

*1102. श्री राम विलास पासवान : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार देश की समूची जनसंख्या का एक स्वास्थ्य सर्वेक्षण करने का है;

(ब) देश में किस-किस प्रकार के संक्रामक रोग फैले हुए हैं; और

(ग) इन रोगों पर नियंत्रण पाने के लिए सरकार द्वारा क्या उपाय किए जा रहे हैं?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (भी निहार रंजन स्सकर):

(क) जी, नहीं।

(ब) देश में फैले प्रमुख संचारी रोग इस प्रकार है:—

मलेरिया, क्षय रोग, कुष्ठ रोग, फाइलेरिया, कालाअजार, जापानी मस्तिष्क शोथ, हैजा और अतिसार रोग, छोटी माता, डिप्पेरिया, ट्रकोमा, कुकरखांसी पोनियो, आन्तज्वर, पक्तशोथ, इन्फ्लूएंजा, संभोग जनित रोग, खमरा, और टेटनस।

(ग) एक विवरण सभा पटल पर रख दिया गया है।

विवरण

स्वास्थ्य राज्य सरकारों का विषय है, इन्हिए संचारी रोगों के नियंत्रण के लिए उपाय करना मुख्यतः राज्य सरकारों का काम है।

2. ऐसे प्रमुख संचारी रोगों के लिए, जिनसे देश में बहुत लोग परिदृश्य होते हैं और काफी मर भी जाते हैं देश भर में ऐसे प्रत्येक रोग के स्थानीय रूप में फैलने वाले क्षेत्रों के लिए राष्ट्रीय स्वास्थ्य कार्यक्रम चलाये जा रहे हैं जो इस प्रकार हैं:—

(i) मलेरिया :

राष्ट्रीय मलेरिया उन्मूलन कार्यक्रम।

(ii) फाइलेरिया :

राष्ट्रीय फाइलेरिया नियंत्रण कार्यक्रम।

(iii) कुष्ठ :

राष्ट्रीय कुष्ठ नियंत्रण कार्यक्रम।

(iv) क्षय रोग :

राष्ट्रीय क्षयरोग नियंत्रण कार्यक्रम।

(v) दृष्टिहीनता/ट्रकोमा :

दृष्टिहीनता नियंत्रण का राष्ट्रीय कार्यक्रम।

(vi) जच्चा-बच्चा कल्याण कार्यक्रम

के एक अंग के रूप में अतिसार रोगों का नियंत्रण कार्यक्रम।

(vii) संभोग जनित रोगों के नियंत्रण का राष्ट्रीय कार्यक्रम।

(viii) टेटनस, कुकरखांसी, डिप्पेरिया पोनियो, वचपन में क्षय रोग और आन्तज्वर रोगों के टीकों का विस्तृत कार्यक्रम; यिनीं कृमि उन्मूलन की एक योजना चलाई जाने वाली है।

3. इन कार्यक्रमों के लिए नकनीकी सलाह/मार्गदर्शन सामान की पूर्ति, प्रशिक्षण, मूल्यांकन आदि के रूप में राज्यों को योजना आयोग और वित्त मंत्रालय के परामर्श से प्रत्येक कार्यक्रम के लिए अनुमोदित पैटर्न के अनुसार सहायता दी जाती है।

Transportation of onion from Maharashtra by Rail

*1103. SHRI BALASAHEB VI-KHE PATIL: Will the Minister of RAILWAYS be pleased to state :

(a) as per his assurance in Bombay in recent past for the transpor-

of onion by rail how much quantity has been transported from Maharashtra to different parts of the country by rail upto the end of April, 1981;

(b) what is the balance in the market yards and at railhead; and

(c) how much onion is to be transported by rail in the coming three months?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI C. K. JAFFER SHARIEF):

(a) Onion traffic from Maharashtra State is offered on the Central Railway. During January to April, 1981, a total of 6,331 wagons were loaded with onions as against 4,779 wagons loaded during the corresponding period of the previous year. During these months supply of wagons for loading of onions was increased due to which 949 indents for wagons were cancelled or withdrawn.

(b) On 30-4-1981 there were 391 indents for onions pending with the Central Railway.

(c) The Railways have no information regarding the amount of onions lying in the market and which may be offered by rail. However, every effort will be made to clear the demand satisfactorily.

Nurse beaten up in Railway Hospital

*1104. SHRI SATISH AGARWAL:

SHRI K.P. SINGH DEO:

Will the Minister of RAILWAYS be pleased to state:

(a) whether a senior Nurse in Railway Hospital on Basant Road, New Delhi was seriously beaten up by a Class IV employee of the same Hospital;

(b) whether the Railway authorities have neither suspended nor

punished the assailant in this case and have on the contrary as reported in *Hindustan Times* dated the 13th April, 1981 threatened the Nurses for allowing the press photographers to photograph the injured nurse;

(c) whether 100 Nurses of the same hospital in a memorandum have urged the authorities to suspend the assailant and provide adequate security to them;

(d) whether a similar incident had occurred 9 months ago and the authorities had taken a lenient view; and

(e) if so, what action Government propose to take against the assailants and hospital authorities for not taking immediate action against the culprit in both the cases?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI C. K. JAFFER SHARIEF):

(a) No, Sir. A lady class IV staff assaulted a Junior Nurse. The Nurse beat her back. As a result, both the Nurse and the lady Class IV staff sustained minor injuries and were hospitalised.

(b) No, Sir. The assailant has been transferred and punitive action is being taken against her under Discipline and Appeal Rules.

(c) Yes, Sir.

(d) No, Sir.

(e) Does not arise.

Wagon shortage in Bhavnagar and Rajkot

*1105. SHRI RAMJIBHAI MAVANI: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that during the last eight months, sufficient number of empty wagons have not been allotted to Bhavnagar and Rajkot Division (Gujarat) on Western

Railway for export of various items and materials towards North India and East India;

- (b) if so, the reasons thereof;
- (c) by what time sufficient number of wagons are likely to be allotted to these divisions;
- (d) the number of wagons demanded by various parties and individuals during the above period and how many were made available;
- (e) whether representations have been received in this regard during the above period from various Chambers of Commerce and Industries of Rajkot, Muryz Gondul, Amerlz, Rajula, Bhavnagar and Mahuya ; and
- (f) if so, the details thereof and the action taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) to (d). During the last eight months a large number of wagons were supplied for movement of traffic from Bhavnagar and Rajkot Divisions on Western Railway towards North and East India. A total sum of 2,25,022 (BG & MG) wagons were loaded from August '80 to March '81 on Bhavnagar and Rajkot Divisions leaving 20,529 (BG & MG) indents outstanding at the end of March 81. Efforts are being made to clear the outstanding demands as expeditiously as possible.

(e) and (f). Complaints of a general nature were received from Chambers of Commerce as well as individual industries, trade interests and private parties regarding shortage of wagons, difficulty in clearance *via* transhipment points and delay in supply of wagons by such route. Action was taken immediately to maximise the wagon supply subject constraints of movement

especially towards the North Eastern region on account of prolonged disturbed conditions in that area.

Lok Nayak Jai Prakash Narain Hospital, New Delhi

* 1106. SHRI N. E. HORO: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether it is fact that Lok Nayak Jai Prakash Narain Hospital, New Delhi is languishing for want of funds;
- (b) if so, whether the Central Government is giving some financial aid to this hospital;
- (c) whether any representation has been made to the centre in this regard; and
- (d) if so, the reaction of the Central Government thereto ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) No, Sir.

- (b) The hospital is under the control of Delhi Administration and they meet the expenditure on its running.
- (c) No, Sir.
- (d) Does not arise.

Talks held with Tanzanian President

* 1107. SHRI MADHAVRAO SCINDIA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the Tanzanian President Julius Nyerere during his recent visit to New Delhi discussed the situation arising from the increasing presence of big rival naval powers in Indian Ocean and ex-

pansion of U.S. naval base in Diego Garcia; and

(b) if so, the outcome of the discussions?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V. NARASIMHA RAO): (a) Yes Sir.

(b) The Tanzanian President, and the Prime Minister of India expressed their grave concern over the increasing escalation of Great Power military presence in the Indian Ocean area notwithstanding the express wishes of the littoral and hinterland states of the Indian Ocean. They noted with serious concern the expansion of Diego Garcia base and all other manifestations of intensified military presence in the Indian Ocean by the Great Powers and called on these powers to progressively reduce and eventually eliminate their military presence from the Indian Ocean.

Steps to augment D.T.C. buses at peak hours

*1108. SHRI K. PRADHANI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the steps which have been taken by Government to augment Delhi Transport Corporation bus fleet at peak hours during 1981-82; and

(b) whether Government propose to increase the number of mini buses on busy routes?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH): (a) During 1981-82, as many as 589 buses would be added to the Delhi Transport Corporation's own bus fleet. Besides, the complement of P.O. Buses under D.T.C. is proposed to be increased from 587 to 1000.

Thus the increased number of buses and their plying both by way of regular schedule and the additional/special trips are expected to meet the peak hour demands.

(b) There is no such proposal under consideration.

News item captioned "Saudi Arms aid to hit Indo-Pak Ties"

*1109; SHRI D. M. PUTTE GOWDA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the news-item captioned "Saudi arm aid to hit Indo-Pak ties" appearing in *Times of India* dated the 15th April, 1981;

(b) whether it is a fact that Saudi Arabia is cooperating with Pakistan in many fields including military deal and nuclear field; and

(c) if so, the reaction of Government thereto?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V. NARASIMHA RAO): (a) Yes Sir.

(b) Government is aware that cooperation between Saudi Arabia and Pakistan exists in several fields including military. As far as the nuclear field is concerned, the Governments of both Saudi Arabia and Pakistan have denied any co-operation.

(c) India's views on induction of arms into Pakistan have been conveyed to the Saudi Foreign Minister in appropriate terms.

Goods movement and Passenger Traffic

*1110. SHRI MOHAN LAL PATEL : Will the Minister of RAILWAYS be pleased to lay a statement showing:

(a) the number of new trains introduced for the passengers during the years 1979-80 and 1980-81 (zone-wise);

(b) whether it has any effect on the movement of goods trains;

(c) if so, whether any goods train has been cancelled;

(d) if so, the details thereof; and

(e) whether Government is reviewing the relative importance of both these rail operations, viz., goods movement and passenger traffic ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) A total of 53 non-suburban passenger carrying trains were introduced in 1979-80 and 79 in 1980-81 (upto December, 80).

(b) to (d). Introduction of any fast train will result in some impact on goods traffic on saturated sections. However while introducing new trains Railways keep in view both passenger and goods operations. No goods trains have been cancelled on this account.

(e) In the interest of national economy, demanding a higher priority for meeting the freight traffic needs and owing to the inadequacy of passenger coaches, it has become essential to slow down introduction of additional passenger trains for the time being.

Adivasi workers on Railways

*1111. SHRI BHEEKHABHAI: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Divisional Railway Manager, Jodhpur of Northern Railway had been approached by Bhil Samiti, Jodhpur more than once for recruiting Adivasi Casual workers on the Luni and Rohat floods works near Jodhpur;

(b) if so, whether the Adivasi workers whose representation in railway service is almost negligible have been refused recruitment;

(c) if so, the reasons therefor;

(d) whether Government propose to launch a special drive for their recruitment;

(e) if so, when; and

(f) if not, the reasons therefor ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) and (b). No Sir.

(c) Does not arise.

(d) to (f). A cash programme for recruitment of Scheduled Castes and Scheduled Tribes in class III and IV categories has been launched w.e.f. 1/4/1981.

Process of open Delivery

*1112. SHRI R. N. RAKESH: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that in Allahabad, Lucknow and Morabad Divisions, the Station Superintendent, Station Master, Chief Goods Superintendent/Chief Goods Clerk in collaboration with

traders notify the loss and damages to the consignment received in Goods and Parcel Office and they grant inflated and high rated percentage of assessment and open deliveries and putting to the Railways to great loss and a colossal amount of claim is being paid every year;

(b) what are the advantages or disadvantages to the Railway administration if the process of open delivery and assessment is done by commercial/Claims Inspector instead of Chief Goods Superintendent/Station Master; and

(c) what steps Government propose to take to eradicate such practice and corruption which are giving rise to claims ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) to (c). No, Sir.

There is no advantage to the Railway administration if open/assessment delivery is granted by Commercial Inspectors/Claims Inspectors instead of Station Masters, Chief Goods Superintendents and Chief Parcel Clerks. On the other hand open/assessment delivery by a Commercial Inspector or Claims Inspector may entail delay as Inspectors are not readily available at every station.

Kalyan station as a Terminus for suburban trains

10080. SHRI R. K. MHALGI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received a representation from the Municipal Councillor, Dombivali, Distt. Thana (Maharashtra) on or around 24th July, 1980 suggesting to make Kalyan Station as a terminus for through trains of

Central Railway so that additional track time on Bombay-Kalyan section could be available for suburban trains; and

(b) if so, what decision Government have taken in this regard ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Yes.

(b) The major flow of long distance passengers is for Dadar and Bombay and the existing terminals at Bombay V.T. and Dadar are more suited. The area in the vicinity of Kalyan station is also heavily built up and there is no space for its expansion into a main line terminal.

Traffic and other amenities in Sealdah Bongaon Section on Sealdah South Section

10081. SHRI MUKUNDA MANDAL: Will the Minister of RAILWAYS be pleased to state:

(a) in view of the difficulties of passengers of Sealdah Bongaon Section and Sealdah South Section, whether Government have adopted any measure in respect of traffic and other amenities;

(b) if so, the facts thereof; and

(c) if not, the reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) to (c). All possible measures are being taken to improve train services and amenities like drinking water, waiting halls etc. on Sealdah-Bongaon and Sealdah South Sections within the resources available.

पंखा रोड से सागरपुर कालोनी तक जाने वाली सड़क पर नद्या पुल

10082. श्री नवल किशोर शर्मा : क्या नौवहन और परिवहन मंत्री यह बताने को कृपा करेंगे कि :

(क) क्या यह सच है कि पालम जोन नई दिल्ली में पंखा रोड से सागरपुर कालोनी जाने वाली सड़क के पुल की खराब स्थिति है ;

(ख) क्या यह भी सच है कि इस सड़क पर यातायात अधिक है, और

(ग) यदि हां, तो वहां एक नद्या पुल बनाने के लिए अब तक क्या कार्यवाही की गई है ?

नौवहन और परिवहन मंत्रालय में राज्य मंत्री (श्री बूटा सिंह) : (क) जी, हां ।

(ख) यह एक लेन वाली सड़क है और इस पर कोई अधिक यातायात नहीं होता है ।

(ग) चूंकि, इस पुल के नीचे नाले के अनुरक्षण और इसको पुनरुचना की जिम्मेदारी दिल्ली प्रशासन के बाढ़ नियंत्रण विभाग की है इसलिए दिल्ली प्रशासन से इस क्षियथ में आवश्यक कार्रवाई करने के लिए कहा जा रहा है ।

Correction of Date of Birth of Railway Employees

10083. SHRI SANAT KUMAR MANDAL : Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarted Question No. 4454 on the 18th December 1980 regarding correction of date of birth of Railway employees and state :

(a) whether the Railway Administration ever applied their mind as

to how there could be a gap of four years in the date of birth as originally recorded in the case referred to in reply to the above question and as altered in 1978;

(b) the date of birth which was originally recorded in this employee's case at the time of appointment to the Railway Service;

(c) when he applied for change in the date of birth and when he obtained a new certificate from the Punjab University, Lahore;

(d) whether Government would have the whole matter examined *de novo* by Railway Board's Vigilance Branch and see whether there is anything fishy in this belated alteration and that too for a gap of as much as four years; and

(e) if not, why not ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Yes.

(b) 15th March, 1920.

(c) On 18-3-1978 and 26-4-1978 respectively.

(d) and (e). Since it is open to the General Manager in the case of non-gazetted Railway servants to cause the date of birth to be altered where a satisfactory explanation of the circumstances in which the wrong date of birth came to be entered is furnished by the Railway Servant concerned and the case having already been investigated by Vigilance Branch of Northern Railway, there is no need to get the case further investigated by Vigilance Directorate of Railway Board.

**Adjustment in Timings of
4 JH Passenger and 33 UP/34 DN
Jammu Tawi Mail**

10084. PROF. NARAIN CHAND PARASHAR : Will the Minister of RAILWAYS be pleased to state :

(a) whether a demand has been received by Government for the suitable adjustment in the timings of 4 JH passenger between Jullundur and Hoshiarpur and 33 Up 34 Dn Jammu Tawi Mail for enabling the through coaches for Hoshiarpur from Delhi to be hauled up by 4JH Passenger and so as to avoid the inordinate delay and detention of these coaches at Jullundur City for nearly two hours as at present;

(b) if so, the likely date by which this would be done ; and

(c) the reasons for which this aspect was ignored and the delay and detention allowed at Jullundur in 1980-81 ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY-AFFAIRS (SHRI MALLIKARJUN) :

(a) Yes.

(b) and (c). This is not operationally feasible as the margin of connections between the arrival of 33 Mail and departure of 4 JH Passenger is only 5 minutes.

Appointment of Assistant Station Masters

10085. SHRI A.K. ROY : Will the Minister of RAILWAYS be pleased to state :

(a) the details of appointments of Assistant Station Masters on promotion from Leverman, Switchman, etc. specifying their minimum academic qualification in each Division of Eastern Railway since 1975;

(b) the details of appointments made on forged School Final Certi-

ficates so far detected and the action taken by the Administration in each case ; and

(c) the reasons for not referring such cases to the Central Bureau of Investigation for investigation and legal action ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) :

(a) Number of Levermen, Switchmen, etc. promoted as Assistant Station Masters on Eastern Railway, Division-wise from 1975 to 1980 was as follow. :

Howrah Division	.	28
Sealdah Division	.	13
Asansol Division	.	18
Dhanbad Division	.	44
Danapur Division	.	18
Mughalsarai Division	.	Nil.

The minimum academic qualification required for promotion as Assistant Station Master is Matriculation.

(b) So far, 12 certificates purported to have been issued by the Bihar Secondary School Board, Patna have been declared fake by the authorities of the aforesaid Board. Disciplinary action is being initiated against these 12 staff.

(c) The matter was discussed with Supdt. of Police, CBI Patna by officials of the Eastern Railway on 18-11-1980 and CBI was requested to take up the matter. But it was advised by the CBI that the same be dealt with departmentally.

**विकरीली स्टेशन पर स्टार्टों का
आवंटन**

10086. श्री निहास सिंह : क्या
रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य रेलवे के बम्बई डिवीजन में उपनगरीय स्टेशन विकरीली पर बैंडर सोसाइटी को कैर्टरिंग आदि के लिए दो स्टाल आवंटित किये गये हैं ;

(ख) यदि हाँ, तो इस सोसायटी के सदस्यों की संख्या कितनी है और इसके पदाधिकारियों का व्योरा क्या है ;

(ग) इस सोसायटी की स्थापना कब हुई थी और उस समय इस के सदस्यों की संख्या कितनी थी, और उस समय इस के पदाधिकारी कौन थे ;

(घ) क्या यह सच है कि इस स्टाल को चलाने वाले व्यक्ति का पश्चिम रेलवे के उपनगरीय स्टेशन दादर के प्लेटफार्म संख्या 1 पर एक अन्य स्टाल है, जो कि किराए पर दिया गया है ; और

(ङ) यदि हाँ, तो रेल मंत्रालय द्वारा किसी व्यक्ति और उस के परिवार को कितने स्टाल आवंटित किए जा सकते हैं ?

रेल मंत्रालय में तथा संसदीय कार्य विभाग में उपसंचारी (श्री मल्लिकार्जुन) :

(क) जी हाँ ।

(ख) ग्यारह

अध्यक्ष :

श्री टी० एस० रामचन्द्र

सचिव :

श्री अनन्द बैजनाथ

कोषाध्यक्ष :

श्री राज नांजप्पा ।

(ग) यह सोसायटी 1971 में स्थापित की गई थी । उस समय इसकी सदस्य संख्या 11 थी । उस समय ये पदाधिकारी थे :—

अध्यक्ष :

श्री रामगोपाल आर० मित्तल

सचिव :

श्री बी० एन० अग्रवाल

कोषाध्यक्ष :

श्री कन्हैया लाल ।

(घ) जी, नहीं । लेकिन सोसायटी के 3 सदस्य दादर में एक ठेकेदार के कर्मचारी थे ।

(ङ) प्रश्न नहीं उठता ।

Utilisation of Ticket for one train on another

10087. PROF. AJIT KUMAR MEHTA : Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that return or onward journey tickets, purchased for a specific train and for a specific date cannot be utilised on another trains and dates in the event of seat / berth not being available on the demanded date and train thereby leaving the passengers at lurch as they go out of money and cannot encash the unutilised ticket from the station from which journey is to commence; and

(b) if so, whether it is proposed to review so that passengers are not put to financial hardship at stations away from their normal place of living ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) and (b). No. The Station Masters are

authorised to re-validate the ticket for travel by another train provided accommodation is available on that train.

Representation for Nomination as Non-official in Tuticorin Port Trust

10088. SHRI D.S.A. SIVA-PRAKASHAM : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) how many persons had submitted representation for nomination as non-officials in Tuticorin Port Trust for the year commencing 1st April, 1981 ; and

(b) how many of them were nominated and the grounds on which they were nominated ?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI VEERENDRA PATIL) : (a) So far about 42 representations and recommendations for giving nomination as non-official trustees on the Tuticorin Port Trust Board for the year commencing 1st April, 1981 have been received.

(b) None of the persons who sent the representations were nominated on the Board. Under the provisions contained in Section 3 of the Major Port Trusts Act, 1963, seats were allocated to associations/bodies connected with the working of the Port (Names were called for from these associations/bodies) and persons elected or nominated by them were appointed on the Board.

वाणिज्यिक मार्करों का वेतनमान

10089. श्री सत्यनारायण जटिया : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि तीसरे वेतन आयोग ने वाणिज्यिक मार्करों का वेतनमान

रु 225-308 (पुनरीक्षित) करने की सिफारिश की थी ;

(ख) यदि हाँ, तो उन वाणिज्यिक डिपुओं तथा डिवीजनों के नाम क्या हैं जहाँ वाणिज्यिक मार्करों को यह वेतनमान दिया गया है ;

(ग) क्या यह सच है कि पश्चिम रेलवे के बम्बई डिवीजन में कर्नाका बंदर माल डिपुओं में काम कर रहे सभी मार्करों को वाणिज्यिक मार्कर नहीं समझा जाता है ; और

(घ) यदि हाँ, तो सरकार इस सम्बन्ध में क्या कार्यदाही करना चाहती है ?

रेल मंत्रालय तथा संसदीय कार्य विभाग में उपसंचारी (श्री मलिकार्जुन) : (क) तीसरे वेतन आयोग द्वारा वाणिज्यिक मार्कर लगाने वालों की कोटि के बारे में विशिष्ट रूप से कोई उल्लेख नहीं किया गया है । यद्यपि, 80-110 रु 0 के प्राधिकृत वेतनमान के मार्कर लगाने वालों को इस मंत्रालय द्वारा 210-270 रु 0 का संशोधित वेतनमान आवंटित किया गया है ।

(ख) प्रश्न नहीं उठता ।

(ग) और (घ) . पश्चिम रेलवे के कार्नाका बंदर माल डिपो के सभी मार्कर लगाने वालों को "वाणिज्यिक मार्कर लगाने वाला" माना जाता है । तथापि, प्रभार के महत्व के आधार पर इस डिपो में मार्कर लगाने वालों के सोलह पदों, जिनमें लिपिक कार्यनिहित होता है, के ग्रेड बढ़ा कर उन्हें 225-308 रु 0 का कर दिया गया है ।

Assistants in Railway Board

10090. SHRI DHARAM DASS SHASTRI :

SHRI K. LAKKAPPA:

PROF. AJIT KUMAR MEHTA :

Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 7115 on the 9th April, 1981 regarding Railway Board Assistants and state :

(a) the reasons why C.S.S. (Third Amendment) Rules, 1970 were not adopted in Railway Board and what action has been taken against the defaulting officials responsible for suppressing these orders for 10 years ;

(b) Whether the Department of Personnel & Administrative Reforms' Notification No. 5/26/77-CS (II) dated 15th December, 1979 transferring backlog of unfilled direct recruit vacancies upto 30th June, 1979 to promotees was also suppressed in Railway Board for three months and the Administration awakened only when copy of notification was brought by aggrieved staff from DOP&AR and given through Staff Council to Administration; and

(c) if so, what action Government propose to take in this regard ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) :

(a) The C.S.S. (Third Amendment) Rules, 1970 did not appear to have been received in the Ministry of Railway at the time of their issue in 1970 and as such they were not dealt with at that time for the purpose of adopting their provisions in the Railway Board Secretariat Service. There is no evidence of any suppress-

ion of orders by any official; hence the question of taking any action in this regard does not arise.

(b) The Department of Personnel and Administrative Reforms' Notification No. 5/26/77-CS (II) dated 15-12-1979 according to which certain benefits accrued to the promotee Assistants was also not suppressed by the concerned staff in the Minstry of Railways. It is, however, correct that a copy of the above-mentioned Notification was received also from one of the representatives of the staff.

(c) In view of reply at (b) above no action is called for.

Supply of Cement to Karnataka for Central Bridge and Road Works

10091. SHRI JANARDHANA POOJARI : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the quantity of cement demanded by Karnataka State and allocation made by the Central Government during 1980-81, quarter-wise, for bridge works and Central sector road works ;

(b) whether the cement allotted/ released by the Central Government is commensurate with the works programmes scheduled for the on-going works ;

(c) if not, the action taken by Government to augment the supply of cement ;

(d) whether Government have received any requirement of cement by the Karnataka Government during 1981-82 : and

(e) if so, the details thereof and the decision of Government thereon ?

**THE MINISTER OF STATE
IN THE MINISTRY OF SHIPP-
ING AND TRANSPORT (SHRI
BUTA SINGH) :** (a) The demand

and allocation of cement to the Karnataka State for Central road/bridge works for each quarter during the year 1980-81 are as under :—

Qr. II/80
Apr.—June 80

Qr. III/80
July—Sept. 80

Qr. IV/80
Oct.—Dec. 80

Qr I/81
Jan.—March 81

Demand	Allocation	Demand	Allocation	Demand	Allocation	Demand	Allocation
MT	MT	MT	MT	MT	MT	MT	MT
3,200	1,000	3,000	1000,	3,000	1,965	3,175	2,000

(b) The allocations/release made by the Central Government does not completely fulfil the requirement of the State for the ongoing works and the works likely to be taken up.

(c) A number of States including Karnataka had been reporting difficulty about obtaining cement for the execution of Central works since 1978. This Ministry, therefore, took up the matter and obtained a bulk allocation from the Cement Controller exclusively for use on National Highway and other Central works. This bulk allocation was less than the requirement of all States including Karnataka, as indicated in the statement enclosed. This Ministry took up the question of increasing the allocation with the Cement Controller as well as with the Ministry of Industry, even upto the level of Minister. The Minister of Industry vide D.O in letters dated 3-11-79 and 23-5-80 indicated that the in-

digenous production of cement had been affected by heavy power cuts, coal shortage etc., and, therefore it has not been possible to increase the allocation to this Ministry. It was, however, assured that as soon as the availability position improves, the allocation to this Ministry would be increased. As a result of constant permission, the Cement Controller has increased the allocation to a considerable extent from the first quarter of 1981. Therefore, an additional allotment of 500 MT besides 1500 MT earlier allotted could be given to Karnataka in that quarter.

(d) yes.

(e) The requirement of cement only for the Second Quarter of 1981 (April-June, 81) has so far been received from the State Government for 5,830 MT against the requirement, 2,500 MT was allotted to Karnataka.

Statement

Demand and allocation of Karnataka PWD during the year 1980-81

Sl. No.	Quarter	Total demand received from all States	Quantity allotted by Cement Controller	Demand received from Karnataka State	Allotment made to Karnataka State	
					MT	MT
1	2nd Quarter, 1980 (April—June 80)	72,070	28,000	3,200	1,007	
2	3rd Quarter, 1980 (July—Sept. 80)	97,197	31,300	3,000	1,000	
3	4th Quarter, 1980 (Oct.—Dec. 80)	1,02,162	29,400	3,000	1,965	
4	1st Quarter 1981 (Jan.—March 81)	1,19,027	54,000	3,175	2,000	

Misuse of spirit and Alcohol for Preparation of Illicit Drink

10092. SHRI T.R. SHAMANNA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government are aware that a large part of spirit and alcohol for medical and other purposes are misused for the preparation of illicit drink to get large profit; and

(b) if so, what action Government propose to take to check this evil?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR): (a) and (b). Allocations of alcohol to drug manufacturing units for medicinal and other purposes are made by the State Governments. It is therefore for the State Governments to take needed action.

Quota of wagons for Bhayandar Station

10093. SHRI CHATURBHUJ: Will the Minister of RAILWAYS be pleased to state:

(a) the quota of wagons fixed for Bhayandar Station for carrying salt

from there to various destinations from January, 1980 to February, 1981,

(b) the actual number of wagons provided during the above period, month-wise;

(c) the reasons for such consistent short supply of wagons; and

(d) what steps Government are taking or propose to take to improve the quota and fulfilling the same to cater to the salt traffic originating from Bhayandar?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) to (d) The particulars of wagons loaded with zonal salt from Bhayandar Station as against the quota from January, 80 to February, 1981 are given below:

(figures in wagons)

Month	Quota	Loading
January'80	50	125
February'80	155	138

Month	Quota	Loading
March'80	250	173
April'80	250	197
May'80	250	148
June'80	50	58
July'80	30	29
August'80	40	37
September'80	75	64
October'80	75	41
November'80	120	47
December'80	125	94
January'81	100	138
February'81	150	142
	1720	1421

It will be observed that loading during the period has been 83% against the quota. All efforts are being made to step up loading to the extent possible.

Attack on Railway Passengers

10094. SHRI A. NEELALOHI-THADASAN NADAR: Will the Minister of RAILWAYS be pleased to state:

(a) how many incidents of attack on Railway passengers have taken place during the last year,

(b) how many persons were hospitalised due to these attacks;

(c) whether Government have taken any action to find out the culprits and if so, the details thereof;

(d) whether Government have taken any action to prevent such incidents; and

(e) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) 328.

(b) 95.

(c) As a result of the action taken by the Government Railway Police, 548 culprits could be arrested.

(d) and (e) Yes. The Government Railway Police, functioning under the State Governments, are primarily responsible for prevention and detection of crimes on railways and safety and security of passengers travelling in trains. They are taking following steps in this regard:-

1. Escorting of important trains at night by armed guards of Government Railway Police of the concerned State Governments.

2. Beat patrolling at stations/platforms/waiting halls.

3. Checking of night trains by supervisory officers.

4. Surveillance over criminals and known bad characters.

5. Posting of pickets at vulnerable stations; and

6. Special squads of CID of State Governments take up investigations of important cases to apprehend criminals responsible for crimes committed on railways.

Railways, on their part, are taking following measures in this regard:

1. Railways maintain close liaison with State Police authorities at

all levels and over 2,000 RPF personnel have been deployed to assist the Government Railway Police in escorting passenger trains.

2. Vestibuled doors of coaches are closed between 22.00 hrs. and 06.00 hrs.

3. TTEs/Attendants / Conductors have been instructed to remain vigilant to prevent entry of unauthorised persons into reserved compartments.

4. The problem of crimes on Railways has been highlighted in the periodical meetings with the State Government officials and it has also been projected at the highest level, impressing upon the State Governments the need to strengthen the security arrangements in trains.

5. The strength of Government Railway Police is being augmented.

Bedi-Port—Porbander Line

10095. SHRI D. S. JADEJA: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal for the conversion of Bedi Port-Sikka-Salaga-Okha and Porbander rail line into broad gauge;

(b) if so, whether any survey has been done; and

(c) what is the progress for the conversion of the proposed line?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) to (c). Conversion of Hapa-Sikka-Okha/Porbander MG line into BG forms part of the approved project for conversion of Viramgam-Okha/Porbander MG

section. Conversion from Viramgam-Hapa with a goods spur to windmill to serve Bedi Port (268 kms.) has been completed and this section has been opened to traffic from 17-6-1980. Work is in progress on the second phase from Hapa-Jamnagar to Okha and from Sikka to Porbandar via Kanalus. There is no proposal for the conversion of Khambalia-Salaya MG section into BG.

Catering Contractors

10096. SHRI A. G. SUBBARAMAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is fact that Catering contractors are not paying regularly Licence fees, water and electric charges;

(b) if so, the total amount due from such contractors;

(c) whether all the above amounts are in realisable position and if not, how much amount is due from Ex-licensees and what action is proposed to be taken to realise the same;

(d) the total amount so far written off by the Railway Administration unrealisable from the Ex-licensees and the action proposed to be taken to safeguard the interests of Railways from such losses;

(e) whether it is a fact that in Southern Railway in the case of a Solitary Licensee, who is also a longstanding licensee, termination notice had been issued for default in payment of dues and if so, what are the dues; and

(f) whether similar deterrent action would be taken in respect of other erring licensees?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) to (f). The information is being collected and will be laid on the table of the Sabha.

Introduction of fast trains between Howrah-Kiul and Howrah-Dhanbad

10097. SHRI SAIFUDDIN CHOUDHURY: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that due to inadequate train facilities in Asansol-Raniganj-Andal-Durgapur-Burdwan area passengers are travelling in most inhuman condition for several years;

(b) if so, considering the difficulties of the passengers of this area, whether Government propose to introduce two fast trains from Howrah to Kiul and Howrah to Dhanbad;

(c) if so, from when; and

(d) if not, the reasons thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Asansol-Burdwan section is served by 28 pairs of trains including 10 pairs of passenger trains. These services have been found to be adequate.

(b) No.

(c) Does not arise.

(d) Apart from traffic justification, introduction of additional service is not operationally feasible for want or requisite terminal facilities at Howrah and Dhanbad.

Posts of Superintendents

10098. DR. A. U. AZMI : Will the Minister of RAILWAYS be pleased to state:

(a) whether in some Divisions of the Northern Railway posts of Superintendents in the Grade of Rs. 700—900 (Revised Scale) have been recently created or existing posts of Superintendents upgraded;

(b) if so, the number allocated to each of the Divisions on Northern Railway;

(c) the manner in which these are likely to be filled up and by which authority;

(d) whether the seniority of Superintendents already working in these Divisions will be taken into consideration while filling them up; and

(e) if not, why not ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) to (e). The information is being collected and will be laid on the table of the Sabha.

Steps to Minimise Diarrhoea (Child) Deaths

10099. SHRI S. A. DORAI SEBASTIAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the cases of diarrhoea (child) during 1979-80 and 1980-81, State-wise;

(b) what steps have been initiated by Government to minimise the diarrhoea (child) deaths; and

(c) whether Government propose to eradicate the cases of diarrhoea by better food and care under 'child care' schemes?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR): (a) Specific information about cases and deaths due to diarrhoeal diseases among children during 1979-80 and 1980-81 is not available. However, a statement showing cases and deaths due to diarrhoeal diseases i.e. cholera, dysentery and gastro-enteritis reported by State Governments and Union Territories to the Central Bureau of Health Intelligence of the Directorate General of Health Services during the year 1979 and 1980 is enclosed. According to medically certified causes of death statistics collected by the Registrar General of India, it is estimated that about 13% of all deaths among children in the age group of 0-4 years are due to diarrhoeal diseases.

(b) The Government of India have initiated a Diarrhoeal Diseases

Control Programme during the Sixth Five Year Plan for control of Diarrhoeal Diseases viz., diarrhoea, dysentery, gastro-enteritis & cholera. The salient features of the scheme are:

1. To impart short term training courses on Oral Rehydration Therapy for medical, paramedical and other concerned officers at PHC level.

2. Distribution of health education material to the level of ANMs at PHCs which will help in the treatment of diarrhoeal diseases in the remotest rural areas.

Oral Rehydration Salt packets are being distributed to health workers to treat diarrhoea cases to prevent dehydration which causes death in such cases.

(c) Cases of diarrhoea cannot be eradicated by better food alone. Diarrhoeal diseases are associated with various factors such as water supply, environmental Sanitation, personal hygiene etc.

Statement

*Cases and Deaths due to Diarrhoeal Diseases in India during the year 1979 & 1980**

Sl. No.	Name of the States/UTs	Cholera		Gastro Enteritis		Dysentery	
		Cases	Deaths	Cases	Deaths	Cases	Deaths
1	2	3	4	5	6	7	8
1	Andhra Pradesh	284	10	43050	666	580387	101
2	Assam	3	0	+	+	+	+
3	Bihar	..	..	..	..	..	..
4	Gujarat	48	..	22489	175	79665	..
5	Haryana	1	1	27069	143	304587	90
6	Himachal Pradesh	..	..	42668	92	223894	29
7	Jammu & Kashmir	..	..	+	+	+	+
8	Karnataka	72	3	106843	1237	424430	471
9	Kerala	8	3	22523	216	692047	47

1	2	3	4	5	6	7	8
10	Madhya Pradesh	378	20	1905	249	1110898	350
11	Maharashtra	2643	192	69812	1676	719427	197
12	Manipur	..	..	+	+	+	+
13	Maghalaya	..	..	9959	1	46751	1
14	Nagaland	..	..	17441	..	32376	2
15	Orissa	438	38	159954	375	1557884	179
16	Punjab	..	..	111855	146	86570	17
17	Rajasthan	81	..	+	+	+	+
18	Sikkim	..	..	17271	6	11320	1
19	Tamil Nadu	1336	31	31627	222	106267	14
20	Tripura	..	..	6980	10	87787	32
21	Uttar Pradesh	184	4	4539	27	229921	110
22	West Bengal	202	..	..	..	..	..
<i>Union Territories</i>							
23	A. & N. Islands	..	..	10274	8	34861	57
24	Arunachal Pradesh	..	..	+	+	+	+
25	Chandigarh	1	..	23120	30	24425	1
26	Dadra & Nagar Haveli	..	..	1074	4	6766	..
27	Delhi	140	5	199036	809	292124	44
28	Goa, Daman & Diu	1	..	937	14	193141	15
29	Lakshadweep	..	..	372	..	5456	11
30	Mizoram	..	..	16386	31	14421	11
31	Pondicherry	1	..	140466	5	75719	1
TOTAL		5815	316	1075050	6142	6761334	1781

Sl. No.	Name of the States/UTs.	Cholera		Gastro Enteritis		Dysentery	
		Cases	Deaths	Cases	Deaths	Cases	Deaths
1	2	3	4	5	6	7	8
1	—	590	13	66930	142	56012	76
2	—	1150	9	+	+	+	+
3	—	+	+	+	+

1	2	3	4	5	6	7	8
4		162	7	18904	85	46846	..
5		79	4	21781	90	270776	82
6		43496	82	105663	76
7		+	+	+	+
8		1	..	123268	904	440758	233
9		5	3	21299	58	738206	76
10		1394	124	1630	262	933049	174
11		1032	34	56103	1231	920346	69
12		+	+	+	+	+	+
13		7411	1	4472	2
14		+	+	+	+
15		218	31	96965	128	+	+
16		2	..	2368	4	73132	26
17		41	1	15796	4	69639	14
18		2841	3	14957	5
19		2223	59	11290	97	54364	60
20		2841	3	25945	15
21		505	3	+	+	+	+
22		148	..	+	+	+	+
<i>Union Territories</i>							
23		11178	21	295493	25
24		980	..	9460	..
25		20162	20	25493	
26		2804	5	6458	..
27		540	19	103769	1145	285234	27
28		177	..	14087	3
29		421	..	3523	2
30		9951	19	9649	4
31		2	..	34295	..	38942	1
TOTAL		8692	307	676660	4348	4435904	971

Note :—Data is provisional and coverage is ill defined, hence data is incomparable.

+= Not available.

= Nil

*= Data is incomplete.

Proposal to introduce special Buses for Handicapped in Delhi

10100. SHRI HARIHAR SOREN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have a proposal for the introduction of special buses for the handicapped in Delhi;

(b) if so, the number of buses which are proposed to be introduced by the Delhi Transport Corporation in different routes; and

(c) when the above proposal is likely to be implemented?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH): (a) No, Sir.

(b) and (c). Does not arise.

पटना स्टेशन में एमरजेंसी लाइट का व्यवस्था

10101. भी रामावतार शास्त्री: नया रेल मंत्री यह बताने को कृपा करेंगे कि

(क) क्या पूर्वी रेलवे के कुछ स्टेशनों पर विजली बन्द हो जाने की स्थिति में विजली का रोशना बनाये रखने के लिए एमरजेंसी लाइट की व्यवस्था की गई है;

(ख) यदि हाँ, तो नवम्बर्न्थी ब्यौरा क्या है;

(ग) क्या पटना जंक्शन पर एमरजेंसी लाइट की कोई व्यवस्था नहीं की गई है यद्यपि यह महत्वपूर्ण जंक्शन है;

(घ) यदि हाँ, तो इस के क्या कारण हैं; और

(ङ) इस प्रम्बन्ध में सरकार का क्या विचार है?

रेल मंत्रालय तथा संसदीय कार्य विभाग में उपसंचारी (भी मस्लिकार्जन) :

(क) जो, हाँ।

(ख) 191 स्टेशनों पर विजली बन्द हो जाने की स्थिति में विजली लाइट के वैकल्पिक भाइचों की व्यवस्था मौजूद

।

(ग) जा, हाँ।

(घ) और (ङ) पिछले एक वर्ष में, मीजूदा लाइटों से पटना जंक्शन के लिए गिजली का लाइट अभी तक काफी विश्वसनीय रहा है। और तभी 12-12 मिनट की अवधि के लिए 145 बार विजली लाइट में बदलाव पड़ा था वह रहाने विद्युर रेजर विद्युत् बोर्ड विजला सालाई का अंतमान स्थिति को देखते हुए पटना जंक्शन पर विजलों को अनिवार्य जरूरत को पूरा बरने के लिए 2 छोटे जनिव लगाये जा रहे हैं और यात्रा ही इस कार्य के पूरा ही जाने की प्रत्याशा है।

Station Masters to Sanction Leave for Fifteen Days

10102. SHRI DAYA RAM SHAKYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that the Railway Board had authorised the Station Masters to sanction leave to the staff upto fifteen days in emergency or otherwise;

(b) why the authorities of Delhi Division have banned Station Masters to sanction leave; and

(c) the procedure which Railway Board propose to adopt to grant leave immediately in case of emergencies

at Road side stations and where the Traffic Inspector or other leave sanctioning authority is not available ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Yes.

(b) No ban has been imposed.

(c) In view of answer to part (a), no further action is required.

Station Masters of Southern Railway

10103. SHRI R. P. SARANGI : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that Station Masters of Southern Railway who are not classified as Supervisory are getting a credit of additional one hour for attending to correspondence, cash closing, supervision and such other miscellaneous duties daily;

(b) if so, what is the criteria followed; and

(c) why the same conditions are not applied to Station Masters of other Railways ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) (a) to (c). Information is being collected and will be laid on the Table of the Sabha.

Physical Standard of Railwaymen

10104. SHRI R. P. YADAV Will the Minister of RAILWAYS be pleased to state :

(a) the categories of Railwaymen who are required to maintain a requisite physical standard and vision throughout their service in the interest of public safety ;

(b) whether the pay scales of such categories are fixed taking into account such requirement of the service ;

(c) if not, the reasons therefor ;

(d) whether there is any additional consideration for these categories for such risk involved in any condition of service; and

(e) if so, the details thereof, category-wise ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) (1) Foodplate staff, Railcar-Drivers and Navigating Staff.

(2) Other Running Staff, Shunting Staff, Point-lockers, Station Masters and other staff in operative control of signals.

(3) Loco Signals and Transportation Inspectors, Staff authorised to work trolleys, Yard Supervisory Staff, Road Motor Drivers and Gatekeepers on level crossings.

(b) and (c) Third Pay Commission while recommending the pay scales of various categories of staff had *inter alia* taken into account

the difficulty and complexity of the task to be performed which also includes the requirement of the requisite physical standard including vision etc.

(d) These categories are recruited primarily for the jobs they man & since the element for risk, if any, in the jobs is taken into account while fixing their pay scale as per the recommendations of the Pay Commission, the question of additional consideration generally does not arise.

(c) Does not arise.

Proposal to Depute Experts in Meghalaya for Identification of Medical Plants

10105. SHRI SONTOSH MOHAN DEV: Will the Minister OF HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether Government propose to depute experts in Meghalaya to carry out medico botanical survey and identification of medical plants ; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR): (a) and (b). A team of experts of the Central Council of Research in Ayurveda and Siddha has already been sent to carry out medico botanical survey and identification of medical plants in Meghalaya. The team has identified 150 plants of medicinal importance. A few plant specimens have also been collected, identified and lodged in the herbarium for reference.

Promotion Of Ground Duty Medical Officers II To Ground Duty Medical Officers

10106. SHRI SHIBU SOREN : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) the reasons for which the promotion of Ground Duty Medical officers II to Ground Duty Medical officers I in Central Government Health Scheme is not being done even after they have put up 9-10 years of their service, thus contravening the orders of the Union Public Service Commission where by Ground Duty Medical Officer II are assured of promotion after five years :

(b) if so, when the same is going to be implemented ; and

(c) if not, the reasons thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) and (b). The promotion in the Senior Class I scale is not automatic on completion of 9-10 years or more in the grade and the same is regulated in accordance with the provisions of the Central Health Service Rules on the basis of seniority suitability of the officers and subject to the availability of vacancies in the Senior scale of Rs. 1100-1600.

(c) Does not arise.

Employment of Indian in U.A.E.

10107. SHRI GULAM MOHAMMAD KHAN : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the United Arab Emirates has expressed a desire to take more Indians for employment and assured all protection in that country ; and

(b) if so, the details thereof ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO): (a) and (b) Government have not received any specific proposal to this effect from the U.A.E. However recruitment of Indian nationals for work in UAE has been a continuous process. The Indians living in U.A.E. are highly regarded and generally well treated in accordance with the laws and regulations in the U.A.E.

Proposal to ban smoking at state functions and in Government Offices

10108. SHRIMATI MADHURI SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether it is proposed to ban smoking at state functions and in Government offices by the Government of India as has been done in Several countries ;

(b) if so, when and the details thereof ; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) There is no such proposal under consideration.

(b) Does not arise.

(c) The proposal referred to at (a) above does not appear necessary.

यातायात निरीक्षकों की नियुक्ति

10109. श्री रामस्वरूप राम : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या महाप्रबन्धक (रेलवेज) विशेष परिस्थितियों में यातायात निरीक्षक

नियुक्त करते हैं तथा उनकी सेवाएं रेलपे बोर्ड के परिवर्त संघर्षाई—54 आर आर आई 28-3 दिनांक 10 अगस्त, 1956 और ई (एन० जी०) -61—आर जी दिनांक 5 जुलाई, 1962 तथा ई (एन० जी०) आर आर आई—24 दिनांक 31 जनवरी 1962 आदि के अनुसार विविधमित की जाती है ;

(ख) क्या इन यातायात निरीक्षकों को 550-750 रुपये के वेतनमान में नियुक्त किया जाता है और क्या ऐसे यातायात निरीक्षकों को पूर्व रेलवे के मुगल सराय आदि डिवीजनों में नियुक्त किया गया है ; और

(ग) यदि हाँ, तो पूर्व रेलवे में ऐसे यातायात निरीक्षकों का डिवीजनदार वरिष्ठता का व्योग क्या है ?

रेल मंत्रालय तथा संसदीय कार्य विभाग में उपमंत्री (श्री महिलकार्जुन) : (क) रेलों के महाप्रबन्धकों को कुछ कार्टियों के सम्बन्ध में अथवा कुछ अवसरों पर अस्थाई तौर पर भर्ती नियमों में परिवर्तन करने की अनुमति दी गई है लेकिन यदि नियमों में लम्बी अवधि के लिए अथवा स्थाई परिवर्तन करना बांधनीय होता तो रेलवे बोर्ड से सम्पर्क करना जल्दी है । रेल सेवा आयोग के माध्यम से यातायात निरीक्षकों की कोटि में यातायात प्रशिक्षकों के रूप में 455-700 रुपये के वेतनमान में सीधी भर्ती की अनुमति है । 550-750 रुपये के ग्रेड में सीधी भर्ती करने का कोई प्रावधान नहीं है ।

(ख) और (ग). सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जायेगी ।

Petition of National Federation of Indian Road Transport workers

1010. SHRI K. A. RAJAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state :—

(a) whether a petition by the National Federation of Indian Road Transport workers was presented to him on the 23rd September 1980 ;

(b) if so, what are their demands;

(c) the steps taken to look into their demands ;

(d) whether it is a fact that transport workers rally was held at New Delhi on the 20th April 1981 ; and

(e) if so, the steps being taken to settle their demands ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH): (a) A charter of demands from president, National Federation of Indian Road Transport workers was received by the Union Minister for Shipping and Transport on 9th April 1981.

(b) The demands broadly relate to :—

(i) Review of M.V. taxation structure;

(ii) Nationalisation of goods Transport industry;

(iii) Nationalisation of Automobile manufacturing and ancillary tyre industry;

(iv) Revision of wages and allowances of Transport workers and payment of bonus and setting up of a tripartite National wage Committee;

(v) Strengthening the public distribution system;

(vi) Review of the Motor vehicles Act, 1939 and the Motor Transport Works Act, etc.

(c) Besides this Ministry the state Governments and other Ministries of the Central Government to which copies of the memorandum have been endorsed will examine these demands and take appropriate action to the extent found feasible.

(d) Newspaper reports of the rally have come to the notice of the Government.

(e) As in (c) above.

लारपुर के सामने हाल्ट स्टेशन

1011. श्री जयराम बर्मा : क्या रेल मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या लारपुर मुहुर्यालय फैजाबाद सम्बन्धित, उत्तर प्रदेश तथा उसके आसपास के कस्बों के लाग लंबनकल—फैजाबाद-बाराणसी लाइन पर लारपुर के सामने एक हाल्ट स्टेशन जो भाग कर्त्ता आ रहे हैं।

(ख) यदि हां, तो क्या यह भी सच है कि रेलवे अधिकारी ने इस मार्ग को अस्वीकार कर दिया है ; और

(ग) यदि हां, तो इसके क्या कारण हैं ?

रेल मंत्रालय सथा संसदीय कार्य विभाग में उपमंत्री (श्री मल्लकार्णन) : (क) और (ख) जी हां।

(ग) यह प्रस्ताव आर्थिक दृष्टि से अद्वितीयपूर्ण और परिचलनिक दृष्टि से व्यावहारिक भी हों पाया गया। इसके अतिरिक्त, यह केव सड़क परिवहन द्वारा पूर्ण रूप से संवित पाया गया है।

Meetings of General Assembly and Governing Body of I.C.C.R.

10112. SHRI B. D. SINGH : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) how many meetings of the General Assembly and Governing Body of the Indian Council for Cultural Relation are required to be held every year according to its Constitution;

(b) how many meetings of the above bodies were held in 1980 ; and

(c) if the required number of meetings were not held, how decisions on policy matters were taken ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V. NARASIMHA RAO) : (a) As provided in the Constitution of the Indian Council for Cultural Relations, its General Assembly is required to meet at least once a year and its Governing Body shall meet at least twice a year.

(b) No meeting of the above Bodies was held during 1980. However, the meetings of the Governing Body and General Assembly were held on 30th and 31st January 1981 respectively.

(c) During the period under question the three Vice Presidents of the Council had given necessary policy directions on the advice of the Programme Committee, Finance Committee and publication Committee.

Parcels Accounts and Balance sheet Returns Detained

10113. SHRI KAMLA MISHRA MADHUKAR . Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact in the first half of 1980, monthly parcel accounts and Balance sheet returns were detained and accumulated continuously for four months at New Delhi;

(b) whether it is also a fact that the Chief Parcel clerk Inward was held responsible for the delay in submission and holding up of Balance Sheet accounts to the Accounts Department;

(c) if so, whether the D.A.R. Enquiry was instituted against the said Chief Parcel Clerk (Inward) for detaining the accounts returns continuously ; and

(d) if not, the reasons thereof and what action has been taken against the said Chief Parcel Clerk Inward ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (c). Yes.

(d) The concerned Chief Parcel Clerk Inward was awarded punishment of withholding of increment temporarily for two years. He was also transferred out of New Delhi station.

Upgradation of Department of Surgery Darbhanga Medical College and Hospital

10114. SHRI HARINATH MISRA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) the date on and from which the Department of Surgery Darbhanga Medical College and Hospital was upgraded by the Union Government during the Fourth Five Year Plan ;

(b) the equipments and other facilities which were provided by the Union Government to the State Government for upgrading the Surgery Department ;

(c) whether it is a fact that the grants made available by the Central Government under different heads was not fully utilised and a substantial amount was allowed to lapse;

(d) if so, what action Government have taken or propose to take in this regard ;

(e) whether fresh efforts are proposed to be made for upgrading the Surgery Department of Darbhanga Medical College and Hospital ;

(f) if so, when ; and

(g) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) and (b). Under the scheme of upgradation of certain departments in medical institutes 100 per cent financial assistance was given during the Fourth Plan Period to the State Governments to meet non-recurring expenditure on construction of additional building, purchase of equipment, and library and for recurring expenditure on salaries of additional teaching staff and stipend to post-graduate students in such departments. The Department of Surgery Darbhanga Medical College and Hospital received assistance under this scheme from 1st April, 1970.

(c) to (g). The information is being collected and will be laid on the Table of the Sabha.

Overtime Allowance to Staff of C.G.H.S. Dispensary, Parliament House Annex

10115. SHRI NAVIN RAVANI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether it is a fact that Government have received many letters, memoranda, representations etc. during 1st February, 1980 to 28th February, 1981 from the staff working in the CGHS Dispensary located in Parliament House Annex, New Delhi regarding over-time allowance and other demands and grievances;

(b) if so, the details thereof;

(c) the action taken thereon and the outcome thereof ;

(d) whether it is a fact that they were not paid over-time allowance from 1980 till January, 1981 ;

(e) if so, the reasons thereof and when it is likely to be paid; and

(f) how much amount of such overtime has been claimed by each category of staff during 1979 and 1980 and how much paid till date ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) and (b). Yes. A few representations were received from the staff of CGHS Dispensary at Parliament House Annex for the payment of overtime allowance for the days when Parliament is in session.

(c), (d) and (e). The payment towards overtime allowance was held up as some relaxation of overtime allowance Rules was involved. All the claims for overtime allowance received upto the end of February, 1981 have been paid.

(f) A Statement is enclosed.

Statement

S. No.	Category	Amount claimed and paid (Rs.)
1979		
	Staff Nurses	280.10
2	Pharmacist	249.00
3	ECG Technicians	102.40
4	Nursing Orderly	70.05

S. No.	Category	Amount claimed and paid (Rs.)
		1980
		Rs.
1	ECG Technicians	422.10
2	Staff Nurses	224.00
3	Pharmacists	364.80
4	Nursing Orderlies	140.30

News item captioned "Doctor's Negligence in Baby's Death Hush up"

10116. SHRI P.K. KODIYAN SHRIMATI PRAMILA DANDAVATE : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether Government's attention has been drawn to the news appeared in "Indian Express" dated the 12th March, 1981 captioned "Doctor's negligence in baby's death hushed up" ;

(b) if so, whether any inquiry has been conducted into this matter ; and

(c) if so, the details thereof and the action taken, if any ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) :

(a) Yes.

(b) and (c) An inquiry was conducted by the Municipal Corporation of Delhi as a result of which disciplinary action was taken against the defaulting staff.

Health services of Union Territory of Delhi

10117. DR. SARADISH ROY : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether Government are aware that the Health services of the Union Territory of Delhi is incomplete disorganised state because of multiple authorities ; and

(b) if so, what remedial measures are being contemplated by Government to streamline the health services ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) :

(a) No.

(b) The improvement of health services is under constant review.

Recruitment of Doctors in CGHS

10118. SHRI K. KUNHAMBU : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether Government are aware of the general complaint that the doctors recruited to the CGHS are not of required skill or competence ;

(b) whether the CGHS become less dependable in regard to the services to the beneficiaries as a result of this ;

(c) the mode of recruitment of doctors to the CGHS ; and

(d) the steps, if any, proposed to be taken to make specialised doctors available in the CGHS dispensaries regularly ?

**THE MINISTER OF STATE
IN THE MINISTRY OF HEALTH
AND FAMILY WELFARE (SHRI
NIHAR RANJAN LASKAR):**
(a) No.

(b) No.

(c) Doctors employed on regular basis in the CGHS are recruited through U.P.S.C. or promoted in accordance with the Rules framed in consultation with the Department of Personnel and A.R./U.P.S.C.

(d) The specialist services are available to CGHS beneficiaries through CGHS recognised Government and private hospitals and the polyclinics established under the Scheme. Besides, some specialists of certain disciplines from Safdarjung Hospital and Dr. R.M.L. Hospital also visit CGHS dispensaries in Delhi where patients from adjoining dispensaries also avail of this facility.

**Proposal to provide Pedestr'an
Roads in Ashok Vihar**

10119. SHRI RAJESH KUMAR SINGH: Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether it is a fact the most of the roads in Ashok Vihar (West Delhi) and even the main roads which connect Ring Road and G.T. Road have no foot-paths or pedestrian roads causing inconvenience to the vehicular traffic and the people of the locality;

(b) if so, the reasons thereof ;

(c) whether Government propose to provide all the roads in the colony with foot-paths in the near future ; and

(d) if not, the details thereof ?

**THE MINISTER OF STATE
IN THE MINISTRY OF SHIPPING
AND TRANSPORT
(SHRI BUTA SINGH) :** (a)
(b) (d) Ashok Vihar is one

of the 11 Colonies which were taken over from the D.D.A. by the Municipal Corporation of Delhi in 1976 pending the payment of deficiency charges in the development of roads carried out by the D.D.A. The matter regarding the payment of deficiency charges has been taken up by the Corporation and the D.D.A. has so far paid an amount of Rs. 36 lakhs against the total demand of over Rs. 2 crores by the Corporation. Out of this amount, the Corporation has spent Rs. 8 lakhs on the development of roads in Ashok Vihar. Sixth Plan of the Corporation includes proposal for the development of the main roads from Ring Road to G.T. Road and from G.T. Road to Canal. The Delhi Administration (P.W.D.) are responsible for road over bridge No. 40 connecting old G.T. Road with Ashok Vihar. The approaches to this bridge are in good condition and proper foot-paths have been provided. The construction of foot-path by the Corporation as per the standard cross-sections will be taken up as and when the funds are available.

**Release of Annual increments
and payment of salary for non-
strike days to Pharmacists,
Delhi Administration**

10120. SHRI RAJNATH SONKAR SHASTRI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether Pharmacists of Delhi Administration who went on strike in November, 1978, are not being given annual increments thereafter and they have also not been paid salary for the non-strike days of November, 1978.

(b) if so, the reasons therefor ; and

(c) when their salary and increments will be released ?

**THE MINISTER OF STATE
IN THE MINISTRY OF HEALTH
AND FAMILY WELFARE (SHRI
NIHAR RANJAN LASKAR) :** (a)
Yes, some Pharmacists un-

der Delhi Administration have not yet been paid annual increments and also salary for the non-strike days in November, 1978.

(b) This is due to certain administrative delays.

(c) Orders for payment of salary for non-strike days to these pharmacists have already been issued by the Delhi Administration. Their annual increments will also be released as soon as action regarding condonation of their unauthorised absence is finalised by the Delhi Administration.

Theft of Wool Bundles

10121. SHRI RAM PYARE PANIKA: Will the Minister of RAILWAYS be pleased to state :

(a) whether under charges amounting Rs. 16.60 NPs were collected by the Chief Parcel Clerks/New Delhi against wool bales booked under P. W. Bills 449003/4, 449004/4 dated the 4th December, 1978 Ex. New Delhi to Agra city;

(b) whether the Parcel Clerks who booked the bundles of wool were held responsible by the Railways Protection Force, New Delhi for the alleged thefts of above eight bundles;

(c) whether the Chief Commercial Superintendent, Northern Railway, New Delhi ordered DS/New Delhi to take deterrent action against the above Parcel Clerks, New Delhi;

(d) if so, what action was taken, if not, the reasons thereof;

(e) whether DAR Enquiry against some parcel clerks, New Delhi was fixed and they were punished with WIT for six years for their offence of under weightments;

Whether Government propose to take DAR action against

the Parcel Clerks also who booked eight bundles and found guilty for under weightments; and

(g) if not, the reasons thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (g). The information is being collected and will be laid on the Table of the Sabha.

केन्द्रीय सरकार स्वास्थ्य योजना
डिस्पैसरियों द्वारा डा० राम मनोहर
लोहिया अस्पताल को भेजे गए मरीजों
के एक्सरे में देरी

10122. श्री अशोक गहलोत :
श्री नवल किशोर शर्मा :

क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को इस बात की जानकारी है कि केन्द्रीय सरकार स्वास्थ्य योजना द्वारा भेजे मरीजों तथा अन्य मरीजों का डा० राम मनोहर लोहिया अस्पताल, नई दिल्ली में एक्स-रे नहीं किया जा रहा है क्योंकि एक्सरे विभाग में मशीनें खराब हैं ;

(ख) यदि हां, तो क्या यह सच है कि इन डिस्पैसरियों द्वारा भेजे गए मरीजों को इन अस्पताल में जाने के लिए लम्बी दूरी तय करनी होती है और उन्हें उसके बाद को तारीखे दी जाती हैं ; और

(ग) यदि हां, तो एक्सरे मशीनों के रख-रखाव में उनमें लगातार खराबियों से बचने की दृष्टि से, बरती जा रही अनियमितताओं को समाप्त करने के लिए सरकार द्वारा क्या कदम उठाए जा रहे हैं ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मन्त्री (श्री निहार राजन लस्कर) :
 (क) और (ख). केन्द्रीय सरकार स्वास्थ्य योजना औषधालयों से भेजी गये रोगियों तथा अन्य रोगियों के एक्स-रे आम तौर राम मनोहर लोहिया अस्पताल में किये जाते हैं। कभी-कभी जब यह मशीन खराब हो जाती है तो एक्स-रे का कार्य अन्य मशीनों में बांट दिया जाता है और जब एक्स-रे का कार्य बहुत अधिक हो जाता है केवल तभी केन्द्रीय सरकार स्वास्थ्य योजना के रोगियों को अन्य रोगियों की भाँति बाद की तारीखें दी जाती हैं।

(ग) इन मशीनों का नियमित रूप से रख-रखाव और मरम्मत करने का कांट्रैक्ट सम्बन्धित कर्मी के साथ किया हुआ है।

Enquiries against some officers of Government Medical Store Depot Organisations

10123. SHRI K. B. S. MANI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that there are/were some departmental enquiries/CHI cases pending against some officers both in service/retired, of Government Medical Store Depot Organisation and of the Directorate General of Health Services, New Delhi;

(b) if so, the details thereof;

(c) whether any case has been finalised and if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) :
 (a) Yes, Sir.

(b) Since the matter is being enquired into, it would not be in public interest to disclose the details thereof.

(c) No, none has yet been finalised.

(d) All the details are being looked into and procedural requirements are being observed.

Member Secretary of Railway Service Commission, Gauhati

10124. SHRI AMAR ROY PRADHAN:
 SHRI CHITTA MAHATA:
 SHRI JAI NARAIN ROAT :

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received some complaints against the Chairman and Member Secretary of the Railway Service Commission, Gauhati in connection with the irregularities and delay in sending lists of empanelled candidates by the Railway Service Commission, Gauhati for employment of technical and non-technical staff in the construction organisation; and

(b) if so, the details thereof and action taken so far in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Yes.

(b) The main points raised in the representation are:

- (i) Demands placed by the construction organisation are not fulfilled by Railway Service Commission, Gauhati.
- (ii) Lists of selected candidates are furnished in different spells after a gap of 3/4 months.

(iii) The Chairman and Secretary of the Commission have taken a decision to select only 10% of the candidates of non-Assamese communities.

(iv) The selection for Tracers in scale Rs. 260—430 was done by holding a written examination followed by a viva-voce test but the selection for trainee Draughtsmen/Estimators in scale Rs. 330—560/- was done by holding viva-voce test instead of written examination to facilitate selection of unsuitable candidates of Assamese communities.

The matter is being investigated.

Proposal for construction of a Coastal Road from Madras to Kanyakumari

10125. SHRI N. DENNIS : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether there are proposals under consideration for the construction of a Coastal Road from Madras to Kanyakumari ;

(b) if so, the steps taken by the Central Government in this regard; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH) : (a) to (c) . The Government of Tamilnadu are primarily responsible for its construction as it is a State Road. However, with a view to assist the State Government in the development of this road, funds aggregating about Rs. 3 crores have already been provided to the State Government for

construction of missing road links and bridges under the Central Aid Programme of State Roads of inter-State or Economic Importance and from Central Road Funds.

Surcharge at Bombay Port

10126. SHRI A. A. RAHIM : Will the Minister of SHIPPING AND TRANSPORT be pleased to state whether it is a fact that some shipping companies have decided to levy a ten per cent surcharge at Bombay Port?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI VEERENDRA PATIL) : Yes, Sir. The following shipping Conferences have levied a 10 per cent congestion surcharge on the port of Bombay with effect from the dates indicated against each :—

1. India- 4.6.1981 On imports
Pakistan-
Bangladesh- and
UK/Continent exports
Conference
2. Japan 20.4.1981 On imports
/India-Pakistan-Gulf/
KARBHOM
Japan only.
Conference
(JAPPERCON)
2. The Bombay Port Trust are taking effective measures to ease the situation.

Howrah Asansol Express

10127. SHRI SUSHIL BHATTA-CHARYA :

SHRI KRISHNA CHANDR HALDER :

Will the Minister of RAILWAYS be pleased to state :

(a) whether Government are aware that the Howrah-Asansol Express is running with 12 coaches instead of scheduled 17 coaches ;

(b) if so, considering the difficulties of the people of Asansol-Raniganj-Durgapur area whether the Government propose to run the train with 17 coaches and in time ;

(c) if so, from when ; and
 (d) if not, the reasons thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (d). From 1-4-81, the load of 305/306 Howrah-Asansol Express has been augmented to 13 coaches. Further augmentation of this train is not justified on traffic consideration and also not feasible for want of requisite maintenance facilities at Asansol.

Damage to Rai Line in Gauhati due to Bomb Blast

10128. **SHRI N. V. CHANDRA-SHEKARA MURTHY:** Will the Minister of RAILWAYS be pleased to state :

(a) whether Bomb blast damaged the rail line at Gauhati on the 13th April, 1981 ;
 (b) if so, the details of the incident ;
 (c) the total damage caused ;
 (d) whether any enquiry was conducted ; and
 (e) if so, the outcome thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (e). No. However, at about 22.15 hrs. on 13-4-1981, there was a bomb explosion on railway track at kilometre No. 102/15-16 near Tetamari Bridge No. 113 situated between Chaparmukh and Laopani stations, as a result of which 2 rails of about 1 and 2 metre lengths were broken, about 15 metres of track was lifted by about 20 centimetres and 4 wooden sleepers were broken and displaced. Some pieces of orange colour fuse were found on the spot. There was no casualty. The

damage to railway property is assessed about Rs. 3,500/- Government Railway Police registered case No. 6(4) 81 under section 120 (b) IPC, Section 3 Explosives Act and 126 (b) Indian Railway Act. Deputy Commissioner and Supdt. of Police, Nowrang, visited the spot and supervised investigation. One suspect has so far been arrested. Police investigations are in progress.

C.G.H.S. Facilities to General Public of Chandigarh

10129. **SHRI CHARANJI LAL SHARMA:** Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) what are the proposals of his Ministry to give Central Government Health scheme benefits and open hospitals and dispensaries for the benefits of general public in Chandigarh ; and

(b) the reasons for the delay in introducing the Central Government Health Scheme in the Union Territory of Chandigarh ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) and (b). The C.G.H.S. has been devised to provide medical cover for Central Government servants. It has so far been extended to a few cities. Presently, the endeavour is to ensure maximum coverage in these cities. It is, therefore, not proposed to extend this facility to Chandigarh for the present. Incidentally, Central Government servants in Chandigarh as elsewhere are entitled to claim re-imbursement under CS (MA) Rules for medical assistance.

Girls' Higher Secondary School at Adra

10130. **SHRI NARAYAN CHOUHAY :** Will the Minister of RAILWAYS be pleased to state :

(a) whether the South Eastern Railways Girls Higher Secondary

School at Adra is running without any functioning Principal at present;

(b) if so, since how long the Principal is absent;

(c) what action has been taken to assure presence of the Principal in that school and also what action if any, have been taken against the absenting Principal; and

(d) if no action has been taken, the reasons therefor ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) The post of Principal at Girl's Higher Secondary School, Adra has been down-graded and the management is now looked after by a Head Mistress.

(b) The Principal, Girls Higher Secondary School, Kharagpur was transferred from Kharagpur on 20-11-1979 as Principal S.E. Railway Girls, Higher Secondary School at Adra but she has not resumed duty there so far.

(c) and (d). The question of initiating disciplinary proceedings against the absenting Principal is being examined.

Visit of Experts from Japanese Shipping Firms

10131. SHRI S.M. KRISHNA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether a team of experts from Japanese shipping firms visited India recently to help modernise the shipbuilding and repair facilities; and

(b) if so, the outcome of the discussions held with them ?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI VEERENDRA PATIL) : (a) and (b). Team of Japanese experts visited the Hindustan Shipyard in Visakhapatnam and Cochin Shipyard and held discussions. No final decision has so far been taken.

Khirai Halt

10132. SHRIMATI GEETA MUKHEREJEE: Will the Minister of RAILWAYS be pleased to state :

(a) whether Government are aware that Khirai passenger halt was established about 50 years back between the stations Panokura and Haur in the KGP division of South Eastern Railway and still a commission agent functions there for selling tickets causing great hardship to the commuters and the peasants desirous of booking local produce such as vegetables, jute, straw, rice, etc. ; and

(b) if so, whether Government propose to upgrade the halt to a regular station ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) :

(a) and (b). A halt station is upgraded into a departmentally managed flag station provided there is sufficient traffic and such conversion is financially justified. Proposal for upgrading Khirai halt station into a flag station was examined many times in the past but not found financially justified. According to latest examination the proposal involves a heavy recurring loss of Rs. 78,093.00 per annum to the Railways.

Amount sanctioned for construction of cargo berths in Ports

10133. SHRI A. C. DAS : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether it is a fact that this Ministry has sanctioned financial grant for construction of cargo berths in different Ports ;

(b) if so, the total grants sanctioned to each port of the construction of cargo berths ;

(c) the number of cargo berths which are proposed to be constructed in those ports ;

(d) whether any financial grant has been sanctioned by this Ministry for the construction of a cargo berth in the Paradip Port ; and

(e) if so, the details thereof ?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI VEERENDRA PATIL) : (a) Yes. Wherever the Major Ports are not in a position to finance construction of cargo berths from their own resources, financial assistance is given by Government in the shape of loans.

(b) The cargo berths sanctioned and/or under consideration at various Ports are indicated below :

Estimated Cost

(Rupees
in Crores)

1. *Calcutta*

Second Oil Jetty at Haldia 6.90

2. *Paradip*

(i) Second General Cargo Berth	7.25
(ii) Third General cargo Berth	7.12

3. *Visakhapatnam*

(i) General-cum- bulk cargo berth	8.50
(ii) Oil Berth .	18.00
(iii) Coal Berth	13.00

4. *Madras*

(i) Expansion of Jawahar Dock .	11.67
(ii) Container Terminus . . .	22.60

5. *Tuticorin*

(i) Construction of coal jetty	2.97
(ii) Two additional general cargo berths	11.33

6. *Cochin*

Integrated Project for handling POL & Fer- tilizers.	31.16
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7. *New Mangalore*

One general cargo berth	7.28
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8. *Mormugao*

A multi-purpose cargo berth	11.70
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9. *Bombay*

(i) Fourth Oil Berth at Butcher Island	24.48
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(ii) Nhava-Sheva Port Project	30.00 (plan provision)
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10. *Kandla*

(i) Construction of Oil Jetty	6.02
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(ii) Sixth General Cargo Berth	17.49
(iii) Construction of deep water berth at Vadinar	13.32

The entire expenditure on plan projects pertaining to Bombay, Madras and Kandla Ports will be met by the Ports concerned out of their internal resources. The works at other ports will be financed by way of loans from Central Government.

(c) 24 berths, including Nhava Sheva Port, are proposed to be constructed during the current Plan period.

(d) Yes.

(e) Upto 31-3-1981, a loan of Rs. 3.06 crores has been released to Paradip Port on account of a second general cargo berth now under construction. The entire expenditure on this project (Rs. 7.25 crores) is to be met from loans by the Government.

आपातकालीन अवसरों पर गाड़ियों को रोकना

10134. भी नरसिंह मकवाना: क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) रेल मार्गों के विद्युतीकरण के बाद आपातकालीन अवसरों पर गाड़ियों को रोकने के लिए क्या पद्धति अपनाई जाती है और यह किस सीमा तक सकल सिद्ध हुई है ;

(ख) आपातकालीन अवसरों पर गाड़ियों को रोकने के लिए क्या मानदंड निश्चिरित हैं; और

(ग) रेलवे में किये जा रहे सुधारों को देखते हुए आपातकालीन अवसरों पर गाड़ियों को रोकने से बचने के लिए क्या कदम उठाये गए हैं ?

रेल मंत्रालय तथा संसदीय कार्य विभाग में उपमंत्री (श्री मल्लिकार्जुन) : विद्युतीकृत रेल पथ पर गाड़ियों की रोकने के लिए भी वही तकनीकी अपनाई जाती है जो गैर विद्युतीकृत रेल पथ पर अपनाई जाती है। कोई विशेष तकनीकी नहीं अपनाई जाती है। लेकिन, गाड़ी के छूटने पर खतरे का अनदेशा होने पर कर्षण विद्युत नियंत्रक द्वारा बिजली का स्वच बन्द करके गाड़ी को रोका जा सकता है। ऐसे बहुत ही कम मौके आये जब किसी गाड़ी विशेष की रोकने के लिए बिजली की सप्लाई बन्द करनी पड़ी हो पर इस सम्बन्ध में कोई सही रिकार्ड नहीं रखा जाता है।

(ख) चलती गाड़ी में खतरे की आशंका को देखते ही आपातकालीन अवसरों पर गाड़ियों को रोकने का प्रश्न उठता है। इस सम्बन्ध में कोई विशेष मापदण्ड निश्चिरित नहीं किया गया है।

(ग) अप्रत्याशित परिस्थितियों में ही आपातकालीन अवसरों पर गाड़ियों को रोकने की आवश्यकता पड़ती है। इस प्रकार की घटनाओं के कम करने के लिए जो एक मात्र सावधानी रखी जा सकती है, वह यह है कि जहाँ तक संभव हो किसी भी प्रकार के खतरे की स्थितियों में सभी कर्मचारियों में सुरक्षा की भावना विकसित की जाये और ऐसा निरत्नर किया जाता है।

Railway working around Bombay

10135. SHRI BAPUSAHEB PAREEKAR : Will the Minister of RAILWAYS be pleased to state :

(a) whether the General Manager, Central Railway Bombay has received in January, 1981, a letter from the office of the Lok Sabha member elected from Thane Constituency making a few suggestions in regard to working of Railways around Bombay;

(b) If so, the suggestions made therein; and

(c) what action has been taken/ is being taken in respect of each of the suggestions so made?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (c). Information is being collected from the Central Railway administration and will be laid on the Table of the Sabha.

Protocols signed with foreign countries

10136. SHRI ARJUN SETHI : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

Statement

S.No.	Country	Name of foreign Dignitaries/ Delegations	Details of Protocol Signed
1	2	3	4
1.	Mexico	Mr. Jose Lopez Portillo President of Mexico	Protocol on co-operation in science and Technology
2	Indonesia	Dr. Baiquni Director General Batan, Indonesia.	Agreement for cooperation in the Peaceful uses of Nuclear energy
3.	Guatemala	Mr. Valentin Solorzano, Minister of Economy of Guatemala	Trade Agreement
4.	Kenya	Mr. Daniel T. A. Rao, Moi, President of Kenya	(i) Agreement on Cultural exchanges (ii) Trade Agreement (iii) Economic and Technical cooperation Agreement
5.	Tanzania	Mr. Julius K. Nyerere, President of Tanzania	A Memorandum of Understanding covering cooperation in a few specific industries such as a sugar project, an integrated rice cultivation project, technical education project etc

1	2	3	4
6.	Egypt	Delegation headed by the Egyptian Protocol on cooperation in the Minister of Electricity.	field in energy.
7.	Saudi Arabia	Prince Saud Al Faisal, Foreign Minister of Saudi Arabia	Economic and Technical co-operation signed which <i>inter alia</i> provides for setting up of Indo-Saudi joint Commission.
8.	Bahrain	The Amir of Bahrain	(i) Agreement on Economic and Technical cooperation. (ii) Cultural Exchange Programme.
9.	North Korea	Mr. So Guan-Hi, Vice Premier, Democratic People's Republic of Korea.	Cooperation in the fields of Agricultural Resources and Education and Irrigation.
10.	United Kingdom	Mrs. Margaret Thatcher, Prime Minister of U.K.	Memoranda of Understanding on (i) Cooperation in certain industries and in Trade. (ii) Collaboration in Science and Technology; (iii) Cooperation in Science and Technology; (iv) The development of the Indian Power generation sector ; and (v) Cooperation in the development of Indian Coal Industry.
11.	Poland	Dr. Ryszard Karski, Minister for Foreign Trade and Shipping	Long term trade and payments Agreement.
12.	U.S.S.R.	Mr. I.V. Akhropov, Deputy Chairman of the Council of Ministers	Protocol incorporating the decisions/recommendation of the sixteenth session of the Inter Governmental Commission.
13.	Bulgaria	Madam Lyudmila Zhivkova, Member of Politburo of the Central Committee of Bulgarian communist Party and Chairman of the People's Republic of Bulgaria.	Cultural Exchange Programme
14.	Yugoslavia	Mr. Metod Rotar, Minister for Foreign Trade.	Protocol in the fields of industrial cooperation, trade, science and technology and Banking and Financial arrangements.
15.	G.D.R.	Dr. Gerhard Weiss Deputy Chairman of the Council of Ministers	Protocol to expand and diversify the two way transfer of technology.

Linking Western and Central Railway at Bombay for Suburban Trains

10137. DR. SUBRAMANIAM SWAMY : Will the Minister of RAILWAYS be pleased to state :

(a) when the proposed Railway project of linking Western Railway and Central Railway at Bombay for suburban trains is expected to be completed ;

(b) whether by the completion of this project, the commuters of Bombay will get relief and better facilities; and

(c) if so, the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (c). A Flyover is presently under construction at Bandra, to connect the slow lines of the Western Railway to the harbour branch lines of the Central Railway. This will enable running of suburban trains from Andheri on Western Railway to VT on the Central Railway. These additional services will help the people living in the residential areas to the north of Bandra and the central business district near VT. The Flyover is expected to be commissioned by December, 1981.

Spreading Yoga in Foreign Countries through Indian Representatives

10138. SHRI CHINTAMANI JENA : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether Government have taken steps to attract more and more people for the improvement of physical and mental health through yoga in the country; and

(b) if so, whether Government have taken steps to popularise yoga amongst the common people as well as spreading it in foreign countries through our Indian Yoga representatives ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) Yes.

(b) The Government has taken various steps to popularise Yoga amongst the common people in the country. It is also becoming popular abroad.

News-Item Captioned "Train Derailment Attracts Looters"

10139. SHRI B.V. DESAI : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government's attention has been drawn to the press report appearing in *Times of India* dated the 11th April, 1981 under the heading "train derailment attracts looters".

(b) if so, whether a large number of passengers who were waiting for the trains in the wake of derailment of six goods wagons at Malikpeth in Sholapur on the 10th April, 1981 were looted by miscreants;

(c) whether no timely help was provided by the Railway authorities there;

(d) whether any enquiry has been conducted in this regard ; and

(e) if so, the outcome thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Yes.

(b) There is no report about any passenger having been looted there.

(c) Timely assistance was given by the Railway to the passengers for their movement from the site of the accident to the nearest railway station. 19 State Transport buses were used to facilitate transport of passengers and their luggage ex-Kurdwadi to Sholapur and back.

(d) and (e). Cause of derailment is under enquiry and report of the enquiry committee is awaited.

Railway lines in Western Desert Border Areas.

10140. SHRI VIRDHI CHANDER JAIN :

Will the Minister of RAILWAYS be pleased to state :

(a) whether Government have adopted a liberal approach for the construction of new railway lines in Western desert Border Areas of the country by relaxing the criteria of remunerativeness as in the case of the new lines in the plains ;

(b) if so, the names of new railway lines which have been planned for construction in Western desert border areas of the country during the Sixth Five Year Plan ;

(c) if not, the reasons therefor; and

(d) the likely date by which this approach would be adopted ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (d). The report of the National Transport Policy Committee appointed by the Planning Commission for evolving a rational policy for the construction of new railway lines including lines in backward areas of the country is currently under examination by the Planning Commission. It will be possible to

take further action regarding the formulation of the policy for construction of new railway lines after a decision has been arrived at, on the recommendations of the said committee. However, the following surveys in the area have been included in the Budget for 1981-82 :—

i. Parallel broad gauge line from Suratgarh to Sarupsar and conversion of Sarupsar-Anupgarh metre gauge section into broad gauge and its extension to Chattargarh.

ii. A new metre gauge line from Bilara to Bar.

Doctor-Patient Ratio in Rural Areas

10141. SHRI KRISHNA KUSUMA MURTHY : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state the doctor-patient ratio in the rural areas of the country at present ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : No assessment of the doctor-patient ratio is feasible as all patients do not get registered with the Government-run dispensaries, PHCs, Hospitals, etc.

Procurement of Pairs of Human Eyes from International Eye-Bank

10142. SHRI MANMOHAN TUDU : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) how many pairs of human eyes have been supplied to various

medical institutes in the country during 1980-81;

(b) the names some of those medical institutions and the total pairs of human eyes supplied to those institutes;

(c) whether Government has a proposal to procure more pairs of human eyes from the International eye bank during the current financial year;

(d) if so, whether human eyes will be supplied to the medical institutions of Orissa to restore sight of blind persons, particularly from Scheduled Castes, Scheduled Tribes and other backward caste people; and

(e) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) and (b) The National Eye Bank at Dr. Rajendra Prasad Centre for Ophthalmic Sciences has received eyes for corneal grafting operations from International Eye Bank, Srilanka, Colombo. 27 eyes have been received from January, 1980 to December, 1980 and 30 eyes from January, 1981 till date.

No information is available regarding the other medical institutes in the country who have been obtaining pairs of human eyes.

(c) As there is a paucity of donor material with in the county eye donations from any International Eye Bank are always welcome.

(d) and (e). The information is being collected and will be laid on the table of the Sabha.

Increase in USSR Troops in Afghanistan

10143. PROF. MADHU DAN-DAVATE :

SHRI RAMNATH DUBEY :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that the U.S.S.R. has strengthened its troops in Afghanistan : and

(b) if so, the reaction of Government thereto ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V. NARASIMHA RAO) : (a) Government have seen press reports (April 8 AP datelined Islamabad) quoting Western diplomatic sources as saying that additional Soviet troops had arrived in Afghanistan. The US Defence Department has, however, denied that the Soviet Union had reinforced its troops in Afghanistan and described these reports as "totally false" (AFP April 9 datelined Washington).

Government have no information to suggest that additional Soviet troops have been deployed in Afghanistan.

(b) Does not arise.

Cotton bales gutted in Meerut Railway Station

10144. SHRIMATI MOHSINA KIDWAI : Will the Minister of RAILWAYS be pleased to state :

(a) Whether it is a fact that cotton bales worth one lakh of rupees were gutted in the godown of Meerut Railway Station;

(b) if so, whether three wagons of fertilizers also caught fire as a result thereof;

(c) if so, whether any inquiry has been instituted into the causes of this fire ; and

(d) if so, the findings thereof.

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Yes. Full pressed cotton bales laying at Meerut City Goods covered platform caught fire on 22-3-81 and were damaged. Damages have been assessed at Rs. 70,454.40 Ps.

(b) Wagons loaded with fertilisers standing nearby were also affected and damages to the bags were assessed to the extent of Rs. 4900/-

(c) Yes.

(d) The cause of fire is suspected to be throwing of burning bidi/cigarette or lighted match stick by someone. A case has been registered at GRPs Meerut and is under investigation.

Negotiating Facilities to All India Loco Running Staff discontinued.

10145. SHRI GEORGE FERNANDES : Will the Minister of RAILWAYS be pleased to state :

(a) whether the negotiating facilities at the Railway Boards level and at the Zonal Railway General Manager's level available to the All India Loco Running Staff Association have since been discontinued; and

(b) if so, the reasons therefor ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Yes.

(b) The reasons for treating this association at par with other unrecognised categorical associations on the railways have already been given in the *suo-moto* statement made by the Minister for Railways in the Lok Sabha on 17-2-1981.

Inclusion of Tribal Area and District Roads in National Highway Programme

10146. SHRI GIRIDHAR GOMANGO : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether it is a fact that the road net-work in the tribal areas is considerably below the State and National average;

(b) if so, what is the National average and Statewise average of road mileage and the tribal areas therein;

(c) the names of tribal districts and areas having National Highway, Statewise;

(d) the proposal in Sixth Plan for inclusion of important tribal area and district roads under the National Highway programmes; and

(e) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH) : (a) Yes, Sir. The average road network in tribal areas is likely to be considerably below the State and National averages since most tribals live in the forest and hilly areas.

(b) A statement is attached.

(c) A Statement is attached.

(d) and (e). Proposals for declaring roads as National Highways as part of the 1980-85 Plan have yet to be finalised. The ultimate decision in the matter would depend upon a number of factors such as availability of resources, the extent to which a road or roads satisfy the criteria laid down for the

declaration of roads as National Highways, *inter se* priority of individual roads on an all-India basis and other priority considerations. It is, therefore, difficult at this stage to make any commitment about the inclusion or otherwise of any road in the National Highway System.

Statement I

State/UTs	Road Lengths (in Kms.)	Area (In Sq. Kms)	Road Length per 100 Sq. kms. of area		
			2	3	4
ALL INDIA	1604110	3287782	48.79		
<i>States :</i>					
Andhra Pradesh	105808	276814	38.22		
Assam	56983	78523	72.57		
Bihar	79985	173876	46.00		
Gujarat	52619	195984	26.85		
Haryana	29664	44222	67.08		
Himachal Pradesh	23824	55673	42.79		
Jammu & Kashmir	17267	222236	7.77		
Karnataka	106209	191773	55.38		
Kerala	90340	38864	232.45		
Madhya Pradesh	100905	442841	22.70		
Maharashtra	164102	307762	53.32		
Manipur	8843	22356	39.55		
Meghalaya	3690	22484	16.41		
Nagaland	5785	16527	95.00		
Orissa	115611	155782	74.21		
Punjab	45604	50362	90.55		
Rajasthan	60084	342214	17.56		
Sikkim	3736	7299	51.19		
Tamil Nadu	168053	130069	129.20		
Tripura	7836	10477	74.79		
Uttar Pradesh	188178	294413	69.92		

1	2	3	4
West Bengal	138831	87853	158.03
<i>Union Territories :</i>			
A & N Islands	601	8293	7.25
Arunachal Pradesh	11553	83578	13.82
Chandigarh	33	114	28.95
D & N Haveli	212	491	43.18
Delhi	8113	1485	546.33
Goa, Daman & Diu	6989	3813	183.29
Lakshadweep	2	32	6.25
Mizoram	891	21087	4.23
Pondicherry	1760	480	366.67

Statement II

S. No.	State	District in Tribal Areas	N.H. No.	Remarks
1	2	3	4	5
1	Andhra Pradesh	Adilabad Srikulam Vishakapatnam	7 43 5	
2	Assam	Golpara Kamroop Nowgong	31 & 37 31 & 37 37	
3	Bihar	Ranchi Chhaibasa	23 & 33 32, 33 & 6	
4	Gujarat	Surat Baroach Vadodara Valsad Sabarkantha	8 8 8 & 12 8 8	
5	H. P.	Kinnaur	22	
6	Karnataka	South Kanara	17 & 48	
7	Kerala	Palghat Trivandrum	17 & 47 47	
8	M.P.	Dhar Khargaoon Seonai Raigarh Bastar Durg Rajnandgam Raipur Murena	3 3 7 & 26 6 43 6 6 6 6 6 3	

1	2	3	4	5
9	Maharashtra	Dhulia Jalgaon Nasik Ahmednagar Pune Amravati Yavatmal	3 & 6 6 3 & 50 50 4, 9 & 50 6 7	
10	Manipur	Manipur North Manipur South Manipur West	39 39 53	
11	Meghalaya	Garchhiks Khasi hills Jaintia hills	51 40 40 & 44	
12.	Mizoram	Aizwal	54 54	
13	Nagaland	Kohima	39	
14	Orissa	Koraput Sundargarh Mayurbhanj Sambalpur Kconhar Ganjam Balsore	43 23 5 & 6 6 6 5 5	
15	Rajasthan	Dungarpur Udaipur	8 8	
16	Tamilnadu	Salem Tiruchirapalli Dharmapuri North Arcot South Arcot	7, 45 & 47 7 & 45 7 & 47 46 45	
17	U.P.	Lakhimpur	24	
18	Arunachal Pradesh	Subansiri Lohit	52-A 52	

Ad-Hoc and Regular Specialists in C.G.H.S.

10147. SHRI AHMED M. PATEL : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether it is a fact that most of the Post Graduate Medical Officers working in the Central Government Health Scheme as specialists are not called as ad-hoc specialists ;

(b) if so, the number of such post graduate doctors working as Specialist without having been created as ad-hoc specialists; and

(c) the criteria for becoming ad hoc specialists cadre officer and subsequently regular specialists for such medical Officers ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) :

(a) All medical posts in the Central Government Health Scheme are borne on the Central Health Service. In that Service, Medical Officers with post-graduate qualifications, when appointed as General Duty Officers are not required to work as specialists.

(b) Does not arise.

(c) As per the Central Health Service Rules, all posts in the Specialists Grade II are filled on a regular basis through the U.P.S.C. and all candidates—outsiders as well as those officers possessing post-graduate qualifications working as Medical Officers in the Central Government Health Scheme—have to come through the Commission.

Out Agencies

10148. SHRI RAJESH PILOT : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government propose to increase the number of out agencies substantially so that its vast potential of transport can be linked to economic development and employment in hitherto distant and isolated areas ; and

(b) if so, whether Government propose to allot few such agencies for self employment schemes for passenger-cum-goods transport and inter train bus link ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Yes subject to adequate traffic justification and availability of suitable contractors to undertake the work of Out Agencies.

(b) The contracts are awarded to the lowest satisfactory tenderer, and self employed persons are also eligible for consideration.

Railway Track Inspector

10149. SHRI KRISHNA KUMAR GOYAL :

Will the Minister of RAILWAYS be pleased to state :

(a) whether every Railway Track Inspector and Works Inspector in

the Engineering Department of the Bombay Division have casual labour ;

(b) if so, the number thereof, Inspector-wise and the number of casual labourers who are working as substitutes and those on temporary basis ;

(c) whether service cards and medical cards have not yet been given to each casual labourer ;

(d) if so, the number thereof Inspector-wise and the measures taken to provide them with the same ;

(e) whether a large number of casual labourers among them have become entitled to be made temporary ; and

(f) if so, the position thereof Inspector-wise ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (f). Information is being collected and will be laid on the Table of the Sabha.

Catering Contract for Jayanti Janta Express

10150. DR. VASANT KUMAR PANDIT : Will the Minister of RAILWAYS be pleased so state :

(a) whether it is a fact that Government have given the Catering Contract to a private party for the Jayanti Janta, running between Muzaffarpur and New Delhi ;

(b) if so, the reasons for giving the contract when Departmental Catering is in vogue ;

(c) how much fees have been charged for this contract ;

(d) whether it is a fact that the said Private Party has been now asked by the Department to buy food for the passengers, prepared by the Departmental Catering ; if so, the reasons therefor; and

(e) what is the number of Railway staff which has been affected or become unemployed due to this private contract ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) and (b). The mobile catering service on the Jayanti Janata Express was replaced by private catering as the service was running at a loss.

(c) A licence fee of Rs. 100/- per month has been fixed temporarily.

(d) The contractor has been allowed the facility to pick up meals from Base Kitchens of departmental catering units as per rates fixed as there are no kitchen facilities in pantry cars.

(e) Twenty two persons rendered surplus have been absorbed.

Fly-Over at Mourgram Railway Station

10151. SHRI ZAINAL ABEDIN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether his Ministry propose to construct a fly-over at the level crossing at Mourgram Railway Station on National Highway No. 34

(b) if so, when and the details thereof ;

(c) whether his Ministry has pursued the matter with the Railway Ministry ;

(d) if so, the details thereof; and

(e) if not, the reasons thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH) : (a) to (e). The construction of road overbridge on NH 34 at the level crossing at Mourgram is included in the sixth five year plan (1980-85). The overbridge will be 48.77 metres long with 7.5 metre clear roadway and 1.5 metre wide footpaths on either side. The estimate for the approaches amounting to Rs. 44,03,600/- has been received from the State PWD but the estimate for the overbridge proper is still awaited from the Railways with whom the matter is being pursued by the State PWD.

Power from Karnali Bend Project

10152. SHRI SATYENDRA NARAIN SINHA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government of India has agreed to purchase power from Karnali Bend Project ;

(b) if so, whether Government are aware that it will affect the earlier agreement reached between two countries on the bigger Karnali project ; and

(c) whether Government are also aware that Nepal is embarking strategy of regionalising the water issue as prelude to the regionalisation of all political issues that relate to the two countries ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO) : (a) No Sir, no commitment has been made in this regard. However, at the meeting of the Indo-Nepal Committee on Karnali, held at Kathmandu in January 1981, the Indian side merely evinced interest in purchasing power from the Karnali Bend Project, on the

basis of the explicit understanding that the Karnali Bend Project even at maximum capacity would not in any way affect or prejudice the optimum benefits from the Karnali Main—i.e. the Chisapani-project.

(b) No agreement regarding quantity, price and related terms of sale of power from the Karnali Main Project by Nepal to India has been finalised so far.

(c) The Nepalese Government have stated that extensive utilization of the vast water resources in Nepal could become "more meaningful if other neighbouring countries along-with India could be involved in this venture." They have however, assured the Government of India that such an approach does not in any way, preclude bilateral cooperation in various mutually agreed fields of interest, including water resources, between Nepal and India.

Class III Staff Holding lien in other Railways

10153. SHRI R.L. BHATIA : Will the Minister of RAILWAYS be pleased to state :

(a) whether a large number of class III staff holding lien in other Railways working in the Railways Electrification South Eastern Railway has been served with notice for repatriation to their parent Railways;

(b) if so, what steps have been taken by the Railways in the Centralised Electrification with their posts and Howrah-Amra-Chapadanga works of Electrification works ;

(c) whether, electrification, South Eastern Railway Administration did not issue passes and PTOs to the staff during 1980 ; and

(d) If so, why such steps were taken by the Administration and what action Government propose to take against the staff and officers ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (d). Information is being collected from the Railways and will be laid on the Table of the Sabha.

विदेशों में दूतावासों में हिन्दी अनुवादकों की नियुक्ति

10154. श्री केशव राव पारथी : क्या विदेश मंत्री भारतीय उच्चायींग इंग्लैण्ड में हिन्दी अनुवादक के पद का सूचन के बारे में 19 मार्च, 1981 के अतारकित प्रस्ताव संख्या 4250 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) दूतावासों में हिन्दी अनुवादकों की नियुक्ति के सम्बन्ध में विवाराधीन प्रस्तावों का व्यौदा क्या है और उन प्रस्तावों पर कब तक अंतिम नियंत्रण लिए जाने की संभावना है ; और

(ख) क्या ये प्रस्ताव केवल हिन्दी अनुवादकों की नियुक्ति के लिए ही है अथवा क्या हिन्दी अधिकारी, हिन्दी टाइपिस्ट जैसे अन्य पदों पर भी नियुक्तियों की जाएंगी ?

विदेश मंत्री (श्री पी० बी० नरसिंह राव) : (क) और (ख). विदेश स्थित हमारे कुछ मिशनों में हिन्दी एककों की स्थापना के प्रस्ताव में विभिन्न स्तरों के पद पर शामिल हो सकते हैं जिसमें टाइपिस्ट, हिन्दी अधिकारी अदि भी शामिल हैं। चूंकि इस प्रस्ताव को दूसरे मंत्रालयों/विभागों से सलाह करके ही अंतिम रूप दिया जा सकता है, इसलिए किंवदि नियुक्ति तारीख नहीं बताई जा सकती।

New Coaches for Trains running on Katwa-Ahmadpur section of Eastern Railway

10155. SHRI GADADHAR SAHA:

Will the Minister of RAILWAYS be pleased to state :

(a) whether Government are aware that reduction in length of all trains operating in Katwa-Ahmadpur and Ahmadpur-Katwa (N.G.) section of Eastern Railway has taken place because of shortage of new coaches in place of damaged, rejected coaches, the revenue earning has been adversely affected in addition to the difficulty, disadvantages faced by Railway users ; and

(b) if so, what action is being taken to remove the shortage and supply of new coaches for the trains and to provide sufficient accommodation so that revenue earning improves ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Due to condemnation of overaged unserviceable coaches, there is a shortage of coaches in Ahmadpur-Katwa N.G. section of Eastern Railway.

(b) 19 new coaches have already been built and also sent to Katwa. On commissioning of these coaches at Katwa all the trains operating on this section will be brought to their normal strength.

कलोल और सेंज सरथा के बीच लेवल कार्सिंग पर ऊपरी पुल

10156. श्री मोती भाई आर० चौधरी: क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अहमदाबाद-आबू राजस्थान राजमार्ग पर भारतीय खाद्य तथा उर्वरक

कम्पनी, उर्वरक कारबाने के सभी परिवहन रेलवे पर कलोल और सेंज सरथा रोड रेलवे स्टेशनों के बीच लेवल कार्सिंग पर एक ऊपरी पुल बनाया जायेगा क्योंकि इस रेल लाइन पर भारी यातायत रहता है; और

(ख) यदि हाँ, तो इस बाधा को दूर करने के लिए यह क्षणीय पुल कब बनाया जायेगा ?

रेल मंत्रालय तथा संसदीय कार्य

विभाग में उप मंत्री (श्री मल्लिकार्जुन) :

(क) और (ख) : अहमदाबाद-पालनपुर खण्ड पर कलोल और सेंज सरथा रोड स्टेशनों के बीच समयारंभ सं० 233-ए की व्यवस्था गुजरात सरकार के अनुरोध और लागत पर की गई थी। इस समयारंभ का अनुरक्षण राज्य सरकार की लागत पर किया जा रहा है। वर्तमान नियमों के अनुसार, इस समयारंभ के बदले में एक क्षणीय सड़क पुल की व्यवस्था केवल राज्य सरकार की लागत पर की जा सकती है। जब कभी प्रस्तावित ऊपरी सड़क पुल की समस्त लागत बहन करने के अधिकासन संहित, राज्य सरकार द्वारा इस सम्बन्ध में कोई ठोस प्रस्ताव प्रायोगित किया जायेगा, रेलवे द्वारा इस मामले में तुरन्त अगली कारबाई आरम्भ कर दी जायेगी।

Effects of X-Ray Radiation

10157. SHRI RASHEED MASOOD :

PROF. AJIT KUMAR METHA :

Will the Minister of HEALT H AND FAMILY WELFARE be pleased to state :

(a) whether Government have made any assessment with regard to the magnitude of the problem of ex-

posure to X-Ray radiation in the public and private hospitals due to inadequate equipment ;

(b) if so, the details thereof ; and

(c) the measures contemplated by Government in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR)
(a) No.

(b) Does not arise.

(c) Necessary precautions are taken to ensure proper safety in this behalf.

Unit to Look after Development of Unani Systems of Medicine

10158. SHRI SURAJ BHAN : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether there is a separate Division of Unani in his Ministry to deal with the matters relating to Development of Unani System of Medicine and also Unani Dispensaries in Central Government Health Scheme ;

(b) if so, what is the present set up ; and

(c) what steps Government propose to take to give undivided attention to the development of Unani System of Medicine and to provide specialist consultation to the Central Government Health Scheme beneficiaries ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) :
(a) and (b). The following staff exclusively looks after the work rela-

ting to Unani System of Medicine in the Ministry ;

1. Deputy Adviser One post

2. Research Officer One post

3. Research Assistant Two posts

The Central Government Health Scheme is administered by the Directorate General of Health Services. However, on technical matters, the Deputy Adviser (Unani) and the Research Officer (Unani) are also consulted.

(c) The officers mentioned above give undivided attention to the development of Unani Medicine in accordance with the various schemes approved by the Government of India from time to time. The Deputy Adviser (Unani) also functions as specialist to the Central Government Health Scheme in Delhi.

Sea Law Convention

10159. SHRI S. M. KRISHNA: Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether his attention has been drawn to the news item captioned 'Five multinational companies holding up sea law convention' appearing in the 'Hindustan Times' dated the 6th April, 1981;

(b) if so, which are these 5 multinational companies ; and

(c) Government's reaction in the matter ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO): (a) Yes, Sir.

(b) There are several corporations which are actively interested in the exploration of manganese nodules in the international seabed

area. Some of these are (1) Kennecott Copper Corporation (U.S.A.), (2) Deepsea Ventures, Incorporated (USA), (3) International Nickel Company (INCO) Ltd. (Canada) (4) CNEXO (France), (5) AMR (F.R.G), (6) Union Miniere (Belgium) and (7) Sumitomo (Japan). All these corporations have entered into joint arrangements with each other and established multi-national corporations. The reference in the Hindustan Times report is perhaps to some of these companies.

(c) The 10th Session of the Conference on the Law of the Sea held in New York in March-April, 1981 was unsuccessful and could not formalise the Draft Convention on the Law of the Sea. This was because of the attitude of the new U.S. Administration which wanted to review the entire package of solutions achieved so far at the Conference. Developing countries, including India, and some developed countries and the socialist group of States who are very keen to conclude the Conference at an early date are disappointed by the turn of events.

Advertisement for admission to General Nursing and Midwifery course

10160. SHRI K. MALLANNA: Will the Minister of HEALTH AND FAMILY WELFARE be please to state:

(a) whether Government's attention has been drawn to the advertisement in Hindustan Times dated the 22nd February, 1981 concerning admission to General Nursing and Midwifery Course, given by the Medical Superintendent, Lok Nayak Jayaprakash Narayan Hospital, New Delhi and one of the conditions of eligibility was that applicants should have passed with at least 50 per cent marks in Senior Secondary School Examination (10 plus 2), from The Central Board of Secondary Education, Dehi.

(b) if so, whether Government are aware that this condition excludes the majority of candidates who have passed equivalent examination of other Boards from other parts of the country; and

(c) if so, the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR): (a) Yes. However, the minimum marks required were 40% and not 50%.

(b) The candidates having higher qualifications than that of 10 plus 2 and having 40% minimum marks are also eligible for the course. However, preference is given to the residents of Delhi.

(c) The question does not arise.

Legislation regarding Working Conditions of Private Hospital Employees

10161. SHRI K. PRADHANI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether there is any proposal under consideration to introduce a comprehensive legislation to bring into practice the working conditions of persons employed in private hospitals/nursing homes; and

(b) if so, the details in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR): (a) No.

(b) Does not arise.

Decentralisation of Ticket/Season Ticket Booking windows

10162. SHRI CHATURBHUJ : Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received a representation dated 2nd January, 1981, from a resident of Kandiwali, Bombay; demanding decentralisation of ticket/season ticket booking windows in Bombay suburban area;

(b) the decision which Government have taken in this regard; and

(c) if not, when the same is likely to be taken ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) (a) Yes, a representation for opening of booking offices in Housig colonies in Bombay Suburban areas has been received;

(b) and (c) It is not feasible to provide booking windows for issue of season tickets in the housing colonies of Bombay surburban areas. However, City Booking agencies have been provided in important localities for sale of journey tickets.

Conversion of Viramgam-Okha Railway line

10163. SHRI MOHAN LAL PATEL:

SHRI DAULATSINHJI JADEJA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Viramgam-Okha conversion Programme has been discontinued beyond Hapa Railway Station in Western Railway;

(b) if so, the reasons therefor

(c) whether Government are aware that this discontinuation has affected the trade and activities at the ports which were to be linked with this conversion programme; and

(d) whether Government propose to reconsider to complete the conversion of Viramgam-Okha as per schedule for the benefit of the country ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN), : (a) No.

(b) to (d) Do not arise.

New Jamnagar Railway Station

10164. SHRI DAULATSINHJI JADEJA : Will the Minister of RAILWAYS be pleased to state:

(a) whether the site of the new Jamnagar Railway Station in the Western Railway has been finalised; and

(b) if so, the details thereof and the present position in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY

AFFAIRS.(SHRI MALIKARJUN); (a) Yes.

(b) The location of the new station is at a place known as Gandhinagar which is about 3.5 Kms. from existing station and the same is connected to Bedi Road. It will be opened in Phase II of the Viramgam-Okha/Porbandar gauge conversion project.

Conversion of M. G. lines into Broad Gauge

10165. SHRI A. G. SUBBURAMAN: Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that Railway Administration had taken a decision to convert all the existing Metre Gauge sections into Broad Gauge sections to cope with the increase in traffic taking into account both the necessity to improve movement of traffic and the availability of finance ;

(b) if so, whether priority basis adopted is based on the immediate requirements and also to advise the policy framed ;

(c) whether it is a fact that foundation stone was laid by the late Prime Minister Shri Lal Bahadur Shastri at Tuticorin for the conversion of the link between Tuticorin and Dindigul and the survey work completed for the construction of a B.G. line between Dindigul and a Karur ;

(d) whether is also a fact that various organisations of trade in a Tamil Nadu had represented for the immediate implementation of the above work in the current financial year ; and

(e) if so, the action taken by Government to carry out the project ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLI KARJUN) : (a) No.

(b) A gauge conversion project is taken up :

(i) when a section becomes saturated and is incapable of handling additional traffic by cheaper line capacity inputs.

(ii) when the magnitude of the transhipment involved is such that it is uneconomical or is not feasible at all.

(iii) when they are needed for providing speedy and uninterrupted means of communication to areas which have potential for growth.

The works are taken up on programme basis depending upon availability of funds and after carrying out detailed survey to determine the traffic potential and financial viability of each Project.

(c) No.

The survey work has been completed.

(d) Yes.

(e) The work to be taken up in phases, is under active consideration of the Ministry to be taken up in Current Plan.

Unrepairable D.T.C. Buses

10166. SHRI JANARDHANA POOJARY : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the number of Delhi Transport Corporation buses which are in running condition as on 31st March, 1981 ;

(b) the number of buses out of those which can be repaired and the total expenditure involved ; and

(c) What steps have been taken to dispose off the unrepairable buses ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH) : (a) 2691 Buses,

(b) Since all the buses mentioned at (a) above are in running condition, the question of their repairs does not arise.

(c) The unrepairable buses are deleted from the fleet and subsequently disposed of through open tender or public auction.

Purchase of Ayurvedic Medicines

10167. SHRI A. K. ROY : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether recently very poor and cheap quality Ayurvedic medicines have been purchased from newly set up pharmaceutical units and these are not only ineffective but also the quantity filled up is not up the requisite weight notified outside;

(b) whether in the case of 'Chi rak Hari Taki' supplied by 'Desh Rakshak Aushudalaya, Kankhal (Uttar Pradesh) though it is labelled 100 gms. almost half of its contents are liquid and not solid ;

(c) whether any inspection or tests are conducted before accepting the supplies;

(d) whether in view of the growing popularity of the indigenous system of medicine, Government propose to consider the desirability of purchasing only effective medicines instead of getting cheaper stuff; and

(e) the amount which was saved during the last year by purchasing such cheaper and sub-standard medicines in place of well-tried and used ones ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) No.

(b) No.

(c) Yes.

(d) Only quality medicines are purchased.

(e) Does not arise.

Mobile Booking Clerks

10168. SHRI R. K. MHALGI : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government have received on or around 16th January, 1981 a representation from several persons who are working for the last three years as mobile booking clerks at various stations in Bombay suburban area;

(b) the demands made in the said representation;

(c) the decision which Government have taken in his regard; and

(d) if not, the reasons therefor and when a decision is likely to be taken ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) (a) and (b). Representations have been received from persons working as mobile booking clerks for absorption as regular class III Railway employees;

(c) and (d). The services of wards and dependants of the Railway employees are utilised on a part-time basis to dispense tickets during peak hours and they are called Volunteer Mobile Booking Clerks. Their services are voluntary in character and they are paid honorarium for the actual hours of duties performed and as such are not entitled for direct absorption as regular Railway employees.

Visit of Foreign Scholars

10169. PROF. NARAIN CHAND PARASHAR : Will the Minister of EXTERNAL AFFAIRS be pleased to state the names of the foreign scholars/experts who were

invited to India by the Indian Council for Cultural Relations, during the past three years, on account of their visits as also of the publications if any undertaken of their speeches delivered during these visits ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V. NARASIMHA RAO): A list of foreign scholars/experts invited by Indian Council for Cultural Relations

under sponsored visitors programme and Bilateral Cultural Exchange Programme during the year 1978-79, 1979-80 and 1980-81 is placed on the Table of the House.

During the period, the Azad Memorial Lecture on "Premchand—a Western Appraisal" as delivered by Dr. Siegfried A. Shulz, a German Indologist, is being published.

Statement

1. Dr. R. P. Soejono
Head, Department of Prehistory Centre of Archaeology (Indonesia).
2. Mr. R. L. Pillay
Principal Education Officer
Ministry of Education (Fiji).
3. Mrs. Bagoes Oka
Chairman, Bali Santi Sena Foundation (Indonesia).
4. Dr. Mohd. Koesnoe
Prof. Airlangga University (Indonesia).
5. Dr. Donald H. Bishop
Dept. of Philosophy of Washington State University (USA).
6. Prof. Kabir Chowdhury
Chairman, Deptt. of English
Dacca University, Dacca (Bangladesh).
7. Mr. Faiz Ahmed Faiz
Poet from Pakistan (Pakistan).
8. Mr. Shiv Narayan Kanhai
President, Fiji Teachers Union (Fiji).
9. Mr. Shiv Charan
Secy. Gen. Fiji Teachers Union (Fiji)
10. Mr. Joeli Sovak
Principal, Nabua Secondary School (Fiji).
11. Mrs. Tamfa Bole
Principal, Adi Cakohen School, Fiji (Fiji).

S. No.	Names of the Experts/Scholars
12.	Mr. Uday Singh Chairman, Ba Rural Local Authority, Fiji (Fiji).
13.	Prof. Harnan Garcia Pro-Rector, Chile University (Chile).
14.	Mr. G. J. Papaioanou. (Musicologist) (Greece).
15.	Dr. H. E. Hoelscher President of the American University of Beirut (Lebanon).
16.	Mr. Ida Angkasa Putra Scholar of Indian Philosophy (Indonesia).
17.	Dr. Clause Mienhert Professor of Political Science (F.R.G.).
18.	Mr. James T. Ratnum Journalist & President of Jaffna Archaeological Society (Sri Lanka).
19.	Mr. C. F. Dacunah, Historian (Brazil);
20.	Dr. T. Da Mota, Historian (Portugal).
21.	Dr. Antonio de Silva Rego, Historian (Portugal).
22.	Prof. Mansooruddin (Bangladesh).
23.	Prof. Afsaruddin (Bangladesh).
24.	Prof. Anwaral Karim (Bangladesh).
25.	Dr. U.D. Wijayawardane, Hon. Secy. of Sri Lanka Medical Association (Sri Lanka).
26.	Dr. C.R. Boxer Historian (U.S.A.)
27.	Dr. Joseph Wicky, Historian (Italy).
28.	Dr. Vojislav Stanovcic Professor & Publicist (Yugoslavia).
29.	Mrs. Hestov Van Royen (Owners of Art Galleries in London (U.K.))
30.	Dr. Ibedat Brailvi, Head of Urdu Department (Pakistan).
31.	Dr. Sirajul Haque Professor Emirate University of Dacca (Bangladesh).
32.	Dr. Mohd. Morsi Abdullah, Director of the Centre of Documentation and Research (Abu Dhabi).

S. No.	Name of the Experts/Scholars
33	Prof. Kyuya Doi, Eminent Scholar of Hindi and Sanskrit (Japan).
34	Mr. K.P. Misra, Hindi Scholar (Fiji).
35	Dr. Victor Bentata, President of Asia Society (Venezuela).
36	Dr. Chie Nakane, Anthropologist (Japan).
37	Dr. N. Khac Vien, Editor of Vietnamese Studies (Vietnam).
38	Madam I. Papantoniu Director and Theatre Expert (Greece).
39	Dr. Richard J. Kozicki Prof. of Govt. in the University of San Francisco (U.S.A.).
40	Dr. E.N. W. Oppong Dean of Agriculture University of Ghana (Ghana).
41	Dr. Nathan Sodzi Faculty of Engineering University of Ku-masi (Ghana).
42	Estephan B. Guiryess Parliamentarian & Legal Expert (Egypt).
43	Dr. B.A. Oget, Historian (Kenya).
44	Mr. Yordan Milev Writer-Scholar of Persian (Bulgaria).
45	Dr. L. Sieruzyla Director of Asia & Pacific Museums in Warsaw (Poland).
46	Mr. Laszle Nagy Theatre Expert (Hungary).
47	Mrs. Helena Fabian Well known Essayist and Member of General Society of Mexican Writer (Mexico).
48	Prof. D. Odhiambo Deputy Vice Chancellor of Nairobi University (Kenya).
49	Dr. A. Claerhout Deputy Keeper of the Archaeological Museum and Dr. of Art History and Archaeology, State University of Ghent (Belgium).
50	Prof. (Mrs.) N. Seikova Prof. of Higher Institute for Theatre Art, Sofia (Bulgaria).

S. No.	Name of the Experts/Scholars
51	Mr. E. Sidorov Literary Critic & Secretary of the Board of Soviet Writers in Moscow (U.S.S.R.).
52	Dr. Dusan Zhavital Prominent Scholar of Sanskrit and Bengali (Czechoslovakia).
53	Mr. B.A. U. Peacock Curator, Hongkong Museum of History (Hongkong).
54	Prof. Brindlay, Geologist (Ireland).
55	Dr. L.J. Woodbury, Dean, College of Fine Arts and Communications of Utah (USA).
56	Dr. Robert La Porte Department of Public Administration State University of Pennsylvania (U.S.A.).
57	Mr. Eiji Kobayashi Lecturer in Japanese and Social Sciences, Nara University (Japan).
58	Mrs. Sujatni Satari, Archaeologist (Indonesia).
59	Mrs. Endang Saoketno, Archeologist (Indonesia).
60	Dr. Evan Lesny A well known Neurophysist (Czechoslovakia).
61	Prof. Laurence I. Radway Chairman, Dep'tt. of Government (U.S.A.).
62	Dr. Ibrahim Kaduma Vice Chancellor of Dar-es-Salam University (Tanzania).
63	Dr. Lwakabamba Head of the Mechanical Engineering Department (Tanzania).
64	Prof. Damrong Wong Uparaj Head of Visual Arts, Faculty of Arts, Silpakorn University (Thailand).
65	Dr. Fazlul Halim Choudhry Vice Chancellor, Dacca (Bangladesh).
66	Mrs. Ateca Williams Curator of Education Service in the Fiji Museum (Fiji).
67	Dr. Ton That Tung Cancer Specialist (Vietnam).

S. No.	Name of the Experts/Scholars
68	Dr. Jonas Salk Eminent Scientist (U.S.A.).
69	Prof. Yersu Kim Dept. of Philosophy, Seoul National University (Korea).
70	Prof. Morris Jones Director, Institute of Commonwealth Studies, University of London (U.K.).
71	Prof. Howard Erdman Prof., Dartmouth College, Hanovar, New Hampshire (U.S.A.).
72	Dr. N.D. Wijesekera Chairman of Committee appointed to bring Mahavansa upto date (Sri Lanka).
73	Dr. A.M. Khan Associate Prof. of Physics, Dacca University (Bangladesh).
74	Mr. George Amarianikis Musicologist (Greece).
75	Dr. Deosaran Lecturer in Psychology and Sociology in the University of West Indies (Trinidad).
76	Prof. David Shanon, Eminent Historian, Vice President and Provost of the University of Virginia (U.S.A.).
77	Prof. Bayley David H., University of Colorado (U.S.A.).
78	Prof. B.I. Panditharatne Vice Chancellor (Sri Lanka).
79	Dr. K.M. De Silva Head, Deptt. of History of Peradeniya Campus, University of Sri Lanka (Sri Lanka).
80	Prof. Joseph La Pa Lambora of Yale University (U.S.A.).
81	Dr. Sandor Rot Prof., Deptt. of English University of Budapest (Hungary).
82	Dr. Nagussay Ayeleh Prof. of International Relations Addis Ababa University (Ethiopia).
83	Mrs. Chira Chongkol Director, National Museum, Bangkok (Thailand).
84	Dr. Acqine De Barganca Director, Centre of African Studies, University of Eduardo, Mondlane, Maputo (Mozambique).

**S.
No.** **Names of the Experts/Scholars**

85 Dr. Sanjida Khatun, Research Scholar (Bangladesh).

86 Dr. (Mrs.) M. P. Kotovskaya
Director All Union Research Institute of Art studying (U.S.S.R.).

87 Prof. Fritz Benewitz
Drama Director German National Theatre, Weimar (G.D.R.).

88 Prof. A. Razzak
National Professor (Bangladesh).

89 Prof. A.T.S. Anisuzzaman
Professor Chittagong University (Bangladesh).

90 Dt. H. T. Bakker,
Prof. Institute of Indain Studies State University, Groningen (Netherlands).

91 Miss Azra Begic
Chief Curator, Fine Arts Gallery (Yugoslavia).

92 Mrs. Vesna Krompotic
Educationist, Writer & Poetess (Yugoslavia).

93 Prof. Suwat Vradilok
Script Writer of TV Series & Movie Director (Thailand).

94 Prof. (Madam) M. Renee Cura
Professor, National Teacher Training Institute (Historian and Biographer) (Argentina).

95 Prof. Peter Fischer
Professor and Academician (Austria).

96 Prof. Gerald Steurzh
Professor & Academician (Austria).

97 Dr. Salcedo Bastardo
Well known Historian (Venezuela).

98 Prof. D. Constantopoulos
Director Institute of Public International Law and International Relations (Greece).

99 Signorwa Adrianrocco
Researcher in Puppet and Performing Arts of Italy (Italy).

Fifteen Year Corporate Plan

10170. PROF. NARAIN CHAND PRASHAR : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Railways have formulated a fifteen Year Corporate Plan for development ; and

(b) if so, the brief outline of the plan with special reference to the track expansion programme in general and new railway lines in particular ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) :

(a) Yes.

(b) The First Indian Railways Corporate Plan was issued in 1976 covering a time frame upto the year 1989. It spelt out strategies for achieving corporate objectives in the sphere of passenger, parcel and goods traffic. It covered the fields of track development, man power planning, maintenance and traction. It envisaged new lines to the extent of 1250 kilometres upto 1988-89 and doubling of 1100 kilometres of single line track. It identified 264 track kilometres for consideration for conversion till 1988-89.

Appointment to the posts of Asstt. Director General and Deputy Director General

10171. SHRI SANAT KUMAR MANDAL : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether any rules as envisaged in the proviso to the Article

309 of the Constitution have been framed for appointment to the post of Assistant Director General, Deputy Director-General (both medical, non-medical) and others like Prevention of Food Adulteration in the Directorate General of Health Services of his Ministry ;

(b) if so, whether Government propose to lay a copy thereof on the table ;

(c) the manner in which the selection and appointment of present incumbents was made to and whether these are tenure posts or not ; and

(d) the qualifications professional and other of the pres'nt incumbents and since how long they are holding these posts ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) :

(a) and (b). Recruitment Rules under proviso to Article 309 of the Constitution of India have been framed for these posts and duly notified in the Gazette of India at the appropriate time. As such it is not proposed to lay a copy each of the concerned statutory rules on the Table of the Sabha.

(c) The posts in question are not tenure posts. The present incumbents were selected and appointed in accordance with prescribed procedure.

(d) A statement is attached.

Statement

Sl. No.	Name with qualifications	Name of the post and the date from which held
1	2	3
1	Dr. D.B. Bisht, M.B.B.S. (1951) M.D. (Med) (1956) D. Phil (Cardiology) (1966)	D.D.G. 14.9.1977
2	Dr. Ranjit Sen, M.B. (1946) D.Sc. Bact. (Manchester) 1954 Ph.D. (Lond) कारण 1959 FRIIPHH (L) 1966 FIPHA 1971	D.D.G. 29.11.1976
3	Dr. M.D. Saigal M.B.B.S. (1951) M.S. (1955)	D.D.G. 16.12.1978
4	Dr. R.C. Sharma, M.Sc. (Chemistry) Ph. D. (Chemistry) F.I.O.	D.D.G. 17.11.1980
5	Dr. R.N. Basu, M.B.B.S. DPH, MS (Hyg.)	A.D.G. 3.11.1969
6	Dr. G.H. Gidwani, M.B.B.S., D.P.H.	A.D.G. 8.4.1981
7	Dr. K.C. Das, M.B.B.S., Lep. Trg. D.P.H., D. Dermat.	A.D.G. 3.11.1972
8	Dr. S. K. Sengupta, M.B.B.S., D.P.H.	A.D.G. 19.6.1978
9	Dr. (Mrs.) S.K. Sandhu, M.B.B.S., DCH, MSH	A.D.G. 24.3.1979
10	Dr. B.P. Bose, MBBS, DPH	A.D.G. 24.3.1979
11	Dr. P.N. Ghei, M.B.B.S., MS, MHA	A.D.G. 15.4.1976
12	Dr. R.M. Banik, M.B.B.S. DCP	A.D.G. 9.2.1979

13 Dr. T.A. Ansari,
M.B.B.S., MD A.D.G.
10.1.1979

14 Dr. D.D. Arora,
M.B.B.S., DPH A.D.G.
20.1.1981
Trg. in Malariaology

15 Dr. G.K. Biswas,
M.Sc. (Chemistry)
Ph. D. (Organic Chemistry) A.D.G.
12.11.1980

16 Shri D.S. Chadha,
M.Sc. (Tech.) (Chemical).
Technology, Chemical Analysis,
Chemical Engineering etc.)
M.Sc. in Chemistry and Microscopy of foods, ~~and~~ Athens, ~~and~~
water; Post-graduate Diploma of Imperial College
of Science in Chemistry of Foods, London. A.D.G.
25.4.1975

Introduction of Superfast Trains

10172. SHRI HARIHAR SOREN : Will the Minister of RAILWAYS be pleased to state :

(a) the total number of superfast trains which are proposed to be introduced during the current financial year ;

(b) the routes where such superfast trains are likely to be introduced during the above period ;

(c) whether Government has a proposal to convert Neelachal Express into a superfast train ;

(d) if so, whether it will be converted into a superfast train during the current financial year ;

(e) the other trains which are under consideration for converting into superfast trains ; and

(f) the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a), (b), (e) & (f). In the context of inadequacy of passenger coaches, lack of facilities for repairs and maintenance and also likely repercussion on essential freight traffic vital for nation's economy, Railways have decided to slow down introduction of additional passenger trains for the time being. However, short term measures to meet the growth of passenger traffic by augmenting the loads of the existing passenger services to the extent feasible by increased dieselisation and electrification are being resorted to. However, a weekly superfast AC train between Bombay Central and Ahmedabad is being introduced from 8.5.81.

(c) No, this train is a high speed train wherever feasible and necessary passenger amenities have been provided.

(d) Does not arise.

परियोजना तथा गंगा-परियोजना श्रमिक
के रूप में नैमित्तिक श्रमिक

10173. श्री सत्यनारायण जटिया : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलों में नैमित्तिक श्रमिकों को परियोजना तथा गंगा-परियोजना श्रमिक के रूप में वर्गीकृत किया गया है ;

(ख) यदि हां, तो उनकी सेवा की पृथक शर्तें होने के क्या कारण हैं ;

(ग) क्या सरकार उनकी सेवा शर्तों में समानता लाने के लिए किस प्रस्ताव पर विचार कर रही है ;

(घ) क्या परियोजना कार्य की अवधि इस दृष्टि से निर्धारित की गई है कि किसी निर्माण कार्य को परियोजनाकार्य तक समझा जाये ; और

(ङ) नैमित्तिक श्रमिकों को सेवा शर्तों में असंगतियों तथा भेदभाव को दूर करने के लिए क्या उपाय किए जा रहे हैं ?

रेल मंत्रालय तथा संसदीय कार्यविभाग में उपमंत्री (श्री महिलकार्जुन) :

(क) जी हां ।

(ख) रेल श्रम अधिकारण, 1969 ने यह सिफारिश की थी कि परियोजना नैमित्तिक श्रमिकों को 180 दिन की निरन्तर सेवा के पश्चात् वेतनमान की दर के 1/30 भाग का भुगतान किया जाये और उसे चालू लाइन के नैमित्तिक श्रमिक को स्वीकार्य कोई अस्थायी दर्जा न दिया जाये ।

(ग) जी नहीं ।

(घ) जब तक परियोजना को चालू नहीं कर दिया जाता और अनुरक्षण के लिए चालू लाइन संगठन को नहीं सौंप दिया जाता ।

(ङ) उपर्युक्त (ग) के उत्तर को देखते हुए प्रश्न नहीं उत्पन्न होता ।

उपरले पर्यवेक्षी कर्मचारी

10174. श्री सत्यनारायण जटिया : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बम्बई सकिल में प्रत्येक वर्ष उपरले पर्यवेक्षी कर्मचारियों को बार-बार नियुक्त करने का तरीका आरम्भ किया गया है ;

(ख) यदि हां, तो क्या यह तरीका वर्ष 1980 और 1981 में भी लागू किया गया है ;

(ग) यदि नहीं, तो इसके क्या कारण हैं ;

(घ) क्या उसके परिणामस्वरूप कुछ कर्मचारियों को जानवृक्षकर नगर प्रतिपूर्ति भत्ते तथा मकान किराये भत्ते से वंचित किया गया है ; और-

(ङ) यदि हां, तो इस संबंध में सरकार का क्या उपचारात्मक उपाय करने का विचार है ?

रेल मंत्रालय तथा संसदीय कार्यविभाग में उपमंत्री (श्री महिलकार्जुन) :

(क) जी हां । शिरोपरि उपस्कर रेल पथ बांधिंग सेक्शन, पश्चिम रेलवे में केवल 425-700 हप्ते (संशोधित वेतनमान)

वेतनमान में इलेक्ट्रिकल चार्जमैनों के लिए यह प्रणाली अपनाई गई है अन्य पर्यवेक्षी कर्मचारियों के लिए नहीं।

(ख) जी हां।

(ग) प्रश्न नहीं उठता।

(घ) जी नहीं।

(ड) प्रश्न नहीं उठता।

लेखा तथा कार्मिक विभाग में संवगों का पुनर्गठन

10175. श्री रामावतार शास्त्री : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या संवगों का पुनर्गठन रेलवे के लेखा तथा कार्मिक विभागों के कर्मचारियों के लिये ही किया गया था;

(ख) यदि हां, तो अन्य विभागों के बारे में भी ऐसा न किये जाने के क्या कारण हैं;

(ग) क्या सरकार का विचार इस प्रणाली को अन्य विभागों पर भी लागू करने का है;

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

रेल मंत्रालय तथा संसरीय कार्मिक विभाग में उपमंत्री (श्री भलिकार्जुन) :

(क) न केवल लेखा और कार्मिक विभागों के संवगों की बल्कि रेलों के अन्य विभागों के संवगों की भी पुनर्संरचना की गयी है।

(ख) से (घ) प्रश्न नहीं उठता।

Guards punished for refusal to travel in Defective Break Vans

10176. SHRI DAYA RAM SHAKYA : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that there is a circular No. 77/M(N)/951/14 dated 3rd May, 1980 of the Railway Board for paying attention towards the deficiencies of doors, seats and windows of brake-vans as travelling by defective brake-van become unsafe;

(b) If so, whether any guards, for complaining for defective and removed seat, e.c. and refusing to travel in brake-van without seat have been punished in Allahabad Division in Northern Railway in 1980 ; and

(c) if so, how many and the reasons thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) :

(a) Yes

(b) and (c) : Guard Shri P.C. Kathia refused to work on a goods train even though there was no complaint of defective and removed seat. His complaint was that window shutters and the door of brake-van were defective/deficient which did not make brake-van unsafe but only slightly inconvenient. He also did not permit other guards to work on the train which caused detention to train. He has therefore been chargesheeted for disobedience and obstructing persons from discharge of their duty. But no punishment has been imposed so far.

Transfer of Chairmen, Railway Service Commissions

10177. DR. A. U. AZMI : Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 7123 on the 9th April, 1981 regarding Railway Service Commissions and state:

(a) whether the Chairmen, Railway Service Commissions are liable to be transferred from one place to another;

(b) if so, whether any one of these listed in the Annexure have been transferred or is likely to be transferred, if not, why not;

(c) whether it is a fact that the names of some of these Chairmen were recommended by some State Governments whose areas are covered by the Commissions headed by these Chairmen; and

(d) if so, which are these Chairmen?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Yes.

(b) None listed in the annexure (to the reply given to Unstarred Question No. 7123 on 9-4-81) has been transferred so far. Transfers are in fact effected in the administrative interest whenever found necessary.

(c) and (d). As and when a post becomes vacant, nominations received from various quarters including from the State Governments are taken into account and final decision is taken by the Railway Ministry with the concurrence of the U.P.S.C.

Changing the three-tier coach from 362 Up to 360 Up from Delhi

10178. SHRI N. E. HORO: Will the Minister of RAILWAYS be pleased to state:

(a) the reasons for not utilising the 3-tier coach in 360 Up in place of 362 Up and the criteria in fixing the same with 362 Up which starts in the morning at 8.30 Hrs.;

(b) whether Government propose to change the 3-tier coach from 362 Up to 360 Up which starts in night from Delhi;

(c) the time by which the coach will be changed; and

(d) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Since it is not operationally feasible at New Delhi to detach the sleeper coach by 361 Dn. Passenger, this has been allowed to run on the pairing train viz. 362 Up Passenger.

(b) to (d). The suggestion to provide a sleeper coach by 360 Up Passenger is under examination and action as found feasible will be taken.

रेल यात्रा में सुविधायें दिये जाने के लिए रेलवे यूजर्स एसोसिएशन का मांग-पत्र

10179. श्री रणजीत सिंह: क्या रेल मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या इंडियन रेलवे यूजर्स एसोसिएशन ने रेल यात्रा में रेल यात्रियों, पर्यटकों और तोर्चयात्रियों को सुविधाएं दिये जाने के लिये मांग-पत्र प्रस्तुत किया था;

(ख) क्या यह सच है कि पूर्व रेलवे के अधिकारियों और इंडियन रेलवे यूजर्स

एसोसिएशन के प्रतिनिधियों के साथ 26 मार्च, 1979 को पूर्व रेलवे के मुख्यालय में जापन से संबंधित कार्य सूची के प्रत्येक मुद्रे पर विचार विभाग किये जाने के बाद जापन रेलवे बोर्ड को भेजा गया था और एक संकल्प सर्वसम्मति से पारित किया गया था ; और

(ग) यदि हां, तो जापन के प्रत्येक मुद्रे पर क्या निर्णय किया गया और और इस सम्बन्ध में व्यौरा क्या है ?

रेल मंत्रालय तथा संसदीय कार्य विभाग में उपमंत्री (श्री मल्लिकार्जुन) : (क) और (ख). 26-3-79 को महाप्रबन्धक, पूर्व रेलवे और रेल उपयोगकर्ता एसोसिएशन, गया के बीच पूर्व रेलवे के मुख्यालय में एक बैठक हुई थी। उक्त बैठक में न तो किसी सर्वसम्मत संकल्प पारित होने और न ही इस एसोसिएशन द्वारा मांग-पत्र के किसी जापन को जांच के लिए रेलवे बोर्ड में भेजे जाने का कोई उल्लेख है।

(ग) प्रश्न नहीं उठता।

Railway Freight Concession to export Cargo to Kandla Port

10180. SHRI R.P. YADAV : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Gujarat Government had made a representation for grant of concession in railway freight so as to facilitate export cargo moving from the hinterland to Kandla port;

(b) if so, whether necessary instructions have been issued to the Zonal Railway for concession in rail freight to the export cargo flowing to Kandla port ; and

(c) if so, the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Yes.

(b) and (c). It is not the policy of the Ministry of Railways to give any freight concession on any item of export traffic solely on the consideration that the commodity is meant for export. However, Zonal Railways have got powers to quote special station to station rates for traffic including export cargo moving to Kandla port provided there is commercial justification for quoting such rates.

कोटा-बीना गाड़ी का देर से चलना

10181. श्री चतुर्भुज : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) 1, जनवरी, 1980 से 15 जनवरी, 1981 की अवधि में कोटा-बीना लाइन पर चलने वाली सांयकालीन गाड़ी कितनी बार कोटा देर से पहुंची इसके देर से पहुंचने के क्या कारण हैं ; और

(ख) इसे बम्बई और नई दिल्ली के बीच चलने वाली देहरादून एक्सप्रेस में मिलाने के लिए बीना-कोटा गाड़ी के कोटा में समय पर आना मुनिश्चित करने के लिए क्या उपाय किये जाने का विचार है ?

रेल मंत्रालय तथा संसदीय कार्य विभाग में उपमंत्री (श्री मल्लिकार्जुन) :

(क) विभिन्न कारणों जैसे परिचालनिक खराबी, खतरे की जंजीर खोने आदि जैसे कारणों से जनवरी, 1980 से 15-1-80 तक, 92 अप बीना-कोटा सवारी गाड़ी कोटा में देर से पहुंची और 113 बार

19 डाउन देहरादून एक्सप्रेस के साथ मेल नहीं ले सकी थी।

(ब) 92 अप्र सवारी गाड़ी के कार्य निष्पादन में सुधार लाने के सभी व्यावहारिक प्रयास किये जा रहे हैं। यदि आवश्यक हो तो 19 डाउन देहरादून एक्सप्रेस को 20 मिनट तक रोकने के अनुदेश भी जारी किये गये हैं ताकि इससे मेल हो सके।

राजस्थान सरकार द्वारा प्रस्तुत की गई प्रामीण स्वास्थ्य योजना

10182. श्री चतुर्भुजः व्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजस्थान सरकार ने राज्य में लागू करने के लिए एक प्रामीण स्वास्थ्य योजना प्रस्तुत की है;

(ख) उक्त योजना के अन्तर्गत राजस्थान में कौन सी विशिष्ट योजनायें चलाने का प्रस्ताव है; और

(ग) इसके लिए केन्द्र सरकार द्वारा की जाने वाली सहायता का ब्यौरा क्या है?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री नीहार रंजन लास्कर) : (क) जी नहीं।

(ख) और (ग) ये प्रश्न नहीं उठते।

मुगलसराय में रेलवे ब्वार्टरों पर अवैध कब्जा

10183. श्री रामावतार शास्त्री : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पूर्व रेलवे के अन्तर्गत मुगलसराय में अनेक लोगों ने रेलवे क्वार्टरों पर अवैध कब्जा कर लिया है;

(ख) यदि हां, तो ऐसे ब्वार्टरों द्वा ब्यौरा क्या है तथा उन पर अवैध कब्जा करने वाले व्यक्तियों की मिल्या कितनी है;

(ग) ब्वार्टरों पर इस प्रकार हुए अवैध कब्जे के परिणामस्वरूप रेल-प्रशासन को हुई वित्तीय हानि का ब्यौरा क्या है; और

(घ) इन ब्वार्टरों को नियमानुसार रेल कर्मचारियों को आवंटित करने के लिए सरकार ने क्या कार्यवाही की है?

रेल मंत्रालय तथा संसदीय कार्य विभाग में उपमंत्री (श्री मलिकार्जुन) : (क) जी हां।

(ख) कुछ अधूरे बने ब्वार्टरों सहित नये बने टाइप-I और II के 196 ब्वार्टर। इन ब्वार्टरों को अनधिकृत रूप से 196 व्यक्तियों ने कब्जा किया है।

(ग) इसमें कोई वित्तीय हानि निहित नहीं है। कब्जा करने वालों से पैनल किराया बसूल किया जा रहा है।

(घ) इन ब्वार्टरों का आवंटन पहले ही किया जा चुका है किन्तु इन पर अनधिकृत रूप से कब्जा कर लिए जाने के कारण आवंटित व्यक्ति इन पर कब्जा नहीं कर सकते। रेल प्रशासन ने अनधिकृत कब्जा करने वालों के विश्वद बेदखली की कार्रवाई के साथ-साथ कुछ दीपी कर्मचारियों के विश्वद अनुशासनिक कार्यवाई भी प्रारम्भ कर दी है।

Dhanbad-Sindri Railway Line

10184. SHRI A. K. ROY: Will the Minister of RAILWAYS be pleased to refer to the reply given to SQ No. 924 on 23rd April, 1981 regarding goods trains running on Dhanbad-Sindri line and state:

(a) whether the present line Dhanbad-Pradhanbhuti-Sindri is fit for goods train only and the running of the passenger trains would involve capital and recurring expenditure;

(b) what exactly are the limitations which made that line unfit for passenger trains though being fit for much heavier goods trains and the amount of capital and recurring expenditure that it would involve;

(c) what are the basis for anticipating that the line would be non-remunerative when all the organisations of the district have demanded for passenger trains;

(d) whether Government propose to have a trial run of a few bogies with passengers even for a month on that line; and

(e) if not, why not?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Yes.

(b) The line was constructed primarily for goods traffic and therefore the required facilities for handling passenger traffic have not been developed.

(c) Since very convenient road services are available and the passenger traffic likely to offer will be only for short distances, introduction of passenger services involving additional investment has not been found justified.

(d) and (e). It is not feasible to have a trial run of passenger service even for a month.

Inauguration of Darbhanga-Sarnastipur Line

10185. SHRI BHOGENDRA JHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether conversion of Darbhanga-Sarnastipur metre gauge line into broad gauge was inaugurated on the 19th April, 1981 by him;

(b) if so, details thereabout;

(c) the total expenditure incurred in connection with the inaugural ceremony; and

(d) the total amount earmarked for being spent on this project during 1981-82?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Yes.

(b) The salient features of this gauge conversion project were made known to public during the inaugural ceremony.

(c) An expenditure amounting to Rs. 5,000/- was sanctioned for the inaugural ceremony.

(d) An outlay of Rs. 20 lakhs has been provided in the Budget for 1981-82 for this work.

दिल्ली के विभिन्न अस्पतालों में
अप्रयुक्त पड़ी हुई मशीनें

10186. श्री मूल अन्व डागा : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली के विभिन्न अस्पतालों में अप्रयुक्त पड़ी हुई मशीनों का औरा था है ;

(ख) इनका मूल्य कितना है और वे मशीनों किन तारीखों से अप्रयुक्त पड़ी हुई हैं; और

(ग) सरकार का विचार इन मशीनों को किस प्रकार उपयोग में लाने का है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री नीहार रंजन लस्कर) : (क) और (ख). एक विवरण संलग्न है।

(ग) इन मशीनों की मरम्मत कराने के लिए कदम उठाये जा रहे हैं। जिन मशीनों की मरम्मत नहीं हो सकती अत्यधि जिनकी मरम्मत कराना अलाभकर है, उन्हें बेकार ठहराया गया है।

विवरण

क्रमांक	अस्पताल का नाम	बेकार पड़ी मशीन का नाम	मूल्य	कबसे बेकार पड़ी है
1	2	3	4	5
1.	सफदरजंग अस्पताल (१)	7 मोर्चाइन इमेज इन्टीसी-फायर	1,21,590	1978
	(२)	1000 माटुर "जी० डी० प्रार०	3,00,000	1977
	(३)	टेललट आपरेशन	12,000	1978
	(४)	ई०सी०जी० मशीन (दो)	10,000	एक मशीन 1972 से बेकार पड़ी है और दूसरी 1977 से।
	(५)	श्री चैनल ई०सी०जी० मशीन	10,000	1977
	(६)	फोर चैनल प्रैशर रिकार्डर	10,000	1975
	(७)	सिक्स चैनल फोनीका-डियोग्राफ	10,000	1968
	(८)	आई० डी० 10 कार्डियक रेटीमूलेटर	10,000	1968
	(९)	30 एम० ए० एसकार्ट	15,000	1978
	(१०)	डिवलपिंग टैक	20,000	1979

1 2

3

4

5

2. श्रीमती सुनेता कृपालाली अस्पताल	(1) ई० ई० एल० फोटोमीटर (2) एस० सी० डेफिडेफिवीलेटर (3) सलिट लैम्प (4) प्लॉमर लैम्प (5) एम्पलोविज आडियो मीटर (6) बोल्स आडियो मीटर (7) डन्टल इंजन (8) स्टर्लिंग मोबाइल इंजन	3,378 3,725 36,044 1,250 5,000 4,000 485 2,600	1980 1971 1974 1978 1975 — 1980 1979
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3. लोकनायक जयप्रकाश जी० ई० सी० अपरेटिंग माइक्रोस्कोप 1,85,000 1976

अध्यापकों को स्थायी किया जाना

10187. श्री रीतलाल प्रसाद वर्मा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दक्षिण-पूर्व और पूर्वी रेलवे में अध्यापकों को स्थायी किए जाने के बारे में कोई नियम निर्धारित किए गए हैं ;

(ख) यदि हाँ, तो क्या 1970 में इन नियमों का उत्तराधन करके एक ही प्रेड वाले सीनियर अध्यापकों की वरिष्ठता का अतिक्रमण करके कुछ जूनियर अध्यापकों को स्थायी किया गया है ; और

(ग) इन रेलों में 1970 के बाद अध्यापकों को स्थायी न किए जाने के क्या कारण हैं ?

रेल संवादात्मक तथा संसदीय कार्यविभाग द्वे उद्दर्श्यों (श्री मलिकराजुन) :
(क) जो हाँ, ।

(ख) जहाँ तक पूर्व रेलवे का सम्बन्ध है, सूचना कुछ नहीं है, लेकिन, दक्षिण-पूर्व रेलवे में 1970 में एक मामले में "जीव-विज्ञान" विषय वाले एक प्रेड-1 अध्यापक के सम्बन्ध में उससे वरिष्ठ अध्यापकों के अधिमान में स्थायीकरण आदेश जारी किए गए थे जिसे "अंग्रेजी" विषय पढ़ाने के लिए पदोन्नत किया गया था । जिसके लिए स्पष्ट रिकित नहीं थी ।

(ग) जहाँ तक पूर्व रेलवे का सम्बन्ध है, पिछली स्थायीकरण सूची में प्रकाशित की गयी थी । जहाँ तक दक्षिण-पूर्व रेलवे का सम्बन्ध है, उन राज्य सरकारों द्वारा जिनमें से होकर दक्षिण-पूर्व रेलवे गुजरती है, शिक्षा के ढांचे में परिवर्तन करने के फलस्वरूप अनेक समस्थाएं पैदा हो गयी थीं जिनके कारण एकीकृत वरीयता सूची नहीं बनायी जा सकी और ऐसा न होने से अध्यापकों को स्थायी नहीं किया जा

सता । कुछ घटावकों द्वारा न्यायालय से विवेदाज्ञा लाने के कारण यह मामला और भी जटिल हो गया है ।

Road Tax paid by vehicles brought for Kisan rally

10188. SHRI NIHAL SINGH : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the number of trucks, tractors, buses and other vehicles brought from other States in the Kisan Rally held in Delhi on 16th February, 1981;

(b) the number of vehicles among them whose owners had deposited road tax as also the number of those which entered Delhi without depositing road tax; and

(c) the number of vehicles challenged for the violation of rules and the amount of road tax payable by them and the action taken for its recovery ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH) (a) According to the information furnished by the Delhi Police about 35,000 vehicles entered Delhi on 15.2.81 and 16.2.81 as per details below :

(i) Buses	16,598
(ii) Trucks	13,389
(iii) Tractors	2,522
(iv) Others	2,568
(v) Camel Carts	15

(b) According to Section 15 of the Delhi Motor Vehicles Taxation Act, 1962, where in respect of a Motor Vehicle the tax payable under the law relating to taxation on motor

vehicles in force in any State, have been paid in that State for any period and that motor vehicle is brought into Delhi for use during that period, then, no tax is payable, in respect of that vehicle for such period or for a period of 90 days from the date on which the motor vehicle is brought into Delhi, whichever is shorter.

(c) In view of the reply to part (b), the question of precaution for non-payment of Road Tax by such vehicles does not arise.

Transfer of officers dealing with sensitive matters

10189. SHRI H. N. NANJE GOWDA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) the number of officers and staff under his Ministry, who have been dealing with sensitive matters like administration, vigilance and housekeeping for the last over three years;

(b) why such officials are not being transferred from their present seats; and

(c) why Government does not follow the policy of transfer from the seat/type of work after regular interval of three years so as not to create vested interest and citadels of corruption ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR). (a) Seven officers and 37 staff members are working in the Ministry of Health and Family Welfare including the Directorate General of Health Services in Administration, Vigilance and Housekeeping Sections for more than three years.

(b) and (c) Normally, transfers are made keeping in view the exigencies of work and administrative

convenience, but if the public interest so demands, a transfer from a sensitive seat is effected at any time.

Handling contract of transhipment of parcels

10190. SHRI KAMLA MISHRA MADHUKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that a handling contract executed with M/s Katihar North Sramik Sahayog Samity for transhipment of M.G. and B.G. parcels who was not an original tenderer but agreement was executed with him with a mood of fraudulent game by certain Railway officials of Headquarters Office in North Frontier Railway;

(b) if so, the reasons therefor and the details thereof;

(c) whether it is a fact that the items of Schedule of Work inter-changed against item numbers 8 and 9 resulting in increased payment since its inception by the officers of North Frontier Railway Headquarters Office and a Vigilance case was registered against them; and

(d) if so, what action has been taken against them?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) M/s Katihar North Sramik Sahayog Samity LTD., had submitted a tender for transhipment handling of M.G. and B.G. goods and parcels at Katihar and the contract was allotted to them on the basis of the said tender on the recommendations of the Tender Committee. The tender document was however purchased by the Katihar North Labourers' Cooperative Society Ltd. and the party submitted an affidavit, before the execution of

the agreement, sworn in the Court of First Class Magistrate, Gauhati that M/s Katihar North Labourers Cooperative Society L'd., and M/s. Katihar North Shramik Sahayog Ltd., are the same, the North Labourers Cooperative Society Ltd., being the English version.

(b) Does not arise.

(c) Yes.

(d) Investigations in the Vigilance case have been completed and the report is under scrutiny of North East Frontier Railway.

आगरा स्टेशन पर बेचे जाने वाले घटिया किसम के खाद्य पदार्थ

10191. श्री निहाल सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आगरा जाने वाले पर्यटक आगरे की लोकप्रिय चीजें खरीदते हैं जो घटिया किसम की हैं ती है और आगरे के बाजार भाव की तुलना में महंगी होती है; और

(ख) यदि हां, तो क्या सरकार का विचार आगरा स्टेशन पर सरकारी स्टालों पर बेचे जाने वाले खाद्य पदार्थों की समय-समय पर जांच कराने का है?

रेल मंत्रालय तथा संसदीय कार्य विभाग में उपमंत्री (श्री मत्सिकार्जुन) :

(क) श्रीर (ख) : अच्छी किसम का पेठा तथा दालमोठ को, जो आगरे की विशेष लोकप्रिय वस्तुएं हैं, विभागीय खान-पान यूनिट द्वारा निपर्सारित, टैरिफ दरों पर बेची जाती है। निरीक्षकों तथा अधिकारियों द्वारा नियमित रूप से जांच कार्य तथा अचानक निरीक्षण किया जाता है ताकि

वह सुनिश्चित किया जा सके कि यादियों को अच्छी किस्म की साथ सामग्री की बिक्री की जाती है।

Transfer of Station Masters

10192. SHRI NAWAL KISHORE SHARMA: Will the Minister of RAILWAYS be pleased to state:

(a) whether a large number of Station Masters/Assistant Station Masters are transferred now and then on account of adopting different rule for their posting;

(b) the number of staff transferred since 1978, year-wise;

(c) whether uniform policy applicable to all categories in this behalf is proposed in Bikaner Division; and

(d) if not, the reasons thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) to (d). Information is being collected and will be laid on the Table of the Sabha.

Leave Reserve Station Masters

10193. SHRI NAWAL KISHORE SHARMA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that there are no uniform rules and policy for the posting of Leave Reserves and Rest-givers Station Masters/Assistant Station Masters over Northern Railway and they are posted as Leave Reserves/Rest-givers under different rules and policies adopted from time to time by different Divisions;

(b) if so, the reasons thereof;

(c) whether in Bikaner Division—the policy in respect of Station

Masters/Assistant Station Masters for their posting as Leave Reserves/Rest-givers has been revised thrice after November, 1980 and is quite different to those of other categories; and

(d) if so, the reasons therefor ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Yes.

(b) Due to different conditions prevailing on the Divisions and location of stations.

(c) Yes.

(d) The system of Ladder posting of Station Masters/Assistant Station Masters was revised first on 1-1-81 as the existing system involved frequent transfers of staff from one station to another causing hardship to them. After introduction of new system representations were received from individuals and also an Association of Station Masters against the revised system and the same was again revised w.e.f. 6-3-1981. However, the recognised unions gave a second thought to the procedure introduced from 6-3-1981 and requested for a change and as such the system was revised for the third time w.e.f. 29-3-1981. All the revisions were made with the consent of the recognised unions.

सऊदी अरब के विदेश मंत्री के साथ हुई बातचीत के निष्कर्ष

10194. श्री मूल चन्द डागा :

श्री कृष्ण कुमार गोप्यता :

श्री जी० वाई० कृष्णन :

व्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सऊदी अरब के विदेश मंत्री को हमारे प्रधान मंत्री के साथ

अग्रैन, 1981 में बातचीत हुई थी; और

(ख) यदि हाँ, तो उसके क्या परिणाम निकले?

विदेश मंत्री (श्री पौल थो. नरसिंह राव) : (क) और (ख). जी हाँ। सऊदी अरब के विदेश मंत्री ने 14 अग्रैल, 1981 को हमारी प्रधान मंत्री से बातचीत की थी। इस बातचीत के दौरान आपसी हित के मामलों पर सोहाईपूर्ण और मिक्रता पूर्ण बातावरण में विचार-विमर्श हुआ था।

लखनऊ—काठगोदाम एक्सप्रेस में पिथोरागढ़ के लिए एक डिब्बे का आरक्षण

10195. श्री हरीश अनन्द सिंह रावत: क्या रेल मंत्री यह बताने की कृपा करेंगे कि.

(क) क्या पिथोरागढ़ जिले के लोगों की सुविधा के लिए लखनऊ काठगोदाम एक्सप्रेस में पिथोरागढ़ के लिए एक और डिब्बा आरक्षित करने का प्रस्ताव विचाराधीन है; और

(ख) यदि हाँ, तो उक्त प्रस्ताव को कब तक कियान्वित किए जाने की आशा है?

रेल मंत्रालय तथा संसदीय विभाग में उपमंत्री (श्री मन्त्तिलकार्जुन) : (क) और (ख). जी नहीं। लखनऊ और टनकपुर के बीच 7/8 नैनीताल एक्सप्रेस तथा इससे मेल लेने वाली 147/148 सवारी गाड़ी में एक दूसरे दर्जे का एक 3-टिपर शयन यान पहले से ही चल रहा है।

Refund of security amount to cycle stand contractor at Kanpur

10196. SHRI RANJIT SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the refund of security amount was granted to the cycle stand contractor- Kanpur during the currency of the contract in 1980;

(b) whether the refund of the security amount to said contractor during the currency of the contract was in accordance with the existing rules;

(c) whether the dues are still pending against the said contractor and his contract has been extended for another term of two years :

(d) whether the same contractor is operating at Allahabad also and after expiry of the contract his contract has been extended for two years, although he failed to pay the previous dues;

(e) whether the extension of two year of the contracts even after the fault for non-payment of dues was in accordance with the existing rules; and

(f) the steps which Government propose to take in order to check such practice and to put an end of financial loss ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN)(a) to (f). M/s Railway Cycle Stand Karamchari Shram Samvida Sahkari Samiti Ltd., Allahabad is operating cycle Stand contracts at Kanpur, Allahabad Railway Station Civil Lines side and Allahabad Railway city side. No refund of security money has been granted for the cycle stand contract at Kanpur Central. Some dues for the occupation of additional land

by the contractor at Kanpur Central is due for which a notice has been served. It has, however, been decided to renew the contract at Kanpur but in view of Railway dues outstanding against the contractor referred to above, the contractor has been allowed to continue temporarily. The contract at Allahabad city side has been extended temporarily.

Cycle stand contract in city side Allahabad

10197. SHRI RANJIT SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Cycle Stand contract held by a Society in city side Allahabad was terminated during 1980 due to non-payment of security dues etc;

(b) whether other societies working at Allahabad and Kanpur for cycle stand contract have paid the licence fee, security dues, and other dues in time;

(c) whether all cycle stand contractor over Allahabad Division deposited the security amount licence fee and other dues during the years 1977-78, 1979-80 up to March, 1981;

(d) if not, what action was taken to terminate the contract in time; and

(e) the total amount of loss for non-realisation of dues in respect of cycle stand contracts over Allahabad Division in 1977-1978, 1979, 1980 and March, 1981 and the action proposed to be taken against the officials in failing to realise the dues ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN). (a) to (e). The information is being collected and will be laid on the Table of the Sabha.

Treatment in Nursing Home attached to Dr. R. M. L. Hospital New Delhi

10198. SHRI K. LAKKAPPA:
SHRI D.M. PUTTE
GOWDA:
SHRI H.N. NANJE
GOWDA:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) what are the charges to be recovered from patients beneficiaries of C.G.H.S. and those of general public in respect of room-rent, diet-investigations and treatment including surgery in the nursing Home attached to Dr. R.M. Lohia Hospital, New Delhi;

(b) what is the ratio of rooms in the nursing Home for allotment to C.G.H.S. beneficiaries and to patients of general public and the number of patients of those categories admitted during 1978-1979 and 1980;

(c) whether the charges recovered from the patients of both categories are commensurate with the rising costs and wages, when these were last reviewed and when Government propose to review these again; and

(d) the total receipts from the Nursing Home patients and receipts on account of diagnosis charges from out-patients received during the last three years (year-wise) ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR): (a) to (d). The information is being

collected and will be laid on the table of the Sabha.

बिहार में अनर्हता प्राप्त डाक्टर द्वारा आंखों का आपरेशन किया जाना :

10199. श्री राम बिलास पासवान : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृजा करेंगे कि :

(क) क्या बिहार में एक अनर्हता प्राप्त डाक्टर ने आंखों का गलत आपरेशन करके दोस व्यक्तियों को अंधा बना दिया था ;

(ख) क्या देश के विभिन्न हिस्सों से अनर्हता प्राप्त डाक्टरों के समाचार मिल रहे हैं ; और

(ग) देश में ऐसी नई-चिकित्सा को रोकने के लिए सरकार द्वारा क्या उपाय किये जा रहे हैं ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री निहार रंजन लक्ष्मण) :
(क) यह सूचना एकत्र की जा रही है और सभा पटल पर रख दी जाएगी ।

(ख) जी हाँ ।

(ग) भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 की धारा 15(2) के तहत राज्य मेडिकल रजिस्टर में दर्ज किसी चिकित्सक से भिन्न किसी व्यक्ति द्वारा प्रैक्टिस किए जाने को मना होता है। इस उपबन्ध के अधीन अपराध करने वालों को कैद की सजा दी जा सकती है जिसकी अवधि एक वर्ष तक हो सकती है अयत्वा उन्हें 1000 रुपये से भी अधिक जुर्माना किया जा सकता है अयत्वा उन्हें कैद और जुर्माना दोनों किए जा सकते हैं। परम्परागत चिकित्सा पद्धतियों अर्थात्

आयुर्वेद, सिद्ध, यूनानी और होम्योपैथी की प्रैक्टिस भारतीय चिकित्सा केन्द्रीय परिषद अधिनियम 1970 और होम्योपैथी केन्द्रीय परिषद, अधिनियम, 1973 के अधीन विनियमित की जाती है। इन दोनों अधिनियमों के उपबन्धों के प्रवर्तन से केवल उन्हीं व्यक्तियों को प्रैक्टिस करने का अधिकार है जिसमें नाम किसी राज्य रजिस्टर में दर्ज होते हैं। जिन राज्यों में परम्परागत चिकित्सकों का रजिस्टर नहीं होता उनमें केवल उन्हीं व्यक्तियों को प्रैक्टिस करने का अधिकार है जिनकी अपनी चिकित्सा पद्धति की प्रैक्टिस की अवधि इन उपबन्धों के प्रवर्तन के समय 5 वर्ष से कम नहीं थी। जो व्यक्ति इन अधिनियमों के उपबन्धों का उल्लंघन करता है उसे दण्ड देने के लिए दोनों अधिनियमों में दाण्डिक व्यवस्थाएं की गई हैं।

Foreign hand behind Akali separatist Propaganda

10200. SHRI SATISH AGARWAL: Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government's attention has been drawn to the news item appearing in 'Indian Express' dated 13th April, 1981 that a Central Minister after a tour of some foreign countries has found that certain Akali leaders were propagating separatist sentiments;

(b) whether he has also noticed that such activities were being financed by foreign countries hostile to India;

(c) whether he has also suggested that the foreign countries concerned should be requested to repatriate such people to India for trial; and

(d) if so, the names of the Central Minister the countries which he has visited and the action taken by the Government in this regard ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO): (a) Yes, Sir.

(b) to (d). The Minister visited the Philippines, Singapore and Malaysia. The aforementioned news item quotes his suspicion that certain individuals engaged in anti-national activities are being financed by foreign countries hostile to India. The item further reports the Minister's suggestion that an approach could be made to repatriate such individuals to India where they could be dealt with according to our laws.

Government have no confirmation that any foreign country hostile to India is financing the separatist demand of certain Akali elements.

Government remain vigilant in the matter and will deal appropriately with those who indulge in anti-national activities.

Non-Aligned panel's efforts to end Iran-Iraq war

10201. SHRI SATISH AGRAWAL:

SHRI RASABEHARI BEHERA:

SHRI S.M. KRISHNA:

SHRI CHINTAMANI JENA:

SHRI CHITTA BASU:

DR. VASANT KUMAR PANDIT:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the Neutral Nations Peace Mission had visited Middle East to find a solution to the Iran-Iraq War;

(b) if so, the countries that they could visit;

(c) what has been the response of both the warring countries to the proposals made by the Peace Mission; and

(d) whether any headway could be made in introducing peace in the area ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V. NARASIMHA RAO): (a) and (b). Yes Sir; in pursuance of the mandate given by the recent Non-Aligned Foreign Minister's Conference, the Non-Aligned Ministerial Committee in regard to the Iraq-Iran conflict visited Baghdad on April 8-9 and Tehran from April 10-12.

(c) During its first visit to the two capitals, the Non-Aligned Committee did not carry any proposal regarding the substantive issues of the conflict. Its first and foremost task was to try and understand all the facts intricacies and various dimensions of the problem in order to contribute to finding a solution of the conflict at the earliest. In both capitals a warm and cordial welcome was extended to the Committee. The Governments of Iraq and Iran explained to the Committee their positions in regard to the various issues involved.

(d) The Non-Aligned Committee is resolved to exert "all possible efforts" in order to contribute towards attaining a peaceful settlement. It is likely to visit the two countries again in near future.

Staff reduction in India's Missions Abroad

10202. SHRI N. E. HORO:

SHRI M. V. CHAN-

DRASHEKARA MURTHY

SHRI CHINTAMANI JENA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that Government have brought down the staff strength in the Indian Missions abroad;

(b) if so, to what extent and the number of Indian and foreign employees, if any, effected as a result thereof, and

(c) the details regarding the saving as a result thereof?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO) (a) and (b). Yes, Sir. In accordance with Government's policy of keeping under review the staffing requirements of India's Missions/Posts abroad, in the course of the last year or so staff review exercises have been undertaken in regard to our Missions and Posts in London, Dacca, Kathmandu, Bangkok, Rangoon and Karachi. Similar exercises in respect of our Missions & posts in the USA are being undertaken. Precise final manning tables for all these are still being worked out and are not yet available.

(c) Posts rendered surplus in the large Missions are being transferred to those smaller Missions/Posts principally in West Asia and Africa whose personnel needs require to be augmented. Saving being effected in certain places are thus enabling Government to incur additional expenditure in certain other Missions/Posts.

Repressive measures in Pakistan

10203. SHRI MADHAVRAO SCINDIA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the latest developments in Pakistan, including the banning of all political parties and the en-masse resignations by Supreme Court and other Judges; and

(b) if so, what steps have been taken to have on the spot and first hand appraisal of the reportedly

explosive situation in Pakistan in the context of the prospects of increasing military aid to Pakistan by China and USA and the need for maintaining peace and security in the region?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO) (a) Yes, Sir.

(b) Reports and appraisals are sent to Government through diplomatic channels.

Railway Contracts in Pragati Maidan

10204. SHRI R. N. RAKESH: Will the Minister of RAILWAYS be pleased to state the number of Railway contracts which have been given in Pragati Maidan, New Delhi along with the names of contractors in connection with the Asia 1982 by the Delhi Division of Northern Railway and the methods adopted for this purpose?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): No contract has been given by the Northern Railway in Pragati Maidan in connection with the Asia 1982.

Appointment of Arbitrators

10205. SHRI R. N. RAKESH: Will the Minister of RAILWAYS be pleased to lay a statement showing:

(a) the number of applications received by the Northern Railway for the appointment of arbitration in 1977-78, 1978-79 and 1979-80, Division-wise;

(b) the number of arbitrations appointed during the above period, Division-wise;

(c) the number of applications rejected by the Northern Railway for appointment of arbitration in the above period Division-wise;

(d) the number of cases for arbitration allowed by the courts out of the rejected cases by the Northern Railway during the above period Division-wise; and

(e) the number of cases pending in the courts for appointment of arbitration?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) to (e) The information is given in the statement laid on the Table of the House (*Placed in Library. Sl. No. LT-2565/81*)

Upgradation of Inspectorate Categories

10206. SHRI R. N. RAKESH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the implementation of upgrading of the Inspectorate categories in Commercial and operating Branches have been completed over all Zonal Railways; and

(b) if not, why the implementation has been delayed over Northern Railway?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) and (b). The information is being collected and will be laid on the table of the Sabha.

Availability of railway wagons

10207. SHRI JYOTIRMOY BOSU: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that despite the increase in the number of wagons, their availability for traffic has gone down since 1976;

(b) if so, the details thereof; and

(c) the factors responsible for the same?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) and (b) The number of wagons available with the railways and the daily average originating loading per day both on the Broad Gauge and Metre Gauge since 1976-77 are given below:

(in terms of 4-wheelers)

Year		Ownership of wagons at the end of the financial year	Daily average originating wagon loading	
			Broad Gauge	Metre Gauge
1976-77	.	406880	116861	25292
1977-78	.	415139	117285	25202
1978-79	.	419513	117544	23937
1979-80	.	426534	117774	23130
1980-81 (as on 1-3-81)	.	427954	116132	23520
				4793

Although loading showed declining trend since 1976-77 but from the middle of 1980-81 it has considerably improved as would be evident from the following figures:

	Broad Gauge	Metre Gauge
April—Sept., 1980	22064	4391
Oct. '80—March-1981	24976	5213

(c) The availability of wagons for loading of traffic depends upon the turn-round time which has been affected during the past few years due to various factors most of which were beyond railways' control. Some of these factors were, severe power cuts particularly in the Eastern sector, law and order situation in various States, heavy detentions to wagons by some of the major users of rail transport such as steel plants, power houses, leading to their less availability for further loading etc. However, with the special steps having been taken during the year 1980-81 the position has shown improvement and loading has been more than the loading done during the previous year.

Growth of route kilometrage

10208. SHRI JYOTIRMOY BOSU: Will the Minister of RAILWAYS be pleased to state:

(a) what is growth of route kilometrage of Indian Railways since 1947, how much it was on 16th August, 1947 and how much it is on 31st March, 1981;

(b) whether his Ministry is suffering from resources constraint to meet its requirements more fully;

(c) if so, whether he has received suggestions that Public Deposit Schemes should be adopted in order to get money from the open money market;

(d) if so, what action he has taken in the matter; and

(d) if not, the reason therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) :

(a) Data of Route Kilometrage is maintained as on 31st March each year, latest figure available being as on 31-3-1980. Route Kilometrage was 54,693 as on 31st March, 1948 and 60,933 as on 31st March 1980 respectively, the increase being 11.4%.

(b) to (e). The outlay allotted for the Railways in the Sixth Five Year Plan is less than the demand projected by the Ministry.

Of late, suggestions have been received that the Government should invite public borrowings for various railway line projects. In this context, it may be explained that the Ministry of Railways are an integral part of the Central Government and their allocation of funds for Plan expenditure is determined by priorities laid down in the national five year Plans. Public borrowing is a part of the overall resource mobilisation of the Central Government and under the extant policy, individual Ministries are not permitted to raise public borrowings for specific plan schemes. The rationale of this approach is the paramount need to pool all available resources in the country and put them to best use according to national priorities rather than sectoral priorities.

As indicated in the Budget speech introducing the Railway Budget, 1981-82 in the Lok Sabha on 19-2-1981 the High Power Expert Committee being set up for examining various aspects relating to railways will also go into the question of raising adequate resources for development of railways.

Coal Wagons for Cement Companies in Rajasthan

10209. SHRI CHIRANJI LAL SHARMA : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government are aware that in view of railways failure to supply required number of wagons of coal to the cement companies in Rajasthan, the production of cement of the cement plants has decreased; and

(b) if no, the steps so far taken by Government for stepping up of coal supplies to the cement factories in Rajasthan ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) :

(a) The allotment of coal wagons to cement factories in Rajasthan which stood at 1900 in January 1981, increased to 2,462 in February and 2,840 in March 1981. The production of cement in these factories also increased to 1,84,121 tonnes in March, 81 as compared to 1,14,264 in January and 1,43,090 in February 1981.

(b) The supply of coal to them has already been stepped up.

Coal Handling and Cinder Picking At Kharagpur

10210. SHRI NARAYAN CHOUBEY : Will the Minister of RAILWAYS be pleased to state :

(a) how many workers are engaged in coal handling and cinder picking at the South Eastern Railway Loco shed, Kharagpur and the small loco shed at Nimpura;

(b) how they are engaged at Kharagpur and Nimpura respectively and what they are paid respectively;

(c) in view of the steep rise in prices, whether there is any proposal to enhance their wages in near future; and

(d) if so, when and the amount thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) :

(a) Number of workers engaged in coal handling and cinder picking work:

<i>Name of loco shed</i>	<i>No.of workers engaged in coal handling</i>	<i>Cinder picking</i>
Kharagpur .	102	77
Nimpura .	42	10

(b) At Kharagpur, the workers are engaged by the Labour Committee as per the requirements of the work and they are paid by the Committee. The Railway Administration insists on payment at the minimum wages approved by the local Civil Administration. At Nimpura the workers are engaged by the M/s. South Eastern Railway Cooperative Labour Contract Society Limited and the payment is arranged by the society with the stipulation of minimum wages approved by the local civil Administration.

(c) and (d) The question of enhancement of the wages of the workers is the responsibility of the Labour Committee at Kharagpur Loco shed and of the Labour Cooperative Society at Nimpura Loco Shed. The Railway Administration considers the proposal submitted by the respective contractors at the time of the expiry of the existing contract/renewal of contract depending upon the circumstances prevalent at that time.

Administration of Railway workshops

10211. SHRI NARAYAN CHOUBEY : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government have plans to modernise the Railway workshops ;

(b) if so, what are the workshops that are going to be modernised ;

(c) whether Kharagpur Railway workshop is proposed to be modernised, what are the special features of modernising the same and the estimated cost thereof ;

(d) the number of Railway employees in the Workshop including stores Department attached to workshop as on 31st March, 1975, 31st March, 1976, 31st March, 1977, 31st March, 1978, 31st March, 1979, 31st March, 1980 and 31st March, 1981; and

(e) whether the number of staff will grow in number or fall in number after modernisation, the approximate number thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Yes.

(b) The following workshops/ Production Unit are being modernised in the 1st Phase of the Workshops Modernisation Project:-

1. Matunga Workshop of Central Railway.
2. Kanchrapara Workshop of Eastern Railway.
3. Kharagpur Workshop of South-Eastern Railway.

4. Parel & Mahalaxmi Workshop of Western Railway.

5. Chittaranjan Locomotive Works.

(c) Yes. Special features of the scheme are the improvement of workshop deficiency through acquisition of modern machinery and plant and acquisition of unit exchange spares for minimising maintenance time. The estimated cost of Kharagpur Workshop Modernisation is Rs. 793.55 lakhs.

(d)	31-3-75	15393
	31-3-76	15516
	31-3-77	15506
	31-3-78	15750
	31-3-79	15820
	31-3-80	15827
	31-3-81	15899

(e) There will neither be any increase nor decrease in the number of employees on account of modernisation of Kharagpur Workshop.

Guidelines to States for Setting up of Leprosy Control Board

10212. SHRI A/C. DAS : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) the states where Leprosy Control Board have been constituted ; and

(b) whether Government have a proposal to send guidelines to various States for the formation of such Leprosy Control Boards ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) and (b). The State Govt. of Bihar had on its own, consti-

tuted a Leprosy Control Board for co-ordinating leprosy relief work among the voluntary agencies. According to information available, this Board is not functioning effectively now. The Govt. of Karnataka have formed a State Leprosy Advisory Committee which is still functioning. In several states, the State Branch of the Hind Kusht Nivaran Sangh under the Chairmanship of the Governor of the State, acts as a platform for exchange of views between the State Government and the voluntary sectors and for making recommendations to the State Government.

There is no proposal before the Central Government to issue guidelines on this subject to the Government.

Admission in three Medical Colleges of the Capital

10213. SHRI ARJUN SETHI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether it is a fact that students seeking admission to the three Medical Colleges in the Capital are worried over the delay in announcement of the admission as per schedule; and

(b) if so, the reasons in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) and (b). It has been intimated by University of Delhi that a notification inviting applications for admission to the M.B.B.S. Course of the University with which the Medical Colleges of Delhi have been affiliated, was issued on 23rd April, 1981 and the date for receipt of applications from the students is 20th May, 1981. The entrance examination for admission

to this course is scheduled to be held on 8th/9th June, 1981 at Delhi as per schedule notified.

Cheating of Travel Agency by an Indian in Dubai

10214. SHRI ARJUN SETHI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the *Hindustan Times* dated the 15th April, 1981 that an Indian National is alleged to have swindled more than Rs. 480 lakhs from a Travel Agency in Dubai and escaped to India; and

(b) if so, the details thereof?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHARAO) (a) Yes Sir; the Government have seen the news item referred to in the question.

(b) The above news item is in regard to an Indian national, namely Shri Gopinath Nadukuddy Sitaram, son of Nadukuddy Parakandy Karanakaran, bearing Passport No. Q-64542. He is suspected to have embezzled Dirham six million (equivalent) to approx Rs. 1.2 crores in cheques in Dubai. Shri Gopinath Nadukuddy Sitaram has been an accountant for the last 15 years in the Dubai National Air Travel Agency. He is understood to have returned to India on April 3, 1981.

Dubai Police have sought assistance and cooperation of the Government of India for investigating the charge of embezzlement against Gopinath Nadukuddy Sitaram. Necessary cooperation is being extended.

तदर्थ आधार पर शॉटिंग मास्टरों को नियमित किया जाना

10215. श्री सत्य नारायण जटिया : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सेंट्रल बम्बई यार्ड में शॉटिंग मास्टर तथा शॉटिंग जमादार गत एक दशक से तदर्थ आधार पर काम कर रहे हैं :

(ख) यदि हां, तो उनकी सेवाओं को शीघ्र ही नियमित करने हेतु क्या कदम उठाये जा रहे हैं ;

(ग) क्या यातायात विभाग के पेटमैन, शॉटिंग जमादार तथा शॉटिंग मास्टरों के ग्रेडों का दर्जा नहीं बढ़ाया गया है ; और

(घ) यदि हां, तो पेटमैनों को 250-400 रुपये (पुनरीक्षित) और शॉटिंग मास्टरों को 330-560 (पुनरीक्षित) तथा 425-640 रुपये (पुनरीक्षित) वेतनमान देने पर विचार न किये जाने के क्या कारण हैं ?

रेल मंत्रालय तथा संसदीय कार्य विभाग में उपमंत्री (श्री महिलकार्जुन) :

(क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

(ग) कांटेबाले का वेतनमान 200-250 रुपये से ऊंचा करके 210-270 रुपये और शॉटिंग जमादार का वेतनमान 225-350 रुपये से ऊंचा करके 330-480 कर दिया गया है ।

(घ) इन कोटियों के वेतनमान में संशोधन करने का कोई श्रोतित्य नहीं है ।

Booking Office at Karjput

10216. DR. SUBRAMANIAM SWAMY. Will the the Minister of RAILWAY be pleased to state :

(a) whether it is a fact that there is no Railway Booking office on the Eastern side of (i) Karjur Marg and (ii) Vidya Vihar Railway Station in Bombay.

(b) if so, whether Government are aware that there are large number of commuters using these Side from the Eastern side ; and

(c) if so, why the Railway have not opened booking office on the Eastern side for the benefit of the passengers.

THE DEPTLY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) yes.

(b) and (c). While booking office is being provided of the Eastern side of Vidya Vihar Railway station, adequate land is not available on the east side of Karjur Marg Railway station for providing such a facility.

Declaration of Roads at Highways in Kerala

10217. SHRI A. NEELALOHI-THADASAN NADAR: Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the Government of Kerala has requested to the Government of India to declare certain road as National Highways;

(b) what are those roads;

(c) when Government propose to declare these roads as National Highways; and

(d) the action taken by Government in this respect ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH) : (a) to (d). In the Fifth Plan, the Kerala Government proposed the following roads for being declared as National Highways

1. Cocoin-Madurai Road.
2. Quilon-Shencottah road.
3. Calicut-Vaithiri-Sudaloor road.
4. Kottoor-Ambasamudram road.
5. M. C. Road.

Similar proposals have been received from other States also and all these have to be examined keeping in view the available resources, criteria laid down for declaring roads as National Highways and *inter-se* priority of individual roads on an All India basis. It is not possible at this stage to indicate whether any particular road or roads would be taken over as National Highways.

Bomb Blast at Indian Mission in Uganda

10218. SHRI B. V. DESAI:
SHRI CHITTA BASU:

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that there was a bomb blast at Indian Mission at Uganda on the 8th April, 1981;

(b) whether any detailed report has been received from the Embassy in this regard;

(c) if so, the details of the incident and the total damage caused; and

(d) whether any enquiry has been conducted?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO): (a) Yes, Sir; a grenade exploded on 8-4-81 in ground floor of the building which houses the Indian Mission in Uganda.

(b) Detailed information has been received from our Mission regarding this incident.

(c) At about 0900 hrs. on 8-4-1981 a grenade placed at the lattice section (jaffrey type portion) of the wall separating the restaurant on the ground floor of the building and the gallery leading to the stairs to the first floor offices of the Indian High Commission in Uganda, exploded.

According to the information received from the High Commission no member of the Mission was injured. The blast caused damage to the walls and the stairs leading to the first floor offices of the High Commission including the metal door of the electric junction box. However, no damage to the electrical fittings has been reported.

(d) The local police and Foreign Office have been informed. The local police are conducting investigations into the incident.

Darkness in Railway Stations

10219. SHRI HARINATH MISRA: Will the Minister of RAILWAYS be pleased to state:

(a) on how many nights there was complete or partial darkness in each of the following Railway Stations during the period from 1st January, 1980 to 31st March, 1980
(i) Palezaghat (ii) Sonepur, (iii) Samastipur (iv) Lehriasari and (v) Darbhanga;

(b) the total number of trains that were put to inconvenience as a result of partial or complete darkness on each of these stations; and

(c) the remedial measures that have been taken or are proposed to be taken in this connection?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a)

Station	No. of nights with total darkness	No. of nights with partial darkness
Palezaghpat	70	386
Sonepur	5	445
Samastipur	..	301
Darbhanga	2	428
Lehriasarai	2	428

(b) Only five trains at Darbhanga.

(c) Bihar State Electricity Board are approached regularly for continuous power supply. Diesel Generating sets are also provided to cater for only the essential loads at Palezaghpat, Sonepur, Samastipur and Darbhanga.

Late Running of Pashupati-nath Express

10220. SHRI HARINATH MISRA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of days during the period from January, 1981 to 31st March, 1981 when the Pashupatinath Express running between Narkatiaganj and Palezaghpat arrived late and as a consequence of which the passengers failed to make use of the corresponding railway-run steamer service between Palezaghpat and Maheudrughat;

(b) the reasons behind the late arrival of the train at Palezaghpat; and

(c) the steps that were taken or are proposed to be taken in future for timely arrival of the train?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) During January, '81 to March, '81 '77 Up Narkatiaganj, Palezaghpat Express missed connection with corresponding steamer services on 43 days.

(b) Punctuality of '77 Up Express was affected mainly on account of excessive Alarm Chain Pulling/ Vacuum disturbances, late arrival of rakes because of late running of their link trains etc.

(c) Efforts are being made not only to improve the punctual running of trains by launching frequent checks in coordination with State Government to prevent the nuisance of hosepipe cutting/Vacuum disturbances but also to provide steamer connection invariably.

Visit of Representative of India to Medical Council to Darbhanga Medical College

10221. SHRI HARINATH MISRA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to refer to the reply given to Unstarred Question No. 4524 on the 18th December, 1980 regarding visit of representative of Indian Medical Council to Darbhanga Medical College and state:

(a) whether Government propose to lay on the Table a copy of the Inspection Report (February, 1979) on the facilities available for Under Graduate Training at Darbhanga Medical College by the Inspector of Medical Council of India and the compliance report dated the 7th December, 1979 of Bihar Government to the Medical Council of India;

(b) when the report on MS (ENT) was submitted by the Inspector and what improvements were suggested therein; and

(c) the results thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR): (a) No.

(b) The Inspection Report on MS (ENT) of Inspector of Medical Council of India was sent to the University of Mithila on the 28th May, 1979 and the following improvements were suggested in this Report:—

1. There are at present 3 units in the E. N. T. Department. The staff pattern is not adequate. Two more Tutors posts or Assistant Professor posts be sanctioned.

2. In the O. P. Department, there is dearth of nursing staff. One more staff nurse is to be appointed in the Out patient Department on permanent basis.

3. The Audiometry room is not air conditioned and sound proof. Therefore, it is desirable to have in the future a sound proof A. C. room for Audiometry.

4. There is no audiologist. A post of Audiologist is essential and a qualified audiologist may be appointed.

5. In the modern era, the necessity for a speech therapist is felt. There is no speech therapist. It is desired that steps may be taken in this direction.

6. A steno-typist to the Department is needed.

7. The following instruments have to be obtained for augmenting

teaching programme and the work of E. N. T. Department:—

(a) Microlaryngeal surgery instrument & equipment.

(b) Gold light transformer with fibre optics.

(c) Photo-optical equipment.

(d) The Principal, Darbhanga Medical College, Laharia Sarai, has indicated to the Medical Council of India that he has moved the state Govt. for sanction of the needed posts and procurement of the recommended instruments.

Proposal to start Psychiatry course in Maulana Azad Medical College

10222. DR. SARADISH ROY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government propose to start M. D. course in Psychiatry in Maulana Azad Medical College, Delhi ; and

(b) if so, when and the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE: (SHRI NIHAR RANJAN LASKAR): (a) and (b). Yes. The details are being worked out in consultation with the Medical Council of India and the Delhi University.

Proposal for a committee on labour unrest at Calcutta port

10223. SHRI SONTOSH MOHAN DEV:

SHRI KRISHAN KUMAR GOYAL:

SHRI BHIKU RAM JAIN:

Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that Government propose to constitute a Commit-

tee to make an in-depth study of the causes of frequent labour unrest in Calcutta port;

(b) whether it is also a fact that such a suggestion has been made by the West Bengal Government; and

(c) if so, the details thereof and the action taken thereon?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI VEERENDRA PATIL): (a) No, Sir.

(b) No such suggestion for an in-depth study of the causes of frequent labour unrest in Calcutta port has been received from the West Bengal Government.

(c) Does not arise.

Number of employees in catering Department

10224. SHRI GEORGE FERNANDES: Will the Minister of RAILWAYS be pleased to state:

(a) the total number of employees in the Catering Department of the Indian Railways and what are their service conditions;

(b) whether Government have received representation on behalf of the Canteen Staff employed in the Railway Canteens but who are not treated on par as the employees of the Catering Department; and

(c) what Government propose to do in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Information is being collected and will be laid on the Table of the Sabha.

(b) Yes.

(c) The matter is under consideration.

Suggestions on ways and means of reducing Rail accidents

10225. SHRI GEORGE FERNANDES: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received a number of suggestions from Wing Commander Raizada Harbans Chawdhry (Retired) of Gurgaon on ways and means of reducing rail accidents;

(b) if so, whether these have been examined;

(c) whether any decision has been taken thereon; and

(d) if not, why not?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Yes.

(b) to (d). Yes. But were found not feasible.

Installation of Computers

10226. SHRI GEORGE FERNANDES: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is a move to instal third and fourth generation computers in the Indian Railways;

(b) if so, the details thereof;

(c) the number of persons who would be displaced following the installation of these computers; and

(d) the cost of installing these computers?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Yes.

(b) It is proposed to instal advanced Computer Systems in replacement of the existing ¹³ IBM-1401 computers on the Railways. It is also proposed to provide a computer system in the Research, Designs & Standards Organisation, Lucknow. In addition the feasibility of introducing on-line real time computers for Passenger-Reservation and Wagon Movement Control is being examined.

(c) and (d). No precise assessment in these regards is possible at this stage.

Promotion of Railway Ministerial Staff

10227. SHRI GEORGE FERNANDES: Will the Minister of RAILWAYS be pleased to state :

(a) whether Government are aware that the promotional prospects for the Ministerial Staff in the Indian Railways are very meagre and bleak;

(b) whether it is a fact that some of the staff retire as senior clerks in the scale of Rs. 330-560; and

(c) if so, what steps are being taken by Government to provide additional promotional avenues to the Ministerial staff ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (c). The information is being collected and will be laid on the Table of the Sabha.

Railways Land for Rayagada Municipality

10228. SHRI GIRIDHAR GOMANGO : Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 418 on the 19th Feb. 1981 regarding relinquishing railway land in favour of Rayagada Municipality and State :

(a) Since when the Rayagada Municipality and the Government

of Orissa have been approaching the Railway Administration for the relinquishment of railway land in the heart of Rayagada town for construction of houses for the land, less poor and also for official purpose ;

(b) whether it is a fact that out of 200 acres of railway land lying vacant only 35 acres of land is being required by the State Government which are inside the town and prepared the Master Plan for town development by that State on that basis ;

(c) If so, when the Railway Administration is likely to complete the re-assessment of requirement of the Railway land in the Rayagada town ;

(d) as the Koraput, Rayagada rail link which was proposed now the base station will be Singpur Road ; and

(e) If so, the requirement of land in Rayagada.

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Rayagada Municipality approached the Railway in 1976 for relinquishment of railway land encroached upon by local people. Government of Orissa requested for the transfer of railway land for official purposes sometime in 1975.

(b) Out of 172.50 acres of unutilised railway land 35 acres are required by the State Government. The Railway Administration has no information about preparation of a Master Plan for this land.

(c) It will take a minimum of two years to complete the assessment of requirement of land by the Railway at Rayagada.

(d) The junction station of the proposed link to Koraput is likely to be Singapuram Road.

(e) In view of reply to part (c) of this question above, it is not possible to hazard a guess in regard to the requirement of land at Rayagada at this stage.

Express Train between Waltair and Bokaro Via Rayagada

10229. SHRI GIRIDHAR GOMANGO : Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 7041 on the 9th April 1981 regarding proposal to run Express/Passenger Train between Rayagada and Rourkela and state :

(a) if the introduction of an Express Train between Rayagada and Rourkela is not found operationally feasible due to single line section how the Madras-Bokaro Express, Link Express from Vizianagram to Titlagarh could run in this existing single line therefor ;

(b) the measures taken so far and for future to provide maintenance facilities at Rayagada coaching stock facilities and the power etc. by the Railway Administration keeping the future development of the Rayagada station due to the Koraput-Rayagada Rail link and to run the proposed express train ; and

(c) whether the Railway Administration propose to examine to run an Express Train from Waltair to Bokaro via Rayagada which is operationally feasible ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) (a) 89/90 Madras-Bokaro Express was routed via Titlagarh-Vizianagram in 1970. Introduction of additional train on the section at present is not feasible.

Introduction of an Express train between Rayagada and Rourkela is also not justified as the existing services cater adequately to the present volume of traffic.

(b) There is no proposal to provide maintenance facilities at Rayagada.

(c) No.

Recommendations of Working Group on tribal development

10230 SHRI GIRIDHAR GOMANGO : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether the working Group on Tribal Development in Fifth Plan recommended in their Report that in tribal areas family welfare approach should be adopted instead of family planning approach ;

(b) if so, whether his Ministry cautioned the States on this matter and asked to draw schemes and programmes in tribal areas fixing the sub-target in tribal districts for family planning ;

(c) if so, the names of States which followed the advice of the Government of India in Fifth Plan and continued in Annual plan of the Sixth Plan ; and

(d) whether his Ministry will issue directions to the States to plan out the programmes for each area and districts keeping the view the demographic structure of the area and to fix the target separately from over all target of the State ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RAJAN LASKAR) (a) Yes

(b) Central guidelines were issued to the States in the May, 1978, em-

phasising that greater stress should be laid on welfare activities including strengthening of general health care, maternity and child care services, rather than on population control in tribal areas. It was specially emphasised that the Tribal welfare Departments of the States should identify such tribal population groups as are threatened with extinction in the long run owing to their stagnant or negative growth rate and the State Government were advised not to implement population control measures for these groups but strengthen maternity and child health and immunisation services besides taking steps for improving their nutritional status.

(c) The required information is not readily available

(d) The suggestion will be considered

Railway lines after Independence

10231. SHRI GIRIDHAR GO MANGO : Will the Minister of RAILWAYS be pleased to state :

(a) the narrow gauge, metre gauge and broad gauge lines constructed by Government after Independence, Five Year Plan-wise upto the end of the Fifth Plan and the State covered by the new railway lines so far, Statewise ;

(b) the narrow gauge, metre gauge and broad gauge lines constructed before Independence and the conversion of lines taken up by Government since then ;

(c) the policy framed by the Central Government for the construction of new Railway lines and conversion of lines into broad gauge lines in First Five Year Plan and rest of the Five Year Plans up to the Sixth Plan ;

(d) the new Railway lines included for construction in current financial year and the lines to be taken up during the Sixth Plan, the names thereof ; and

(e) whether the Central Government are giving priority for inclusion and construction of new railway lines in hill and Tribal areas ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (e). A Statement is laid on the table of the House [Placed in library see No. LT-2566/81]

Stagnation of Medical Officers Drawing Maximum of Pay Scales

10232. SHRI MOOL CHAND DAGA : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether it is a fact that the recommendation of Third Pay Commission and of the Department of Personnel and Administrative Reforms made more than 8 years ago in respect of the cadre review of CGHS Medical Officers have not been implemented so far, as a result, a large number of Medical Officers are stagnating at the maximum of their scale of pay in senior Class I and their further promotion blocked, causing frustration amongst the Officers ;

(b) whether in spite of these recommendations made as early as 1962, the Health Ministry has taken no steps to implement them notwithstanding the fact that several other Ministries have reviewed their cadre on more than one occasion ; and

(c) whether the Government propose to present a time bound programme for this ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR): (a) to (c). On receipt of the recommendations of the Third Pay Commission in 1974 this Ministry took up the cadre and its management review in consultation with the Union Public Service Commission and the Department of Personnel and Administrative Reforms with a view to improve career prospects of the CHS Officers. The stagnation of medical Officer in the Senior Class I scale of pay in the many cases is mainly due to the abnormal increase in pay they got as a result of grant of benefit in the fixation of their pay by application of concordance table or stepping up of pay as provided in Ministry of Finance O.M. No. F. 12/21/74-IC, dated 14-11-1976 extended from time to time. All efforts are being made to finalise the restructuring of the CHS and draft CHS Rules governing it at an early date.

ट्रैक्शन विभाग में नियमित नियुक्तियां

10233. श्री चतुर्भुजः क्या रेल मंत्री यह बताने की कृता करेगे कि :

(क) क्या यह सच है कि पश्चिम रेलवे के वम्बई डिवीजन में ट्रैक्शन विभाग (कार शैड तथा ओवर हैड) में 425-700 रुपये (पुनरीक्षित) 550-750 रुपये (पुनरीक्षित) तथा 700-900 (पुनरीक्षित) वेतनमानों वाले पदों पर यत 10 वर्षों के दौरान नियमित नियुक्तियां नहीं की गई हैं ;

(ख) यदि हाँ, तो इसके क्या कारण हैं ;

(ग) क्या 10 वर्ष की लम्बी अवधि से तर्दश्य आधार पर कार्य कर रहे कर्मचारियों को नियमित कर्मचारी माना जायेगा ; और

(घ) यदि नहीं, तो नियमित नियुक्तियां कब तक किये जाने की आशा है ?

रेल मंत्रालय तथा संसदीय व दूरधिक्षण में उपमंत्री (श्री मल्लिकार्जुन) :

(क) जो नहीं ।

(ख) से (घ). प्रश्न नहीं उठता।

Societies awarded cycle stand contracts on Allahabad Division

10234. SHRI RANJIT SINGH : Will the Minister of RAILWAYS be pleased to state :

(a) the names of societies' contractors who were awarded cycle stand contracts on Allahabad Division during the last two years and mode of award followed ;

(b) if rules and procedure for award of cycle stand contracts were circumvented, what were, the considerations thereof and under whose order award was sanctioned ; and

(c) the Railway dues which were or are outstanding against Society awarded Cycle Contracts at Allahabad during the last two years ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) The following contractors were awarded cycle stand contracts on Allahabad Division during the last two years. These were awarded on open tender basis :—

Place	Name of the contractor
1. DRM Office, Allahabad	Shri Naruddin
2. Kanpur	m/s Railway Cycal S and Karamchhari
	Shram Samvida Sahkari Samiti Ltd., Allahaba l.
3. Allahabad	(Civil lines side) -do-
4. Allahabad (City side)	-do-
5. Govindpuri	-do-

6. Aligarh and Dan kaur M	m/s Bhartiya Rail Shram Samvida Sahkari Samiti Ltd., Aligarh
7. Dadri	Shri Na'ha Ram

(b) All the contracts were awarded on open tender basis except at Kanpur and Allahabad City side. At Kanpur the contract of the party expired on 31.1.81. It has been decided to renew the contract of this Samiti as their services have been found satisfactory. At Allahabad city side the contract was originally awarded on open tender basis to M/s Railway Mazdoor Sangh Shram Samvida Sahkari Samiti Ltd., Allahabad for a period of two years from 27.3.80—26.3.82. As the society failed to pay the advance deposit the contract was terminated on 3.7.80 and the existing contractor of cycle stand on Civil side was asked to look after this work on purely temporary basis till regular arrangements could be made.

(c) The following amounts are outstanding upto April 1981 :—

Allahabad (city side)	Rs. 41250.15 (licence fee)
Allahabad (civil lines side)	Rs. 28240.80 (licence fee)
Kanpur	Rs. 15346.55 (Rent for addi- tional land)

Indo-Soviet Protocol on Shipping

10235. DR.VASANT KUMAR
PANDIT :
SHRI K. MALLANNA

Will the Minister of SHIPPIN
AND TRANSPORT be pleased
state :

(a) whether Government's atten-
tion has been drawn towards news

item appearing in the "Free Press" Journal Bombay edition dated 14th February 1981, under the caption "India-Russia sign Shipping protocol" ;

(b) if so, the details of discussions held with the Indian counter-parts ; and

(c) the expected urea and other dry cargo expected to be increased between the two countries and the extent to which India will be benefited ?

**THE MINISTER OF SHIPPING
AND TRANSPORT (SHRI
VEERENDRA PATIL) :** (a) to (c). The shipping services between India and USSR are provided under the inter-governmental shipping Agreement signed in 1956 and revised in 1976. The Agreement provides for the establishment of a joint committee to evaluate and supervise the working of the Agreement. At the meeting referred to, matters relating operational aspects of the shipping services were discussed and it was agreed that :

(i) An experimental shipment of bulk urea from Soviet ports to India would be made for such transportation in future :

(ii) The possibility of increased containerisation in the Indo-Soviet trade will be examined further. Soviet side will give full consideration to the Indian request for providing two more special berths for Indian liner ships.

(iii) Subject to freight rates Indian ships being internationally competitive, the Soviet Union may utilise Indian vessels for movement of bulk Cargo.

It was also agreed to celebrate the 25th Anniversary of the Indo-Soviet Shipping Agreement in a befitting manner.

Medicines Prescribed by Specialists of Dr. R.M.L. Hospital

10236. SHRI BHEEKHABHAI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether certain medicines prescribed by the various specialists of Dr. Ram Manohar Lohia Hospital and indented for local purchase by the respective dispensaries are being unscrupulously struck off the indent and thus not purchased by the Medical Stores Depot under the C.G.H.S.;

(b) whether this tendency of the Medical Stores Depot authorities adds to the difficulties and hardships being faced by the patients ;

(c) whether some beneficiaries have represented against this behaviour of the authorities of C.G.H.S. Medical Stores Depot;

(d) if so, the details thereof and the reaction of Government thereto; and

(e) whether Government propose to minimise the hardships being faced by the patients by adequately simplifying the procedure of getting "inescapability" certificate from the specialists and Director General of Health Services as well as Health Ministry for local purchase of the medicines ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR : (a) No.

(b) Does not arise.

(c) No specific report has been received by this Office.

(d) Does not arise.

(e) There appears to be no hardship in getting the certificate when a patient is under the treatment of the specialist.

Unfavourable Remarks about India in Nepal's Sixth Five Year Plan

10237. SHRI SATYENDRA NARAIN SINHA: Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that the Government of Nepal has finalised Sixth Five Year Plan which was approved by the Nepal Government council;

(b) whether the Government of India are aware that the final draft contained unfavourable and derogatory remarks against India on the trade policy as well as on open borders ;

(c) whether it is also a fact that these unfavourable remarks have been retained despite objection from India and protest by Indian Ambassador to the Prime Minister of Nepal ;

(d) whether it is also a fact that no formal protest was made by the Indian Embassy; if so, the reasons therefor;

(e) whether it is also a fact that unilateral statement on the Trade and Treaty Policy by Nepal would go against the Trade and Treaty signed between the two countries in 1979 ; and

(f) if so, what steps Government propose to take in this regard ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V.NARASIMHARAO): (a) A "revised draft" of the Sixth Five Year Plan document was discussed at the Tenth National Development Council meeting held by His Majesty's Government of Nepal from 10th to 12th February 1981.

(b) to (f). The document has not yet been printed in its final form. However, it is understood that it contains certain objectionable references to policies of "neighbouring countries." Since by implication, India is included, the matter is under discussion with His Majesty's Government of Nepal.

Cement for Centrally Sponsored Roads and Bridges in Kerala

10238. SHRI A. A. RAHIM : Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) the minimum requirement of cement requested for by Kerala for executing the Central/Centrally sponsored road/bridge works during each quarter in 1980; and

(b) the quantity of cement allotted for each quarter and the reasons for the difference if any ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH) : (a) The quarter-wise demand from Kerala State for the year 1980 for the Central Sector road/bridge works are as follows:—

Quarter	Demand M.T.
1st Quarter 1980	3124
2nd Quarter 1980	2912
3rd Quarter 1980	3281
4th Quarter 1980	4970

(b) The quantity of cement allotted for each quarter of 1980 to the Government of Kerala are as follows:

Quarter	Allocation MT.
1st Quarter 1980	800 O-P-C-
2nd Quarter 1980	800 O-P-C-
3rd Quarter 1980	1000 O-P-C-
4th Quarter 1980	465 O-P-C-

A number of States including Kerala has been reporting difficulty about obtaining cement for the execution of Central Works since 1978. This Ministry, therefore, took up the matter and obtained a bulk allocation from the Cement Controller exclusively for use of National Highway and other Central Works. This bulk allocation was less than the requirement of all States including Kerala, as indicated in the statement enclosed. This Ministry took up the question of increasing the allocation with the Cement Controller as well as with the Ministry of Industry, even upto the level of Minister. The Minister of Industry *vide* D.O. Letter dated 3-11-79 and 23-5-80 had indicated that the indigenous production of cement had been affected by heavy power cuts, coal shortage etc., and therefore, it has not been possible to increase the allocation to this Ministry. It was, however, assured that as soon as the availability position improves, the allocation to this Ministry would be increased. As a result of constant persuasion, the Cement Controller has increased the allocation to a considerable extent in the quarter 1981. Therefore, an additional allotment of 500 MT, besides 900 MT earlier allotted could be given to Kerala in this quarter.

Statement

Statement regarding demand and allocation of cement to Kerala P.W.D.

Sl. No.	Quarter	Total demand received from all States		Quantity allotted by Cement Cont- roller	Demand received from Kerala State	Allotment made to Kerala State.	
		M.T.	M.T.			M.T.	M.T.
1.	1st Quarter, 1980 (Jan.—March, 1980)	1,74,951	28,000	3,124	800		
2.	2nd Quarter, 1980 (April—June, 1980)	72,070	28,000	2,912	800		
3.	3rd Quarter, 1980 (July—Sept., 1980)	97,197	31,300	3,280	1,000		
4.	4th Quarter, 1980 (Oct.—December, 1980)	1,02,162	29,400	4,970	465		
5.	1st Quarter, 1981 (Jan.—March, 1981)	1,19,027	54,000	3,008	1,400		

Sonarpur Car Shed

One employment to each land-losing family for Sonarpur Car Shed

10239. SHRI MUKUNDA MANDAL : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that Sonarpur Car Shed and its allied projects have been facing disturbances ;

(b) if so, facts thereof; and

(c) the measures taken or proposed to be taken to normalise the situation ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Yes.

(b) Even though compensation was paid to the owners from whom land was acquired in 1974, the peasants are obstructing construction of earth work, fencing wall and other ancillaries in connection with the car shed, demanding employment in the Sonarpur Railway Car Shed or anywhere in Railway Workshop.

A local party brought injunction in the Court of Law against part construction of line entering the Car Shed.

(c) Matter has been referred to the Govt. of West Bengal who have assured to help to solve the deadlock.

10240. SHRI MUKUNDA MANDAL : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government are aware that a number of peasant have lost their land for the construction of Sonarpur car shed and its allied projects;

(b) if so, the facts thereof ;

(c) whether the Government of West Bengal have approached to the Railway authorities to provide at least one employment from each land losing family on compassionate ground; and

(d) if so, the reaction of Government thereto and details of the proposal of West Bengal Government in this regard ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Yes.

(b) Land measuring 20,8475 acres in Mouza Kamrabad, P.S. Sonarpur

was handed over the the Railway by the Land Acquisition Officer/South-24 Parganas duly acquired under his Case No. LA XXX/2 of 1973-74 after publication of notification at page 2254-55 of Part I of Calcutta Gazette of 20-11-1975.

- (c) No.
- (d) Does not arise.

Acquisition of Land for Construction of Railway Lines in Bombay

10241. DR. SUBRAMANIAM SWAMY : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government are aware that land is being acquired for the Railways between Chembur Kurla in Bombay for additional goods Railway lines;

(b) whether it is a fact that there are large hutment colonies on these proposed sites to be acquired by the Government of Maharashtra for the Railways;

(c) if so, whether the Central Government is ready to rehabilitate these slum dwellers by the aid of HUDCO loans and housing scheme; and

- (d) if so, the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) Though the Maharashtra Government has been approached for acquisition of the Land, they have not yet been able to do so.

- (b) Yes.

(c) and (d). Rehabilitation of the slums is to be arranged by the State Government.

Road across Katwa-Ahmadpur Line

10242. SHRI GADADHAR SAHA : Will the Minister of RAILWAYS be pleased to state :

(a) whether a new rural road was laid, built across the Railway Track of Katwa-Ahmadpur (Narrow Gauge) line of Eastern Section of Railway between Kirnahar Level Crossing and Railway Health Centre therefor direct link of the villages to hospital for better service to rural people;

(b) whether request was made for laying double line across Rail-road crossing and permission was sought for its use; and

(c) if so, the action taken for laying double line there and according permission to its use ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) and (b). No such proposal has been received by the Railways.

(c) For provision of any new level crossing, the proposal has to be sponsored by the State Government/Local Authority with undertaking to bear the initial and recurring cost. As and when such firm proposal is received, the matter will be examined.

Inland Water Transport Corporation Board

10243. SHRI RAMAVATAR SHASTRI:

SHRI SAMAR MUKH-ERJEE:

SHRI CHITTA BASU:

SHRI RAVINDRA VARMA:

SHRI KRISHNA CHANDRA HALDER:

Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the details of Composition and Constitution of the Inland Water Transport Corporation Board;

(b) whether there are Members of Parliament in the Board;

(c) if so, the details thereof;

(d) whether any member of Parliament from West Bengal has been made a Member of the Board;

(e) whether Member of Parliament has been recommended by the Government of West Bengal; and

(f) if so, the action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH):

(a) Presumably the information asked is about Central Inland Water Transport Board. If so, its constitution and composition are as shown below:—

(i) Minister of Shipping and Transport, Govt. CHAIRMAN of India, New Delhi.

(ii) Minister of State for Shipping and Transport, VICE CHAIRMAN Govt. of India, New Delhi.

(iii) Ministers-in-charge of inland water transport in the State Govts. of Andhra Pradesh, Assam, Bihar, Goa, Daman & Diu, Gujarat, Jammu & Kashmir, Kerala, Karnataka, Madhya Pradesh, Maharashtra, Orissa, Tamil Nadu, Uttar Pradesh and West Bengal.

(iv) The Members of Parliament or other non-officials with technical background in the field of inland water transport.

(v) Joint Secretary (T), Ministry of Shipping and Transport, Govt. of India, New Delhi.

The functions of the Central Inland Water Transport Board are to lay down general policies and guidelines for the development of IWT in the country.

(b) Yes, Sir.

(c) Out of 10 non-official Members referred to at (iv) of (a) above, there are currently 8 Members of Parliament on the Board as per details given below:—

(i) Shri J.P. Mathur, Member, Rajya Sabha.

(ii) Smt. Saroj Khaparde, Member, Rajya Sabha.

(iii) Smt. Aziza Imam, Member, Rajya Sabha.

(iv) Shri J. Kondala Rao, Member, Lok Sabha.

(v) Shri Bhola Raut, Member, Lok Sabha.

(vi) Shri S. Murugain, Member, Lok Sabha.

(vii) Shri Chintamani Jena, Member, Lok Sabha.

(viii) Shri Virdhi Chander Jain, Member, Lok Sabha.

(d) No, Sir.

(e) At the time of nomination of new members of the VIIth Lok Sabha to this Board, no request from the Government of West Bengal was received. However, a letter from the Transport Minister, West Bengal has recently been received in this regard.

(f) Currently, there is no vacancy on the Board.

Contract for Miscellaneous Articles at Allahabad

10244. SHRI R. N. RAKESH: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that contract in respect of sale of miscellaneous articles at Allahabad Junction was allotted to another party for Rs. 6000/- per month in disregard to the conditions of contract and ignoring the tender for Rs. 9196/- per month used to be paid by previous contractors;

(b) if so, the reasons therefor; and

(c) the steps which have been taken to compensate the loss?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) to (c). The contract for sale of miscellaneous articles at Allahabad Jn. has been allotted to the Railway Cycle Stand Karamchari Shram Samvidha Sahkari Samiti Ltd., Allahabad in pursuance of the policy of the Government to promote cooperative movement. The licence fee has been fixed as per extent policy of the Railways taking into consideration the size and class of the station, type of establishment, economic viability of the

contract and standard of service to the passengers. The contract was earlier held by a private contractor and the licence fee was fixed under the tender system. His contract was terminated as he was found indulging in various irregularities including employment of unauthorised vendors. The policy for award of contract for sale of miscellaneous articles at station has, recently, been reviewed and these contracts will henceforth be allotted by inviting applications instead of tenders to ensure availability of miscellaneous articles at reasonable price.

Setting up of a separate Directorate of I.S.M. and Homoeopathy

10245. SHRI SURAJ BHAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the highest technical Adviser for the purpose of medical and public health is the Director General of Health Services, who belongs to Modern System of Medicine;

(b) whether it is a fact that dispensaries and hospitals of Unani, Ayurveda and Homoeopathy in the Central Government Health Scheme are under the administrative control of the Director General despite the fact that there is no expert of these systems in the Directorate General of Health Services;

(c) whether it is also a fact that there are senior officers of Unani, Ayurveda and Homoeopathy on the strength of his Ministry but they have no role to play in opening and functioning of the Central Government Health Scheme dispensaries of these systems of medicine; and

(d) whether Government propose to make full use of these officers by setting up a separate Directorate of I.S.M. and Homoeopathy and if so, when?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR): (a) Yes.

(b) and (c). The Advisers and Deputy Advisers in Ayurveda, Siddha, Homoeopathy and Unani of the Ministry are often consulted whenever any technical advice is required. The Deputy Advisers in Ayurveda, Unani and Homoeopathy are also functioning as Specialists in Central Government Health Scheme in Delhi. The officers of the Indigenous System of Medicines are thus fully involved in the working of C.G.H.S.

(d) There is no such proposal at present.

नमक की छुलाई के लिए रेल वैगनों की मांग

10246 श्री श्रीमती भाई आर० शौधरी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) गुजरात में पटीदो, खारगोड़ा, गांधीधाम, कुड़ा, जामनगर और भावनगर रेल स्टेशनों में बहां पर निर्मित नमक की छुलाई के लिए रेल वैगनों की वार्षिक मांग कितनी है;

(ख) अब तक कितने वैगन उपलब्ध कराए गए हैं और शेष वैगन कब तक उपलब्ध करा दिए जाएंगे; और

(ग) क्या नमक की छुलाई के लिए उक्त स्टेशनों के लिए पर्याप्त संख्या में वैगन शोध ही उपलब्ध किए जाएंगे क्योंकि मानसून शोध आने वाला है ?

रेल मंत्रालय तथा संसदीय कार्य विभाग में उपसंचारी (श्री मलिकार्जुन) : (क) से

(ग). क्षेत्रीय नमक के वार्षिक कोटे और 1980-81 के दौरान लदान का विवरण निम्नलिखित है :—

(आंकड़े माल डिब्बों में)

स्टेशन	कोटा	लदान
पटीदो	3540	3272
खारगोड़ा	16400	12526
गांधीधाम	4868	2598
	(मो० ला०)	(मी०ला०)
		1720
		(बा०ला०)
कुड़ा	15189	9482
जामनगर	512	521
	(जुलाई, 80 तक)	
भावनगर लेव	4306	4088

लदान में बढ़ि करने और बकाया पड़े मांग पत्रों की शोध पूर्ति के लिए सभी संभव प्रयास किए जा रहे हैं।

आचार्य नरेन्द्र रेलवे स्टेशन

10247. श्री अय राम रम्बा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर रेलवे में आचार्य नरेन्द्र रेलवे स्टेशन का दर्जा कुछ दिन पहले घटा दिया गया है ;

(ख) यदि हां, तो तत्संबंधी कारण क्या है ;

(ग) क्या यह भी सच है कि उपर्युक्त स्टेशन का दर्जा बढ़ाय जाने

के लिए एक अध्यावेदन प्राप्त हुआ है; और

(घ) यदि हां, तो सरकार द्वारा इस संबंध में क्या कार्यवाही की जा रही है?

रेल मंत्रालय तथा संसदीय कार्य विभाग में उपमंत्री (श्री मन्त्रिकार्जुन) :

(क) जी नहीं।

(ख) प्रश्न नहीं उठता।

(ग) इस स्टेशन पर स्टेशन मास्टरों/सहायक स्टेशन मास्टर के पदों के ग्रेड बढ़ाने के लिए एक अध्यावेदन प्राप्त हुआ था।

(घ) अनुरोध को स्वीकार करना सम्भव नहीं हो पाया है।

Free Medical Advice from All India Institute of Medical Sciences

10248. SHRI R.P. YADAV : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether it is a fact that the Central Government employees are not free to take medical advice from the All India Institute of Medical Sciences ;

(b) whether it is also a fact that such advice given by the A.I.I.M.S. is not honoured by the Central Government Health Scheme; and

(c) if so, the reasons thereof and what action is being taken to make Central Government employees free to take medical advice from the A.I.I.M.S. ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) :
(a) Yes.

(b) Advice given by A.I.I.M.S. to Central Government Health Scheme referred cases are honoured by Central Government Health Scheme.

(c) A.I.I.M.S. has been recognised as a referral hospital of the Central Government Health Scheme and so Central Government Scheme beneficiaries can attend the institute only after prior permission from Central Government Health Scheme on the recommendation of a specialist.

People Suffering from Malaria in Paschimpuri, New Delhi

10249. SHRI R.L.P. VERMA : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether it is a fact that mosquitoes are increased and people are suffering from Malaria in Paschim-puri, Pocket-II, New Delhi-63;

(b) whether it is also a fact that no action has been taken by Government to check malaria and mosquitoes ;

(c) whether Government propose to spray the medicine through vehicle on the road side and through spray pump in the houses; and

(d) what concrete measures Government propose to take in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) :

(a) No. The incidence of Malaria in Paschimpuri area is very small.

(b) No.

(c) Fogging spray with Malathion has been done in the area on 11-3-1981 and 13-4-1981 by the Municipal Corporation of Delhi. Besides, focal spray is done in the house where

a positive case of malaria takes place and also in the near-by houses.

(d) Following measures are being taken/proposed to be taken in this regard :—

- (1) The Municipal Corporation of Delhi has been taking regularly anti-mosquito and anti-malarial measures in Paschim-puri area.
- (2) Weekly anti-larval treatment with baytex and M.L.O.
- (3) Fogging with Malathion 5% by Tifa machines every month.
- (4) Presumptive and radical treatment of malaria cases at Malaria clinic, Madipur and Fever Treatment Depots at Delhi Administration Dispensary, Paschimpuri.
- (5) Removal of water hyacinth from Najafgarh nalla and checking of domestic breeding.

आयुर्वेदिक चिकित्सा पद्धति को प्रोत्साहित और प्रचारित करना

10250. श्री फूल बन्द बर्मा : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हालांकि आयुर्वेदिक चिकित्सा पद्धति को प्रोत्साहित और प्रचारित करने के लिए बजट में पृथक प्रावधान किया जाता है लेकिन इसका उपयोग नहीं किया जाता और विस्तार योजनाओं की क्रियान्विति नहीं की जाती, क्योंकि कोई आयुर्वेदिक मंत्रालय नहीं है;

(ख) क्या यह भी सच है कि आधुनिक संसार के अनेक देश आयुर्वेदिक चिकित्सा पद्धति अपना रहे

हैं और इस पद्धति के विकास में लगे हुए हैं; और

(ग) यदि हां, तो क्या सरकार का विचार इस पद्धति के लिए पृथक मंत्रालय को स्थापना करने का है और यदि नहीं, तो उसके क्या कारण हैं?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री नोहर रंजन सत्कर) : (क) जी, नहीं। आयुर्वेद से संबंधित अनुमोदित विस्तार योजनायें क्रियान्वित की जाती हैं और इन योजनाओं के लिए अधिकारी आवृत्ति प्रावधानों का उपयोग किया जाता है। कुछ कुछ योजनाओं के सम्बन्ध में प्रशासनिक कारणों से कमी हुई है न कि एक अन्य आयुर्वेद मंत्रालय न होने को बजह से।

(ख) निम्न देशों में आयुर्वेद चिकित्सा प्रचलित है :—

1. श्री लंका
2. नेपाल
3. बंगला देश
4. पाकिस्तान

(ग) स्वास्थ्य और परिवार कल्याण मंत्रालय एलंपैथी, आयुर्वेद, यूनानी, सिद्ध, हीमोपैथी आदि सहित सभी चिकित्सा पद्धतियों के विकास का काम कर रहा है। इस प्रकार आयुर्वेद ही के लिए एक अलग मंत्रालय को स्थापना का प्रश्न ही नहीं उठता। यदि आयुर्वेद के लिए एक अलग मंत्रालय बना दिया गया तो विभिन्न चिकित्सा परिचर्या, जन स्वास्थ्य और परिवार कल्याण गतिविधियों में निकट सम्पर्क और मिलजुल कर कार्य करने की संभवता ही अर्थ हो जायेगी।

Alleged Bus Scandal in Delhi

10251. SHRI NAVIN RAVANI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) whether Government are aware of a bus scandal in Delhi in which nearly 60 to 100 buses were allotted in the names of Harijans and Scheduled Caste persons during 1977 to 1980 in Delhi ;

(b) whether it is a fact that these people have sold out these buses and chassis in black market and are not plying these buses on the condition for which these buses were allotted to them ;

(c) if so, the details thereof ;

(d) whether Government have handed over or propose to hand over the matter either to Vigilance Branch or C.B.I. for thorough enquiry; and

(e) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI BUTA SINGH) : (a) to (e). A scheme was formulated by Delhi Administration in consultation with DTC during 1978-79 to provide financial assistance to the Scheduled Castes candidates for purchase of buses, which were to be operated under DTC, as a part of P.O. Buses under DTC operation. The Corporation has since informed that all the 27 buses for which financial assistance was extended by Delhi Administration continued to operate for them.

Allocation to Bihar under Head 'Health'

10252. SHRI BIJAY KUMAR YADAV :
SHRIMATI MADHURI SINGH :

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) the amount allocated to Bihar State under the head 'Health' in the Sixth Five Year Plan and its percentage as against the amount allocated to the other States ;

(b) whether keeping in view the backwardness of Bihar from the medical facilities point of view, Government propose to open a well equipped hospital in Bihar on the pattern of All India Institute of Medical Sciences, New Delhi ; and

(c) if so, the details in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) :

(a) The amount allocated to Bihar State under the head "Health" for State Sector Health Programme in the Sixth Five Year Plan is Rs. 82.40 crores and its percentage to the total amount allocated to State Sector Health Programme works out as 6.7 per cent.

(b) There is no proposal of the Central Government to open a hospital on the pattern of All India Institute of Medical Sciences, New Delhi.

(c) Does not arise.

Hospital on Pattern of AIIMS, New Delhi

10253. SHRI DAULAT SINGH-II JADEJA : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) the number of places of hospitals running on the pattern of AIIMS, New Delhi in the country;

(b) whether there is any proposal to construct new hospitals on the pattern of AIIMS, New Delhi in the country ; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) AIIMS is an autonomous body established under Central statute and financed by Central Government. The only other institute on this pattern is Postgraduate Institute of Medical Education and Research, Chandigarh.

(b) and (c). It has been agreed in principle to set up an Institute of Medical Sciences for the North-Eastern region.

B.B.C. Distorting Image of India

10254. SHRI RASHEED MASOOD :

PROF. AJIT KUMAR MEHTA :

SHRI RAJESH KUMAR SINGH :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government are aware of BBC recently filming of tribal life in Bastar and their indulging in midnight shooting of a tribal ceremony 'Ghotul' distorting the image of India ; and

(b) if so, the reaction of Government in this regard ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V. NARSIMHA RAO) : (a) A team from BBC Bristol was recently given permission to make an anthropological film entitled "Portrait of a village" on the "Muria" tribal people of Bastar district in the state of Madhya Pradesh. The film is sub-titled "Muria Life" and the

filming was done at the village Taragaon in Narainpur Tehsil of Bastar District. The film is to be shown exclusively on BBC 2 net, work which is generally devoted to serious themes and subjects. The film is also likely to be used by the BBC "Open University Programme" for advanced study in Anthropology.. The team is led by Mr. Chris Curling. Head of the Anthropological Film Unit and consists of people of good academic standing with specialisation in Anthropological work. The shooting of the film commenced in March 1981 and has now been completed.

(b) Government have looked into certain press reports regarding the team having allegedly shot some objectionable sequences in the "Ghotul" (the meeting house). The Madhya Pradesh Government authorities who were requested to look into this matter are satisfied that no objectionable sequences have been shot by the team as alleged in certain press reports. The BBC representatives in New Delhi have also assured the Government that the team has not shot anything of a prurient nature in the Ghotul. The only sequence shot in the Ghotul concerns a meeting between the youngsters and the elders in which matters pertaining to tribal customs and breaches of etiquettes were discussed. According to the terms and conditions under which the BBC was granted permission to make the film- BBC will submit the film for preview to the High Commission of India -London before its being telecast. At that time the High Commission can ask the deletion of any sequence in the film which may be found as departing from the original script as approved by the Government. The BBC under the terms agreed to is obliged to agree to the Government's suggestions in this regard. They have confirmed that they will meet this obligation.

Act Apprentices

10255. SHRI ERA ANBARASU : Will the Minister of RAILWAYS be pleased to lay a statement showing :

(a) the number of Act Apprentices completed training during the last three years in each Railway ;

(b) the number of Act apprentices still under training in each Railway and if none is under training the reasons therefor ;

(c) the number of Act apprentices absorbed as artisans in each Railways ;

(d) the number of Act apprentices absorbed as Khalasis instead of artisans in each Railway and the reasons therefor ;

(e) the number of course completed Act apprentices still awaiting absorption in each Railway; and

(f) whether there is any programme in each Railway to continue recruitment of Act apprentices and if so, the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAY AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) to (e). The information is being collected and will be laid on the Table of the Sabha.

(f) Recruitment of Act Apprentices was suspended from April-1977. The question of its revival is under active consideration.

Proposal to raise the Amount of Compensation

10256. SHRI V.S. VIJAYA-RAGHAVAN : Will the Minister of RAILWAYS be pleased to state :

(a) whether there is any proposal to raise the amount of compensation

paid to the next of kin of passengers who die in rail accidents ; and

(b) if so, the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) No.

(b) Does not arise.

Setting up of Ayurvedic University to Promote Ayurvedic System of Medicines

10257. PROF. NARAIN CHAND PARASHAR : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether Government plans to set up an Ayurvedic University for affiliating the various Ayurvedic colleges and promoting the Ayurvedic System of medicines in the country at the National level ; and

(b) if so, whether Government would also consider the desirability for setting up Regional Institutes for research and promotion of this system and also for providing research in herbs and their utilisation in States like Himachal Pradesh, Madhya Pradesh, Jammu and Kashmir, Uttar Pradesh Hill Districts, North Eastern States where herbs are found in abundance ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) : (a) No.

(b) The Central Council for Research in Ayurvedic and Siddha have their regional institutes/units in various parts of the country in

cluding Himachal Pradesh, Madhya Pradesh, J. & K., Uttar Pradesh and the North Eastern region. These regional institutes/units, apart from other activities for promotion of the Ayurvedic & Siddha systems are engaged in clinical and drug research on herbs available in the region.

Proposal to Transfer control of Dispensaries of I. S. M. and Homoeopathy from Central Government Health Scheme to I. S. M. Division

10258. SHRI SURAJ BHAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that there is complete domination of all systems of medicines by the powerful lobby of modern medical professionals in as much as the dispensaries of I.S.M. and Homoeopathy are under their functional control despite the fact that talented officer of I. S. M. and Homoeopathy are available in the Department of Health;

(b) whether there is any proposal to transfer the functional control of dispensaries in I. S. M. and Homoeopathy from Central Government Health Scheme to I. S. M. Division; and

(c) what other action is being taken to eliminate the scope of domination by the practitioners of modern system of medicine?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE: (SHRI NIHAR RAJAN LASKAR) :
(a) No. The indigenous system of medicines including Homoeopathic system are being encouraged under CGHS alongwith Allopathic system of medicines by setting up more I. S. M. Units including Homoeopathic Units in a phased manner under the CGHS.

There is no domination of any system of medicine over any other and system of medicine is being developed. The Adviser/Dy. Advisers in Ayurveda, Homoeopathy and Unani are consulted whenever any technical advice is required. The Dy. Advisers in Ayurveda, Unani and Homoeopathy are also functioning as specialists in the Central Government Health Scheme in Delhi.

(b) No.

(c) Does not arise.

Payment of salary to Station Masters of Eastern Railway

10259. SHRI RAM SWAROOP RAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether Scheduled Caste Station Masters on the Railway Stations on the Eastern Railway have not been paid their monthly salary by the Railways from 17th October, 1973 to date even though neither any proceedings are pending against them nor they have been suspended;

(b) whether in protest against the railway suppression a boilermaker of the Gaya Locoshed on the Eastern Railway had gone on last alongwith his wife from 8th April, 1981 and whether both of them were taken by Government into custody on 12th April, 1981 and the wife died on 18th April, 1981 while still under custody; and

(c) if so, the time by which Government propose to pay the arrears of salary to the Scheduled Caste Station Masters from 17th October, 1973 to date?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN):

(a) No, with the exception of one Station Master (Scheduled Caste) who has not resumed duty on transfer as Traffic Inspector/Headquarters since the issue of transfer orders on 18-9-1973.

(b) A Boiler-maker of Gaya Loco Shed went on fast alongwith his wife from 8-4-1981 as a protest against his suspension for attempting to assault a Shop Superintendent. When the condition of boiler-maker's wife worsened, she was removed to Civil Hospital by Civil Police on 8/9-4-81. The boiler-maker was also removed to Civil Hospital on 12-4-1981. Their son shifted them to Railway Hospital on 15-4-81 where boiler-maker's wife expired on 18-4-81.

(c) The question of payment of salary will be considered after the Station Master resumes duty.

Bengal Bandh

10260. PROF. MADHU DANDAVATE: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the Chief Minister of West Bengal had alleged that a Section of the Railway authorities had helped 'Bengal Bandh' Organised by Congress (I) on the 3rd April, 1981;

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN):
(a) In a News Item that appeared on 4-4-81 in 'The Statesman' Calcutta, it was reported that the Chief Minister, West Bengal had blamed a section of Railway officials for helping the organizers of the Bandh.

(b) In view of all feasible efforts made, in close co-ordination with the Police authorities by the Railways to ensure normal running of train services, question of reaction does not arise.

Russia seeks India's Support for Nuclear Disarmament

10261. DR. VASANT KUMAR PANDIT: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn towards a news item appearing in the "Northern India Patrika" Allahabad edition dated the 18th March, 1981 under the caption "Russia seeks India's hand for nuclear disarmament";

(b) if so, the details of views/suggestions put forth by the U.S.S.R. for India's support in the matter and the extent to which India has agreed; and

(c) the details of the problems which the agency listed with particular reference to withdrawal of Soviet troops from Afghanistan and withdrawal of Soviet Naval fleet from Indian Ocean and Gulf area?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO) (a) Yes, Sir.

(b) and (c) It was a news item based on an APN (Soviet news agency) report, that mentioned other international problems as also disarmament questions. On all these questions e. g. nuclear disarmament, Afghanistan and Indian Ocean, the views and policies of India and Soviet Union are well known. The item made no proposals to India and, therefore, the question of agreeing or not agreeing was not relevant.

**Casual Labour Utilisation
at Katihar Station**

10262. SHRI KAMLA MISHRA MADHUKAR : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that departmental works by utilising casual labour for transhipment of M.G. and B.G. parcels at Katihar station in N.F. Railways is done by stopping handling contract work from M/s. Katihar Sramik Sahayog Samity and the expenditures are less than the contract work ; and

(b) if so, the reasons for deputing casual labourers and what was the monthly expenditure before and after utilising casual labourers since inception of the works and the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) :
(a) and (b) The employment of Casual Labour became necessary for continuing the parcel handling work as the Katihar Sramik Sahayog Samity stopped work without any notice. Average monthly expenditure based on six months figures before engaging casual labour was Rs. 4000/- and after engaging casual labour Rs. 14,000/-

**Catering Contract Award
at Katihar**

10263. SHRI KAMLA MISHRA MADHUKAR : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that the catering contract awarded at Katihar station (Non-vegetarian Refreshment Room) and Kishangunj has been awarded to the same proprietor in different names who were mainaining earlier before present allotment and arrears dues lying

against earlier contract at Kishangunj could not be realised ; and

(b) if so, how much arrears are lying and why these could not be realised in time ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) :

(a) and (b) The Non-vegetarian Refreshment Room contract at Katihar was previously awarded to Shri P.R. Agarwal and was awarded subsequently to the Nagar Palika Harijan Sahayog Samiti *w.e.f. 13-1-81*. The Non-vegetarian Refreshment Room at Kishangunj was previously allotted to Shri B.N. Prasad, but since the contractor could not pay arrear dues, the contract was terminated in 1967. The contractor, however, filed a court case which was finally decreed in favour of the Railway by the Supreme Court and the contractor was evicted from the premises in 1979. This contract was awarded to the Unemployed Educated Cooperative Society Ltd. *w.e.f. 9-1-1980*.

An amount of Rs. 21,334 is outstanding against Shri Prasad. Suitable steps, including filing of money suit are being taken to realise the dues. The arrear dues could not be realised because the matter *sub-judice* for a long time.

**Brutalities on Buddhists
in Bangladesh**

10264. PROF. NARAIN CHAND PARASHAR : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the National Convention of Buddhists held at New Delhi has condemned the brutalities on the Chakma Buddhists in Bangladesh and passed a resolution requesting the Government

of India to take up the matter with the Government of Bangladesh ;

(b) if so, the action taken by Government in this regard ; and

(c) if no action has been taken so far, the reasons therefore and the likely date by which it would be taken ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V. NARASIMHA RAO) : (a) Yes, Sir.

(b) and (c) The subject falls within the domestic jurisdiction of the Bangladesh Government. The Government of India, therefore, are not in a position to either verify the facts or otherwise take up the question with the Bangladesh Government. The latter have repeatedly declared their commitment to ensuring freedom of worship to all communities. It is, of course, true that the atmosphere of cordiality in our bilateral relations with any other country could suffer if any group of their citizens should have a sense of insecurity because of their cultural status. This has been conveyed to the Bangladesh authorities in an appropriate context.

Upgradation of one Department of Rajendra Medical College, Ranchi

10265. **SHRI HARINATH MISHRA :** Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether it is a fact that during the Fourth Five Year Plan period, one Department of Rajendra Medical College, Ranchi (Bihar) was upgraded by the Central Government ;

(b) whether necessary help to the Department was given on the clear understanding that the upgradation would be maintained by it after the expiry of the Fourth Five Year Plan ;

(c) whether the upgraded Department is working as such, if so how ; and

(d) if not, why not ?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR) :

(a) to (d) The requisite information is being collected and shall be laid on the Table of the Sabha.

Land belonging to Bombay Port Trust given on Lease

10266. **SHRI SUBHASH YADAV :** Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the names of persons or parties to whom the Bombay Port Trust have given land belonging to the Bombay Port Trust on lease ;

(b) when the lease is to expire in each case ;

(c) whether Government are aware that certain parties to whom such lands were given on lease by the Bombay Port Trust have sold the land and the building constructed on it by some other parties ;

(d) if so, the details thereof; and

(e) what action Government have taken in this regard ?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI VEERENDRA PATIL) : (a) and (b) Bombay Port Trust Estates comprise 76.04 lakh sq. meters. Out of this, 35.35 lakh sq. meters of land is given on lease by Bombay Port Trust. Time and labour involved in compiling requisite information relating to large number of persons or parties to whom this land has been leased, will not be

commensurate with the benefit to be derived from the information.

(c) No such case of sale of land and building has come to the notice of Government.

(d) and (e). Do not arise.

Entrance Examination for 'Rajendra'

10267. SHRI BAPUSAHEB PARULEKAR : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the number of students appeared for entrance examination for 'Rajendra' for the last three years, year-wise ;

(b) the number of students appeared from villages and from big cities in the last three years, year-wise ;

(c) the number of students selected in the last three years, year-wise ; from villages, from big cities and percentage of students selected who had taken education through public school and/or English medium;

(d) whether bright students from mofussil villages are unable to get admission in 'Rajendra' as the examination is not taken in regional languages; and

(e) if so, the steps Government propose to take in this regard ?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI VEERENDRA PATIL) : (a) The number of students, who appeared at the combined entrance examination for admission to T.S. Rajendra and Directorate of Marine Engi-

neering Training during the last three years is as follows :

Year	No. of Students
1978	6836
1979	8131
1980	6635 (Examination held for 'Rajendra' only).

(b) The relevant information is not available as the applications of candidates, who are not selected are destroyed after a period of one year.

(c) The relevant information is not available, as such analysis is not done.

(d) It is difficult to answer this part as regional languages have not been tried out in the past.

(e) A proposal to conduct the examination in Hindi was considered sometime back and was not found feasible. The question whether one appear in Hindi could be introduced either as a substitute to the English paper or as a choice is under consideration.

Meeting between Representatives of Dr. R.M.L. Hospital Workers Union and Minister

10268. SHRI MOHAMMAD ISMAIL : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether he had a meeting with the representatives of Dr. Ram Manohar Lohia Hospital Workers, Union on 22nd January, 1981;

(b) if so, the details of their demands ; and

(c) how far the question of settlement of the demands has progressed?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR): (a) to (c). The representatives of Dr. Ram Manohar Lohia Hospital Workers Union informally met the Health Minister. During the meeting they spoke about matters relating to pay for strike period, grant of O.T.A./Cash compensation for holidays, enhancement of uniform and Washing allowance etc. The Minister gave them a sympathetic hearing.

Extension of Probation Period of Employees in Dredging Corporation of India

10269. SHRI JAGPAL SINGH : Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

(a) the number of employees whose initial probation period was extended by the Dredging Corporation of India, Visakhapatnam since 1st April, 1979 stating the reasons therefor and the period for which the probation period was extended ;

(b) the number of persons belonging to Scheduled Caste and

Scheduled Tribe Communities in whose case the period of probation was extended ;

(c) whether the Scheduled Caste Uplift Union, Visakhapatnam has made representation against the extension of the probation period; if so, the details thereof; and

(d) whether the Corporation had agreed to revoke the extension of probation period ; if not, the reasons therefor ?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI VEERENDRA PATIL): (a) and (b). The initial probation period of 9 employees including 2 Scheduled Caste and 1 Scheduled Tribe employees was extended by the Dredging Corporation of India since 1-4-79. The probation of these employees was extended as their performance was not found satisfactory. The periods for which the probation was extended in respect of each employee are indicated in the attached statement.

(c) and (d). The Scheduled Caste Uplift Union, Visakhapatnam made representation against the extension of the probation period of two employees, namely Shri F.M. Kuhikar, Assistant Pipeline mate and Smt. B. Varalakshmi, Assistant (Stores). The completion of the probation of these two employees has since been declared by the Dredging Corporation of India on the basis of their subsequent performance reports.

Statement

Sl. No.	Name of employee	Date from which probation was extended	Present position
1	2	3	4
1.	Shri S. Vasudeva Rao, Senior Assistant (Stores)	1-9-79	Extension still continuing.
2.	Shri B.P. Baliga, Electronics Officer	14-10-79	Completion of probation declared on 13-4-80 (AN).

1	2	3	4
3. Shri G. Gopalam, Pipeline Mate	Assistant	15-12-79	Completion of probation declared on 14-12-80. (AN).
4. Shri V. V. Ramana Rao, Assistant (Stores)		19-3-80	Completion of probation declared on 18-9-80 (AN).
5. Shri R. Rajeswara Rao, Personal Assistant		23-5-80	Completion of probation declared on 22-11-80 (AN).
6. Shri B. R. Ranganathan	Senior Accounts Officer	26-3-80	Extension of probation still continuing.
7. Shri F.M. Kuhikar, Pipeline Mate	Asstt.	26-12-79	Completion of probation declared on 25-12-80 (AN).
8. Shri K. Baluswamy, Pipeline Mate	Asstt.	5-1-80	Completion of probation declared on 4-7-80 (AN).
9. Smt. B. Varalakshmi, Assistant (Stores).		3-5-80	Completion of probation declared on 2-11-80 (AN).

Passenger Train between Dhanbad and Bhojudih via Patherdih

10270. SHRI A. K. ROY: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware of a railway line existing between Dhanbad in Eastern Railway and Bhojudih in South Eastern Railway via Patherdih connecting directly that area of Dhanbad district with Dhanbad town;

(b) whether it is a fact that goods trains running on that line; if so, the number of such trains operated on that line in March, 1981 and the capacity of that line;

(c) whether it is a fact that much of the line capacity remains unused;

(d) whether it is a fact that running of a passenger train on that line would not involve any sizeable investment; and

(e) if so, the steps taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) Yes

(b) and (c). On an average during the month of March, 1981, 3.5 goods trains were run from Patherdih to Bhojudih including two pilots and 1.5 goods trains against the capacity of 20 trains. The section capacity is taken up by the Chasnala Coal Pilot which keeps the section occupied for long periods in course of its work.

(d) and (e). At present the platform line at Patherdih passenger station terminates at a dead end. Extension of the existing passenger line between Dhanbad and Patherdih to and from Bhojudih is not possible as this would involve extension of the present passenger line upto Bhojudih which is not possible because of human habitation, Damodar River, Collieries and the rocky

topography. In case the goods line is utilised for passenger services, it would seriously affect coal loading and goods operation and is, therefore, not desirable.

Reservation Quota for S. T. in Northern Railway.

10271. SHRI BHEEKHABHAI: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the Northern Railway has violated the reservation quota of Scheduled Tribes;

(b) whether it is a fact that no Scheduled Tribe Officer is available in Class I and II Services of that Zone;

(c) whether it is a fact that in the lowest category Class IV, no quota of Scheduled Tribe candidates has been filled up;

(d) the reasons for the shortfall; and

(e) whether it is a fact that no efforts have been made by the General Manager and DRMs to fill up the quota?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) No.

(b) No. There are 2 Scheduled Tribe Officers in Class I and 5 Scheduled Tribe Officers in Class II in Northern Railway.

(c) to (e). Every effort is made to fill the quota reserved for Scheduled Tribes but still adequate number of candidates from this community are not available in most of the areas served by the Northern Railway and hence there is shortfall. As a result of sustained efforts 99 Scheduled Tribes were recruited in Class IV in the year 1980.

सहायक सिगनल निरोक्षक

10272. श्री दया राम शाक्य : क्या रेल मंत्री यह बताने को कृपा करेंगे कि :

(क) क्या सहायक सिगनल निरोक्षक, सहायक रेल पथ निरीक्षक, सहायक निर्माण निरोक्षक और सहायक बो० आई० के पदों के नाम से "सहायक" शब्द हटा कर इन पदों को सिगनल निरोक्षक, रेल पथ निरीक्षक, निर्माण निरोक्षक और बो० आई० के रूप क्रमग्रन्थ I, II, III और IV में पुनः नया पदनाम दिया गया है ;

(ख) यदि हाँ, तो क्या सरकार का विचार सहायक स्टेंगन मास्टर के पदनाम से भी सहायक शब्द हटाने का है ; और

(ग) रेलवे प्रशासन द्वारा ग्रेड I, II, III और IV के स्टेंगन मास्टरों/स्टेंगन मैनेजरों को क्रमशः 425-640 रु०, 550-750 रुपए, 700-900 रु० तथा 840-1040 रुपए के वेतनमानों का मांग पर क्या कार्यवाही की जा रही है ?

रेल मंत्रालय तथा संसदीय कार्यविभाग में उरमंत्री (श्री मल्लिकार्जुन) : (क) केवल 425-700 रुपए के संशोधित वेतनमान के सहायक सिगनल निरोक्षक के पदों का पदनाम बदलकर सिगनल निरोक्षक ग्रेड III किया गया है ।

(ख) फिलहाल ऐसा कोई प्रस्ताव नहीं है ।

(g) ग्रेड I, II, III और IV के साथ स्टेशन मास्टरों के पुनः पदनाम की मांग के बारे में उस समय विचार किया जाएगा जब परिवहन विभाग के कर्मचारियों के पदनाम बदलने के प्रश्न पर विचार किया जायेगा तो स्टेशन मास्टरों के पदनाम के साथ ग्रेड I, II, III और IV लगाये जाने की मांग पर विचार किया जायेगा ।

Assistant Directors General (Medical Stores) of the Government Medical Store Depots was held recently. Action is under way to implement the decisions taken to improve the efficiency of the Depots.

Persons accompanying Minister found without Ticket

Transfer of Work relating to Manufacture of Drugs to the Ministry of Health and Family Welfare

10273. SHRI K. B. S. MANI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government propose to transfer all matters relating to manufacture, supply and pricing of drugs, including licensing and supervision over the drug industry to the Ministry of Health and Family Welfare;

(b) if not, the reasons therefo

(c) whether any action has been taken for efficient working of the Medical Store Depots; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI NIHAR RANJAN LASKAR): (a) and (b). There is no such proposal before the Government.

(c) and (d). As stated in reply to Lok Sabha Unstarred Question No. 7799 answered on 16th April, 1981, a meeting of all the Deputy

10274. PROF. MADHU DAN-DAVATE: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that six persons who were accompanying a Deputy Minister from Uttar Pradesh by train in a first class compartment from Moradabad to Delhi were caught for travelling without ticket at Ghaziabad on 8th April, 1981 and were fined Rs. 500 each; and

(b) if so, whether Uttar Pradesh Government has been informed that the Ministers and their staff should set an example to other passengers by avoiding such malpractices?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : (a) and (b). Six persons were apprehended travelling without ticket in a first Class coach by 147 Up Moradabad Express in the course of a check conducted at Ghaziabad outer signal on 8-4-1981. They were produced before the Judicial Railway Magistrate and five of them were fined Rs. 500/- each and one person was fined Rs. 50/- in addition to Rs. 95/- recovered as railway dues. A total sum of Rs. 3,120/- was paid by them on the spot. The railway has no information that the party was accompanying any dignitary or a Minister.

Land given to Caxton Press on Lease by Bombay Port Trust

10275. SHRI KEYUR BHUSHAN :
SHRI KRISHNA PRATAP SINGH :

Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that the land on which Caxton Press building is constructed on Netaji Subhash Road, Bombay belongs to Bombay Port Trust;

(b) whether this land was given to Caxton Press by Bombay Port Trust on lease; if so, when and the period of the said lease and when the lease is to expire;

(c) whether it is also a fact that the said building has been sold to EMCA Construction Company who have converted the building into flats and sold these flats to several parties and earned huge profits; and

(d) the reasons for which the Bombay Port Trust have agreed to the sale flats in the building and what action is proposed to be taken against all concerned?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI VEERENDRA PATIL) : (a) A plot of land was given on lease to M/s. Caxton House Properties Private Limited by Bombay Port Trust. This plot is on Shahid Bhagat Singh Marg and not on Netaji Subhash Road.

(b) The plot was originally leased in 1938 to M/s. Claridge & Company Limited for a period of 50 years. Subsequently, in 1972, the lease was assigned in favour of M/s. Caxton House Properties Private Ltd. The period of lease will expire on 31-5-1988.

(c) Bombay Port Trust has not agreed to the sale of the Premises on ownership basis to any party. However, permission for making internal additions and alterations was given to the lessees.

(d) Does not arise.

डो० सी० एस०, विभिन्न पूर्व रेलवे द्वारा सप्लाई किए गए वैगन

10276. श्री हड्ड प्रताप पांडे : क्या रेल मंडी यह बताने की कृपा करेंगे कि :

(क) वरिष्ठ डो० सी० एस० दक्षिण पूर्व रेलवे द्वारा जनवरी, 1980 से 20 फरवरी, 1981 तक घरेलू उपयोग के लिए राऊरकेला तथा ज्ञारसुगाडा स्टेशनों के बीच कोयले की ढुलाई हेतु किवने वैगन सप्लाई किए गये;

(ख) सर्वश्री (एक) चण्डो आशा डे (दो) केवल किशोर संठ, (तीन) डो० के० सिरनियम और (चार) बी० के० सिरनियम को घरेलू उपयोग हेतु कोयले की ढुलाई के लिए तिथिवार कितने वैगन आवंटित किए गए तथा किन स्टेशनों से वैगनों को सप्लाई की गई;

(ग) क्या सरकार का मालूम है कि इनमें से किसी भी व्यक्ति ने वैगनों की सप्लाई के लिए कभी मांग नहीं की थी और वैगनों की सप्लाई विभिन्न नामों से को जाती रही है; और

(घ) उपर्युक्त चार व्यक्तियों में से उस व्यक्ति का नाम क्या है जिसे वरिष्ठ डो० सी० एस० चक्रधरपुर द्वारा राऊरकेला से कोयले की बुकिंग के लिए 28 फरवरी, 1981 को 900 वैगनों की सप्लाई की गई थी तथा डो० मार०

एम० ने कोयले की डुलाई के लिए 900 वैगनों में से 400 वैगनों की सप्लाई किए जाने से किन कारणों से इन्कार किया था ।

रेल मंत्रालय संसदीय कार्य विभाग में उपमंत्री (श्री महिलकार्जुन) : (क) से (घ) सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जायेगी ।

प्रदर्शनों के लिए दिल्ली आ रहे व्यक्तियों पर लाठी चार्ज

10277. श्री भोगेन्द्र शा : वया रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बरौनी, मुगलसराय, समस्ती पुर, कानपुर, गोरखपुर, अलीगढ़ तथा अन्य स्टेशनों से 23, 24 और 25 मार्च, 1981 को दिल्ली में 26 मार्च, 1981 को होने वाले प्रदर्शन में भाग लेने के लिए दिल्ली आ रहे व्यक्तियों पर लाठी प्रहार किया गया उनको लूटा गया और उनमें से हजारों को गाड़ियों से उतरने के लिये विवश किया गया तथा बहुत से व्यक्तियों को गिरफ्तार किया गया ।

(ख) यदि हाँ, तो तत्संबंधी व्यौरा क्या है ।

(ग) क्या इन व्यक्तियों के साथ ऐसा ही बर्ताव उस समय भी किया गया जब वे दिल्ली से वापस आ रहे थे; और

(घ) क्या सादे कपड़े पहने हुए व्यक्तियों को लूटने और लाठी प्रहार आदि करने के कामों में भाग लेने के लिए विवश किया गया और सादे कपड़े पहने हुए थे व्यक्ति कीन थे ।

रेल यात्रा तथा संसदीय कार्य विभाग द्वे उपमंत्री (श्री महिलकार्जुन) : (क) इस प्रकार की घटनाओं की कोई रिपोर्ट नहीं मिली है ।

(ख) और (ग) प्रश्न नहीं उठता ।

(घ) 24 मार्च, से 27 मार्च, 1981 की अवधि के दौरान भारतीय रेलों पर बिना टिकट/अनियमित यात्रा के विश्वद एक व्यापक अभियान चलाया गया था । बिना टिकट साधारण यात्री अवधा 26 मार्च, 1981 को दिल्ली में प्रदर्शन में भाग लेने के लिए आने वाले बिना टिकट प्राप्तियों के बीच कोई भेदभाव नहीं बरता गया था ।

Milk Stalls at Katihar Station

10278. SHRI KAMLA MISHRA MADHUKAR : Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that two stalls for selling cold drinks and milk were allotted to contractors at Katihar station after abolition of department catering from the 26th February, 1976 and all existing department catering vendors were not given allotment to sell all items which were sold under the department catering and subsequently contractors were allowed to sell other items at this station;

(b) if so, the reasons therfor;

(c) whether catering units at different stations in North Frontier Railway will be expanded and departmentalised abolishing monopoly private system such as at Katihar, Siliguri and Dining cars of 3Up/4Dn/15Dn/16Up, Assam Mail and G.L. Express respectively as per decision of the Railway Ministry; and

(d) if so, the details of steps taken in this regard ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): (a) and (b) After de-departmentalisation of catering/vending arrangements at Katihar station in 1976, the affected vendors were asked to intimate their willingness to accept contract for wheel barrows for vending tea and/or snacks. Only three vendors expressed their willingness and contracts were awarded to them. It is not correct that all the items which were being sold under departmental catering were not permitted to be sold after de-departmentalisation.

Only one cold drink stall and one milk bar contract were allotted to outsiders at this station after de-departmentalisation.

(c) and (d) There is no monopoly of holding of catering/vending contracts at stations or on dining cars on N.F. Railway. The issue of extension of departmental catering on important stations and on mail/express trains has been pended and is under consideration of a Departmental Committee, as introduction of departmental catering on large scale involves many organisational and managerial problems.

Racial Violence in U.K.

10279. SHRI JYOTIRMOY BOSU : Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that a twenty year old Indian student of Coventry, Central England died in a hospital after being stabbed by British racists; and

(b) if so, the details thereof and the action taken thereon ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P.V. NARASIMHA RAO) : (a) Yes, Sir.

(b) Shri Satnam Singh son of Shri Teja Singh, an Indian national aged about 20 years and six months was attacked by a small group of 'skin heads' at about 2 p.m. on 18th April 1981 in the city of Coventry while he was walking along with his 19-year old white girl-friend whom he had known for about two weeks. After receiving a blow from one 'skin head' Satnam Singh ran away towards a pub but was chased by four 'skin heads' who hit him on the back and head. Satnam Singh entered the pub and said that he had been stabbed. All this took about 9 minutes and was taken to the hospital where he died at 3.30 p.m. without giving a dying declaration.

On getting the news of this incident on the morning of 19th April Minister (Consular) in the High Commission of India, London contacted the Assistant High Commissioner at Birmingham, in whose jurisdiction Coventry falls who visited the place the same day and met senior Police officials including the Assistant Chief Constable, Chief Superintendent and the Detective Superintendent. The Assistant High Commissioner also met leaders of local Indian organisations in Coventry. The Police appear to have investigated the case vigorously and have made arrests of six young men and have also recovered the knife which was allegedly used in the stabbing of Satnam Singh. One accused person has been charged with murder and fray, one with being accessory to murder and fray, and 4 with fray. It is also understood that the culprit who used the knife has admitted his guilt.

मंडावली-फजलपुर, विन्ती में सड़के

10279-क. श्री फूल चन्द्र वर्मा : क्या नौवहन और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मंडावली-फजलपुर ; में मुड़प सड़क की औद्धाई पिछले साल

प्रकाशित किए गए नक्शे में 45 फुट वर्ताई गई थी ;

(ख) क्या बस रुट 301 और 321 तथा निम्न आय वर्ग के साइकिल सवारों द्वारा न एडा, कल्पणपुरी, तिलोकपुरी आदि से टैम्पों रेहडों आदि का सारा यातायात इसी सड़क से गुजरता है,

(ग) यदि हाँ, तो क्या उपरेक्त कठिनाई की देखते हुए प्राथमिकता के आधार पर सड़क को बड़ा करने का विचार है ; और

(घ) यदि हाँ, तो कब तक और इस बारे में ब्यौरा क्या है ?

नौवहन और परिवहन मंत्रालय में
राज्य मंत्री (श्री बूदा सिंह) : (क) से
(घ) दिल्ली विकास प्राधिकरण ने इस इलाके में एक पुरानी सड़क को 45 फीट

बौद्धि बनाने का प्रस्ताव किया है । दिल्ली विकास प्राधिकरण ने इसके चारों ओर सड़कों और कल्पणपुरी, तिलोकपुरी आदि से आने वाले यातायात के लिए 100 फीट की एक और सड़क का प्रस्ताव किया है । चूंकि इस 100 फीट की सड़क के लिए जमीन अभी प्राप्त की जानी है और सड़क का निर्माण किया जाना है, इसलिए यातायात अभी मौजूदा सड़क से होकर हो रहा है । इस सड़क को बौद्धि करने का प्रस्ताव दिल्ली नगर निगम की छठी पंचवर्षीय योजना (1980-85) में शामिल किया गया है । इस सड़क के लिए दिल्ली नगर निगम द्वारा शोध हो सर्वेक्षण कार्य शुरू किया जाएगा और इस सड़क का नवगा दिल्ली विकास प्राधिकरण को उसके अनुमोदन के लिए भेजा जाएगा ।

STATEMENT CORRECTING THE REPLY TO UNSTARRED QUESTION NO. 7040 dt. 9-4-1981 REGARDING OPENING OF DISPENSARIES UNDER INDIAN SYSTEM OF MEDICINES AND SIDDHA SYSTEM.

The Minister of State in the Ministry of Health and Family Welfare (Shri Nihar Ranjan Taskar) :

Part (a) of Unstarred Question No. 7040 relating to opening of dispensaries under Indian System of Medicines and Siddha System was answered on 9-4-81 in the Lok Sabha as follows :

Question	Reply
(a) how many dispensaries under the Indian Systems of medicines have been opened Statewise and systemwise ;	(a) The subject essentially falls under the jurisdiction of the respective State Governments/U.Ts. who establish dispensaries including those of Traditional system of medicine according to their felt need and the financial and other constraints. However, under the Central Government Health Scheme, the number of dispensaries/units opened in the different system of traditional medicine in different cities is indicated in the attached annexure

The annexure referred to is reproduced below :—

NUMBER OF DISPENSARIES/UNITS UNDER TRADITIONAL SYSTEMS
OF MEDICINE IN CENTRAL GOVT. HEALTH SCHEME AS ON 1-4-81

Name of City	Ayurveda	Homoeopathy	Unani	Siddha
Delhi	12	10	2	
Bombay	2	1	..	
Meerut	1	1	..	
Allahabad	1	1	..	
Jaipur	1	1	..	
Pune	1	1	..	
Madras	1	1	..	1
Ahmedabad	1	1	..	
Nagpur	1	1	..	
Hyderabad	1	1	1	
Bangalore	1	1	..	
Patna	1	1	..	
Lucknow	1	1	1	
Kanpur	1	1	..	
Calcutta	1	1	..	
TOTAL	27	24	4	1

The entry under Homoeopathic Dispensary at Lucknow may kindly be read as *Nil* instead of *one* and the total under this column will be 23 instead of 24 as earlier given.

It was only on the 18th April, 1981 that this error came to the notice of the Ministry and immediate steps were taken to correct the reply.

12 hrs.

**Re. ADJOURNMENT MOTIONS
etc.**

(*Interruptions*)

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Sir, I seek your permission on the Bangalore issue. 17,000 workers have been laid off...

(*Interruptions*)

SHRI K. LAKKAPPA (Tumkur) : Mr. Speaker, Sir, I rise on a point of order under rule 334A....

(*Interruptions*)

MR. SPEAKER : Every time we have to go through this procedure? I do not know why. When I am at your disposal, at your service, we can take these one by one, and we shall take; I will give time to everybody; if there is any cogent reason for any palausible thing, under the rules we will discuss it and decide it accordingly. There is nothing to be hastened about. There is nothing so that you should stand all around like this.

(*Interruptions*)

श्री रामचित्तास पासवान (हाजीपुर) : नोटिस आया है उसके बारे में...।

अध्यक्ष महोदय : उसी के बारे में है।

PROF. MADHU DANDAVATE (Rajapur) : Adjournment Motion should get the priority....

MR. SPEAKER : I will come to everything....

आप ऐसा मत करिए। मैं बता रहा हूं जो काम करना है। पहले मेरी बात तो सुनिए कि मुझ क्या कहना है।

(व्यवधान)

अध्यक्ष महोदय : जो लोग मेरे पास आए हैं, मैंने उन्हें इत्तिला दी है, जो इत्तिला नहीं दी है, उसके बारे में कहूंगा। मैं आपको बता रहा हूं।

I have got notice of an Adjournment Motion regarding the Bangalore problem....

AN HON. MEMBER : It is not a water problem.

MR. SPEAKER : It is not a water problem; it is a lock-out problem. Regarding this....

(*Interruptions*)

अध्यक्ष महोदय : आप तो सुनते ही नहीं हैं। किसी की बात तो सुनिए।

How can I make you listen? I have not admitted the Adjournment Motion, but I have decided to have a discussion tomorrow on this subject....

श्री भनीराम बागड़ी (हसार) अध्यक्ष महोदय, बंगलौर में....।

अध्यक्ष महोदय : उसी के बारे में बता रहा हूं।

SHRI JYOTIRMOY BOSU : Sir, I have given notice of a privilege motion for not incorporating...

अध्यक्ष महोदय : मैंने इनको अलाऊ किया है। आप बैठिए।

I will allow you also. Don't try to interrupt. Mr. Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU : I have given notice of a privilege motion for not incorporating certain corrections in the debate of 3rd March..

MR. SPEAKER : I have not allowed that ; no question—

(अप्रयान्)

आप कवा करते हैं, समझ में नहीं आता ।

Why are you trying to do this ?
We can deal with each other.

SHRI JYOTIRMOY BOSU :
My submission is, it is a very basic thing..

MR. SPEAKER : No. (*Interruptions*) Why should you take this in your hands ? I can deal with it. I will talk to you if I have anything to talk.

SHRI JYOTIRMOY BOSU :
My point is, if the corrections are not incorporated..

MR. SPEAKER : No, Sir, I have not allowed. I am satisfied. I have over ruled it.

SHRI JYOTIRMOY BOSU :
I am not on the question of privilege. I am saying that the Members should be.. (*Interruptions*)

MR. SPEAKER : I will not allow you again.

आप बैठते क्यों नहीं हैं । आप बैठिए ।

I will listen to you, Mr. Hari-kesh Bahadur.

SHRI GEORGE FERNANDES (Muzaffarpur) : I have given notice of a motion of no-confidence...

MR. SPEAKER : I will come to that according to the Directions. I have got the motion. It is there very much.

DR. SUBRAMANIAM SWAMY (Bombay North East) : According to your Directions, where does it come ?

MR. SPEAKER : See the Directions. After Call-Attention, I will put it to the House.

PROF. MADHU DANDAVATE : I am not raising the question of no-confidence motion just now because the priority is different according to Directions.

The Army has been alerted in Bangalore. From what you have stated just now, I want to know whether you are satisfied that only a discussion is sufficient...

MR. SPEAKER : What else can we do ?

PROF. MADHU DANDAVATE : An adjournment motion is the right thing.

SHRI JYOTIRMOY BOSU :
I am raising on a point of order...

SHRI HARIKESH BAHADUR (Gorakhpur) : 70,000 workers are on the road because of the declaration of the lock-out...

(*Interruptions*)

MR. SPEAKER : I have already decided about it. I cannot re-open it.

SHRI K. LAKKAPPA :
I am raising a point of order under Rule 334A of the Rules of Procedure. The *Times of India* and other papers...

MR. SPEAKER : I have gone through the note, Sir...
(*Interruptions*)

SHRI K. LAKKAPPA : Advance publicity cannot be given....

MR. SPEAKER : No, no
Not allowed.

SHRI K. LAKKAPPA : It is an impropriety.

MR. SPEAKER : I have given my ruling. (*Interruptions*)

[Mr. Speaker]

आप बोच में क्यों बोल रहे हैं ?
उनको बोलने दोजिए ।

PROF. K. K. TEWARY (Buxar) : I implore you to listen to it carefully, Sir, I am reading a notice...

MR. SPEAKER : I have gone through that. I have given my ruling that it does not conform to that. It is not a privilege...

(Interruptions) I have given my ruling... (Interruptions)

SHRI EDUARDO FALEIRO : (Mormugao) : I have given notice of a matter... (Interruptions)

अध्यक्ष महोदय : आप बैठिए। आप मत बोलिये ।

SHRI EDUARDO FALEIRO : I want to bring to your notice a matter which is not the concern of the Government as such but for which this House must express unqualified sorrow and that is the death of the British MP, Mr. Bobby Sands. ... (Interruptions)

MR. SPEAKER : I have allowed a 377.

मैंने 377 एलाउ किया है-

SHRI JYOTIRMOY BOSU : On a point of submission, Sir. Why 377 ? The other House discussed it.

MR. SPEAKER : No, no.

Yes, Mr. Satish Agarwal.

SHRI SATISH AGARWAL (Jaipur) : You are going to allow some discussion on the Bangalore lock-out tomorrow. But tomorrow it is a Private Members day.

MR. SPEAKER : After 6 O' clock we will take it up. We are going to discuss it. We will find out the time.

श्री सत्य नारायण जटिया (उज्जैन) : भोपाल में हाई कोर्ट को मांग को लेकर...

MR. SPEAKER : Not allowed. No, no... (Interruptions)*

MR. SPEAKER : It will not go on record.

SHRI JYOTIRMOY BOSU : Under Rule 376....

MR. SPEAKER : It is not a question of privilege.

SHRI JYOTIRMOY BOSU : I am on a point of order about the List of Business....

MR. SPEAKER : Overruled.

श्री रशीद मसूद (सहारनपुर) : अलीगढ़ मुस्लिम यूनिवर्सिटी को पो० ए० सी० ने चारों तरफ से घेर लिया है...

MR. SPEAKER : It is a State subject. I cannot allow it.

श्री रशीद मसूद : स्टेट मैटर नहीं है। सैट्रल यूनिवर्सिटी है। वहाँ सिन्हाशन एक्स-प्लोसिव है।

MR. SPEAKER : Not allowed. It is a State subject....

(Interruptions)

श्री रामनाथ सोनकर शास्त्री (सैदपुर) : तीन दिन से मैं आपको लगातार सूचना देता आ रहा हूँ मैंने एडजर्नमेंट मोशन

*Not recorded.

दिया है। गाजीपुर के अन्दर 22 ग्राम्पवयस्क लड़कियों के साथ पी० ए० सी० जवानों ने बलात्कार किया है। हरिजन लड़कियों के साथ पी० ए० सी० के लोगों ने बलात्कार किया है....

(अप्पवधान)

अध्यक्ष महोदय : यह स्टेट सव्वजेक्ट है।

(Interruptions)**

All of you are speaking at the same time. Not allowed.

श्री मनोराम बागड़ी : अध्यक्ष जी, यह 50 रुपये का नोट है जिस पर पालियामेंट का नक्शा है तेकिन राष्ट्रदूधन नहीं है, खाली डंडा है.... (अप्पवधान)

अध्यक्ष महोदय : आप बैठिये, आप लोग इतना शोर क्यों कर रहे हैं। माननीय सदस्य ठोक बात कह रहे हैं।

आपका मेरे पास नोटिस आया था। I have gone through it and found out the facts about this thing. Otherwise I would have allowed you. There has been a question here as well as in Rajya Sabha. उनकी गलती थी, उनको नहीं चाहिये था। यह रिजर्व बैंक की तरफ से नालायकी थी।

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI MAGANBHAI BAROT) : They did it by mistake. It was corrected later on.

MR. SPEAKER : They did it. They failed in their duty.

Later on they corrected it.

DR. FAROOQ ABDULLAH : (Srinagar) : Sir, is not the House expected to discuss this ? The

population of 1947 was 3.54 million and today it is over 600 million. I would submit that this is very important. (Interruptions)

अध्यक्ष महोदय : इस हाउस में पहले भी 193 में, आधे घंटे की चर्चा में भी, कवेश्चन आवार में भी इस बात पर जोर दिया गया है और सब एक मत है कि अगर हमें यसना है ठीक ढंग से और तरकी चाहते हैं देश की तो यह आवश्यक है। लेकिन तीन दफा इस बात पर चर्चा कर चुके हैं। नेक्ट सेशन आयेगा तो देखा जायेगा। आज भी मैंने 377 में अलाइ किया है।

DR. SUBRAMANIAM SWAMY : Sir, I am on a point of order. Mr. Speaker, you said that on Rs. 50/- note there is no national flag. रिजर्व बैंक की नालायकी है। Is this not a reflection on the Finance Minister sitting over here ?

MR. SPEAKER : The Finance Minister has nothing to do.

DR. SUBRAMANIAM SWAMY : He must resign. (Interruptions)

MR. SPEAKER : Now, Papers Laid on the Table. Shri Chavan.

12.12 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF AND REVIEW ON INDIAN COUNCIL OF SOCIAL SCIENCE RESEARCH, NEW DELHI FOR 1979-80 ETC.

THE MINISTER OF EDUCATION AND SOCIAL WELFARE (SHRI S.B. CHAVAN) : I beg to lay on the Table:—

[Shri S.B. Chawan]

(1) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Council of Social Science Research, New Delhi, for the year 1979-80.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Indian Council of Social Science Research New Delhi, for the year 1979-80.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above. [Placed in Library. See No. LT. 2517/81].

(3) (i) A copy of the Annual Report (Hindi and English versions) of the National Council of Educational Research and Training, New Delhi, for the year 1979-80.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the National Council of Educational Research and Training, New Delhi, for the year 1979-80.

(4) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.

(5) (i) A copy of the Annual Accounts of the National Council of Educational Research and Training, New Delhi, for the year 1979-80 together with Audit Report thereon.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the accounts of the National Council of Educational Research and Training, New Delhi, for the year 1979-80.

(6) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi

versions of the Accounts and Audit Report of the National Council of Educational Research and Training, New Delhi, for the year 1979-80.

(7) A statement (Hindi and English versions) showing reasons for delay in laying the Annual Accounts and Audit Report of the National Council of Educational Research and Training, New Delhi, for the year 1979-80. [Placed in Library. See No. LT. 2517/81.]

(8) A statement (Hindi and English versions) explaining reasons for not laying the Audited Accounts of the Lalit Kala Akademi, New Delhi, for the year 1979-80 within the stipulated period of nine months after the close of the Accounting year. [Placed in Library. See No. LT. 2518/81].

(9) A statement (Hindi and English versions) explaining reasons for not laying the Audited Accounts of the National School of Drama, New Delhi, for the year 1979-80 within the stipulated period of nine months after the close of the Accounting Year. [Placed in Library. See No. LT. 2519/81].

NOTIFICATION UNDER HIND CYCLE LTD., AND SEN RALEIGH LTD., (NATIONALISATION) ACT, 1980

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRY (SHRI P.A. SANGMA) : On behalf of my colleague, I beg to lay on the Table a copy of the Hind Cycles Limited and Sen Raleigh Limited (Nationalisation) Rules, 1981 (Hindi and English versions) published in Notification No. S.O. 228 (E) in Gazette of India dated the 27th March, 1981, under sub-section (3) of section 31 of the Hind Cycles and Sen-Raleigh Limited

(Nationalisation) Act, 1980.
 [Placed in Library. See No. LT-2520/81]

STATEMENT RE. ANNUAL REPORT ETC. OF NATIONAL COUNCIL OF SCIENCE MUSEUMS, CALCUTTA, 1979-80, ANNUAL ACCOUNTS OF SANGEET NATAK AKADEMI, NEW DELHI, FOR 1979-80, ANNUAL REPORT OF AND REVIEW ON GANDHI DARSHAN SAMITI, NEW DELHI. 1979-80, ETC.

SHRI S. B. CHAVAN : On behalf of my colleague, I beg to lay on the Table :

(1) A statement (Hindi and English versions) explaining reasons for not laying the Annual Report and Audited Accounts of the National Council of Science Museums, Calcutta, for the year 1979-80 within the stipulated period of nine months after the close of the Accounting year. [Placed in Library. See No. LT-2521/81].

(2) A copy of the Annual Accounts (Hindi and English versions) of the Sangeet Natak Akademi, New Delhi, for the year 1979-80 together with Audit Report thereon. [Placed in Library. See No. LT- 2522/81].

(3) (i) A copy of the Annual Report (Hindi and English versions) of the Gandhi Darshan Samiti, New Delhi, for the year 1979-80 together with Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Gandhi Darshan Samiti, New Delhi, for the year 1979-80.

(4) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.
 [Placed in Library. See No. LT-2523/81].

(5) (i) A copy of the Annual Report (Hindi and English versions) of the Rampur Raza Library, Rampur, for the year 1979-80 together with Audited Accounts, under sub-section (2) of section 22 of the Rampur Raza Library Act, 1975.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Rampur Raza Library, Rampur, for the year 1979-80.

(6) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (5) above. [Placed in Library. See No. LT-2524/81].

REVIEW ON AND ANNUAL REPORT OF INDIAN DAIRY CORPORATION, BARODA, FOR 1979-80, AND REVIEW AND ANNUAL REPORT OF NATIONAL COOPERATIVE LAND DEVELOPMENT BANKS FEDERATION, BOMBAY FOR PERIOD ENDING 30TH JUNE, 1980.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI R. V. SWAMI-NATHAN) : I beg to lay on the Table:

(1) A copy of each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:

(i) Review by the Government on the working of the Indian Dairy Corporation, Baroda, for the year, 1979-80.

(ii) Annual Report of the Indian Dairy Corporation, Baroda, for the year 1979-80 alongwith the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(2) A Statement (Hindi and English versions) showing reason

for the delay in laying the papers mentioned at (1) above. [Placed in Library. See No. LT-2525/81].

(3) (i) A copy of the Annual Report (Hindi and English versions) of the National Cooperative Land Development Banks Federation, Bombay, for the year ended 30th June, 1980 alongwith Audited Accounts.

(ii) A copy of the Review (Hindi English versions) by the Government on the working of the National Cooperative Land Development Banks Federation, Bombay, for the year ended 30th June, 1980.

(4) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above. [Placed in Library. See No. LT-2526/81].

REPORT ON SALE BY AUCTION OF GOLD HELD ON GOVERNMENT ACCOUNT

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI MAGANBHAI BAROT) : I beg to lay on the Table a copy of the Report (Hindi* version) on the sale by auction in 1978 of gold held on Government account (Shri K. R. Puri Report) [Placed in Library. See No. LT- 2527/81.]

12.14 hrs.

RAILWAY CONVENTION COMMITTEE

SECOND REPORT ON ACTION TAKEN BY GOVERNMENT

SHRI D.L. BAITHA (Araria) : g to present the Second Report

(Hindi and English versions) of the Railway Convention Committee on Action Taken by Government on the recommendations contained in the Fourth Report of the Railway Convention Committee (1977) on the 'Delegation of Powers to General Managers, Organisation of zonal Railways and reorganisation of Railway Boards' Office.'

12.15 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED UNAUTHORISED SHOOTING OF FILMS ON BASTAR

MR. SPEAKER : Now, Calling Attention. Shri Rawat. Not here. Shri Paswan.

श्री राम विलास पासवानः (हाजीपुर) : अध्यक्ष जी, मैं अविनाशनीय लोक भहत्व के निम्नलिखित विषय की ओर विदेश मंत्री का ध्यान दिलाना हूँ और प्रार्थना करता हूँ कि वह इस बारे में एक वक्तव्य दे।

“बस्तर, मध्य प्रदेश के आदिवासियों के निजी जीवन पर बी० बी० स०० डारा ग्रनाधिकृत रूप से बनाई गई फिल्मों के समाचार।”

12.16 hrs.

(MR. DEPUTY SPEAKER in the Chair)

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO) : Sir, the BBC Television network applied for permission to produce a film entitled “Portrait of a Village”, on the Muria tribal people of Bastar District in Madhya Pradesh, to the Ministry of External Affairs in

*English version was laid on the 26th March, 1981.

November 1980. It was indicated that a BBC television team from Bristol would come to do this filming. This TV team was given permission on the 23rd February 1981 to shoot the television film. The theme of the film is the place of the individual and the self-sufficient household within "the Muria community". The script, which was submitted for prior approval, also indicated that the film would be of a serious academic nature concentrating on the anthropological aspects of Muria tribal life. The proposal and the script of the film was examined by the Ministry of Home Affairs, the Madhya Pradesh Government, the Commissioner for Scheduled Castes and Scheduled Tribes and, on the basis of the advice received from these authorities, by the Ministry of External Affairs. Permission to undertake filming was granted only after all the concerned departments of the Government of India had approved the proposal and the script in detail.

The BBC team which has produced this film is led by Mr. Chris Curling, Head of the Anthropological Film Unit of the BBC. The team consists of academics and anthropologists specialising in tribal cultures and sociological disciplines. It consisted of four such persons in addition to one cameraman and one sound technician. This film when finally processed, is to be shown on the BBC Second Channel Network which is devoted to serious themes and academic subjects. The BBC has also indicated to the Government of India that the film may be shown over the BBC's "Open University Programme" for Advanced Studies in Anthropology.

The film was shot in village Taragaon and its vicinity in Narain-Pur Tehsil of Bastar District. The shooting of the film commenced on the 16th March, 1981 and was completed in the last week of April 1981. A Liaison Officer from the Madhya Pradesh government was in

attendance on the team throughout the shooting, which was also done under the close supervision of the Collector of Bastar District; all operations relating to the film were undertaken with the approval of the Madhya Pradesh Government.

On seeing press reports indicating that the team might have filmed objectionable sequences in the "Ghotul" (the meeting house) of the Muria tribe, the Government of India immediately got in touch with the Madhya Pradesh Government to ascertain the facts, with the intention to withdraw the BBC team immediately if the reports were true. The Madhya Pradesh Government enquired into these reports and also called for a detailed assessment from the Collector of the Bastar District. The enquiries of the Madhya Pradesh Government indicated that the BBC team had not filmed any objectionable sequences as alleged in the press reports. The BBC television team as well as the representative of the BBC in New Delhi, have assured the Government that they have not filmed any scene or sequence of a prurient or objectionable nature in the "Ghotul". The only sequence shot in the "Ghotul" concerns a meeting between the youngsters and elders in which matters pertaining to tribal customs and breaches of etiquette were discussed. All scenes were shot in consultation with the Liaison Officer and the Collector of Bastar District.

The terms and conditions under which the BBC was granted permission to make this film stipulate that the BBC will submit the film for preview to officials of the High Commission of India in London before it is telecast. They further stipulate that the representatives of the High Commission of India can ask for the deletion of any visual sequences or portions of the commentary which may be considered prurient or objectionable, and filmed in contravention of the assurance given by the

BBC to the Government of India. The leader of the BBC TV team as well as the resident representative of the BBC have re-confirmed to the Ministry of External Affairs that they will meet this obligation. They have in addition, given a verbal assurance to the Ministry of External Affairs that, if required, the film will be submitted for preview to the concerned authorities in Delhi.

The Government of India enquired from the Madhya Pradesh authorities whether the BBC filming activities have created any local resentment or unrest. The reports received from the Madhya Pradesh Government indicate that there was no such resentment or unrest.

It is therefore submitted that the filming of this documentary by the BBC conforms to the terms and conditions governing such filming by foreign television teams.

श्री राम विलास पासवान : (हाजीपुर) : उपाध्यक्ष महेश्वर, इस बारे में अखबारों में जो बहुत सी बातें निकली हैं, मंत्री महोदय ने अपने जवाब में एक स्वर से कह दिया है कि ये नमाम बातें काल्पनिक हैं। लेकिन मैं समझता हूँ कि इस विषय में अखबारों में जो दो तीन महत्वपूर्ण बातें आई हैं, मंत्री महोदय ने उनकी तरफ ध्यान नहीं दिया है। यह काम राज्य सरकार गृह मंत्रालय, विदेश मंत्रालय और सूचना तथा प्रसारण मंत्रालय की सांठ-गांठ से हुआ है और यह उनका सम्मिलित प्रयास है।

श्री पी० बी० नरसिंहरावः सांठ गांठ द्या है।

श्री राम विलास पासवान : यह मेरे पास प्रारूप की प्रतिलिपि है। इसको जिस किसी भी अफसर, अधिकारी ने तैयार किया हो और मैं समझता हूँ कि यह गवर्नरमेंट

के नालेज में होगा—यह अपने प्राप्त माप में एक अलंगाकारादी प्रवृत्ति है। यह प्रारूप मंत्री नहीं दय के पास होगा, अगर नहीं है, तो मैं उनके पास भिजवा दूंगा। प्रारूप में कहा गया है:-

The film will show the uniqueness of Muria culture while mentioning that it differs from Indian culture large.

मंतलब यह है कि उन्होंने शुरू में ही यह दिखलाने की कोशिश की है कि मुरिया कल्चर भारत की सम्प्रता से अलग है। मेरा आवजेक्षण यह है कि चाहे जहाँ भी इसका प्रारूप तैयार किया गया हो, इसमें दिखलाने की कोशिश की गई है यहाँ पर हरिजनों का कल्चर अलग है, आदिवासियों का कल्चर अलग है और सबजों का कल्चर अलग है।

12.22 hrs.

[MR. SPEAKER in the Chair]

मंतलब यह है कि उनको भारतीय कल्चर से कोई मंतलब नहीं है। यह प्रारूप मुरिया जनजाति के संबंध में है। लेकिन "घोटुल" शब्द कहाँ से आ गया? अगर मंत्री महोदय इस प्रारूप को देखेंगे, तो उन्हें पता चलेगा कि उसमें साफ तीर से लिख दिया गया है कि किनकिम विषयों पर यह फिल्म ली जायगी 1 से 7 तक साफ तीर से लिखा गया है। लेकिन मैं समझता हूँ कि उसकी मर्यादा का कहीं ध्यान नहीं रखा गया है।

लोकल अखबार और हमारे देश के दूसरे अखबार—यह नवभारत टाइम्स है इस मामले से भरे हुये हैं, लेकिन उसकी भोर न जाते हुये मैं कहना चाहता हूँ कि गृह मंत्रालय से एक आफिसर को डिपूट किया गया। श्री आर० एन० मिश्र की नियुक्ति

इन दिनेम आप दिग्गिंदेंट हुई है। सरकार ने उसको एक समाजसेवी प्रीर एन्ड एडजेसेस-जिस्ट की हैमिलित से वहां चेजा था। मैं मंत्री महोदय से यह जानका चाहता हूं कि जब वह वहां था, तो उसने भारत सरकार को दो बार पत्र लिखा था का नहीं। उन दोनों पत्रों की प्रतिलिपियां भेरे पात्र हैं। उन्होंने अपने पत्र में कहा है कि पहले तो उनको बी बी सी की टीवी के हारा पटाने की कोशिश की गई, उनको लोभ-सालच दिया गया, और जब वह उसमें नहीं फंसे, तो उनको थेटन किया गया। इतना ही नहीं, यदि उनको बुरी तरह से बेड़ज़त किया गया। बम्बई से एक व्यक्ति वहां स्टेट गेस्ट के रूप में आये थे। उन्होंने तो राजीव गांधी का नाम ले लिया और कहा कि उससे मेरा संबंध अच्छा है, तुमने यहां आने का कैसे देखर किया। इतनी दूरी तक मामला पहुंच गया। मैं मंत्री महोदय से जानता चाहता हूं कि श्री भार एन बिश्र ने, जिसको गृह मंत्रालय ने भेजा था, क्या रिपोर्ट दी। उसके बाद फिर बस्तेर का पुलिस अधीक्षक जो स्वयं आदिवासी है उसने इसका विरोध किया। आपने कहा कि बापस बुलाने के लिये गृह मंत्रालय से कहा गया था लेकिन बाद में सारी चीजों की जांच की गई तो कहते हैं कि फिर इस पर रिकॉर्डर किया गया और उसको छोड़ दिया गया, बी बी सी टीवी को बापस नहीं बुलाया गया। लेकिन मैं समझता हूं कि इसमें राजनीतिक दबाव था, राजनीतिक दबाव के कारण आपने उस को छोड़ा न कि किसी तर्थ के आधार पर। तर्थों के आधार पर जाते हो निश्चित रूप से आप उसके, नहीं छोड़ते।

आप यह बतलायेंगे कि 12 मई तक उसका फिल्मांकन करना था, मैं लगातार 15-20 दिनों से इसकी नोटिस दे रहा हूं और लगातार एडजन्मेंट मोशन के माध्यम से भी इसके उठाने की कोशिश कर रहा हूं, मैंने 388 का नोटिस दिया परसों भीरकहा कि

शायद 53 रील्स बी बी सी के प्रबन्धना के कथनानुसार जो समाचार पत्रों में आया कि उसने स्वयं कबूल किया वहां के जिलाधिकारी के समस प्रीर दिल्ली में आकर उसने स्टेटेमेंट दिया कि 53 रील्स यहां से बाहर चली गई, मैंने 388 में कहा कि स्थिति इतनी नाजुक पहुंच गई है कि वहां कि म की शूटिंग बन्द हो गई और फिल्म के जितने भी लोग है समाचार पत्रों में जब निकला है तो सबके सब लोग दिल्ली आ रहे हैं और दिल्ली से वह डिस्पैच कर रहे हैं। आपने जो कहा कि बाद में देखेंगे, भारत सरकार को भी फिल्म दिखायी जायेगी, सब लोगों को दिखलायी जायेगी लेकिन यदि दो किस्म की फिल्म बनायी जायेगी, एक फिल्म भेज दी जायेगी और दूसरी फिल्म दिखायी जायेगी तो भारत सरकार क्या निश्चित करेगी? वह फिल्म जो गई है उसको फाइंड आउट करेंगे? यह सारी चीज है? जैसा मैंने कहा शुरू में ही कि इसमें एक भारतीय जन-जीवन को एक दूसरे से ग्रलग करने की कोशिश की गई है, उसमें ग्रलगाव करने की कोशिश की गई है और परसनल स्वार्थ के लिये अधिकारियों ने और विभिन्न मंत्रालयों के कुछ एक दो अफसरों ने मिल कर इस विकृत ढंग से इसको किया है।

मैं कहता हूं कि मंत्री महोदय यदि समय रहते नहीं चेते तो इसका बहुत ही बुरा प्रभाव विदेश में फड़ सकता है। इसलिये मैं बाहुंगा कि जब वह जबाब दें तो इन सारे मुद्दों पर जबाब दें और अभी भी मैं आप से मांग करता हूं कि आप दो काम करें। एक तो निश्चित रूप से पता लगायें कि इस की डबल फिल्म तो तैयार नहीं की गई है और इसका कैसे पता आप लगायेंगे यह आप बतलायें। दूसरे आप के इसी जांच कमेटी बैठाइये जो इन तमाम मुद्दों में जाये कि प्रारूप किस ने तैयार किया, कैसे इसको पात्र

[प्री राम बिलास पासवान]

होने दिया गया ? एक कैमरामैन का तो वहां हाथ पांच टूट गया । जब आर एन मिथ वहां गये और उन्होंने कहा कि रिपोर्ट करेंगे तो जब बाजौ में लाइट बगैरह को हटाया जाने लगा जिसमें उसके हाथ पांच टूट गये । तो इसके लिये एक जांच कमेटी बैठायें जिसमें एक जज रहे, विभाग का एक्सपर्ट रहे और फिल्म डिवीजन का भी कोई अधिकारी या एथार्टी रहे जो इन सारी बातों के बारे में फाइंड आउट करे । इसमें किसी पार्टी का मामला नहीं है, अपनी गण्डीयता का मामला है ।

अध्यक्ष महोदय : अब आप समाप्त करें ।

श्री दी० बी० नरसिंह राव : अध्यक्ष महोदय, मैं सबसे पहले यह स्पष्ट करना चाहता हूँ कि माननीय मंत्री ने जिस भावना में यह प्रश्न उठाया है उसमें मेरा कोई मतभेद नहीं है । मैं चाहता हूँ कि जो भी फिल्म यहां बने, यहां के जन-जीवन पर, जन-जीवन की किसी भी झांकी पर, उसमें कोई ऐसी बात न हो जिससे हमारी संस्कृति पर कलंक आए या हमारी कोई बदनामी हो । इस भावना में मैं भहसन हूँ ।

मैं माननीय मंत्री को इतना बतलाना चाहता हूँ कि इस मामले में किसी पर कोई दबाव या कोई अमर डालने की कोशिश जहां तक कि मेरा संबंध है या मेरे मंत्रालय का संबंध है, नहीं हुई है । इसमें यह कहना कि इस ट्राइब की भास्त के जन-जीवन से या उसकी धारा से अलग दिखाने की कोशिश की जा रही है, यह उनका उचित नहीं होगा क्योंकि हमारे भारत की संस्कृति मिली-जुली संस्कृति है, कम्पोजिट बाल्चर है ।

कई धारा उसमें आकर मिली है, और एक-एक धारा की अपनी-अपनी विशेषता है । उसमें से अगर किसी विशेषता को उठाकर दिखाया जाता है तो हमें उसमें कोई आपत्ति नहीं करनी चाहिए बल्कि कि उसको दिखाने में हमारी बदनामी न हो उसको दिखाने में हमारी संस्कृति पर कोई कलंक न आये, जैसा कि मैंने अभी कहा है अब हमारे भासने यह फिल्म आयेगी और हमें दिखाई जायेगी ।

अध्यक्ष महोदय : उन्होंने प्रश्न किया था कि दूसरा प्रिन्ट बाहर तो नहीं चला गया ?

श्री पी० बी० नरसिंह राव : मैं अर्ज कर रहा हूँ । आखिर यह फिल्म किस लिए बनी है ? बीं बीं सीं पर दिखाने के लिए बनी है । और बी० बी० सी० पर जो फिल्म दिखाई जाती है उनके लिए तो हमारा लंदन हाई कमीशन रोज ही मानीटर करता है । इससे पहले भी जो फिल्म दिखाई गई जिन पर आपत्ति की गई, वह हमारी मानीटरिंग के आधार पर ही की गई ।

इस विशिष्ट मामले में उन्होंने यह भी बताया है कि जहां पहले उनका यह करार था कि वहां लंदन में फिल्म दिखाई जायेगी, वे इस फिल्म को यहां भी दिखाने के लिए तैयार हैं । वहां पर फिल्म इसलिए गई है कि उसकी प्रोसेसिंग वहां होनी है । दिल्ली में या बम्बई में उसकी प्रोसेसिंग न हो जरके उनको लेबोरेटरी में उसकी प्रोसेसिंग होगी और जब भी फिल्म वापिस आयेगी तब हमें दिखाई जायेगी । उसमें अगर कोई ऐसा भाग होगा जोकि आपत्तिजनक है तो उसको उसमें से काट दिया जायेगा ।

अब रहा यह सवाल कि अगर दो फिल्में बनाई जाएं तो क्या होगा ? दो फिल्में बनाई जायें मात्र फिल्में बनाई जाएं, आखिर वह बी० बी० सी० पर दिखाई जायेगी, किसी दूसरी जगह नहीं दिखाई जायेगी। बी० बी० सी० वाले कोई फिल्म किसी अन्य स्थान या रास्ते पर दिखाने के लिए नहीं बनाते हैं, वे अपने चैनल्स पर ही फिल्में दिखाते हैं। इसके अलावा मैं यह भी कह सकता हूँ कि जितनी फिल्म वहां पर शूट की है उसकी पूरी रोल भी दिखाने की संभावना है। डंडसकी भी हम कोशिश कर रहे हैं। चूंकि मैं सहमत हूँ आपको इस भावना से, इसलिए मैंने इसकी सारी खोज की है। मैं आपको एक आश्वासन भी देना चाहूँगा। बी० बी० सी० की तरफ से अगर कोई ऐसी बात हुई जिससे यह पाया गया कि उन्होंने जो अपने करार में कहा था उसका उल्लंघन किया है तो फिर मैं आपको आश्वासन दूँगा कि हम काफी कड़ी कार्यवाही करने के लिए तैयार हैं। In this connection, I would like to say one very important thing. Certain bodies including the BBC have come to adverse notice in the past once or twice. They have violated the provisions of the agreement or provisions of the undertaking which they had given. We know that. Now, this, I would like to submit, is the very last chance we are giving them. We shall find out if they have conformed to what they have undertaken. If they have not—and I have no reason to presume that they have not—then we will have to think about it very seriously. On the last two occasions, when such violations were made I learn from the records that when the violation was pointed out, BBC came out with a very ready apology. I respect the BBC for its objectivity, but I also say that if the practice of violation and apology has been developed into a pattern by the BBC then we will have to have our own pattern on how to deal with it. I do hope that in this case, it is

not so. These are two different matters.

अब यह फिल्म कैसी है, यह एक प्रश्न है, और दूसरे, मिथ्र जी के साथ क्या हुआ दूसरे के साथ क्या हुआ, कलकटर की क्या, रिपोर्ट है—यह प्रशासन की जो बातें चली हैं वह प्रश्न अलग है। इन दोनों प्रश्नों को हम अलग-अलग देखें। फिल्म के साथ जो करना है उसके लिए छानबीन करके पूरी तरह से उसकी परीक्षा करें और उस पर जो कार्यवाही होनी चाहिए वह करें। साथ ही प्रशासन में अगर कोई गड़बड़ी हुई है तो उसके बारे में भी अपना इस्मीनान करने के लिए संतुष्ट होने के लिए कि कोई गड़बड़ी नहीं हुई है, हम जांच करने के लिए कोशिश करें। (ठव्वधान)

MR. SPEAKER : Rao Sahib, I hope that has satisfied him. But I have some personal experience. In England I have seen some objectionable rushes. I was not too happy to see that.

SHRI P. V. NARASIHMA RAO : Sir, I have made the position very clear for the benefit of the BBC as well as our man.

श्री तारिक अनबर : (कठिहार) : अध्यक्ष जी, वैमे तो मंत्री जी का व्यायावहृत ही संतोषजनक है और सारी वातों को ध्यान में रखकर ही जवाब दिया है। अभी जैसा कि आपने भी कहा कि आपने बी० बी० सी० की फिल्म वहां देखी है या कुछ ऐसी बात है, जिसको देखने से लगता है कि हमारे देश की जो प्रतिष्ठा है, वह गिरती है। यह बात सही है, बिक हम लोग अक्सर अखबारों में देखते आए हैं कि बी० बी० सी० भारत के अन्दर जो घटनाये होती हैं, उसको फिल्माते हैं, उससे साफ जाहिर होता है कि वह भारत सरकार के विहङ्ग या हमारे देश की प्रतिष्ठा को गिराना चाहते हैं। ऐसी बात वे दिखाना चाहते हैं, जिससे हमारे

[श्री तारिक अनवर]

देश का मान घटे। मैं मंत्री जी से यह बात जरूर जानना चाहूँगा कि जब यह बात हम जानते हैं कि बी० बी० सी० का रूप हमारे देश के साथ अच्छा नहीं है, वह हमारे देश की छोटी सी घटना को भी बड़ा रूप बनाकर पेश करते हैं; जिससे यह जाहिर होता है कि भारत में कोई बहुत बड़ी घटना घटी है और कोई बहुत बड़ा गलत काम हो रहा है। इन परिस्थितियों में हमारी सरकार बी० बी० सी० को ऐसी फिल्म बनाने की इजाजत देती है, जब कि हम जानते हैं कि वे ऐसी फिल्में बनाकर हमारे देश की प्रतिष्ठा को गिराना चाहते हैं?

श्री बी० बी० नरसिंह रावः अध्यक्ष महोदय, हमारे देश में कई फिल्में बन रही हैं और कई कम्पनियां आ रही हैं, जोकि यहां के जनजीवन को बाहर दिखाने के लिए, यहां के प्रेक्षणीय स्थानों के बारे में और लोगों को जानकारी देने के लिए वे यह किल्म बना रहे हैं। उनसे हमें काफी फायदा हो रहा है, यह बात नहीं है कि इन कंपनियों से हमारा नुकसान हो रहा हो। हर जगह इन्हीं फिल्में जब बन रही हैं तो उनमें से कुछ ऐसी निकल जाती हैं, जिनमें थोड़ी सी शरारत भी हो सकती है, थोड़ी सी अनजाने में भी गलती हो सकती है। इसलिए हम उसको पहले देख लेते हैं, फिर उनको पास करते हैं। यह कहना कि कोई किल्म यहां बने हो नहीं, यह ठीक नहीं है, क्योंकि टूरिज्म के सिलसिले में हमारी जो फिल्में बनती हैं, उससे हमारा काफी प्रचार होता है। अन्य देशों में उससे हमारा फायदा होता है।

जबोहां तक बी० बी० सी० की बात है, बी० बी० सी० ने अच्छी से अच्छी फिल्में बनाई है, इससे जो इन्कार नहीं किया जा सकता। बी० बी० सी० की कई फिल्मोंमें

कोड़ा बहुत सलान्ट होता है, इससे भी इंकार नहीं किया जा सकता। इसलिए हम कोई पत्तर को लकीर नहीं बनाना चाहते हैं। वे फिल्म बनाव, हम उसको देखें, पास करेंगे, फिर वे दिखायें।

SHRI GIRIDHAR GOMANGO (Koraput) : Sir, I have gone through the Statement given by the Hon. Minister. I have some doubt in my mind regarding the Statement.

Sir, this statement relates to the tribal cultural life. It is natural that those who know the tribal culture or those who belong to tribals, will definitely understand the sentiments of the tribals. The documentary film will be exhibited in the open university in London. Therefore, they have taken the film of the open society. You know what is the meaning of the 'open society', and the open society is one which is not overed. If they show that film there in the name of anthropological or academic interest, I think this will be very shameful, especially for that tribals.

Sir, I will quote one very important sentence about the tribals which Pandit Nehru had stated. He says :

"To treat the tribals as specimen for anthropological examination and analysis except in the sense that everybody is more or less an anthropological specimen is an insult to them."

That means the tribals.

That means we are insulting the tribals in the name of anthropological study. I would like to know whether the Ministry of Information and Broadcasting has produced any film from the anthropological or cultural point of view, or a film to depict the tribal way of life in India. If Government has produced it, what prompted it to give permission to the BBC to produce such a film?

In the past also, they were given permission. There were untoward incidents in the tribal areas. The meaning of 'ghotul' mentioned in the statement is not correct. It is not a meeting place, it is a village dormitory. If you go through the book by Verrier Elwyn on Ghotul, you will find a more picturesque story than the film that they have produced.

That film company has taken a film on something else which they don't want to show us here. The Minister has said that they have given a verbal assurance to show the film, if Government wants it. But there is no mention of it in the written agreement. The pertinent question which arises here is why should they use 'if's and but's'?

My question is this. It is mentioned in the statement "The only sequence shot in the Ghotul concerns a meeting between the youngsters and the olders in which matters pertaining to tribal customs and breaches of etiquette were discussed. But here, 'youngsters' means boys and girls. And olders are not permitted in the Ghotul. Married couples are not permitted. What type of photographs has BBC taken from Ghotul? You should make sure about this. Then you will come to know whether the sentiments of tribals have been insulted or not.

I make this request to the Government of India whenever they give permission to produce such films on the tribals alone they should approve not only the script, but also the Films. Now, the script is different and the photographs are different. Who is the responsible officer now who can put his hands in front of the camera and say that particular objectionable photos should not be taken? This is the relevant question.

I know the way of living of the tribals and their dress, Abhujmar

in Bastar district is a restricted area. When Government of India gave permission, did it ensure that a particular type of film will be produced by BBC? What steps is Government going to take in future regarding the films to be produced whether by the Government of India or by others, on tribals?

SHRI P. V. NARASIMHA RAO :
Mr. Gomango has really raised several relevant issues and to most of them, I have already replied. Anthropology is a subject which is not necessarily confined to tribals. Anthropology is a very vast subject in which any section of humanity can come; and therefore it is too late in the day to object to the subject of anthropology as such. But when a film is made when a representation is made, when certain description is given in regard to the way of living of a section of people in any country—not only in India—and we have such societies....

PROF. N. G. RANGA (Guntur) :
We can do it, why should we allow others?

SHRI P. V. NARASIMHA RAO :
Certainly, we are also doing it ourselves. It is not as if we are not doing it. But we are allowing others to do it because....

PROF. N. G. RANGA : We should not allow others.

SHRI P. V. NARASIMHA RAO :
But is it the point that we should completely ban everybody from coming into this country? I do not know if that is the position. That is not the position of this Government, and this, possibly, will not be accepted by the people and by the Parliament according to my understanding. I am here and now saying that if this Parliament say that no filming company should be allowed in India, then we are prepared to consider. But that would be a very wrong thing to say. I have said that

[Shri P. V. Narasimha Rao]

in the interest of tourism, in the interest of many other as aspects of Indian life finding a good projection, it is necessary.

(Interruptions)

MR. SPEAKER : Nothing, not allowed.

(Interruptions)**

SHRI P.V. NARASIMHA RAO : Do not go into irrelevant things. What I am saying is that as a matter of policy, foreign film companies, foreign bodies are allowed to come and make films in India. Shri Gomango has already shown us a book. If you do not do anything about the film, the book is already there. The book is in circulation; may be in thousands, we do not know. (Interruptions) The film we have not seen. (Interruptions) The point is how damaging is the film remains to be seen. I have already made a commitment.. (Interruptions)

श्री राम विलास पासवान : हम लोग आरोप लगा रहे हैं।

श्री पी० भी० नरसिंह रावः आप आरोप लगा रहे हैं और मैं आपके आरोपों का खंडन नहीं कर रहा हूँ लेकिन मैं आप से यह विनती कर रहा हूँ, यह निवेदन करने की चेष्टा कर रहा हूँ कि आपके आरोपों पर हम विचार करेंगे। उस फिल्म को पूरी तरह से देखेंगे, उसकी छानबीन करेंगे और जो गलती होगी, उसको ठीक करके, कट्टांट करके एकदम स्वच्छ बना कर फिल्म को दिखायेंगे।

श्रीमती विलासती चतुर्वेदी (खजूराहो) : अध्यक्ष महोदय, केवल एक प्रश्न में इसके बारे में पूछना चाहूँगी।

MR. SPEAKER : No, no, you cannot. Rules do not allow.

MOTION OF NO-CONFIDENCE IN THE COUNCIL OF MINIS- TERS

MR. SPEAKER : I have to inform the House that I have received eight notices of motions of No-Confidence in the Council of Ministers under rule 198 from : (1) Shri Ram Vilas Paswan, (2) Shri Ram Jethmalani, (3) Shri George Fernandes, (4) Shri Harikesh Bahadur, (5) Shri Bapusaheb Parulekar, (6) Dr. Subramaniam Swamy, (7) Shri Ratansinh Rajda and (8) Prof. Madhu Dandavate.

The first notice is by Shri Ram Vilas Paswan. The Motion as slightly edited reads as follows :

"This House expresses its want of confidence in the Council of Ministers."

THE MINISTER OF COMMU-
NICATIONS (SHRI C. M. STE-
PHEN) : I have to raise a point of
order.

(Interruptions)

MR. SPEAKER : Under what rule you want to do it?

(Interruptions)

SHRI C. M. STEPHEN : Please give me a little time.

(Interruptions)

MR. SPEAKER : It is for me to decide.

(Interruptions)

SHRI GEORGE FERNANDES (Muzaffarpur) : We have given Motion of No-Confidence in the Council of Ministers. It is Rule 198. (Interruptions) What is he trying to say ?

THE DEPUTY MINISTER IN
THE MINISTRY OF FINANCE
(SHRI MAGANBHAI BAROT) : We have got a right to oppose it. We shall oppose it.

PROF. MADHU DANDVATE
(Rajapur) : The procedure is precise.

DR. SUBRAMANIAM SWAMY
(Bombay-North-East) : Why are you afraid ? Face it.

MR. SPEAKER : It is for the Speaker to decide. I will listen to it and over-rule if there is anything.

(*Interruptions*)

MR. SPEAKER : It is under my judgment. Let me listen. Under what rule you want to come ?

SHRI C. M. STEPHEN : It is under the rule governing the admissibility of no-confidence motion. It is under 198 whatever that be. (*Interruptions*). Kindly bear with me. The heaven is not going to fall if you just listen to me for one or two minutes. The point is that the rule does not spell out all the points on which the admissibility is to be determined. (*Interruptions*) Not necessarily. Just listen to me. It says as follows :

"No condition of admissibility of a motion is laid down under the rules except that once a decision of a discussion is taken by the House on such motion.."

MR. SPEAKER : From where are you quoting ?

SHRI C. M. STEPHEN : Practice and procedure by Kaul and Shakdher. (*Interruptions*).

SHRI JYOTIRMOY BOSU
(Diamond Harbour) : Practice and Procedure by Shakdher. It is wonderful. (*Interruptions*).

SHRI C. M. STEPHEN : I have got a right to raise a point for your consideration and for the consideration of the Opposition also. I have to be heard. (*Interruptions*) Therefore, I am saying. I am at this preliminary

stage saying that the Speaker is vested with the power of deciding whether the motion is in order or not. He may not bring a notice before the House if this is not properly worded or on any other ground consider sufficient by him. My submission therefore, is there can be grounds even other than what is mentioned in the rules. There can be a consideration on which you can hold the motion to be inadmissible. That is the first point I would like to submit. This says as follows :

"Excepting this no other case... but the Speaker is the deciding authority and on any other ground consider sufficient by him admission can be refused."

This is what it says. (*Interruptions*) That is what it says. Now, my second point, therefore, is..... (*Interruptions*)

I am only.... (*Interruptions*)

I have just only pointed. (*Interruptions*) I was just spelling out the scope of your jurisdiction in this matter. We are now facing a peculiar situation. I am pointing out to the hon. Members of the Opposition also to consider. For very obvious reasons we, here are not.... (*Interruptions*)

MR. SPEAKER : You point out certain things, Sir.

(*Interruptions*)

MR. SPEAKER : Why do you not point out certain things ?

(*Interruptions*)

SHRI C. M. STEPHEN : If you do not allow me, I will not say. I cannot put it in capsule to you. I am just putting across. There is a very special situation as far as this motion is concerned. That I want you to consider and also the Members of the Opposition to kindly consider. There is a situation which will have certain implications. That

[Shri C. M. Stephen]

is what I am submitting. Every No-Confidence Motion is a Motion against the Cabinet presided over by the Prime Minister. There is no Council of Ministers without the Prime Minister. (Interruptions)

Is shouting an answer? You can answer what I am saying. I am raising a very fundamental question. This must be heard. The Prime Minister (Interruptions)... Every No Confidence Motion against the Council of Ministers which means the Council of Ministers presided over by the Prime Minister. The Prime Minister constituted the Cabinet. The Prime Minister reshuffles the Cabinet. It is the Prime Minister's Cabinet. There is a difference between a Censure Motion and a No-Confidence Motion. Censure motion is not.... (Interruptions)

MR. SPEAKER : This motion, is against the Council of Ministers.

SHRI C. M. STEPHEN : I am not going to say anything, if..... (Interruptions)

Let me finish. You will hear. We will hear you also ..(Interruptions)

MR. SPEAKER : What do you want to say ?

SHRI C. M. STEPHEN : Let me say. (Interruptions)

श्रीमत भाष्यकार : भई, आप क्या कर रहे हैं? आप बैठिये ना? (Interruptions) ..

What is the reason you want to give ?

SHRI C. M. STEPHEN : I am developing my point. The point is to be heard. My submission is here. (Interruptions) The motion is primarily against the Prime Minister

and her Cabinet. The Prime Minister is not in the country. Bringing up a No-Confidence motion when the Prime Minister is abroad is something that has never happened in this country or in any other.... (Interruptions)

MR. SPEAKER : I have read this rules ?

SHRI C. M. STEPHEN : I have read the rules

MR. SPEAKER : I have to decide with her

(Interruptions)

SHRI C. M. STEPHEN : You hear me. Why not ? (Interruptions)

श्रीमत भाष्यकार : आपने आमीं तक कोई रोजन नहीं बताया है ।

SHRI C.M. STEPHEN : If you want me to resume my seat, I will resume my seat, I am putting it to you. We will be going into some difficulty. I am pointing it out.

(Interruptions)

MR. SPEAKER : I am to decide, not he.

(Interruptions)

SHRI RAM JETHMALANI (Bombay North-East) : He cannot communicate a point of order in five minutes. He does not deserve to be Minister for communications.

SHRI C. M. STEPHEN : As I said, in the matter of discussion of the No-Confidence Motion the Prime Minister invariably figures for two reasons. One is because she is the Leader of the House. The Leader of the House has got to be consulted. Finally.... (Interruptions)

After the Member have spoken.. (Interruptions)

श्रीमत भाष्यकार : आप बैठिये ना. आप क्यों ऐसा करते हैं? (Interruptions)

SHRI C. M. STEPHEN : They can have the pleasure of the Motion. We are not running away from 'ha'. The point is that after the Members have spoken on the Motion, the Prime Minister has to reply to the charges levelled against the Government.

MR. SPEAKER : She will reply.

SHRI C. M. STEPHEN : She will have to reply. The Prime Minister, as is very well known, is not in India. She has gone outside on an official business. (Interruptions) Unless we decide that the discussion on the Motion adjusted in such a manner as to suit the convenience of the Prime Minister also, it may not be proper. I am putting it more to them than to you Sir. Consider this position. We do not want discussion on this No-Confidence Motion without the Prime Minister. The Prime Minister will have to reply to that. Let this constraint be considered at the stage of seeking the leave of the House. (Interruptions)

प्रधान महोदय : आप क्या कर रहे हैं ?
समझ में नहीं आ रहा है। वे बैठ गये हैं
अब आप भी बैठ जाइये। गम होने से काम
नहीं चलता।

SHRI HARIKESH BAHADUR (Gorakhpur) : The Minister is threatening.

SHRI C. M. STEPHEN : I have seen enough of this gentleman. (Interruptions)

प्रधान महोदय : आप बैठिये।
पाठ्यकार जो, बैठिये बीरेन्द्र जी, बस बहुत
हो गया। अगर दंगल लगाना है तो सब
को बाहर से चलते हैं।

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI MAGANBHAI BAROT) : I have got a point of order.

MR. SPEAKER : Under what rule?

SHRI MAGANBHAI BAROT : Under Rule 338. It says..... (Interruptions) We welcome it and we will debate it. Please bear with us. But let us know what we are debating and how far we are ready for debating it. What are the provisions.... (Interruptions)

प्रधान महोदय : गलत बात है।
अगर कोई वैलिड व्हाइट है तो मुझे सुनने
दीजिये। बैठिये आप।

SHRI MAGANBHAI BAROT : Rule 338 says:

"A motion shall not raise a question substantially identical with one on which the House has given a decision in the same session."

(Interruptions) We are in the budget session. The session opened first with an Address by the hon. President. We know that the President's Address gives an opportunity to the House to discuss anything..... (Interruptions) Please bear with me. Let it be made clear that no confidence motion will be debated. Let this House know what it is debating..... (Interruptions) Similarly, when the budget was passed, the House, second time in the same session, had expressed its vote of confidence in the Government. I will quote something more..... (Interruptions) In the history of Parliament, please bear with me, in England, in 1942, a situation like this did arise, and I want to mention it to the House.... (Interruptions) What is the responsibility of Parliament. I want to tell the House. Please bear with me. I am saying, even in England in England in 1942..... (Interruptions)

MR. SPEAKER : No, no. Do you want to say some thing new ?

SHRI MAGANBHAI BAROT : What I am trying to say is.... :

MR. SPEAKER : No,

SHRI MAGANBHAI BAROT:
Please allow me. I am trying to make a point.

MR. SPEAKER: What do you want to say now?

SHRI MAGANBHAI BAROT:
I want to make the point that the Prime Minister's intervention.....

MR. SPEAKER: You have already made it. Any new point?

SHRI MAGANBHAI BAROT:
I am submitting that collective responsibility....

MR. SPEAKER: Mr. Shivraj Patil, what did you want to say?

SHRI MAGANBHAI BAROT:
I am saying that the Prime Minister has a right....

MR. SPEAKER: I have already heard it.

SHRI MAGANBHAI BAROT:
When the Prime Minister is away—I am on a point of order; please bear with me.....

MR. SPEAKER: Mr. Shivraj Patil.

SHRI MAGANBHAI BAROT: I want to say something.

MR. SPEAKER: I am not allowing you. I have called Mr. Shivraj Patil.

SHRI MAGHANBHAI BAROT:
Sir, my point is ..

MR. SPEAKER: Not allowed. Over-ruled. Now, what is the point of order of Mr. Shivraj Patil?

SHRI RAM JETHMALANI:
There is a thing like collective responsibility. How can each Minister raise a point of order. When the Prime Minister goes to Geneva, there is no collective responsibility.

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI SHIVRAJ V. PATIL) :
My submission is, in the interest of correct procedure being followed on the floor of the House, I seek your indulgence for repeating a few points which were made by my colleagues.

MR. SPEAKER : No, give me any point which is new.

SHRI SHIVRAJ V. PATIL :
I am saying that when a no-confidence motion is...

MR. SPEAKER : I would like to hear new points.

SHRI SHIVRAJ V. PATIL :
I am making a new point.

MR. SPEAKER : What is it ?

आवायं भगवान् देव : आप उनको पूरी बात कहने दीजिये। आप बीच में क्यों रोकते हैं? उनको बोलने क्यों नहीं देते हैं?

अध्यक्ष महोदय : आप और वे बोलें, मुझे कोई एतराज नहीं है।

SHRI SHIVRAJ V. PATIL :
A no-confidence motion is moved on the floor of the House to criticise the Government policy, to censure the Government and, if possible, to remove the Government. Now that kind of opportunity was available to the Members; at what time and how many times, that I will put before this hon. House. The first time, when the President's Address.....

MR. SPEAKER : I have heard it.

SHRI SHIVRAJ V. PATIL :
I have not completed it.

MR. SPEAKER : You are saying the same thing. At least in this respect I may say that you are saying the same thing.

SHRI SHIVRAJ V. PATIL :
I am not saying the same thing. I

say that when such motion comes, the policy is discussed. If the cut motions are carried, the Government has to go.

MR. SPEAKER : It is the same thing ; I am sorry.

SHRI SHIVRAJ V. PATIL : I am making the point. In the Finance Bill (*Interruptions*) I have no objection, if my point is over-ruled. I have no objection, if the discussion....

MR. SPEAKER : Any new point ?

SHRI SHIVRAJ V. PATIL : The new point is, when the cut motion is before the House

MR. SPEAKER : That is overruled.

SHRI SHIVRAJ V. PATIL : Then the policy is discussed, the Government is censured and, if the cut motion is passed, the Government has to resign..... (*Interruptions*) When the Finance Bill comes here, the entire ambit of the policy is discussed and, if the Finance Bill is not passed by the House, the Government has to resign. (*Interruptions*)

I have not taken more than 2—3 minutes time.

If these opportunities were available to the Members and if there were votings on those points and the Government sustained those votings and the Government continues here, where is the point in bringing the No-confidence Motion here ? There were enough opportunities for censuring the Government, there were enough opportunities to remove the Government. Those opportunities were not availed of by the Members. This is within the jurisdiction of...

MR. SPEAKER : I have already gone through all this matter. The very fact is that there is a separate

provision, a specific provision in the rules for expressing no-confidence in the Council of Ministers, this has to be dealt with accordingly.

(*Interruptions*)

MR. SPEAKER : Please listen to me. I am giving my ruling. The opportunities available...

(*Interruptions*)

MR. SPEAKER : It might be something different. I have listened to Members.

(*Interruptions*)

आचार्य भगवान देव (अजोर) : अध्यक्ष जी, आप बोलने क्यों नहीं देते ?

अध्यक्ष महोदय : आप बीच में क्यों बोलते हैं ? Are you the Speaker, Sir ?

आचार्य भगवान देव : मेरा हक है अधिकारों की रक्षा कराना ।

अध्यक्ष महोदय : आचार्य जी, आप आ जाइये यहां । मुझे तो कोई एतराज नहीं है । मैं तो एक बात कहना चाहता हूँ कि आपका भेजा हुआ यहां आया हुआ है । अपने अप को पता नहीं कब का आ गया होता । नब तक नहीं आ सकता जब तक आप नहीं भेजते और मैं तो वहां आने के लिये तैयार बैठा हूँ । आप आ जाइये, मुझे कोई एतराज नहीं है । It is my job.

SHRI EDUARDO FALEIRO (Mormugao) : Mr. Speaker, Sir...

MR. SPEAKER : One thing. Before you have any point of order, Mr. Faleiro....

SHRI EDUARDO FALEIRO : Yes.

MR. SPEAKER : I have to give my ruling on this.

SHRI EDUARDO FALEIRO : Then you listen to me.

MR. SPEAKER : If have you got a separate point.

SHRI EDUARDO FALEIRO : You listen to me. It is a new point.

MR. SPEAKER : It is all right. If there is a new point, you can raise it. Otherwise not.

So, the opportunities available to Members to criticise the Government through amendments, through cut motions and on other things like Thanks on President's Address....

AN HON. MEMBER : Finance Bill.

MR. SPEAKER : Yes, Finance Bill also, they do not debar the Members from tabling notices of 'No-confidence' in the Council of Ministers and in fact, I may point out to you, the No-confidence motions had been discussed in this very House during the Budget Sessions of 1965, 1967, 1968, 1969, 1974, 1975 and 1978. So there is nothing wrong. I have to overrule. This is up to the...

(*Interruptions*)

MR. SPEAKER : Please sit down. This is a question of understanding between you and the Opposition. If they do not like, it is all right.

Yes, Mr. Faleiro, have you got anything against this ?

SHRI EDUARDO FALEIRO : Yes. Kindly go through Rule 187 which controls the admissibility of all motions including the no-confidence motion.

MR. SPEAKER : I have gone through that.

SHRI EDUARDO FALEIRO : Mr. Speaker, Sir, this rule says :

"The Speaker shall decide whether a motion or a part thereof is or is not admissible under these rules and may disallow any motion or a part thereof when in his opinion it is an abuse of the right of moving a motion or is calculated to obstruct or prejudicially affect...."

MR. SPEAKER : Overruled, Sir.

(*Interruptions*)

SHRI EDUARDO FALEIRO : This motion at the end of the Session is brought only to kill the resolution of.....

MR. SPEAKER : No. Overruled, Sir.

SHRI EDUARDO FALEIRO : Sir, if you are satisfied.

MR. SPEAKER : Overruled, Sir.

(*Interruptions*)

SHRI JYOTIRMOY BOSU : It is the ignorance of the Ministers and one of them was Speaker of an Assembly. Sir, 'No-confidence' means that we say that the Council of Ministers does not enjoy the majority in the House.

(*Interruptions*)

MR. SPEAKER : May I request those Members who are in favour of leave being granted to this Motion to rise in their places.

(*Interruptions*)

MR. SPEAKER : I have already put it. I have read it. I have read it out.

(*Interruptions*)

MR. SPEAKER : You seek leave of the House. Yes, Mr. Paswan. Because his is the first.

ओ राम विदास पातवाम (हाजीपुर) : अध्यक्ष महेंद्र, मेरा नाम पहला है, लेकिन हम लोगों को तरफ से श्री जार्ज फर्नांडोज मूव करेंगे ।

(Interruptions)

MR. SPEAKER : You can just read out.

SHRI GEORGE FERNANDES : I beg to move for leave to move the following Motion :

"This House expresses want of confidence in the Council of Ministers."

MR. SPEAKER : May I request those Members who are in favour.

(Interruptions)

MR. SPEAKER : No, not now. I have already allowed. तिवारी जी बैठ जाइए ।

PROF. K.K. TEWARY (Buxar) : I am quoting the rule.

अध्यक्ष भाषोदय : क्या है ?

PROF. K. K. TEWARY : Please listen to me just for a while.

MR. SPEAKER : I have already called up.

(Interruptions)

MR. SPEAKER : Why are you wasting the time of the House ?

PROF. K.K. TEWARY : I am quoting the rule about it.

MR. SPEAKER : No.

May I request those Members who are in favour of this motion to rise in their places ?

(Interruptions)

MR. SPEAKER : Please sit down.

As not less than fifty Members have risen in support of the Motion, leave of the House is granted. I shall fix up time and date for discussion in consultation with all concerned.

SHRI SONTOSH MOHAN DEV (Silchar) : One point.

(Interruptions)

SHRI GEORGE FERNANDES : We suggest that the Motion be taken up immediately.

MR. SPEAKER : You can come to me. We will see.

(Interruptions)

MR. SPEAKER : I think, we may take up the next item on the agenda. The House stands adjourned for Lunch. We shall meet at 14.10.

13. 10 hrs.

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

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

[MR. SPEAKER in the Chair]

MOTION OF NO-CONFIDENCE IN THE COUNCIL OF MINISTERS
—Contd.

SHRI JYOTIRMOY BOSU : Sir, about fixing the time on the No-Confidence motion....

MR. SPEAKER : I have already explained.

SHRI JYOTIRMOY BOSU : The convention has been the same day...

MR. SPEAKER : No convention is there.

SHRI JYOTIRMOY BASU : Unless you have a mind to extend the session because the members are in anxiety...

MR. SPEAKER : I have explained to you. I will discuss with the concerned persons and we will do it.

SHRI HARIKESH BAHADUR (Gorakhpur) : It should begin just now.

MR. SPEAKER : When I have admitted, it has to be discussed. So there is nothing to worry.

SHRI GEORGE FERNANDES : You said, you will fix it up in consultation with the concerned persons. Kindly elaborate.

MR. SPEAKER : You are also concerned.

SHRI GEORGE FERNANDES : When do we meet? The House is adjourning tomorrow.

MR. SPEAKER : Don't worry; we have to discuss it. When I have admitted, it has to be discussed.

SOME HON. MEMBERS : When?

DR. SUBRAMANIAM SWAMY : I have got a point of order, Sir. You please see the Lok Sabha debates...

MR. SPEAKER : I have completely gone through them, not only yours' all the precedents and everything and also the rules.

DR. SUBRAMANIAM SWAMY : May I just read out? I will see whether you have gone through it. Sometimes, your secretariat may...

(Interruptions) It is human. The Speaker says :

"....so long as a No-Confidence motion is there- no other question except this one..."

MR. SPEAKER : No, no. I have gone through that. No policy matter

DR. SUBRAMANIAM SWAMY : It does not say, policy matter.

PROF. MADHU DANDAVATE : May I draw your attention to the convention?

MR. SPEAKER : No, Sir.

PROF. MADHU DANDAVATE : Sometime back, in the morning you had said....

MR. SPEAKER : No question.

PROF. MADHU DANDAVATE : Can I catch your eye?

MR. SPEAKER : You have caught my ears also.

PROF. MADHU DANDAVATE : Whenever No-Confidence motions were moved and taken up- you will find that the Prime Minister the Leader of the House got up and said, "We will start the discussion here and now." At the time of the Railway strike, it was started at 4 O'Clock...*(Interruptions)*

MR. SPEAKER : There is no bar to that.

Here it is. The rule is so clear. It reads :

"198(2). If the Speaker is of opinion that the motion is in order, he shall read the motion to the House and shall request those members who are in favour of leave being granted to rise in their places, and if not less than fifty members rise accordingly the Speaker shall declare that leave is granted and that the

motion will be taken up on such day- not being more than ten days from the date on which the leave is asked for as he may appoint." (Interruptions)

PROF. MADHU DANDAVATE : You have read out the letter of the rule, but what about the spirit of the rule ?

MR. SPEAKER : I have also seen the spirit : I know the exigencies of the situation also ; I know the House is going to rise also. Now, Mr. Chitta Basu...

SHRI BIJU PATNAIK (Kendrapara) : You have not read further, no policy matters should be taken up.... (Interruptions)

MR. SPEAKER : There is no question of policy matter here. (Interruptions) No policy is concerned.

SHRI INDERJIT GUPTA (Basirhat) : It does not necessarily envisage a situation in which the House is due to be adjourned *Sine die* the next day. It gives you time upto ten days to fix the time. Are we to presume that the House is not going to adjourn ?

MR. SPEAKER : You can presume many things. (Interruptions)

AN HON. MEMBER : We have to plan our programme.

MR. SPEAKER : I have already assured you one thing—that I will consult you. I will consult all concerned. That means 'You' also.

(Interruptions)

MR. SPEAKER : It will be discussed in this very Session. Now, Mr. Chitta Basu...

SHRI HARIKESH BAHADUR : After this, Government does not have any moral right to continue to be there.

MR. SPEAKER : Mr. Chitta Basu is not here. Mr. Damodar Reddy.

श्री राम बिलास पासवान : मेरा व्हाइट आफ आर्डर है... (अवधान) ... अध्यक्ष महोदय, आपने 198 का सब-क्लाइ (2) पढ़कर सुना दिया और इस रूल के मृतात्मिक आपने कहा कि मैक्सिमम टेन डे ज के अंदर यह लिया जा सकता है। लेकिन केवल आज आपका गवर्नरमेंट विजनेस डे है, कल प्राइवेट बिजनेस डे होगा। ऐसी परिस्थिति में यह नो कान्फर्डेंस मोशन के मूल हो पायगा... (अवधान) ... और अभी तक यह परम्परा रही है... (अवधान) ...

MR. SPEAKER : It is overruled. There is nothing. Mr. Damodar Reddy.

(Interruptions)

MR. SPEAKER : I can give an assurance that before the House adjourns, in this Budget Session it will be done.

SHRI RAM JETHMALANI : (Bombay North West) : When are you going to decide ?

MR. SPEAKER : I will let you know.

SHRI GEORGE FERNANDES : With great respect I submit that you are treating this matter in a spirit which I am not able to understand. The House is due to adjourn tomorrow...evening...

MR. SPEAKER : Due to. But it is not imminent. Is it imminent ? It is not.

(Interruptions)

MR. SPEAKER : We shall discuss.

SHRI GEORGE FERNANDES:
When will you discuss ?

MR. SPEAKER : Is this not sufficient ? Before the adjournment of the House *Sine die* we are going to discuss. Now, I cannot commit myself to everything.

SHRI RAM JETHMALANI :
Please look into your own Procedure.

MR. SPEAKER : I have seen everything. I have been studying... (*Interruptions*) I have seen it. I have seen the whole situation. I will let this motion be discussed before the adjournment of the House.

SHRI RAM JETHMALANI :
That is not the point. For discussion of the no-confidence motion, after it is admitted, you, have the right to fix the date and time. But that is not the point. Once the leave of the House is granted the precedent and practice has been that no other business can be transacted...

MR. SPEAKER : No, Sir. It is overruled.

SHRI RAM JETHMALANI :
It is binding.

MR. SPEAKER : Not binding.

SHRI C. T. DHANDAPANI (Pollachi) : That is only in the case of Adjournment Motion. So far as no-confidence motion is concerned, the Chair has the right to fix.

MR. SPEAKER : That is what I am saying.

SHRI RAM JETHMALANI :
You should hear us properly before you make up your mind. I must be addressing you for the first time in one year. At least listen to us.

प्रध्यक्ष महोदय : जेठमलानी जी, मैं इसलिये कह रहा था कि मैंने सारा पढ़ा है, मैं रात को पढ़ता रहा हूँ और सुबह भी पढ़ता रहा हूँ ।

श्री राम जेठमलानी : पढ़ने पढ़ने में क्षम्भ होता है ।

प्रध्यक्ष महोदय : आप पढ़ा दीजिये आपका तो मैं बंसे ही बड़ा एहतराम करता हूँ ।

श्री राम जेठमलानी : अगर सभी जज ऐसा कहते कि हम पढ़कर आये हैं तो हमारी क्या जहरत होगी ? सुनने के बाद आपको जो भी करना होगा कर लोजिये लेकिन सुन लोजिये ।

प्रध्यक्ष महोदय : ठीक है ।

SHRI K. LAKKAPPA (Tunkur) : Why is he standing, Sir ?

MR. SPEAKER : With my permission.

SHRI RAM JETHMALANI : (Bombay North-west) : I am reading from the 41st volume of the Lok Sabha Debates—debate of 24th July 1974, page 221. After a no-confidence motion had been admitted, several members tried to get up and request the Speaker as usual to allow them to mention some very important matters. This is the record of the proceedings on that day and I would like you to read what the Speaker told the Members who wanted to raise very important questions. Page 221 ;

“MR SPEAKER : I will look into it. I am not allowing anybody now. Your writing to me is not a command. Daily I receive hundreds of letters from Members. I cannot allow all of them. I allow some.

I am not allowing any Member now. I am now going directly to the further discussion of the no-confidence motion.

another motion was admitted and on 27-2-68 is was discussed...

(*Interruptions*)

SHRI PRIYA RANJAN DAS MUNSHI : You always allow members to make important submissions under rule 377...

MR. SPEAKER : No, I have not allowed anybody.

SHRI PRIYA RANJAN DAS MUNSHI : Let we make my submission.

I am not asking you to relax the rules. You must consider the implications of such questions being raised by Members of Parliament. Members of Parliament raise very important issues. They never raise less important issues at all...

Then comes the ruling of the Speaker.

MR. SPEAKER : What is this ? Please sit down.

(*Interruptions*)

MR. SPEAKER : All right enough of it.

SHRI RAM JETHMALANI :

"Mr. Speaker : What is this ? Please sit down. Your Committee has decided that so long as a No-Confidence Motion is there no other question will come except this one. Please co-operate."

Sir, you must ask these gentlemen to shut up and sit down because this is the ruling on page 221.

MR. SPEAKER : May I also point out that on 13-8-63 a motion was admitted and it was discussed on 19-8-63. Again on 10-2-68

SHRI RAM JETHMALANI : You wanted to discuss it after some time. But during the interval you should not allow any other important matter to be discussed. That is the point. If all the Members of the House consent, you can go on with any business but if any member of the Opposition regards a particular business as an important matter, that cannot be transacted so long as the no-confidence motion is there.

MR. SPEAKER : No, Sir. I do not agree. Over-ruled

DR. SUBRAMANIAM SWAMY : Rule 2 deals with definitions. It says :

"Leader of the House" means the Prime Minister—if he/she is a member of the House, or a Minister who is a member of the House and is nominated by the Prime Minister to function as the Leader of the House".

We would like to know in the absence of the Prime Minister is there any Leader of the House being appointed. Is there, Mr. Stephen ? The House must have a Leader. If the Prime Minister has nominated somebody, I would like to know.

MR. SPEAKER : Over-ruled...

(*Interruptions*)

SHRI JYOTIRMOY BOSU : Sir, from the observation that you have made in your wisdom, are we to take it that the House may be extended till 17th May, for ten days from to-day ?

MR. SPEAKER : I shall discuss it. This was my observation. I said after consultation and discussion.

SHRI HARIKESH BAHADUR:
Under Rule 198. . . (Interruptions)

MR SPEAKER : Overruled
Please sit down. Not allowed.
Now, Matters under 377. Shri
Chitta Basu.

MATTERS UNDER RULE 377

(i) REPORTED MOVE TO DE-LINK
CALCUTTA FROM HALDIA PORT

SHRI CHITTA BASU (Barasat):
With your permission, Sir, I want to
bring a matter of urgent public import-
tance.

It is a matter of grave concern to
learn that the Ministry of Shipping
and Transport are contemplating to
de-link Calcutta from Haldia port.

It is to be noted in this connection
that Haldia port was developed with
the object of supplementing Calcutta
Port by handling bulk cargo. It was
never meant to operate as an inde-
pendent unit. An earlier team of the
Central Government in 1976, ex-
pressed their considered opinion
against the de-linking proposal.

A Central Team was sent to
Calcutta to study the issue recently. It
is surprising to note that the said
team did not meet the representatives
of the Government of West Bengal.

The basic problem of Calcutta
Port is assured minimum of supplying
4,000 cusecs of water from Farakka
during the lean season. Mere delin-
king of the two ports cannot solve
the basic problem facing the Calcutta
Port.

Since considerable misgivings have
been created in the mind of West
Bengal Government by the recent
visit of the Central Team, it is
essential, that the Minister of shipping
and Transport makes a statement
clarifying the matter.

I urge upon the Minister to make
such a statement at the earliest
opportunity.

(ii) NEED TO LOCATE OFFICE OF
THE REGIONAL CEMENT CONTROLLER
AT HYDERABAD

SHRI T. DAMODAR REDDY
(Nalgonda): Andhra Pradesh is fac-
ing great difficulty in making avail-
able cement to the needy persons. It
is extremely difficult to get cement at
the reasonable prices, though it is
available freely at a much higher
price. The farmers, people in rural
areas, small house builders and those
who require it for ordinary
repair find it very difficult to get
cement. It is a common experience
that genuine persons do not get
cement at a reasonable price in time.
It is indeed a travesty that about
12 major cement plants and 4 mini
cement plants are located in Andhra
Pradesh, yet the people are facing
difficulty. There is need that distribu-
tion of cement should be arranged
properly. It should be made available
before the monsoon. There should be
ample provision for the rural areas
and the tribal regions of the State.
Unless we provide basic essential
material to the tribals and other
backward people all other develop-
ment works will come to a standstill.
It is therefore necessary that a regional
cement controller's office be located
at Hyderabad so that the distribution
could be assured. I, therefore, request
the central Government to set up a
Regional, Cement Controller's office
at Hyderabad. It will fulfill a long felt
demand of the people. It would prove
a boon to the State. The distri-
bution of a commodity is as important
as its production. I am sure some
positive measures will be adopted in
this matter.

(iii) RESERVATION OF CANCELLED
TRAIN SERVICES ON WESTERN RAIL-
WAY

बी. लोतीश्वारी मारा. बोधरी : (मेह-
साना) : प्रध्यक्ष महादय, बैस्टन रेलवे ने

गुजरात में जगह जगह पर कोयले की कमी के कारण एक साथ कई गाड़ियां बाढ़ कर दी हैं। भाव नगर विभाग में 40 गाड़ी, महेशना विभाग में 16 गाड़ियां बढ़ोदारा विभाग में 11 गाड़ियां और अहमदाबाद विभाग में भी कई गाड़ियां बढ़ कर दी गई हैं। एक तरफ गर्मी के दिनों की बढ़ती ट्रेन यात्रा की ओड़ को निपटाने के लिये स्पेशल ट्रेनें चलाई जाती हैं और दूसरी तरफ ऐसे एक ही विभाग में जिसमें कि कुल 106 गाड़ियां चलती हैं उनमें से 40 गाड़ियां बन्द कर दी गई हैं। रेल मंत्रालय किस तरह से कार्य करता है, इसका यह नमूना है। अभी अभी ओड़ ही दिन पहले लोक सभा में बताया गया था कि कोयले का उत्पादन बढ़ रहा है और दूसरी तरफ कोयले के अभाव में ही इतनी गाड़ियां एक साथ एक ही विभाग की बन्द कर दी जाती हैं। सरकार किस ढंग से चल रही है, यह इससे प्रतीत होता है। कोयले के अभाव के कारण विजली को भी भारी कमी देश भर में चल रही है जिससे हर क्षेत्र में उत्पादन पर बहुत बुरा प्रभाव पड़ रहा है। सरकार से मेरा अनुरोध है कि कोयले का उत्पादन बढ़ा करके देश का उत्पादन बढ़ाया जाय तथा देश में परिवहन भी प्रचली तरह चले यह देखा जाय। विशेषज्ञ रेल मंत्री जी से मेरा अनुरोध है कि इस तरह गर्मी के दिनों में ट्रेनें बन्द होने से यात्रियों को हो रही परेशानियों से बचाने के लिये तुरन्त ये सभी ट्रेनें चालू कर दो जायें—ऐसा प्रबंध योग्य ही करें।

(iv) FINANCIAL ASSISTANCE FOR POLAVARAM IN MULTIPURPOSE PROJECT IN ANDHRA PRADESH

SHRI SUBHASH CHANDRA BOSE ALLURI (Narasapur): The Polavaram project is a multipurpose project. It confers various benefits such as irrigation, water supply for industrial development, power gen-

eration, navigation, pisciculture and recreation etc. This is a modification of Ramapadasagar project. It is based on the developed technique. It is 1½ Km. upstream of R. P. S. alignment. The releases from Inchampalli and Lower Sileru upstream hydroelectric schemes have been found sufficient to cater to the needs of this project. A project report was sent to the Government of India for Stage I, Phase I of Polavaram project. In the light of the Godavari water disputes tribunal award, an analysis has been made in regard to the quantum of water available for the project and the existing delta requirements.

The Central Water Commission examined the scheme report of 1978. The team visited the dam site on June 3, 1980 and offered suggestions. It will also revive and give fillip to river Godavari which has a glorious tradition of navigation. It will also increase inland canal transport and commercial activities. It will create tremendous capacity for power generation. The estimated cost of the project under various components is Rs. 550 crores.

The irrigation facilities arising from the project will produce additional foodstuffs valuing Rs. 175 crores per year, 86 MW and 430 MW Power, inland water transport. There is nothing practically in the way of sanctioning of the project and the work is to be taken up earnestly to usher in a new era of prosperity for the State. The investigation of the dam has been completed. Some re-investigation and hydrology of Godavari river basin are being worked out, the designs are under scrutiny and replies to the Central Water Commission are being prepared and estimates recast. All these will be completed by the end of June, 1981.

During the sixth Plan period, it is proposed to complete infra-structure works. It includes spill way work, rock clearance, excavation of huge spill channel and the setting up of heavy machinery workshop.

This stupendous work can be achieved only with the help and assistance of the Union Government. I urge upon the Government to come in a big and earnest way to help the State achieve this mammoth project to usher in an era of economic upsurge and welfare and happiness of the people of Andhra Pradesh.

(V) EXPLOITATION OF WORKERS ENGAGED IN NITRE (SHORA) INDUSTRY

श्री बी० डी० सिंह : (फूलपुर) : अध्यक्ष महादय, नियम 377 के अधीन में निम्नलिखित वक्तव्य देना चाहता हूँ :—

हरियाणा, पंजाब एवं राजस्थान प्रदेशों में लाखों की संख्या में लोग शोरा निकालने का काम करते हैं। ये लोग निष्ट, धून एवं असंगति श्रमिक हैं। हरियाणा में रोहतक, सोनीपत, करनाल, हृषाकर, सिरसा तथा अमृताला आदि जिलों में यह कार्य बड़े पैमाने पर किया जाता है। इस कार्य में लगे लोगों का पूँजी-पतियों द्वारा अनेक प्रकार से शोषण होता है। शोरा निकालने की भूमि का ठेका प्रत्येक वर्ष नवम्बर माह में सरकार द्वारा सीधे उन पूँजीपतियों को दे दिया जाता है जो शोरा के शोधन का कार्य करते हैं। शोरगर श्रमिक को इन उद्योग-पतियों द्वारा शोरा निकालने का ठेका दिया जाता है। शोरगर श्रमिक ग्रीष्म ऋतु की अवधि तु और शीत ऋतु की कड़कती ठन्ड में अपने परिवार सहित कठिन परिश्रम करके शोरा तैयार करते हैं परन्तु उसका लाभ उद्योगपति उठाता है। श्रमिकों को अपने परिश्रम का मात्र एक चौथाई अंश प्राप्त होता है, जबकि पूँजीपति तीन-चौथाई अंश हड्ड कर जाता है। शोरगर श्रमिकों का यह शोषण सरकार की भली नीतियों के कारण हो रहा है।

मैं सरकार से सविनय आग्रह करूँगा कि इन गरीब परिवारों की राहत के लिये कुछ ठोस कदम उठाये जायें। भूमि का ठेका पूँजीपतियों को न देकर सीधे श्रमिकों को ग्राम पंचायतों के माध्यम से दिया जाय। इन श्रमिकों के पास जीविकापार्जन के लिये कोई अन्य साधन नहीं है। इन श्रमिकों को सहकारिता के आधार पर संगठित किया जाय और उन्हें लघु-उद्योग की तमाम सुविधाएं उपलब्ध कराई जाएं, बैंकों से आवश्यक आधिक सहायता समुचित व्याज पर दी जानी चाहिये। श्रमिक समितियों को भूमि का ठेका पांच वर्ष अधिक लम्बी अवधि के लिए स्थायी तौर पर दिया जाय जिससे श्रमिक एक स्थान पर स्थायी तौर से रहकर अपने बच्चों की शिक्षा आदि की भी कुछ व्यवस्था कर सके। शोरे की तोल का भी कुछ गलत तरीका इस्तेमाल होता है। पूँजीपति 110 किलोग्राम को 1 किलोग्राम मानकर क्य करता है। अनुबन्ध के नाम पर सादे कागज पर अशिक्षित तथा अनुभिज श्रमिकों का हस्ताक्षर कराकर उनको बदूआ मजदूर बना लिया जाता है और भविष्य में दसियों वर्ष तक उसी पूँजीपति के साथ काम करने को वे वाध्य हो जाते हैं।

अतएव एक जांच समिति के द्वारा शोरे उद्योग की कार्यप्रणाली का विस्तृत अध्ययन कराया जाना चाहिये तथा इसमें आवश्यक सुधार करके शोरगर श्रमिकों के शोषण को दूर करने के लिये तत्काल कार्यबाही की जानी चाहिये।

(vi) STEPS FOR A BREAKTHROUGH IN FISH CULTURE ENTERPRISES, PARTICULARLY IN TAMIL NADU.

SHRI CUMBUM N. NATARA-JAN (Periyakulam) : India with a population of 68.5 crores is in a steadily worsening state of

nutritional crisis. There is urgent need for increasing the protein production by all means. Husbandry of land animals such as chicken, duck, goat, sheep, cow, buffalo and pig, has taken a systems approach and heading towards development of automation. Similarly, there is tremendous scope for rearing aquatic animals too. It may be cheaper to grow aquatic animals rather than land animals for food.

Fortunately, India is one of the well irrigated countries in the world. It is blessed with several river systems with variety of fish fauna. During last decade, a number of reservoirs have been constructed for flood control, irrigation, generation of electric current, navigation, etc. Further, Peninsular India has a long coastal belt with productive continental shelf. Of different aquatic crops, fish is an important crop of high animal protein of high biological value. The flesh of fish contains easily digestable proteins of essential amino-acids. It also contains vitamins and minerals.

Realising the importance of fish and fisheries, planned schemes were formulated to develop fisheries. By integrating aquaculture with agriculture and animal husbandry, the cost of production could be considerably reduced. Fish-cum-duck farming and fish-cum-pig rearing have already been demonstrated. A production around 4 tonnes of fish is possible in addition to duck eggs, duck meat and pig meat. The culture of air breathing fishes in well-managed fresh waters as also derelict water bodies is a new development. Through intensive culture of magur and singhi, production over 50 tonnes and 35 tonnes per hectare are possible. In Thailand over 100 tonnes of magur per hectare are produced under intensive culture operations. The culture of prawns leads to a production of about 1000 k.g. per hectare.

There is urgent need for applying the technologies in all the available water bodies. There must be at least one model farm in each State for demonstration and training purposes.

We can also aim at producing certain aquatic animals which are in great demand in foreign countries to earn foreign exchange. For example, Prawns. Frog legs, eels, sun-dried roe of mullets, magur and Murels are in great demand in advanced countries like USA, Japan, Denmark, Taiwan, Italy and Arab countries.

Potential resources exist in plenty in Peninsular India particularly in Tamil Nadu. I wish more public funds could be allotted to Tamil Nadu so that a breakthrough in fish culture enterprises could be achieved.

(vii) CURBING BIRTH RATE IN THE COUNTRY.

SHRI DIGVIJAY SINH (Surrendranagar) : The seemingly herculean problem of the growth of population has now evidently reached a critical stage of no return.

The birth rates- death rates and the net increase of population rates have all been incorrectly conveyed to the people through the media of the Ministry of Health and Family Welfare. This has been exposed by the 1981 Census Report.

Moreover, India was the only developing country in the world experiencing an increase of the birth-rate in the years 1978-79.

Such a population explosion has frustrated all development plans, circumvented all measures to overcome poverty and unemployment, ill health, hunger and mal-nutrition continue unabated and the rape of Mother Earth through the massacre of flora and fauna has reached alarming proportions.

[Shri Digvijay Singh]

It is obvious that a famine of foodgrains, fuel and fodder is just round the corner, whilst on the other hand, the population continues to multiply.

On the other hand, voluntary organisations actively involved in Family Planning, have been allocated only 10 lakhs out of the Budget of Rs. 155 crores in the current year.

At the World Health Organisations meeting in Geneva, attended by our hon. Prime Minister, Smt. Indira Gandhi- a strong plea was made yesterday for curbing the alarming rate of growth of population.

Furthermore, a statement for a better future which has appeared in several papers this morning, sponsored by the Family Planning Foundation and leading non, governmental organisations, is to be noted and welcomed by this House. The show of solidarity for the Family Planning cause, signified by the signatures of the leading 11 political parties is a major and happy development. Eminent citizens alongside political leaders have urged the de-politicalisation and placed family planning at par with national security.

A mood of urgency for the programme can be created with such cooperation. A constructive exchange of opinion of strategies to be followed should take place and work must begin in earnestness without wasting a single day.

(viii) DEATH OF MR. BOBBY SANDS.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Mr. Bobby Sands, a Member of British Parliament and an Irish Patriot and fighter had been on hunger strike in prison in Belfast. He died on

Tuesday, the May 5, 1981 on the 66th day of his protest fast. People of India have been shocked on learning the news of death of Mr. Sands. They feel strong resentment at the treatment meted out to him.

I request that the feelings of the people in this regard may be suitably conveyed.

14.41 hrs.

**MOTION RE THIRD REPORT
OF THE COMMITTEE OF PRI-
VILEGES OF SIXTH LOK
SABHA**

MR SPEAKER : Now, we go to next item standing in the name of Shri B.R. Bhagat.

श्री राम बिलास पासवान (हाजीपुर) :
अध्यक्ष जी, मेरा डायेंट्री आफ
आईर रहे। मैंने इस पर आपको लिखकर
आपत्ति प्रकट की है।

अध्यक्ष जी, आपने इस प्रस्ताव को
नियम 186 के तहत एडमिट किया है।
नियम 186 में यह लिखा है कि -

“186 कोई प्रस्ताव ग्राह्य हो सके
इसके लिए वह निम्न शर्तें पूरी करेगा,

(1) उसमें सार्वान रूप से एक ही
निश्चित प्रश्न उठाया जायेगा,

(2) उसमें प्रत्क, अनुमान, व्यंगात्मक
पद, अध्यारोप या मानहानिकारक कथन
नहीं होंगे।

(3) उसमें व्यक्तियों की सार्वजनिक
हैसियत के अतिरिक्त उनके आचरण या
चरित्र का निर्देश नहीं होगा।

(4) वह किसी हाल ही में घटित विषय तक निर्वन्धित रहेगा,

(5) उसमें विशेषाधिकार का प्रश्न नहीं उठाया जायेगा,"

मैंने इस नियम के इन उपनियमों पर अपनी आपत्ति की है। आपको डिस्ट्रिक्शनरी पावर है लेकिन नियम 186 के तहत यह पावर नहीं है। आपको नियम को निलम्बित करने की नियम 388 के अधीन पावर है लेकिन नियम 186 में आपको पावर नहीं मिली है। मैं इस नियम 186 के उपरोक्त तीनों उपनियमों के आधार पर कह सकता हूँ कि उन्होंने जिन्होंने कि प्रस्ताव दिया है, खुद कहा है जिससे कि यह व्यंगात्मक मानहनिकारक हो जाता है और ऐसा करके उन्होंने नियम का उल्लंघन किया है। उन्होंने कहा है

"CONSIDERING that

(a) the above findigs are in total contravention of Parliamentary rules precedents and conventions;...."

यह इन्होंने कहा है कि जिससे कि यह मानहनिकारक हो जाता है। दूसरे जो यह कहा गया है कि यह किसी हाल ही में घटित विषय तक निर्वन्धित रहेगा, वह भी नहीं है।

पालियामेंटरी अकेपर्स के मिनिस्टर यहां बैठे हैं। मैं आपसे कहता हूँ कि सरकार को बने एक साल से अधिक हो गया। पिछले साल जनवरी में यह सरकार बनी थी, तब से डेढ़ साल हो गये। आज सरकार इसको चाहती है, इसे वह जनवरी महीने में ही ला सकती थी।

MR. SPEAKER : There is no question of 'Sarkar' here;

श्री राम विलास पासवान : मैं अकाइंग टू प्वाइंट बोल रहा हूँ।

MR. SPEAKER : Overruled

श्री राम विलास पासवान : आप चाहते तो जनवरी में ला सकते थे। तो इस प्रकार यह 4 का उल्लंघन है और पांचवा है कि उसमें विशेषाधिकार का प्रश्न न उठाया जाए, लेकिन इसमें तो सीधा-सीधा विशेषाधिकार का ही प्रश्न उठाया जा रहा है।

MR. SPEAKER : There is no question of that ; no point of order

श्री राम विलास पासवान : इसके बाद मैं कन्वेन्शन का मामला उठाता हूँ। इस सदन में कन्वेन्शन रहा है। एक बार पी० ए० सी० ने फाईंडिंग किया था। स्टील का मामला था और कुमार मंगलम साहब उसमें संशोधन करना चाहते थे, लेकिन जब सदन में आया तो सदन ने इसको कमेटी में भेज दिया और कमेटी ने एज इट इज करके भेज दिया। बेहतर होगा कि आप भी इसको प्रिविलेज कमेटी में भेज दें। आप चाहें कि ग्रुप मेजारिटि के आधार पर निर्णय लें तो इस तरह आप पार्लियामेंट की डेकोरम और डिसेंसी को खत्म कर रहे हैं।

MR. SPEAKER : Yes, Mr. Bosu, he has given me notice

आप क्या बोल रहे हैं पासवान जी, आप बैठ जाइये।

श्री राम विलास पासवान : आपको नियम 186 के तहत कोई पावर नहीं है, 389 के तहत है। इस तरह से आप नियम का उल्लंघन कर रहे हैं। (अवधान)

MR. SPEAKER : I have considered all these points. Overruled. At certain times you must also listen

(*Interruptions*)

Overruled. I have gone according to the rules

(*Interruptions*)

MR. SPEAKER : I am completely satisfied

SHRI JYOTIRMOY BOSU : Diamond Harbour) : Firstly, we express it clearly that the admission was overruling the presence of the Business Advisory Committee. It has been done arbitrarily.....

(*Interruptions*)

MR. SPEAKER : It has nothing to do with that.

(*Interruptions*)

SHRI JYOTIRMOY BOSU : You can't do this with everybody.

(*Interruptions*)

MR. SPEAKER : Please sit down. When one Member is on his legs, why do you all take the trouble of standing ?

जब एक बोल रहा है तो सब के बोलने से कोई फायदा नहीं है । वैसे आपकी मर्जी है ।

(*Interruptions*)

MR. SPEAKER : No, overruled.

SHRI JYOTIRMOY BOSU : We know that you have already made up your mind.

MR. SPEAKER : Not made up my mind. I have studied this. Your point was with me. You have given it to me in writing.

SHRI JYOTIRMOY BOSU : Yes, I gave it to you in writing. That is why you have called me. I know, you go by some other considerations. also.

MR. SPEAKER : Are you trying to say something else ?

SHRI JYOTIRMOY BOSU : I will tell you, not here. Let us take one by one. If you kindly see the Rule, it says :

"it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements."

Now, let us read sub para (b), sub para (c) and sub para (d).....

MR. SPEAKER : You are saying the same thing what Shri Paswan said. It would be repetition.

SHRI JYOTIRMOY BOSU : So, what ? You deliberately did not call me. I know that.

MR. SPEAKER : I am simply pointing out this to you.

SHRI JYOTIRMOY BOSU : The second point mentioned in the rule is that it shall be restricted to a matter of recent occurrence. Who said that the Government should move it ? Any Member for this matter.

(*Interruptions*)

SHRI JYOTIRMOY BOSU :** we know. It should be a matter of recent occurrence. Now, tell me what prevented Shri Bhagat from bringing it on the floor of the House in January- 1980, February, March and afterwards. Why is it that they had to discover this now and wait for the departure of the Prime Minister from this country, to bring this motion ?

My third point is that it shall not raise a question of privilege. Now, what does it say :

"Whereas the Committee of Privileges of the Sixth Lok Sabha in its Third Report has expressed the view that...."

Then, you come to the bottom of the page. It says :

".....and constrict and deny to persons charged with breach of privileges and contempt of the House inalienable rights and safeguards guaranteed by the Constitution."

MR. SPEAKER : I have seen that.

SHRI JYOTIRMOY BOSU : I had expected that you had also seen that when this Privilege Committee report was brought before the House, there was a motion tabled by me that the report be referred to the House. After that only, it was adopted.

Sir, you have to go through the rules.

MR. SPEAKER : I have seen the rules.

SHRI JYOTIRMOY BOSU : Sir, you have not. You mean to say that you have suspended the rules? (Interruption)

MR. SPEAKER : Should I listen to you first?

SHRI K.P. UNNIKRISHNAN (Badagara) : Sir I have been trying to....

SHRI SOMNATH CHATTERJEE (Jadavpur) : Sir, it is the first time that something like this is going to happen.

MR. SPEAKER : No, it has happened before.

SHRI RAM JETHMALANI (Bombay North-West) : Sir, I am on the point of order.

Mr. Speaker, Sir, before I go into the rules and illustrate my point of order, I have one thing to say, which I want you to bear in mind with all the solemnity that you can summon on this occasion. Sir, you are the fulcrum, you are the centre, you are the soul of our Parliamentary system of Government (Interruption)

MR. SPEAKER : Please order.

SHRI RAM JETHMALANI : It has happened in the past that we have raised points and you have disagreed with us you have overruled us. Every time we have been overruled, we have persuaded ourselves to believe that we are wrong and you must be right. (Interruption)

Sir, this is the most important thing in a Parliamentary form of Government. I am now appealing to you not merely to your legal sense, not merely to your understanding of the rules, but I am appealing to your conscience and your respect for Parliamentary institutions.

MR. SPEAKER : My conscience has been very clear. I am pretty sure of that.

SHRI C.T. DHANDAPANI (Pollachi) : Sir, may I make a point? Unnecessarily the time of the House is being taken.

MR. SPEAKER : After him, I will call you.

AN HON. MEMBER : No, no. He is seconder of the Motion. (Interruption)

MR. SPEAKER : I will listen to you after Mr. Jethmalani. (Interruption)

MR. SPEAKER : How many times have I to reiterate this?

SHRI RAM JETHMALANI :
Sir, my point of order arises out of the provisions of Rule 186.
(*Interruptions*)

Sir, I am prepared to deal with everything human, but these** voices I cannot deal with.

Now, first of all my submission to you is that whenever a matter has been dealt with under Chapter XXII of the Rules and has been disposed of under Chapter XXII which starts with Rule 222, that matter cannot ever become the subject matter of a Motion under Rule 186.

MR. SPEAKER : No.

(*Interruptions*)

MR. SPEAKER : No, Please sit down. I can answer that.

(*Interruptions*)

MR. SPEAKER : What has happened to you ?

SHRI RAM JETHMALANI :
In the first place Rule 186, sub-clause 5 itself lays down, and Sir, instead of your merely shaking your head at me with disbelief, kindly understand me with a certain amount of sympathy.

MR. SPEAKER : I am listening Sir.

SHRI RAM JETHMALANI :
Now, Sir, sub-clause 5 in turn says that a Motion shall not raise a question of privilege. Now, a question of privilege is a question relating to privilege, it includes both a question of breach of privilege and a question that the breach of privilege which was adjudged in the past has not in fact, been rightly adjudged. All questions which relate to matters of privilege whether they deal with..

AN HON. MEMBER : What about Mr. Chandrachud ?

SHRI RAM JETHMALANI :
I hope, Sir, you will not permit this** to go on-references to Chief Justice (Interruptions)

MR. SPEAKER : Please.... order.

SHRI RAM JETHMALANI :
What is the meaning of saying that a motion regarding the question of privilege....

MR. SPEAKER : I have already heard this from two gentlemen.

SHRI RAM JETHMALANI :
After all, this is a matter of grave importance.

MR. SPEAKER : I cannot allow this. I have heard the same thing from two Members.

(*Interruptions*)

SHRI RAM JETHMALANI :
No. Sir, I will read the rule.

(*Interruptions*)

MR. SPEAKER : Mr. Tewary, I know my job. I can't allow you in the midst of a point of order.

PROF. K.K. TEWARY (Buxar) :
I am quoting a rule. Why can't you allow me ? I am on a point of order.

MR. SPEAKER : I also know the rules. He is also on a point of order.

(*Interruptions*)

SHRI RAM JETHMALANI :
If you go through the resolution...

MR. SPEAKER : I have seen, Sir,

SHRI RAM JETHMALANI :
Is there any reason why you should not allow an argument ?

MR. SPEAKER : I am allowing you, Sir. All right.

**Expunged as ordered by the Chair.

SHRI RAM JETHMALANI :
Therefore, I want you now to see what are the substantive rights which are claimed in this Motion. The Motion says : "Particularly....

MR. SPEAKER : There is no need to quote the Motion. I am aware of the Motion.

SHRI RAM JETHMALANI :
I know that you know it. (*Interruptions*)

I know everything. When the House is now called upon to declare that Shrimati Indira Gandhi, Shri R.K. Dhawan and Shri Sen were innocent of the charges levelled against them, first of all I want to ask....

MR. SPEAKER : This is not a point of order. This is an argument you can argue in this case when the Motion is taken up.

(*Interruptions*)

MR. SPEAKER : I don't agree.
(*Interruptions*)

SHRI RAM JETHMALANI :
Are they not guilty of breach of privilege ? Have they not committed any breach of privilege ? (*Interruptions*) Does it require any deeper understanding ? Does it require anything else on the question of breach of privilege ?

MR. SPEAKER : I shall give you the answer. I Have got it.
(*Interruptions*)

SHRI SOMNATH CHATTERJEE : I am on a point of order.
(*Interruptions*)

SHRI RAM JETHMALANI :
Secondly, If you are trying to reverse the decision....

MR. SPEAKER : It is the House. Who am I ? I am nothing, Sir.

SHRI RAM JETHMALANI :
We are talking of the resolution. The resolution seeks to reverse the decision which has been taken after considering evidence....

MR. SPEAKER : Speak about the point of order.

SHRI RAM JETHMALANI :
It took the decision after considering evidence which runs in' o volumes. Now, where is the evidence. First of all, un'less you are prepared to contemplate with equanimity a situation in which some gentlemen sit down at their homes and make up their minds and we are only going through a farce row in this House... (*Interruptions*) But you are dealing with a decision of the House arrived at in its judicial capacity. If a decision is arrived at in a judicial capacity the whole record on which the original decision was based must be before the House. You must have the entire evidence.

MR. SPEAKER : Overruled.

SHRI RAM JETHMALANI :
You must have the documents. You must have the findings. You must have the reasons. Otherwise it will remain a blot on our parliamentary system of Government (*Interruptions*)

MR. SPEAKER : Anything new ?
(*Interruptions*)

SHRI RAM JETHMALANI :
I have not finished.

MR. SPEAKER : I cannot give you all the time, Sir.

SHRI RAM JETHMALANI :
How can it be ? How can you (*Interruptions*)

MR. SPEAKER : Shri Dhandapani
(*Interruptions*)*

MR. SPEAKER : Nothing is going on record without my permission
(*Interruptions*)

SHRI C.T. DHANDAPANI (Pollachi) : "As for Shri T.N. Kaul's case the emphasis in the Speaker's ruling was on the right to raise a question of privilege regarding a matter of recent occurrence and emphasis in the words Fifth and Sixth Lok Sabha was said only to indicate the time lag between the occurrence of the incident and raising of the matter in Lok Sabha. The present case came to public notice for the first time after the 6th Lok Sabha had been enstituted and as such it could not be raised during 5th Lok Sabha. As observed by the Speaker in the House on 16th November, 1977 authorities have taken the view that when a matter comes to light at a latter stage, Parliament has a right to take it into consideration."

(*Interruptions*)

MR. SPEAKER : I cannot give you all the time.

SHRI C.T. DHANDAPANI : Then I am quoting from Chapter XVIII. The process of Debate. It says as follows :

"There is nothing in the practice of either House to prevent the rescission of a resolution or discharge of an order of a previous session when such is held to be of continuing force and validity, or of a standing order."

Now I am quoting from Mohan Ram Tul case. It says as follows :

"Although the question whether the privilege case raised originally in the 4th Lok Sabha could be taken up in the Fifth Lok Sabha was not specifically raised the 5th Lok Sabha did refer to the Committee of Privileges on the 8th June, 1971, this case which was under consideration of the Committee of Privileges of the 4th Lok Sabha and had lapsed the dissolution of the 4th Lok Sabha.

I tabled the motion under Rule 199. There is no point in discussing 184 or 186 and wasting the time of the House. Rule 189 says as follows :

"If the Speaker admits notice of a motion and no date is fixed for the discussion of such motion it shall be immediately notified in the Bulletin with the heading: No-day Yet Named Motions."

There is ample evidence. The resolution of the previous Lok Sabha could be discussed in the next Lok Sabha and it can be rescinded (*Interruptions*) Shri Jethmalani is obstructing the proceedings of the House. This amounts to the contempt of the House. I request the Chair to take appropriate action in this matter.

(*Interruptions*)

MR. SPEAKER : How long will you take ? A point of order cannot be a matter of debate. I had listened to them. (*Interruptions*)

SHRI C. T. DHANDAPANI : I have forgotten to say one more thing. On page 385 it says as follows :

"The motion for rescission having been made, an amendment was proposed to the question affirming the principle that a question which has once passed in the affirmative or negative should not be again proposed or questioned in the same session."

But in the next Lok Sabha this could be discussed. The speaker has admitted a resolution. He has a right to fix time for the discussion. It is upto the Chair to do so. No member has the right to question the decision of the Chair. (*Interruptions*)

Mr. SPEAKER : I am going by my conscience. What I have said is right. I cannot go by others' dictates. I know what is right and what I feel is right.

(*Interruptions*)

MR. SPEAKER : I have heard it. Summarise it.

SHRI RAM JETHMALANI : How can I summarise it ? (*Interruptions*)

MR. SPEAKER : You have taken more than half an hour.

(*Interruptions*)

MR. SPEAKER : I am going to give my ruling then.

(*Interruptions*)

MR. SPEAKER : Enough is enough. I have said it :

(*Interruptions*)

SHRI C.T. DHANDAPANI : Sir, is it not an aspersion on the Chair?

MR. SPEAKER : Yes, it is.

(*Interruptions*)

MR. SPEAKER : No question.

(*Interruptions*)

MR. SPEAKER : I will not permit. Nobody decides,.....

(*Interruptions*)

SHRI JYOTIRMOY BOSU : Please hear us. Give us an opportunity.

MR. SPEAKER : You are just trying to argue.

(*Interruptions*)

MR. SPEAKER I cannot go on dealing with these objections.

(*Interruptions*)

MR. SPEAKER : Shri Joytirmoy Bosu has raised in the point that the notice of motion given by Sarvashri B.R. Bhagat, C.T. Dhandapani, G.M. Banatwalla, George Joseph Mundackel etc. is not admissible as it attracts the provisions of Rule 186 (v). Rule 186 (V) states that 'it shall not arise a question of privilege'. The fact of the matter is that the present motion does not raise a question of privilege in the sense in which the term has been used in the Rules relating to question of privilege under Rules 222-228 of the Rules of Procedure and Conduct of Business in Lok Sabha. It seeks to rescind a resolution of the House which was passed by

the Sixth Lok Sabha on 19th December 1978 in pursuance of the recommendations contained in the Report of the Committee of Privileges of that House.

(*Interruptions*)

MR. SPEAKER : I would like to recall in this context an earlier precedent in the House of Commons, U.K. in the case of John Wilkes. In that case the House of Commons on 3rd May, 1782 ordered that the resolution passed by the House of Commons on 17 February, 1769 creating a disability for reelection of a member expelled by the House be expunged from the Journals as "subversive of the right of the whole body of electors of this kingdom."

(*Interruptions*)

MR. SPEAKER : The present motion has been admitted after careful scrutiny and I hold it to be in order.

(*Interruptions*)

MR. SPEAKER : I have got the Rules.

अध्यक्ष महोदय : मैंने सब पढ़ लिया है, सब देख लिया है, उसके बाद रूलिंग दी है।

SHRI K.P. UNNIKRISHNAN : Please listen to my point of order.

(*Interruptions*)

MR. SPEAKER : What is your point of order.

(*Interruptions*)

MR. SPEAKER : This is not the privilege.

SHRI K.P. UNNIKRISHNAN : My point of order is ... (*Interruptions*)

SHRI K. MAYATHEVAR (Dindigul) I am on a point of order on his point of order (*Interruptions*). When there is a ruling from the Chair there cannot be a point of order on the same point.

SHRI K. P. UNNIKRISHNAN : I hope you will not give us, this House and the country an impression that we are against the stone wall and advance rulings are give before we are allowed to formulate. (*Interruptions*) What I am submitting before you is under Rules 184, 186, 187, 270, 272(1), 273, 329, 331, read with article 118(2) and 119 (*Interruptions*)

अध्यक्ष महोदय : ये रूल्स तो पहले भी कोट किये जा चुके हैं।

SHRI K.P. UNNIKRISHNAN: Please allow me to finish first. Now I come to each one.

MR. SPEAKER : What ?

कोन से रूल की बात कर रहे हैं।

SHRI K.P. UNNIKRISHNAN: I will again repeat for your benefit. Rules 184, 186, 2-4, and 5, 187, 270, 272(1) 273, 329, 331 read with article 118 (2) and 119. (*Interruptions*)

MR. SPEAKER : We do not accept it.

SHRI K.P. UNNIKRISHNAN: Who says so ? Please listen to me. Please allow me to quote each one.

MR. SPEAKER : It is not a point of debate : it is a point of order and it has to be precise.

SHRI K.P. UNNIKRISHNAN: First listen what my point of order is. On each of these rules I want your ruling.

MR. SPEAKER : No.

SHRI K. P. UNNIKRISHNAN: You cannot go on saying—upheld or rejected—you do not uphold or reject a point of order without listening to it. You will have to listen each of these rules.

MR. SPEAKER : You can read the whole book. What can I do? Without my consent you cannot raise it. Rule 184 says.....

SHRI K.P. UNNIKRISHNAN : I am explaining it. Then you can reject it (*Interruptions*)

MR. SPEAKER : I cannot allow you. It is not binding. It is not as if you can debate the whole thing.

(*Interruptions*)

SHRI K.P. UNNIKRISHNAN : Listen to my point of order. Then you can give your ruling

(*Interruptions*)

SHRI BIJU PATNAIK (Kendrapara) : This morning Mr. Stephen took half an hour.....

(*Interruptions*)

SHRI K.P. UNNIKRISHNAN : Everyone of these rules has a bearing. You allow me. Listen to me ; then I will explain. You first listen to me..... (*Interruptions*)

PROF. K. K. TEWARY : Sir, I rise on a point of order....

(*Interruptions*)

अध्यक्ष महोदय : इतना लम्बा व्याप्ति आफ आडंडे कर्मी भी नहीं होता है।

I am bound down by the rules.

(*Interruptions*)

SHRI K.P. UNNIKRISHNAN : Under Chapter XIV, rule 184 says that no discussion of a matter of general public interest shall take place except on a motion made..

(*Interruptions*)

MR. SPEAKER : It is not a point of order.

SHRI K.P. UNNIKRISHNAN : Who told you? You give me 15 minutes. I will bring it.

अध्यक्ष महोदय : वह तो मैं कर रहा हूँ।

SHRI K.P. UNNIKRISHNAN :
 How do you know what I am going to say ? Listen. Have patience.

MR. SPEAKER : You do not realise what you are doing now.

SHRI K.P. UNNIKRISHNAN :
 I do realise every bit of it. I realise it. I only hope that you realise what you are saying whether it is correct.

अध्यक्ष महोदय : मैं रियल इंज कर रहा हूँ।

SHRI K.P. UNNIKRISHNAN :
 Do you realise what you are doing is correct.... (*Interruptions*) Under rule 184....

अध्यक्ष महोदय : कोई रियल की बात होगी तो सुनूँगा।

SHRI K.P. UNNIKRISHNAN :
 I do not follow it.

अध्यक्ष महोदय : कोई प्राइवेट बात करें तो मैं सुन लूँ।

SHRI K.P. UNNIKRISHNAN :
 This is very strange. You have admitted this motion. You were kind enough to say yesterday that under rule 190, even without consulting the BAC, you can do it. I am not questioning it..... (*Interruptions*)

अध्यक्ष महोदय : एक दफा तो सुन लेने दें।

SHRI K. LAKKAPPA (Tumkur) :
 Sir, I want to draw your attention to rule..... (*Interruptions*)

अध्यक्ष महोदय : आपको भी फिर सुनूँगा।

SHRI K.P. UNNIKRISHNAN :
 Yesterday you said that, in consulta-

tion with the leaders of the House, under rule 190 you have admitted this motion. Then we raised another question regarding the BAC. I am not entering today into that question at all. What I am saying is, according to Bulletin Part II, No. 960, it has been admitted under rules 184 and 189. Rule 184 says that it has to be a matter of general public interest and subject to admissibility being governed by rules 186 and 187. I will not read 186(ii) because I do not want to repeat what has been said here. Rule 186(iv) says "It shall be restricted to a matter of recent occurrence".

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN) :
 That has already been referred to.

SHRI K.P. UNNIKRISHNAN :
 I did not ask for your ruling, Mr. Mahajan. I want to deal with all these points, if you are kind enough to give time, and I want you to give a ruling. I now invite your attention to the last two sentences of rule 187 :

"The Speaker shall decide whether a motion or a part thereof is or is not admissible under these rules and may disallow any motion or a part thereof...."

अध्यक्ष महोदय : वह तो मैंने पहले ही कह दिया है।

SHRI K.P. UNNIKRISHNAN :
 I am coming to the last portion.

(*ठथवधान*)

अध्यक्ष महोदय : आप लोग क्यों नहीं बैठते हैं ?

SHRI ARIF MOHAMMAD KHAN (Kanpur) : Sir, when they debarred Mrs. Gandhi, was that a matter of recent occurrence ?

अध्यक्ष महोदय : उत्तरकालीन और बात
थी।

SHRI K.P. UNNIKRISHNAN : "when in his opinion it is an abuse of the right of moving a motion or is calculated to obstruct or prejudicially affect the procedure of the House or in contravention of the rules."

MR. SPEAKER : Overruled.

(Interruptions)

SHRI K.P. UNNIKRISHNAN : No. What is overruled? It is not overruled. I am formulating my point of order. I have to prove it.

MR. SPEAKER : This is all a repetition.

SHRI K.P. UNNIKRISHNAN : No. I am not repeating. I am saying something else and before you listen you are shooting off. I am saying how it prejudicially affects the procedure of the House. First listen to that point.

Now, Sir, I would refer to Rule 270. (Interruptions). About introduction of motion. It is said in Part B.... (Interruptions). Please listen. You would not listen.

(Interruptions)

अध्यक्ष महोदय : अपनी भी तो वैसा
ही कर रहे हैं।

THE MINISTER OF COMMUNICATIONS (SHRI C.M. STEPHEN) : Is there any rule under Chapter XIV under which we can challenge....

(Interruptions)

SHRI K.P. UNNIKRISHNAN : The motion has been admitted by you. I am on the question of admissibility....

MR. SPEAKER : I have only decided after the due consideration....

(Interruptions)

SHRI K.P. UNNIKRISHNAN : There are certain points which have not been brought to your notice. There cannot be any point which is not to be brought to your notice....

(Interruptions)

MR. SPEAKER : It does not fall under this. I have overruled.

SHRI K.P. UNNIKRISHNAN : Rule 270 says....

अध्यक्ष महोदय : आप सुनें हल में
बाधना चाहते हैं, लेकिन खुद बंध रहे हैं।

SHRI K.P. UNNIKRISHNAN : Rule 270 says :

"The Committee shall have power to send for persons, papers and records;"

MR. SPEAKER : No, it is not that question. It is overruled.

SHRI K.P. UNNIKRISHNAN : What is overruled?

MR. SPEAKER : I does not concern this. It is overruled..

SHRI K.P. UNNIKRISHNAN : What is the consequence....

(Interruptions)

MR. SPEAKER : Nothing.

SHRI K.P. UNNIKRISHNAN : I want a reply from you.

MR. SPEAKER : Overruled.

SHRI K.P. UNNIKRISHNAN : I want a ruling on this point.

(Interruptions)

MR. SPEAKER : I have already overruled. ■

SHRI K.P. UNNIKRISHNAN : What is being overruled? How it is overruled?

MR. SPEAKER : It is overruled. You cannot challenge my ruling.

(*Interruptions*)

MR. SPEAKER : Overruled. It does not concern this.

(*Interruptions*)

MR. SPEAKER : I have given my comprehensive ruling on this.

(*Interruptions*)

MR. SPEAKER : I am not going to yield

(*Interruptions*)

MR. SPEAKER : Overruled. It is not concerning any of the rules and I have given my ruling.

SHRI K. P. UNNIKRISHNAN : What is your ruling?

MR. SPEAKER : I have already given it. You have not heard it. It is not my responsibility if you have not heard it. Now, Mr. Bali Ram Bhagat.

(*Interruptions*)

MR. SPEAKER : I have already overruled it.

श्री रामबिलास पासवान : हम लोगों के प्लाइन्ट आफ आर्डर आने के पहले ही आप ने कैसे तय कर लिया?

MR. SPEAKER : I have given my ruling on the floor of the House.

Shri B. R. Bhagat.

श्री राम बिलास पासवान : हमारा प्लाइट आफ आर्डर सुनने के पहले ही आपने कैसे तय कर दिया... (व्यवधान)

अध्यक्ष महोदय : इसके लिये पहले से नोटिस आपा हुआ था और मैंने सुन भी लिया है।

(*Interruptions*)

MR. SPEAKER : Mr. Bhagat.

(*Interruptions*)

MR. SPEAKER : I have already given my extensive ruling.

(*Interruptions*)

MR. SPEAKER : Mr. Bhagat. I have given the floor to Mr. Bhagat.

(*Interruptions*)

SHRI JYOTIRMOY BOSU : You had already called Shri Indrajit Gupta.

अध्यक्ष महोदय : मैंने उसको बुलाया तो था, वे नहीं आए, तो मैं क्या करूँ?

SHRI GEORGE FERNANDES (Muzaffarpur) : How are you calling Shri Bhagat? (*Interruptions*)

MR. SPEAKER : I have already given my extensive ruling.

(*Interruptions*)

SHRI BAPUSAHEB PARULEKAR (Ratnagiri) : You said that you will allow every one to speak.

(*Interruptions*)

SHRI BIJU PATNAIK : You have given your ruling even without hearing us. (*Interruptions*).

SHRI BAPUSAHEB PARULEKAR : You said that you will allow every one to speak. (*Interruptions*).

SHRI INDRAJIT GUPTA (Basirhat) : Why do you change your mind like this? (*Interruptions*).

SHRI BAPUSAHEB PARULEKAR : You allow us one by one. (*Interruptions*).

SHRI HARIKESH BAHADUR (Gorakhpur) : I am on a point of order. (*Interruptions*).

SHRI RATANSINH RAJDA (Bombay South) : I am on a point of order. (*Interruptions*).

SHRI INDRAJIT GUPTA : You called me first and then suddenly you called Shri B. R. Bhagat.

MR. SPEAKER : I asked you so many times to speak, but you did not speak.

(*Interruptions*)

SHRI INDRAJIT GUPTA : While Shri Unnikrishnan was speaking, then you suddenly called Shri B. R. Bhagat. (*Interruptions*). Do not say that.

श्री रामावतार शास्त्री (पटना) : आप रुलिंग तो दे देते (व्यवधान)।

अध्यक्ष महोदय : देखिये ऐसा है कि मैं तो अकेला आदमी हूं, आप सारे पांच सौ बोलने वाले हैं। (व्यवधान)

देखिये सारी बातों का समाधान हो सकता है, अगर आप सुनना चाहें और करना चाहें। देखिये, मैंने तो सुनने में कोई कसर नहीं छोड़ा, न कोई कसर छोड़ गा। चाहे रात के बारह बजा लो या पांच बजा लो, मुझे कोई एतराज नहीं है। (व्यवधान) मेरे जब बोलता हूं, किर भी आप बोलते रहते हैं। बीच में आप क्या करते हैं। (व्यवधान)

I am one single human being.

आपको कभी तो थोड़ा तरस खाना चाहिये, वह भी आप नहीं खाते। (व्यवधान) मैंने आपकी बात सुनी है, मैं सारी किताब पढ़कर के (व्यवधान) आप मेरे पास आ जाइये, मैं आपको मनवा दूँगा और आप

मान जायेंगे। अगर नहीं मनवां दूँ तो मेरा नाम बदल देंजिये। (व्यवधान) मेरी एक दूसरी बात सुन लंजिये।

PROF. MADHU DANDAVATE (Rajapur) : You had called Mr. Indrajit Gupta.

अध्यक्ष महोदय : प्रोफेसर साहब, आप ही सुन लंजिये। (व्यवधान) अगर आप मेरी बात मुनेंगे तरीं आपको पता लगेगा (व्यवधान) आप क्या चाहते हैं?

SHRI SOMNATH CHATTERJEE : Please listen to us. (*Interruptions*).

अध्यक्ष महोदय : हे भगवान, आप ही बैठ जाइये। देखिये अगर आप सारे बोलने तो क्या समाधान हो सकता है? एक-एक आदमी आपसे से बोल ले, मैं पांच-पांच मिनट दे देता हूं। एक-एक आदमी एक-एक ग्रुप से बोल ले।

श्री राम बिलास पासवान : आपको दे दिया और आपने उने पढ़ कर सुना दिया। (व्यवधान)

अध्यक्ष महोदय : राम बिलास जी! आप फिर जिद कर रहे हैं। मैंने ऐसा नहीं किया है। इनसे पूछो, इन्होंने मुझे लिख कर दिया है। (व्यवधान)

सोमनाथ जी! मैं एक मिनट आपको बताना चाहता हूं। जितने में भवर आपके बैठ हैं, जो बोल लिये हैं वह तो ठीक है। अगर किसी ग्रुप का कोई आदमी रह गया है तो वह बोल ले। मैं सुन लूंगा। लेकिन आप जिद न कोजिये (व्यवधान)

SHRI SOMNATH CHATTERJEE : It is not a group matter. (*Interruptions*)

अध्यक्ष महोदय : देखिये मैं गुप्ता जी को भी सुन लूंगा और आपकी बातें भी सुन

लूंगा । आपकी बात सुन लूंगा तो आप चुप हो जायेंगे । (व्यवधान) रशीद साहब ऐसा नहीं हो सकता । रशीद साहब आप बैठ जाइये । (व्यवधान)

ओ रशीद मसूद : मैंने प्लाइंट आफ आर्डर रेज किया है । (व्यवधान)

प्रध्यक्ष महोदय : आप लोगों की बात तो मैंने सुन ली है । (व्यवधान) आप जब पढ़कर आयेंगे तब पता लगेगा ।

SHRI BIJU PATNAIK : It is a right of any member, here or there, to raise a point of order. (Interruptions)

MR. SPEAKER: That is not a privilege.

(Interruptions)

MR. SPEAKER: Gentleman, I have heard the point of order, I have to allow according to the rules.

SHRI K. P. UNNIKRISHNAN : I am on a point of order.

MR. SPEAKER: I over-rule your point of order.

SHRI K. P. UNNIKRISHNAN: What have you over-ruled ?

MR. SPEAKER : Guptaji. एक बात और है—एक ही प्लाइंट आफ आर्डर को मैं किसी दफा सुनूंगा । एक प्लाइंट को एक ही दफा तो सुनूंगा । हां गुप्ता जी आप कहिये ।

SHRI K. P. UNNIKRISHNAN: What is my point of order ?

MR. SPEAKER: I am not going to tell you. मैं एक स्लेन नहीं करूंगा । अब यह भी बालाना पड़ेगा, आप तो बहुत समझदार गुप्ता जी बोलिये ।

SHRI K. P. UNNIKRISHNAN: What is my point of order ?

MR. SPEAKER: I cannot satisfy you.

PROF. MADHU DANDAVATE: You please give your ruling on what he has said.

MR. SPEAKER: I have given my ruling. Under Rules 184, 186 and 187 and everything I have given my ruling. May I repeat the same thing ? The same point of order, may I repeat ? The point is 185.

ओ राम बिलास पासवान : मेरा प्लाइंट आफ आर्डर इसके साथ.....।

प्रध्यक्ष महोदय: आपको तो मैं सुन चुका हूं आप बैठ जाइए । हां श्री इन्द्रजीत गुप्ता । (व्यवधान)

MR. SPEAKER: Now, if you don't want to allow me, what can I do ?

SHRI K. P. UNNIKRISHNAN: What is over-ruled ? That is what I am asking him.

SHRI INDRAJIT GUPTA: I want to make one thing clear at the beginning that my Party had not supported that resolution of 1978. My Party was not a party to that. We had voted against it. Let nobody think that we are raising it out of some political motive. (Interruptions). Just a minute. Please be a little intelligent.

In spite of that, I am raising a point of order purely on the question of admissibility of this motion. I am not going into the merits and demerits of it at all and I am not also repeating yesterday's point about the Business Advisory Committee not having been consulted. You just said a little while ago that a point of order must be precise. Unfortu-

nately, neither many points of order nor what you have been saying has been very precise as far as I could understand. Of course, many things we could not hear at least and the Ruling which you have read out, I deeply regret to say, that I at least, was unable to hear it. Some people might have heard it because they clapped. Without understanding or hearing anything, they all clapped. It is all right. I may repeat something which you have already over-ruled- I do not know. If necessary, Sir, I will plead your indulgence to settle this point finally because after all ultimately your ruling will prevail. It is obvious. You may be asked to give your ruling once again because we at least have not been able to hear. If they are honest, they also know that they were not able to follow because of the noise.

Now, I am confining myself strictly to the provisions of rule 186. Am I to take it that you agree that these provisions are binding on everybody including you ?

MR. SPEAKER: Yes.

SHRI I. DRAJIT GUPTA: You are saying 'binding', but some friends there say 'no, no' Of course, we need not take advice from them.

My contention is that, by admitting this motion, several of the clauses which are put here as conditions under rule 186 have been offended, and I would like to be convinced by you that these have not been offended.

First of all, under rule 186, condition (ii) reads :

"it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements".

There is no need for me to read out to you; here, half-way through Mr Bhagat's motion, what do you find under 'CONSIDERI G that' (a), (b), (c) (i) (ii) (iii) (d) ? If these

are not arguments and inferences, I do not know what they are. Kindly, see this.

Secondly, 186 (iii) reads:

"it shall be restricted to a matter of recent occurrence;"

The operative part of Mr. Bhagat's motion is :

"AND ACCORDINGLY this House rescinds the resolution adopted by the Sixth Lok Sabha on the 19th December, 1973 "

I want to know whether a Resolution passed in this House on the 19th December, 1973, is according to you, a matter of recent occurrence. I do not know, Sir. Kindly tell us.

Thirdly

SHRI ARIF MOHAMMAD KHA : On a point of order, (Interruptions).

When you have already admitted the motion can any one debate on the grounds of admissibility ? (Interruptions)

अध्यक्ष महोदय ३८ के बाद आपको भी सुन लूंगा ।

SHRI INDRAJIT GUPTA : Our whole contention is that it has been wrongly admitted.

Clause (v) of rule 186 reads :

"it shall not raise a question of privilege" I ask you to see objectively the whole motion. If it does not deal with a matter of privilege, what does it deal with ? I have already said that I am not going into the merits of it now. But according to the rules, it cannot be admitted rightly; for one thing, it is full of inferences and arguments; secondly, it is a matter which raises a question of privilege; thirdly, it is a matter which does not relate

to a matter of recent occurrence. You please satisfy us in whatever ruling you give that you have not offended these provisions of rule 186

PROF. MADHU DANDVATE:
rose—

DR. SUBRAMANIAM SWAMY:
rose—

MR. SPEAKER : One of you may speak.

DR. SUBRAMANIAM SWAMY : We have different points to make. It is an important Resolution it is going to be a historic Resolution ; it is going to be used as one of the important things

SHRI K. LAKKAPPA : Is it the monopoly of the Opposition to be listened to by you Sir ?

PROF. K.K. TEWARY : They are violating all the rules. They are merely filibustering . . . (*Interruption*)

MR. SPEAKER : I will also listen to you, Mr. Lakkappa

SHRI K. LAKKAPPA : After this ? Then all right

DR. SUBRAMANIAM SWAMY : This resolution is a very important resolution—you will admit. This is not only a very important resolution but this is a resolution which is going to be a part of the parliamentary record and will be used in many many places. What is the contention of the motion ? You see the rules. I am not taking Rule 186—I am coming under Rule 190 . . .

प्रधानमंत्रीवाचः : आप संघी बात करिये ।

DR. SUBRAMANIAM SWAMY : The contention and the substance of the motion is that something was done which was unfair and by your majority you want to undo it. . . . (*Interruption*). Why are you

in such a hurry ? Let all this be part of the record. Therefore this resolution has been brought here by two Members of the so called Opposition. . .

SHRI C.T. DHANDAPANI : I object to this, Sir . . .

(*Interruptions*)

SHRI K.P. UNNIKRISHNAN : He is not doing it on behalf of my Party at all. I want to categorically say and repeat that . . .

(*Interruptions*)

DR. SUBRAMANIAM SWAMY : Parliament is so important that a little time from your side will go a long way. You are asking 'Under what rule' ? Please don't be too technical. We co-operate with you and I ask you to please listen.

He has taken objection to my saying 'so-called Opposition.' I withdraw it. He is sitting with us in the Opposition Bench . . .

MR. SPEAKER : What is your point ?

DR. SUBRAMANIAM SWAMY : I am coming to the point. You are from which Party—the Amma DMK Party or the Anna DMK Party ? . . .

(*Interruptions*)

SHRI K. MAYATHEVAR : I opposed it tooth and nail in 1978 itself. Everybody knows it. I warned the Janata Party in 1978 December—'If you are going to put down the people of India and Indira Gandhi—you will go to dogs.' That is what has happened . Don't be unparliamentary. Don't bring down democracy here.

DR. SUBRAMANIAM SWAMY : This qualifies you to be called Amma DMK. . . .

(*Interruption*)

SHRI K. MAYATHEVAR : This is Parliament. Our Party is thousand times better than your Party.

DR. SUBRAMANIAM SWAMY : Therefore I am raising the question of the viability of this motion under the Rules, not because they can pass it by majority. I am not on that. Because tomorrow, if my party comes to power again, we will try to bring back the resolution. I am not afraid; we shall bring back this Resolution on record.

SHRI C.T. DHANDAPANI : Dr. Swamy is welcome. So, his party supports this by accident. If he comes to power he will interfere with this Resolution. Secondly, Sir, he has given an amendment accepting this Resolution. (*Interruptions*) Sir, we are one party, that is, D.M.K. There are other parties like the B.L.D., S.V.D. and so on—we do not know.

DR. SUBRAMANIAM SWAMY : There are two parties in Tamil Nadu—one is the Anna D.M.K. and the other is the Amma D.M.K. (*Interruptions*)

SHRI C.T. DHANDAPANI : I am very proud to say that we belong to Amma D.M.K. (*Interruptions*)

DR. SUBRAMANIAM SWAMY : Sir, we are guided by the Rules Book and the Constitution of India. These people are renaming their party. They are proud to be called as Amma D.M.K. You must take a decision about this change in name.

There are three rules by which we are guided. One is this rule book,—the Rules and Procedure; the other is Constitution of India and the third is the Principle of Natural Justice. Now, you see Rule 190, It says :

“The Speaker may after considering the state of busi-

ness in the House and in consultation with the Leader of the House, allot a day....”

Sir, do we not see that natural justice is being violated? Sir, the motion is dealing with the Leader of the House. You were consulted. You bypassed the Business Advisory Committee and they have brought this motion by which they are seeking to do something. They have issued three line whip to the ruling party Members. Today you have a majority of the Members. But what about the future of this Parliament? What about the future of Parliamentary democracy in this country? You cannot do it. If you do it, it will be a black day of Parliament. (*Interruptions*) Don’t do it.

PROF. MADHU DANDAVATE : Sir, I am raising three precise points and I would like you to give your ruling. First if you go through the conventions of the Privileges of this House for the last several years, it has been said formerly that we were going to follow the conventions in the House of Commons; later on, it was said that we would evolve our own conventions regarding the privileges. Sir, this particular motion which Shri Bhagat proposes to move will destroy the very concept of the conventions. Please do not interfere. (*Interruptions*) Please give me protection from all these people. (*Interruptions*)

MR. SPEAKER : Order, Please. What is your point of order?

PROF. MADHU DANDAVATE : My point of order is that this motion is.....

MR. SPEAKER : That is no argument.

PROF. MADHU DANDAVATE : Why do you come to your ruling?

MR. SPEAKER : I am saying that it is no argument.

PROF. MADHU DANDAVATE : When you sit here, please apply your mind for a few seconds at least. Let there be no reflex action. What I am trying to say is that whatever be the privileges that are evolved, this motion tries to interfere with those privileges. No motion under 184 is likely to be admitted. This is point Number one.

My second point is: as far as Rule 288 is concerned, with due respect to you and with due respect to the Chair, even your powers are restricted. Even you are circumscribed by certain rules and procedures. It is very clearly said that whenever Motion under 184 or 186 is to be admitted in this House the Business Advisory Committee has to be consulted. Sir, you have not consulted the Business Advisory Committee. No doubt, Speaker is an important authority but let him know that the rules framed by this Parliament are higher than that of the Speaker. (Interruptions).

The third point is that if this Motion is adopted then a very wrong convention will be set up and those issues which are not of urgent importance will be taken up under 184 and 186. Sir, you by your ruling will be expanding the scope of 184 and 186 which you are not entitled to do. Please do not cross the powers which the Speaker has got.

SHRI K. LAKKAPPA : Sir, the Speaker has to regulate the proceedings of the House in accordance with the Rules. If they have got any grievance they can speak on the merits of the Motion. My friend, Mr. Bhagat has brought the Motion Sir, I would like to draw your attention to Rule 356 which says :

“The Speaker, after having called the attention of the

House to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate may direct him to discontinue his speech.”

So, Sir, you kindly decide in accordance with the relevant rules and please regulate the proceedings.

SHRI SOMNATH CHATTERJEE : Sir, I think we can start with the premise that the rules have to be followed. Sir, kindly see Rule 389. These are the residuary powers given to the Speaker. It says :

“All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct.”

Therefore, whether there is a specific provision or not one has to see. So far as privilege matters are concerned there is one Rule 315. Kindly see Rule 315. This has not been drawn to your kind attention. It is specific rule because the general provision with regard to Motions does not apply with regard to privilege matters. That is why Rule 315 specifically provides that a Motion for consideration of a Report of a Committee of Privileges has to be moved under the Rule 315 and not under 184. Now what was done on that day? The Resolution which is sought to be rescinded, Sir, was under 315. That was the only provision and the Resolution you will kindly see of that date was under 315 in the same terms. Now, a Resolution which was passed under 315 is now sought to be rescinded under 184. Our respectful submission is that there does not appear to be any precedent. (Interruptions).

SHRI SOMNATH CHATTERJEE : Page 384 and 386—it further says :

If it is felt by the majority in the House today that that decision was wrong and should be set aside it has to be done according to the rules and the conventions. This much is accepted. Now, our very respectful submission is that if recourse is taken to 184 read with 186 when serious observations have been made...

MR. SPEAKER : It is all right.

SHRI SOMNATH CHATTERJEE : Sir, I have quoted two rules which nobody has quoted. I am not an obstructive type. I am respectfully submitting that when there are particular provisions regulating a matter, general provisions cannot apply, which is also very clear when there is a specific exemption with regard to matters of privileges.

16 hrs.

We can also take note of what May has said in his book. This is resolution for rescinding a previous resolution. Many points that have been made with regard to Rule 186, I need not repeat. It has been stated. in May that

decision to rescind a previous resolution should be such that the resolution is of a continuing force.

This resolution is not of a continuing force. What was done ? We had opposed the sentence... (Interruptions)

MR. SPEAKER : That is all right.

SHRI SOMNATH CHATTERJEE : That sentence has been executed, it has no continuing force. These are matters which are for the first time, being raised.

MR. SPEAKER : I have heard you now....

(Interruptions)

"that parliamentary Government requires the majority to abide by a decision regularly come to however, unexpected and that it is unfair to resort to methods whether direct or indirect to reverse such a decision."

This is what has been followed up in England, whose practices we follow in respect of matters of privileges. Our rules do not provide for such a motion. Therefore, to enable the parliamentary system of Government and the parliamentary institutions to regulate themselves properly you have to reconsider your ruling. (Interruptions).

SHRI HARIKESH BAHADUR : Sir, since the motion is against the rules, those who are moving this motion, are committing contempt of the House.... (Interruptions).

SHRI K. MAYATHEVAR : They committed it in 1978, not now.

SHRI HARIKESH BAHADUR : I am telling these things very seriously. It is against proviso 2, proviso 4 and 6 of rule 186. It has already been stated and, therefore, I am not going into details.

Under Rule 190, Sir, you should have consulted the Leader of the House, but you did not consult the Leader of the House, because she left in the morning and you were not here and therefore you did not consult the Leader of the House.

SHRI K.P. UNNIKRISHNAN : He said that he had consulted.

SHRI HARIKESH BAHADUR : I think, some representative of yours might have consulted some representative of the Prime Minister, but you have not exactly consulted her. According to the rules, the Speaker has to consult the Leader of the House. Therefore, this motion is entirely against the rules.

Shri Somnath Chatterjee has already raised the relevant points under Rule 315. I think, all these points are genuine ones and should be considered and nobody should be allowed to commit contempt of the House.

SHRI H. K. L. BHAGAT (East Delhi) : Mr. Speaker, Sir, Respectfully I wish to submit that most of the arguments which my hon. friends on the other side have advanced have been negatived by the proceedings of this case. If you kindly see, when this point was raised and when this question of privilege came, Shrimati Indira Gandhi in the previous Lok Sabha requested the House whether a succeeding Parliament could take up a case, which had occurred earlier ? And they had argued and this is a finding accepted to which, they are all party, that occurrence happening earlier can be taken up by the later Parliament. The question in principle is whether one Parliament which succeeds can take up a matter of breach of privilege occurring long before ? If it could take up that matter, then it can certainly rescind that matter also.

And for further information I might tell them that in the Report of the Privileges Committee itself a number of cases in the House of Commons have been quoted. A Member of Parliament was hauled up for something which he had said in 1964, after those ten years.

Now, Sir, in this case itself, the occurrence is relating to 1975-76. They took up that matter in 1978 after three years, if it could be done then, why can't it be taken up now ?

I think your ruling is absolutely correct and the House should proceed with it.

SHRI CHITTA BASU (Barasat) : Sir, I want to draw your

attention to one thing, that by admitting this Motion under Rule 184, you are going to negate the decision of a Committee. This is not permissible.

MR. SPEAKER : Next.

SHRI CHITTA BASU : My point is that you are admitting a Motion under Rule 184 in order to negate the decision of a Committee.

MR. SPEAKER : I have heard that.

SHRI CHITTA BASU : My second point is that you have completely ignored the Business Advisory Committee.

MR. SPEAKER : I have heard that. I have listened to that point and this is again repetition of the same thing.

SHRI CHITTA BASU : I draw your attention to Rule 290(a) where it is said.

MR. SPEAKER : I have read that. Anything more ?

SHRI CHITTA BASU : This motion is not admissible under Rule 184. It is not to be discussed under Rule 290(a). If you do that you are creating a precedent.

SHRI K. MAYATHEVAR : (Dinigul) : Sir, the object of the Motion is very clear. The object of the Motion is moral, legal and constitutional, because we are not for expulsion of any Prime Minister ex-prime Minister or the present. We are not for expulsion of any hon. Member of this House. We are not for evicting anyone. We are for maintaining the Parliamentary dignity and decorum to protect the privilege of this House. The people and the hon. Members who were relying on Rule 186, must understand this and many of the hon. Members participated in that debate held in December, 1978. I was also participating at that time.

[Shri K. Maya hevar]

Now people were quoting Rules and provisions of sub-rule (1) to (8) of Rule 186.

In 1978, the same Members, under the Government led by Mr. Morarji Desai raped these rules and provisions (*Interruptions*). Therefore, we are sitting as a Supreme Court or something better than Supreme Court or as the highest body in a democratic form of Government. We are setting right the rape committed. We are bringing it back on the rails- from the derailment which had taken place.

SHRI RATANSINH RAJDA : I would like to make some observations in this House. Mr Bhagat has brought in this Motion because (*Interruptions*)**

MR. SPEAKER : Nothing is going on record. It is no point of order.

(*Interruptions*)**

MR. SPEAKER : No.

(*Interruptions*)**

MR. SPEAKER : No Sir, It is not going on record. It is not pertinent.

श्री राम बिलास पासवान : अध्यक्ष महोदय, मेरा प्रवाहन अफ आर्डर है मैं आपसे जानना चाहता हूँ-क्लॅ कोई नियम 186 के तेहत यह प्रस्ताव ला दे कि किसी मेम्बर को पालियामेंट से हटा दिया जाये, तो क्या आप उस प्रस्ताव को एड-मिशन दे देंगे ?

वित्त मंत्रालय में उपप्रत्नवी (श्री मण्डनभाई बरोट) : आप ने क्या किया था ? पासवान जी, आप ने भी तो यही किया था ... (बध्यधान) ...

Mr. Speaker : Please sit down. I will just give my ruling on all these points. As far as this Business Advisory Committee is concerned, yesterday and even today....

AN HON. MEMBER : When did you have the time to write it, Sir ?

MR. SPEAKER : I have taken some points today. I had taken some points yesterday. I have got them dictated also. Please don't bring in this. There is no question.

Yesterday, a question was raised as to whether it was the invariable rule to consult the Business Advisory Committee before allotting time and date for discussion on a motion that has been admitted by the Speaker in terms of the Rules.

I would like to invite attention of Members to Rule 190 which reads as follows :

"The Speaker may, after considering the state of business in the House and in consultation with the Leader of the House, allot a day or days or part of a day for the discussion of any such motion."

The wording of the Rule is quite clear and gives discretion to the Speaker to allot a day and time for discussion of any such motion in consultation with the Leader of the House as time for it has essentially to be found from the time available for transaction of Government business.

This in no way impinges on the powers of the B.A.C., as the item so included is supplemental to, and not in suppression of the recommendations of the Business Advisory Committee.

Further, Mr. Patnaik asked me yesterday if I could cite a precedent.

Yes, I can. I understand that in 1968, when a motion under rule 184 by Shri Madhu Limaya was admitted against the conduct of the then Deputy Prime Minister, the Speaker fixed the date for discussion in consultation with the leader of the House and this was notified without the matter being placed before the Business Advisory Committee.

Now, if Mr. Patnaik wants to ask any questions on this, he can come to me on any day.

I would now request the Hon'ble Members to kindly extend the courtesy of listening to the observation that I have to make in respect of the points raised by them.

When the notice of this motion was received.....

Dr. SUBRAMANIAM SWAMY: When was it received ?

MR. SPEAKER : It was received probably on the 4th something like that. I was here. I had seen it. I had studied it. First, it was on the 30th. I was here for 4-5 days and then I left.

When the notice of this motion was received, it was examined most carefully with reference to the provisions in the Rules, relevant precedents and only thereafter it was admitted.

(*Interruptions*)

MR. SPEAKER : I will give you. You wait for a minute. A number of members have drawn attention to the provisions of Rule 186 and sought to make out that these are infringed by the admission of the motion.

As far as Rule 186 (ii) is concerned, there are hardly any inferences or defamatory statements or imputations as such in the motion. It is a well-drafted presentation of

facts which are necessary for purpose of the motion

(*Interruptions*)

MR. SPEAKER : I am a lone man. What can I do ?

SHRI G. LAKSHMANAN (MADRAS NORTH) : I am with you.

MR. SPEAKER : Thank you. That is a solace. It is a good company. As far as Rule 186 (ii) is concerned, there are hardly any inferences or defamatory statements or imputations as such in the motion. It is a well-drafted presentation of facts which are necessary for the purposes of the motion.

As regards the reference to Rule 186 (iv) that it should be restricted to matter of recent occurrence, this has to be interpreted with reference to the nature and substance of the motion. The House is supreme and if it chooses, as did the House of Commons in U.K. in Wiekes case to revise its own decision, it has full right to do so and it would not be appropriate to take such a rigid stand.

As regards the objection that it raises a question of privilege. I have already explained in this context that Rules 222-223, as contained in Chapter XX of the Rules of Procedure, are not attracted in the present case, as no fresh question of privileges as such is being raised, but what is sought to be done is to rescind a motion which had been earlier adopted by the House and as such Rule 186(v) is not contravened.

The point has been raised that the earlier Motion has been brought before the House in pursuance of Rule 315 whereas the new Motion has been entertained under Rule 184. As I mentioned a little while ago the present Motion that we are discussing does not as such deal with the question of privilege and there-

[Mr. Speaker]

fore the Rules pertaining to privilege as adumbrated in Rules 222 to 228, 313 to 316 are not attracted.

I held the Motion to be in order and I would now call upon Shri B.R. Bhagat to initiate the debate.

At this stage Shri George Fernandes, Shri Jyotirmoy Bosu, and some other members left the House

SHRI K.P. UNNIKRISHNAN: What is your answer to my point of order ?

MR. SPEAKER : I have given my ruling. I have not allowed you.

SHRI K.P. UNNIKRISHNAN : What is your answer to my point of order ?

MR. SPEAKER : I have not allowed you.

SHRI K.P. UNNIKRISHNAN : What is your answer ?

MR. SPEAKER : I have given my ruling.

(Interruptions)

MR. SPEAKER : I gave my ruling.

(Interruptions)

MR. SPEAKER: I have already overruled.

SHRI K. P. UNNIKRISHNAN. We have given you,..... *(Interruptions)*

MR. SPEAKER: Enough is enough.

(Interruptions)

SHRI K. P. UNNIKRISHNAN: Basic thing is about the frustration of procedure. Rule 187, 271, 273 etc. *(Interruptions)*

MR. SPEAKER: No, no, no. Yes, Mr. Bhagat.

(Interruptions)

SHRI K. P. UNNIKRISHNAN: You must enlighten us.

MR. SPEAKER: I have already given my ruling.

You can carry on with your resolution now. Mr. Bhagat.

(Interruptions)

MR. SPEAKER: Mr. Bhagat.

SHRI B. R. BHAGAT (Sitama-rhi): I beg to move:--

"WHEREAS the Committee of Privileges of the Sixth Lok Sabha in its Third Report has expressed the view that:

(a) any person, if engaged in collecting information asked for by Parliament, should be deemed to be in the service of Parliament and entrusted with the execution of the orders or the performance of the functions of the House even though he is technically not an employee or officer of Parliament;

(b) a person charged with breach of privilege is bound if so required by the Committee to take oath/ affirmation and to depose before the Committee and answer any questions regarding the facts of the case;

(c) a person charged with breach of privilege is bound to answer questions even without taking an oath affirmation even though that person would not be required to answer any self-incriminatory questions;

(d) an averment in a written statement submitted to the Committee by a person charged with breach of privilege, expressing reasonable apprehension of the influence on the members of the Committee belon-

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ging to the ruling party of its openly declared antagonism towards the person involved would constitute breach of privilege and contempt of the Committee;

WHEREAS the Sixth Lok Sabha by a Resolution adopted on 19th December, 1978 agreed with the above recommendations and findings of the Committee and on the basis thereof held Smt. Indira Gandhi, Shri R. K. Dhawan and Shri D. Sen guilty of breach of privilege of the House and inflicted on them the maximum penalty possible in violation of the Principle of Natural Justice.

CONSIDERING that

(a) the above findings are in total contravention of Parliamentary rules, precedents and conventions;

(b) they unduly extended the immunity enjoyed only by the officers of Parliament in the discharge of their duties to an indeterminate number of persons totally unconnected with Parliament and ~~constrict~~ and deny to persons charged with breach of privilege and contempt of the House inalienable rights and safeguards guaranteed by the Constitution;

(c) if the above findings are allowed to remain on record they would serve as standing instruments in the hands of any party in power for narrow, partisan political ends of calumny, harassment and public denigration by persecuting its opponents as actually happened in the case of Smt. Indira Gandhi;

(i) a pre-determined design to vilify Smt. Indira Gandhi, deprive the electorate of Chilmagalur of its due representation in Parliament, stifle the authentic voice of national dissent from the floor of the House, thus the democratic process;

(ii) to denigrate and to imprison Smt. Indira Gandhi;

(iii) to hand out in the guise of privilege proceedings, a finding from the Parliament against Smt. Indira Gandhi so that the same may hang as a compulsive pall over the criminal courts in the then impending trial against Smt. Gandhi and others on charges based on the same allegations; AND

(d) the said proceedings of the Committee and the decision of the House were wrong and erroneous and with a view to correct this distortion and establish correct conventions and precedents for future Parliamentary procedures.

NOW THEREFORE this House resolves and declares that:

(a) the said proceedings of the Committee and the House shall not constitute a precedent in the law of parliamentary privileges;

(b) the findings of the Committee and the decision of the House are inconsistent with and violative of the well-accepted principles of the law of parliamentary privilege and the basic safeguards assured to all and enshrined in the Constitution; and

(c) Smt. Indira Gandhi, Shri R.K. Dhawan and Shri D. Sen were innocent of the charges levelled against them.

AND ACCORDINGLY this House:

rescinds the resolution adopted by the Sixth Lok Sabha on the 19th December, 1978."

I do this in a spirit of utmost humility. Through this Motion I seek the indulgence of this hon. House to a matter of great importance, in the annals of the functioning of Parliament. This Motion raises very vital questions of rules, conventions and procedures of this House. It also raises the question of the functioning of democracy in this

[Shri B. R. Bhagat]

country, the privilege case against Shrimati Indira Gandhi and two others, the way it was handled at various levels in the Privileges Committee of the Sixth Lok Sabha and the final decision of the House, has raised several significant questions. The decisions on various points taken in this case cannot be accepted as firm precedents in parliamentary practice and procedure.

My first point is, the question of the protection to officers. If Parliamentary privileges and immunities were to be extended to all those civil servants from Secretary down to the messenger who were engaged in collecting, scrutinising or carrying information for the Ministers to be used by them in answering questions, practically everyone in the whole administration, lakhs of Government employees would be covered and Parliamentary privileges and immunities will lose their meaning. In Shrimati Indira Gandhi's case, most surprisingly the Committee of Privileges arrived at a strange and novel concept of Government officials, who are not officials, but "deemed to be"—mark the words "deemed to be" in the service of the House while collecting information for being furnished to the House by their Ministers. We have not described in this House who are the officers of Parliament. But in British Parliament they have identified who are the officers of the Houses. For example, the officers of the House of Lords are "the Lord Chancellor, Deputy Speakers, Chairmen and Deputy Chairmen of Committees, Permanent Officers of the Lords, the Clerk of the Parliaments, the Clerk Assistant and Reading Clerk, Offices under the Clerk of the Parliaments, the Accountant's office, the Committee Office, The European and Overseas office, Information Service, the Journal Office, the Judicial Office, the Office of the Official reporter,

the Private Bill Office, the Printed Paper Office, the Public Bill Office, the Record Office, the Librarian, the Gentlemen usher of the Black Rod and Sergeant-At-Arms."

Similarly, the officers of the House of Commons have been named. They are, "the Speaker of the House of Commons, Deputy Speaker in the Commons, The Chairman of Ways and Means, Deputy Chairman of Ways and Means, Temporary Chairman, Principal Permanent Officers of the Commons, Clerk of the House, Clerk's Assistant, Sergeant At-Arms. Speaker's Counsel. The Commission for regulating the offices of the House of Commons, Departments in the House of Commons, Department of the Clerk of the House, Speaker's Department, Department of the Sergeant-At-Arms, Department of the Library Administration Department, the staff Board, the Comptroller and Auditor General, the Parliamentary Commissioner for Administration." You see the British Parliament or the House of Commons. It is our practice to refer to the conventions there. It is very clearly defined who are the officers of Parliament. Here if we accept the report of the Privileges Committee, practically everyone in the administration—hundreds and thousands of officers—will be 'deemed to be' this is a new concept, a strange and novel concept, illogical concept—officers of Parliament.

The second point where the Committee went wrong is the question of jurisdiction. The basic purpose of parliamentary privileges is to enable either House or its committees and members to perform their duties in Parliament without let or hindrance. And each House has an inherent right to conduct its own affairs. Article 105 of the Constitution speaks of the powers, privileges and immunities of each House.

Committees and Members of each House. The penal jurisdiction of the House also tends to its own contempt. Proceedings of each House are privileged and no action can be taken in one House for anything said in another House. Under Article 83 of the Constitution Lok Sabha unless sooner dissolved, shall continue for five years. Dissolution of the House means its death. Nothing can revive it. The House that comes into being after the elections is another House—a new House. Actually the Representation of the people Act—speaks of the new House. So, the intention of the Constitution about the House when it is dissolved is absolutely clear. It is a new House.

Then in this matter at least there has been a debate going on whether the privileges should be codified or not because perhaps, it is *infradig* for a House like this which has developed its own conventions in the parliamentary history, to refer to the House of Commons for privileges and other matters. The other view is that it is difficult unless you want to limit it. If you want to codify, you have to limit the privileges. Therefore, it was left for the new conventions in the last 29 or 30 years to develop in the matter of privileges. But, in one matter, it is codified by the Rules of Procedure, by rule 222, which has often been referred to. Rule 222 of the Rules of Procedure and Conduct of Business also speaks of "the House", meaning this distinguished House and does not cover the previous House. It makes it clear that the member may raise question involving a breach of privilege either of a member or of the House or of a Committee thereof. There is the word "a" for Committee or member, because it relates to a member or a Committee; but when comes to the House, the rule says "the House" which means the existing House. So, in this matter there is codification. The House has expressed itself that the

meaning is existing House. Rule 222 codifies the jurisdiction for privileges in this particular matter.

The proceedings and practice in the House of Commons in privilege matters are relevant to India but, according to the Forty-fourth Constitutional Amendment only subject to the other provisions of the Constitution of India and laws and rules framed thereunder. Viewed in this context, on these considerations, all privileges are privileges of the existing House and its committee and members. They do not and cannot cover the past House, the old Committees or former members. A successor House cannot sit in judgment over the alleged breach of privilege during the time of a previous House, in as much as each House is deemed to be as representative of the people as the successor House. Under the parliamentary system, each Government has to be taken as responsible to the House as any that follows it. In any case, if the jurisdiction of the House is challenged, it is the Supreme Court that can determine it.

Again, applying the same principle, I am interested in referring to a very important point. Because, in the case of Shrimati Gandhi and the other two officers, Shri Dhawan and Shri Sen, the Committee of Privileges reached the illogical and unprecedented conclusion that dissolution does not imply discontinuity of Parliament. Despite what I have said, and what is codified in the Constitution, it is certainly clear that the dissolution of the House, the Lok Sabha, does not mean discontinuance of the institution of Parliament. That is true. The institution of Parliament is continuous. If the Speaker exists till the new House meets, that is to preserve the institution of Parliament. Because the office of Speaker continues even after the House is dissolved, some people, are led to believe the House remains.

[Shri B.R. Bhagat]

If the House is dissolved as very graphically described by Kaul and Shakdhar in their treatise it operates as "a sponge over the parliamentary slate." The business, every thing before the Lok Sabha, is cleaned just as a sponge does it, and draws a final curtain on the old house. This is absolutely clear.

So far as Mrs. Gandhi's question was concerned because it pertained to the previous House, earlier House, the Committee of Privileges simply had no jurisdiction, absolutely had no jurisdiction and, therefore, whatever they have done illegal, illogical, unreasonable and wrong.

AN HON. MEMBER : Immoral.

SHRI B. R. BHAGAT : They have committed an error. I am not going into the morality of it, because I am on a stronger ground. It is illegal because there is no jurisdiction.

Coming to the third point the determination of guilt and adjudication they are judicial functions in many countries and, therefore question of breach of privilege, contempt of the House, punishment etc. are decided in the courts of law in them. Only we have followed the parliamentary system the Westminster type. In the House of Commons there the House itself and deals with breach of its privileges, and we have taken it from them. Therefore, here the breach of privilege is punished by the House. But in many other countries almost all other countries if I may say so, any breach of privilege of the House is punished by the courts and therefore, the point I am making is that the procedure followed in the Privilege Committee is very important. The law of privileges, as I said is a form of criminal law and I was making this point that excepting the

House of Commons and here—we have taken the precedents and conventions from the House of Commons—in regard to all other Parliaments this offence or the contempt of the House or the breach of privilege of the House is punished by the courts and therefore, essentially the law of privileges is a form of criminal law and often a citizen and his Fundamental Rights may clash with the concepts of the dignity of the House and the Legislatures, their committees and Members. The essence of criminal law is that it is easily ascertainable. The law of privileges on the other hand is bound to remain vague and somewhat uncertain unless codified. And here, it has not been codified except in Rule 222. Whereas in India following the British practices the House itself judges the matter it is important to ensure that the strictest judicial standards and judicial procedures are followed. This is very important because my point is that in the Privileges Committee the deliberations were neither judicial nor impartial nor objective, and they did not follow any established rules of procedure for even the principles of equity and natural justice. They were not applied in dealing with this matter in the case of Mrs. Gandhi and the two officers and the principal that justice should not only be done but also seem to have been done is totally lacking in this case. Nothing that smacks of political vendetta should be allowed to cloud a judgment as even the slightest suspicion of the Committee of Privileges of the House acting on political consideration or on the strength of the majority party etc. may tend to destroy the sanctity and value of the privileges of the Parliament.

Now, I am dealing only with the deliberations of the Committee. When the matter comes before House, then I will come with it separately. In that, political vendetta governed the Members of the Com-

mittee. If you take the previous precedents either here in this Parliament, or in the House of Commons or in other parliaments, you will find that the decisions of the Privileges Committee were unanimous. They are not on party lines. But in this particular case, not only the decisions were on party lines, but there were as many as 6 or 7 Notes many of them were votes of dissent though they were not called as such because this is another matter which I want to refer quoting: "Under the Directions of the Speaker" "there shall be no Minute of Dissent to the report of a parliamentary committee—this is a parliamentary committee—'except the select committee'. In a Select Committee or a Joint Select Committee Minutes of Dissent are appended. In other parliamentary committees—the Privileges Committee is a parliamentary committee—under Direction 68 (3), "There shall be no minute of dissent to the report".

The idea is that the deliberations in these committees should be objective, impartial and should not be carried on on party or political lines. In this matter there are as many as six notes—they are called 'notes' because they cannot be minutes of dissent and four of them have completely differed, totally differed with the findings of the Committee. Seven Members were from the ruling party. This reflects the composition of the Committee. They have taken one line. I will come to that point later when I deal with the matter, how the matter was adopted in the House. How it was taken and how political and party considerations prevailed. That is against the spirit and law of Parliamentary Privileges. In the Committee too, Mrs. Gandhi said that the whole atmosphere is political and partisan, the Members of the Privileges Committee, the Members of the ruling party, the Janata Party have been totally guided by a vindictive attitude, an attitude of vendetta or vengeance or revenge to put her in prison or to punish her.

When this submission was made as I have put it in the Motion, the Privileges Committee said that was mala fide.

This raises a vital question of democratic functioning. Does a Member or a person have freedom of speech or not? Mrs. Gandhi did not obstruct the proceedings of the Privileges Committee. She did not abuse any Member. She did not attribute any mala fide motive. Actually she said, "she has the greatest regard for the Committee—Privileges Committee." These are her words. But she said that she wanted to make a submission. She said, "Can we get justice? Can there be any impartial or objective decision by this Committee when it is absolutely known that the Members of the Janata Party are blindly guided or are following or pursuing her for revenge and for punishing her?" This was taken as a contempt of the Committee.

There was a vital question of procedure before the Committee—whether a Member or a person appearing before the Committee has to take an oath or affirmation? On this matter the provision is an enabling provision. The rule is clear 'The Committee may' it is an enabling provision. But that is to a witness. This is an important question was Mrs. Gandhi an accused or a witness? This question was raised. Mrs. Gandhi said that "the proceedings of this Committee are in the nature of criminal proceedings. I am an accused. Therefore, as an accused I must not take oath. I can not take oath. I cannot give evidence, which is self-incriminatory against myself."

These are the established principles of law, the law of criminality. But the Committee ignored it. She was treated as a witness and not an accused. Because she did not take an oath or an affirmation, therefore she was charged with the contempt

of the Privileges Committee. On this matter, the law is very clear. There is an essential difference between a witness and an accused.

'A person who is alleged to have committed a breach of privilege and contempt of the House is in the position of an accused'.

when summoned before the Committee of Privileges and when the House is considering the matter. An accused cannot be compelled to take an oath or affirmation or to reply to questions which tend to be self-incriminating. Of course, an oath may be administered to him if he on his own is willing to be a witness. In this case, she was not willing to be a witness. She insisted that she was an accused, and she was an accused. An accused cannot be compelled to take an oath or reply to questions which tend to be self-incriminating.

Rule 72 of the Rules of Procedure is only, as I said earlier, an enabling provision inasmuch as the Committee of Privileges may administer an oath or affirmation to a witness. It does not mean that every witness is bound to take an oath. In any case, it does not apply to an accused. Every accused must be given the fullest opportunity of self-defence. He should be allowed to be represented before the Committee by a counsel of his or her choice to lead evidence and to cross-examine witnesses and, further, the benefit of doubt must go to an accused. This is the law.

Earlier, in the Mudgal case, we have a precedent. The Committee of the House gave an opportunity to the accused. He was allowed the services of a counsel, to cross-examine witnesses, to present his own witnesses and to lead his defence through his counsel. The Committee was also assisted by the Attorney-General throughout the examination of the

matter. This was not given to Mrs. Indira Gandhi. This also clearly indicates the motivations in the Privileges Committee.

Again, the punishment for a breach of privileges in recent times, this maximum punishment, this double punishment of expulsion and imprisonment, is unheard of and unprecedented. The recent trend all over the world is that the House takes as few cases of privilege as possible. The minimum punishment is that of either reprimand or admonition. In this matter also, the majority decision of the Privileges Committee showed a bias or rather a vendetta.

Now, I come to the matter when the findings of the Privileges Committee came to the House. When the matter came to the House, was there an atmosphere of impartiality or judicious detachment in dealing with such cases? The unmistakable answer is no. The political motivation, a desire for revenge motivated the ruling Janata Party, nothing but revenge. I have got certain press clippings of that time when this matter came to the House around 12th to 19th December, 1978. The whole issue was prejudged by the Janata Party. I quote from the *Statesman* dated 5th December, a few days before the matter came before the House, I quote :

"Mr. Desai the then Prime Minister agreed with the consensus in the Janata Parliamentary Party that the maximum punishment for breach of privilege of Parliament committed by Mrs. Gandhi be recommended to Lok Sabha. Mr. Desai said, the punishment should be so harsh—this is what he said a week before the House took up the matter for discussion—as to be a lesson for future Prime Ministers of the country."

SOME HON. MEMBERS :
Shame, shame !

SHRI B.R. BHAGAT : I quote further :

"Mr. Desai further said Mrs. Indira Gandhi perpetrated *zulm* during her tenure as Prime Minister and it was therefore, essential to ensure that its repetition be avoided for all times to come.

These are the words of the Prime Minister and I will come to his role as Leader of the House.

And further the Prime Minister said according to the said paper 'The Prime Minister had taken note of the members sentiment and assured them that they had his guarantee to suggest maximum punishment for Mrs. Gandhi.

So the whole issue was pre-judged by the Janata Party.

Mr. SPEAKER : How much time will you take ?

SHRI B.R. BHAGAT : It is in your hands. I think 10 or 15 minutes more.

Mr. SPEAKER : 10 minutes.

SHRI B. R. BHAGAT : I will try to finish it.

Mr. SPEAKER : Have I the consensus of the House, if need be, may I extend beyond 6 O'Clock ?

SEVERAL HON. MEMBERS : yes.

Mr. SPEAKER : I have to, in order to complete this.

SHRI B.R. BHAGAT : During the deliberations on the 17th December, in *Indian Express* Mr. Kuldip Nayar, who was no friend of Mrs. Gandhi or of the Congress, I, but rather friendly to the Party in power at that time, writes about the atmosphere in the Janata Party. He says "But more and more Janata Members

were waking up to the growing of feeling that it may seem that what the Party has so far failed to achieve in the law courts, it is making up in the Lok Sabha where it has a majority."

They tried to arrest her, they failed. They were always trying to put her on trial. They tried to defeat her in C¹ kma² alur, th³ fail d. They made all efforts, they failed. Then there was a report of the Privileges Committee which came to them hardly for their political purposes of punishing Mrs. Gandhi for expelling her from Parliament and for imprisonment. Here is a statement of our friend, who has just now walked out Dr. Subramaniam Swamy. He says in the House "Somewhere I can not place it, but he said all the same. We were not able to arrest her. We were not able to punish her. He quoted a noted criminal in the United States. He is very fond of the United States and he says that a particular robber could not be arrested but he was arrested in a tax evasion case and when he was arrested on a tax evasion case, he was given the maximum penalty of life imprisonment. Here he says We have not been able to do anything so far to arrest her. Here is an opportunity....

The Hon. Member of this House is on record as having said at that time "Here is an opportunity to give her the maximum punishment in the guise of the report of the Privileges Committee."

I was pointing out that the whole atmosphere at that time in the House was not such that could permit of judicious or collective or impartial deliberation of this matter. The Leader of the House has a special function. He moved that motion. What is his function ? He should not be guided by party considerations.

I was reading a book of a famous constitutional and parliamentary expert, Ivor Jenning. He says,

in short "When the House sits as a Corporate Body, the Leader of the House sits on its behalf; the Leader of the House expresses the sense of the House on formal occasions such as moving motions of thanks, of congratulations and at all times being responsible to the House as a whole. He advises the House in every difficulty, as it arises."

Now the distinguished Leader of the House, the venerable gentlemen—a respectable gentlemen, we have all respect for him but for some reason whether it was the pressure of the Party or of the various groups in the party, you know how the Janata Party functioned at that time. He was so dependent upon them that his old habit of detachment disappeared. He said that he was moving the motion in a spirit of detachment, but his actions and the subsequent pressures which he was led to, of which all the leading newspapers spoke, proved that he functioned more as Leader of the Janata Party, the ruling Janata Party, than as Leader of the House, violating or in contravention of all established Parliamentary conventions. Therefore, it is but natural that there was a miscarriage of justice by the House, an error of judgment by the House. The House was led on wrong premises, to a wrong decision. Therefore, Sir, through this motion I want to correct the operative part of the earlier Resolution which has led to establishment of wrong precedents in matters of jurisdiction and various other matters. Members were even objecting to this motion, were rather filibustering before this motion was taken up; it was contended that the matter could not be taken up since it was not a recent case. In this case there was the ruling of a Speaker of this House, Shri N. Sanjeeva Reddy, as Speaker of this House, gave a ruling in Mr. T.N. Kaul's case that a matter of privilege of the Fifth Lok Sabha could not be taken up in the Sixth Lok Sabha. You know Shri N. Sanjeeva

Reddy, our President, he was very categorical; he never minded words; whenever he gave the rulings, he was absolutely clear as in this case. He said that a matter of privilege of the Fifth Lok Sabha could not be taken up in the Sixth Lok Sabha. But still circumventing all that the Privileges Committee took up this matter. In various matters, the rules have been violated wrong conventions have been established the procedures have been bypassed. Therefore, it is necessary that to establish for future Parliamentary references, correct procedures and conventions, we must correct this distortion. It is true that Shrimati Indira Gandhi has suffered, suffered grievously; we cannot undo it; but it will be a small remedy if the House declares that Shrimati Indira Gandhi and the two officers, Mr. Dhawan and Mr. Sen, did not commit any breach of privilege. If you apply the Rule of Procedure the law of privileges, if Shri Sanjeeva Reddy's ruling as Speaker is applied, if the question of jurisdiction is considered, the question of privileges did not arise. Therefore through this motion, we are expressing that they were innocent, Shrimati Indira Gandhi and the two officers were innocent of any breach of privilege. We regard this as a small remedy for the great sufferings and injustice done to her.

Finally, I say that the House must rescind the Resolution adopted by the Sixth Lok Sabha on the 19th December, 1978.

With these words, I move.

17 hrs.

[*Mr. Deputy Speaker in the Chair*]

MR. DEPUTY SPEAKER : Motion moved:

"WHEREAS the Committee of Privileges of the Sixth Lok Sabha in

its Third Report has expressed the view that:—

- (a) any person, if engaged in collecting information asked for by Parliament should be deemed to be in the service of Parliament and entrusted with the execution of the orders or the performance of the functions of the House even though he is technically not an employee or officer of parliament;
- (b) a person charged with breach of privilege is bound if so required by the Committee to take oath/affirmation and to depose before the Committee and answer any questions regarding the facts of the case.
- (c) a person charged with a breach of privilege is bound to answer questions even without taking an oath/affirmation, even though that person would not be required to answer any self-incriminatory questions;
- (d) an averment in a written statement submitted to Committee by a person charged with breach of privilege, expressing reasonable apprehension of the influence on the members of the Committee belonging to the ruling party of its openly declared antagonism towards the person involved would constitute a breach of privilege and contempt of the Committee.

WHEREAS the Sixth Lok Sabha by a Resolution adopted on 19th December, 1978 agreed with the above recommendations and findings of the Committee and on the basis thereof held Shrimati Indira Gandhi, Shri R.K. Dhawan and Shri D. Sen guilty of breach of privilege of the House and inflicted on them the maximum penalty possible in violation of the Principle of Natural Justice.

CONSIDERING THAT

- (a) the above findings are in total contravention of Parliamentary rules, precedents and conventions;
- (b) they unduly extended the immunity enjoyed only by the officers of Parliament in the discharge of their duties to an indeterminate number of persons totally unconnected with Parliament and constrict and deny to persons charged with breach of privilege and contempt of the Housing inalienable rights and safeguards guaranteed by the constitution.
- (c) if the above findings are allowed to remain on record they would serve as standing instruments in the hands of any party in power for narrow, partisan political ends of calumny, harassment and public denigration by persecuting its opponents as actually happened in the case of Smt. Indira Gandhi.
- (i) a pre-determined design to vilify Smt. Indira Gandhi, deprive the electorate of Chikmagalur of its due representation in Parliament, stifle the authentic voice of national dissent from the floor of the House, thus the democratic process;
- (ii) to denigrate and to imprison Smt. Indira Gandhi;
- (iii) to hand out in the guise of privilege proceedings, a finding from the Parliament against Smt. Indira Gandhi so that the same may hang as a compulsive pall over the criminal courts in the then impending trial against Smt. Gandhi and others on charges based on the same allegations; AND
- (d) the said proceedings of the Committee and the decision of the House were wrong and

[Mr. Deputy-Speaker]

erroneous and with a view to correct this distortion and establish correct conventions and precedents for future Parliamentary procedures.

NOW THEREFORE this House resolves and declares that:

- (a) the said proceedings of the Committee and the House shall not constitute a precedent in the law of parliamentary privileges;
- (b) the findings of the Committee and the decision of the House are inconsistent with and violative of the well-accepted principles of the law of parliamentary privilege and the basic safeguards assured to all and enshrined in the Constitution; and
- (c) Smt Indira Gandhi, Shri R.K. Dhawan and Shri D. Sen were innocent of the charges levelled against them.

AND ACCORDINGLY this House:

rescinds the resolution adopted by the Sixth Lok Sabha on the 19th December, 1978".

Then, amendments by Dr. Subramaniam Swamy—he is not here.

Shri Gargi Shankar Misra—he is also not here.

Shri Brahmananda Reddy.

SHRI K. BRAHMANANDA REDDY (Narasaraopet) : I rise to heartily support this resolution. It has been very ably moved by my two colleagues and in this speech, Mr Bhagat, a senior parliamentarian and a former Speaker of the Lok Sabha and a Minister, with his vast parliamentary experience, has dealt with the subject very exhaustively that I feel that I may not be tempted to repeat much of what he has said.

This resolution has not only clear perceptions but has also been aptly worded by my friends. Just now Mr. Bhagat has said that this resolution merely rescinding the previous resolution made by the Janata Government is only a poor consolation. That is true. The damage that has been done to the leader of a nation, to a Prime Minister who had been Prime Minister for 11 years and who was the unquestioned leader of the people and to callously treat this matter as it of no consequence, is one that hurts every human mind.

At that point of time, that is, on 19th December 1978 I was not in Indira Gandhi's Congress Group I belonged to another Congress Group though both of them were of the same parental family. Still because of procedural differences we remained separate. Even our Party at that time except one or two exceptions who wanted to remain neutral, opposed the resolution tooth and nail. The leader of the Party as well as other members opposed this resolution.

I do not want to cover the same ground which Mr. Bhagat has covered namely, the competence of the committee. He has ably told us that a subsequent Lok Sabha cannot take up an alleged breach of privilege committed during the previous Lok Sabha. I will refer you to page 165 of the report of the Committee of Privileges wherein it has been clearly said-quoting Kaul's case which my friend just now mentioned:

“Shri Kaul's remarks were made in July 1975 when the Fifth Lok Sabha was in existence. The matter cannot be raised as a privilege issue in the Sixth Lok Sabha. In the circumstances no question of privilege is involved in the matter.”

This is what the Speaker said. We need not travel to London when a better law can be had here. This is a recent ruling by a Speaker of this Parliament and, therefore, it becomes

unnecessary to go into the other question where our friend, Mr. Jethmalani has gone into in his report, to that committee.

Now, the crux of the Privilege Motion itself is a little illegitimate. It was not discussed. It was *prima facie* referred to the Privileges Committee if I remember aright. Therefore, from the time the Janata Party came to power, it had been the consistent attitude of the Janata Party—I am speaking about their political motivation—to denigrate her and to see if it is possible for them not to allow for her to contest any future election or to take part in the political life of this country.

It is clear, otherwise, can you conceive of a Prime Minister, of 110 years standing for whom millions of people have affection, to be arrested without a charge-sheet so callously? Even for an ordinary man in the street, if he is to be arrested, something must be alleged against him. That showed the attitude and their mental make-up. I am not going into the reports of the Shah Commission and other Commissions. They are to denigrate her. Propaganda was carried on in the radio and press and everywhere against her. They thought that for their continuance in power for not only for five years but for the future as well, the danger to them was Shrimati Indira Gandhi's popularity and therefore, what is the way for them? They wanted to denigrate her. But, they did not know at that time the traditions, the feelings, of the people of India. They never thought that the person who was harassed, prosecuted and persecuted and sent to jail would be elected, re-elected and re-elected. This is the tradition of India; this is the feeling of Indian people.

MR. DEPUTY SPEAKER : If you want to use the correct word, you use the words 'Culture of India'

SHRI K. BRAHMANANDA REDDY : All right. Therefore, my submission is this. Mr. Bhagat has just now said that Shri Kuldip Nayar and a report in the *Statesman*—I do not think they were so friendly to Congress (I) Government have come out with the report that Janata Party had made up their mind to give maximum punishment to Shrimati Gandhi days before the date of actual resolution. I would request the hon. Members to go through the note of Shri Hitendra Desai who was a former Chief Minister and a Member of Parliament and Central Minister. He wrote two-page note and he mentioned four or five points. Firstly he said that it had no competence. The Lok Sabha cannot take up the alleged question of privilege that happened in the previous Lok Sabha. I presume that some Members of the Privileges Committee thought that they being the Members of that Committee are very important. When Shrimati Indira Gandhi did not take the oath before them, they felt piqued, they felt that their self-importance had been offended and therefore, they made up their mind. In the Committee's Resolution it is not only four people, in my opinion, who had given the dissenting note. There may be others who may have expressed some doubts about the sentence to be awarded. Therefore, they left the sentence to be awarded to the entire Parliament. (*Interruptions*)

My point is this. There were dissenting notes from the Members like Shri Hitendra Desai and Dr. Syed Muhammad, our High Commissioner in London and some from other respectable people and very highly placed people. Some others must also have felt a doubt about the sentence that could be awarded. Therefore, they left it to the House. My friend has just now conclusively told us. He read from the proceedings of the Committee, namely, that they were intent on being vindictive. They

[**Shri K. Brahmananda Reddy**]

made up their mind. There was no question of difference of opinion. There might have been some difference here and there but they came to the conclusion that Indira Gandhi should be expelled.

Sir, I do not know if Members of Parliament can be expelled by partisan considerations. The most important thing is that in matter like this the recommendations of Parliamentary Committees are generally unanimous. They are abased on consensus but not a committee of this type which is over-loaded with one party or people of same mind and then circumventing all procedures and laws. Therefore, I say, Sir, that Resolution is not only illegal and improper but also offends the dignity of this Parliament and in my opinion is a slur on the collective wisdom of this Parliament.

In a democracy naturally there will be parties big and small. There will be difference of opinion but we carry on. We carry on with all our differences of opinion. We try to adjust, if possible. We arrive at a consensus' if possible, and if not possible we go by a majority and then try to govern this country. If in considerations like this or in matters like this—I can understand on party issue the parties voting for that—where breach of privilege is concerned, where a party wants to punish an ex-Prime Minister and where a party wants to persecute her with all their might naturally if an attitude like that is allowed to remain on the books of the parliamentary debates in my opinion it will be derogatory to the respect and dignity of the House. This Resolution must be rescinded. Certainly in a democracy a ruling party will have majority. If there is no majority it cannot govern. Therefore, if only consideration of majority is taken into consideration and the Opposition whatever it may be,

whoever it may be and more so for a person like Indira Gandhi if you take an attitude like this it becomes very very difficult for parliamentary system of government to get along safely. We can, if we want, bring a Motion of Privilege against anybody for doing this or that and do the same thing, but we don't want to do that. That is why the Resolution wants to put an end to such types of attitudes on behalf of the majority party in Parliament. So, this Resolution is brought to safeguard the interest of democracy. Sir, I do not want to say much. In my very humble opinion, it is not merely the quarrels amongst the Janata party groups that ruined them. It is this persecution, it is this resolution, it is this particular act of expulsion, which finished them, which wiped them out, and which axed them to near death.

Therefore, Sir, I feel very strongly that it is not merely a question of Shrimati Indira Gandhi and her reputation, her family, her being a Prime Minister for 11 years and so on. But it is a question of protecting the dignity and the propriety and the collective wisdom of Parliament and to thwart any attempt by the majority party to persecute opponents. When she was arrested without any charge-sheet, I, as Congress President, said, 'This is atrocious ; this is unwarranted ; this is vindictive.' What else can it be ? Therefore my submission is, this House rightly (in spite of my friends walking out) must take the decision to rescind that Resolution and to support this Motion moved by my friend and I heartily do it ; and I hope that the House will accept it unanimously. Thank you.

MR. DEPUTY-SPEAKER : Now, Shri Somnath Chatterjee—Absent. Shri Ram Vilash Paswan—

Absent. Names have been given.
Shri C. T. Dhandapani.

SHRI C. T. DHANDAPANI (Pollachi): Mr. Deputy Speaker, Sir, I rise to support the Motion moved by the hon. Member, Shri B.R.Bhagat. I also was thinking that our good friends (those who are not here) would extend their cooperation to pass this Resolution unanimously. But they are not here.

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN): Let us not put it on record that they are not here.

SHRI C.T. DHANDAPANI: Sir, it is because of their guilty conscience. So, they would not like to associate themselves in this discussion. Sir, in the Resolution I have very clearly stated as follows:—

“A pre-determined design to vilify Smt. Indira Gandhi, deprive the electorate of Chikmagalur of its due representation in Parliament stifle the authentic voice of national dissent from the floor of the House, thus the democratic process.”

This is one of the sentences there. Mrs. Indira Gandhi was removed from the membership of the House. I have come across many instances where no severe punishments were given to any Member in many countries, particularly the democratic countries of the world. Mr. Bhagat has stated that ‘double punishment’ was given by the previous Parliament. I might say that they gave punishment not only to Mrs. Indira Gandhi but they gave punishment to the people there, to the Electorate of Chikmagalur constituency. I have come across a case in the House of Commons. That was in the year 1947. The date is, October, 30, 1947. This happened British House of Commons. A motion was moved against an hon. Member there, by name, Mr. Alighan. The Resolution said:

“That Mr. Alighan, for his gross contempts of the House and for his conduct, do attend in his place forthwith and be reprimanded by Mr. Speaker; that he be suspended from the service of this House for six months.”

After that what happened was this. The Speaker came to the conclusion and the House adopted a Resolution stating this:—

“The House do not agree to such a long period of suspension, not only on the ground that it was an inadequate punishment for the offence, but also, on the ground that it would amount to a punishment to Mr. Alighan’s constituency which will remain unrepresented for such a long period.”

So, they had stated that even this six month period was a long period and the constituency should not be kept vacant without representation. I do not know why our wise people did not think of it in those days. At that time they organised a conspiracy against Mrs. Gandhi to remove her from this august House. Not only that. They were trying to wipe out the entire removal of the Congress Party in those days. This was the Resolution which was passed and that was on 19th December 1978. This was the second privilege motion against Mrs. Gandhi. The first one was earlier brought forward by another Member of this House against Mrs. Gandhi stating that she had issued statements against the then Home Minister, Mr. Charan Singh. So there was a calculated conspiracy that something should be done against Mrs. Gandhi. Sir, here our friends mentioned about the competency of this House as to whether the Chair could admit this motion or not. In 1976, I was a Member of this House. A motion was tabled by Mr. M. L. Sondhi without referring the same to the Business Advisory Committee. Though it was tabled by

[Shri C. T. Dhandapani]

the opposition, the then Speaker was good enough to admit that motion and that was discussed in this House.

Another important matter raised by them was about the competency of the House as to whether it could discuss it or not. As far as this Parliament is concerned this is the supreme body and it possesses powers to punish a person for a breach of Privilege or contempt of the House. Now, I do not know whether the subjects brought before the House were consistent with the normal issues pertaining to the breach of the privileges Committee or the House of Parliament. But it is entirely dependent upon the quality of the issue and genuineness of the issue and the motives of the persons who initiate the issue and the legal competency and that of Natural Justice.

Sir, the purpose of my tabling this motion involves two important matters. One of them is that this great democratic institution should not be misused for the pleasure of some individuals or groups or political parties unless such an act of person or a Member inside the House involves the nation's pride, security and honour. Before we take that kind of drastic measures, the leaders of political parties who have been nurturing democratic ideals and who are responsible for nourishing those values in their public life should have given their thought to it. Instances and examples are being quoted that there are precedents in the Western and the European countries to expel a Member from the House. But I would humbly make a submission to this House and ask them whether there was any precedent in the world at that time, particularly in the democratic countries, that a former Prime Minister was punished and expelled and her seat in the House was declared vacant. We have set an example as far as this country is concerned. As far as this House is concerned, the Janata Government set an example that even a former Prime

Minister of this country could be expelled from this House. I would like to say that the Prime Minister is not a dictator. She was not a dictator. She has got some family traditions. That family was responsible for building up the parliamentary system; that family was responsible for the functioning of democracy in this country. That family was ultimately humiliated; that person was humiliated by the House. That means, there is nothing against an individual, but it was against a democratic system and against the parliamentary system of this country.

Many of our friends in those days thought that power was permanent. But, power is always temporary; it is a passing show. It might come today and may go tomorrow. Our friends in the Janta Party thought that they were going to rule this country for several decades. That was the reason that the leaders at that time went for this drastic action. Because of this approach, the privilege motion was brought against the officers also, those who were not members of this House. They had no means to defend themselves for the charges levelled against them. The Committee on Privileges enquired into the matter. The matter was not connected with Parliament. That matter was raised somewhere else before the Shah Commission. They took up that matter and enquired into that. Now, is it fair on the part of the present Government to punish the two former Prime Ministers of this country on the basis of the Vidyalingam report and the Puri report. We cannot do that; we should not do that. But on the basis of the Shah Commission report, they have done it, which was against the natural justice of this country.

There is another important thing. When this decision went to the ordinary people, they might have thought that a very big crime might have been committed by Shrimati Indira Gandhi. It was stated that she had not taken oath before the Committee. There also, there was a difference of opinion. Even the former Attorney-General, Shri S.V. Gupta stated that asking for taking oath before a Committee is a discriminatory power of the Chairman. It is not mandatory, it is discretionary. He may or may not ask. Here, it is wrong on the part of the Committee that because she has not taken oath, to say that it is contempt of the Committee. That was the judgement. If the previous Members were really sincere to investigate all the charges levelled against Shrimati Indira Gandhi, they would have left out this preliminary objection about not taking the oath. But they were very particular that Shrimati Indira Gandhi should not give her evidence before the Committee, so that they can take their own decision. They have done that.

In so far as taking of oath is concerned, I would like to state what Shri J.M. Seerwai in the History of Doctrine in India has stated :

"In India, Section 3 of the Act 15 of 1852, recognised that the accused in a criminal proceedings shall not be a compellable witness for or against himself. In section 204 and 203 of Criminal Code 1861, it was provided that no oath was to be administered that to the accused. Section 345 of the Act also provided that no oath or affirmation was to be administered to the accused."

It will be seen that Section 342A completely protects the accused if he does not wish to give evidence

because Section 342A, Provis (b) prevents any adverse inference being drawn or any adverse comments being made against him for not giving evidence. Section 342A enables an accused to give evidence if he desires to do so.

He has the privilege of remaining silent. It is confirmed under Section 342 Cr. P.C. and even more completely by Article 23 of the Constitution.

In the United States, it is well settled that the accused by taking the stand waives the privilege conferred on him by the Fifth Amendment and that in respect of the matters which are the subject matters, he as a witness cannot be compelled to incriminate himself.

Sir, further a question has arisen whether Section 342 Cr. P.C. violates Article 20(3). Under that Section a Judge is under an obligation to put the question to the accused on the evidence led against him, but the accused cannot be punished for refusal to answer or for giving false answer.

Sir, from this it is known an accused cannot be prosecuted just because he refuses to take oath. Sir, his decision of the Privileges Committee is *in fide*. Not only that, it is politically motivated.

I would like to say some more things which some other Members have also stated. As far as contempt of the House is concerned, even if any Member of this House deliberately obstructs the proceedings of the House, that is also contempt. The other day, as you know, some of our good friends ate rasagulla inside the House, 11 Members were sitting here. What for they were sitting? They were fasting to mourn the death of Harijans and Adivasis, whereas, they were eating sweets. We quite understand that they are clever

[Shri C. T. Dhandapani]

and what their motives were. The reason why I am saying this is that not only refusing to take the oath but even this is also contempt of the House, I would like to ask the Chair how many Members of this House have been removed on that charge, whether anybody or any Member was removed from the House during all these years for contempt of the House. Therefore, just for the sake of political reasons, these things have been done.

I am supporting this motion not only to rescind the old resolution but to protect our own Members also, those who are sitting with me, because there are many Members who deserve to be removed from this House, if we allow this resolution to be continued, because in that case, the Government, it may not be this Government, but the future Government suppose it comes after ten or fifteen years, may use this Resolution and remove our friends, some of the heroes of the Zero Hour. They can be removed. It is just to protect them. It is just to protect our friends who are sitting on this side that I am supporting this Resolution.

Before I conclude I must say this is a Resolution which is going to be passed against the authoritarian attitude or the previous government of the Janata Party which adopted the previous resolution.

Sir, I would like to emphasize that in future also, a Member's honour should be respected in this House, whoever it may be, and to which, ever party they may belong—particularly of leaders like Mrs. Gandhi. This kind of an act by the previous Lok Sabha was a degenerate act, I can say that we must not only support this. We must also condemn the previous Lok Sabha's action, and condemn the leaders who were involved in it, and instigated it.

With these words, I support this Motion.

श्री नोहन भाल सुखदित्या : (उत्तर-पुर) : उपाध्यक्ष महोदय, मैं आम तौर से उस वक्त बोलने का आदी नहीं रहा हूं, जबकि आपोजीशन की बैचे खाली हों। लेकिन आज मुझे यह देख कर आश्चर्य हुआ कि हालांकि जो मोशन यहां पर लाया गया है, उससे न तो श्रीमती इन्दिरा गांधी का कोई तत्काल लाभ हो रहा है और न दूसरे दो आफिसर्ज को लाभ होने वाला है, मगर किसी भी आपोजीशन के सदस्य सदन से बाहर चले गए हैं।

वास्तव में इस मोशन का उद्देश्य यह है कि जिस तरह प्रिविलेजिज कमेटी के रेजोल्यूशन को एडाप्ट किया गया, और उसकी बजह से श्रीमती इन्दिरा गांधी को सदन से निष्कासित किया गया और सजा दी गई, वह प्रीसिडेंट न बने और उस प्रस्ताव को निरस्त किया जाए। मेरे ख्याल से विरोधी पक्ष के माननीय सदस्य दिल में जानते हैं कि उन्होंने गलती की है और इस लिए उन्होंने सोचा कि बजाए इसके कि यह प्रस्ताव उनके सामने पास हो, वे यहां से हट कर बाहर चले जायें। और उसके बाद यह प्रस्ताव पास हो जाए, तो उनको यह कहने की गुज़-इश रहेगी कि यह प्रस्ताव हमारी गैर-मौजूदगी में पास हुआ। दलील उनके पास कुछ थी नहीं।

यह मामला खाली प्रिविलेजिज कमेटी की रोकमेंडेशन्स या लोक सभा के प्रस्ताव तक सीमित नहीं है। जैसा कि मेरे पूर्व-वक्ता ने कहा है, सच बात तो यह है कि जिस दिन से जनता पार्टी जीत कर आई, बजाए इसके कि वे लोग गांधीर्जी के मार्ग का अनुसरण करते,

वे राजवाट गए थे, और कहते थे कि हम उनके रास्ते पर चल कर देश का निर्माण करेंगे—उन्होंने सब से मुख्य काम यह हाथ में लिया कि किस प्रकार से श्रीमती इन्दिरा गांधी और उनके परिवार को समाप्त किया जाए। रात-दिन वे इस कोशिश में लगे रहे। जैसा कि बताया गया है, उनकी गिरफ्तारी की गई, तो वह छूट गई। उनके विरुद्ध शाह कमीशन मुकर्रर किया गया, मगर उससे भी कोई परिणाम नहीं निकला। उन लोगों का इरादा बहुत साफ था—मेरी निश्चित मान्यता है कि अगर उनको मौका मिलता, तो वे ऐसा करते—कि विसी तरह से श्रीमती इन्दिरा गांधी को इस प्रकार के क्रिमिनल केसिज में उलझाया जाए कि जिससे वे डिसफैन्च-इज हो जाएं, वे आगे चुनाव लड़ने के लायक न रहें, ताकि जनता पार्टी का भविष्य सुरक्षित हो सके। मगर ज्यों ज्यों वे लोग इस तरफ सोचते गए, त्यों त्यों उनमें विवराव होता गया, असफलताएं भी बढ़ती गई।

जनता ने श्रीमती इन्दिरा गांधी को चिकमंगलूर से चुन कर भेजा था। जनता पार्टी के लोग बात तो लोकतंत्र की करते हैं, लेकिन अगर सब से बड़ा अपमान किसी ने लोकतंत्र का किया, तो वह जनता पार्टी ने किया, जबकि उसकी तरफ से अपने कहुमत के बल पर लोगों द्वारा चुने गए प्रतिनिधि को बर्खास्त करने की कार्यवाही की गई।

हम सब की मालूम है कि हिन्दुस्तान में ऐसा कभी नहीं हुआ कि देश का गृह मंत्री यह कह कर चले कि अमुक राजनीतिक व्यक्ति को जेल में भेजा जाए। लेकिन जब से जनता

पार्टी आई खुलेआम उस बहत से हम बिनस्टिर चरण सिंह जी और राजनारायण जी तथा कई और नेता लगातार उस को कह कर चलते थे कि जल्दी से जल्दी इंदिरा गांधी को हम जेल भेज कर रहेंगे। यह मैं समझता हूँ कि लोकतंत्र की भावना और लोकतंत्र की परम्परा इन सब बातों के विपरीत बात थी और उस बा जबाब एक तरफ चिकमंगलूर ने दिया—सच बात तो यह है कि विरोध पक्ष को समझना चाहिए था कि उन का प्रस्ताव जहाँ एक तरफ उन को अपनी सदस्यता से खारिज करता है वहाँ कुछ ही असर के बाद जब हिन्दुस्तान में आम चुनाव होते हैं तो आम चुनाव के अंदर इंदिरा गांधी को वापस प्रधान मंत्री की तरह हिन्दुस्तान की जनता स्थापित करती है तो उस प्रस्ताव की कीमत जो कुछ उन्होंने पास किया, उन को खुद को समझना चाहिए कि जनता की निगाह के अंदर कुछ भी नहीं है और वह प्रस्ताव को असर रखने वाला नहीं है। तो यह अच्छा है कि यह सदन इस तरह के प्रस्ताव को जिस प्रस्ताव के पीछे हिन्दुस्तान का जनमत न हो खत्म करे। उस प्रस्ताव को हम अपने रेकार्ड पर रख कर अपनी लोकतंत्र की परम्पराओं में जिस लोकतंत्र को हम ने यहाँ मुश्किल से कायम किया और जिस को अब तक सुरक्षित रखते हुए चल रहे हैं, उस में किसी प्रकार का विक्षेप पढ़े, ऐसा न होने दें, किसी प्रकार के विक्षेप की स्थिति उस के अंदर न आने दें।

कानूनी बातों की तरफ मैं समझता हूँ भगत जी ने, ब्रह्मानंद जी ने और दण्डापाणि जी ने प्रकाश डाला है और दूसरे मेरे बाद बोलने वाले लोग उस के ऊपर प्रकाश डालेंगे। सच बात

[श्री मोहन लाल सुखाड़िया]

तो यह है कि स्वस्य लोकतंत्र के लिए सब से बड़ी आवश्यकता इस बात की है कि वैडेटों की स्पिरिट, बदले की भावना उस के अंदर नहीं होनी चाहिए। इंदिरा गांधी को कभी इनकम टैक्स रेड, कभी संजय गांधी को जेल में भेज कर, कहीं शाह कमोशन को मुकर्रर कर के, मब तरह की परेशानी में डाला गया। आज कांग्रेस राज आने के बाद और इंदिरा जी के प्रधान मंत्री बन जाने के बाद करीब डेढ़ वर्ष होने को आते हैं, हम ने उन चीजों का अछूतार नहीं किया। यह बास्तव में लोकतंत्र है। लेकिन विरोधी पार्टी आज भी यही कह कर चलती है कि इंदिरा गांधी ऐथारिटेशन हैं, लोकतंत्र खतरे के अन्दर है और आज इन चीजों को कह कर अपनी गलतियों को, अपनी अमफलनाओं को यह दराना चाहते हैं।

यह मीका नहीं है कि मैं ज्यादा विस्तार के अंदर जाऊं, लेकिन मैं ऐसा ममझता हूं कि लोकतंत्र में यह तो हमें परम्परा बनानी होगी कि जो मुख्य विरोधी पक्ष हो उस के नेता की इज्जत हो चाहे वह पावर में रहे चाहे न रहे, तभी हिन्दुस्तान के अंदर लोकतंत्र जीवित रह सकेगा। अगर लोकतंत्र को समाप्त करने की, उन के नेताओं को समाप्त करने की, पार्टियों को समाप्त करने की नीति को सामने रख कर चलेंगे तो लोकतंत्र स्वयं समाप्त होने की तरफ जायेगा। लेकिन यह हिन्दुस्तान के सौभाग्य की बात है, हमारी जनता की सतर्कता की बात है कि वह लोकतंत्र को कायम रखना चाहती है और वक्त आने पर जो गलती बीच में हो गई थी उस गलती को ठीक कर के उस ने वापस लोकतंत्र की

स्थापना भी की, हिन्दुस्तान के भाग्य को इंदिरा गांधी जी के हाथों के अन्दर सोपा। आज मैं समझता हूं कि इस प्रस्ताव के जरिए हम दरभासल जोक करने जा रहे हैं उन से तो एक ऐसी परम्परा कायम करने जा रहे हैं कि जो गलती सजा देने की मतलब तरीके से की गई वह आगे न हो।

कुछ देशों के अंदर तो प्रिविलेजेजेज कमेटी का काम पार्लियामेंट की कमेटीज के बजाय जूडिशियल को सोंपा जाता है इसलिए कि जूडिशियल डेसोज हो सके। जिस प्रिविलेज कमेटी का इतना बड़ा अधिकार हो कि वह एक पार्लियामेंट के मेम्बर को सजा दे सके और कुछ कर सके उस का दफ्तरोंग तो एक जूडिशियल आफिसर से बड़ कर होने को आवश्यकता पड़ेगी न कि पार्टिजन ऐटीच्यूड से काम चलेगा। यह बहुत स्पष्ट है कि प्रिविलेज कमेटी ने पार्टिजन और पालिटिकल ऐटीच्यूड से काम किया, यह बात न सिर्फ़ प्रिविलेज कमेटी के अंदर जो आता था उस से बहुक हम ने अबबारों में फ़दा कि जब प्रिविलेज कमेटी की रिपोर्ट आई तो उस बक्त क्या हुआ? अभी यहां पर यह कह रहे थे कि आज थी लाइन व्हिप ईश्यू किया गया था मैम्बरों के इक्टा होने के लिए कौन इस बात को नहीं जानता कि जनता पार्टी ने इक्टा हो कर अपनी पार्टी में फैसला किया कि इंदिरा गांधी को हटाया जाना चाहिए। यह जनता पार्टी का फैसला था जो वहां पर किया गया। ऐसा कोई उदाहरण नहीं मिलेगा कि जो भूतपूर्व प्रधान मंत्री हो, जो जीतकर सदन में आया हो, उसको सदन से निष्कासित किया जाए और जेल में भेज दिया जाए। लेकिन जन-

पार्टी की सरकार ने ऐसा किया था और उसी का परिणाम यह हुआ कि पाप का घड़ा खुद उनपर ही जाकर फूटा, दूसरों पर नहीं फूटा, आज जनता पार्टी विखर कर टुकड़े-टुकड़े हो गई है। जो सत्ता पांच साल तक उनके हाथ में रह सकती थी वह पांच साल के बजाए दो साल भी नहीं टिकी, ऐसी स्थिति में वह पार्टी पहुंच गई।

ऐसी स्थिति में मैं समझता हूँ यह प्रस्ताव स्वस्थ परम्पराओं को कायम करने के लिए बहुत उत्तमुक्त होगा, मैं इस प्रस्ताव का हार्दिक समर्येत करता हूँ और आशा करता हूँ कि यह सदन इसको पारित करेगा।

MR. DEPUTY-SPEAKER: Mr. Frank Anthony.

SHRI FRANK ANTHONY
(Nominated—Anglo—Indians): Mr. Deputy Speaker, Sir, my friend Mr. Bali Ram Bhagat has dealt with several of the legal aspects. I shall be brief and only fill in certain point because I have some personal knowledge of what actually took place. And may I say this, at the very outset, that this Resolution is not only good, but it was long overdue? To adopt the language of my friend Jethmalani and to apply it in reverse may I say this, that what was done by that Committee and by the then Parliament was a fraud on Parliamentary procedure and practice. And as I said it was long overdue.

This blot on Parliamentary procedure and practice should be removed. I am aware of this as the senior-most Member of the House, that the House, that the rule of *Sub Judice* does not apply to Privileges Committee. But I venture to believe that neither Parliament nor the Privileges Committee is above the rules of natural justice. And friends on the other side, have been saying all kinds of things about the rules of natural justice. They are the self-proclaimed champions of democracy and natural justice; and the rules of natural justice cannot be applied rigidly. It is well-settled that on facts there can be no precedent and facts vary from one case to another. But perhaps the Members do not know, the first position taken by Shrimati Indira Gandhi before the Committee was this. That the accusations before the Committee were several—obstruction, intimidation, harassment of certain officials—and the C.B.I. were collecting information. We had authoritative information that the C.B.I. had been deputed to collect information. And that prosecution on identical issues—issues that were identical to those before the Privileges Committee—were being investigated by the C.B.I. were imminent. And so, the first objection Mrs. Gandhi raised was about natural justice and she said, "Yes, I am quite prepared to appear before the Committee. I have the greatest respect for it. But remember this; my prosecution is imminent on identical issues on which you are seeking to arraign me, and if you give an assurance of immunity with regard to prosecution, I will appear and answer your questions. Because, otherwise, it would mean, and it is axiomatic that I will be facing prosecution on the same issues which I am facing before the Committee, and hence my defence, when I am prosecuted will be not only prejudices but pre-empted." And the findings of the Committee would

[Shri Frank Anthony]

in the language that I had used, "hang like a compulsive pall over the criminal court proceedings." So, we said, that this was the first of our objections. There were other objections, under Article 20 (3) and 21 of the Constitution, and so on. And any person with a semblance of regard for the rule of law and natural justice would say, 'yes'. And then my apprehension and materialised before the Privileges Committee was in session an F. I. R. was lodged. I have the number here. It was formally registered on all the offences in respect of wholesale series of offences —covering all the accusations on which she had been arraigned before the Committee.

What did Mrs. Gandhi say? She said : give me immunity before the criminal courts, I will appear before you. No. The Privileges Committee grabbed the jurisdiction. The principle of natural justice was not only ignored but mutilated. Then after that while the proceedings were still going on, the Shah Commission actually ordered prosecution on these very offences. First of all, there were three stages. My prosecution on identical charges was imminent. A FIR on these very sections, was registered, then the Shah Commission ordered Mrs. Gandhi's prosecution. I had appeared in cases in the courts. But the Committee continued. They asked Mrs. Gandhi to come there and give evidence on oath. That was part of the whole exercise of the Janata Party, because I see in those proceedings, part of a whole exercise—my friend Bhagat used the word revenge; it is not so much revenge but they were little frightened men; they were terrified of Indira Gandhi's political stature. The exercise was not only to tarnish her image but also to keep her out as Prime Minister. They thought that a couple of turns of the wheel would grind her into dust. So what did the Janata Government do? Without an iota of evidence, as

part of this exercise to destroy her or attempt to destroy her, they ordered her arrest. That was in October, 1977. I appeared in that case. One of these days when I have the time I shall write a monograph. I have got 40 years of experience in criminal law bar. Even I was shocked. There were two prosecutors. They were leading my questions because you do not arrest a person unless you have some semblance of evidence. So, I was probing. Then I asked the senior prosecutor: "Have you got your case diary?" He said: "I am not obliged to produce it." Than I asked the second person. He would not answer. Then I got suspicious. I told the court that they arrested this lady without the vestige of an iota of evidence. This is what had happened. Next day, I think, the *Patriot* put out an admission by CBI officials that they were stampeded by the Home Ministry into arresting Mrs. Indira Gandhi without an iota of evidence. Fortunately, the Magistrate had the courage to release her. Somebody referred to Mr. Morarji Desai. I have known him from 1942. One thing I know of Mr. Morarji Desai is that he is a compulsive egomaniac. He thought that he was not only God's gift to this country as Prime Minister but he was the god gift to the judiciary as a subordinate magistrate.

After the Magistrate released her, while the case was in appeal before the High Court, they never pursued her. They did not go in appeal because they know that they would lose that. Morarji Desai said that in his experience as Magistrate, no magistrate had ever released a person at that stage. It was a clear case of contempt. But unfortunately, the High Court did not agree to proceed for contempt against him or the then Home Minister. Then what happened? This came later. As I said, I do not think the country knows this.

As a senior lawyer I am always reluctant to say anything against judges either sitting or otherwise. But nobody was more shocked than I was because I did not understand the animus, offusive animus of Mr. Shah against Mrs. Gandhi. The plea Mrs. Gandhi made before the Committee—I did not appear before the Committee—was : "I am quite prepared to appear." This canard was spread by hostile press that Mrs. Gandhi was running away from the Shah Commission. She never ran away. Before the Privileges Committee she said "Yes, if you grant immunity I will come before you" although we told her : "Madam, the result is a forgone conclusion, this Committee is so weighted that it amounts to that." Before the Shah Commission I got up and said : "You examined people against her in my absence, I should have had the right ordinarily to see them, to judge from their demeanour what kind of witnesses they are." I said, I abandon that right, but you must give me the right, because I am in the position of an accused, to cross-examine them. That is all I have asked of Justice Shah, but he would not. He was determined first to put Mrs. Gandhi, who was virtually an accused, into the witness box, he was determined sort of grill her by his cross-examination. So, I said, what would be the point, what would be my defence, he will cross-examine Mrs. Gandhi without my first cross-examining the witnesses what would happen to my defence. Then only we said : no, this procedure is utterly illegal, it is improper. Thank God., you have the classic judgement of justice T.P.S. Chawla of the Delhi High Court. I do not know whether it has been read. I have appeared before him for Mrs. Gandhi and I have argued before him. Justice Chawla has damned Mr. Justice Shah bell, book and candle, for his illegal procedures and gross improprieties. I was shocked by Mr. Shah's attitude. I was summoned

for contempt because I do not think Mr. Justice Shah liked the things I said ; I was summoned for contempt before Mr. Shah. I was shocked ; I forgot the name, he was a very good friend of ours, he was the Governor of Bihar. He was the Agriculture Minister, I shall get this name in a minute, he phoned me, after we had finished the proceedings before Mr. Justice Shah, but when the prosecutions against Mrs. Gandhi were pending in the Courts. I was shocked. Shri Jairam Das Daulatram—I remember the name—gave me two pamphlets showing that Mr. Justice Shah had presided at anti-Congress meetings he had condemned Mrs. Gandhi and her Government *vis a vis* the Emergency, and that was before assumed charge as the Chairman of the Commission, he had used vicious language against Mrs. Gandhi, and after that he became the Chairman of the Commission. Then I started at Mr. Shah in the prosecution cases and I asked for him to come as witness, because I know he would not be able to stand up to cross examination in the face of documents showing that he had a vicious animus against Mrs. Gandhi. Therefore, as I said, the whole of these were part of the Janata exercise to destroy Mrs. Gandhi because they were no only little men, they were frightened little men.

AN HON. MEMBER : How long are we sitting ?

MR. DEPUTY SPEAKER : Is it the sense of the House that we may extend the time for this discussion ?

SOME HON. MEMBERS :
Yes.

MR. DEPUTY-SPEAKER : All right. It is extended.

THE MINISTER OF COMMUNICATIONS (SHRU C. M. STEPHEN) : Mr. Deputy-Speaker, I feel this a very momentous day and a very mementous occasion. In the history of British Parliament, an occasion like this in its long history took place only once. I feel an occasion like this may not repeat in the history of our Parliament, because a dark event like the one that happened in December 1978 is not likely to repeat itself in the history of this Parliament. A question was raised as to whether it is within jurisdiction and all that. The Speaker gave a ruling about Wilkes case. It is necessary for the House to know the history of that case.

18 hrs.

Wilkes was a person who was elected to the British Parliament. That happened in 1764. Thereon he was expelled on the basis of a frivolous cases. He was re-elected, was again expelled. He was again re-elected, without opposition; he was again expelled. Then again when he goes for election, the House of Commons says: we not only declare him not elected, but we declare the other man elected to the House. Then the entire constituency put up a petition before the Parliament, saying "this man does not represent us; Wilkes represents us". The House rejected that petition. Long after this happened in 1764, finally in 1782, about 18 years afterwards, on the 3rd May 1882, the resolution of 17th February 1769 was ordered to be expunged from the journals as subversive of the right of the whole body of electors of Britain. Therefore, two things are established that if the wrong decision is taken by the House on a privilege issue, even after 18 years, even after many elections had taken place—5 elections took place in the meanwhile—the House can take up that issue, pass the resolution annulling that Resolution and even expunging that from the

records. It is absolutely clear, Sir, therefore, that a similar thing has happened and a new Resolution was passed. And after that, what has happened in this case? This is a democratic obligation on the part of this House, according to me, because I still remember those days when that matter was discussed. Mr. Banatwalla is here now, I remember the speech he made. He made a speech which would have moved even a rock. Opposing the Resolution he made such a moving speech. I remember that. I remember Mrs. Indira Gandhi sitting there, not running away, facing and smilingly she sat on for three days and listened to the whole thing. They thought she was being put on trial. But what happened was that the Janata Party was put on trial in the peoples' court and the people were watching the whole thing. After that we went to the polls. We made this a major issue in the Election Manifesto. We condemned this Resolution, we openly called the House that carried this Resolution a Star Chamber. And we went to the people, the people gave the verdict. They expelled Mrs. Indira Gandhi in December 1978. After that, they could not remain in this House for one full year. Within nine months the whole lot of them were expelled from this House, they were out. And the people finally gave the verdict. A person who was condemned as a criminal, a person who was condemned as deserving to be in jail unworthy of this House—the people annulled that judgment and returned her to this Parliament expressing their displeasure at the Resolution that was passed. It is the bounden sacred duty of this House to take the order from the electorate to formulate their decision, to annul the former Resolution and even expunge it from the records so that it may not sully the pages of the history of this Parliament. This should have been done earlier, Sir, but we did not.

I am extremely happy that four Members have come forward with

the Resolution, one is from Congress (U), another is from Muslim League, another is from D. M. K. and another is from Kerala Congress. They have come forward with this. I thank them and I congratulate them for the democratic sense they showed in taking up this matter and bringing this Resolution.

This is the background with which I am before you. I remember the whole scene. I do not want to go back to that. I just want to state certain facts which should be clearly understood.

As I have already stated, there is a precedent that we can take up this Resolution because according to the Privileges Committee and according to the Resolution, Parliament is a continuing entity. That was not our case that was the stand they took. I do not want to read the whole thing but that is their finding. They said, this is a continuing entity and therefore, as Mr. Jethmalani stated there, 'May be, if some Members are removed, there are other Members who are coming in. That does not mean the institution is changing.' And he stated that if two judges are removed, two judges are coming in. The institution is not changed. Even so, although new Members are coming to Parliament, Parliament is the same and therefore, it can take cognizance of what happened in the previous Parliament. That was their decision. In view of that decision, how can they quarrel over the position that we have taken? It is a continuing entity and therefore, under Rule 184, we moved a Resolution and the Resolution says that there is only one bar: 'You shall not take into discussion something that has happened in that Session.' which means, if it is not in Session, others we can take into account and that we have done. And that is a precedent in the British Parliament also.

Smt. Indira Gandhi stands vindicated by the people. There is no need

for Smt. Indira Gandhi to get this Resolution removed and all that. But we owe to the nation to say that their Prime Minister is not a person who was convicted for breach of privilege or any crime. We owe it to the nation and, therefore, this Resolution has become necessary. We owe to the people and, therefore, it has come to our jurisdiction in the matter of maintaining the law of Privilege. The law of privilege was vitiated by that Resolution. We have got to correct it.

Three positions were taken. One position was that certain persons who were collecting information, although they were not officers the Parliament, should be deemed to be officers of the Parliament. Because they were collecting information for the House, therefore, they should be deemed to be officers of the House. This is a very dangerous precedent and unprecedented in the history of this Parliament. We can go only by what was the Law in 1951 and until then there is not a single precedent where this was accepted. This matter was sent by them to the Attorney General for his opinion. The opinion of the Attorney General is absolutely clear. This is what Attorney General reported to the Privileges Committee :

"In my opinion the persons who suffered harassment were neither officers and servants of the House nor were they employed by or entrusted with the execution of the orders of the House. There were no orders given by the Lok Sabha. It was the Minister who had asked for the material and non-execution of any orders of either House was not involved."

Then there is a long discussion.

He says by any stretch of imagination, these persons cannot be treated as officers of Parliament. The Committee just brushed it aside. The whole thing depends on this finding. If they are officers of Parliament, then alone we come to the question of

[Shri C. M. Stephen] privilege. The Attorney General said, "They are not officers of Parliament". If these people are to be treated as officers of Parliament, in every Session there will be lakhs of officers all over the country who will have to be treated as officers of Parliament because they will be collecting information for answering questions in this House. Where will we land? This is a dangerous precedent that has been set up and if this precedent remains, as the Resolution says, then we in the majority here can haul up anybody on the basis of obstructing any body who collected information. Therefore, moving this Resolution is not in the interest of the ruling party. It is in fact a step taken in our anxiety to protect democratic norms to ensure that the Opposition is protected against attack by a vindictive majority party. In that sense it has become absolutely necessary. This is the first part of it.

Then again it is not enough. You find cantankerous part of it, which is the evidence part of it. Supposing they were the officers of Parliament, then they should have been under orders to collect information. What was the evidence? The persons involved were three or four officers. One was Shri Krishnaswamy. They said, "We went to the Minister's house and we were told by the Minister that no information need be collected."

"Apart from what he had already collected for answering the question, I rang up Mr. Krishnaswamy and he told me that he had already instructions from Mr. Sondhi, the Secretary, that no information need be collected on this case."

Therefore, if non-collection of the information was a crime, then the instruction not to collect went not from Mrs. Indira Gandhi but went from Mr. T. A. Pai. He said, "You need not collect the information." Mr. Krishnaswamy was also told that he need not collect the informa-

tion. It is, therefore, clear that they were not carrying out any order of Parliament. If they collected information from somewhere, that was not in execution of the order given by Parliament; it was in contravention of the direction given by the Minister and other people. In any case, they were not officers of Parliament. Even if they were officers of Parliament, they were under the instructions, not to collect the information, not by the Prime Minister but by the Minister concerned and the Secretary concerned. Even if harassment takes place, they cannot be hauled up for that sort of purpose. I do not want to go into the facts of the case. I am only saying that this finding has got to be considered.

One thing more. Mrs. Indira Gandhi was hauled up saying that all the harassment was for this purpose. I should go on record and let the world know that there was no shred of evidence for this. Not only that. The evidence was the other way. Mr. T. A. Pai who gave the evidence said,;

"I wanted to have the fight with her."

And that Mr. Hitendra Desai in his findings says. What Mr. T.A. Pai says about Mrs. Indira Gandhi's role there? I quote :

"Prof. P.G. Mavalankar : In this particular instance, when the Prime Minister called for you, you said, she was upset and angry.

Shri T.A. Pai : But she never referred to any question ; I must say that also. She had complained about the corruption of my officers. She did not refer to any question ; she referred to harassment."

Therefore, if we go by Mr. Pai's evidence, the position is clear. Again, a question was asked, "Do

you ever try to ask as to why it took an unusual course?" and Mr. Pai said, "I was just wondering that it could not be on this question because there is nothing in the question which can upset anybody."

A clearer chit than this cannot be given. I quote further :

"Shri Narendra P. Nathwani : Did she not convey that it should not be disclosed that the factory was using imported machinery for preparing something which was against the spirit of the agreement ?

Shri T.A. Pai : I did not get the impression that she wanted me to withhold the information or be careful at the time of answering the question.

Shri Narendra P. Nathwani : There was this question of showing strong disapproval about the inquiry being pursued by the officers. Did she convey that impression ?

Shri T.A. Pai : No. She did not convey that impression to me."

He further said :

"Shri T.A. Pai : I must say in fairness to her that at no time when I met her had she ever discussed with me the affairs of Maruti."

Well, a clearer chit to a person is inconceivable. That Committee ignored all these things, everyone of these things and, basing everything on conjecture, that they were the officers, that they were harassed, harassed because of that question and harassed because Mrs. Indira Gandhi asked them and, therefore, they came to a conclusion that Mrs. Indira Gandhi had committed a breach of privilege. On this chain of conjectures, they came to a con-

clusion that she was guilty and she was bundled out, as somebody said. They just wanted to bundle her out ; they wanted to throw her out. They did not have the courage to look at her face. Sitting there and looking at them they were afraid. As Mr. Frank Anthony said, the little fearful people wanted to kick her out and carry on merrily. This was the only purpose for which it was done.

The second point that was raised was that she did not take an oath or affirmation. Again, the Attorney-General was asked as to what his opinion on this was. His opinion was absolutely clear. He very clearly said that article 20 applies to this case ; that article 20 would apply to the Lok Sabha and the Privileges Committee. If it has a power and jurisdiction to prosecute and punish a person, say, for a breach of privilege. That it has the power and jurisdiction to do so, is not disputed. It is not necessary to canvass the other questions. It would be difficult to escape the conclusion that the Lok Sabha exercising jurisdiction will prosecute and punish a person for breach of privilege in a tribunal by virtue of Article 95. Exercising of power and jurisdiction by Lok Sabha in this Committee to prosecute and punish is not disputed. This Parliament is entitled to rules of procedure and conduct of its privileges and if the rules make an act or omission which constitute a breach of privilege punishable, then Article 20 is attracted. "Article 20 says "No person accused of any offence shall be compelled to be witness against himself." The Attorney General observed "You are quasi-judicial tribunal. You are exercising the judicial function. The person before you is an accused. You are seized under criminal proceeding. Therefore, Article 20 comes into application. She is not bound to give an oath of office." This was the advice given by the Attorney

[Shri C. M. Stephen]

General. In spite of this, they said, that she has committed a breach of privilege. I am not concerned with Smt. Indira Gandhi. The question we have to decide is whether an accused who is appearing before a Committee is liable to be put on oath and to be tried for extracting answers from them and condemn them with that. It is a standing question to be decided. They came to a decision that it has got the authority and if this remains, Sir, persons put to privilege proceedings will have no safety and they will be compelled to answer questions before the Privilege Committee. So far, it has been optional. In no single case, I can assure the House, in the whole of privilege cases not in a single case was this compulsion given. On the other hand, application was made by the persons concerned for an opportunity to give evidence before the Committee. It has been revised. This oath giving has now been enforced as a right to the Committee, as a liability for the accused. In spite of the law to the contrary, this misunderstanding remained on our record as a privilege law. This has got to be wiped out. This is the second purpose.

The third charge against her was she gave a statement before the House and in that statement a very guarded statement she made. She said "The Janata Party's political preoccupation is to annihilate me, to jail me and to harass me at any cost. Most of the Members of this Committee are from the Janata Party. I have a reasonable apprehension that the political policy of the Party will influence the Members of this Committee. "This is the wild statement she made. Nothing more than that. They said that this is an insult to the committee. Very wonderful don't we say that the judge of court is influenced we are afraid that this court is influenced, he is under influence. therefore the case must be removed from here. Has anybody ever said

that it is contempt to say so, But the committee says that this is contempt. On the other hand Mrs. Gandhi came here. In a statement she latantly-plainly- said "You are making this House a Star Chamber." She said it very plainly, clearly she said. Yet nobody said that, that statement of her in this House was contempt.

We must remember that Mrs. Gandhi was not as a mere accused. She was a Member of Parliament. A Member of Parliament appearing before a Committee, telling that "You Members are likely to be influenced". The question is whether a Member of Parliament has got the right to make an accusation like this in the House or in the Committee, whether it can be taken as a breach of privilege. Is there a case of precedent like this? They have established nothing may be done like that. This is in this period- in this era of relaxed view of the law of privilege. It is a very draconian decision. It has got to be annulled. This is the only purpose, Sir, for as this resolution is concerned. It is only we who can do that. May I read from May's, as "parliamentary practice". Parliament is not controlled in its discretion and when it says its errors can only be corrected by itself. The question is whether the Parliament or the Committee erred or not. It is for this House to consider whether it erred or not. If it errs only this House can correct it so that the stream of the law of privilege may be kept clear and may not be kept sullied. It is in this spirit that my friend Mr. Bhagat has brought forward this Resolution in which he has said that this will not constitute a precedent as far as this House is concerned. This Resolution also says that anything contained in this Report will have no precedential value ; it shall not be quoted here after for the purpose of the law of privileges. That finding this House has the power to give and once that findings is given the consequence follows. The consequences is that the persons who were convicted on the basis of these three findings

the moment we find these three findings false, must become acquitted of the offences against them, and the House has got to clarify. It is only a declaration that we treat the earlier Resolution as gone and Shrimati Indira Gandhi, Mr. Dhawan and Mr. Sen stand out as innocent. This is the consequence of the present finding ; this is the consequence that follows. Nobody can dispute this consequence. That is why I say that at this moment when Parliament is sitting in its supreme jurisdiction of examining whether a law of privilege that was set wrongly was right or not, the opposition should have been here and it was their duty as Members of Parliament to be here and to put forth the other side of the case. We as the opposition took the opportunity to put forth our case before the people because we know that morally we were right, legally we were unimpeachable, and could we show our face glowing before the people. Therefore, neither the Party nor Shrimati Indira Gandhi ran away. We stood there and faced the whole attack. They now get an opportunity to vindicate their position and say that this was correct, but they knew that they could not and, therefore, cowards as they were had to flee from the fire of re-examination of the whole situation. This is what has happened. It was against cowardice that had manifested itself this morning because they had no courage to bring forth the no-confidence motion so long as Mrs. Gandhi was here ; and Shrimati Indira Gandhi is away, speakingly they have brought forth the no-confidence motion. They could not face her when she was here and now when she is away, they have brought forth the no confidence Motion. This mark of cowardice is something they must feel ashamed of. I am now concluding. The House may kindly permit me to quote what prophetically, at that time I happened to say. We still remember that occasion when the whole trial was going on. I am not able to find that quotation here.

They were shouting and howling at that time, and I had to tell them, "I remember a similar scene about 2,000 years ago.....

MR. DEPUTY-SPEAKER : That was made from this side.

SHRI G. M. STEPHEN : Yes; that was made from that side.

I said. "I remember this case, about 2,000 years ago, there was a similar scene in the court of Pontius Pilate." I said, "You have got the power to crucify, but remember that crucifixion will not be the end of it; resurrection will follow that crucifixion" I am happy that resurrection has followed that crucifixion, and as a result of the resurrection, the nail that was driven on that day has got to be removed ; the whole historic process must be brought to a conclusion. And Shri Bhagat has had the good fortune to take this up and rectify it finally.

I support this Resolution, with one observation.

This is not a mere moment this is a historic moment; Parliament, in its judicial capacity, is asserting itself, is asserting its sovereignty is correcting the wrong law, putting the law correct and doing justice, reflecting the will of the people, and carrying out the mandate of the people honestly, truthfully, unerringly and in a manner which history will ever remember--it will go down in the history of Parliament.

Sir, I support this motion.

SHRI G. M. BANATWALLA (Ponanji) : It is the prime consideration for the majesty of the rule of law that impels me to rise in support of the motion before this august House.

[Shri G. M. Bawa walla]

19th December, 1978 was a sad day for parliamentary democracy when all norms of natural justice and when all rules of parliamentary procedure were thrown to the winds and a motion adopted holding Shrimati Indira Gandhi and others guilty of a breach of privilege.

I consider it a good fortune for parliamentary democracy in India that the House to-day has an opportunity to rescind the resolution that was passed by the previous Lok Sabha. Since those members or Parties which supported that resolution are not present, I will not use harsh words but submit only very humbly that the motion that was adopted holding Shrimati Indira Gandhi and others guilty of breach of privilege has done a great harm to rather than elevate the reputation of parliamentary democracy in India.

I must submit that we must have a proper approach to this concept of the power of privilege.

This power is a great power. It is a power which I submit should be used as a shield and not as a sword. When I am talking about the power, I must here refer to what Fencen said :

"Power is poison. It corrupts the conscience, hardens the heart and compounds the understanding. Those who have power need to exercise great vigilance."

How should this vigilance be exercised? It can only be exercised through strict judicial standards. And with respect to strict judicial standards I submit what DC Jain says in this treatise *Parliamentary Privileges under Indian Constitution* at page 220 :

"It would be better for the dignity of Parliament if affronts to its authority were either clearly seen to be assessed in accordance with judicial standards or else ignored as unworthy of notice."

My submission before the House is that every norm concerning the judicial standards has been flouted. To-day we are here to perform a great duty. Let us scrutinise the great harm that has been done to the parliamentary form by that motion that was adopted on 19th December, 1978.

In the first place I must point out that a question of breach of privilege was referred to the Privileges Committee. The Lok Sabha adopted Mr. Madhu Limaye's motion on 18th November, 1977. What was the matter that was referred to the Privileges Committee? The matter was in relation to a question of Shri Madhu Limaye. It was in relation to the collection of information to answer his question. It was alleged by him that officers were collecting information necessary to answer his question in the House. These officers alleged/that they were harassed and obstructed and so on and so the matter was referred to the Privileges Committee. That Privileges Committee, it is shocking to note, during its investigations, found that the harassment to officers and others, if at all there was any, was not in relation to the question of Shri Madhu Limaye but it was in relation to the other question which was not referred to that Privileges Committee. It was in relation to the question of Shri Jyotirmoy Bosu which was to come up for reply on the 16th of April 1975. It is shocking that the question of Shri Jyotirmoy Bosu was not referred to the Privileges Committee and yet that Committee dropped the entire matter about Shri Limaye's question referred to it as a hot potato and they started on a different track altogether. The report which was received then was totally irrelevant and it was in blatant violation of Rule 314(1) of our Rules. That Rule clearly provides that the Committee has no inherent jurisdiction in the matter of privileges. It has to examine only such matters of privilege as are referred to it and not to go about dis-

covering and finding out where the question of privilege exists against a particular individual and bring him to book.

Sir, this is the whole crux of the situation. Therefore, where was the judicial standard observed. I must also point out that very strange findings came from that Privilege Committee.

They have been numbered in the Motion that is before the House. There is an important question that we have to consider to-day. That is who are those classes of people who enjoy the privileges? Who are the persons who enjoy the Privileges? The question is: whether, the persons who were collecting information and who were allegedly harassed or obstructed can be regarded as officers and servants of the Lok Sabha?

Mr. Deputy Speaker Sir, I submit to the House that the privilege position is an exclusive protection to a selected class of persons; Members of Parliament, have the privilege position. Those who are officers of Parliament and who are executing the orders of Parliament enjoy the Privilege position. What is the recommendation of the Privileges Committee and adopted by this House? That was: anybody and everybody who moves about in the length and breadth of India collecting some information, has the privilege position. Mr. Deputy Speaker, Sir let me submit with all humility, that the day when an indeterminable number of Government Officers, Clerks, Servants and even Peons go out knocking at the doors of the citizens and claiming the privileged position of collecting information. That day will toll the death-knell of Parliamentary Democracy in India and will usher in authoritarianism and that day will be the day for the end of individual liberty. I do not know how anybody could extend the concept of privileged position to such an indeterminable number of

persons and place the entire freedom of the citizens of our country at peril and at the mercy of the powers that be?

We are indeed performing a historic task, a great task and we are now here to see that the subversion that has taken place is set right, and that the democracy, I must say, is brought back to rails. I must also draw the attention of this House to another fact. Many of our Members I do not know what attitude they may be having towards the rights of the citizens of India. However, we have an attitude of great respect and mean to uphold those rights rather than to place Parliament in a position of confrontation with the very citizens of our country.

Another important point that we must consider is the right of the accused namely, whether the accused can be called upon to take an oath and to depose, to give evidence, to answer questions and thus liquidate himself. It may be argued that this is the question of privileges of Parliament. But here again I may say that Parliament cannot claim for itself rights which are in liquidation of the rights of citizens beyond the four-walls of this Parliament and I once again quote from the *Treatise of Jain on Parliamentary Privileges* page 164:

“Neither House of Parliament has the right to do anything in contravention of the Law in the assertion of its privileges so as to affect the rights of persons exercisable beyond the four-walls of each House.”

Sir, outside the four walls of this House an accused can refuse to be so examined. I think that according to the parliamentary system the accused cannot be placed in a position where he has to completely liquidate himself.

[*Shri G. M. Bana-walla*]

Sir, there are various other points. We are told that *Shrimati Indira Gandhi* cast certain aspersions on the Privileges Committee and that was also held as a breach of privilege by the Committee. I do not know why the Committee tried to be such a type of very sensitive Committee as 'touch-me-not'. Perhaps, it was because of the mental disposition, on which I would not like to comment but here I am reminded of what Justice *Shingle* said when the question about Special courts was referred for the opinion of the Supreme Court and I quote Justice *Shingle*, for I cannot have words that can put the whole thing in a better way:

"These ordering the trial should, in fact, do all they can do to convince everyone concerned including the accused that they had best intentions in ordering the trial and had provided a fair and straight forward procedure and the cleanest of the judges for the trial in an open and fearless manner. That will not only fore-close avoidable criticism but uphold majesty of the rule of law in its true sense."

Sir, we are today carrying out or performing a sacred duty and, that is, that the parliamentary form during those days and as a result of the Resolution of this House on 19th December, 1979 accepting and extending privileged position to a number of indeterminable persons, so, by doing the entire parliamentary from Mr. Deputy Speaker, was being turned into an instrument of political tyranny and political terrorism.

It is in order to save the country from this political tyranny and political terrorism of a number of persons knocking at the door of citizens claiming privileged positions that today we have to rescind this Motion. And, Sir, I do so with all humility

at my command. I consider it my good fortune to be in this House at this momentous time. And may I conclude by saying this: Whenever this House takes any recourse to its powers of privilege, it is better to remember this and I once again quote from *Jain's book*- page 223. I quote:

"It may be said that it was not by extending the scope of the privileges, or by making them arbitrary, or by trying to curb the rights of ordinary citizens to seek remedy in a court of law, that members could sustain the foundations of parliamentary privilege, but only by imposing on themselves restraint, caution and prudence in the exercise of those privileges."

This caution, this prudence, in the exercise of the powers of privilege is absolutely necessary, in order that this privilege, is not turned into any instrument for political vendetta, any instrument for tyranny or political terrorism. With these words I support whole-heartedly the Motion that is before the House.

SHRI B.R. BHAGAT: I have to make a submission. I have moved a motion for suspension of the rule to move my amendment. My motion is for suspension of the rule. It is for moving my amendment.

MR. DEPUTY SPEAKER: Is it the pleasure of the House?

SOME HON MEMBERS: Yes.

MR. DEPUTY SPEAKER: You can move your amendment now.

SHRI B.R. BHAGAT: I beg to move.

"That in the motion,
—in para 3,—

(i) after—

"(c) if the above findings are allowed to remain on record they

would serve as standing instruments in the hands of any party in power for narrow, partisan political ends of calumny, harassment and public denigration by persecuting its opponents as actually happened in the case of Smt. Indira Gandhi."

insert—

"(d) the above gross distortions were engineered in the unconscionable misuse of the majority in Parliament in the pursuit of."

(ii) for '(d)' substitute '(e)'

SHRI A. K. SEN (Calcutta North West) : Mr. Deputy-Speaker, I am rarely jealous or envious of my good friends. But, on this great occasion, I feel a little envious that Mr. B.R. Bhagat has snatched away the honour from us, of moving this Resolution,—a Resolution which is none too late, a Resolution which seeks to undo the blot which has sullied our history after independence. The day Mrs. Gandhi was sent to prison, I remembered what Bishop Ridely had said when he, along with two other Bishops were put on the stake by Queen Mary, for refusing to accept catholicism. When the fire was lighted and it started engulfing Bishop Ridely he became a little nervous and it is said that he almost fainted, Bishop Thomas was next to him and he said, "Cheer up, brother ; the fire that will be lighted today will engulf the whole of the State and the water of the entire Thames will not be able to extinguish it". That is what had happened on that occasion. The fire that has started has not only been extinguished by those who were authors of the fire but he brought in its claim that it should be for undoing the sin that was perpetrated on the 19th December 1978. Every act of sin, every act of injustice has to be expiated

with penance which is called 'Prayaschith' in our language. Now, their 'Prayaschith' has come today and it is the honour of this House to honour itself by carrying out the scared task imposed on them by the electorates and the people, namely, that they shall undo the act of sin which was committed on the 19th December 1978. I was a little responsible for some of the acts charged against Mrs. Gandhi. Let us take one of them. I told her that she must never submit to the course of taking the oath because at that time there were prosecutions started against her on identicle charges. Investigations were launched on identical charges and it would have been an act of mockery, a mockery of justice on the part of the Privileges Committee to demand that an accused against whom the whole artillery of prosecutions were contemplated and in fact initiated, must submit her oath before cross-examination. Then all her defence would be disclosed and she would never know that what accusations against her were going to be made. If one reads the proceedings of the Privileges Committee, one would get shocked at the way any Committee on Privileges could have behaved. One of the things that makes the amplitude of power worth confirming is for the donee of the power to observe restraint and to exercise power fairly and reasonably. I remember years ago when I was replying to a debate on the question of codifying the privileges of the House, as in the Council of Ministers, I had occasion to say that the magistracy of Parliament and the amplitude of its powers are justifiably restrained when it is exercised with unfairness and unreasonableness. For 20 years I was a Member of the Privileges Committee, that is, since 1957, a Minister and an ordinary Member of Parliament and I ceased to be the Member of the Privileges Committee in 1977 when I was defeated and ceased to be the Member of Parliament like many of us. But during all these years, one

[Shri A.K. Sen]

thing was noticeable, that is, the activities and procedure of the Privileges Committee and that is that it never denied people natural justice. I remember there were many cases when people had brought from far off distance from Asansol and other places, people who had means to employ lawyers to defend themselves and we became their lawyers. It is our duty to plead the case for the defence where the man arranged before us who had no means to defend himself. I remember when Charles the First was arranged before the court which was set up by the Cromwell's Government, at the end of the trial, he was asked whether he had anything to plead by way of defence. The famous words he uttered were these. I do not think I can repeat them word by word, but I would repeat the substance. He said "To whom shall I plead my defence? I only find accusers and no judges". So this is what happened when Mrs. Gandhi appeared before this august Committee. Excepting a few who had the courage to record their notes of dissent, the minds of the rest had already been made up. This is very clear from the utterances which came from them outside the Parliament, before and after the elections and from the way they were trying to manipulate the entire matter. It was crystal clear that the conclusions were foregone and it will be a travesty of trial for Mrs. Gandhi to submit herself to the demands that were made of her. I am glad that she had the courage to withstand those demands. Now that we are in happier times, we can congratulate ourselves heartily because at that time a very few people had the courage which she showed. I admire the way she behaved throughout the trial. I call it a trial, but it was a mockery. If I call it a mockery, I would be happy to say so, but I am very proud of the Parliament; all of us are proud of the Parliament, proud because of its justice, be-

cause of its traditions, because of its abhorrence to tyranny. This Parliament is the guardian of the people against all acts of tyranny. Who will protect the people but Parliament against tyranny which is perpetrated anywhere in the country in the name of law and authority? If we fail, the country will go down and our democracy will flounder. Therefore, we are proud of this institution of Parliament, not because it is Parliament, not because it is the supreme legislative authority of the country, but because it will its power for justice. It will its power for a purpose, the purpose is to uphold the dignity of the individual and the liberty that enshrined in our Constitution, and the great tasks that are given to us under the Chapter of Directive Principles of the Constitution.

Therefore, I am very happy that on this unhappy occasion, on this black day, this Parliament failed in its duty to stand up against tyranny and became an instrument of oppression and that instrument of oppression must be removed from the pages of history and from the records of our Parliament and we must record our verdict in no unmistakeable terms that this act of sin was not to be tolerated and it cannot be allowed to sully and pollute our statute books and our records of proceedings of Parliament for ever. They must go.

I am very glad at what has been said by many hon. Members belonging to our party who have faith in the justice of our Constitution and in the purpose for which our Parliament acts. Let us take one by one the travesty of the decision and the perversity to which the decision had lent itself. The first charge on which Mrs. Gandhi was convicted before the Privileges Committee is that she was guilty of acts of intimidation against the officers of Lok Sabha, who had collected the information for Members of Parliament. I see the Minister of Petroleum

here, I see the Minister of Communications ? here. If I put a question, "Is it a fact that a letter was delivered one month late at Midnapore in my thana and Shri Stephen sends a letter or somebody to the local Postmaster to find out, whether it is a fact or not, the local Postmaster, according to their reasoning becomes a servant of Parliament. it is a ridiculous extent to which this position lends itself. It is only to be stated to be appreciated and rejected. How can they become officers of the Lok Sabha ? It is a ridiculous extent to which this position lends itself. They are not paid by the Parliament ; they are not controlled by you. Those of us who are lawyers and those of us who are workers know it very well that unless my manner of discharging my duties is controlled by someone, I am not his servant. How is it that a postman who collects information for Mr. Stephen in Midnapore can become an officer of Lok Sabha. I fail to stand it. Nobody has understood it up till now excepting these Members.

Now, Sir this ridiculous chapter of our history has to be forgotten and forgotten in no uncertain terms.

Next act of breach of privilege is that she refused to take on oath of affirmation. As I said this House must congratulate Mrs. Gandhi that she refused to take oath of affirmation as an accused person.

The Constitution prohibits any person or authority to subject an accused person to cross-examination. Mr. Anthony and myself were responsible for the wordings of many of the sentences in that memorable piece of reply of Mrs. Gandhi, which ranks equally and very nearly equally with the great statement of Gandhiji when he was accused before the Judge of Ahmedabad. It has become a classic and this will become classic in our history of jurisprudence viz. the right of an accused is to stand up to vindicate his right or her right against a tyrannical form of procedure which

subjects her or him to a system of inquisition which is prohibited by the Constitution. Our laws do not know of any system of trial in which the accused has to be subjected to cross-examination excepting by her consent. And by this, she has done a duty to the nation by refusing to stoop to weakness and stoop to the demands of a tyrannical inquisition, unlike Gallio who knelt down before the Bishop and who was made to swear that world does not move and the Sun moves. He knelt down and apologised, but he whispered to his comrade : "But the world moves". So, unlike Galelio, she did not stoop to this. She said the laws of this country will be supreme and will have to be obeyed. And this verdict today will seal the fate of those who will try to violate our laws in the future.

Sir, the Supreme Court in a series of decisions started from Sharma's case laid down very clearly that the privileges cannot violate the Fundamental rights of a citizen. Therefore, if a citizen has the right not to be a witness against a sin or not to be bullied into cross-examination, then that right cannot be taken away in the name of a privilege. You can convict her or you can verdict him by only evidence, but not by her own hand. Our law forbids a person to be compelled to drink a cup of poison. The Plutonic experiment would not be tolerated under our laws. No accused can be said: "You take the cup of poison and swallow it." He has to be tried and he has to be sentenced according to the law.

The day Mrs. Gandhi came back from prison, I remember, I went to her Wellington Crescent house and I congratulated her. And I told her that today the beginning that you have made in the struggle against the tyranny, will bear its fruits within a very short time. I never knew at that time that that short time will be one year. But fate and had ordained that within a very short time those who had held a cup

[**Shri A.K. Sen**]

of poison to her were really defeated by her. Now, Sir, this is a lesson of history, because if lesson of history means anything, it is this that tyranny never succeeds in this world. Those who have taken the course of tyranny in the past, history has shown their end and the Janata Party was no exception. It was no exception, Sir, Therefore, when she read the written Statement that you are Judges and I have no faith in you, she said in a very soft language, in a very straight language.

"I have reasonable apprehension that your minds are already made up."

19 hrs.

She is entitled to say so. Is it privilege when a man has been hounding out another person throughout his life and he sits as a judge? Is not the man arraigned before him justified in protesting against this farcical show? Is this the Law? Is this the law of privilege of this Parliament? Certainly not. The privileges of Parliament are meant to protect us- our dignity and our majesty—and not to oppress our peoples; and if we protect ourselves with a good shield- then we shall protect ourselves; but if we turn that shield into a sword and a musket, then we shall destroy ourselves.

This supreme assembly of the people must organize its affairs and must dispense justice fairly and reasonably. Then alone will people have faith in this institution. Otherwise the dictatorship which follows weak democracies might engulf us. The neighbouring country of Pakistan is an example. This assembly must ensure for all times to come that there will be a just Government- that no one will be denied justice- no one will be accused and convicted by a farcical trial; and that every man has a right to demand a fair trial before impartial judges. These are the fundamentals of our freedom; and they must be enshrined by a

resolution of this House- and not merely by the beone- dry letters of the Constitution.

Therefore, Sir, this is a momentous time. This is our finest hour, because it is an honour given to us by fate and by history to correct not a mere mistake—as I call it- it was not a mistake; it was an act of sin—which has really blotted our history; and we must redeem from the pages of that mere the beautiful life that this Parliament has envisaged to give to the people- and to this country.

With these words, I again congratulate Mr. Bali Ram Bhagat for having taken this occasion and given us this Motion.

SHRI K. M. MAYATHEVAR (Dindigul): I am very happy to support this motion, because I was also present at the time of the passing of the Motion by the then Prime Minister of India, Mr. Morarji Desai. I then very strongly opposed that motion.

The present Motion has indeed restored our parliamentary sovereignty and parliamentary rights— which had been lost during the Janata rule on 19th December, 1978.

The Members of the Opposition parties in this House were very strongly opposing the admission of this Motion. But unfortunately- they walked out—because of the simple fact that they did not have a case to argue. They have got no case at all to argue before this supreme democratic body which represents the sovereignty of the people of India. That is why they walked out—because they have lost their case.

The aim of the Janata Government was that Shrimati Indira Gandhi should not come back to politics. It was a very cynical aim. It was very unfortunate. It was a very awkward- undemocratic expectation or aspiration of the former

Prime Minister Mr. Morarji Desai, and of all the Janata Party people who were planning with a motive that she should not come back to power. I told them when I participated on the last day 19th December, 1978, of the discussion of the earlier Motion: "Mr. Desai—who are you to do this?" Mr. Stephen and Mr Sathe were also sitting on this side at that time. The Janata Party people were adamant at that time. We were fighting with all our might to safeguard the interests of Mrs. Gandhi. I told the then Prime Minister: "Who are you to eliminate Mrs. Gandhi from politics or to prevent her coming back—getting elected and becoming Prime Minister of India?" I told him: "You are going to become the ex-Prime Minister of India very shortly; and Shrimati Indira Gandhi is going to be the next Prime Minister within six months." You can go through my speech on pages 277 to 282 in the Lok Sabha Debates in December 1978 where my speech has been published the people of India wanted Mrs. Indira Gandhi to come back to safeguard the country. Therefore, she was re-elected. Mr. Morarji Desai, the then Prime Minister had wrongly convicted her and expelled her from the House. That is why Mrs. Gandhi the incarnation of Bharat Mata could come back very shortly as the Prime Minister of India. I reminded him at that time that you were not convicting an ordinary former Prime Minister. She was not an ordinary person. She was not an ordinary women. She is not only a grand daughter of Moti Lal. She is not only a daughter of the Light of Asia—Pandit Nehru, she is not only the Prime Minister who ruled and reigned this country for 11 years, I told him that she was going to become the next Prime Minister of India. That is what I told him in December 1978. I also pointed out that the people of India would not excuse the Janata Government for the offences committed against Smt. Indira Gandhi. I also reminded the Janata Government at that time

that she would restore the democratic rights of the people very shortly.

Now I am expressing my happiness from the bottom of my heart. It is extremely a happy day for the Indian Parliament in the history of Indian Parliament. 19th December 1978 was a black day for Indian Parliament. In that night—we could not take our meals. Even Mr. Sathe was not taking his meals. Mr. Stephen and other members were also fighting. Mr. Lakkappa was also on his legs throughout and was fighting to defend Mrs. Gandhi but in vain.

Although our DMK Government was dismissed by Mrs. Indira Gandhi—at that time, the Chief Minister Mr. Karunanidhi, who was one of the important leaders of India, came forward boldly condemning the attitude, the vindictive attitude adopted by the Janata Government, especially the then Prime Minister of India. I want to refresh your memory. An appeal was made by him at that time condemning the conviction and expulsion proceedings in the House by the Janata Government and the implementation of the expulsion action by them.

The Janata Government had one or two achievements. The first achievement was the expulsion of Mrs. Gandhi from the membership of the House for a temporary period for a few months. It was very unfortunate, very silly achievement for the then Prime Minister Desai and the Home Minister Charan Singh. Now he is a member of this House. He ought to have come here and listened to the debate. If he would have come here, I could have put so many questions to him and asked him to clarify the atrocities committed by them in December 1978. They had dissolved the House. That was also one of their achievements. The second achievement of the Janata Government was that they were divided amo-

[**Shri K.M. Mayathevar**]

ng themselves. Then they were defeated by the people of India. Then they did not come forward again here. That is their eternal achievement.

Legally speaking, there were 15 Members of the Committee of Privileges constituted by the Janata Government to go into the privilege issue against Mrs. Indira Gandhi. Out of 15 members only 6 members were from non-Janata Party including the Congress Party, although the Congress Party was one of the biggest party. That was the only biggest party sitting in the opposition. From this, we can understand what would be the democratic principles and norms which they were following in constituting the Committee of Privileges. They did not follow the democratic principles in the constitution of Committee of Privileges. In that Committee meeting, they did not respect the dissenting notes given by many members of the Committee; they did not even consider the dissenting notes. Shrimati Indira Gandhi was not permitted to defend her case. Mr. Sen knows and advocates know and our hon. Members know that even before a Special Magistrate's Court, even in pre-emption cases we have to defend the accused by engaging lawyers; and the next Prime Minister, a former Prime Minister was denied of the opportunity to defend her case in the unfortunately illegal and unlawful committee formed by the unlawful Government the Janata Government. Therefore, the finding of the Privileges Committee which recommended to the House in 1978 was unparliamentary, unconstitutional, undemocratic, illegal, immoral, *ultra vires*, invalid in law, tyrannical and dictatorial. Therefore, it is liable to be set aside by the House on legally valid grounds. That is why I am supporting this Motion.

Regarding the legal questions which we argued at that time, under Section 342 of the Criminal Procedure Code, Mr. Sathe pointed out,

Mr. Stephen pointed out, I too pointed out, that under Section 342, clause (2) of the Criminal Procedure Code no court can compel any accused to give evidence for herself or himself but she was compelled. She did not appear legally. She was entitled not to appear. She was right. She was legally within the Constitutional provisions as not to appear and give evidence herself before the Committee but she was compelled.

Article 20 was referred to by hon. Members, in which the same provisions are laid down where nobody can be compelled, the accused cannot be compelled to give incriminating evidence against herself. These provisions also were violated by the Janata Government and the Privileges Committee constituted by the Janata Government.

We told, at that time, the Janata Prime Minister : 'Hon. Prime Minister, you are convicting not a single lady, not the daughter of so and so, grand-daughter of so and so, but you are convicting the leader of 65 crores of people of India. "You can refer to our record and see the speeches we made in 1980." Sixtyfive crores of people have been convicted and sentenced and imprisoned. The people of India will not and shall not

excuse you." This is what we wanted. The people did not, rightly, excuse those Janata people. They rightly elected her again as our hon. Prime Minister. People are better Judges than the Janata Government and the Janata Ministers and the Janata P.M.

One comedy happened at that time. At that time I was in ADMK. Somebody was criticising. Everybody knows my practical activities, and political honesty and purity. At that time I was in ADMK. The ADMK Chief Minister, the present Chief Minister, the hon. Chief Minister, Shri M. G. Ramachandran, advised me to support Shrimati Indira Gandhi and oppose that motion introduced and brought before this House by Shri Desai. I opposed, according to the instructions of Mr. M. G. Ramachandran as well as according to the resolution of ADMK General Council. I believed that those people were heroic people, valorous people.

I warned the then Prime Minister that he would be stoned like a madman in the street if he convicts and expels Shrimati Indira Gandhi. I made my speech at 4.30 p.m. or 5.30 p.m. on 19-12-1978. At 9.30 I went home. Before that, the then Prime Minister, Shri Morarji Desai, threatened the Chief Minister, Mr. M.G. Ramachandran, on phone and said :

"Mr. Mayathevar belongs to your Party; he mentioned that Indira Gandhi was going to be the next Prime Minister. You expel him from your party; otherwise, I will dismiss your Government" At 12 o'clock midnight I received a phone from the Chief Minister and Mr. Nedunchezhian, Finance Minister, at my residence. They said that hon. Prime Minister had threatened like this and therefore, they were expelling me. I asked them as to what sin I had committed.

MR. DEPUTY-SPEAKER : Orders came on the phone.

SHRI K. MAYATHEVAR : I questioned Chief Minister, Mr. M. G. Ramachandran. He said : "Since you attacked them and supported Mrs. Indira Gandhi, in order to safeguard my Government, you better go out of the party." So, at 12 o'clock I was expelled from the ADMK Party. Such a comedian is Mr. Ramachandran. He was afraid of our former Prime Minister who was in power temporarily and accidentally for some time. Then I left that Party and joined DMK Party led by Mr. Karunanidhi, who is a warrior and a statesman like Mrs. Indira Gandhi. Mr. M.G. Ramachandran was supporting Mrs. Indira Gandhi so long as she was Prime Minister. When she went out of power, Mr. M.G. Ramachandran left her and joined hands with Mr. Morarji Desai. Now he is coming down. Do not allow him; do not permit him. Mr. Broadcasting Minister, you are having some sympathy towards Mr. M.G. Ramachandran, subject to correction. I do not know your mind. He can betray you at any time. He is neither a warrior in the battle-field nor a reliable man nor a stable man. Whereas Mr. Karunanidhi is a warrior, reliable and stable man. I am a witness before you, physical evidence for the betrayal of MGR.

Therefore, in order to protect the sovereignty of Parliament, democratic rights and conventions it is better to rescind that Resolution and restore sovereignty which we had lost by that Resolution which was passed in 1978.

SHRI JAGAN NATH KAUSHAL (Chandigarh) : Mr. Deputy-Speaker, Sir, I take this opportunity to congratulate the sponsor of this Resolution. As rightly said, Mr. Bhagat has taken the laurels and has provided us with an opportunity of trying to correct an atrocious act which was done in December, 1978.

[Shri Jagan Nath Kaishal]

Number of friends have spoken and it is no use repeating very weighty observations which have been made by them. I would only touch a few points.

Those of us who are practising in the courts of law know one thing that the power of punishing for contempt is one of the harshest powers which is vested in the person who has been given the power to punish. Whether that power is in a Judge, a Parliamentary Committee or a Parliament, it is a very harsh power, the reason being while exercising that power the accuser and the Judge is one and the same person. If a person exercising that power does not act with restraint and sobriety then obviously, he becomes a tyrant. This is an instance which we have before us.

The background of the whole episode is known to each one of us. The most unfortunate part of the whole episode was that those who are exercising that power forgot that it was a judicial power. They thought that it was a political power, which in fact it was not. If the Judge throws the norms aside, then obviously his decision can inspire no confidence, either in the minds of the accused or in the minds of the ordinary public.

After hearing these hon. Members who were very much concerned with this affair at that time, Shri Frank Anthony, Shri Asoke Sen, Shri Stephen and others, I am very much convinced that something very wrong happened. If his opportunity has been provided to us to correct that wrong, we should be grateful to destiny, we should be grateful to the electorate of the country, which has given this opportunity to us. Otherwise, there is no doubt that that sad chapter

would have continued to be on the journals of this august House.

May I draw the attention of the House to one salient fact, which has not been touched so far, and that is this. The power to expel a member from the House is a very very debatable matter. The power to punish for contempt in the shape of sending a person to jail is a recognised power. But the power to take away the membership and to expel him, according to me, is highly debatable. Why do I say so? We should all remember that the powers of the State Legislatures and the powers of the Central Parliament are the same. The articles of the Constitution are touched in identical language, and the powers are those which were exercised by the House of Commons on the 26th of January, 1950.

I am reminded of a case, with which I was very much concerned. The Haryana Vidhan Sabha expelled one of its members, Shri Hardwari Lal. He challenged his expulsion in the court. At that time I was defending the action of the Haryana Vidhan Sabha, as the Advocate-General of the State. The case was argued for weeks together, for as many as three months. Then by a judgement of a Full Bench—of course, by a majority of 3 to 2—it was held by the Punjab and Haryana High Court that this power of expulsion does not vest in our legislature. That is the one judgement which holds the field till today. When Mrs. Gandhi's case was before the Parliament, that judgement was in the field. But nobody just cared to look at that. The reason is obvious, and the reason has been given by the friends who have spoken. The reason is, we had a pre-determined judge who was not in a mood to listen to any voice of reason and I say it is a very sad day when we have to deal with pre-determined judges.

I can understand a judge not knowing the law, but it is just unthinkable that a judge should come to the seat of justice with a pre-determined mind to convict the person who is standing before him in the capacity of an unfortunate accused. It is the negation of notions of justice. Therefore, what happened at that time was that not only Mrs. Gandhi was punished with imprisonment, but she was also expelled.

My friends have just brought to the notice that it was decided earlier by the Janata Party that maximum punishment would be imposed. This is against all norms of democracy. As I said, when the Members of Parliament sit as Members of the Privileges Committee or as Members of Parliament while accepting or rejecting the report of the Privileges Committee, then they sit as judges, they do not sit as party men. In this connection, I am reminded of a sentence of a judge long time back when he said: "Mr. Kaushal, to determine a guilt is a difficult matter, but to determine the quantum of punishment is much more difficult. If you punish a man with lighter punishment, it is injustice and if you punish a man with harsh punishment, it is still greater injustice."

In this case, not that they committed any injustice, I say they committed an atrocious mistake, the atrocity was writ large when they said that they would give the maximum punishment to Mrs. Gandhi who was not an ordinary Member of Parliament. She had ruled this country for 11 years and their sense of fair play was not there; they wanted to satisfy their sense of vindictiveness and I say that we are very fortunate today that although we cannot bring back what has happened, yet we can certainly recall today that what happened at that time was against all notions of justice.

I may again submit to the House that this power of punishing for the contempt of the House is exercised very sparingly and the people at large only respect that Parliament or that judge who exercises this power with sobriety, with reasonableness, with restraint and ultimately with magnanimity. At that time a number of people pleaded that just an admonition might do. But they said: 'No we will send her to jail and take away her constituency also.' This was injustice against people from whose constituency she was elected. Therefore what I submit is, I need not go on repeating the arguments because undoubtedly, while interpreting the law they have stretched the law, as we call it, to unstretchable limit. This was not even stretching the law. This was trying to see that they would punish her whether she had committed an offence or not only because she was trying to assert her right stating "I refuse to appear before those people and condemn myself by taking the oath before those people who are already determined to punish me". And Mr. Ashok Sen rightly said, "To whom shall I plead? To the accusers?" She was very right and thank God, the ultimate masters of the country—the ultimate masters are the voters—gave a verdict that Mrs. Gandhi was in the right, and those who punished her, they were in the wrong.

I will not take more time of the House. I think we are fortunate who are sitting today. If that was a historic day, that historic day was a black day and if today is a historic day it is a glorious day.

I am one with Shri Stephen that that Resolution not only should be annulled but that Resolution should be completely obliterated from the journals of this august House and all of us should congratulate ourselves that we have been given this opportunity today.

SHRI V. N. GADGIL (Pune): I would like to congratulate Shri Bhagat, mover of this Resolution for a very different reason. Today we find some people are questioning the very basis of the system of parliamentary Government. The whole rationale is being questioned. There is an atmosphere in which it is said that credibility of Parliament is eroding. In such an atmosphere, it is very welcome that we should remove some of the perversions and distortions in the parliamentary system and this Resolution will remove a perversion, a grave distortion. Sometimes I am very apprehensive as to what the younger generation thinks. Last year, on the 2nd of October, I went to a junior college to speak on the Gandhi Jayanti Day. After the speech and programme was over unusually it started raining and one of the boys offered a lift to me. That college is a college which is manned by students who come from very high class—sons and daughters of IAS, I IPS officers, Journalists, Brigadiers and so on. They are convert educated boys from very high strata of society. When I sat in the car I asked one of the boys: "Sometime would you like to see Parliament? The Question Hour is very interesting it is full of great fun and humour, I shall get passes for you." There was no response. Five or six boys were there. Then I asked, "are you not interested?" One of the boys said, "We are not interested." I said, "Why?" He said "Parliament is irrelevant". Then I said, "Do you not want to change the society? What other instrument do you have? How will you change the society?" One of the boys did like this. I said "What do you mean?" He said, "बैलट से नहीं होगा, बुलट से होगा।"

This may not be representative completely of the younger generation, but there is a section in the younger generation where the whole

system is being questioned, where the Parliamentary system is being questioned partly because of the distortions like this. They have percolated among them. Therefore, from that point of view I welcome this Resolution.

The Resolution has three or four aspects. A number of them have been dealt with. I shall confine myself to only two or three.

The first point has been made that definition of the officers has been extended and in the wide net cast everybody can be an officer. I think there are people who will be very pleased to be called officers. I do not know whether it was meant for them. I remember that in London, it is said if you want to please a police man, you do not call him police man, you call him 'officer' and immediately there is a good response. It may be that the net is widely cast and in such a situation you could please somebody. But from the point of view of law and from the point of view of parliamentary procedure this kind of extension of definition of officers of the House is very dangerous. I say that the expulsion was Constitutionally bad, politically vindictive, and morally wrong. It was Constitutionally bad because as Mr. Kaushal has already pointed out that this House differs from the House of Commons. The House of Commons decides what shall be its composition, what shall be the member's qualifications and who can be removed. So, its constitution is governed by the House of commons itself. No such power exists in this House and, therefore, this House does not possess the power of expulsion. Therefore, it is constitutionally bad.

It is politically vindictive. A reference has been made to that. I would like to recall the atmosphere in those days when the Shah Commission was sitting. Mr. Frank Anthony has personal experience of that.

I was not surprised because, when I started practising in the High Court in Bombay, about 25 years back, the first time I had to appear before Justice Shah, I asked a senior about what the court was like. The senior was a very mischievous person and, with a twinkle in his eyes, he said, in Justice Shah's court, there are two views the correct view and the Justice Shah view. Therefore, I was not surprised at the kind of approach he had.

There was an atmosphere of star chamber. I shall do well only by quoting what *Manchester Guardian* at that time wrote. It is necessary to remember that *Manchester Guardian* is a newspaper not at all friendly to Mrs. Indira Gandhi. It wrote :

"Before the Shah Commission, there is a captive audience. Like an orchestra, the reaction is manipulated. As soon as Mrs. Gandhi enters, the booing starts."

That was the atmosphere and the comment by *Manchester Guardian* was that all norms of judicial process were violated and, sarcastically, it added that only one norm was still maintained namely, "Smoking is not permitted, by the Shah Commission." This was the comment of *Manchester Guardian*. It was in that atmosphere that the Privileges Committee sat. What kind of a Committee ? It was completely biased.

I am reminded of a story from a princely State. There was a Maharaja and, in his State, there was a dispute between the State Bank and a minor son, a minor person. So what the Maharaja did was that he appointed his Diwan whose name was Mr. Ramlal as the judge; then, he appointed the power of attorney holder for the Bank he very same person, Mr. Ramlal, and for the minor son, he appointed the very same person, Mr. Ramlal as the guardian. The proceedings in

the court of justice Ramlal went like this: The State Bank of such and such a State represented by Mr. Ramlal submits that interest should be charged. Mr. Ramlal on behalf of the minor son opposes that application and Mr. Ramlal, as a judge, adjourns the case for one year.

The Privileges Committee was something like that. The judge, the prosecutor, everything mixed up. Both the prosecutor and the judge were on one side—no natural justice and no opportunity was given to the accused. This is perhaps inherent in the procedure.

I would like to point out what is the thinking at present in England. I am quoting from 'Parliamentary Reform' which is published by the Hansard Society. It quotes an article by *London Times* of 27th March, 1957, It says:

"The House of Commons is not, in law, a court and is not, in practice, adapted to the exercise of functions of a judicial nature. A recognition of this fact led in 1868 to the transfer from the House to the "courts of jurisdiction over disputed elections."

This course could be followed in matters of privilege also. The basis of this rules which relate to breach of privilege is clear enough.

It would be better for the dignity of Parliament if efforts to its authority were either clearly seen to be assessed in accordance with judicial standards or else ignored as unworthy of notice."

Then several writers Mr. Hood Phillips, Mr. B.E.H. Amps and various other constitutional experts wrote on that and one of them suggested:

"That procedure could be devised similar to that of courts by which the accused had the right of hearing by the committee and by which the House and the public should bear both sides of the case."

[Shri V.N. Gadgil]

Further, I quote :

"Many of those who have recently argued that procedure in dealing with alleged breaches of privilege should be amended have explicitly advanced the point that the present system—in which the House is at once (so it is said) prosecutor, judge and jury—has lowered the esteem in which Parliament is held."

Therefore, it was in that atmosphere that the resolution of expulsion was passed, an atmosphere of star chamber where the rules of natural justice were violated.

About magnanimity, what shall I say? They were small men. Magnanimity as Burke once said in politics is not seldom the truest wisdom. What happened was they got tremendous victory as they thought. But to digest victory you require a large heart and a noble mind. That they do not possess and the result was the reaction of small men.

Again shall I quote, Sir? Another English newspaper "London Observer" wrote about Mr. Morarji Desai's attitude and mental approach. Again no* a newspaper very friendly to Mrs. Gandhi. "Mr. Morarji Desai started his career as a Deputy Collector and he continues to be Deputy Collector". This was the comment. This was the approach of the person and therefore, it was no* surprising that the maximum punishment was sought to be given.

The last point I would like to make is that the resolution was an insult to the electorate. Ultimately it was an insult to the electorate of Chikmagalur an insult to the people of this country and it is a very happy thing that that very same electorate had brought Mrs. Gandhi and her Party back to power.

It is the people who are sovereign not the Privileges Committee not the

Cabinet nor this House. It is the people that are sovereign. Ultimately power rests with the people and those People have given a verdict.

I am reminded of an experience which Nye Bevan the famous Labour Party leader narrated in one Labour Party Conference which he attended. He narrated his experience. He came from very poor family. At the age of 13, he had to work in mines. The salary was very meagre and, therefore one day when he was going for a walk—he was hardly 13 years old—along with his uncle he asked "Uncle, why are our wages not increasing?" His uncle said "Because we have no power". Then, he said "where is power"? Then his uncle pointed to the Village Office, a Government Office. He said "Power lies there". He said,

I got myself elected there. When I were there, they said "Power does not lie here. Power lies with Country council." He went the Country Council. There they said "You are very slow. You don't understand. Power lies with the Borough Council." Then he went to the Borough Council. When he went there, he was told "There is no power here, power is in the Parliament. You better go to House of Commons." So, he got himself elected to House of Commons. When he went to House of Commons, they said "What is the use of becoming a Member of Opposition? Opposition has no power. Your Party must come into power. Then you will get power". Then his Party, the Labour Party came to power. Then said "What is the use of becoming a Member of the ruling Party? Unless you are a Minister you don't get power." So he became a Minister. After that they said "There is no use becoming an ordinary Minister. You must be a Member of the Inner Cabinet." Then he became a Member of the Inner Cabinet. He said "One day I went with a proposal to the Prime Minister with a certain thing to be done." Then Mr. Attlee said

Sorry. Nye, it cannot be done. He asked "Why it can't be done ? Then Mr. Attlee said "Because we have no power." He said "You have no power! I went to the village office. From there, I went to Country Council. From there I went to the Borough Council. From there I went to the house of Commons. My Party became the ruling Party. Then I became a Minister. Then I became a Member of the Inner Cabinet. Now, I am Member of the Inner Cabinet. And you say there is no power. Then where is power?"

Mr. Attlee removed his pipe and slowly said "Nye, power lies with the people. Go back to the people".

This is the essence of democracy. Mrs. Gandhi was defeated in 1977. She went back to the people in Chikmagalur. That electorate elected her. The Janata Party expelled her and removed her from membership of this House. That is why, I say it was morally wrong and as somebody pointed out the Janata Party did not lose its power because of lack of leadership, because of inefficiency or because of lack of programme, it collapsed because of the sin that was committed by the smallest of men against the tallest of leaders. That is my submission and may I conclude by saying that in spite of the verdict of the majority of the House in 1978, we all believe that she was innocent. There are higher powers that rule the destiny of men and perhaps it was the will of the Providence that the cause that she represents shall prosper more by her suffering than by her remaining free. It is because of that factor that we passed through that fire and she and her Party came back to power.

I would like to say, in conclusion, that I am very happy, personally, that I belong to this House on this great historic day; and, perhaps, when generations-yet-unborn will look back on this day, I am sure they

will say in the future Fiftieth or Hundredth Lok Sabha that, as far as the Seventh Lok Sabha was concerned, today was their finest hour !

THE MINISTER OF LAW, JUSTICE AND COMPANY AF, FAIRS (SHRI P. SHIV SHANKAR): Mr. Deputy Speaker, Sir, at the outset I heartily congratulate the Mover of this Resolution for having brought it on the anvil of the proceedings of the Lok Sabha. In my submission, this Resolution is the logical culmination or the climax of the process of resurrection—the expression used by my colleague Mr. Stephen, in the month of January, 1980. I am aware that, by passing this Resolution, we will not be able to correct the wrong that had been done to the person of shrimati Indira Gandhi, but, in my submission, we owe this duty to the posterity—the duty of correcting the wrong. And when the posterity would read the proceedings of this House, they would compliment us for standing out for the principles, the lofty principles, of justice, doing the right, which was absolutely necessary. In my submission, it is a Red Letter Day for this Parliament as, if we were not to correct the wrong, we would have been accused by the generations that will come that we had not discharged our duty honestly and conscientiously.

19.47 hrs.

[MR. SPEAKER *in the chair*]

It is in this spirit that we support this Resolution, we discharge the duty that we owe not only to the nation but to the posterity. A wrong precedent that was set, we are only endeavouring to correct, more from the point of view of washing the sins of the previous Parliament. It is in this background that my predecessors have spoken on this Resolution.

I would like to confine my self more to the findings that have been given by the Privileges Committee. It is not

[Shri P. Shiv Shankar]

as though we are passing this Resolution guided more by emotions. I would like to put it that none of the findings that has been given by the Privileges Committee stands to reason at all; legally, morally and also from the standpoint of justice. None of these findings that has been given by the Privileges Committee is sustainable. It is from that point of view that I would like to briefly make my submission.

About the four findings that have been given by the Privileges Committee, I would beckon the House to consider whether they could have been justified from any point of view. We are aware that the motion of privilege that was moved against Mrs. Gandhi, Mr. Dhawan and Mr. Sen was with reference to the fact that the officers of the Industry Ministry were trying to collect information for the purpose of preparing an answer to the question of Mr. Jyotirmoy Bosu when it was said that Shrimati Gandhi ordered the searches of the officers' house, and that she had fabricated charges preferred against them. Now the point is whether Shrimati Gandhi ordered the searches of the officers' houses and secondly, whether she had fabricated the charges preferred against these officers. It is these two questions which have to be squarely answered. I would like to submit that from any standpoint there is no evidence whatsoever to suggest that these two allegations which have been made against Mrs. Gandhi are anywhere near the proof, what to speak of the proof itself. It is in this background that the Privileges Committee took up the issue.

If you kindly look up for a moment the question that was put by Mr. Jyotirmoy Bosu the answer of which became the ground for the privilege was—this question was answered in the Parliament on 16th April, 1975 and it is as follows. The

question was addressed to the Minister of Industry

- “(a) The names, addresses and full particulars of the dealers in the country from whom M/s Maruti Ltd. have purchased machinery.
- (b) Full details of such purchases including value of each category of purchase.
- (c) The main line of business of the dealers from whom such purchases were made.
- (d) whether some of these dealers are also importers of machinery.
- (e) If so the facts thereof”

Mr. Pai who was the star witness before the Privileges Committee and before that, had also given evidence before the Shah Commission, had the opportunity to answer and the answer that was given to the Parliament was :

“(a) to (e). Government does not collect nor is any industrial unit required to furnish detailed information with regard to machines purchased locally. Government has as such no information.”

The submission is that if the Government is not to collect nor is any industrial unit required to furnish the details, where is the question of these four officers going into the process of collecting the information so that it could be said that it was a case of breach of privilege? What I am submitting is that on the answer that was given by Mr. Pai in the Lok Sabha, the question of any officer going into the process of collecting the information does not arise at all and I may say so—this case was cooked up merely to defame and affect the reputation of Shrimati Gandhi because, as some of my friends on that side said, they were little men highly frightened of her

personality and could not sustain themselves under the reputation of Shrimati Gandhi and they only thought that their reputation or stature would rise high if Mrs. Gandhi's reputation was affected'

Now, Sir, my submission is that, at the very outset, I tried to bring out that the question of collecting the information does not arise. May I further say that when questions were put to Mr. Pai before the Privileges Committee, significant answers were furnished. Question was put by my colleague Shri Shankaranand: He tried to elicit from him whether by this answer which he gave in the Parliament, did he mislead the Parliament? Why I am trying to harp on this is to show that if the theory of collecting the information which has been attributed to the officers were to be true, then the next question would come in about the interference of Mrs. Gandhi in the discharge of the duties of these persons.

Sir, I will read out only two questions. I would not like to waste the time of the House. Shri Shankaranand put this question :

"When you replied in the Parliament questions were put to you and to your colleague Mr. A. C. George that you both were misleading the House and both of you had emphatically denied.

When you denied this were you really misleading the House?"

The answer given by Mr. Pai before the Privileges Committee is 'No.' That means, even before the Privileges Committee he gave the answer, that was given in Parliament as far back as in 1975. Another question which was put by Mr. Shankaranand was :

"You are telling something which I have not asked. Please listen to my question again."

'I will read the question Mr. Bosu asked a question in Parliament. The question came and the replies were collected. There are five questions (a), (b), (c), (d), and (e). These were the parts of the question. I want to know for which particular question your officers or the officers concerned were collecting the information? This is my simple question. You can read the question again.'

I think that clearer than this, nobody could have put the question. The answer the gentleman gave was :

'I cannot say for which particular question. I do not want any cross-examination on this because I can only say that for the question asked by the Jyotirmoy Bosu on that day, the information was being collected. I cannot say for which specific question.'

You can very well imagine that he does not know for which question the information is being collected. In the main answer to the question he says :

"There is no necessity."

And he repeats before the Privileges Committee by saying that he did not mislead. Now, it is a matter for the House to decide whether Mr. Pai was to be put in the dock or Mrs. Gandhi who was motivatedly taken before the Privileges Committee.

Now, Sir, the other aspect of it which I would like to bring to your kind notice is that none of the witnesses has given the evidence in support of establishing the collection of information; no nexus between the collection of information and the alleged harassment. At the outset, I may say that there is no documentary evidence in the sense that there was no proof whatsoever that there was an inference in the collection of evidence at the instance of Mrs. Gandhi.

[Shri P. Shiv Shankar]

Let me bring to the notice of this House that the only evidence in this case is the evidence of Mr. Pai and may I bring to your kind notice very small portions so as to demonstrate as to whether this man could really be relied upon, whether he is trustworthy and whether what he was saying could at all be believed. Kindly look to his evidence. I am interested only in reading out a few portions. While giving the evidence before the Privileges Committee he referred to his statement before the Shah Commission. The crucial part where he connects Mrs. Gandhi is: "She called me to her residence No. 1, Safdarjang Road. She was completely upset and furious. She accused my officers of being corrupt."

While they were talking of political corruption. This is all where he connects.

Now, Sir, he does not say that their houses were searched at her instance or the CBI had taken proceedings against these officers because of Mrs. Gandhi. This is exactly what he said before the Shah Commission. If one analyses it he only says that she was completely upset and furious. She accused the officers that they were corrupt Sir, after this I would only briefly refer to certain portions :

"Shri Hitendra Desai: You are satisfied that but for the collection of certain information the trouble for the officers would not have arisen.

Shri Pai: Yes. They were all directly involved in collecting this information.

"Shri Shankaranand: It is your conjecture. Shri Pai: May be."

Now Sir, I do not know whether any court of law and much less a court where a criminal charge is

made the Privileges Committee could rely on this as it has been opined by the Attorney General and I would better read what he says which opinion has been extracted at page 312 of Vol. I :

"I have already indicated that Article 20 applies to the Privilege Committee and the Privileges Committee is a judicial tribunal."

Now, the approach that the Attorney General has taken is that this is a criminal charge and Sir it is an ordinary principle of law and it is also an ordinary matter of knowledge that a criminal charge has to be necessarily proved to the hilt. I am going to make certain observations about the so-called giant of the Criminal Bar, Mr. Jethmalani who was throwing up his hands..

SOME HON. MEMBERS : The so-called giant.

SHRI P. SHIV SHANKAR : He was throwing up his hands in despair this afternoon. I wish he could be present so that he could at least appreciate certain of the facets of the criminal law if he had an open mind left.

Now, Sir, for the present I am referring to the evidence of Mr. Pai who himself says that his conjecture could be that because these officers were collecting the information, therefore the trouble visited them.

I have already demonstrated that there was no necessity of collecting the information that part of it I have already said. If for any reason, the arguments which I have advanced (which are very strong arguments on the first point) cannot be given credit, well, I am relying on the second part, i.e. his evidence, which evidence would show that it is impossible to connect Mrs. Gandhi with the alleged collection of the information by these four officers. At page 149 of the Evidence we find this I would briefly refer to the

answers given to some of these questions.

20 hours

Prof. P.G. Mavalankar put a question: I quote :—

"But this is with regard to the question on Maruti. I would like to ask you this question: You said that, in your experience, this was the first time the Prime Minister was upset and angry and all the rest of it.

Did you ever try to ask yourself this question, as to why she took such an unusual course?"

Sir, the answer given by Mr. T.A. Pai was :

"Well as Mr. Shankaranand says, it might be my conjecture."

Sir, that is how he proceeds with it. Then the next question that was put by Prof. Mavalankar was :

"You said that you got the point confirmed from Batliboi that there was no harassment of any kind or humiliation because no foreigners were present. About corruption charges also, on your own, you got certain information and were satisfied. Could you then tell us, in support of your conjecture or inference, about this whole matter, by way of circumstantial evidence, anything else, that you may be in possession of?"

That was the question and Mr. T.A. Pai answers :—

"Even now, I have not been able to see through this upset."

Now the question is whether he should be believed that Mrs. Gandhi was ever upset. He went on prevaricating from time to time. He cannot stand to his word; he is a person who does not stand to his evidence. It is a matter of common knowledge, even a lawyer who practices for only 2

or 3 years in criminal cases of the Bar would know that one could never have belief in such type of evidence.

Then Sir, let me proceed further.

I come to page 155.

Mr. Nathwani put a question :

"There was this question of showing strong disapproval about the enquiry being pursued by the officers. Did she convey that impression?"

Mr. T.A. Pai answers :

"No I said, she was unreasonably angry. Why she was angry. I do not know, I never saw her being angry so much. There is no question of my arguing with her or trying to pacify her. Mr. Shankaranand said that it was quite possible she might have been feeling that these officers have been harassing people and that they were corrupt. But she went on so strongly, I don't know why."

Even the impression which he has, he is not able to substantiate.

Further on, there are one or two more things which I wish to deal with; and I do not want to take up much time of the House. The Chairman put a question.

"So, this is the only isolated case. Or can you say that this is a particular case?"

The answer of Mr. Pai is :

"I might say in fairness to her that at no time when I met her she had ever discussed with me the affairs of Maruti."

He says,—at no point of time. Then he says further :—

"About the rest of it, about Maruti, she had never talked to me at any time."

[Shri P. Shiv Shankar]

Now, Sir, this is the story. These four officers are said to be collecting information about Maruti. But he says, she never talked to him at any point of time. This is the position.

There is one more thing which I would like to read. There are many references; and I think it it would not be fair for me to go on reading all of them. The last thing which I would like to read is :

Mr. Shankaranand put a question about officers who were collecting the information "whether you had not directed them to collect the informations ?" This is what was asked. He puts the question back again "whether personally you asked them to carry out all these investigations?" The answer he gave is 'No'. "But they were doing it as a duty to be furnished to the Minister." The point is that he does not direct them to collect the information. The answer that he gave in Parliament was that he was not expected to and his officers also were not expected to at all. Then how these officers were collecting the information when the allegations against them were that they were corrupt persons and if the C.B.I. started some enquiries about them, could you club all these 4 officers at a later stage as persons who were collecting the information so that you could direct the entire attack against Mrs. Gandhi on the basis of a clearly cooked up material ? This is the submission which I wanted to make. This is the prevaricating evidence that we find of Mr. Pai on the crucial points. Let me bring to your kind notice how the Committee itself had weighed the evidence, and how Mr. Jethmalani has considered the evidence. He says at page 138 of Volume I which I will only read out in order to demonstrate how his approach was scrupulously unfair. He puts it like this. "I must make it clear that though we are not bound by the Indian Evidence Act, nor are we a Criminal Court....." Here he is

wrong, because I have read what the Attorney General had said and this is clear case of a Criminal charge where a person is being punished. In fact, even under the Representation of the People's Act when a charge of corrupt practices is made, it has now been a well-settled principle that it should be proved to the hilt as a criminal case. "Nor are we a Criminal Court? We have decided to apply the standard of proof as applicable to criminal trials. We must insist upon proof beyond doubt and we are willing to accord the benefits of any reasonable doubt to the respondent." On the basis of this principle I would like to ask the Member who wrote this report whether he was honest enough in giving a finding that there was nexus between the action of the four officers and Mrs. Gandhi, on the basis of the evidence that I read out a little while ago. And on the basis of the answer that was given by Mr. Pai in the Parliament if I were to say would I have made myself bold to submit that if anybody had committed the breach of Privilege, it was Mr. Pai who seemed to have fabricated the entire case.

Sir, very peculiarly, the majority of the Members in the Privileges Committee also say that they have also adopted the same standards as had to be followed in a criminal case. They say "that the Committee while considering this case have kept in mind the need to follow scrupulously the principles of natural justice and the general principles underlying the Indian Evidence Act." Well Sir, to say the least, I must submit that this is the travesty of truth. No reasonable person would have evercome to any conclusion about this in the manner arrived at.

The whole question is, then what is the standard, that has been adopted by the Privileges Committee, in giving a finding of guilty to Mrs. Gandhi. I have

brought before the House as to what exactly was the allegation in the Motion of Privilege, as to what exactly was the allegation of the only witness who is said to have been called by Mrs. Gandhi and on his portions of evidence, in my submission, no forum, no court, not even the civil court, would have said that the weight of evidence is in favour of the breach of privilege. At best, I would even give all laxities to those who were presiding over the destiny of that Privileges Committee. Still, one could even remotely not come to the conclusion that it was a case of suspicion and even assuming that it was a case of suspicion, suspicion is no substitute for proof. It is not a substitute for evidence and it is in this background that I would like this House to judge, whether those who were judging were not really the accusers. It was said by my friend, Shri Sen, that they were the judges in their own cause, they were the accusers here, and being the accusers, were still presiding over the destiny of this case. This, in my submission, is to say the least, bringing the entire judicial system, bringing the entire principles of judicial approach that this country has developed to ridicule. They were trying to flow the system down the drain and it is they who should be most ashamed of their conducts.

On the question of manner of judging the evidence, I would rather bring to your notice what those who dissented had said. Those who dissented said and I quote :

"In order to come to the conclusion that these officers were harassed because of the fact that they collected information, one has to resort to extraordinary logic, twist facts and evidence, and considerably indulge in imagination and conjectures without any basis on evidence whatsoever and forget all canons of evidence."

Perhaps this was the correct approach of those who dissented from the majority who said that in order to come to that conclusion, nothing but imagination and that too only wild imagination will have to be indulged in.

Apart from that one more factor which is most interesting and which gives clear perception is the evidence of the only solitary witness in this case, Shri Pai. In fact, at one stage when a question was asked, he said :

"I did not want to oblige her by resigning, I wanted to fight it out, I wanted to be dismissed."

This only shows that the man was bearing a grudge. It is a known fact which he himself admits. There was a raid on the house of his brother-in-law. This must have necessarily infuriated him this man became despaired and dejected and wanted somehow or the other to involve Mrs. Gandhi, and when the Janta party rule came in 1977, it became a convenient device for him to manufacture the facts for purposes of creating a case of privileges of Parliament.

Sir, the first finding that has been given is that any person, if engaged in collecting information asked for by Parliament, should be deemed to be in the service of the Parliament and entrusted with the Executive Orders of the performance of the functions of the House. It is this, which has been very well put forth before this House by my colleague, Mr. Stephen. I would not like to repeat except saying that Mr. Stephen has relied on the opinion of the Attorney-General, who said that such officers could not be deemed to be the officers in the service of the Parliament.

Now, Sir, I would like to ask one question. I have gone through the entire Report of the Privileges Committee and also the separate

[Shri P. Shiv Shankar] opinions, but concurrent, given by Mr. Jethmalani, to my mind throughout, his Report gives an impression of Sir Galahad, in Tennyson. If one reads these two the findings of the Privileges Committee, their entire Report, and also the separate note of Mr. Jethmalani, one has to necessarily come to the conclusion that the opinion of Mr. Attorney-General was at no point of time ever adverted to as to why they were taking a different view and as to why they were discarding the opinion of the Attorney-General ? I would have expected that as honest men, they would have dealt with the issue. After all, it were they, who wanted the opinion of Mr. Attorney-General ; it were they who examined him, if they did not want to agree with him, they should have given some reasons. One finds in vain not a single reason having been given in support of the conclusions that these officers should be deemed to be in service of the Parliament.

Sir, what rather surprises me and partly upsets me is that I find them, day in and day out, now crying, hoarse that we are not respecting the judicial institutions, though absolutely irrelevant. When they talk, I would like them to pose a question to themselves, after all, the gentleman was the then Attorney-General, he was appointed when they came into power ; he gave an opinion ; he gave evidence. Why did they not respect the opinion of that institutional authority ? Where had their respects gone at that moment ? Suddenly, in the year 1980, after we came into power has their respect emerged from oblivion so that they could go on harping every moment that they are the protectors of the system, that this country has. Sir, this only shows that people even out of season would shed a little bit of crocodile tears.

Sir, I would not like to go into

the details of this aspect. As I said this finding becomes meaningless in the face of the opinion of the Attorney-General and particularly so, when no reason or ground has been assigned by the Privileges Committee to take a different view from the view expressed by the Attorney-General.

Then, Sir, the next finding that has been given is : "A person charged with breach of privileges is bound, if so required by the Committee, to take oath or affirmation and to depose before the Committee and answer any questions regarding the facts of the case." And this finding also goes along with that i.e., "A person charged with breach of privilege is bound to answer questions, even without taking on oath or affirmation, even though that person would not be required to answer these and so on." These two go together. They have been dealt with by my friend, Mr. Sen at some length.

It is a well known principle which has been enshrined in the Constitution itself that no accused would be compelled to take an oath—*vide* Clause (3) of Article of 20 of the Constitution. (*Interruptions*)

Surprisingly, the Committee has relied on rule 272 of the Lok Sabha. If you kindly look up rule 272, I may submit that it only says :

"The Committee may administer oath or affirmation to a witness examined before it."

I am only sorry that those people, including Mr. Jethmalani, could not understand the difference between the witness and the accused. One has to pity their ignorance. They relied on this rule 272 ; and they came to the conclusion that because Mrs. Gandhi did not take the oath, she has further committed

the breach of privilege before the Privileges Committee itself. This is the basis for the purposes of the conclusions (2) and (3)—the basis on which she has been punished.

It may not be possible for me to advert to all other points. But the last finding is in relation to the written statement, where she said :

"I have a reasonable apprehension that you, who are heavily loaded by a particular political party, would not be able to do justice to me."

When she said "I have a reasonable apprehension", surprisingly that itself was found to be a breach of privilege.

It is a well known principle and I would not mind reiterating that power and restraint must go together. The more powerful a person is, the more restrained he should be. This Committee, which was powerful enough to punish persons, and even to put them behind the bars, should have acted with more restraint. They should not have been so egoistic or vanity-minded that if a particular person merely says : ' I have a reasonable apprehension', they should come to the conclusion that that by itself amounted to a breach of privilege. It is, in my submission, nothing short of short-sightedness.

These are the four points on which the findings have been given; and I was only trying to say that these four findings cannot stand on the basis of the material on record.

The last submission which I would make—and I am aware that many of my colleagues feel that they should have their dinner—is the one which has been referred to by my friend, Mr. Gadgil. At the time when Mrs. Gandhi went before the electorate of Chikmagalur, the privilege proceedings were pending

before the Privileges Committee. Quite a large number of people who spoke on behalf of the Janata Party at various places referred to, and made allegations, including the allegation which was *sub-judice*, viz. the case of the four officers. People were made aware as to what was going on before the Privileges Committee, and also the Shah Commission of course. Notwithstanding all that, the sovereign chose to elect her to the Parliament. It is an accepted principle of law even today that if a particular person is expelled and if that person again goes before the people and the people elect that person back, then the expulsion by itself gets annulled. If this is the position in law, then before the people this issue was squarely put. People were aware that there were breach of privilege proceeding spending against her. The fact was known to them. Notwithstanding that, they brushed aside all these allegations and then they returned her to the House. To check her out, to expel her would amount to denigrating the power of the sovereign. When the sovereign chose to act in a particular manner it would be unfortunate that the people with majority should try to act otherwise against the will and wish of the sovereign. How bad is it ? In fact, it is this distortion that has developed in the parliamentary procedure of this country that Mr. B.R. Bhagat and his colleague who have moved the resolution have chosen to set right. The difficulty will be that if every majority party want to check out a particular person, it is very easy. Then the democratic forces will not work. It is all undemocratic the process that has been set in by the Committee of Privileges and the resolution of the Parliament which was moved by Shri Morarji Desai in December 1978. It is this distortion that has to be rectified. It is to rectify this anomaly that this resolution has been moved, and in adopting this resolution, as I said, we will only

[Shri P. Shiv Shanker]

be trying to correct the wrong. We will only be giving an impression to the nation at large that we are discharging our duty, which duty, if we were not to take up, we would have been accused of committing a sin. We have taken up a cause which cause, I am sure, would be appreciated by posterity and it will go down in the pages of history.

SHRI B. R. BHAGAT (Sitamarhi): Mr. Speaker, Sir, we have come to the end of a debate which is going to be one of the greatest debates in the history of Parliament. I am grateful to the hon. members on all sides who have participated in this debate and have made my task easy. Actually, I have nothing much to reply. They have made their valuable contribution and clarified the basic issues in this motion. Members, eminent lawyers like Shri A. K. Sen, senior most member, Mr. Frank Anthony and the Law Minister have made their contribution and have thrown light on the inequity and injustices that were committed by the Committee of Privileges. Other senior members like Shri K. Brahmananda Reddy, Shri Sukhadia, on this side Mr. Banatwalla, Mr. Dandapani and Mr. Mayathayar have all made their contribution. I am only sorry for some of our colleagues on this side who could not participate. I have not forgotten Mr. Stephen who has also, as usual, made his brilliant contribution.

When the motion was about to be taken up, Prof. Dandavate, the leader of the Janata Party told me across the seat that he was going to raise a big hell over my motion. I replied to him: "I am not afraid". Actually, I would have welcomed it. The only hell he raised and his some other friends on this side did was, they first tried to filibuster tried

to stall the proceedings, they even brought a No Confidence Motion as a very late afterthought, so that this Motion is not brought. But when time came they just withdrew. It is surprising that these people when they were in power used the instrument of Parliamentary majority for perpetrating tyranny. And they tried to silence the authentic, the leading voice of national dissent in Shrimati Indira Gandhi. They tried to undo the verdict of the people of Chikmagalur who, despite their opposition, returned Shrimati Gandhi. These unhealthy, unsound and dangerous Parliamentary developments that they tried to bring up. Therefore, this debate today, this debate, I recall, by reading through the proceedings and the references made by hon. Members here, was different, the Privileges Committee while recommending its finding to the House said that the House will take a decision in its collective wisdom. What was the debate in the House? Did it represent the collective wisdom? I have made a record that the discussions took a Party-line, different Parties took different positions. But none, except the Janata Party supported the punishment, either expulsion or imprisonment. The Party-wise position was this: Congress (I), naturally—"no action". My Party, Congress, at that time it was called Congress (S), except my colleague Mr. Unnikrishnan who took a line consistent with the past, all leaders—Mr. Chavan was the leader then—and the other leading members, they were for no action, CPI was for reprimand: no jail or expulsion. ADMK—no action. CPM despite the hawkishness of Mr. Jyotirmoy Bosu, the Party Politburo met and they said no expulsion: only suspension till the end of the session. It is only when come to the Janata Party, that they were for extreme punishment—expulsion and imprisonment. This was the position and what is the decision? The decision was a majority decision. Can you describe that decision as collec-

tive wisdom? which the Committee recommended? Collective wisdom! Was it collective wisdom? On the one side among all other parties, the consensus was for no action or for reprimand, certainly not for expulsion and imprisonment, yet the Janata Party moved the Motion and therefore there was a majority decision. That is the spirit, that was the spirit and letter of the motion. It was a violation of the basic principles in which a matter like the report of the Privileges Committee is to be decided.

Just as a contrast the debate here has been a great debate and the contributions have been valuable and objective, impartial. There has been no partisan or party spirit. The idea has been to establish the basic principles and to strengthen the conventions. That is the consensus that has emerged, the collective wisdom that has emerged, the collective wisdom wants to correct the distortions that have taken place. The wrong that was done, the wrong was done to Shrimati Indira Gandhi but the actual wrong was done to the system and to the roots of the democracy, and this would weaken the system. Parliamentary conventions were weakened and out of her sufferings, has emerged the flower for strengthening of this very process of democracy. And in a parliamentary democracy, in a parliamentary system the ultimate sovereignty lies with the people. The sovereignty of the House, the majesty of the House, the power of the House is nothing but the power of people, given to it at the time of the general elections. What was the verdict of the people? It has already been explained. I need not repeat it. But it is worth while repeating it. Because of the sins committed by the Janata Government, not only the Party collapsed itself before the term but when it went to the poll it licked the dust of the future very badly. Mrs. Gandhi who faced the situ-

ation boldly, through her suffering strengthened the system of democracy and parliamentary system. That was the reply of the people.

I think today's debate will be known in the annals of the parliamentary history all over the world. The Members who have participated have become a part of the parliamentary history. It will lay down a precedent not only to be quoted here but to be quoted in all the parliaments of the world.

With these words, I commend this Motion.

MR. SPEAKER : Now, I am putting the amendment to the Motion in the name of Shri B.R. Bhagat to vote.

The question is :

"That in the motion,—

in para 3,—

(i) after—

"(c) if the above findings are allowed to remain on record they would serve as standing instruments in the hands of any party in power for narrow, partisan political ends of calumny, harassment and public denigration by persecuting its opponents as actually happened in the case of Smt. Indira Gandhi."

insert—

"(d) the above gross distortions were engineered in the unconscionable misuse of the majority in Parliament in the pursuit of."

(ii) for "(d)" substitute "(e)"

The motion was adopted.

MR. SPEAKER : Now, I put the main Motion to vote.

The question is ;

[Mr. Speaker]

"WHEREAS the Committee of Privileges of the Sixth Lok Sabha in its Third Report has expressed the view that :

(a) any person, if engaged in collecting information asked for by Parliament, should be deemed to be in the service of Parliament and entrusted with the execution of the orders or the performance of the functions of the House even though he is technically not an employee or officer of Parliament

(b) a person charged with breach of privilege is bound if so required by the Committee to take oath/affirmation and to depose before the Committee and answer any questions regarding the facts of the case;

(c) a person charged with breach of privilege is bound to answer questions even without taking an oath/affirmation, even though that person would not be required to answer any self-incriminatory questions ;

(d) an averment in a written statement submitted to the Committee by a person charged with breach of privilege, expressing reasonable apprehension of the influence on the members of the Committee belonging to the ruling party of its openly declared antagonism towards the person involved would constitute a breach of privilege and contempt of the Committee;

WHEREAS the Sixth Lok Sabha by a Resolution adopted on 19th December, 1978 agreed with the above recommendations and findings of the Committee and on the basis thereof held Shrimati Indira Gandhi, Shri R.K. Dhawan and Shri D. Sen guilty of breach of privilege of the House and inflicted on them the maximum penalty possible in violation of the Principle of Natural Justice.

CONSIDERING that

(a) the above findings are in total contravention of Parliamentary rules, precedents and conventions ;

(b) they unduly extended the immunity enjoyed only by the officers of Parliament in the discharge of their duties to an indeterminate number of persons totally unconnected with Parliament and constrict and deny to persons charged with breach of privilege and contempt of the House inalienable rights and safeguards guaranteed by the Constitution ;

(c) if the above findings are allowed to remain on record they would serve as standing instruments in the hands of any party in power for narrow, partisan political ends of calumny, harassment and public denigration by persecuting its opponents as actually happened in the case of Smt. Indira Gandhi ;

(d) the above gross distortions were engineered in the unconscionable misuse of the majority in Parliament in the pursuit of :

(i) a pre-determined design to vilify Smt. Indira Gandhi, deprive the electorate of Chikmagalur of its due representation in Parliament, stifle the authentic voice of national dissent from the floor of the House, thus the democratic process ;

(ii) to denigrate and to imprison Smt. Indira Gandhi;

(iii) to hand out in the guise of privilege proceedings, a finding from the Parliament against Smt. Indira Gandhi so that the same may hang as a compulsive pull over the criminal courts in the then impending trial against Smt. Gandhi and others on charges based on the same allegations ; and

(e) the said proceedings of the Committee and the decision of the House were wrong and erroneous

and with a view to correct this distortion and establish correct conventions and precedents for future Parliamentary procedures.

NOW THEREFORE this House resolves and declares that :

(a) the said proceedings of the Committee and the House shall not constitute a precedent in the law of parliamentary privileges ;

(b) the findings of the Committee and the decision of the House are inconsistent with and violative of the well-accepted principles of the law of parliamentary privilege and the basic safeguards assured to all and enshrined in the Constitution; and

(c) Smt. Indira Gandhi, Shri R.K. Dhawan and Shri D. Sen were innocent of the charges levelled against them.

AND ACCORDINGLY this House :

rescinds the resolution adopted by the Sixth Lok Sabha on the 19th December, 1978."

The Motion was adopted.

MR. SPEAKER : It is unanimously passed. Now, the House is adjourned to meet tomorrow, at 11.00 A.M.

20.45 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, May 8, 1981/Vaisakha 18, 1903 (Saka)