

**LOK SABHA  
DEBATES**

(Sixth Series)

**Vol. XVIII**

(August 22 to 31, 1978/Sruvana 21 to Bhadra 9, 1980 (Saka))



**Pifth Session, 1978/1980 (Saka)**

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**LOK SABHA SECRETARIAT  
NEW DELHI**

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*Thursday, August 31, 1978/Bhadra 9, 1900 (Saka)*

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# LOK SABHA DEBATES

3

## LOK SABHA

Thursday, August 31, 1978/Bhadra  
9, 1900 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. DEPUTY SPEAKER in the Chair]

### RE. ADVANCE PUBLICITY GIVEN IN THE PRESS TO NOTICES GIVEN BY MEMBERS

MR. DEPUTY-SPEAKER: It has been brought to my notice that advance publicity is being given in the press to various notices given by Members for raising matters in the House.

I may inform the Members that giving of advance publicity to notices for raising matters in the House is in contravention of the provisions of Rules 934A of the Rules of Procedure and Conduct of Business in Lok Sabha, which reads as follows:—

"A notice shall not be given publicity by any Member or other person until it has been admitted by the Speaker and circulated to Members:

Provided that a notice of a question shall not be given any publicity until the day on which the question is answered in the House."

I seek co-operation of Members and the press in the observance of the provisions of this Rule.

11.02 hrs.

### PAPERS LAID ON THE TABLE

### OIL INDUSTRY DEVELOPMENT BOARD EMPLOYEES' (GENERAL CONDITIONS OF SERVICE) RULES, 1978

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): I beg to lay on the Table a copy of the Oil Industry Development Board Employees' (General Conditions of Service) Rules, 1978 (Hindi and English

versions) published in Notification No. G.S.R. 428(E) in Gazette of India dated the 16th August, 1978, under sub-section (3) of section 31 of the Oil Industry (Development) Act, 1974.

[Placed in library. See No. LT-2737/78]

### ANNUAL REPORTS OF KERALA FOREST DEVELOPMENT CORPORATION, KOTTAYAM AND BIHAR STATE FOREST DEVELOPMENT CORPORATION, PATNA FOR THE YEAR ENDED 30TH JUNE, 1977 AND 1976-77, TWO STATEMENTS AND NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT, 1955

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI SURJIT SINGH BARNALA): I beg to lay on the Table:

(1) A copy each of the following papers under section 619A of the Companies Act, 1956:—

(i) Annual Report of the Kerala Forest Development Corporation Limited, Kottayam, for the year ended 30th June, 1977 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(ii) Annual Report of the Bihar State Forest Development Corporation Limited, Patna, for the year 1976-77 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(2) Two statements (Hindi and English versions) showing (a) reasons for delay in laying the reports mentioned at (1) above and (b) reasons for not laying simultaneously the Hindi versions of the reports.

[Placed in library. See No. LT-2738/78]

(3) A copy of the following Notifications (Hindi and English versions) under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

(i) G.S.R. 413(E) published in Gazette of India dated the 16th August, 1978, rescinding the Levy Sugar Supply (Control) Order, 1972 published in Notification No. G.S.R. 310(E) dated the 13th June, 1972.

(ii) G.S.R. 414(E) published in Gazette of India dated the 16th August, 1978, rescinding certain orders mentioned in the Notification issued under the Essential Commodities Act, 1955.

(iii) G.S.R. 415(E) published in Gazette of India dated the 16th August, 1978, rescinding certain orders mentioned in the Notification issued under the Essential Commodities Act, 1955.

(iv) G.S.R. 416(E) published in Gazette of India dated the 16th August, 1978 rescinding Notification No. G.S.R. 1752 dated the 20th November, 1967.

[Placed in library. See No. LT-2739/78]

**THIRD AND FINAL REPORT OF SHAH COMMISSION OF INQUIRY, MEMORANDUM OF ACTION TAKEN ON THE REPORT, STATEMENT RE. HINDI VERSION OF REPORT AND SIXTY-SIXTH REPORT OF LAW COMMISSION**

**THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA):** Sir, on behalf of Shri Shanti Bhushan, I beg to lay on the Table:

(i) A copy each of the following papers under sub-section (4) of section 3 of the Commissions of Inquiry Act, 1952:—

(ii) Third and Final Report dated the 6th August, 1978 of Shah Commission of Inquiry set up to inquire into the misuse of authority, excesses and mal-practices committed during the Emergency.

(iii) Memorandum of the Action taken by the Government on the above Report.

(iv) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi versions of the Report and the Memorandum of Action taken.

[Placed in library. See No. LT-2740/78]

(v) A copy of the Sixty-sixth Report (Hindi version) of the Law Commission on Married Women's Property Act, 1874. [Placed in library. See No. LT-2741/78].

**STATEMENT RE. CORRECTION OF ANSWER**

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQURULLAH):** On behalf of Shri H. M. Patel, I beg to lay on the Table a statement (i) correction the reply given on the 12th May, 1978 to Unstarred Question No. 10180 by Shri Ahsan Jafri regarding employees in State Bank of India, Gujarat and (ii) giving reasons for delay in correcting the reply. [Placed in library. See No. LT-2742/78].

**REPORT OF COMMITTEE ON CONSUMER PRICE INDEX NUMBERS**

**THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA):** I beg to lay on the Table a copy of the Report (Hindi and English versions) of the Committee on Consumer Price Index Numbers. [Placed in library. See No. LT-2743/78].

**STATEMENT CORRECTING THE INFORMATION RE. AMENDMENT OF EMPLOYMENT OF CHILDREN ACT**

**THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION, SOCIAL WELFARE AND CULTURE (SHRIMATI RENUKA DEVI BARAKATAKI):** I beg to lay on the Table a statement (Hindi and English versions) correcting the information given about amendment of Employment of Children Act, in the statement laid on the Table on the 28th August, 1978 in reply to Unstarred Question No. 4653 regarding recommendations of Working Group on employment of Children. [Placed in library. See No. LT-2744/78].

**REVIEW AND ANNUAL REPORT OF JUTE CORPORATION OF INDIA FOR 1976-77 AND STATEMENT RE. DELAY IN LAYING REPORT**

**THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ASHA MAITI):** I beg to lay on the Table:

(i) A copy each of the following papers under sub-section (1) of section 619A of the Companies Act, 1956:—

(ii) Review by the Government on the working of the Jute Corporation of India Limited, Calcutta, for the year 1976-77.

(iii) Annual Report of the Jute Corporation of India Limited, Calcutta, for the year 1976-77 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(a) A statement showing reasons for delay in laying the above Report.

[Placed in Library. See No. LT-2745/78]

STATEMENT RE ACTION TAKEN BY GOVERNMENT ON ASSURANCES ETC.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PAR-

(1) Statement No. X

(2) Statement No. VIII  
(3) Statement No. XI  
(4) Statement No. VII  
(5) Statement No. VI  
(6) Statement No. VII  
(7) Statement No. I

[Placed in Library. See No. LT-2746/78]

ACCOUNTS OF POST-GRADUATE INSTITUTE OF MEDICAL EDUCATION AND RESEARCH CHANDIGARH FOR 1976-77 AND FOOD ADULTERATION (FOURTH AMENDMENT) RULES 1978

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): I beg to lay on the Table:

(1) A copy of the Certified Accounts (Hindi and English versions) of the Post-graduate Institute of Medical Education and Research, Chandigarh, for the year 1976-77 together with the Audit Report thereon, under sub-section (4) of section 18 of the Post-graduate Institute of Medical Education and Research, Chandigarh Act 1966. [Placed in Library. See No. LT-2747/78.]

(2) A copy of the Prevention of Food Adulteration (Fourth Amendment) Rules, 1978 (Hindi and English versions) published in Notification No. G.S.R. 393(E) in Gazette of India dated the 4th August, 1978, under sub-section (2) of section 23 of the Prevention of Food Adulteration Act, 1954. [Placed in Library. See No. LT-2748/78.]

SHRI K. LAKKAPPA (Tumkur) : Mr. Deputy Speaker, Sir, I am seeking your permission to say something regarding item (2) i.e., laying on the Table of the House a copy of the Prevention of Food Adulteration (Fourth Amendment) Rules 1978. There are certain laws which are in existence and under the existing laws, certain action can

LIAMENTARY AFFAIRS (SHRI LARANG SAI) : I beg to lay on the Table the following statement (Hindi and English versions) showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Lok Sabha:—

Fifteenth Session, 1976	Fifth Lok Sabha
First Session, 1977	
Second Session, 1977	Sixth Lok Sabha
Third Session, 1977	
Fourth Session, 1978	Fifth Session, 1978
Fourth Session, 1978	
Fifth Session, 1978	

be taken. I have brought it to the notice of the Health Minister time and again on the floor of this House, about the manufacture of soft drinks only Thums Up by certain manufacturer's of Farley Group; they are looting crores of rupees by cheating the Government, but at the same time there are cases of food adulteration against them, which have been proved. This is very relevant here. Therefore, I want an assurance from the hon. Minister that he will take action against them on that basis. Otherwise, there is no use of laying all these things on the Table of the House.

MR. DEPUTY SPEAKER : Mr. Zulfiqerullah.

NOTIFICATION UNDER CENTRAL EXCISE RULES, 1944 AND REPORT OF COMPTROLLER AND AUDITOR GENERAL OF INDIA FOR 1978

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH) : I beg to lay on the Table:

(1) A copy of Notification No. G.S.R. 430(E) (Hindi and English versions) published in Gazette of India dated the 26th August, 1978 together with an explanatory memorandum regarding exemption to corrugated board from excise duty, issued under the Central Excise Rules, 1944. [Placed in Library. See No. LT-2749/78.]

(2) A copy of the Report (Hindi and English versions) of the Comptroller and Auditor General of India for the year 1978—Union Government (Commercial)—Part I—Introduction, under article 151(1) of the Constitution. [Placed in Library. See No. LT-2750/78.]

11.03 hrs.

## ESTIMATES COMMITTEE

## STATEMENTS

SHRI SATYENDRA NARAYAN SINHA (Aurangabad) : I beg to lay on the Table the following statements:—

- (1) Statement showing final reply of Government to a recommendation contained in Chapter V and action taken reply in respect of a recommendation included in Chapter III of Seventy-first Report of Estimates Committee (Fifth Lok Sabha) regarding Action Taken by the Government on the recommendations contained in their Sixty-first Report (Fifth Lok Sabha) on Civil Supplies Organisations.
- (2) Statement showing final replies of Government to the recommendations contained in Chapter V and Actions taken replies in respect of recommendations made in other Chapters of Eighty-sixth Report of the Estimates Committee (Fifth Lok Sabha) regarding Action Taken by Government on the recommendations contained in their Sixty-fourth Report (Fifth Lok Sabha) on Television.
- (3) Statement showing Action Taken replies of Government in respect of recommendations made in Chapters I to IV of the Ninety-first Report of the Estimates Committee (Fifth Lok Sabha) regarding Action Taken by Government in respect of the recommendations contained in their Seventy-Fourth Report (Fifth Lok Sabha) on Directorate of Estates.
- (4) Statement showing Action Taken replies of Government in respect of the recommendations made in Chapters I to IV of Ninety-Second Report of Estimates Committee (Fifth Lok Sabha) regarding Action Taken by Government on the recommendations contained in Seventy-seventh Report on Railway Electrification Projects.
- (5) Statement showing final reply of Government to a recommendation contained in Chapter V of the Ninety-third Report of the Estimates Committee (Fifth Lok Sabha) regarding Action Taken by Government in respect of the recommendations contained in their Seventy-sixth Report (Fifth Lok Sabha) on Production Foodgrains.
- (6) Statement showing final reply of Government to a recommendation contained in Chapter V and action taken replies in respect of recommendations made in other Chapters of the Ninety-fifth Report of the Estimates Committee (Fifth Lok Sabha) regarding Action taken by Government on the recommendations contained in their Sixty-ninth Report (Fifth Lok Sabha) on Development of Backward Areas.
- (7) Statement showing final replies of Government to the recommendations contained in Chapter V and action taken replies in respect of the recommendations made in other Chapters of Ninety-Sixth Report of the Estimates Committee (Fifth Lok Sabha) regarding Action taken by Government on the recommendations contained in their Seventy-Eighth Report (Fifth Lok Sabha) on Planning, Development, Production, Distribution etc. of Iron and Steel and Ferro-Alloys.
- (8) Statement showing final reply of Government to a recommendation contained in Chapter V and action taken replies in respect of the recommendations made in Chapter II of First Report of the Estimates Committee (Sixth Lok Sabha) regarding Action taken by Government on the recommendations contained in their Eighty-eighth Report (Fifth Lok Sabha) on Deputation of Indian Experts and Officers abroad.
- (9) Statement showing final reply of Government to a recommendation contained in Chapter V and action taken replies in respect of the recommendations made in other Chapters of the Fourth Report of the Estimates Committee (Sixth Lok Sabha) regarding Action taken by Government on the recommendations contained in their Hundredth Report (Fifth Lok Sabha) on Tourism.
- (10) Statement showing final replies of Government to the recommendations contained in Chapter V and action taken replies in respect of the recommendations made in other Chapters of the Seventeenth Report of the Estimates Committee (Sixth Lok Sabha) regarding Action taken by Government on the recommendations contained in their Ninety-Seventh Report (Fifth Lok Sabha) on Slum Clearance and Housing Schemes.

MR. DEPUTY-SPEAKER: Calling  
Attention. Mr. Bijoy Modak.

**SHRI KANWAR LAL GUPTA** (Delhi Sadar): Before you proceed, I want to make a submission. It is an important one. A Reporter of All-India Radio, who was covering the proceedings of this House, died yesterday because he was not properly attended to. He was a heart patient and...

MR. DEPUTY SPEAKER: Mr. Gupta, I have called Mr. Bijoy Modak.

**SHRI KANWAR LAL GUPTA:** He was not attended at all. No oxygen was given. . . .

**MR. DEPUTY SPEAKER:** Mr. Bijoy Modak has the floor now. If you still persist, it will not go on record.

### **(Interruptions)••**

112-003

**CALLING ATTENTION TO MATTER  
OF URGENT PUBLIC IMPORTANCE**

**DAMAGE IN MALDA AND MURSHIDABAD  
DISTRICTS (WEST BENGAL)  
DUE TO FLOODS**

**SHRI BIJOY MODAK** (Hooghly): I call the attention of the Minister of Agriculture and Irrigation to the following matter of urgent public importance and request him to make a statement thereon:

"Reported loss and damage caused by the devastating flood of Ganga in the districts of Maldia and Murshidabad (West Bengal), the threat to Farakka Barrage Project due to erosion of vast tract of land by the river Ganga and the protective, remedial and relief measures taken by Government."

**THE MINISTER OF AGRICULTURE AND IRRIGATION : (SHRI SURJIT SINGH BARNALA):** The river Ganga had been in floods in its lower reaches during the third week of July and started rising again from the 27th July reaching the peak level of 44' 45 metres at Farakka on the 20th of August which is 0.1 metre lower than the maximum level recorded in the year 1948. Thereafter from the 22nd August the water level started receding but it continues to be above the danger level. There have been spells of heavy rain-fall during August in Murshidabad and Malda districts on several occasions.

According to the reports received from the West Bengal Government all the major rivers in the two districts, viz., Ganga, Bhagirathi, Bhairab, Bansi and Pugia started rising from 14th August inundating char areas and low lying villages in Jangipur, Shamsher Gunj, Berhampore, Lalgola, Raghunathgunge, Jalangi, Bhagawangola (II), and Pammagar block. Flood water also entered Dhuilia town.

In Murshidabad district, parts of unprotected areas of Manikchak, Rauta I, and Kaliachak (III) blocks were also affected by floods. A total area of 750 sq. kms. with a population of over 4.5 lakh persons was affected. The old alignment of National Highway was under 65 meter deep water. The National Highway approach to Aurangabad town was cut off. 3,500 houses have either been damaged or destroyed. The crops in an area of 50,000 ha. have been affected. Death of one child has been reported. No loss of cattle is reported.

In Malda district, an area of 350 sq. kms. was affected in 5 blocks, viz., Maliachak (II and III), Manikchak, Ratau (I) and parts of Harishchandrapur (II), with a population of 1.5 lakhs. 2956 houses were either damaged or destroyed. Crops of over an area of 6400 hectares were affected. 6 human lives and 10 heads of cattle are reported to be lost.

Although the Ganga is known to erode its banks here and there almost throughout its course in alluvial plains, there has been no threat to any component of the Farakka Barrage Project due to erosion during the current monsoon.

In Malda district 22,000 persons have been rescued and given shelter in 21 camps. Necessary public health and sanitary measures were taken up by the State Government. Arrangements have also been made to supply fodder and take preventive measures against cattle epidemic. 400 metric tonnes of wheat has been allotted for distribution. Rs. 2 lakh have been sanctioned for the purchase of edible and another Rs. 2 lakhs for relief contingencies ; grams and milk powder have also been distributed as part of the relief operations.

In Murshidabad district Rs. 3 lakhs have been sanctioned for purchase of edibles and Rs. 5.5 lakhs for miscellaneous items. Garments like dhoties, sarces, etc., have also been distributed. In addition to milk powder, house building grants of Rs. 50,000 have also been

28 No recorded.

[Shri Surjib Singh Barnala]

sanctioned by the State Government. 18,000 metric tonnes of wheat has also been despatched to the district.

A Central Team is visiting the State from 1st to 3rd September, 1978, for on the spot assessment of the requirements of Advance Plan Assistance for meeting the situation arising out of floods. Suitable action will be taken on receipt of report of the Central Team.

5,000 tonnes of wheat has already been released by the Centre as an interim allocation in anticipation of the recommendations of the Central Team.

**SHRI BIJOY MODAK :** Mr. Speaker, Sir, the Farakka Barrage project is of national importance and of high engineering skill costing over Rs. 200 crores. The purpose of the scheme was to augment the flow of water from the Ganges to the Bhagirathi by taking the water from the upstream Ganges through the feeder canal, thereby increasing the navigability of the river Bhagirathi and saving the port of Calcutta.

At the initial stage, it roused great expectations. It was thought that it will be a great boon to the people of West Bengal. But subsequently it proved to be otherwise and all the expectations were belied. The required quantum of water could not flow from the Ganges into the Bhagirathi river, defeating the purpose for which the Barrage was built. Moreover, this scheme has become a scourge to the people of the twin districts of Murshidabad and Malda in West Bengal.

This year also, the due to erosion of the embankments of the Ganges, both in the upstream and in the downstream of the Barrage, these two districts have been affected and the vast tracts of land have been eroded and submerged under water.

It will be seen from the statement that the flood has affected many places, namely, Manikchak, Rauta, Kaliachak, Jangipur, Lalgola, Raghunathgunge, Jalangi, Bhagawangola and other places stretching upto Berhampore. In the statement, he has admitted that a large number of people have been affected by the flood.

This has been a recurring phenomenon from the year 1971. This phenomenon began just after the construction of the Farakka Barrage. It is doubted that due to the faulty design of the Barrage, the erosion in the Ganges, both upstream and downstream, is caused. Many eminent engineers of West Bengal, such as, Mr. Deobrat Mukerjee who was associated with the scheme, have opined that it is due to the faulty design of the Barrage that the

caused flooding of the district of Murshidabad. I would ask here whether this defect in the design of Farakka Barrage will be rectified and the Central Government will take up any model hydel research test of the Farakka Barrage design in the River Research Institute to see whether there is a defect and, if there is, to quickly remedy it. Due to this erosion both in the upstream and downstream of Farakka Barrage, a serious and dangerous situation has been caused. As you know, on the side of Murshidabad, downstream of Farakka, the distance between Padma i.e. Ganga and Bhagirathi was six miles before 6 years but now the distance has been eroded and it has come down to only a slender strip of land of 800 yards only. There is danger of the Padma coming closer to Bhagirathi and joining it. In that situation, as the feeder canal which stretches up to 40 miles before joining Bhagirathi and the whole stretch of this land is not protected, there is danger of the feeder canal, the Bhagirathi and the Ganges i.e. Padma joining up and a new channel of Ganges water up-stream of the Barrage passing south of the Barrage, to Padma via Bhagirathi.

On the other hand, this erosion business has also caused some havoc in the district of Malda. There is a canal on the northern side of upstream Ganges and, due to erosion, the upstream Ganges is showing signs of channelising its course, through this to the downstream Ganges also, and from both sides, i.e. the north and the south of the Barrage, there is danger of the upstream Ganges joining the Padma, thereby making the Farakka Barrage a mere show-piece. It will be of no use then, and there will be a huge loss to the exchequer.

Therefore, I am coming to the point that this must be immediately looked into and the Government of India must take up its own responsibility for checking the erosion.

The Central Government, I think have taken some remedial measures and have constructed a canal just in Jangipore and also constructed a flux Bund near the canal in Murshidabad District where the Padma is rushing to the Bhagirathi. But there are six gaps in the Bund and, through the gaps, the Canal water of the Padma is rushing to Bhagirathi. So, the Central Government must take steps immediately for sealing and mending these.

My question is whether the Government has taken action regarding the hydel test of the Farakka Barrage scheme and what steps they are taking to remedy the erosion, and what relief measures are being taken by the Central Government, not depending on the West Bengal Govern-

**SHRI SURJIT SINGH BARNALA:** So far as the Farakka Barrage is concerned, there is no faulty design and no faulty construction in that, and the Government has no proposal for any hydel construction there, as has been suggested by my Hon. friend. It is also incorrect to say that it was soon after the construction of the Farakka Barrage that erosion downstream had started. In fact, it has been going on for a very long time and, for that very reason, it was necessitated that the railway-line on the west bank of the Ganga was to be shifted.

Regarding the point raised by the Hon. Member that the Ganga is shifting towards the canal itself, this matter was referred to a Technical Advisory Committee of the project, who went into the matter. They have recommended the construction of four spurs in this reach, which will be taken up shortly.

So, there is no danger to the canal as such. We are taking all precautionary measures to see that there is no danger to the canal.

**SHRI BIJOY MODAK:** What about erosion ?

**SHRI SURJIT SINGH BARNALA:** Regarding erosion, I have mentioned already that the West Bengal Government had made a proposal. That proposal was made in 1973 and the estimated cost was Rs. 63 crores. The scheme was not based on technical field investigation and was not backed by requisite model experiments, which was very essential. This was then referred to GWPRS by the State Government, but the necessary field data required by them was not provided. The Minister of Irrigation of West Bengal visited the GWPRS station in July this year and he was also apprised of the position that the required data has not been furnished. He agreed that the required data should be furnished and that necessary steps should be taken.

**SHRI DINEN BHATTACHARYA (Serampore):** My first point is that, apart from this erosion, this House has discussed floods in other places also. So, my question to the Minister would be, whether the Government has any national plan to get rid of the erosion of rivers, causing floods in many places. My first point is whether you have any plan or not and whether you are going to consider making a national plan. You are spending crores and crores of money on flood relief, but what is the benefit of it? Every two or three years there is a flood. So, why don't you have a national plan? I know the previous Government sanctioned Rs. 6a crores to save these areas from erosion and for protection against floods. But if you are to spend the same value now, it

will amount to Rs. 140 to Rs. 150 crores. So, I would like to know whether the West Bengal Government has again repeated the same request to the Central Government to sanction this amount. This also may kindly be replied to by the Minister.

Now, about the danger that has been created this time, if the Ganga, Bhagirathi and Pagla, in course of time get mixed up, then we cannot imagine the dangerous situation which will be created as a result of that. So, has the Government collected any information from the Engineers and other staff? The Team which was sent from the Centre went there and they have already come back with their recommendations. The West Bengal Government has asked for Rs. 10 crores to give relief to the flood affected people. So, this is the situation which is prevailing: it is a very dangerous one. Not only is the Farakka Barrage in danger, but the Nadia district has been affected: Nadia and Shantipur also are under flood water. The purpose for which the Farakka Barrage was built will be defeated if the Government does not necessarily take up the issue and try to save the situation in an effective manner.

My first question is: Siddhartha Shankar Ray's Government asked for Rs. 6a crores. Now the West Bengal Government, after calculating everything, have come to a decision that you have to pay them Rs. 140 crores to at least see that the flood is controlled for the time being, and the Rs. 10 crores that has been recently asked after the visit of your team. You are not in the know of the fact that your team which went there has come back and has already recommended Rs. 10 crores. I want to know whether you are going to sanction that money for which the Chief Minister himself came here and he also talked to the Prime Minister and placed the same demand like the Irrigation Minister, Mr. Roy who is also here now. I had a talk with him this morning. He also requested me to take up this issue with Mr. Barnala, so that effective steps may be taken.

So, 3 or 4 districts are affected and the Central Government has its responsibility.

I will end with the point whether the Government is thinking about having a national flood control plan so that they are not to spend every year. You know China has completely controlled floods in Tsang Po and not only floods are controlled but lakhs and crores of people have got employment and so many acres of land came under cultivation. Why is it not possible for us what is possible for China? So I request you that you are now having

[**Shri Dinen Bhattacharya**]

very good relations with the Chinese Government. Why should not our Minister and see what has taken place there and how they have controlled floods? That will encourage him and will help him to get rid of this flood havoc every year in ever State of our country.

**SHRI SOMNATH CHATTERJEE** (Jadavpur): We want satisfactory answers.

**SHRI SURJIT SINGH BARNALA:** Plans are being prepared for flood control. As the hon. Member has suggested, there should be plans for protection for the entire areas. For example, the Ganga Flood Control Commission has prepared an outline plan for flood control in the Ganga Basin amounting to Rs. 1043 crores. Now it is being supplemented by several sub-basin riverwise plans. So these plans are under study. During 1977-78 the Ganga Flood Control Commission has examined five major flood control and drainage projects for sanction by the Planning Commission which have all been approved. Out of these, one is the urgent development works in the Sunderbans, then the Gandak, Kunur River Embankment, Ghia-Kunti Drainage and the Sone embankment schemes. All these referred to the Planning Commission have been approved.

So, we are trying to have a comprehensive plan so that it can be executed and more areas can be protected from floods. We have also set up a working group on flood control and drainage. They will also take into account anteroision steps. For that also in the coming plan we propose to spend about Rs. 680 crores for all these measures. Earlier the total amount was not even spent in Five Year Plans so that the total expenditure is Rs. 633 crores. But in one plan period we are going to spend about Rs. 680 crores and within this year Rs. 156 crores are going to be spent on flood protection measures.

**SHRI DINEN BHATTACHARYA:** May I know one thing? I have suggested that if he cannot go to China, at least he should go to Mymensingh and other flood affected areas. Why are you not visiting those places? Why are you depending on the bureaucrats? Why are you not taking the relief measures for which the West Bengal Government is pressing again and again? With folded hands I request the Minister to reply to that. Why is he hesitating to go there?

**SHRI SURJIT SINGH BARNALA:** After the Parliament session, I propose to visit some of the flood-affected areas and find out myself what can be done. Even in China it is not that in the entire China there are no floods. There are floods also in some areas.

**श. रामचंद्र रिह** (लालपुर): उपर्युक्त महोदय, इस व्यापाकीय प्रस्ताव में दो बातें कही गई हैं, एक तो मुक्तिहावाद और मालदा में बाढ़ की विविध और दूसरी बात जो सबसे बड़ा राष्ट्रीय विनाश का विषय है, वह है फरक्का बांध पर बहतरा। मानवीय भवी जी ने कहता है कि फरक्का बांध पर बहतरा नहीं है। उन के सब्ब से संतोष तो होता है लेकिन जो रिपोर्ट है, मैं बांटूंगा कि मानवीय भवी जी उस पर बहना चिनाएँ हैं। जहाँ तक फरक्का बांध पर बहतरे की बात है उसके सम्बन्ध में यह रिपोर्ट है—

"Floods in West Bengal have reached a serious situation as swollen Padma is inching towards river Bhagirathi—Mymensingh district, threatening Farakka barrage constructed to regulate water-flow for maintaining of Calcutta Port."

On the other sides of the border, Padma has overtopped the Farakka system's afflux from bunds at 9 points and gorged through its bank towards the Bhagirathi. Erosion has already reduced the land gap between the two rivers at Sidaiganj town four miles to more 8000 feet. The flood waters have also overtopped Jangipur barrage.

इस के बाद यह बात मेरी समझ में नहीं पाती है कि फरक्का बांध पर बहतरा क्यों नहीं है। हिमुत्तान स्टेंड की भी यह रिपोर्ट है—

"According to reports, there are gaps in some embankments erected by Farakka Barrage Authority through which waters are rushing out and flooding surrounding areas. The matter needs a thorough probe."

इसलिए एक बात तो मैं यह युक्ति बांटूंगा कि ये जो रिपोर्ट ब्राकालिंग द्वारा है अदर नहीं है। तो यह इन को बहत कहे और अगर इन में बोहो सत्य है तो एक राष्ट्रीय सम्पर्क को बनाने के लिए किसी बांध की अवस्था करें।

दूसरा प्रश्न है मुख्यावाद और मालदा के सम्बन्ध में। ऐस्ट बंगाल के रिलीफ निलिस्टर राजिकारंजन देनर्डी ने जो बातें कही हैं उस में 10 करोड़ 35 लाख रुपये की जाति उत्तरी बंगाल है। मुख्यावाद के 450 लाख 300 करोड़ लाख में जलमग्न हो जुके हैं। 9 लाख लोग मुख्यावाद और मालदा में प्रवालित हैं। ऐसी स्थिति है। फरक्का बैरेज जब बना था तो उसके तीन उद्देश्यों में एक उद्देश्य यह था—

(1) easing the flood problems at critical junctures the Bhagirathi-Hooghly representing the most important branch system in West Bengal.

लेकिन मुझको तो सगता है कि फरक्का बैरेज बनाने के बाद बाढ़ के बतरे बंगाल में कम नहीं हुए हैं बल्कि बंगाल और बिहार दोनों को बाढ़ के बतरे बढ़ गए हैं। इसलिए मैं यह आप से कहना चाहूँगा कि बहुत: यह प्रकृति की विनाशलिया नहीं है बल्कि मानव का प्रकृति के साथ नासमझी-पूर्ण खिलाफ़ है। हर बार जो आप यह स्टाप ऐसा हो रहे हैं और छोटे-छोड़े बांध बनाते रहते हैं, किसी मास्टर प्लान की चर्चा नहीं करते हैं उसी के कारण ऐसा हो रहा है। इस बार भी 750 करोड़ रुपये की जाति हिन्दुस्तान में कलह से हुई है और हम एक मास्टर प्लान बायब दूसरी बातावरी में बनाएंगे।

इसलिए मैं पहला प्रश्न यह करना चाहूँगा कि वह यह बाढ़ प्रकृति की स्वेच्छा-प्रतिक्रिया ही नहीं, बल्कि मानव का प्रकृति के साथ वेसमझीभावा बिलबाड़ नहीं है? यह कहा गया है—

We are interfering with the topography.

और यही कारण है कि आज यह बाढ़ यही है। बिहार का आपल्पुर और

मुंगेर का इलाका जलमग्न पड़ा हुआ है। यह सोम कहते हैं कि फरक्का बैरेज में जो घबरोड़ है उसी के कारण देश के जो डंडे हिस्से हैं उन में बाढ़ आती है, इस के सम्बन्ध में यद्यपि जी का क्षमा विभार है?

दूसरी बात—फरक्का का जो मुख्य उद्देश्य वा वह बूढ़ा साचित हुआ है। बाढ़ नियंत्रण का जो उस का उद्देश्य वा क्षमा उस में वह विफल नहीं हुआ है और विफल हुआ है तो मानवीय मरी जी उस के लिए क्या करना चाहते हैं?

तीसरी बात यह है कि बाढ़ नियंत्रण की समझा को हल करने के लिए विहार के मुख्य मंडी और उत्तर प्रदेश के मुख्य मंडी ने जो जोर दिया है कि प्रधान मंडी जी नेपाल में जाकर के जबतक बाढ़ नियंत्रण के लिए कोई समझौता नहीं करते हैं तब तक इन प्रबों में बाढ़ की स्थिति पर काढ़ नहीं पाया जा सकता है, तो प्रधान मंडी जी इस के लिए क्या नेपाल जाएंगे और जाएंगे तो क्या जाएंगे?

वी सुरक्षीत तिह बरानासा : यहां तक फरक्का बांध का ताल्लुक है, फरक्का बांध का जो मुख्य उद्देश्य वा वह यह वा कि कलकत्ता पोर्ट को पानी मुहूर्या किया जा सके, कलकत्ता पोर्ट बौक न हो जाय सिस्टम होने की बजाए से। मुख्य उद्देश्य उसका यह नहीं वा कि बाढ़ रोकी जाय। बाढ़ रोकने में आपद सहायता कुछ ही सके, लेकिन मुख्य उद्देश्य यह नहीं वा। इसलिए मैं कहूँगा कि फरक्का का जो आकाश वा यह पूरा हुआ है, कलकत्ता पोर्ट में पानी की स्थिति बेहतर हुई है। जो ऐसे पीरियड है जब पानी कम हो जाता है उस पीरियड में पोर्ट को पानी दिया जा सकेगा। इस साथ बड़ी यन्त्री स्थिति रही है।

[क्षी सुरजीत सिंह बरलाला]

माननीय सदस्य ने जो यह बताया इसके बारे में कि फिरोट है बहुत नुकसान ही गया है फरक्का बराज का तो उस के बारे में जो इंकार में है वह मैं बता देना चाहूँगा :

"The recent flood has not done any damage to Farakka or Jangipur Barrage to the Feeder Canal, or to the upstream lock at Farakka. However, an attempt had been made by about 1000 villages at about 3:30 A.M. on 20-8-1978 to cut the earthen bund protecting the lock channel and the feeder canal from spillof floods of river Ganga. Timely intervention by the Project authorities had saved the situation as otherwise a very high discharge would have passed through the lock channel and would have damaged not only the lock works but also the Feeder Canal. The situation is, however, now under control. BSF are now guarding the area."

इनप्रिय लक्षण होने को बायक थी अबर बन्द न किया जाता लेकिन जो उहोंने बीच किया था उसे दौके पर बन्द कर दिया गया और उस एक्या का नुकसान नहीं हो सका है।

इसरे प्राप्तने नेपाल जाने की बात कही है ता मूँ १० घोर बिहार के मुख्य मंत्री ब्राह्म विनिस्टर के बिले थे, मुख्य तो बीच बीत की बीच इसके बारे में और पहले जब जो ब्राह्म विनिस्टर नेपाल वह तो इस बारे में बात करके आये थे और उनकी बात बहुत हृष्टक रूप हुई है। अबी दो दोबार बीच बीत की बहा जाने वाले हैं वे जो इस बारे में बात करेंगे और इसको परस्त करेंगे बर्वीक बहुत सा पार्वी नेपाल की तरक से आता है। नेपाल में बाब बरवे के बाद बाह में बहुत कुछ बहावट आ जाती है। इसको बड़े हाई लेविल पर और बड़ी तीव्रता से फरने की कोशिश की जा रही है।

11-37 hrs.

#### PUBLIC ACCOUNTS COMMITTEE

##### EIGHTY-NINTH AND NINETY-FIRST REPORTS

SHRI P. V. NARASIMHA RAO (Hamkonda): Sir, I beg to present the following Reports of the Public Accounts Committee:—

(1) Eighty-ninth Report on action taken by Government on the recommendations contained in the Sixth Report on 'Other Direct Taxes' relating to the Ministry of Finance (Department of Revenue).

(2) Ninety-first Report on paragraph 9 of the Report of the Comptroller and Auditor General of India for the year 1974-75, Union Government (Railways) relating to 'Collaboration Agreement for Manufacture of Diesel Engine for Shunters'.

क्षी. हरीराम बरलाल बोहारा (बीकानेर) : उपाध्यक्ष महोदय, माननीय मंत्री जी अबी बाह के सम्बन्ध में बात कर रहे थे। हमारे बीकानेर ज़ेल में अबर बन्दी से जो नाला बड़ोपाल राजस्थान कनाल के पास से निकाला गया है उसने 20 बाल तबाह कर दिए हैं। हमारे यह तीस-चारों फिट पांच घरा हुआ है। सरकार द्वारा उस ज़ेल में मछली पकड़ने का टैका दिया जा रहा है वहाँ के गरीबों को सरकार की तरक से न तो कोई मुश्किल दिया गया है और न कोई ज़बीन दी गई है।

हमारे ज़ेल में योने के पार्वी की कमी है। मैं आहता हूँ कि इस नाले के पार्वी का उपयोग बीकानेर ज़ेल में योने के पार्वी के लिए किया जाये। ऐसा यह जी सुझाव है कि इस बहाव के पार्वी की नहर निकाली जाये ताकि वहाँ की कसल बढ़ सके और लोगों का नुकसान न हो।

ब्राह्म बहुत : यह तार कीरद आप मंत्री जी को दें ५

श्री हरीराम बालासर बालारा : यह कानून पढ़ मैं भागी जी को दे रहा हूँ ।

श्री बलीराम बालारी (मधुरा) : उपाध्यक्ष महोदय, मैं आपकी अवस्था चाहता हूँ। लेकिन अवस्था से पहले मैं एक सम्बन्ध कहना चाहता हूँ। आपने बाली को न सही, लेकिन डा० लोहिंदा को अच्छी तरह से समझा है। लोक सभा, लोक राज्य, लोक-सभा और लोक-वाची से चलती है। आप को दिल्ली में मूल बातिर कई हृदार किसान पालियार्मेंट के सामने रीब गिरफ्तारियाँ दे रहे हैं और इस लोक सभा में बाहर भारत के किसानों की चिंताएँ । . . .

उपाध्यक्ष महोदय : बालारी जी, यह अवस्था का प्रश्न नहीं है।

श्री बलीराम बालारी : आप सुन सींगिए —अगर इन साड़ों किसानों की गिरफ्तारी की आवाज लोक सभा में नहीं उठेगी—तो यह बड़े शर्म की बात है। पांच-पांच हृदार किसान, औरतें और बच्चे इस तरीके से । . . .

उपाध्यक्ष महोदय : बालारी जी, यैसे तो यह अवस्था का प्रश्न नहीं है । . . .

श्री बलीराम बालारी : क्यों नहीं है ?

उपाध्यक्ष महोदय : लेकिन आप ने तो आवाज उठा ही दी । . . .

श्री सोनम चक्रारत्न बालारी (बहराइ) : यह किसानों का प्रश्न नहीं है, दूरिकर्तों के दिलाक आन्दोलन है।

श्री बलीराम बालारी : यह गलत मारोप है... (बहराइ) ... वे भारी साहब की हैसियत से कम हैं, त्यागी साहब की हैसियत उन से बहुत बड़ी है... (बहराइ) . . .

MR. DEPUTY SPEAKER: Mr. Bagri please take your seat. Now, Mr. Ranjit Singh to present a petition.

(interruptions)

MR. DEPUTY SPEAKER: Only Mr. Ranjit Singh the floor. Nobody else will go on record.

(interruptions) xx

MR. DEPUTY SPEAKER: Mr. Ranjit Singh, do you want to present the petition or not, If you do not want to present the petition you may not but you must respond to the Chair.

11.40 hrs.

#### PETITION RE. REHABILITATION OF BHAKRA DAM OUSTEES

SHRI RANJIT SINGH (Hamirpur): Sir, I beg to present a petition signed by Shri Baldev S. Kutlehria and others regarding rehabilitation of the Bhakra Dam oustees.

MR. DEPUTY SPEAKER: Item No. 15 will be taken up at 5 P.M. Now we go to the next item.

श्री उग्रसेन (देवरिया) : उपाध्यक्ष महोदय, मेरा अवस्था का प्रश्न है

MR. DEPUTY-SPEAKER: Mr. Ugra Sen, please take your seat. Now Mr. Somanath Chatterjee to make a statement under Direction 115.

11.45 hrs.

**STATEMENT UNDER DIRECTION 115**

**SHRI SOM NATH CHATTERJEE** (Jadavpur) : In answer to Starred question No. 211 answered on July 31, 1978, it was stated by Shri Dhanna Singh Gulshan, Minister of State in the Ministry of Education, Social Welfare and Culture, Government of India that no proposal has been sent by the Government of West Bengal to the Prime Minister to organise 1982 Asian Games at Calcutta.

The above answer is incorrect and was made with the deliberate intention of misleading the Hon'ble House and Hon'ble Members. As early as on February 3, 1978, the Chief Minister of West Bengal wrote to Dr. P. C. Chunder, Union Education Minister forwarding the proposal for Calcutta to be chosen as the venue for the Asian Games of 1982.

On February 21, 1978, Shri Dinesh Joardar, M. P. wrote to Dr. P. C. Chunder Union Education Minister about the said proposal made by the Chief Minister of West Bengal. In his letter dated 9 March, 1978 Dr. P. C. Chunder, in reply to Shri Dinesh Joardar, M. P.'s letter dated February 21, 1978 stated that the Government has not yet decided whether India will be holding the Asian Games in 1982 and that when the matter will be discussed at the appropriate level, the proposal of the Government of West Bengal will be considered.

On May 15, 1978, Shri Dinesh Joardar, M. P. who then happened to be a member of All India Council of Sports and was and is a member of West Bengal State Council of Sports wrote to the Hon'ble Prime Minister requesting him to advise the Education Ministry to hold the Asian Games in 1982 in India and specifically referred therein to the proposal made by the Chief Minister of West Bengal in his letter addressed to Dr. P. C. Chunder, Union Education Minister. Along with the said letter of May 15, 1978, Shri Dinesh Joardar, M. P. forwarded to the Hon'ble Prime Minister a copy of the letter of Dr. P. C. Chunder, addressed to Shri Dinesh Joardar, M.P. in which there has been a specific reference to the proposal of the Government of West Bengal to hold the Asian Games at Calcutta. By his letter dated May 24, 1978, the Hon'ble Prime Minister was good enough to acknowledge the letter of May 15, 1978 wherein the Hon'ble Prime Minister stated that the question was under consideration of the Government and it was hoped that a decision would be taken shortly.

Shri Jatin Chakravarty, P.W.D. Minister, Government of West Bengal also wrote to Dr. P. C. Chunder, Union Education Minister for holding the Asian Games at Calcutta and the Chief Minister, West Bengal also wrote again to Dr. P. C. Chunder on June 15, 1978 for holding the games at Calcutta. Shri Dinesh Joardar, M.P. again wrote to the Hon'ble Prime Minister on July 1, 1978 in reply to the Hon'ble Prime Minister's letter dated May 24, 1978 again requesting for a decision for holding the Asian Games at Calcutta. Copy of the said letter dated July 1, 1978 along with a forwarding letter was sent to the Union Education Minister, Dr. P. C. Chunder.

From the above overwhelming documentary materials, it is abundantly clear that a proposal of the Government of West Bengal by the Chief Minister of West Bengal to hold the 1982 Asian Games at Calcutta had been sent to and brought to the notice of the Hon'ble Prime Minister. Further, there is abundant documentary evidence to show that the matter had been taken up repeatedly with the Hon'ble Minister for Education, and in his letter dated March 9, 1978 he had specifically referred to the proposal of the Government of West Bengal and gave an assurance that the proposal would be considered. In his letter dated May 15, 1978 Shri Dinesh Joardar, M. P. forwarded a copy of his letter dated March 9, 1978 written by Dr. P. C. Chunder, Hon'ble Minister of Education, wherein there has been a specific reference to the proposal made by the West Bengal Government to hold the Asian Games 1982 at Calcutta.

In the circumstances, there can be no denial of the fact that the proposal of the Government of West Bengal had been sent to the Hon'ble Prime Minister a long time back and it was and is pending consideration of the Government of India.

In spite of such overwhelming evidence, the reply in the negative given by Shri Dhanna Singh Gulshan, in answer to the said Starred Question put by Shri Samar Mukherjee, M. P. was wrong and nothing but an attempt to mislead the Hon'ble House.

**लिखा, समाज कल्याण तथा संस्कृति विभाग व मानव संस्कृति विभाग में राज्य सभी ( जी. समा. रिप्प. गृह संस्कृति):** जी. समाज सुविधाएँ तथा संस्कृति के तारीफित प्रश्न सं. 211 में जितका कल्याण सेक्टर लोक सभा में 31-7-78 की दिवा जया था। यह पूछा जया था कि क्या परिवर्ती बोली

सरकार ने कलकत्ता में वर्ष 1982 में एकियाई खेलों का आयोजन करने का प्रस्ताव प्रधान मंत्री को 8 महीने पूर्व ही भेज दिया है जिसमें कहा गया था कि इनका आयोजन 20 करोड़ रुपये की अनुमतित संगत पर किया जा सकता है। विवरित की जिका विभाग के अधिसेक्टर से आप करने ने बायोपाय से प्रतिवर्ती करने के बाद ऐसे द्वारा जीक सभा सचिवालय को सूचित किया गया था कि ऐसा कोई प्रस्ताव प्राप्त नहीं हुआ। जिनेश 115 के अन्तर्गत, माननीय सदस्य श्री सोमनाथ बट्टी द्वारा दिए गए वक्तव्य में, इस विवर पर निम्नलिखित पत्र व्यवहार हुआ बताया गया है :

#### प्रधान मंत्री के साथ पत्र-व्यवहार :

(i) श्री दिनेश जोरदार, वंसद सदस्य तथा सदस्य, परिवर्म बंगाल राज्य खेल परिषद का 15 मई, 1978 का पत्र;

(ii) श्री दिनेश जोरदार के 15 मई, 1978 के पत्र के उत्तर में प्रधान मंत्री का 24 मई, 1978 का पत्र;

(iii) श्री दिनेश जोरदार, संसद सदस्य का प्रधान मंत्री को 1 जुलाई, 1978 का पत्र;

#### जिका मंत्री के साथ पत्र-व्यवहार :

(i) परिवर्म बंगाल के नूडल मंत्री का 3 फरवरी, 1978 का पत्र जिसका उत्तर केन्द्रीय जिका मंत्री द्वारा 18 फरवरी, 1978 को भेज दिया गया था;

(ii) श्री दिनेश जोरदार का दिनांक 21 फरवरी, 1978 का पत्र,

जिसका उत्तर केन्द्रीय जिका मंत्री द्वारा 9 मार्च, 1978 को भेज दिया गया था;

(iii) परिवर्म बंगाल के लोक निर्बाचित विभाग मंत्री श्री जटिन चक्रवर्ती का दिनांक 13 जून, 1978 का पत्र जिसका उत्तर केन्द्रीय जिका मंत्री द्वारा 28 जून, 1978 को भेज दिया गया था;

(iv) परिवर्म बंगाल के मुख्य मंत्री का जिका मंत्री को भेजा गया 15 जून, 1978 का पत्र;

(v) श्री दिनेश जोरदार का 1 जुलाई, 1978 का पत्र जिसके साथ उसी तारीख के प्रधान मंत्री को भेजे गए उनके पत्र की प्रति ज्ञाती गई थी।

यह देखा जाएगा कि संसद के तीन माननीय सदस्यों के अनुसार भी जिन्होंने कि बोटिस दिया है, परिवर्म बंगाल वरदार से प्रधान मंत्री को 1982 के एकियाई खेलों के कलकत्ता में आयोजन के लिए आठ महीने पहले ऐसा कोई प्रस्ताव नहीं भेजा गया था जिस में कहा गया है कि इनका आयोजन 20 करोड़ रुपये की अनुमतित संगत पर किया जा सकता है। प्रधान मंत्री के साथ यह पत्र व्यवहार मई, 1978 में अर्थात् प्रस्ताव का उत्तर देने से तीन महीने पहले ही हुआ था। इस पत्र-व्यवहार में अब वह इस विषय पर केन्द्रीय जिका मंत्री के साथ हुए पत्र-व्यवहार में जो कि फरवरी से जुलाई, 1978 के बीच हुए परिवर्म बंगाल सरकार ने 1982 के एकियाई खेलों को कलकत्ता में आयोजित करने के लिए

[स्थि भवा सिंह युवराजन]

कोई अनुमान नहीं देजे बे । साल्ट लेक पर एक कुठाल व एक्सेटिस्स स्टेडियम के निर्माण की परियोजना की लागत का अनुमान ही 20 करोड़ रुपये लगाया गया था ।

जो कुठ ऊपर बताया गया है, उससे यह स्पष्ट है कि लोक सभा के 31-7-78 के तारांकित प्रश्न संख्या 211, जिसमें यह सुनाना भागी गई थी कि बड़ा पश्चिम बंगाल सरकार ने कलकत्ता में वर्ष 1982 में एक्सियाई बोर्डों का आयोजन करने का प्रस्ताव प्रवाल मंत्री को आठ महीने पूर्व ही भेज दिया है, के सम्बन्ध में दिया गया नकारात्मक उत्तर तर्फ़े के अनुसार सही है और इसलिए मानोनीय मंत्रन को मेरे द्वारा युमराह करने के प्रयास का कोई प्रश्न नहीं है । श्री समर मुखर्जी, जिन्हने तारांकित प्रश्न संख्या 211 का नोटिस दिया था, यदि 31-7-78 का प्रश्नात्मक काल के दौरान लोक सभा में उपर्युक्त होते तो सारी स्थिति स्पष्ट हो गई होती और प्रश्न का उत्तर पूरक प्रश्नों के साथ दे दिया गया होता ।

**SHRI SOMNATH CHATTERJEE :** Sir, let us congratulate the Minister for his maiden performance, but the question is that it is a very serious matter. After I gave a privilege notice, you were good enough to admit it under Direction 115 and give him an opportunity to explain. In my statement, I have given full particulars. He says that the Chief Minister's proposal is not the Government's proposal.

**MR. DEPUTY-SPEAKER :** You can take it up in some other form.

**स्थि उमरेन (देवरिया) :** मैं एक साइन का एक व्यवस्था का प्रश्न उठाना चाहता हूँ । सरकारी बिलों के मंत्रालयों की जो रिपोर्ट यहाँ सदृश की जैसे पर रखी जाती है वे हिन्दी और अंग्रेजी दोनों

में रखी जाती हैं । अभी आई के सामने लोक सेवा समिति और बालकलान समिति की दर्जनों रिपोर्ट रखी गई हैं । वे सभी अंग्रेजी में रखी गई हैं । हिन्दी में एक भी नहीं रखी गई है । आप इसकी अवस्था कर दें कि अंग्रेजी और हिन्दी दोनों में रखी जाएं । जिन अन्तीम सरकारी कोंसल्टेंसी कों में अंग्रेजी नहीं आती है वे इसको कैसे पढ़ेंगे ?

**उमरेन महोदय :** हिन्दी में भी उपराही जा रही है । हिन्दी में भी आपको मिल जाएगी ।

**SHRI VAYALAR RAVI (Chirayinkil) :** On a point of order, Sir. Under Direction 115, when we give a notice, usually the Speaker will ask for the comments of the Minister and inform us about them. The Speaker has to go through the statement submitted by the Minister and he has to be satisfied. Only then he can allow him to make a statement. Mr. Somnath Chatterjee has now raised a very relevant point, viz. whether the contention of the Minister is that a Chief Minister is not part of the Government. I would like to know whether you are satisfied.

**MR. DEPUTY-SPEAKER :** It is not a point of order. It is not a question of my satisfaction. Mr. Ravi, it is for Mr. Somnath Chatterjee to decide it.

12.09 hrs.

**MERCHANT SHIPPING (AMENDMENT) BILL\***

**THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM) :** Sir, I beg to move for leave to introduce a Bill further to amend the Merchant Shipping Act, 1958.

**MR. DEPUTY SPEAKER :** The question is :

That leave be granted to introduce of Bill further to amend the Merchant Shipping Act, 1958\*

*The motion was adopted.*

**SHRI CHAND RAM :** Sir, I introduce the Bill.

12.02 hrs.

## SUPREME COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT BILL\*

MR. DEPUTY-SPEAKER : Now Shri Shanti Bhushan's Bill. I think Mr. Ravindra Varma has been authorised to do it.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) : On behalf of Shri Shanti Bhushan, I beg to move for leave to introduce a Bill further to amend the Supreme Court Judges (Conditions of Service) Act, 1958.

SHRI VAYALAR RAVI (Chirayinkil) : On a point of order.

MR. DEPUTY-SPEAKER : Not on a point of order.

SHRI VAYALAR RAVI : I think I can read the rule.

MR. DEPUTY-SPEAKER : Motion moved :

"That Leave be granted to introduce a Bill further to amend the Supreme Court Judges (Conditions of Service) Act, 1958."

Now Mrs. Parvathi Krishnan, you wanted to oppose it.

SHRIMATI PARVATHI KRISHNAN (Coimbatore) : I oppose this on a matter of principle, because this Government is insisting on treating Parliament in a most cursory manner. Again and again, we are having Ministers come forward with this memorandum under Direction 19B ; and what, Sir, should be a medicine, is being given to us by these Johnnies as daily bread. We do not want this kind of daily bread. The point is that here, we have been asked to allow this Bill to be introduced. It is something which is not of a crying urgency at all. I can appreciate it if it was genuinely urgent ; and a Select Committee could go into a matter which is affecting the whole sections of the people, as we did yesterday and conceded it to the Labour Minister—not to the Minister of Parliamentary Affairs, but to the Minister of Labour. But here is a Bill that Government has been pondering over for such a long time ; for only giving something more to a section already privileged. Therefore, there was more than enough time for them to wait till the next session. So, why this crying hurry that they should bring it in and again ask us to give them leave to

introduce it under Direction 19B— which applies to the next Bill which also has the same content ? It is for this reason, on principle, that I object to its introduction.

MR. DEPUTY-SPEAKER : You oppose the introduction of the Bill. The wording is, "oppose the introduction of the Bill."

SHRI VAYALAR RAVI : On a point of order. I draw your attention to rule 65 (3) which says :

"The period of notice of a motion for leave to introduce a Bill under this rule shall be one month unless the Speaker allows the motion to be made at shorter notice."

Now, here is the direction which is very clear. Direction 19B says :

"No Bill shall be included for introduction in the list of business for a day until after copies thereof have been made available for the use of members for at least two days before the day on which the Bill is proposed to be introduced :

Provided that Appropriation Bills, Finance Bills, and such secret Bills as are not put down in the list of business may be introduced without prior circulation of copies to members."

There is another proviso to this, which the Ministers are using. It says :

"...Provided further that in other cases, where the Minister desires that the Bill may be introduced earlier than two days after the circulation of copies or even without prior circulation, he shall give full reasons in a memorandum for the consideration of the Speaker explaining as to why the Bill is sought to be introduced without making available to members copies thereof in advance....."

Now, this is for your satisfaction. If this Bill is not that urgent—the reasons explained indicate that it is not that much urgent—can direction 19B get precedence all the time over the rules of procedure ?

SHRI SHYAMNANDAN MISHRA (Begusarai) : I have also got a submission to make in regard to this.

MR. DEPUTY-SPEAKER : There is only a provision....(Interruption)

**SHRI SHYAMNANDAN MISHRA :** Every Member can make a submission. I have got my complaint against the Chair. I have to make a submission to the Chair about this. Has the Chair kept a count of all such Bills, about which prior notice had not been given? This is a session flooded with such Bills. Why has the Chair persuaded itself to accept the reasons that have been advanced by the Government in this matter? After all, if there is a provision for 2 days' prior notice, there is some meaning attached to it. The meaning is that the Members should be in a position to study the legislative competence and other aspects of the matter. If we are not given that required time, it is obvious that we are not in a position to do our job properly. The Chair has to be the guardian of our interest; and if the Chair has not told them that that ought not to have been done then the Chair is not being fair to the House.

**MR. DEPUTY-SPEAKER :** I know that. This Bill was kept in the Library on the 29th—two days prior. At the Publication Counter, it was distributed on the 29th; it was also sent to the Members on the 29th night; it was distributed on the 29th night. During that day, it was kept at the Publication Counter.

**SHRI SHYAMNANDAN MISHRA :** That does not complete two days.

**MR. DEPUTY-SPEAKER :** Today is the 31st. Mr. Ravindra Varma.

**SHRI SHYAMNANDAN MISHRA :** No, Sir.....

**SHRI RAVINDRA VARMA :** Mr. Deputy-Speaker, Sir, the points that have been raised by the hon. Members are substantially the same. I can very well understand hon. Members taking umbrage at the fact that the Government had not given.....(interruptions) that Government should follow rules that have been stipulated and ensure that Members have enough time to read the Bills that they introduce in this House. I am extremely sorry that in some cases, this had not been possible in this session. We were told that the Johnnies on this side are not as chivalrous as they should lead the House as well as Jills on this side. But I can assure the Jills concerned that though there may be lack of chivalry, there is no attempt to jilt any Jill.

**MR. DEPUTY-SPEAKER :** My problem is that between the Johnnies and the Jills, I am bombarded by Members like Shri S. N. Mishra. I think they should take care of this.

**SHRI RAVINDRA VARMA :** Mr. Deputy-Speaker, Sir, your eyes fell on him and his eyes called on you. That is a geographical position in the House. We do not fall in between. I sincerely express the regret of the Government on the fact that on more than one occasion, we had to invoke this provision of 19 (b); and we will see that in future the causes for such complaints do not arise. (interruptions) I know that in some cases, medicines are used as diets, but we will see that in this case, this does not become a drug addiction.

**MR. DEPUTY-SPEAKER :** The question is :

"That leave be granted to introduce a Bill further to amend the Supreme Court Judges (Conditions of Service) Act, 1954."

*The motion was adopted.*

**SHRI RAVINDRA VARMA :** I introduce the Bill.

12.08 hrs.

#### HIGH COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT BILL\*

**THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) :** On behalf of Shri Shanti Bhushan, I beg to move for leave to introduce a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954.

**MR. DEPUTY-SPEAKER :** The question is :

"That leave be granted to introduce a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954."

*The motion was adopted.*

**SHRI RAVINDRA VARMA :** I introduce the Bill.

12.09 hrs.

#### BOLANI ORES LIMITED (ACQUISITION OF SHARES) AND MISCELLANEOUS PROVISIONS BILL\*

**THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK) :** I beg to move for leave to introduce a

\*Introduced with the recommendation of the President.

\*Published in Gazette of India Extraordinary, Part II, Section 2, dated 31-8-1978.

Bill to provide for the acquisition of shares of the Bolani Ores Limited in public interest in order to serve better the needs of the nation and to facilitate the promotion and development in the interests of the general public, of national steel industry and for matters connected therewith or incidental thereto.

MR. DEPUTY-SPEAKER : Mr. Saugata Roy, we have not received any notice.

SHRI SAUGATA ROY (Barrackpore) : I have given notice. You check it up.

MR. DEPUTY-SPEAKER : I do not have it here.

SHRI SAUGATA ROY : I gave it before 10 o'clock.

MR. DEPUTY-SPEAKER : But, anyhow, I will allow you.

**MOTION MOVED :**

"That leave be granted to introduce a Bill to provide for the acquisition of shares of the Bolani Ores Limited in public interest in order to serve better the needs of the nation and to facilitate the promotion and development in the interests of the general public, of national steel industry and for matters connected therewith or incidental thereto."

SHRI SAUGATA ROY : My reason for opposing the introduction of the Bill is not that I oppose the take over of the shares of the Bolani Ores Limited, but my opposition is to the Minister for bringing such piece-meal legislation for their own local or self gains. The Bolani Ores is a small company. It was started some time back with the collaboration of the Bird Company. In the 20 years that it has been in existence, the Bird Co. has been fleeced of all money and now we are taking over this company.

AN HON. MEMBER : The bird has flown away.

SHRI SAUGATA ROY : The bird has flown away; so many other birds have flown away. Now the Government is coming forward in undue haste to bring forward this Bill.

My question is whether the government is going to come forward with a comprehensive Bill signifying government's attitude towards private iron ore mines because besides Bolani there are other iron ore mines; there are the Tata's mines, nothing is talked about it; there are a large number of iron ore mines in Bada Janada; in the Bill nothing has been said

about them; in Goa Dempos, Salgaonkars and Chowgules are making cores of rupee:..

MR. DEPUTY-SPEAKER : Do not go into other matters.

SHRI SAUGATA ROY : The hon. Minister is coming up with this only; because Bolani has something to do with Orissa, he is silent about the Tata's captive mine and he has cared to introduce a Bill to take over Bolani iron ore mines and so I am opposing the introduction of this Bill, it is a matter of political expediency and not of legislative competence.

**THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK) :** If the hon. Member had cared to go into the statement of objects and reasons, I do not think he would have made these observations; he has not got the time for that. Government already owns 50.5 per cent in this company and the balance of 49.5 per cent amounting to 49.5 lakhs is going to be taken over. If you kindly look at the financial memorandum, at the value of one rupee per Rs. 100 share, that is 49,500. If you look at it, instead of going to Goa and other places, you will see that this is an area on which Durgapur Steel Plant depends and that is why this Bill had been brought. It should have come earlier. The company has been like that because it was managed by undesirable people and that is why it is being taken over.

MR. DEPUTY-SPEAKER : The question is :

That leave be granted to introduce a Bill to provide for the acquisition of shares of the Bolani ores limited in public interest in order to serve better the needs of the nation and to facilitate the promotion and development in the interests of the general public, of national steel industry and for matters connected therewith or incidental thereto."

**THE MOTION WAS ADOPTED .**

SHRI BIJU PATNAIK : I introduced the Bill.

†Introduced with the recommendation of the President.

22.15 hrs.

## MATTERS UNDER RULE 377

## (i) PRIME MINISTER'S REPORTED LETTERS TO CHIEF MINISTER OF ANDHRA PRADESH

**SHRI G. NARASIMHA REDDY** (Adilabad) : It has been reported in the Times of India dated 28-8-1978 that the Congress Opposition Leader has stated in Andhra Pradesh Assembly that Shri Morarji Desai, the Prime Minister of India has written letters to the Chief Minister of Andhra Pradesh asking him to exempt 2000 acres of land under sugar-cane belonging to a former Raja from the Land Reforms Act in the State.

By writing such letters to the Chief Minister of Andhra Pradesh, the Prime Minister of India has not only interfeiced with the State administration but also asked the State Government to act against the Land Reforms Act. The Prime Minister is not at all empowered to write such letters. This action of Shri Morarji Desai has tarnished the image of the Prime Minister of India and created doubts among the law abiding people of this country whether the political parties which rules our country are not serious in implementing the Acts which are legislated on, the contrary they would issue instructions to the concerned authorities to break the rules and go against the existing Acts in protecting the persons to their liking for the reasons known to them.

The Prime Minister should place the copies of the letters written to the Chief Minister of Andhra Pradesh on the Table of the House and explain the position to remove the doubts created. Otherwise, as we all know the image of politicians before the eyes of the people of this country: (An Hon. Member : Not politicians, only the Prime Minister) which is going down with great speed by our performance in the House and outside the House, will further go down by such actions of the Prime Minister and ultimately people may lose confidence in the democracy of our type itself.

## (ii) REPORTED STARVATION DEATHS IN BIHAR

**बो रामानन्द तिवारी** (बिहार) : उत्तराखण्ड महादेव, मैं नियम 377 के अधीन भारतीय अमूमति से अविलम्बीय लोक महारथ के विषय "बिहार में भूख से मरते" पर अपना विवरण दे रहा हूँ।

बिहार में बाढ़ से अधिकतर जनता पीड़ित और परेकान है। सरकार की ओर से आचार संहिता के अनुसार सहायता का अवाद, परिणाम स्वरूप लैकड़ी लोग पानी में बह गये, हजारों जनवरों की जानें गईं। सरकार ने ऐसे अवसर पर जो उसका धायित्व था, उसका निर्वाह नहीं किया। भोजपुर ज़िले में 8 अगस्त से गंगा के पानी ने बढ़ना शुरू किया, 10 अगस्त आने-पाते हजारों गांव पानी में डूब गये, किन्तु सरकार द्वारा 20 अगस्त तक सहायता प्राप्तन की गई, जिसका नतीजा हुआ कि 20, 21 अगस्त की शार्धी रात में श्रीमती रामानन्द यादव, माम शोनबरसा, प्रबांड शालपुर, ज़िला भोजपुर एक सप्ताह तक भूख से ठड़पते हुए इस दुनिया से चल बसी। श्रीमती काशी दुसा अपने 4 मासूम बच्चों के साथ 5 दिनों से भूखी थी, मैं इम दाय में पहुँचा तब अपने की व्यवस्था की ओर 21 दृश्या उनको दिया। इनी तरह माधोपुर का यादव जो 6 दिनों से भूखा था, उसे शोनबरसा दाय के श्री विश्वामित्र मिथ से एक किलो पाटा दिलवाया। यह स्थिति पूरे बिहार में ओर विशेषकर भोजपुर ज़िले की है। लैकड़ी लोग जिनका जर पानी में बह गया है, मासूम बच्चों को लिए हुए कड़के की घूप में और बारिस में अपना जीवन व्यतीत कर रहे हैं। किन्तु सरकार कान में तेल डाले पड़ी हुई है।

इसलिए मैं केन्द्र सरकार से मिवेहन करना चाहता हूँ कि पीड़ित बिहार में अधिक से अधिक सहायता दिलाने का निर्णय दे।

## (iii) COMMUNAL RIOTS IN PORNAMBUT (NORTH ARCOT, TAMIL NADU)

**SHRIG.M.BANATWALLA** (Ponamani) : The shocking communal situation in Pornambut (North Arcot, Tamil Nadu) involving safety of Muslim minority deserve serious consideration. Two Muslim ladies

have been burnt, many persons have been injured, mosque destroyed in the night of Friday, 25th August. The partial attitude of the police with indiscriminate arrests of innocent has also created a panic among the Muslims. The communal situation in Tamil Nadu has been deteriorating for the past some time with a series of communal riots directed against the minority. This situation calls for effective steps by the Central Government in the interest of the security of life and honour of the minority. To restore immediate confidence, the Government should make a statement forthwith.

Permit me a word about Hyderabad. The communal situation there is shocking.

MR. DEPUTY SPEAKER : No, I am sorry.

SHRI G.M. BANATWALLA : It is on the same matter.

MR. DEPUTY SPEAKER : There are several other members who have given notice under 377. Mr. Banatwalla, I am sorry.

(iv) RESERVATION OF SEATS FOR BACKWARD CLASSES IN SERVICES

भी राम अधिकार तिह (विक्रम गंज) : उगांडा महोदय, नियम 377 के तहत मैं निम्ननिवृत्त विवर की ओर इस सदन का ध्यान दिलाना चाहता हूँ :

जनता पार्टी ने अपने चुनाव वोटिंग-पत्र में इसा से जारा किया था कि सत्ता में आने पर काका कालेलकर आयोग की अनुसंधारों के आधार पर 25 फीसदी में 33 फीसदी पिछड़े वर्गों के लिए सरकारी सेवाओं में आरज़ा किया जायेगा। लेकिन अक्सरों के साथ कहना पड़ता है कि अभी तक करीब हड्डी साल गुज़रने के बाद इस दिन में कोई भी कार्यशाही नहीं की गई है। मीडिया माननीय प्रधान मंत्री उस बहत अधिक भारतीय जनता पार्टी के प्रति वे भी उन्हीं की देवरेव में चुनाव वोटिंग-पत्र लैयार हुआ था। अक्सरों के साथ कहना पड़ता है कि आज उस समय के पार्टी के प्रधान, जो आज सरकार के प्रधान हैं, कहते हैं कि काका कालेलकर कमीशन

की रिपोर्ट 22 साल पुरानी है, इसके आधार पर पिछड़े वर्गों को आरज़ा देने में जासन की व्यावहारिक कठिनाइयां हैं।

जिस समय पार्टी प्रधान की हैसियत से मीडिया प्रधान मंत्री चुनाव वोटिंग-पत्र तैयार कर रहे थे उस समय काका कालेलकर आयोग की रिपोर्ट 21 साल पुरानी थी। मैं प्रधान मंत्री से पूछना चाहता हूँ कि उस समय उन्हें जासन की कठिनाइयों का बयाल था या नहीं? क्या उस समय उन्हें पं० गोविन्द बल्लभ पन्त के बयान का स्मरण था या नहीं, व्योमिंग जिस समय पं० गोविन्द बल्लभ पन्त ने उपर्युक्त काका कालेलकर कमीशन की रिपोर्ट के सम्बन्ध में बयान दिया था उस समय मीडिया प्रधान मंत्री सरकार में बड़ी थी। जिस समय पंदित गोविन्द बल्लभ पन्त ने बयान दिया था .... (अवधारणा) ..

उचान्द्र भानुदय : आप अपना स्टेटमेंट ही पढ़िए।

भी राम अधिकार तिह : मैं प्रधान मंत्री से यह भी पूछना चाहता हूँ कि पिछड़े वर्गों की वैशक्षणिक और सामाजिक परिस्थितियों में एक सास के अन्दर कौन सा बुनियादी अन्तर आया है? हाल के एक पिछड़ा वर्ग आयोग (मुगेरी लाल आयोग) के अनुसार यह पाया गया है कि प्रधम व्येष्ठी की सरकारी नौकरियों में 56 फीसदी आवादी वाली पिछड़ी जातियों का एक प्रतिशत से भी कम प्रतिनिधित्व है और द्वितीय व्येष्ठी की नौकरियों में डेढ़ फीसदी के करीब है। प्रधान मंत्री जी का तर्क तब कारगर हीता जब यह बात साबित हो जाती कि पिछड़ी जातियों का प्रतिनिधित्व सरकारी नौकरियों में उन की जनसंख्य

[**बी राम अवधेत सिंह]**

के अनुपात से ज्यादा हो जाता या करीब करीब उन के बराबर भी हो जाता। लेकिन 56 फोसदो आवादी का प्रतिनिधित्व सरकारी नोकरियों में इतना कम है जिस को कल्पना दूसरे मुक्त के लाग नहीं कर सकते।

सारेदेश के पिछड़े लोगों... (अवधान)...

**MR. DEPUTY SPEAKER :** Please read only what has been allowed. If you divert from it, I will ask you to sit down.

**SHRI RAM AWADHESH SINGH :** Only one word.

**MR. DEPUTY SPEAKER :** No. Please read the next paragraph.

**बी राम अवधेत सिंह :** हम मांग करते हैं कि पहले काका कालेनकर आवाद की अनुसंदाताओं के आधार पर आरक्षण का भवित्व केन्द्रीय सेवाओं में दिया जाय। इस के बाद हरिजन, आदिवासियों को तरह हा अवर अरक्षन भव्यता हो तो पिछड़े वर्ग आवाद भी बहाल किया जाय। काका कालेनकर कमीशन की अनुसंदाता के आधार पर पिछड़े वर्गों के लिए केन्द्रीय सेवाओं में आरक्षण प्राप्त करने के लिए सर्वशक्ति संघर्ष समिति बना कर लड़ने का निर्णय किए गए। मैं सरकार से और आप से करने के प्रबन्ध मंत्री से अपील करता आहता हूँ कि अपने बच्चे का पालन करें और अपने नितिक दावित का निर्वाह करें। आरक्षण लागू करने के आवेदन जारी करने के बाद ही कार्ड उच्च स्तरीय कमेटी वा कमीशन बहाल करें। आरक्षण मानू करने के आवेदन के पहले किती तरह भी उच्च स्तरीय कमेटी या आवादी का हम जोर-दार ढंग से बिंदाव करते हैं और करने विंते हुए पिछड़े आति हो जाता के प्रति किए गये बादे से मुकरने की जाहा देंगे।

**उपाध्यक्ष महोदय :** श्री मेही।

**श्री डी० एस० मेही (दिव्यरी बहसम) :** उपाध्यक्ष महोदय, मैं इस सप्ताह ...

**बी राम अवधेत :** (बाबलपुर) उपाध्यक्ष महोदय, पहले सुन लीजिए ...

**उपाध्यक्ष महोदय :** पहले प्राप बैठ जाइए।

**बी राम अवधेत :** पहले सुन लीजिए। हजारों नौजवान यहां आये हुए हैं, अब इस सरकार को चाहिए कि इन के लिए मंत्री वहां आ कर उनसे मिलें।... (अवधान) हजारों लड़के, लड़कियां वहां आई हुई हैं, इस सरकार से कहिए, उन की आवादाओं को वहां जाकर दें।

**उपाध्यक्ष महोदय :** प्रिस्टर भारत यादव, आप चूद मंत्रियों से जाकर कह सकते हैं। सदन में इस तरह बैठे होकर हल्ला मचाना ठीक नहीं। Please take your seat. (अवधान) ...

**बी हरिकेश बहादुर :** (बाबलपुर) : आप का आवेदन निहायत आवश्यक है, इसलिए हम लोग आप से निवेदन कर रहे हैं।... (अवधान) ...

**MR. DEPUTY SPEAKER :** Mr. Harikesh Bahadur and Mr. Yadav, please take your seats. If you want to persuade any Minister, you can do so. This is not the way to raise it in the House. Please take your seats.

**बी राम अवधेत :** वह आप से भी मिलना चाहते हैं।... (अवधान) ...

**बी हरिकेश बहादुर :** वह आप से भी मिलना चाहती है।

**उत्तराधिकारी लाहोड़ी** : भगवर वह सुनको  
मिलता चाहेंगे तो मूँह मिल लेंगे लेकिन  
सदन में इस तरह की बात नहीं लानी चाहिए।

Please don't waste the time of the House  
like this.

**THE MINISTER OF STEEL AND  
MINES (SHRI BIJU PATNAIK) : I  
will go afterwards and meet them (Interruptions)**

**MR. DEPUTY SPEAKER : Nothing  
will go on record. Only MR. Negi will  
go on record.**

(v) REPORTED FLOODS IN UTTAR KASHI

**बीटी० एस० नेहीं (टिहरी गढ़वाल) :** उत्तराधिकारी लाहोड़ी, मैं पिछो से सप्ताह अपने  
लेन्ड्र सीमान्त विभाग उत्तरकाशी में बाढ़ से हुए विघ्नों और आतंकपूर्ण स्थिति को  
देखने चाहा। मैंने जिसा सूचनात्मक में अधिकारियों से इस सम्बन्ध में आनकारी प्राप्त की।  
समाचार-न्यायों के साध्यम से भी इस बारे में  
बायावर आनकारी मिल रही है लेकिन  
वहां जा कर स्वयं जो महात्मा किया, उस  
को और आपका और इस सदन का ध्यान  
आकर्षित कर रहा है। राज्य सरकार के  
उत्तराधिकारी हेलीकाप्टर से उठान भर  
कर स्थिति का अनुमान लगाने का प्रयास  
कर रहे हैं किन्तु वहां विभाग लील के लेन्ड्र  
में अधिकारी काहरा लाया रहने से बास्त-  
विकाना जी आनकारी नहीं हो पा रही है।  
आप इसी से स्थिति का अनुमान लगा लें  
कि वहां आवागमन के साथन समाप्त  
हो गए हैं; हूर हूर बले सोमांत ग्रामों  
का लोड देश से सम्बन्ध विच्छेद हो चाहा है।  
उस पुरे जल में जीरनोपयोगी सामग्री का  
बोर जलाव हो चाहा है। उस से आतंक  
और असुरक्षा का जावना पैदा हो गई है।  
सीमान्त और नीतोत्तरी-गोमुख तक आवारी  
हाने के कारण उनकी समस्याओं की  
आनकारी, साथ ही इस पुरे लेन्ड्र में हानि  
का सही सही अनुमान नहीं लगा पा  
रहा है। इस लेन्ड्र में रहने वाले स्वास्थ्य

और बाहरी जनता का रोकी का साधन  
समाप्त हो गया है। पैदल अधिकारी  
बोटरपुल नष्ट हो गए हैं। खेती और  
मकान वह गए हैं। इस की कुछ जानकारी  
स्वास्थ्य प्रशिक्षितरियों ने राज्य सरकार को  
दी है। ऐसी विद्यालयकारी बाड़ इस लेन्ड्र  
में कमों आई ही, किसी को याद  
नहीं है। इस लेन्ड्र में जांत प्रहृति और  
आमुनिक जल विभाग के साक्षरों से  
दूर रहते हुए अपने खून पसीने की कमाई  
से जोड़े हुए खेत खलिहान, पशु और अकन  
इस बिनान लीला से समाप्त हो गए हैं।  
आवागमन के साथन समाप्त होने से और  
उस लेन्ड्र की अधिकारिक स्थिति के कारण,  
मैं चाहते पर भी उस लेन्ड्र का व्यापक दौरा  
नहीं कर पाया। मूँह बताया गया कि भू-  
संरक्षण विभाग सहित भन्य किसी के  
मरम्य दुर्घटना स्वल पर नहीं जा सके।  
इस से भी स्थिति अंदरकारमय है। भारी बारी  
की एक सहायक नदी कलोडिया बाड़  
जीवी भी बहतरे को बंटी जानी हुई है। 14  
हजार फीट की ऊंचाई से पैरंत खिलर  
खिसक कर इन नदी पर जील बना रहे हैं और  
यही जील टूट टूट कर अपने साथ छह-  
मूँह बन और मिट्टी पत्थर बहा कर  
लाकर तबही बड़ा रही है। भैदारी लेन्ड्र  
और इस लेन्ड्र की बाढ़ में जीवीन  
आवागमन का अन्दर है। भैदार में  
बाढ़ से उत्तरान समस्या कुछ दिनों की रहती  
है और पहाड़ों में यह बाढ़ विघ्न कर  
सब कुछ समाप्त कर देती है। भारी बारी  
की सहायक नदियों बड़े बेग के साथ  
बहती हैं। इन के नियंत्रण की ओर  
विदेशी का ध्यान नहीं जा पाता  
है। राहत कारों की ओर नदर डालें तो इस  
बिनान को देख कर आप यह पायेंगे कि  
यह हानि की तुलना में एक बहुत ही  
मात्राजीता प्रयास है और स्वास्थ्य  
प्रभावित जनता की स्थिति को देखकर

[वीटो ट्रो० एस० नेगी]

उन का मद्दाक उड़ाता है। राज्य सरकार दूरी के लिए इस साल आई अवधंकर बाड़ के कारण भी इस स्थिति में नहीं है कि यहाँ को जनता को कोई सहायता कर सके। बर्तावान तकादी अवधा अन्य सहायता नियमों को देख कर बिला अधिकारी एक परिवार को सीधी सौ बारे से अधिक नहीं दे पाते हैं। जो उन के एक सप्ताह के भावन को अवधारा करने के लिये पराइत नहीं हो पाता। ऐसे अवसर पर यदि केन्द्रीय सरकार इस सामान्त पहाड़ी क्षेत्र को इस स्थिति को गवाहारता से देख कर स्वानीय जनता में आत्म विवास पैदा करने के लिये सोधे बिलेर सहायता का प्रबन्ध नहीं करती तो स्थिति चिन्ताबनक हो सकती है। मैं इस सदन के माध्यम से इस सोमान्त पहाड़ी और अंतर्गत पिंडडे क्षेत्र के नियमियों को बिलेर सहायता देने के लिये केन्द्रीय सरकार से तुरन्त कदम उठाये जाने की मांग करता हूँ। इस दिना मैं निम्न सुझाव भी देना चाहता हूँ—

1. बिल परिवारी को भूमि और बहुन नट हो याए हैं, उन के सम्बित पुत्रांति के लिये भूमि और रहने के लिये अधिकारी को इन्दिरा ने बिलेर सहायता को जाए।

2. नक्को और अन्य बाहु वीडित आधिक सहायता नियमों में पराइत उदारता बरती जाए और बिला अधिकारी का इन्दिरा ने बिलेर सहायता को दिये जाए।

3. इह वोडियों को दो बालों सहायता में नहाड़ को सम्बादनावें न होने दी जाए।

4. दृढ़े हुए पुल, सड़क व लंबार अवधारा को पुनः बालू करने के लिये युद्ध स्तर पर कार्य किया जाए, जिससे

गर्वोलो-नोमूल जाने वाले तीर्थ यात्रियों पर जीवित और रोकी पाने वाले परिवार स्वालिम्बी हो सकें।

5. देश की हिन्दू धर्म परायण जनता को इस तीर्थके दर्शनों का साम देने वाले यात्रा मार्ग की तुरन्त मरम्मत की जाये।

6. उस क्षेत्र में बालाम व अन्य जीवनोपयोगी आवश्यकताओं की पूर्ति के लिये केन्द्रीय सरकार अमूल स्वानों पर स्टोर बुलवा कर अवधारा करे।

7. इस क्षेत्र में स्कूल के छात्रों को समस्त विज्ञान सामग्री निःशुल्क उपलब्ध कराई जाये और किसी प्रकार की फीस की वसूली न की जाये।

8. स्वानीय बेरोजगार युवकों और अधिकारी के लिये रोजगार की अवधारा की जाये।

9. जन-धन को अति का सही अनुमान लगाने के लिये एक बिलेर दल बहारे जाये।

10. स्वानीय जनता में अपास अविवास और आतंक समाप्त करने के लिये बिलेर प्रयत्न किये जाये।

11. इस क्षेत्र में भावीरवी की सहायता नियमों के लिए में भू-स्वामन राजने के लिये केन्द्रीय सरकार बिलेर अवधारा करे और वहे बांधों के स्वानों पर छोटी-छोटी नियमों का नियंत्रित करने की विज्ञा में कम समय में पूरी हुआ बाली बोजनाओं की ओर अपास बिला जाये।

(vi) NEED FOR A NATIONAL PLAN TO CONTROL FLOODS.

SHRI K. SURYANARAYANA (Eluru): Sir, with your permission I want to raise the following matter of urgent public importance under Rule 377:

The kharif paddy in about 5 lakh acres in West Godavary, Krishna, Guntur and a part of Prakasam districts and in upland areas about 20 lakh acres in Karimnagar, Mahaboobnagar, Warangal and Medak districts of Andhra Pradesh has been badly affected by heavy inundation following record rainfall in the last three weeks of August, 1978. The South West monsoon in Andhra Pradesh this year has smashed all previous records, registering more than double the rainfall recorded in 1975, which was said to be a very good year.

According to the authorities, during this season, one cyclonic storm, two depressions, and three low pressure systems occurred. The latest depression of August 14 and 15 had affected all parts of Andhra Pradesh except the districts of Nellore, Chittoor, Anantapur and Cuddapah.

As a result of the record rainfall, several streams like Buriameru, Tammeru, Yerrakalava etc. and the unpredictable Kolleru lake in Krishna and West Godavari districts have spread a sheet of water over thousands of acres of fertile lands since August, 1, 1978, with no prospect of the standing crops being salvaged.

In West Godavari District, which has made remarkable strides in food production in recent years, the paddy in 1.25 lakhs acres of land was affected besides other crops in one more lakh of acres, while in Guntur district the paddy of 1.18 lakh acres of land was damaged, besides the damage of paddy in 37,000 acres of land in the neighbouring Prakasam district.

According to reports, 2-1/2 lakhs acres of paddy fields in Krishna district have been inundated, besides 20,000 acres of sugarcane crop being under submersion. About one and half lakh acres under pulses, groundnut and cotton in the upland areas of Krishna district have also been affected due to heavy moisture.

Some of the districts in Telengana have reported considerable damage to crops because of heavy rains. For example, in Warangal district, about 1,10,000 acres of jowar and 1,50,000 acres of pulses, 11,000 acres of groundnut and 40,000 acres of maize are reported to have been affected. In Medak district, about 1.07 lakh acres of Jowar, 80,000 acres of maize, 54,000 acres of pulses, 10,000 acres of oilseeds and 13,000 acres of other food crops and 2,800 acres of paddy have been reported to be damaged. In Mahaboobnagar district about four lakh acres of Jowar, 1,50,000 acres of groundnut, one lakh acres of castor, 1,25,000 acres of bajra, one lakh acres of ragi and one and a half

lakh acres of pulses have been affected. Following breaches in tanks, about 10,000 acres of paddy were submerged.

In Adilabad district, there is extensive damage to crops in black cotton soils and low lying areas were affected. In Karimnagar district total damage to dry crops over an area of about three and a half lakh acres was reported.

The inundation of lakhs of acres of fertile lands this year has once again expose the failure of the State Government in providing drainage facilities in this agricultural State. In fact, so much has been said about the drainage works in Krishna and Godavari deltas for the last decade and a half and several crores of rupees have been collected as drainage cess from the agriculturists in recent years, one wonders what happened to all the money collected and the works taken up in this regard. While the drainage levy was collected from the agriculturists in the areas which were prone to flood damage, a similar levy was collected from the ryots in the Godavari delta area for the construction of the new barrage across Godavari river. But both the works are only half way through and the agriculturists in those areas are facing some havoc or the other every year.

Flood control is a national problem. Many States, like Uttar Pradesh, Bihar, Assam and Orissa, are facing this problem for the last many years, besides Andhra Pradesh. Since the Centre has not taken adequate steps in this regard, every year we are witnessing a huge damage to our standing crops and a lot of misery to our farmers.

After touring the flood-affected areas on 21-8-78 the Chief Minister of Andhra Pradesh, Dr. M. Chenna Reddy, announced relief to the agriculturists by providing 50 per cent subsidy in the purchase of seeds, one-third subsidy in short-term loans etc. But this is far from adequate, to meet the present needs of the farmers.

At least Rs. 250 as subsidy and Rs. 200 as long term loan per acre for wet land and Rs. 125 as subsidy and Rs. 125 as long-term loan per acre for dry land and one bag of complex fertilizer per acre should be given, free of cost, to the farmers who were affected by recent floods. This is the minimum which the Government should do immediately.

Also the tanks and canals which were affected in the recent floods should be repaired at the earliest. As a long term

(Shri K. Suryanarayana)

measure, the drainage systems should be undertaken all over the area. In fact, they should have been completed long ago. At present there is no worth-mentioning protection to farmers and agricultural labourers from natural calamities. The Government should start long-term protective measures like crop insurance, cattle insurance etc. to provide timely relief to the agriculturists.

To meet the expenses of long-term measures like construction of drainage systems and other major repairs to the existing ones, the Central Government should lend its hand to the State Government in a big way.

A national plan to control floods should be undertaken immediately and thus provide the basic structure, which is essential to increase the production of agricultural commodities and save the farmers from natural calamities.

**(VII) REPORTED TEACHERS' AGITATION IN ORISSA**

**PROF. DILIP CHAKRAVARTY** : (Calcutta South) : Sir, I thank you for permitting me to raise a matter of urgent public importance under rule 377. It is good that the hon. Minister, Shri Patnaik is present here, as also the Education Minister.

On the 16th of August I have received a number of telegrams from the teachers of Orissa about their arrests and I have been in communication with the Chief Minister of Orissa in my capacity as the President of the All India Federation of Educational Associations.

This relates to the arrest of more than a thousand teachers in Orissa since August 16. The teachers of all categories in Orissa are trying for quite some time now to secure satisfaction of their 15-point Charter of Demands, affecting 85,000 teachers and non-teaching staff. In the process of the movement, six teachers including three lady teachers lost their lives in a fatal way accident, while they were on their way to a rally on 9th March, 1978. Of course, that is not your responsibility.

A massive demonstration was held on March 9, which unfortunately had no effect on the Government. Thereafter, the teachers after waiting for five long months had to start a Civil Disobedience Movement and more than a thousand teachers of all categories have already courted arrest.

You should know that I had to court arrest several times during Congress regime

as a teacher. The need of the hour is a conciliatory attitude on the part of the Government, a proper leadership by the Union Ministry of Education and Social Welfare, release of the arrested teachers, negotiations with them and resolving the deadlock.

**THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK)** : With your permission, Sir, I would like to inform the hon. Member that I have received information from reliable sources that the teachers' agitation has been withdrawn at the intervention of the Chief Minister of Orissa.

**(VIII) REPORTED KILLING OF HARIJANS IN PIPRI VILLAGE IN KARANGAR/ANCHAL OF RONTAS**

**SHRIMATI PARVATHI KRISHNAN** (Coimbatore) : Sir, I wish all the matters raised under Rule 377 have such an immediate response.

I want to raise a matter of urgent public importance under Rule 377.

On 28th August, two Harijans—Saryu Ram and Ram Krit Ram of Pipri village—in Karangar anchal of Rontas were killed outright by goondas hired by landlords. The two Harijans were returning to their village after participating in a demonstration at Sasaram organised by the local Communist Party of India committee on the previous day in protest against the dastardly murder. It is stated also that Saryu Ram was chased by the murderers and then killed, while Ram Krit Ram was first shot dead in this house and then his head was chopped off and taken away.

The incident was one of a series that have been taking place over the past many months. We have been repeatedly drawing attention to the fact that the law and order situation in these areas is rapidly deteriorating and the victims are Harijans and agricultural labourers. A few days earlier heinous crimes were committed in Jamshedpur and a Jamshedpur bandh took place on 21st August. On 24th-25th August the Barauti-Baguswari bandh took place in protest against the murder of Shri Sitaram Mishra, a Communist MLA. Until now the persons who carried out these dastardly acts have not yet been arrested.

I call upon the Government to take serious note of these continuing acts of murder and attacks on innocent people particularly Harijans. The tolling masses of the country will no longer tolerate this situation and the Government should

immediately take all measures to ensure protection from vested interests indulging in acts of violence. And the Communist Party of India warns that on the 7th of September, we will start an All-India Satyagraha against all these sorts of acts against the Harijans and the common people.

**(ix) REPORTED PROBLEMS OF RESETTLEMENT OF DANDAKARANYA REFUGEES**

**PROF. SAMAR GUHA (Contd.)** : I am thankful to you for permitting me to raise a matter of urgent public importance under Rule 377.

Failing to raise the issue of the resettlement of the Dandakaranya refugees, which would have obliged the Government to make prompt statements about the wretched mass of the victims of partition, I am making this effort, on the last day of this session, to draw the attention of the Government to deal with their problems with sympathy, understanding and humanitarian approach.

This House rightly reacted to the reports of killing of Harijans on several occasions but strangely it missed the attention of this House that more than 2000 Harijan children and old men have been virtually subjected to unnatural killing by deliberately denying the Dandakaranya deserters necessary food, shelter and medical aids, in order to compel them to go back to the Dandakaranya areas. And about 8 of them became the victims of police firing as well.

More than 100,000 refugees, as some kind of a wretched mass, without any means to sustain themselves as human beings have, now gone back to Dandakaranya, and about 40,000 of them are still in West Bengal. These practically dehumanised and completely pauperised mass of people belong to the Harijan community. I would urge the Government.

1. To provide prompt economic and other resources to the Dandakaranya returnees for their speedy economic and social resettlement.

2. Not to disturb the remaining refugees of Dandakaranya in West Bengal but to allow them to rehabilitate themselves in the Sundarban areas by their own effort.

**SHRI DINEN BHATTACHARYA** : How is it possible? It is not possible.

**PROF. SAMAR GUHA** : Not possible? You find your own old files. You people told them thousand times that they can be rehabilitated.... *(Interruptions)*

**MR. DEPUTY-SPEAKER** : Prof. Samar Guha, you please continue with your statement. *(Interruptions)* Prof. Samar Guha, either you read your statement or finish. Nothing will go on record.

*(Interruptions)...*

**PROF. SAMAR GUHA** : Why should he interrupt me?

**MR. DEPUTY SPEAKER** : You ignore him; you continue with your statement.

**PROF. SAMAR GUHA** : No. 3. To properly revive, reconstitute and reactivate the present moribund Dandakaranya Development Authority for taking effective measures for expeditious economic, social cultural resettlement and rehabilitation of these Harijan refugees.

12.46 hrs.

**RE. INCIDENT OF STONE-THROWING AT A BOAT CLUB MEETING RESULTING IN INJURY TO SHRI ATAL BIHARI VAJPAYEE**

**SHRI KANWAR LAL GUPTA** : *(Delhi Sadar)* : Sir, I do not want to interrupt the proceedings of the House. But a serious incident has taken place. My colleague here was stoned by Cong. (I) supporters. See the blood and his condition. This House should take a serious view of it. The Cong. (I) leaders were there. They were stoning us; they were throwing stones at us. This is a very serious matter. It will not be tolerated.... *(Interruptions)*

**SEVERAL HON. MEMBERS** : Shame, shame!

**SHRI KANWAR LAL GUPTA** : The Minister is bleeding. We will not tolerate these *goondas*. If the police is unable to tell them, we will face them in the streets. *(Interruptions)*

**MR. DEPUTY SPEAKER** : Let Mr. Vajpayee Speak.

**विवेश भंडी** (**बीजटल विहारी बाजारेली**)  
उपाध्यक्ष महोदय, दिल्ली से जो दो बच्चों की जबन्य हुत्या हुई है उसे के प्रति अपने से विरोध प्रकट करने के लिए प्राय बहुत स्कूलों के लड़के लड़कियां और लास कर

श्री अटल बिहारी वाजपेयी

लड़कियां बोट बलव में आए थे । उन के प्रतिनिधि मंडल ने, उपाध्यक्ष महोदय, आपको एह मेनोरेंडम भी दिया है जिसकी उन्होंने मुझे कापो दी । उन्होंने बाबर भेजी थी कि यहां से कोई मिलने के लिए आए, मपनो भावनाये अवक्त करने के लिए लड़कों का एक बड़ा जट्ठा अनेक स्कूलों से आया है । मैं उन से मिलने के लिए गया था । मगर वहां नोजवानों का एक ऐसा दल था जो सारे मामले को राजनीतिक रंग देने पर तुना हुमा था । लड़कियां मुझे मुनना चाहती थीं मगर उन नोजवानों ने मुझे नहीं दिया । उन्होंने हाथापाई की । जिस जीप पर बड़े हांकर मैं बोलना चाहता था उस जीप पर चढ़ आए । जब उन्हें जीप पर से उतारने की कांजित की गई तो उन्होंने पत्थरबाजी की । —(लहज़ा)

श्री कंबर लाल गुप्त : मैं नाम बताता हूँ ।

श्री अटल बिहारी वाजपेयी : मैं किसी को दांव देने की इस समय मुझा में नहीं हूँ ।

एक आनन्दीय सदस्य : श्री स्टीफन को दुनाश्रो ।

श्री अटल बिहारी वाजपेयी : स्टीफन साहब से कोई सम्बन्ध नहीं है ।

श्री कंबर लाल गुप्त : इंदिरा गांधी से सम्बन्ध है । मैं जानता हूँ । यह जान-बूझ कर किया गया है । मैं उन लड़कों के नाम बता सकता हूँ । मैं बताने के लिए रुचार हूँ ।

श्री अटल बिहारी वाजपेयी : आप उम इतारं ।

श्री कंबर लाल गुप्त : हमारी सिव्वेदी उन के साथ है । हमने सबाल उठाया था ? हमने गवर्नर्मेंट को गालियां दी थीं । लेकिन इसका यह भत्तव नहीं है कि इसको पांसिटिकल बनाया जाए । मैं भी वहां था । मैंने अपनी आंखों से देखा है पत्थर मारते हुए ।

श्री अटल बिहारी वाजपेयी : उपाध्यक्ष महोदय, मैंने लड़कियों की बताया जो कूँठ हुम्हा है उस से सारा देश दुखी है, दिल्ली दुखी है, सरकार दुखी है । मामले की तस्वीर पूर्वक जांच हो रही है । बूढ़ा पुलिस अधिकारियों के विद्वद कार्यवाही की है । दिलाई वर्षों तुम्हें इस के बारे में हम पड़ताल कर रहे हैं, और आवश्यक होंगा तो कार्यवाही करेंगे । लेकिन लड़कियां मुझे मुनना चाहती थीं और मैं बोलना चाहता था । मगर एक मुट वा नोजवानों का, मुझे पता नहीं कि वह किस कालिज से संबंधित है, यह विद्वारी भी है कि नहीं, उन्होंने उपद्रव मचाया और उन्होंने पत्थर मारे । और मुझे बोट सीधी है, बूढ़ा वहा है, यह बड़ी बात नहीं है । लेकिन मैं चाहता हूँ कि सदन के सामने सारी तस्वीर आ जानी चाहिये ।

MR. DEPUTY SPEAKER : I think it is very unfortunate that such an incident should have taken place and I think that whoever it may be—I don't know who they were—it is condemnable. Shri Chavan.

SHRI KANWAR LAL GUPTA : Sir, let me explain.....

MR. DEPUTY SPEAKER : I have called Mr. Chavan.

SHRI YESHWANTRAO CHAVAN (Satara) : We join all the Parties and we join Mr. Vajpayee in condemning this dastardly act. We are going through... (Interruptions)\*\*

MR. DEPUTY SPEAKER : Mr. Kachwai, please take your seat now. You just don't know what you are talking.

\*\*Not recorded.

It will all go out of the record.

(Interruption) \*\*

**SHRI YESHWANTRAO CHAVAN :** At the present stage, the atmospheric in the country is somewhat full of violence, and anything that encourages violence is something which needs to be condemned by everybody. I therefore join you and join everybody else in condemning this dastardly act.

**SHRIMATI PARVATHI KRISHNAN :** (Coimbatore) : I also join Shri Chavan in the sentiment that he has expressed. On an occasion like this—which is a very serious matter—I am sorry that some Members of Parliament have tried to raise it as a matter of political acrimony. It is not a matter for acrimony. The whole House is united in condemning this type of violence, as we were united in expressing our horror at the very tragic manner in which those two children were murdered. Therefore, I would like to associate my Party's sentiments also in condemning this type of violence.

**SHRI DINEN BAHTTACHARYA :** (Serampore) : I fully associate my personal and my Party's feelings with those expressed by other Members as well as by Mr. Vajpayee who has been hit by elements which are non but the persons who are trying, all over the country, to create a situation so that the peaceful atmosphere is disturbed. I strongly condemn this action and I would urge upon the Government to find out those culprits who have now stoned him in front of Parliament House, at the Boat Club, where so many meetings have taken place and so many people have gathered. It is the duty of the Government not only to condemn it but also to find out the criminals who have done this. With these words, I would ask you to convey our feelings to Mr. Vajpayee and the others who have been hit by these criminals.

**SHRI P. VENKATASUBBAIAH :** (Nandyal) : On behalf of my Party and myself I strongly condemn the vandalism that has been indulged in.... (Interruption)

बी कंबर लाल गुप्त : उपर्युक्त महोदय, जब मैं ने यहां यह मुना कि जीसस एंड मेरी कालेज की लड़कियां, जहां पर कि वह लड़की, गीता पहरी थी, जिसका कि कल्प हुया है, वह बोट क्लब पर आई हैं, तो मैं बाहर गया, वहां कूछ प्रांगोंसर्त यहां आप से मिलने के लिये आये थे, आप यहां पर थे, मैंने उन से कहा कि 1 बजे के बाद स्थीकर साहब आप से मिल लेंगे, मैं इत्तजाम कर सकता हूँ या आप अपना रिप्रेंटेशन दे दीजिये वह पढ़ लेंगे। सरकार उस पर कायबाही कर रही है। या तो आप इनको दे दीजिये या स्थीकर से मिल लीजिये। उन्होंने कहा कि हमारा रिप्रेंटेशन उनके पी०ए० को दे दीजिये। मैं पुलिस के साथ गाड़ी पर बोट क्लब पर गया। जब मैं वहां गया तो जीरा पर माइक के साथ बाजरेडी जी खड़े थे। वहां कालेज की लड़कियां और वहां के जो बिलार्ही थे, वह उन की बार्ता को सुनना चाहते थे। जब मैं जीप पर खड़ा हुया तो वहां पर करीब 30, 40 लड़के थे सिर्फ़, जिस में एक भी मरेन था जो कि कीर्ति का यूनिफार है, मैं जानता हूँ। (अवधारणा)

gations which I strongly condemn. It is condemnable. It has become a pastime to attribute all sorts of motives.

I join the other Parties and their leaders whole-heartedly in their sentiments. I emphatically say that this is most condemnable and I want the Government to enquire into this matter and take necessary action, whosoever is responsible. We are completely dissociating ourselves with them. I appeal to the Members not to politicalise the whole thing, not to vitiate and pollute the atmosphere. It is a national malady and every one of us should take adequate steps to see that such things do not happen.

बी कंबर लाल गुप्त : उपर्युक्त महोदय, जब मैं ने यहां यह मुना कि जीसस एंड मेरी कालेज की लड़कियां, जहां पर कि वह लड़की, गीता पहरी थी, जिसका कि कल्प हुया है, वह बोट क्लब पर आई हैं, तो मैं बाहर गया, वहां कूछ प्रांगोंसर्त यहां आप से मिलने के लिये आये थे, आप यहां पर थे, मैंने उन से कहा कि 1 बजे के बाद स्थीकर साहब आप से मिल लेंगे, मैं इत्तजाम कर सकता हूँ या आप अपना रिप्रेंटेशन दे दीजिये वह पढ़ लेंगे। सरकार उस पर कायबाही कर रही है। या तो आप इनको दे दीजिये या स्थीकर से मिल लीजिये। उन्होंने कहा कि हमारा रिप्रेंटेशन उनके पी०ए० को दे दीजिये। मैं पुलिस के साथ गाड़ी पर बोट क्लब पर गया। जब मैं वहां गया तो जीरा पर माइक के साथ बाजरेडी जी खड़े थे। वहां कालेज की लड़कियां और वहां के जो बिलार्ही थे, वह उन की बार्ता को सुनना चाहते थे। जब मैं जीप पर खड़ा हुया तो वहां पर करीब 30, 40 लड़के थे सिर्फ़, जिस में एक भी मरेन था जो कि कीर्ति का यूनिफार है, मैं जानता हूँ। (अवधारणा)

**SHRI VASANT SATHE (Akola) :** Bhim Sen does not belong to Congress (I) at all.

बी कंबर लाल गुप्त : उस के साथ कूछ हिस्ट्रीशोटर्स भी थे जो कि जाने-माने गुड़े हैं, 15, 20 वह भी थे। उन में से कूछ

## [जी कंबर लाल चूप्ता]

जेल में भी थे, इसलिये उन को भी मैं पहचानता हूँ । वह वाजपेयी मुर्दावाद, शोरारजो देसाई मुर्दावाद के नारे लगा रहे थे । जब मैं गया तो मैंने कहा कि हम आपको बात से सहमत हैं, सरकार भी चिन्तित है, मैंने कल यह मशाल उठाया था, सरकार ने पूरा विश्वास दिलाया है । यह पार्टी का मशाल भी है, यह सब का मशाल है और हम आपके साथ इसमें जामिल हैं । उस के बाद उन्होंने वाजपेयी जी, मैंने और शोरारजो देसाई के बिलाक मुर्दावाद के नारे लगाने शुरू कर दिये । (बहवाल)

मेरे बिलाक भी मैं बहां बड़ा था, दिल्ली से एम० पी० था । मैंने कहा कि आप मुन लोकिये वाजपेयी जी को । लड़कियां उहुं सुनता चाहती थीं, लेकिन यह 30, 40 रु. तक बाजार के नारे लगा रहा था । जब वाजपेयी जी बोलने लगे तो वह बोल पर चढ़ बये । जब जीप पर चढ़ गए और वाजपेयी जी को बड़का देने लगे, तो वाजपेयी जी को हरने पकड़, उन्होंने नीचे से परवाह करना शुरू कर दिया और दो परवाह वाजपेयी जी के माथे पर लगे । यह हालत थी ।

पुलिस उन को उड़ाने नहीं, वाजपेयी जी ने कहा कि उनको माल किये, कोई नाड़ी जैव मत करिए, मैं उन से दान कहंगा, समवाङ्मा, लेकिन वह परवाह मार कर भाग बये । बोल तो हम ने बुद कहा कि विराट जल करि, बाद में जो कालूनी कार्यवाही होंगी करेंगे लेकिन यहां कार्य नाड़ी बाज नहीं होना चाहिये । पुलिस ने दो, तीन लाखों को नियमान्वयी भी किया, लेकिन हम ने कहा कि एक का भी विरपतार मत करिए, पूरी कार्यवाही बाद में होगी ।

उन के बाद वाजपेयी जी ने नड़कियों को सम्बोधित किया, उनको विश्वास

दिलाया कि सरकार इस काम में जो बहुत थी कर सकती है, वह पूरी कार्यवाही करेगी और जल्दी ही कल्परिद्धि को विरपतार कर दिया जायेगा । हमारे पास काली बूज आये हैं, और एक ही दिन में, जिन्होंने उन बच्चों को कल्प किया है, उन को पकड़ दिया जायेगा । हमारी, सारे सदन की ओर पूरे देश की सहानुभूति आपके साथ है । सारी बातें बच्चों ने स्पान से सुनी । जब यह बोल रहे थे, इन के बाद बहुत रहा था ।

मेरा कहना यह है कि हम इसको पालिटिकी बोटिंगिट करना या इस में पालिटिकल लाना, ठीक नहीं है । हम सब इस में जामिल हैं । कल जैसे इस बारे में पुलिस की फैल्पुर की बात थी थी । दूसरे मानवीय सदस्यों ने भी बहुत कहा था । इसलिए इस मामले को पालिटिकल कलर नहीं देना चाहिए, बैसा कि आमी बोट सब पर किया गया है । मैं उन की पूरी वर्तमाना और नियमा करना चाहता हूँ । जो लोक हिन्दूराषीटर्स की मरव लेना चाहते हैं, वे उन्हें बताना चाहता हूँ कि हमें पुलिस की ब्रोटेक्शन की ज़रूरत नहीं है । हम उन के साथ डील कर सकते हैं । हमारे पास ताकत है कि हम उन के साथ पूरी तरह से डील करें । जिन्होंने यह काम किया है, वे यह बात दबाल में कि अगर वे इस तरीके से हमारे बेताहों पर हाथ उठायें, उन्हें परवाह भारेंगे, तो हम उन से साथ बाहर भी डील करेंगे । लेकिन उन का जो नरावा है, वह हम ने नहीं सीखा है, हम वह नहीं करना चाहते हैं । हम जलता को बताना चाहते हैं कि एक तरीका हो उन लोगों का है, और दूसरा तरीका वह है, जो

थी बाजपेई ने अग्रणीया—उन्होंने कहा कि किसी को पकड़ो नहीं, कूठ मत करा, उन्हें जाने दो ।

मैं आहताहूं कि सारा सदन इस घटना को भलेंगे करे । जिन मानवीय सदस्यों ने इस को भलेंगा को है, मैं उनका शुक्र-गुदार हूं । हमें ऐसा अवस्था करनी चाहिए कि आदित्य इस तरह का इन्सिडेंट न हो ।

MR. DEPUTY SPEAKER : Let me, on behalf of the House, strongly condemn what has happened today..

श्री राज नारायण (रायबरेंडी) : उग्राध्यक्ष सहाय्य, मैंने नियम 377 के अन्तर्गत नोटिस दिया था । आप ने मना कर दिया, तो मैं बैठा रहा । कल्प दुमा प्रांत जनता के प्रदर्शनीयों ने दो पुलिस स्टेबलों को छापर की । पुलिस स्टेबल के लोग कहते हैं कि हमारा एसिया नहों है । अबर पुलिस आहतों, तो उसने अनियार को ही इस बढ़के और लड़की के कानिलों को पकड़ लिया हांता । सारी जो सारी डिम्बेदारी पुलिस एडमिनिस्ट्रेशन को है । मैं कहना चाहताहूं कि यह श्री बाजपेई को उदारता थी, और वहारे थाई, श्री कंबर साल गुल, की उदारता थी । वे अपनो उदारता रखें । मगर दिन-बहाड़े हतानी बड़ा घटना बटो । पुलिस बहाड़ी, और उस पुलिस की जानकारी में यह बात ज़रूर आ गई होनी कि ये गंदे प्रादमी हैं, गुंडे और किमिनल्ड हैं, तो उन को पहले से ही पकड़नी नहीं हटाया, श्री बाजपेई की ओप पर उन को क्यों छड़ने दिया ? इस में सारा दोष पुलिस प्रशासन का है । इसको सारों डिम्बेदारों पुलिस प्रशासन पर जानी चाहिए । आप इस बारे में सरकार को हिंदावत करें कि अबर सरकार

की पुलिस दत्तचित रही होती तो, मैं शाये के साथ कहता हूं कि इस प्रकार की घटना न होती ।

मैंने अभी बताया है कि शार्नो में सूचना दी गई, लेकिन वे लोग जानते थे कि अबर हम जायेंगे, तो वे गुंडे पकड़े जायेंगे, जिन्हें चलन किया है । उन्होंने जान-बूझ कर उन्हें नहीं पकड़ा और वे आग गये । आज भी यहां स्थिति हुई है । मानवीय सदस्य और श्री बाजपेई ने उदारता दिखाई, अच्छा हुआ । लेकिन जो गुंडे थे, पुलिस को उन के बिछड़ आवश्यक कामवाहा करनी चाहिए थी । (अवक्षण)

MR. DEPUTY SPEAKER : I am sorry, I am not going to allow anybody else.

As I had already stated, on behalf of the House, let me express the sentiments of the entire House when I say that we condemn what has happened today in no uncertain terms. I think, it was also a failure of the police party because, I think.. (Interruptions) Nothing of what Mr. Ugrasen says will go on record.

SHRI UGRASEN (Deorial) : \*\*

MR. DEPUTY SPEAKER : Mr. Ugrasen, you do not observe any solemnity on anything. Let me remind you that this is the type of things happening inside Parliament that are responsible for what is happening outside, and I strongly condemn even this kind of thing. Please have some order, some decorum, some discipline in the House.

MR. Ugrasen, please take your seat (Interruptions) \*\* Mr. Ugrasen, nothing will go on record. Whatever Mr. Ugrasen says will not go on record. (Interruptions) \*\* All of you please take your seat.

As I have already stated, there was a failure of the Police.. (Interruptions) We are not having a jamboree here that every member should get up and say something. Please have some discipline and some decorum in the House. I have been asking you time and again not to convert this into some kind of a big fish market. I am very sorry because the more we behave

[Mr. Deputy Speaker]

like this in the House, the more such incidents will happen outside. Therefore, I am saying, let us have some discipline and as I was saying... (*Interruptions*) Mr. Bagri, please hold your peace.

As I was saying, there was a failure of the police also in the sense that when the murder of the two kids have taken place, the Police was found wanting. Even the Prime Minister has said that. Yesterday he accepted that position. I think the Police should be more vigilant and I think the government should tighten up the Police administration. I could not meet the students of the Jesus & Mary College who have come here because I was here. I could have met them, talked to them and received their memorandum personally. Mr. Sharad Yadav and Shri Harikesh Bahadur also met me.

Therefore, I think it was a very unfortunate incident that has taken place and all of us condemn what has happened to Mr. Vajpayee.

#### MATTERS UNDER RULE 377—*Contd.*

(ix) REPORTED PROBLEMS OF RE-SETTLEMENT OF DANDAKARANYA REFUGEES—*Contd.*

PROF. SAMAR GUHA : (4) To set up a Special Cell in the Rehabilitation Department for tackling the problems of the resettlement and rehabilitation of the refugees with humanitarian outlook and necessary initiative. . . (*Interruptions*).

MR. DEPUTY SPEAKER : Mr. Ugrasen, if you want to go out, please go out. But don't create disturbances in the House.

PROF. SAMAR GUHA : (5) To allow Shri Pannalal Das Gupta, a well-known revolutionary and presently a reported social worker, giving him all necessary assistance and authority, to help the refugees in their task of adequate economic, social and cultural rehabilitation.

(6) To take effective measures with the help of social organisations for bringing about social, cultural and economic integration between the local tribals and the refugee Harijans in the Dandakaranya areas.

(7) To take steps for imparting education to the refugees through their mother tongue and creating facilities for development of their social and cultural rehabilitation possible.

(8) To enlist the Harijan refugees of Dandakaranya as Scheduled Castes so

that the refugees Harijan youths can avail special employment opportunities entitled to the Harijan communities.

(9) To take speedy steps for giving the refugees agricultural facilities and also to set up units for developing small scale industries for economic rehabilitation of the Dandakaranya refugees.

(10) To send a team of the Members of Parliament to the Dandakaranya areas to ensure them of the sympathy and assistance of the Government and the Parliament so that a psychological climate for their proper rehabilitation may be created.

I hope that the Rehabilitation Ministry will respond to these suggestions so as to remove growing worries in the minds of many about the future of the Dandakaranya refugees.

#### PRESS COUNCIL BILL—*Contd.* 29-29 hrs.

MR. DEPUTY-SPEAKER : Now, we will take up further Clause-by-Clause consideration of the Press Council Bill.

श्री राज नारायण (एवरेली) :  
हमारे करके देरा एक निवेदन मुन् लीये।  
980 आदमी कल तिहाइ जेल में बन्द हुए  
थे। उन के रिसेहार उन से विस्ते के लिए  
गये थे। यह रोटी आज 6 बजे बटी है, रात  
को जाना नहीं मिला और पानी आज भी  
नदारद है। दोहजार आदमी अम्बाला  
जेल में बैठे गए हैं। यह रोटियाँ हैं,  
इन को आप भी देख सकिए। (भवाल)

MR. DEPUTY-SPEAKER : You will please write to the Minister concerned. Now, we shall take up the Clause-by-Clause consideration of the Bill.

29-29 hrs.

[Shri N. K. Shrivalkar—in the Chair]

SHRI VASANT SATHE (Akola) : Before that, I want to bring to your notice that for the last four days I have been wanting to raise a matter under 377 relating to the Ex-Chief Minister, Giani Zail Singh.

MR. CHAIRMAN : Mr. Sathe, I am sorry that has not been allowed.

SHRI VASANT SATHE : I would request you to make a note of it and allow me at least tomorrow.

MR. CHAIRMAN : Tomorrow there is no session.

SHRI VASANT SATHE : Kindly allow me to-day because it is a very serious matter. You kindly exercise your discretion in this regard.

MR. CHAIRMAN : I have taken up the Clause by Clause consideration of this Bill.

SHRI VASANT SATHE : Whichever time you allow, you may allow me to raise that. This is a serious matter. I have been requesting for the same for the whole week. We want to do it in a disciplined way; You may not allow. That means every time we shall have to shout.

MR. CHAIRMAN : Please do not do that. I am sorry. I hope you won't do that.

SHRI VASANT SATHE : Kindly consider this. Allow me any time during the course of the day.

MR. CHAIRMAN : We shall see (*Interruptions*).<sup>\*\*</sup>

MR. CHAIRMAN : I do not want you to say that. It won't go on record. Some procedure has to be followed. What you said cannot go on record.

Now we take up clause 5. Those who want to press the amendments. I shall call one by one.

SHRI B. K. NAIR (Mavelikara) : About clause 5 . . .

MR. CHAIRMAN : That stage is over. Amendments were moved. They were duly considered. Now I am taking the vote on them. Before that I want to know whether they want to press their amendments. I shall take up amendments Nos. 1 and 2 moved by Shri Bhausaheb Thorat. He is not here. I shall put them to the vote.

*Amendments Nos. 1 and 2 were put and negatived.*

SHRI A. K. ROY (Dhanbad) : Has the Minister replied ?

MR. CHAIRMAN : That is why I say. If the House agrees, instead of putting to vote each and every amendment of each individual, I shall say whether anyone wants to press his amendment as otherwise, I have to put them together to the vote.

SHRI A. K. ROY : But, I want to press my amendments.

MR. CHAIRMAN : But, do you want to press each one of them separately ?

SHRI A. K. ROY : I want to press my amendments separately.

MR. CHAIRMAN : I shall see. First I take up Amendment No. 45 moved by Shri Laxmi Narain Naik.

SHRI LAXMI NARAIN NAYAK : I want to withdraw it.

*Amendment No. 45 was, by leave, withdrawn.*

MR. CHAIRMAN : Now I come to Amendment Nos. 60 to 77 moved by Shri A. K. Roy. Do you want to press all amendments ?

SHRI A. K. ROY : I want to press my amendments.

MR. CHAIRMAN : If you want division you choose one out of them. Then you can claim division.

SHRI A. K. ROY : All the amendments are connected with each other. If you separate one and take others the link will be lost.

MR. CHAIRMAN : Division can be had only one by one. You choose only one.

SHRI A. K. ROY : I want to press my amendment No. 76 for division.

MR. CHAIRMAN : All right. I am now putting your amendment No. 76 to vote.

The question is :

*Page 3.—*

*for lines 27 to 38 substitute—*

"(4) Before making any nomination of Chairman under sub-section (2), the members of the Council shall be elected by secret ballot as per the provisions laid down in sub-section (3) under the supervision of the Election Commission in accordance with the existing law." (76).

*The Lok Sabha divided.*

\*\*Not recorded.

Division No. 23]

[2922 hrs.

## AYES

Badri Narayan, Shri A. R.  
 Basu, Shri Dharendranath  
 Bhakta, Shri Manoranjan  
 Chandra Shekhar, Shri  
 Kadam, Shri B. P.  
 Kamble, Shri B. C.  
 Krishnan, Shri G. Y.  
 Nair, Shri B. K.  
 Patil, Shri D. B.  
 Patil, Shri S. B.  
 Rachaiyah, Shri B.  
 Reddy, Shri S. R.  
 Shankar Dev, Shri  
 Thorat, Shri Bhausaheb

## NOES

Ahmed, Shri Halimuddin  
 Ahuja, Shri Subhash  
 Alhaj, Shri M. A. Hannan  
 Amin, Prof. R. K.  
 Ankineedu Pra마다 Rao, Shri  
 Arif Beg, Shri  
 Balbir Singh, Chowdhry  
 Baldev Prakash, Dr.  
 Barakataki, Shrimati Renuka Devi  
 Basappa, Shri Kondajji  
 Berwa, Shri Ram Kanwar  
 Bhanwar, Shri Bhagirath  
 Bharat Bhushan, Shri  
 Bhattacharya, Shri Dinen  
 Birendra Prasad, Shri  
 Brahm Perkash, Chaudhury  
 Brij Raj Singh, Shri  
 Chakravarty, Prof. Dilip  
 Chand Ram, Shri  
 Chandan Singh, Shri  
 Chaurbhuji, Shri  
 Chaudhary, Shri Motibhai R.  
 Chauhan, Shri Nawab Singh  
 Chunder, Dr. Pratap Chandra  
 Dasgupta, Shri K. N.  
 Dave, Shri Anant  
 Dawn, Shri Raj Krishna  
 Deshmukh, Shri Nanaji

Dhara, Shri Sushil Kumar  
 Digvijay Narain Singh, Shri  
 Dutt, Shri Asoke Krishna  
 Fernandes, Shri George  
 Ganga Bhakt Singh, Shri  
 Ganga Singh, Shri  
 Gopal, Shri K.  
 Harkesh Bahadur, Shri  
 Hazari, Shri Ram Sewak  
 Heera Bhai, Shri  
 Jain, Shri Kalyan  
 Jain, Shri Nirmal Chandra  
 Jaiswal, Shri Anant Ram  
 Kachwai, Shri Hukam Chand  
 Kailash Prakash, Shri  
 Kapoor, Shri L. L.  
 Kasar, Shri Amrut  
 Khalsa, Shri Basant Singh  
 Khan, Shri Mohd. Shamsul Haqan  
 Kishore Lal, Shri  
 Kotrahatti, Shri A. K.  
 Kureel, Shri Jwala Prasad  
 Kureel, Shri R. L.  
 Kushwaha, Shri Ram Naresh  
 Mahishi, Dr. Sarojini  
 Malhotra, Shri Vijay Kumar  
 Mallick, Shri Rama Chandra  
 Mandal, Shri B. P.  
 Mathur, Shri Jagdish Prasad  
 Mhalgi, Shri R. K.  
 Miri, Shri Govind Ram  
 Mishra, Shri Shyamnandan  
 Mondal, Dr. Bijoy  
 Murmu, Father Anthony  
 Nahata, Shri Amrit  
 Nathu Singh, Shri  
 Nayak, Shri Laxmi Narain  
 Onkar Singh, Shri  
 Orson, Shri Lalu  
 Pandey, Shri Ambika Prasad  
 Pandeya, Dr. Laxminarayan  
 Parasat, Shri Dalpat Singh  
 Parmal Lal, Shri  
 Parmar, Shri Natwarlal B.  
 Paswan, Shri Ram Vilas  
 Patel, Shri Dharmasinhbhai  
 Patidar, Shri Rameshwar  
 Patil, Shri S. D.

Patnayik, Shri Biju  
 Phirangi Prasad, Shri  
 Pipil, Shri Mohan Lal  
 Pradhan, Shri Gananath  
 Raghavendra Singh, Shri  
 Raghavji, Shri  
 Raghbir Singh, Shri  
 Rahi, Shri Ram Lal  
 Rai, Shri Shiv Ram  
 Raj Keshar Singh, Shri  
 Ram Gopal Singh, Chaudhury  
 Ram Kinkar, Shri  
 Ram Kishan, Shri  
 Ram Murti, Shri  
 Ramapati Singh, Shri  
 Ranaji Singh, Dr.  
 Ranjit Singh, Shri  
 Rao, Shrimati B. Radhabai Anup  
 Rao, Shri M. Satyanarayan  
 Rao, Shri Raje Vishvshvar  
 Rathor, Dr. Bhagwan Dass  
 Rodragues, Shri Rudolph  
 Saini, Shri Manohar Lal  
 Satapathy, Shri Devendra  
 Satya Deo Singh, Shri  
 Shaiza, Shrimati Rano M.  
 Sharma, Shri Rajendra Kumar  
 Shastri, Shri Ram Dhari  
 Shastri, Shri Y. P.  
 Shiv Sampati Ram, Shri  
 Shrikrishna Singh, Shri  
 Shukla, Shri Chimanbai H.  
 Sinha, Shri Purnanarayan  
 Somani, Shri Roop Lal  
 Somani, Shri S. S.  
 Sankhendra Singh, Shri  
 Swatantra, Shri Jagannath Prasad  
 Tan Singh, Shri  
 Tril Pratap Singh, Shri  
 Thakur, Shri Aghan Singh  
 Tohra, Shri G. S.  
 Tripathi, Shri Ram Prakash  
 Tyagi, Shri Om Prakash  
 Ugrasen, Shri

Varma, Shri Ravindra  
 Venkatasubaiyah, Shri P.  
 Verma, Shri Hargovind  
 Verma, Shri R. L. P.  
 Yadav, Shri Gyaneshwar Prasad  
 Yadav, Shri Sharad  
 Yadava, Shri Roop Nath Singh  
 Yuvraj, Shri

MR. CHAIRMAN : Subject to correction, the result\* of the division is: Ayes 14 ; Noes 126. The amendment is negatived.

*The motion was negatived.*

MR. CHAIRMAN : I now put amendments Nos. 60 to 75 and amendment No. 77 of Shri A. K. Roy to the vote of the House.

*Amendments Nos. 60 to 75 and 77 were put and negatived.*

MR. CHAIRMAN : Now we come to amendment Nos. 89 and 90, in the name of Shri Ajitsinh Dabhi.

SHRI AJITSINH DABHI : I seek leave of the House to withdraw my amendments Nos. 89 and 90.

MR. CHAIRMAN : Does he have leave of the House to withdraw these amendments ?

SOME HON. MEMBERS : Yes.

*Amendments Nos. 89 and 90 were, by leave, withdrawn.*

MR. CHAIRMAN : Amendment No. 103. Shri Banatwalla. Can I put it to voice vote ?

SHRI G. M. BANATWALLA : You may put it to voice vote. I want division only on my amendment No. 149.

MR. CHAIRMAN : All right. I now put amendment No. 103 of Shri Banatwalla to the vote of the House.

*Amendment No. 103, was put and negatived.*

MR. CHAIRMAN : Amendment No. 109, Mr. Kambie.

\*The following Members also recorded their votes :—

AYES : Sarvashri A. K. Roy and P. A. Sangma.

NOES : Sarvashri Surendra Jha Suman, Raghunath Singh Verma, Yashwant Borole, Ram Prasad Deshmukh, Mohd. Hayat Ali and Chandra Shekhar.

SHRI B. C. KAMBLE : I seek leave of the House to withdraw my amendment No. 109.

MR. CHAIRMAN : Does he have the leave of the House to withdraw his amendment No. 109 ?

SOME HON. MEMBERS : Yes.

*Amendment No. 109 was, by leave, withdrawn.*

MR. CHAIRMAN : Now, I will put the Amendment Nos. 131 to 135 of Shri K. A. Rajan to the vote of the House.

*Amendments Nos. 131 to 135 were put and negatived.*

MR. CHAIRMAN : Now, I will take up amendment No. 137 of Mr. Yashwant Borole.

SHRI YASHWANT BOROLE : Sir, I am not pressing for it. I seek leave of the House to withdraw my amendment.

MR. CHAIRMAN : Does he have leave of the House to withdraw the amendment ?

SOME HON. MEMBERS : Yes.

*Amendment No. 137 was, by leave, withdrawn.*

MR. CHAIRMAN : Now, Amendment Nos. 149 and 150 are in the name of Mr. G. M. Banatwalla.

SHRI G. M. BANATWALLA : Amendment No. 150 is consequential. But I press my amendment No. 149 for division.

AN HON. MEMBER : It is no use.

SHRI G. M. BANATWALLA : You don't know what the Amendment is ? Mr. Chairman, please read out my amendment before it is put to vote.

MR. CHAIRMAN : I shall now put amendment No. 149 moved by Shri G. M. Banatwalla to the vote of the House.

The question is :

Page 3.—

after line 17, insert—

"Provided also that in case nominations under clause (a) and clause (b) do not include any member from any one or more of the languages mentioned in the Eighth Schedule of the Constitu-

tion, such additional number shall be nominated so as to secure members from all such languages." (149).

*The Lok Sabha Divided :*

Division No. 36.]

(13.32 hrs.

AYES

Avari, Shri Gov. M.  
Banatwalla, Shri G. M.  
Bhakta, Shri Manoranjan  
Chettri, Shri K. B.  
Deo, Shri P. K.  
Desai, Shri Dajiba  
Hande, Shri V. G.  
Kisku, Shri Jadunath  
Kodiyal, Shri P. K.  
Kolur, Shri Rajeshwar  
Krishnan, Shri G. Y.  
Murogaiyan, Shri S. G.  
Naik, Shri S. H.  
Nair, Shri B. K.  
Patil, Shri D. B.  
Patil, Shri Vijaykumar N.  
Sangma, Shri P. A.  
Thorat, Shri Bhausaheb  
Tirkay, Shri Puna

NOES

Ahmed, Shri Halmuddin  
Ahuja, Shri Subhash  
Alhaj, Shri M. A. Hannan  
Amin, Prof. R. K.  
Arif Beg, Shri  
Bal, Shri Pravunnna  
Balbir Singh, Chowdhry  
Bappa, Shri Kondajji  
Bhanwar, Shri Bhagirath  
Bharat Bhushan, Shri  
Birendra Prasad, Shri  
Borole, Shri Yashwant  
Brahm Perkash, Chaudhury  
Brij Raj Singh, Shri  
Chakravarty, Prof. Dilip  
Chandan Singh, Shri  
Chandra Shekhar, Shri  
Chaturbhuj, Shri  
Chaudhary, Shri Motibhai R.

Chauhan, Shri Nawab Singh	Parmar, Shri Natwarial B.
Chavda, Shri K.S.	Paswan, Shri Ram Vilas
Chikkalingiah, Shri K.	Patel, Shri Dharmasinhbhai
Chowhan, Shri Bharat Singh	Patel, Shri Meetha Lal
Chunder, Dr. Pratap Chandra	Patidar, Shri Rameshwar
Danwe, Shri Pundalik Hari	Patil, Shri S. D.
Dasgupta, Shri K. N.	Patnaik, Shri B. J.
Dave, Shri Anant	Patwary, Shri H. L.
Dawn, Shri Raj Krishna	Pertin, Shri Bakin
Deshmukh, Shri Nanaji	Phirangi Prasad, Shri
Deshmukh, Shri Ram Prasad	Pipil, Shri Mohan Lal
Digvijay Narain Singh, Shri	Pradhan, Shri Ganapath
Dutt, Shri Asoke Krishna	Pradhan, Shri Pabitra Mohan
Fernandes, Shri George	Raghavendra Singh, Shri
Ganga Bhakt Singh, Shri	Raghavji, Shri
Ganga Singh, Shri	Raghbir Singh, Shri
Godara, Ch. Hari Ram Makkasar	Rai, Shri Gauri Shankar
Guha, Prof. Samar	Rai, Shri Narmada Prasad
Harikech Bahadur, Shri	Rai, Shri Shiv Ram
Heera Bhai, Shri	Rakesh, Shri R. N.
Jain, Shri Nirmal Chandra	Ram, Shri R. D.
Kachwai, Shri Hukam Chand	Ram Charan, Shri
Kailash Prakash, Shri	Ram Gopal Singh, Chaudhury
Kapoor, Shri L. L.	Ram Kinkar, Shri
Khalsa, Sri Basant Singh	Ram Murti, Shri
Kishore Lal, Shri	Ramapati Singh, Shri
Krishan Kant, Shri	Ramdas Singh, Shri
Kureel, Shri Jwala Prasad	Ramji Singh, Dr.
Kushawaha, Shri Ram Naresh	Ranjit Singh, Shri
Malhotra, Shri Vijay Kumar	Rao, Shri Raje Vishveshvar
Malik, Shri Mukhtiar Singh	Rodrigues, Shri Rudolph
Mallick, Shri Rama Chandra	Sai, Shri Larang
Mandal, Shri B. P.	Saini, Shri Manohar Lal
Mankar, Shri Laxman Rao	Satapathy, Shri Devendra
Mathur, Shri Jagdish Prasad	Satya Deo Singh, Shri
Mohd. Hayat Ali, Shri	Sharma, Shri Rajendra Kumar
Mondal, Dr. Bijoy	Shastri, Shri Bhanu Kumar
Murmu, Father Anthony	Shastri, Shri Ram Dhari
Nahata, Shri Amrit	Shastri, Shri Y. P.
Nathu Singh, Shri	Shiv Sampati Ram, Shri
Nathuni Ram, Shri	Shrikrishna Singh, Shri
Nayak, Shri Laxmi Narain	Shukla, Shri Chimanbhai H.
Onkar Singh, Shri	Singh, Dr. B. N.
Oraon, Shri Lalu	Sinha, Shri Purnanarayan
Pandey, Shri Ambika Prasad	Somani, Shri S. S.
Pandeya, Dr. Laxminarayan	Suman, Shri Surendra Jha
Parante, Shri Dalpat Singh	Swatantra, Shri Jagannath Prasad
Parmal Lal, Shri	Tan Singh, Shri

Tej Pratap Singh, Shri  
 Thakur, Shri Aghian Singh  
 Tiwary, Shri Madan  
 Tiwary, Shri Ramanand  
 Tohra, Shri G. S.  
 Tripathi, Shri Ram Prakash  
 Tyagi, Shri Om Prakash  
 Ugrasen, Shri  
 Varma, Shri Ravindra  
 Verma, Shri R. L. P.  
 Verma, Shri Raghunath Singh  
 Verma, Shri Sukhdeo Prasad  
 Yadav, Shri Gyaneshwar Prasad  
 Yadav, Shri Sharad  
 Yadav, Shri Vinayak Prasad  
 Yadava, Shri Roop Nath Singh  
 Yuvraj, Shri

MR. CHAIRMAN : Subject to correction, the result\* of the division is : Ayes 19; Noes 132.

*The motion was negatived.*

MR. CHAIRMAN : I shall now put all the remaining amendments Nos. 98, 120 and 150 to Clause 5 to the vote of the House.

*Amendments Nos. 98, 120 and 150 were put and negatived.*

MR. CHAIRMAN : The question is:

"That Clause 5 stand part of the Bill."

*The motion was adopted.*

*Clause 5 was added to the Bill.*

**Clause 6** (Term of office and retirement of members)

SHRI A. K. ROY : I beg to move :

Page 4, line 6,—

*for "nominated" substitute "elected"*  
 (78)

Page 4, line 24,—

*for "nomination" substitute "election"*  
 (79)

Page 4, line 25,—

*for "nominated" substitute "elected".*  
 (80)

Page 4, lines 25 and 26,—

*for "nominated" substitute "elected"*  
 (81)

Page 4, line 28,—

*for "re-nomination" substitute "re-election"* (82)

MR. CHAIRMAN : I shall now put amendments No. 78 to 82 to the vote of the House, together.

*The Amendments Nos. 78 to 82 were put and negatived.*

MR. CHAIRMAN : Now the question is :

"That clause 6 stand part of the Bill."

*The motion was adopted.*

*Clause 6 was added to the Bill.*

*Clause 7 was added to the Bill.*

**Clause 8**—(Committees of the Council)

MR. CHAIRMAN : Now clause 8. Mr. Vaval Ravi is not here. Mr. Nair, are you moving ?

SHRI B. K. NAIR : Yes, Sir. I to move :

Page 4, line 40,—

*for "such Committees" substitute—*  
 "Executive Committee and such other Committees" (82)

Page 4,—

*after line 43, insert—*

"(A) The Executive Committee shall consist of seven members and shall include one member at least from each of the categories referred to sub-clauses (a), (b), (d) and (e) in sub-section (3) of section 5." (82)

\*The following Members also recorded their votes :

AYES : Shri A. K. Roy

NOES : Sarvashri Chand Ram, Jena Behnji, Bega Ram Chauhan, Roop Lal Sehgal, D. Amrit, Raj Keshar Singh and Dr. Bhagwan Das Rathor.

MR. CHAIRMAN : Mr. Borole, are you moving ?

SHRI YASHWANT BOROLE : Yes, Sir. I beg to move :

Page 5, line 3,—

*add at the end—*

"<sup>1</sup>, but not exceeding one-third of the strength of the Committee."  
(138)

SHRI B. K. NAIR : I want to speak on my amendment, Sir.

MR. CHAIRMAN : For just one minute.

SHRI B. K. NAIR : The Council as now proposed, consists of 29 members. And it will have many obligations also. I suggest that 29 is too unwieldy a number, for the effective functioning of a body like this. The Bill also provides for suitable committees to be appointed. I am making a definite suggestion, *e.g.* that among those committees, the primary position may be given to the functioning of an Executive Committee, which may be able to discharge day-to-day functions. I also suggest that the Council may also include a vice-chairman. You have got a chairman. You can also have a vice-chairman who will act in his place and also preside over the meetings when the chairman is absent. And the executive committee may also be appointed. That is my suggestion. Along with this, I have given some more details :

"The Executive Committee shall consist of seven members and shall include one member at least from each of the categories referred to in sub-clauses (a), (b), (d) and (e) in sub-section (9) of section 5."

I am also suggesting the constitution of the Committee. I think the Minister will not object to it, because they have already provided for the committees to be appointed. Why not have an executive committee ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) : The Council itself is not a large body. It is a body of only 29. So, to have a small executive committee from out of that, would not be necessary and would not be feasible. Particularly when all the possible positive recommendations that could have been considered, were considered by the Select Committee and we have come to this conclusion, I think, it is not possible for me to accept it.

So far as the committees are concerned, they are there. They can be there for specific purposes. The executive committee is something which substitutes the Council, which would not be the proper thing, in matters of general nature. I can understand a small problem being referred to a small committee, for small papers or for a small paper. I can understand that, or a specific case being referred to a committee of 9. That power it already has. And to have a small body with a permanent say, and on a permanent statutory level, would not be proper. Otherwise the fact is that the Council has the authority to constitute committees. If, in pursuance of that authority, it wants to set up a small committee, it can always be done.

SHRI B. K. NAIR : How frequently does this Council meet ? Does it meet once in three months or six months ?

SHRI L. K. ADVANI : As often as it is possible.

SHRI B. K. NAIR : Why should they not meet as frequently as is necessary ? They may not meet so frequently.

MR. CHAIRMAN : Are you satisfied with the reply of the hon. Minister ? Do you want to withdraw your amendment ?

SHRI B. K. NAIR : I am not pressing it.

MR. CHAIRMAN : Is it the pleasure of the House that Mr. Nair be allowed to withdraw his amendments ?

SEVERAL HON. MEMBERS : Yes.

*Amendments Nos. 9a and 93 were, by leave, withdrawn.*

MR. CHAIRMAN : Mr. Borole, are you pressing your amendment ?

SHRI YASHWANT BOROLE : I am not pressing my amendment.

MR. CHAIRMAN : Is it the pleasure of the House that Mr. Borole be allowed to withdraw his amendment ?

SEVERAL HON. MEMBERS : Yes.

*Amendment No. 138 was, by leave, withdrawn.*

MR. CHAIRMAN : The question is :

"That clause 8 stand part of the Bill."

*The motion was adopted.*

*Clause 8 was added to the Bill.*

MR. CHAIRMAN : As far as clause 9 is concerned, Mr. Vayalar Ravi has given his amendments; he is not here. There is no amendment to clause 10. There is one amendment No. 54 by Shri Unnikrishnan. He is also not here. There is no amendment to clause 12. So, I shall put clauses 9 to 12 to the vote of the House. The question is :

"That clauses 9 to 12 stand part of the Bill."

*The motion was adopted.*

*Clauses 9 to 12 were added to the Bill.*

**Clause 13.** (*Objects and functions of the Council.*)

MR. CHAIRMAN : Mr. Raj Krishna Dawn, are you moving your amendments ?

SHRI RAJ KRISHNA DAWN : No.

MR. CHAIRMAN : Mr. Vinayak Prasad Yadav, are you moving your amendment ?

SHRI VINAYAK PRASAD YADAV : I am not moving my amendment.

SHRI DHIRENDRANATH BASU : I beg to move :

Page 5, line 30,—

*nor "and news agencies in India" substitute—*

"Journals, advertising agencies and all news agencies in India". (5)

Page 5, line 32,—

*after "functions, " insert—*

"and such other functions as the Council may deem necessary for improving the standards of newspapers, journals and all news agencies" (6)

SHRI CHITTA BASU : I beg to move :

Page 6,—

*after line 30, insert—*

"(ii) to keep under continuous review and to concern itself with any development which affects or is likely to affect the freedom of the Press." (17)

SHRI AMRUT KASAR : I beg to move :

Page 5, line 29,—

*after "Press" insert—*

"from Government and private authorities and individuals" (41)

Page 5,—

*after line 34, insert—*

"(aa) to hold inquiries in the unilateral cancellation of accreditation by the Government." (42)

SHRI A. K. ROY : I beg to move :

Page 6, lines 16 to 18,—

*for "including those brought out by any embassy or other representative in India of a foreign State". substitute—*

"and any other foreign publications," (83).

Page 6, line 27,—

*add at the end—*

"except for the cases of victimisation, retrenchment, dismissal where the opinion of the Council would be binding on the parties" (84)

Page 6, line 30,—

*add at the end—*

"and to plan for its diffusion with a viable objective of ultimate social ownership" (85)

SHRI B. K. NAIR : I beg to move :

Page 5,—

*omit lines 35 and 36. (94)*

Page 6, line 28,—

*for "concern itself with" substitute—*

"adopt effective measures to curb and counteract" (95).

SHRI G. N. BANATWALLA : I beg to move :

Page 6,—

*for lines 31 to 33, substitute—*

"(j) to undertake such studies and to express its opinion in regard to any such matter as the Council may deem fit or as may be referred to it by the Central Government" (105)

SHRI C. K. CHANDRAPPAN : I beg to move :

Page 6,—

*after line 27, insert—*

"(hh) to study and make recommendations to the Government about the pattern of newspaper ownership and to recommend how the newspaper ownership can be

diffused and delinked from the monopoly industrial houses.

(hhh) to study the problems relating to service conditions, wages, security of job concerning editors, working journalists and other newspaper employees and make recommendations to the Government for providing them better conditions of work and looking after their welfare." (136)

**SHRI B. K. NAIR :** I beg to move :

Page 6.—

after line 35, insert—

- "(1) to inculcate in journalists a spirit of enquiry and strict adherence to truth in reporting events and impartiality and objectivity in offering comments :
- (m) to see that newspapers provide adequate coverage to events and developments in the National reconstruction activities and development projects :
- (n) to focus full attention to all aspects of life in rural areas."
- (96)

**MR. CHAIRMAN :** Shall I put all the amendments to vote together?

**SHRI DHIRENDRANATH BASU :** We want to speak a few words; I will be brief. The hon. Minister will certainly agree with me that the powers and functions of the Council should not be very limited. The object of the Council should be to preserve freedom of the Press, to maintain and improve the standards of newspapers, news agencies, television and radios and all mass media. They should be invested with such powers so that the autonomy of the Press Council will be preserved. The hon. Minister has already explained that he is very much for the freedom of the press; we also say so; we also say that there should be more autonomy for the Press Council; within the purview of the powers and functions of the Press Council all must be kept, namely, newspapers, news agencies, television, radio, all mass media should come under its purview. Television and radio should not be excluded; lakhs of people hear the radio and see the television. I am appealing to the hon. Minister to accept my amendment.

**SHRI CHITTA BASU :** My amendment relates to clause 13.

**MR. CHAIRMAN :** Speeches should be made only if necessary.

**SHRI CHITTA BASU :** Clause 13 says that the object of the Council shall be "to preserve the freedom of the Press and to maintain....." Then follows the definition of the Press Council. But in those functions, the catalogue of which has been mentioned here, there is no item wherein there is any indication by which the Press Council will preserve the freedom of the press. Therefore, I simply want to add this as one of the functions of the Press Council, viz.,

"To keep under continuous review and to concern itself with any development which affects or is likely to affect the freedom of the Press."

I think, the Minister should have no objection in accepting this because it is the main object of the Bill and in the functions he has not mentioned in a very explicit manner.

**SHRI AMRUT KASAR (Panaji) :** My amendment has come after on the practical difficulties faced by newspapers. As assurance has already come from the Minister. This amendment is moved not to show any distrust or that I distrust him, but the Minister or the portfolio may change, or Government may change. Because of the liberal ideals of this Government, the Government has assured of this freedom, but the weapon in the hands of most of the Governments is that of accreditation by which the press gets a right to go to any office and seek information. They are able to attend the Assembly proceedings. They are able to go to the Secretariat because of the accreditation. Many times the Government cancels the accreditation of the newspaper as punishment. In order to safeguard that I have suggested this amendment and I think this amendment will be a protection to the newspaper and it may be accepted.

**SHRI A.K. ROY (Dhanbad) :** This Clause is the most important one relating to the powers and functions of the Council. I have already said that the freedom of the press means freedom of the pen, freedom from the purse and freedom for the people and to achieve that freedom not only democratic tongue but also democratic teeth are required. With these amendments, I tried to provide a few democratic teeth to the hon. Minister.

We have got an idea that controlled press means only controlled by the Government. But here I too read a few lines from Pandit Jawahar Lal Nehru as have been written about the freedom of the press :

"Freedom of the Press usually means non-interference of the Government. But there is such a thing as interference by the private interests. I am unable

[ Shri A. K. Roy ]

to understand how a small group represents the freedom of the press."

Not only that, I would like to draw your attention to the Resolution of the Indian Federation of the Working Journalists. It says—

"Changing the ownership and management of the press controlled by the big industrial houses are imperative and should be an integral part of the other changes in the socio-economic order that are in the offing in India. Working Journalists do not believe in the pedestrian theory of the growth at any cost."

We have got the affairs of Verghese. But we merrily forgot the affairs of Pran Chopra who was the Editor of the Statesman and was sacked, as some of the editorials were supposed to be friendly with the United Front Government. Similar things happened with many other editors also. There is sub-clause (h) which says:

"to promote a proper functional relationship among all classes of persons engaged in the production or publication of newspapers or in news agencies.

Provided that nothing in this clause shall be deemed to confer on the Council any functions in regard to disputes to which the Industrial Disputes Act, 1947, applies".

Here I would like to say that the Council's say should be decisive in the case of victimisation of working journalists and editors. Whenever any editor will find himself in difficulty it will be referred to the Council and the Council's say should be binding on the management. If you do not provide these democratic teeth, the management and owners will never care for the Council's opinion.

Sub-clause (i) says "to concern itself with developments as such concentration of or other aspects of ownership." This is only a negative part. What is the positive aspect of the Council? The positive outlook of the Council should be, as I have suggested, "to plan for its diffusion with a viable objective of ultimate social ownership". I have already proposed working journalists' cooperative to run a newspaper. This has already been started in one or two cases in India and it is operating in some places outside also. I want that the objective should be precisely put. That is why I have said that the objective of diffusion and viable social ownership must be incorporated in the Bill. Instead of adopting this kind of positive approach, the Minister has put in

subclause (g)", to undertake studies of foreign newspapers including those brought out by any embassy....." etc. This will sound as if the Press Council will operate as an agency of the Foreign Ministry. It looks odd and it sounds vulgar. That is why I have said that you need not elaborate by mentioning publications brought out by embassies and other things. These are details which need not be part of the Bill. You can easily avoid it by saying "any other foreign publication". That will serve your purpose and it will not sound odd. I hope the Minister will accept these three constructive suggestions and incorporate them in the Bill.

**PROF. DILIP CHAKRAVARTY :** If the hon. member is referring to Mr. Pran Chopra's support to the United Front Government in West Bengal, it should be 1967 or 1969 and not 1968, because there was no United Front Government in West Bengal in 1968.

**SHRI A.K. ROY :** You read what Mr. Setalvad has written. That does not in any way affect the merit of what I have proposed.

24.00 hrs.

**SHRI B.K. NAIR :** In my view, the powers of the Council are insufficient. I agree with Mr. Roy, that this is a Council without teeth. It is a Council without any bones or even spine. As at present contemplated, it will be an ineffective body and it would not be able to do anything to safeguard the freedom of the press. In the constitution itself, we are providing for a very heavy and substantial representation of the owners. What do they contribute to the freedom of the press?

They provide nothing material. What about freedom of expression and freedom of ideas? You have stated what is to be done by the people employed, the editors and the employees. But the owners are just constraints on freedom. There are six owners on the Press Council. There is no function that they have to perform except to veto whatever is being done. So, with this heavy weight tied on to their neck, if you are going to constrain the staff employed still further, I am afraid it is not going to serve the purpose.

Incidentally, in Clause 14 we are providing for punishment to every other category. If something is done by a journalist, the Council will come down on his head like a ton of bricks, but what about six gentlemen who may be tampering with

the freedom of the press? Nothing is provided here. The editor may be hauled up, the journalist may be reprimanded, everything can be done against them, but what about these six gentlemen who are sitting on the Council with their tons of money? Nothing is provided for against them. Is it assumed that they will not commit any offence? All the time they are committing offences.

I am suggesting that the reference to the code of conduct be deleted by omitting lines 35 and 36 in page 5.

Secondly, much has been said about the functions of the press, but what about their social obligations? That is the main point that I want to stress. They are confining their activities and circulation only to the cities. They do not go to the countryside, they do not care for the Harijans and backward classes. Everyday something is happening to the Harijans, but how does the Harijan come in the newspapers? He comes in only as a criminal, as a victim of a shooting and firing, nothing else. The fact that he is having a peaceful life in the countryside, is contributing to the building up of the nation and the part he plays in the economy of the country are never given in the newspapers of the country. Maintenance of professional standards, integrity etc., are all right and very necessary, but it is necessary to inculcate in journalists a spirit of enquiry and strict adherence to truth in reporting events and impartiality and objectivity in offering comments. These things are lacking now. We have also to see that newspapers provide adequate coverage to events and developments in the national reconstruction activities and development projects, and further that they focus full attention to all aspects of life in the rural areas. My amendments seek to provide for these things.

**SHRI G.M. BANATWALLA** (Ponnani): Clause 13(a)(b) provides for a code of conduct for newspapers, news agencies and journalists. I submit that the freedom of the press is a very delicate and sensitive thing. A handful of people should not be allowed to impose their views on such a delicate and sensitive thing. I have therefore moved an amendment.

We must also take note of the fact that as many as three strong Minutes of Dissent are appended with respect to the Report of the Joint Committee. Therefore, I, at this stage, appeal to the Treasury Benches and to the august House to see that no prior restraints are imposed upon the press specially in the form of a code of conduct which implies a code of discipline to be adhered to by the press.

I have also moved a second amendment to clause 13(a)(j) saying that the Press

Council can undertake such studies as may be entrusted to the Council and express its opinion on such matters as may be referred to it by the Central Government. Sir, there is no reason why the initiative of the Press Council should be curbed and killed. Let the Press Council decide on any matter which it may take up either on its own initiative or referred to it by the Central Government. Therefore, my amendment provides that the Press Council should be allowed to have the initiative to express such opinions on freedom and in dependence of the press as it may deem fit. It should also express its opinion on such other matters as may be referred to it by the Central Government in addition to the matters taken up on its own initiative. I hope this amendment giving the initiative to the Press Council will be accepted by this august House.

**MR. CHAIRMAN** : I want to make one observation. Because amendment No. 104 is the same as amendment No. 94, it should not be considered as moved.

Now, Mr. Chandrappan may speak on amendment No. 136.

**SHRI C.K. CHANDRAPPAN** : I do not want to make a speech. I think the Minister will accept my amendment. That is the crux of the matter in deciding whether the press is free. So, I hope he will accept it.

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI)** : I think most of the points raised were raised in the First Reading also, and I had indicated that the Government itself is conscious that freedom of the press can be fully guaranteed and ensured only when the various constraints imposed by the present pattern of ownership are also removed. But as I said then, the Press Council is not a body which can complete this task. The Press Council has to keep this in mind while adjudicating while framing its approach, and to that extent there is a provision in the Bill already. But this is a matter which essentially has to be dealt with, as I said, by the Press Commission, and the Press Commission has to make its recommendations to the Government and the Government on that basis will come to Parliament again because this is not a matter in which this Press Council can do very much.

Shri Banatwalla referred to the three Notes of Dissent. That too I had dealt with while replying to the First Reading. I would like to state again that when in 1965 this legislation was brought, the first Press Commission's recommendation that the Press Council should be required to formulate a code of conduct was before

[Shri L. K. Advani]

it, but the legislation adopted did not say the word "formulate" and the Council reiterated this view. It stated :

"It is neither necessary nor desirable, and not even feasible, to draw up a comprehensive code and that it would be better and more useful to build up in course of time a body of case law gathered from the principles formulated in its adjudications in the several concrete cases before it".

That is why the term "build up a code of conduct" was used. The present Press Council Bill also adheres to that. This matter was discussed at length in the Select Committee and the preponderance of opinion was in favour of retaining the term "to build up a code of conduct".

Yet another point was made here about advertising agencies and radio and television being brought within the purview of this. So far as advertising agencies are concerned, I do not think it would be proper to bring them here. But so far as radio and television are concerned, I do think that they are important media of communication and, in a way, analogous to the press. So, when we think in terms of granting autonomy to these media, we will have to provide a suitable machinery and mechanism which keeps track of their conduct also.

Shri Chitta Basu has moved some amendments. Let I would like to point out that the Bill, as it is, elaborates more effectively what he has sought to achieve. For instance, one of the functions that he has suggested, in Amendment No. 17, is :

"to keep under continuous review and to concern itself with any development which affects or is likely to affect the freedom of the press".

Sub-clause (t) of clause 13 reads :

"The objects of the Council shall be to preserve the freedom of the Press and to maintain and improve the standards of newspapers and news agencies in India".

Not only that, it goes on to elaborate the functions of the Council in this regard, by saying :

"to ensure on the part of newspapers, news agencies and journalists, the maintenance of high standards of public taste and foster a due sense of both the rights and responsibilities of citizenship".

Then it says :

"to encourage the growth of a sense of responsibility and public service.....".

He was saying something about public accountability. I think all these provisions can be worded differently, and I do not dispute that if a draftsman like Shri Chitta Basu had been with us, he might have framed it still better; I do not know. But, as it is, it is very comprehensive and it deals with the various aspects and various dimensions of this particular matter.

In fact, in the Select Committee itself many Members felt that provisions like these should be cut down to the minimum otherwise, very often these provisions read like pious platitudes. It will certainly not be the object of this House to indulge in any pious platitude. We would like every provision to be very specific so that it would contribute to greater effectiveness of the Council. I would, therefore, plead with all the members to look at clause 13 in its totality, because all the points that they have broadly mentioned are there. So, if he kindly withdraws the amendments, it would be still better. Otherwise, I would appeal to the House to reject them.

SHRI CHITTA BASU : I do not want to press my amendments and I am willing to withdraw them. Your argument has been that all these points have been included. You may or may not accept my amendment, but my point is that it is not included, particularly in view of the fact that in sub-clause (i) . . . .

SHRI L. K. ADVANI : Exactly the word you have used is there.

SHRI CHITTA BASU : You have mentioned :

"to concern itself with developments such as concentration of or other aspects of ownership of newspapers and news agencies which may affect the independence of the Press; "

This is one aspect of the independence of the press, the freedom of the press. That I agree. You have said that that aspect of the problem can be fairly dealt with in a

better way by the Press Council. I agree. But to my mind, there are other threats to the freedom of the press. You have singled out this one. But what about the other threats? Have you mentioned anything about them?

SHRI L. K. ADVANI : What has been raised by Shri Chitta Basu just now was, in a different way, raised by Shri Banatwalla, because he drew my attention to sub-clause (j), which says :

"to undertake such studies as may be entrusted to the Council and to express its opinion in regard to any matter referred to it by the Central Government."

and he said "why not make the Council on its own do something if it wants to?" I can point out that the subsequent sub-clause (k) takes care of both what Shri Chitta Basu would like the Press Council to do as well as what Mr Banatwalla would like the Council to do. It does not confine itself merely to study, it gives it complete residuary authority in its own sphere to the extent of subserving the main objectives. It says :

"to do such other acts as may be incidental or conducive to the discharge of the above functions."

We can always observe that in all such legislations, we always empower and give authority to the body, which is being created under statute to do whatever else is necessary and conducive so that sub-clause (j) does not, in any way, restrict the authority of the Council itself and it only empowers the Government to do something and ask the Council to undertake a study. For instance, in this House, some Members may ask the Government to have a matter studied by the Council, then the Government can, in view of sub-clause (j) ask the Council to do it.

SHRI B. K. NAIR : About social responsibility, he said, it is all covered in sub-clause (2). That is entirely a different thing. I will say that the entire thing is concerned with a sort of lower-middle class and upper-class strata of society. The countryside is not touched. You say that the Janata Party is committed to the development of country-side. Why not you put the responsibility of the papers also?

MR. CHAIRMAN : That will do.

SHRI L. K. ADVANI : It covers everything.

MR. CHAIRMAN : Mr. Dhirendranath Basu, are you withdrawing your amendment nos. 5 and 6?

SHRI DHIRENDRANATH BASU : Yes. I seek leave of the House to withdraw my amendments.

*Amendments Nos. 5 and 6 were, by leave, withdrawn.*

MR. CHAIRMAN : Mr. Chitta Basu, are you withdrawing your amendment No. 17?

SHRI CHITTA BASU : Since the hon. Minister has assured that this aspect of the problem would be the concern of the Press Council, I seek leave of the House to withdraw my amendment.

*Amendment No. 17 was, by leave, withdrawn.*

MR. CHAIRMAN : Mr. Amrit Kasar, are you withdrawing your amendment nos. 41 and 42?

SHRI AMRUT KASAR : Yes, sir. I seek leave of the House to withdraw my amendments.

*Amendments Nos. 41 and 42 were, by leave, withdrawn.*

MR. CHAIRMAN : Mr Roy, are you withdrawing your amendment nos. 83, 84 and 85?

SHRI A. K. ROY : No. I want to make your job simple. I want you to put amendment nos. 83 and 84 to voice vote and on amendment no. 85, I want division.

MR. CHAIRMAN : I put ~~seconded~~ nos. 83 and 84 moved by Shri A. K. Roy to the vote of the House.

*Amendments Nos. 83 and 84 were put and negatived.*

MR. CHAIRMAN : Now, I put Amendment No. 85 to Clause 13 moved by Shri A. K. Roy to the vote of the House.

Those who are in favour may say, Aye.

SHRI A. K. ROY : Aye.

MR. CHAIRMAN : Those who are against may say, No.

SEVERAL HON. MEMBERS : No.

MR. CHAIRMAN : The Noes have it; the Ayes have it.

SHRI A. K. ROY : The Ayes have it.

MR. CHAIRMAN : Let the Lobbies be cleared. .... The Lobbies have been cleared.

[Mr. Chairman]

The question is :

Page 6, line 30,—

add at the end—

"and to plan for its diffusion with a viable objective of ultimate social ownership" (85)."

*The motion was negatived.*

SHRI B. K. NAIR : I would like to withdraw my Amendments Nos. 94-95 and 96.

*Amendments Nos. 94 to 96 were, by leave withdrawn.*

MR. CHAIRMAN : I now put Amendment No. 105 of Shri Banatwalla to the vote of the House.

*Amendment No. 105 was put and negatived.*

MR. CHAIRMAN : I now put Amendment No. 126 of Shri Chandrappan to the vote of the House.

*Amendment No. 126 was put and negatived.*

MR. CHAIRMAN : Now, the question is :

"That Clause 13 stand part of the Bill".

*The motion was adopted.*

*Clause 13 was added to the Bill.*

**Art. 28 (Power to censure)**

SHRI DHIRENDRANATH BASU : I beg to move :

Page 6, line 47,—

add at the end—

"but in case of complaint of not of a serious matter, the Council shall also have the authority to condemn the newspaper, news agency, the editor or the journalist of such a complaint". (7).

SHRI CHITTA BASU : I beg to move :

Page 6, line 40,—

after "misconduct" insert—

"or that there have been abridgement of, or encroachment upon, or interference with the freedom of Press by any authority including the Government," (18).

Page 6, line 41,—

after "concerned" insert—

"or any authority including the Government," (19).

SHRI LAXMI NARAIN NAYAK  
I beg to move :

Page 6, line 47,—

add at the end—

"and in case the warnings are ignored, the council may, after giving three warnings, recommend to the Government closure of any newspaper or news agency which will be binding on the Government (46).

SHRI A. K. ROY : I beg to move :

Page 6, line 47,—

add at the end—

"or suggest some other measures to the Government and the Government shall act according to that". (86).

Page 7, line 5,—

for "empower" substitute "debar" (87).

SHRI B. K. NAIR : I beg to move :

Page 6, line 47,—

add at the end—

"and, if considered necessary, adopt extreme deterrent action against the offenders" (97).

SHRI YASHWANT BOROLE :  
beg to move :

Page 6, line 48,—

for "may" substitute "shall" (140).

Page 6, line 50,—

add at the end—

"except in case where the Council on representation by aggrieved complainant decided to entertain a complaint". (141).

SHRI L. K. ADVANI : Mr. Chairman, do I have your permission to leave the

the House? There is voting in the other House. My colleague, Mr. Ravindra Varma, will attend to this Bill.

MR. CHAIRMAN : Yes.

Now, I would request the hon. Members to be brief and to the point.

Mr. Dharendra Nath Basu.

**SHRI DHIRENDRANATH BASU :** The hon. Minister for Parliamentary Affairs and Labour and the hon. Minister of Information and Broadcasting are dynamic Ministers. To add to their dynamism, I want to add at the end of page 6, line 47 :

"but in case of complaint of not of a serious matter, the Council shall also have the authority to condone the newspaper, news agency, the editor or the journalist of such a complaint."

If these powers are given to them, if this autonomy is given to them, then the editors or reporters or news editors can express their views independently and need not look to the Directors or Managers who sometimes compel them to say what they do not want to report. That is why I have requested through my amendment for the addition of these words—so that more liberty, more power, may be given to the Press Council; they must have this power to condone. By this the individual ownership and monopoly houses in the press can be done away with. Those persons can enjoy the liberty. Freedom of press should be a 'must', and the hon. Minister in charge of the Bill, while replying to the debate, has agreed to this. Therefore, I would request him through you, Sir, to accept this amendment.

**SHRI CHITTA BASU (Barasat).** Mr. Chairman, you will kindly see this clause 14. I also want to draw the attention of the Minister to this clause. It deals with the powers to enquire. Now, the power to enquire against whom? Certain agencies, authorities or individuals. I read the clause :

"Where, on receipt of a complaint made to it or otherwise, the Council has reason to believe that a newspaper or news agency has offended against the standards of Journalistic ethics or public taste or that an editor or a working journalist has committed any professional misconduct . . ."

These are the subjects about which an inquiry can be instituted. I may be allowed to say that the principal objective of the Bill is to preserve the freedom of

the Press. There is no provision, as you will find, to hold and enquiry any complaint or otherwise as to whether there has been any abridgement of the freedom of Press. This is the position. I want to correct it. I want to say that the principal objective of the Bill being the preservation of the freedom of the Press, the right to enquire should also be extended if there is any instance of abridgement or encroachment upon or interference with the freedom of the Press by any authority including government. Unless that is included, I think—I am sorry to make this comment the very principal objective of the Bill will not be fulfilled.

So far as my amendment No. 19 is concerned, it is after all consequential in nature. Therefore, I do not want to dilate on it. I think the hon. Minister will give proper thought to this principal point.

**श्री रहनी शास्त्री नाथक (खड्गराहो) :** समाप्ति महोदय, मि बांड 14 में यह कहा जाता हूँ कि समाचार पत्र की स्वतंत्रता तो रहनी चाहिए लेकिन जो आचार संहिता का उल्लंघन करे और अतिरिक्त समाचार बराबर प्रकाशित करे और प्रेस परिषद् अगर तीन बार जेतावनी भी दे उस के बाद भी वैसा ही करता रहे तो केवल जेतावनी देने से ही काम नहीं चलेगा। यानी जहाँ अचार की स्वतंत्रता भी रहनी चाहिए वही अचार अगर आचार संहिता का उल्लंघन करता है और प्रेस परिषद् उस समाचार पत्र को तीन बार जेतावनी देता है फिर भाँ वह नहीं मानता है, आचार संहिता का बराबर उल्लंघन करता है तो इसमें ने यह कहा है कि परिषद् की तीन बार जेतावनी की अवैधता पर समाचार पत्र तथा समाचार एजेंसी का प्रकाशन करने की सरकार को परिषद् सिफारिश करेगी जो सरकार पर आवश्यक होगी। यानी उस का प्रकाशन फिर बन्द होगा चाहिए। इसलिए ऐसी स्थिति में वैस परिषद् सरकार को सिफारिश कर सकेंगे और सरकार उसको मानेंगी क्यों

[श्री सहस्रो नारायण नायक]  
 कि जहाँ समाचार पत्र को स्वतंत्रता  
 रहनी चाहिए वही उस पर यह अद्युत  
 जी लगाना चाहिए ।

SHRI A. K. ROY (Dhanbad) : This is another check, rather another tool I want to add to the Bill. You know we are all victims of yellow journalism. There are so many things happening of general public importance and social importance but because our papers are in the hands of persons of such organizations that we are everyday readings something else. You know the famous saying of Oscar Wilde that the difference between literature and journalism is that literature is never read and journalism is unreadable. So, it is becoming like that. Yellow journalism does not only mean misleading news. Yellow journalism also means partisanship in focusing news. I can tell you that you can see very many important news against people and operation on the people that are being bye-pased.

For example, yesterday, I was looking a journal. I come to know with horror that one naxalite prisoner, Shri Krishna Chetty was hanged in Coimbatore Jail in Madras. But no paper reported it. Such a type of silence, is a conspiracy, I should say. This is the worst type, yellow, black or blue journalism, I do not know. Then a miner was drowned. Not a single line was in the paper. The papers are very busy about the scandals what is the Minister doing? It takes a lot of time. Parliament has no time to think or even to devote any time to this type of social or political oppression.

MR. CHAIRMAN : Then, what is your suggestion ?

SHRI A. K. ROY : That is why I say that the Press Council must be a body which will suggest some measures to the Government to take action. Otherwise, who will listen. The Government shall act according to that. Another point is this. It is very intelligently said that if something is ending in a court of law, the Press Council will not take action on it. This is a very wrong thing. If suppose action is to be taken against the workman, the management says that a departmental enquiry has nothing to do with the inquiry in the court. The same procedure should be followed regarding any enquiry against the management of papers whether the cases are pending before the court of law or not ; the Press Council will have the free dom and authority to take action against that management. So, I request

the new Minister of Information and Broadcasting to accept the smallest amendment—Amendment No. 87.

*For 'Empower' substitute 'debar'*

This being the smallest amendment, I hope, the new Minister has been empowered to accommodate this type of amendment.

MR. CHAIRMAN : Now Amendment No. 97 by Mr. Nair.

SHRI B. K. NAIR : About the potential offenders, they being the members of the Press Council, many times, the charge is made about the violation of journalistic ethics committed by a journalist. May be it might have been committed at the behest of the owner. The owner may have prevailed upon him to a particular line. But when it comes to the question of taking action against him the entire Press Council may turn against him. The owner may also join. I think this is not a happy state of affairs. In fact, this body may be converted into a sort of supreme arbitration body. In the case of complaint against a journalist, suppose it is a legitimate one, the Chairman should not be allowed to debar him or to prohibit him. This body must be effective. It should protect the rights. They must be empowered to act as a supreme arbitration body. So, I am suggesting that the potentiality of the mischief on the part of the owner also must be covered under the functions and powers of this body and in suitable cases, drastic action will be taken against the offender. When the owner may act on a particular line, the journalist may act on the particular line. What happens? I am suggesting that this body may be treated as a supreme arbitration body.

MR. CHAIRMAN : That you have said. Now I come to amendment No. 141 by Shri Borole.

SHRI YASHWANT BOROLE : Mr. Chairman, I would not have wasted the time of the House. But, I want to draw your attention to my amendment. This is made with a view to curtail the time. It should be taken up by the Press Council in deciding the complaint. There are a number of complaints which are triable and which are highly significant. If they come up before the Press Council, naturally, the Chairman has been given the discretion to see that the complaints shall be entertained by the Press Council. But it is said that the Press Council may take or may not take cognisance of that complaint. So, it is again, discretion. It will have to be left with the Press Council to go through all the complaints again.

So, I have just reversed the process and I have said that the word 'shall' may be substituted by the word 'may', provided that the Council shall not take the cognisance of the complaint, if in the opinion of the Chairman, there is not sufficient ground for holding the enquiry. Once the Chairman takes that decision that there is no ground for holding an enquiry, it should be obligatory on the part of the Press Council not to entertain it. But, at the same time, I have provided by my amendment No. 14<sup>1</sup> that he who has been aggrieved by this decision of the Chairman shall alone move the Press Council which, in its wisdom again will consider that aspect. By this procedure the number of complaints will be curtailed and a lot of time will be saved. Naturally, when a decision on a complaint is delayed, it is delay which denies justice. Therefore, I hope that the Minister will apply his mind and accept my amendment.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) : Mr. Chairman, Sir, I shall try my best to deal with the points that the hon'ble Members have raised after much study on different clauses of the Bill. I will first deal with the amendment of my distinguished friend, Shri Borole, whose amendment seems to be rather simple and straightforward.

Sir, in the context in which this has been used in Clause 14 we believe that the word 'may' as has been used does mean 'shall'. Therefore, there is no particular need to accept the amendment of the hon'ble Member. Now, I shall refer to amendment No. 97 of Shri Nair which also is a very important amendment undoubtedly. It says:

"and, if considered necessary, adopt extreme deterrent action against the offenders"

Sir, there can be no two opinions on this matter that if it is found that there is a reason to take action, deterrent action should be taken. But we believe that the amendment as it has been phrased now is somewhat vague and the Council has, in fact, by other clause been vested with powers either to go on admonish or censure newspapers for the offence of the kind that the hon'ble Member has referred to against the standards of journalistic ethics. So, I plead with the hon'ble Member not to press the amendment because the intention of the amendment has been taken note of by the other clauses of the Bill. Now, I turn to amendments No. 18 and 19 of my good friend, Shri Chitta Basu. As far as amendment No. 19 is concerned, the hon'ble Member has admitted that it is a consequential amendment and, as such, I will deal only with amendment No. 19. Here

again the hon'ble Member would like the Press Council to keep under continuous review and associate itself with any development likely to affect the freedom of the Press. Government shares the hon'ble Members' concern about the freedom of the Press and, in fact, the whole idea of the Bill is to ensure the freedom of the Press. The Select Committee as well as the other House which adopted this Bill had gone into this question very much in detail and Government feel that it is not necessary to accept the amendment as proposed because the purpose of the amendment will be served by the provisions in Clause 15(4) to which I will invite the attention of the hon'ble Member. He will see that this clause will empower the Council to make such observations as it may think fit in any of its decisions or reports in respect of the conduct of any officer and of the Government as a whole,—as the hon. Member was keen to point out,—for the purpose of carrying out its objectives and for the purpose of carrying out its functions, under the Act. Therefore, his point would be met by this provision. Therefore, I request him not to insist on his amendment.

Regarding Mr. Dhirendranath Basu's amendment, no doubt it is a very important amendment. The reply to it is covered in the arguments which I have advanced earlier in reply to Mr. Chitta Basu's amendment. I would therefore request him not to press his amendment for this reason.

MR. CHAIRMAN : Does anybody want to withdraw any amendment?

SHRI DHIRENDRANATH BASU : In view of the sentiments expressed by the hon. Minister, I seek leave of the House to withdraw my amendment No. 7.

MR. CHAIRMAN : Does he have the leave of the House to withdraw his amendment?

SOME HON. MEMBERS : Yes.

Amendment No. 7 was by leave, withdrawn.

SHRI CHITTA BASU : I seek leave of the House to withdraw my amendments Nos. 18 and 19.

MR. CHAIRMAN : Does he have the leave of the House to withdraw his amendment?

SOME HON. MEMBERS : Yes.

Amendments Nos. 18 and 19 were, by leave, withdrawn.

SHRI LAXMI NARAYAN NAYAK : I seek leave of the House to withdraw my amendment No. 46.

MR. CHAIRMAN : Does the hon. Member have the leave of the House to withdraw his amendment?

SOME HON. MEMBERS : Yes.

*Amendment No. 46 was, by leave, withdrawn*

MR. CHAIRMAN : Mr. A. K. Roy, do you want to press your amendments Nos. 86 and 87?

SHRI A. K. ROY : Yes, I am pressing my amendments.

MR. CHAIRMAN : I will now put amendments Nos. 86 and 87 of Shri A. K. Roy to the vote of the House.

*Amendments Nos. 86 and 87 were put and negatived.*

MR. CHAIRMAN : Amendment No. 97. Shri Nair. He is not here. All the same. I have to put it to the vote.

I am now putting amendment No. 97 by Shri B. K. Nair to the vote of the House.

*Amendment No. 97 was put and negatived*

MR. CHAIRMAN : Amendment Nos. 140 and 141, Shri Borole.

SHRI YASHWANT BOROLE : I seek leave of the House to withdraw my amendments, praising the manner in which the Minister has dealt with it.

MR. CHAIRMAN : Does the hon. Member have the leave of the House to withdraw his amendments?

SOME HON. MEMBERS : Yes.

*Amendments Nos. 140 and 141 were, by leave, withdrawn.*

MR. CHAIRMAN : Now I am putting Clause 14 to the vote of the House.

The question is:

"That Clause 14 stand part of the Bill".

*The motion was adopted.*

*Clause 14 was added to the Bill.*

*Clause 14A (New).*

Mr. Chairman : We now come to Mr. Banatwalla's amendment for adding a new Clause, 14-A. --Amendment No. 106.

You may please move it. That is the only thing; you may also make your submissions. Please be brief.

SHRI G. M. BANATWALLA : I move my amendment No. 106. I beg to move:

Page 7,

*after line 10, insert—*

"14A. (1) Where, on receipt of a complaint made to it or otherwise, the Council has reason to believe that any action of the Central Government or a State Government unreasonably encroaches upon the freedom of the Press, the Council may after giving the concerned Government an opportunity of being heard, hold an enquiry in such manner as may be provided by regulations made under this Act.

(2) If, as a result of the enquiry, the Council is of the opinion that the action of the concerned Government constituted an unreasonable encroachment upon the freedom of the Press, it may submit a report with its recommendations to the President.

(3) The President shall, as soon as may be on the receipt of the report, direct the concerned Government to carry out the recommendations contained in the report." (106)

Clause 14 deals with powers to censure. The Bill is wanting in a very important respect. The Press Council has the power to take cognisance of complaints against newspapers, news agencies, editors and working journalists. Complaints against them can be considered by the Press Council and the Press Council also can have the power to censure them under Clause 14 of the Bill. However, there is no specific provision about the power of the Press Council to take cognisance of any complaints against the State Governments or the Central Government with respect to the problem of the Press. Therefore, it is necessary that such a power should also be given to the Press Council. The Press Council, when it has the power to censure the editors, news agencies, working journalists and others, must have also the power to take cognisance of complaints against the Government and come to a decision. I have, therefore, moved this amendment seeking for a new Clause 14A. The amendment provides that any such complaints against the Government can be taken cognisance of by the Press Council. The Press Council can, thereafter, hold an enquiry and if it is satisfied that the complaint is justified, it can make a report with its recommendations to the President. The President should thereafter issue necessary direction to the Government concerned in order to see that the recommendation of the Press Council is implemented. This will add to the effectiveness of the Press Council and will remove lacunes of the Bill. The Bill, as I said has been wanting this particular aspect and the present clause has the necessary teeth to

the Press Council so that the complaints of the State intervention and interference with the freedom of the press can be taken due note of by the Press Council.

**SHRI RAVINDRA VARMA :** Sir, I appreciate the spirit with which good friend, Mr. Banatwalla, has raised this point and moved amendment and it is very clear from what he has stated in the amendment as well as the eloquent exposition and the rationale behind the amendment is that he does not want to leave anybody free from the scope of the Bill. He wants to plug every loophole and see that the Press Council is empowered to deal with any emergency situation that may arise whether it be the Government or some other agency, which is the agency that attracts the kind of complaints that he had referred to in his speech. But I would like to point out to him that if he reads the Bill and all the clauses of the Bill together, it will be absolutely clear to him that there is no attempt whatsoever on the part of the Government to exclude or exempt the Government. There is no loophole of the kind that the hon. Member apprehends because when he goes further in the Bill he will come to Clause 15(4) which I would like to read out. It says:

"15(4) The Council may, if it considers it necessary for the purpose of carrying out its objects or for the performance of any of its functions under this Act, make such observations, as it may think fit, in any of its decisions or reports, respecting the conduct of any authority, including Government."

Therefore there is a specific mention of the Government and if there is any action on the part of the Government which is offensive, which the Council must take cognisance on which the Council must make observation, which the Council must condemn, the Council is perfectly free under 15 (4) and make such observation in the report. Therefore, it is very clear that the Bill in no way exempts the Government whatsoever and then the other parts of the amendment that he has moved to make it necessary for a report to be made.

15.00 hrs.

It is clear from the Bill that the Council has to submit its report to the two Houses of Parliament. When the Council submits its annual report to the two Houses of Parliament, if the Government is found guilty, if any complaints have been made against the Government, if any critical observations have been made against the Government, that would be recorded in the report. As the Parliament is a sovereign body of the country, it will have an opportunity to criticise, warn and condemn the Government if the Government is

found guilty by the Council. In the circumstances, I hope, the hon. Member's amendment is not necessary and I would, request him to withdraw it.

**SHRI G.M. BANATWALLA :** In view of the hon. Minister's assurance, I seek leave of the House to withdraw my amendment.

*Amendment No. 106 was, by leave withdrawn*

**Clause 14B (New)**

**SHRI AMRUT KASAR :** I beg to move:

(i) Page 6 Line 36,—

for "14" read "14A" ;

(ii) Page 7,—

after line 10, insert—

"14B. (1) If, on receipt of a complaint made to it or otherwise, the Council has reason to believe that the Government or any agency under the control of the Government has without assigning any reason cancelled the regular allotment of the advertisements in order to bring about financial coercion on the newspaper, the Council may, after giving the Government or Government Agency concerned an opportunity of being heard, hold an inquiry in such manner as may be provided by regulations made under this Act, and if it is satisfied that it is necessary so to do, it may for reasons to be recorded in writing, disapprove the conduct of the Government or the Government Agency, as the case may be.

(2) The Council may require any or all newspapers to publish any inquiry and disapproval of the conduct of the Government under this section." (43)

Mr. Chairman, Sir, the spirit of my amendment and the amendment which was moved by Shri Banatwalla is the same. The hon. Minister has already given an assurance, I would, therefore, only make a mention of one specific matter and that is about the issue of Government advertisement to the small newspapers. The Government can use their coercive power by withdrawing the Government advertisements to the small newspapers. The small newspapers suffer because of this attitude of the Government. They coerce the small newspapers by withdrawing the allocation of Advertisements to them if they go against the Government. The purpose of my amendment, therefore, is only to safeguard the interests of the small newspapers.

MR. CHAIRMAN : Mr. Ajitsinh Dabhi : Your amendment No. 91 is the same as the one moved by Shri Kasar. You cannot, therefore, move it, but you can speak if you like.

SHRI AJITSINH DABHI : Mr. Chairman, Sir, it is an old adage that money makes the mare go, and it is all the more true in the case of newspapers today. The Government advertisement is a steady source of money which most of the newspapers are badly in need of for their existence. The Government advertisements are a powerful weapon in the hands of the Government. If this weapon is not properly and judiciously used, it may jeopardise the freedom of the press which is the main objective of this Bill. With this weapon, the Government can press, depress, impress, repress and suppress the Press. That is why, I support the amendment that a new clause 14B should be added to make the Government answerable to the Press Council in those cases where the Government or any governmental agency tried to coerce the newspapers by withdrawing the allocated quota of advertisement.

This amendment seeks to empower the Press Council to make an enquiry in a case where the Government arbitrarily withdraws the advertisement from a newspaper. It would also empower the Press Council to disapprove the Government and to get the enquiry and the disapproval to be published in the newspaper. The other day, an hon. Member, perhaps Shri Kanwar Lal Gupta, complained against the yellow Press and he demanded that the advertisements should be withdrawn from the yellow press. Sir, ours is a secular State, yet some people who had their origin in RSS try to lend narrow sectarian outlook to the public life through the Press. Therefore, I see no difference between the people who want to lend yellow colour to the Press and the people who want to lend a *bhagwa* colour to the Press.

I will just conclude my submission by giving only a very patent illustration as to how the Government can gag the Press by physical coercion and by financial coercion, i.e. by not giving advertisements. I will be quoting a few lines from "India To-day", from its 1st August, 1978 issue.

MR. CHAIRMAN : How is it relevant ? We are dealing with your amendment.

SHRI AJITSINH DABHI : It is regarding advertisements. (Interruptions)

SHRIMATI PARVATHI KRISHNAN : The Minister has to finish studying the brief.

MR. CHAIRMAN : You can make a statement instead of citing illustrations. (Interruptions)

SHRI AJITSINH DABHI : Please allow me ; I will finish within a minute. It relates to an incident in Bihar which happened only a few months back. I am quoting from page 16 :

"The threats to the freedom of the press have come from Chief Minister Karpoori Thakur and state Agriculture Minister Kapildeo Singh..

It all started when Kapildeo Singh stopped a group of newsmen on the landing of the state assembly stairs and allegedly threatened to send goondas to the editors instead of contradictions if they do not stop publishing falsehoods..

These two newspapers have suffered advertisement cuts for nearly twenty days last winter. They were carrying out investigations in connection with the infamous Barahiya episode. The minister's name was somehow linked with it. In the Bihar Vidhan Parishad Kapildeo Singh has also threatened to stop advertisement to those newspapers which highlighted the alleged sex scandal involving a minister..

A few weeks ago, Thakur virtually pounced upon a reporter of a local English daily for trying to reveal the truth regarding panchayat elections in the state...."

MR. CHAIRMAN : What has this got to do with the amendment ? Your amendment related to advertisements.

SHRI AJITSINH DABHI : This is with regard to advertisements. I will conclude with this quotation :

"....Earlier it was rumoured that the Government was out to "buy or bully" the Patna press. One of Thakur's press advisers wrote an 18-page letter to the weekly's special Bihar issue. The chief minister himself had written to the management of a big paper asking it to withdraw its Patna correspondent. When all these efforts presumably failed, one junior minister, having "very good" relations with some newsmen was allegedly sent out on a mission with a "money-bag" to solve the awkwardness of "problem newsmen".

....What is now happening in Bihar clearly indicates that the Thakur administration has mounted a double-pronged attack on the press. It is apparently waging a war at arms' length

with sophisticated 'bully-weapons' and character-assassination campaigns on a scale inconceivable even during emergency days...."

MR. CHAIRMAN : It will not go on record now.

(*Interruptions*)\*\*

MR. CHAIRMAN : It is not going on record. Why do you take the trouble?

SHRI AJITSINH DABHI : Ultimately, in this case, advertisements were withdrawn from these newspapers. With this sad commentary on what sort of freedom of the Press this ruling Janta Government wants in this country, I command that this particular amendment be accepted.

SHRI RAVINDRA VARMA : Mr. Chairman, the amendments standing in the name of my good friend Mr. Kasar and my equally good friend Mr. Dabhi are very important amendments undoubtedly, because everybody in this country is aware of the importance of advertisement for newspapers, especially small newspapers. There can be no two opinions on the question of importance of advertisements and the fact that in the past there had been considerable experience of advertisements being used either to boost the finances of newspapers or to starve newspapers so that they may go out of circulation. Therefore, this is not a new subject and perhaps my good friend, Mr. Dabhi is quite competent to talk about this subject. I shall not challenge his competence or the competence of his party to talk on this subject. But I do believe that as far as this Bill is concerned, we are not so much concerned with instances which can be quoted or cited, but we are more concerned with the danger and how the danger can be prevented by the Press Council. Therefore, in spite of the tremendous temptation to answer the hon. Member in the coin that he has used which is rather a very cheap coin, if I may say so, I shall resist the temptation.

SHRI VAYALAR RAVI : Cheap coin?

SHRI RAVINDRA VARMA : I do not know in which coin you trade. It is better to trade in cheap coin than in counterfeited coin. (*Interruptions*) I do not know in which coin you would like to trade.

SHRI P. VENKATASUBBAIAH (Nandalayal) : He says you are also trading in the same coin. That is what he had said.

(*Interruptions*)\*\*

MR. CHAIRMAN : Mr. Dabhi, I am not allowing it to go on record. This is not the way. (*Interruptions*) You must hear the Minister.

(*Interruptions*)\*\*

MR. CHAIRMAN : I am sorry, it would not go on record.

SHRI AJITSINH DABHI : I am entitled to know about it. He cannot misrepresent me.

MR. CHAIRMAN : Let the Minister first say.

SHRI RAVINDRA VARMA : I never misrepresented anybody. Mr. Chairman, in your wisdom, you permitted him to read out from the newspaper about something.

(*Interruptions*)

SHRI VAYALAR RAVI : So many.

SHRI RAVINDRA VARMA : I would like to ask the hon. Member whether all such instances for the past few years have been quoted by the hon. Member. Obviously not. (*Interruptions*) Obviously not. He had cited one or two instances. Now the Member had his say and I must also have my say. (*Interruptions*) Otherwise, it is not possible to have a running conversation. If I misrepresented him, he can correct me. All that I said was that he had cited some instances. I beg to submit to this House that these instances are not exhaustive; and these instances have relevance, as far as this clause of the Bill is concerned, only to highlight certain dangers. Therefore, I said, that I did not want to deal with the dirty past of some persons or some parties. I do not want to do so because that is not relevant nor do I want to answer every one of the instances, half of which were on record and half of which were not perhaps on record. It do not want to deal with them. I want, therefore, to deal with the essence of the question which my hon. friend, Mr. Kasar, has raised in a very able manner; and the essence of his question lies in the danger that is posed to the circulation of the newspapers, finances of the newspapers and stability of the newspapers by the manner in which the Government which has got control over advertisements might use its power to provide newspapers with advertisements. That is the very

[Shri Ravindra Varma]

real danger to which he has pointed out; we do not want to shut our eyes to this; we cannot shut our eyes to it because of the experience which is before the country and the newspapers. I should like to submit in all humility to my hon. friend that if they look at clause 13(2) (a) read along with 15(4) to which I have already made a reference, they would see that there is enough scope to ensure that the government does not use or misuse its policy in the manner in which the hon. Member apprehended it might be used or in the manner in which Governments might have done in the past. We want to insure against that danger. How do we insure against that danger in this Bill? If you read 13(2)(a) it says precisely, beyond a shadow of doubt that 'to help newspapers and news agencies to maintain their independence....' You cannot say that the purpose is to maintain independence of the newspapers but penalise them for their independence. Therefore it is very clear from this clause what the purpose of the Press Council is; it will be binding on the government; that will ensure the independence of newspapers. It will not therefore make use of the policy of advertisements as an instrument in any way to inhibit the independence that is quite clear in 13(2)(a). Because it is clear in 13(2)(a) read with 15(4) I would appeal to my hon. friend not to insist on his amendment but to withdraw it.

MR. CHAIRMAN : There were two similar amendments 41 and 43; one was moved, that is 43; the other was barred. So, I shall put amendment No. 43 to the vote of the House.

*Amendment No. 43 was put and negatived*

MR. CHAIRMAN : The question is: "That clause 15 stand part of the Bill."

*The motion was adopted.*

*Clause 15 was added to the Bill*

MR. CHAIRMAN : We take up clause 15.

*Clause 16 ( Levy of fees)*

SHRI B. C. KAMBLE : I move my amendment No. 152. Page 7,-

*after line 40, insert—*

"Provided that no such fees shall be levied on newspapers including weeklies or periodicals whose total circulation for sale does not exceed ten thousand copies ;

Provided further that fees shall be levied at lower rates on small newspapers, and medium rates on medium newspapers and at higher rates on big newspapers." (152)

If the government is prepared to give an assurance I will not press it for division.

15-19

[SHRIMATI PARVATHI KRISHNAN *in the Chair*]

There should be some exemption to small newspapers whose circulation is below 10,000. Government have accepted already the principle of small papers, medium papers and big papers. My suggestion is about exemption. Amongst the small, medium and big papers there should be a sort of gradation so far as levying of fees is concerned. So far as levying of fees is concerned, I think Government should have no difficulty in accepting this amendment and in case the uniform rates are there, then small papers will be swallowed by medium papers and medium papers will be swallowed by big papers. That is the purpose of my amendment and if the hon. Minister is prepared to give an assurance, I will not press it at all.

MR. CHAIRMAN : You just give an assurance and he will not press it.

SHRI RAVINDRA VARMA : Remedies are very simple but the results are complex. Comrade Chairman, I understand the anxiety of the hon. Member, Shri Kamble, to see that the newspapers—particularly the small newspapers many of them are language newspapers—serve the mafusai areas in the district. They do not suffer in any way under the dispensation that is contemplated by this bill and, therefore, I can understand the reasoning behind the hon. member's proposal. But he has made matters rather simple for the Government by saying if he is assured, the manner in which the rules are framed will protect the papers, the circulations of which is below 10,000, I think he referred to 10,000, then he would find it possible not to press his amendment. I would like to assure him, the very reason why there is no specific provision, Government believes that the suggestion which the hon. member has made and similar suggestions can be taken care of by the rules that are framed under this Act. I think I can assure him further that it will be ensured that the fees that are levied for registered newspapers will be on a graded scale. The fees would be at a higher rate for big newspapers and at a lower rate for medium newspapers and still at a lower rate as far as small newspapers are concerned. As far as small newspapers are concerned the circulation of which is less than 5,000,

will be exempted from the levy. I think in the light of this which the Government will do in favour of the small newspapers the hon. member, Shri Kamble, will not insist.

SHRI B.C. KAMBLE : I withdraw my amendment.

*Amendment No. 152 was by leave, withdrawn.*

MR. CHAIRMAN. The question is : "That clause 16 stand part of the Bill."

*The motion was adopted.*  
*Clause 16 was added to the Bill.*

MR. CHAIRMAN : I come to clause 17. There is an amendment by Dr. Ramji Singh. He is absent.

There is no amendment to Clause 18. I will put clauses 17 & 18 together to the vote of the House.

The question is:

"That Clauses 17 and 18 stand part of the Bill."

*The motion was adopted.*  
*Clauses 17 & 18 were added to the Bill.*

#### Clause 19 (Budget)

MR. CHAIRMAN : There is an amendment to clause 19 by Shri Kamble.

SHRI B.C. KAMBLE : I beg to move:

Page 8, line 15,—

add at the end—

"who shall cause those copies to be laid on the Table of both Houses of Parliament for discussion and approval in the same manner and by the same procedure applicable to a Money Bill."

(119)

The purpose of my amendment is that as the principle of levying fees upon the newspapers has been accepted, this amounts to taxation. Therefore, whatever may be the Annual Financial Statement of the Press Council, i.e. about the Budget, that should be presented to both the Houses of Parliament. There should be discussion just like a discussion on a Money Bill. That should be disposed of accordingly. That is the purpose of my amendment.

SHRI RAVINDRA VARMA : I think this clause is a very simple clause. I would submit that there is no special reason why the hon. member should insist on the amendment that he has proposed. The reason is that the Council has, under the provisions of the clause that are already there, to prepare a Budget in respect of the ensuing financial year showing the estimated receipts and expenditure, copies of which shall have to be forwarded to the Central Government, which in turn will include them in the Budget of the Ministry of Information and Broadcasting and the Budget of the Ministry of Information and Broadcasting including this comes before the House, therefore, the Houses of Parliament have a discussion for approval. Therefore, the member's point has already been met by the provisions of the clause. I hope he will not insist on this amendment.

SHRI B. C. KAMBLE : I withdraw my amendment No. 119.

*Amendment No. 119 was, by leave, withdrawn.*

MR. CHAIRMAN : The question is :

"That clause 19 stand part of the Bill."

*The motion was adopted.*

*Clause 19 was added to the Bill.*

MR. CHAIRMAN : Clause 20. There is an amendment by Shri Chitta Basu but he is not present.

The question is:

"That Clauses 20 to 22 stand part of the Bill."

*The motion was adopted.*

*Clauses 20 to 22 were added to the Bill.*

MR. CHAIRMAN : Clause 23. There is an amendment by Shri Anant Dave but he is not present.

The question is :

"That Clause 23 stand part of the Bill."

*The motion was adopted.*

*Clause 23 was added to the Bill.*

MR. CHAIRMAN : Clause 24. There is an amendment by Mr. Vayalar Ravi, but he is absent.

[Mr. Chairman]

The question is :

"That Clause 24 stand part of the Bill."

*The motion was adopted.*

*Clause 24 was added to the Bill.*

*Clause 25 was added to the Bill.*

**Clause 26 (Power to make regulations)**

**SHRI RAVINDRA VARMA:** In this clause, there is a printing mistake which has to be corrected. In sub-clause (a) of clause 26, it has been misprinted as "section 19". It should be "section 9".

**MR. CHAIRMAN:** If the House agrees, we shall enter that correction.

**HON. MEMBERS:** Yes.

**MR. CHAIRMAN:** The correction will be entered in clause 26.

The question is :

"That clause 26 stand part of the Bill."

*The motion was adopted.*

*Clause 26 was added to the Bill.*

*Clause 27 was added to the Bill.*

*Clause 1 and the Enacting Formula were added to the Bill.*

**MR. CHAIRMAN:** There is an amendment to the Long Title.

**SHRI B. C. KAMBLE:** I move my amendment No. 107.

**PROF. P. G. MAVALANKAR:** I wish to go on record and congratulate the Minister of Parliamentary Affairs for doing this wonderful job by way of replacement for the Minister of Information and Broadcasting.

**MR. CHAIRMAN:** I hope the Minister of Information and Broadcasting associates himself with these congratulations.

**SHRI B. C. KAMBLE:** I beg to move:

Page 1, in the Long Title, add at the end—

"with the objective of securing to all Indians justice, social, economic and political liberty of thought, expression, belief and faith; equality of status and of opportunity; fraternity assuring the dignity of the individual and the unity of India." (107)

As it stands, the Long Title reads:

"to establish a Press Council for the purpose of preserving the freedom of the Press and of maintaining and improving the standards of newspapers and news agencies in India."

This is a vague title. It has no content and it appears a little empty and some amendment must be introduced into this long title. What is the purpose for which freedom of the press is necessary? What is the purpose for which maintenance of and improving the standards of newspapers is necessary? That is completely absent. So, I have brought in an amendment which is not my own amendment. I have bodily lifted the Preamble of our Constitution and put it here. It reads like this :

"with the objective of securing to all Indians justice, social, economic and political; liberty of thought, expression, belief and faith; equality of status and of opportunity; fraternity assuring the dignity of the individual and the unity of India."

This means, preparing India for full nationhood. If that is not the purpose of freedom of the press or of improving the standard of newspapers...

**MR. CHAIRMAN:** Don't make a long speech on the long title

**SHRI B. C. KAMBLE:** My speeches are never longer than necessary.

This is not my amendment. I have bodily lifted it from the Preamble. Therefore, I request the hon. Minister to accept it, so that it will be more meaningful.

**SHRI L. K. ADVANI:** He has himself said that this has been bodily lifted from the Preamble. The laws that we frame in this House are all supposed to subserve the Preamble of the Constitution. So, this also will subserve the Preamble of the Constitution. Otherwise, we have to repeat this Preamble in every statute.

Having made his point, I hope he would be agreeable to accept my request to withdraw his amendment.

**SHRI B. C. KAMBLE:** I do not press.

**MR. CHAIRMAN:** Has he the leave of the House to withdraw his amendment?

**SOME HON. MEMBERS:** Yes.

*Amendment No. 107 was, by leave, withdrawn.*

**MR. CHAIRMAN:** The question is:

"That the Title stand part of the Bill."

*The motion was adopted.*

*The title was added to the Bill.*

**SHRI L. K. ADVANI:** I beg to move:

"That the Bill be passed."

**MR. CHAIRMAN:** Motion moved:

"That the Bill be passed."

**SHRI P. VENKATASUBBAIAH** (Nan-dyal): At the outset I would like to compliment the hon. Minister who piloted this Bill, and equally the my friend Shri Ravindra Varma who was able to complete the task of the hon. Minister in his absence. Of course, at times the hon. Minister of Parliamentary Affairs suffers from more self-righteousness; that is the trouble with him.

I happened to be in the Joint Committee, and we were able to complete the work in record time. By the prescribed time we were able to present our report.

**MR. CHAIRMAN:** I hope you will finish your speech in record time.

**SHRI P. VENKATASUBBAIAH:** I will certainly obey your ruling.

The main feature of this Bill is to build up and regulate the working of the various newspapers, to build up healthy traditions, to keep the press free from all sorts of pressures or exploitations.

Another important feature is that there is equitable representation made for all the sections of the fourth estate.

As the hon. Minister has pointed out, we do not want to put more teeth into this Press Council. It is only sort of advisory in nature, and in this context I would only like to bring to the notice of the hon. Minister one thing. Whatever may be our professions, pious, honest and all that, we should not forget the fact that today, as things stand, many of the chain newspapers with large circulations are under the stranglehold of big business. In pre-independence days, newspapers were built up on high traditions with a high sense of patriotism and service to the people, guaranteeing freedom of expression. Unfortunately, as time passed, newspapers have come under the stranglehold of big business. Even today we are not able to release them from their stranglehold. With large circulations, they have got all the trappings of the press, but they succeed in subverting freedom of speech

in this country. I hope that this Government will take the necessary steps to break this monopoly and see that the freedom of the press is really preserved in its pristine purity.

Whoever may be in office or Government, there is a tendency to use advertisements as a weapon to make newspapers play to the tune of the party in power. That also has to be safeguarded against. The Press Council, I feel, will play a notable part in fulfilling our objective in that respect also.

Of course, no teeth are put into the Council, but a Code of Conduct is sought to be built up among the newspapers and those working in the profession. I hope the reading public will benefit by the dissemination of proper news. We are hamstrung by various constraints put on the freedom of the press. I hope in course of time we will be able to build up a healthy tradition.

With these words, I support the Bill.

**SHRI C. K. CHANDRAPPAN** (Cananore): Madam Chairman, we supported this Bill and now this is an important occasion because the Parliament expresses itself that the press should be free and the freedom of the press should be preserved. That is the meaning of the Bill. But if that expression has to be translated, then I think the duty of the Government, as I reminded in the course of the discussion, is very important that the press should be freed from the industrial houses. And the hon. Minister said that it will be one of the tasks of the Press Council which is likely to be appointed in future. I only would like to remind the hon. Minister that the Press Commission, I am sure, will take several years to complete its work, and when its recommendations come before the Government, it would also take years together to find its acceptance and put into implementation. In this long process, if we allow this expression of Parliament diluted by the direct operation of monopoly houses, then I am afraid that this Bill which we are enacting today also might meet with the same fate as the old Bill that we have in the past—the Press Council Bill. I do not wish that. Therefore, I would like the hon. Minister to say something more positively and something more concretely whether the Government has some positive steps to initiate so that the ownership of the press will be diffused and it will be delinked from the business houses. I hope something will be done in that direction and if that is done, the desire of Parliament today expressed through this Bill will have greater meaning. I wish it a great success.

**SHRI SAUGATA ROY** (Barrackpore): Madam Chairman, I join the other Members of the House in extending our support for the Press Council Bill. After all, there has been a debate on the Press Council Bill which has now come after scrutiny by a Joint Select Committee of Parliament and Members have at length expressed their views on the Bill. I would only like to add our Party's sentiment on that. The Press Council Bill to the extent that it is a genuine attempt to promote the freedom of the press in the country deserves everybody's support.

Madam Chairman, there has been a distortion in the functioning of the press during the Emergency which everybody in this country has condemned. People say even now that the distortions, though they are no longer there legally, have crept into the press and as my hon. friend Shri Chandrappan has pointed out, these distortions mainly come into the picture because of the ownership of the press which is still in the hands of a few monopoly houses or the jute press as it is called, and the press till today does not fully reflect the aspirations of the people, the aspirations of the rural people, the aspirations of the downtrodden, if I may say so. The press in the country is still representative of the urban elite in the country and does not represent what Gandhiji called the 'dumb millions' of the country. The efforts of everybody in this country should be diverted towards this end. But in the meantime it is good that the Government has come forward with the Press Council Bill, which will also set up a Press Council, which, no doubt, will take a long time, but I also urge upon the hon. Minister that in the last Lok Sabha an attempt was made to bring forward a Bill to diffuse ownership of newspapers and this Government has also to take fresh steps in this way and give its thought in the matter.

With this, Madam Chairman, I again add my support and my Party's support to the Bill and the concepts underlying the Bill.

**श्री लाल हुड्ड आडवाची :** सभापालि मंडोदर्य में सदन के सभी सदस्यों का आभारी हूँ जिन्होंने इस विषेयक को अपना समैन दिया है। आज प्रेस परिषद् का एक प्रसाद में गुनरेंम हो रहा है और यिन्हें जन्म में उसको कुछ रुठिनाइर्यों का सामना करना पड़ा, जिन के कारण जितनी उस से उपेक्षा थी, वह परों नहीं कर पाई थी।

**SHRI P. VENKATASUBBIAH :**  
Kindly speak in English.

**श्री लाल हुड्ड आडवाची :** आप हिन्दी भी समझ लेते हैं और इस में कोई दिक्कत की बात नहीं है। तो मेरा यह मत नहीं है कि गिल्ली प्रेस परिषद् भी प्रभावी नहीं रही। गिल्ली प्रेस परिषद् ने काम तो किया है और अच्छा काम किया है, लेकिन जितनी उस से अपेक्षा भी उतना काम नहीं किया और जो समस्याएँ उस समय मदस्यता के सम्बन्ध में वैदा हुई थी, उनके कारण काफी समय तक गतिरोध बना रहा। इस बारे इस नये विषेयक में अवस्था ऐसी की गई है कि जिस के कारण प्रेस परिषद् की मदस्यता रातभारिक रूप से आटोमेटिक रूप में हो और जितनी प्रतिनिधि मंस्याएँ हैं पतकारों की वे अपने प्रतिनिधि ठीक प्रशार में उस में भेजें।

यहां पर जितनी चर्चा हुई है, वाहर पतकारों के बाये जितनी चर्चा हुई है, उससे स्पष्ट है कि प्रेस परिषद् को बहुत गुहात प्राप्त है बहुत मध्यावना प्राप्त है जिनकी ओर पतकारों की ओर मैं उम्मीद करता हूँ कि इस सद्भावना के बहुत पर यह प्रेस परिषद् जा उस के दो प्रमुख उद्देश्य हैं, एक तो आत्मन्वासन और एक संस्थानित व्यवस्था करता और प्रेस की आजादी के ऊपर कहीं से भी गंगर आकेप होता है, उस पर कोई हमला करता है, उसके क्षय पर कोई भी आंच आती है, वह काहे मालिकों की तरफ से हो या और किसी भी तरीके से हो, तो उस से उसको मुरझा करना, इन दोनों लक्ष्यों की पूर्ति में यह प्रेस परिषद् सफल होगी।

**मैं युन:** सदन के सभी सदस्यों का और सभी दलों का, जिन्होंने यहां पर इस की समर्पण दिया है, आभार प्रकट करता हूँ।

25<sup>th</sup> June.

MR. CHAIRMAN: The question is:

"That the Bill be passed".

*The motion was adopted.*

## VISVA-BHARATI (AMENDMENT) BILL

THE MINISTER OF EDUCATION,  
SOCIAL WELFARE AND CULTURE  
(DR. PRATAP CHANDRA CHUNDER):  
I beg to move:

"That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill further to amend the Visva-Bharati Act, 1951, made in the motion adopted by Rajya Sabha at its sitting held on the 25th July, 1978 and communicated to this House on the 27th July, 1978 and do resolve that the following 22 Members of Lok Sabha be nominated to serve on the said Joint Committee, namely:—

(1) Shrimati Renuka Devi Barkataki,  
(2) Shri Bedabrata Barua, (3) Shri Tridib Chaudhuri, (4) Shri Dharendra Nath Basu, (5) Shri Rudolph Rodrigues, (6) Shri C. K. Chandrappan, (7) Shri Ajit Singh Dabhi, (8) Shri Raj Krishna Dawn, (9) Shri V. Kishore Chandra S. Deo, (10) Shri R. D. Gattani, (11) Shri Samar Guha, (12) Shri V. G. Hande, (13) Shri Nirmal Chandra Jain, (14) Shrimati Mohsina Kidwai, (15) Dr. Sarojini Mahishi, (16) Shri P. R. Rajagopal Naidu, (17) Shri K. A. Raju, (18) Shri Ramjiwan Singh, (19) Dr. Saradish Roy, (20) Shri Jagannath Sharma, (21) Shri Rajendra Kumar Sharma and (22) Shri Pratap Chandra Chunder."

MR. CHAIRMAN: Motion moved:

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Krishna Dawn, (9) Shri V. Kishore Chandra S. Deo, (10) Shri R. D. Gattani, (11) Shri Samar Guha, (12) Shri V. G. Hande, (13) Shri Nirmal Chandra Jain, (14) Shrimati Mohsina Kidwai, (15) Dr. Sarojini Mahishi, (16) Shri P. R. Rajagopal Naidu, (17) Shri K. A. Raju, (18) Shri Ramjiwan Singh, (19) Dr. Saradish Roy, (20) Shri Jagannath Sharma, (21) Shri Rajender Kumar Sharma and (22) Shri Pratap Chandra Chunder."

SHRI SAUGATA ROY: The Education Minister thought it fit to refer this Visva-Bharati (Amendment) Bill to a Joint Committee. I may invite his attention to a memorandum recently circulated by several very important intellectual people from West Bengal, where they have said that the original concept of Tagore in founding the Visva-Bharati, that it would be a rural university where only fine arts and philosophy would be taught, should be kept. The feeling is that Visva-Bharati has out-grown, overgrown its usefulness by branching out into various streams of sciences and other subjects. I would submit that even at this stage the House can give instructions to the Joint Committee to see that Tagore's original idea must be maintained and that Visva-Bharati should be a liberal humanist institution for bringing about harmony between all sections of the people, and not just a run of the mill university where every discipline of thought is taken up. Such a restriction should be put on this Committee. While making this suggestion to the Education Minister at this stage, I would invite his attention again to the feeling which has been expressed by the intellectual elite of West Bengal about preserving the original concept of Tagore, so far as this institution is concerned.

The Special flavour which it had upto 1951, before the Government of India took over the University, should be retained. I hope that the Education Minister, who is a very noble son of West Bengal and who represents the intellectual elite of West Bengal, will make his efforts to keep the special character of the Visva-Bharati University.

SHRI P. K. KODIYAN (Adoor): Madam Chairman, I am glad that the Government has come forward with this Bill and that it is being referred to the Joint Committee. The Ordinance which was promulgated in 1971 was a retrograde step and in my opinion, it was probably a step for all the distortions that have taken place and I hope that all the distortions will be corrected and that the Joint Committee will give due consideration to the important points preser-

[Shri P. K. Kodiyan]

ving the unique character of this institution. But at the sametime, I want to point out that ever since the University was founded by the illustrious founder, it had been allowed to drift away from the great ideals of its illustrious founder. I should say that it has been forced to adjust itself to the general pattern of education in our country and reduce itself to the status of any other university in our country. Now it is caught in a controversy, I should say, it is in the midst of pulls from different directions; on the one hand, there is a very strong opinion that the unique character of this University should be preserved and on the other hand, there is an opinion that more and more subjects, science and other subjects should be added and more and more students should be admitted and it should function more or less like any other University conferring degrees in Science and Humanities. In this matter, I would like to say that the Joint Committee should find out a sort of via-media so that the University can preserve some of the unique features that it had when it was founded, viz., the emphasis on Indian culture, study, particularly, of the relationship between eastern and western culture on the study of ancient languages, etc. and also its emphasis on the rural bias or rural development. At the same time, it can also work as any other University, admitting more and more students in science faculties and humanities. I hope the Joint Committee would consider this aspect also.

I would also like to refer one or two other aspects of the working of this University. In the functioning of the university, in the administration of the university, there should be more and more democratisation, that is, the teachers, the students and other employees and workers of the university, should have an ample opportunity to associate themselves in the formulation as well as implementation of the policies of the university. In order to avoid certain unhappy incidents that had taken place prior to 1971, the cooperation of different sections of the university, that is, the teachers, the students as well as the employees and the workers of the university, is very essential.

The last point that I want to refer to is in relation to the functioning of the organisation of workers and the students. In order that the workers and the students' organisations should be allowed to function freely, of course, within the overall discipline of the university, they should be allowed to exercise their initiative to contribute to the general growth and development of this unique institution, at the same time giving them freedom to work for their own sectional interests.

With these words, I conclude my remarks.

**PROF. DILIP CHAKRAVARTY** (Calcutta South): Madam Chairman, I rise today something on the points raised by my hon. friend, Mr. Saugata Roy. Being very near as a matter of proximity from Visva-Bharati to Calcutta, I also hear about these pins made out by some intellectuals. But very few people really spell out what they mean by Tagore's ideologies.

Only the other day, about 10 days before, I met Shri Binod Mukherjee—all of you must have heard his name; he is now staying in Delhi at Nizamuddin East. When I met him, he was in a wonderful mood and he told me that some persons from the city of Calcutta or from other cities used to go to Shantiniketan in the '30s and '40s; they used to see the thatched cottage including the serpents inside and used to write long editorials or write-ups praising the climate of Shantiniketan. In those days, water was scarce and they would even be praising water scarcity in Shantiniketan.

I do not see what is wrong in modernising the campus of the Visva-Bharati, in having some modern subjects. So, I hope, the Education Minister would do well to ask them to spell out what really they mean by maintaining Tagore's ideals.

That is all I wish to submit at this stage.

**PROF. P. G. MAVALANKAR** (Gandhinagar): Madam Chairman, I am very grateful to you for permitting me to say a few words on this. I believe, important occasion when we are sending this very useful and necessary Bill for a very careful and detailed consideration by our colleagues in the Joint Committee.

Before I come to my points, I quite see the point of my hon. friend, Prof. Dilip Chakravorty that retaining a certain uniqueness of this institution does not mean not accepting certain modern subjects, modern facilities, etc. But I think, what my hon. friend Shri Saugata Roy was saying was, in so doing, you do not create an institution which has no relevance or bearing on what Tagore stood for and strove for. That is the only point. If that is so, I only want to make two points briefly. One is that I think education has to be considered as a liberating force and the other is that culture and creativity must be a soulful contribution to man's fullest development in various walks of life. If these two ideals or aims can be achieved—one being education as a liberating force not only in terms of broad humanising of the individual's

attitude towards life, but education as a liberating force in its broadcast sense or fullest sense, and the second being that culture and creativity must be considered as factors helpful and necessary for a soulful contribution to the building up of a citizenry in the new India—I think Tagore's VishvaBharati has a role to play. Tagore's idea is of Unity of Man. Tagore's idea is of Freedom of Man, an Tagore's ideals or Liberty as a fundamental purpose of life, should all be woven into the kind of teaching and instruction and learning that goes on. If this is done, to a large extent in a most spontaneous manner and with the least administrative bottlenecks and external forces, then I think this University will make a useful contribution.

One final word and I have done. Perhaps at this stage he may not reply, but I just want to ask the Minister about what he says in the Aims and Objectives. I quote :

"The University has faced serious difficulty in its day to day working on account of the negative attitude adopted by certain persons".

He has not spelt it out. Probably he wants to say in a moderate language, in an indefinite, because he would not like to say in detail. I do not want to force him to say anything, but this is exactly the kind of difficulty that is faced by many of our institutions which begin with good ideals and good dreams but somehow get caught in wrong hands or get dominated by wrong people.

SHRI SAUGATA ROY : Including Gujarat Vidyapeeth.

PROF. P.G. MAVALANKAR : that is why I mentioned 'many of our institutions'. I did not want to elaborate. I am prepared to consider Vidyapeeth as one of them. We find many good institutions in memory of good leaders, but the soul of it is lost and we merely follow the outward structure. The soul is lost. Therefore, I want the distinguished Education Minister to tell us what exactly these things are because I feel, a Professor myself and an educationist myself that although on the one hand, we need more universities what we need on the other hand is not, at the moment, proliferation of Universities and Colleges. I know the UGC has put some kind of a moratorium on that and it is good. What is needed is that the existing Universities become better, and that the more specialised institutions like the one mentioned by Shri Saugata Roy, The Gujarat Vidyapeeth in Ahmedabad, and other institutions like the Kashi Vidyapeeth in Varanasi, The Vishva Bharati at Shanti

Niketan, etc. should all become places of international education and of international attraction. I am sorry that the "Auroville", a new experiment has gone into some kind of difficulty in Pondicherry.

Therefore, I am making the point in conclusion that in regard to the Vishva Bharati University, I hope the Select Committee will go into the matter as to how best we can do it by leaving things to the people concerned, without making it cumbersome in terms of administrative details and bottlenecks.

Although I am not a son of Bengal as Shri Saugata Roy described the Education Minister, I consider myself a son of Bengal because I am a son of India and Bengal is a part of India. Gurudev was also for some time in Ahmedabad, my home city. He spent some years of his formative life with his elder brother, a judge, in that famous building which has been for a very long time the pride of Ahmedabad. We have taken inspiration from some of his ideals of unity and human freedom. I hope these ideals will be reflected in this newly modified Bill which now goes to the Select Committee.

16.00 hrs.

श्री रामचंद्र सिंह (आयलपुर) : ममापि यह अवसर नहीं है कि विश्व भारती के सम्बन्ध में विशेष विचार हो। यह मेरा सोभाग्य है कि मैंने विश्व भारती विश्वविद्यालय में रह कर थोड़ा अपना शोध का काय किया है और वहाँ के विद्वानों के सम्पर्क में रहने का सोभाग्य मुझे मिला है। मुझे 1952 से ही विश्व भारती जाने का सोभाग्य रहा। उस समय के विश्व भारती और अब के विश्व भारती में बहुत अन्तर है। अभी लगता है कि विश्व भारती जो रवीन्द्रनाथ की थी वह है नहीं। मुझे स्मरण है कि उस समय के पुराने लोग कहा करते थे कि जब आदिवासियों का वस्तियां को लोग हटाते थे और बड़े-बड़े महल वहाँ बनाये जाते थे, तो गुहदेव रोते थे। मैंने देखा है कि अब तो हम सभीते हैं कि इस विशेषक

[डा० रामचंद्र सिंह]

के बाद आधुनिकरण की माडनौइवेशन की मेडनैस थोड़ी और बड़ी तो शांतिनिकेतन, विश्वभारती और दूसरे विश्वविद्यालयों में कोई अन्तर नहीं रहेगा।

विश्वभारती का अर्थ यह नहीं है, जैसा कि हमारे माननीय मानवलंग की ने कहा कि उसका आधुनिक युग से कोई रेलेवेन्ट नहीं है। भारतवर्ष में समूचे 150 विश्वविद्यालयों का ही उसकी लाइक से क्या रेलेवेन्ट है? प्रथेक विश्वविद्यालय का अपना एक चरित्र हाता है, जब वहाँ कोई जायें तो मातृत्व पड़े कि यह विश्वविद्यालय यह है। जैसे असींगड़ विश्वविद्यालय का एक चरित्र है और उसका हमारे शिक्षा मंत्री जी किर पुरुष के द्वारा वापिस कर रहे हैं। तापाद्विषयक विश्वभारती का जो अपना चरित्र है, उसका वापिस करना चाहिए। नहीं तो, 150 विश्वविद्यालय हैं ही।

इसीलिए जब राज्य-सभा में दूसरे मदन में विश्वविद्यालय विधेयक पर चर्चा हो रही थी, तो वहाँ काफी चिन्ना प्रकट की गई, वहाँ इस विधेयक का कोई सामाज्य स्वागत नहीं हुआ।

मैं संयुक्त प्रबन्ध समिति के लोगों में विनय कर्णा कि वह गुरुदेव की शिक्षा से सम्बन्ध में उनके जावन-प्राप्ती को देखें। मुझे तो कई दीक्षान्त भावग भी वहाँ तुमने का अवसर मिला है। यह जो कहते हैं कि वहाँ कुछ न नोटिव, निरेवात्मक दृष्टिकोण लाये गये हैं, असल में इस्पर्लैंडेशन की कमी है। जिस समय दास साहब वहाँ के कुलपति थे, याचार्य वे तो वहाँ दूसरा बातावरण था। इसलिए मैं प्रार्थना करूँगा कि संयुक्त प्रबन्ध समिति के लोग वहाँ जायें और गुरुदेव की शिक्षा को देखें कि उनके शिक्षा के आदेश क्या थे।

गुरुदेव के विश्व में कहा जाता है कि वह केवल संस्कृत और कला के उपरास्करण, ऐसा नहीं है। उन्होंने अपने जीवन के सेव काल में शांति निकेतन के साथ शी निकेतन की स्वापना को जो शानि कला को जीवन से जोड़ने का प्रयत्न किया था, लेकिन आधुनिकीकरण की ओर माया है, उसका जो व्यामोहर है वह 149 विश्वविद्यालयों में रहने दें, रवीन्द्र नाथ की विश्वभारती को रवीन्द्र नाथ के सपनों में दाढ़े। हम यह नहीं कहते कि वह पुण्यता मध्यात्मय हो जायेगा, आज आपके विश्वविद्यालय का देखने के लिए नहीं, विश्व विश्वभारती का देखने के लिए लाग आने हैं। इसलिए मैं कहना चाहूँगा कि आधुनिकीकरण की वात का बहुत ज्यादात्मक नहीं देना चाहिए।

अभी हमारे मानवतर नामवर ने कहा कि आई एम नाट सन आफ बंगाल। विश्वभारती बग भारती नहीं है। विश्वभारती विश्वभारती है। मुझे यह है, जब मैं पहली बार 1952 में गया था तो एक मनोविज्ञानी की मढ़की, एक मैं थोर एक गुरुगत के कुल 3 फिलासकों का कलास में थे। इसलिए विश्वभारती का बंग भारती नहीं, इसको सबसमें विश्वभारती के रूप में परिणत करना चाहिए। यहर भारत विश्व को कुछ दे सकता है तो अध्यात्म विज्ञान और छाटे-छाटे उपकरणों के लिए तो हमारे यहाँ इस्टी-द्युटी आफ टन्नालाजी बम्बई, मद्रास और दिल्ली में हैं। हम यह कहा कह रहे हैं कि वहाँ उपनिषद की पढ़ाई जु़ू़ करिए। जब आप इन आधिकारिक शिक्षण के संवत्सरों को छोड़ देते हैं, जब असींगड़ का जो अपना चरित्र रहा है, उसको वापिस कर रहे हैं तो शांति निकेतन का विश्वभारती का जो चरित्र है, उसके साथ छेदछाड़ करना भायव विश्वभारती के साथ छेदछाड़ करना ही नहीं, वह भारतीय संस्कृति का जो सपना गुरुदेव ने देखा था, उसके

साथ छेड़काड़ करता होगा। विज्ञा समाहकार समिति में भी श्री कुमार हुगासाही ने एक बड़ो गब्बोर चर्चा उपस्थित की और कहा कि विश्वभारती के सम्बन्ध में प्रस्तुत विज्ञेयक 'स्वागतयोग्य' नहीं है और यह विश्वभारती को आत्म हत्या है। राज्य सभा में भी जो विज्ञाप हुए हैं, उन में भी स्वागत के स्वर नहीं थे।

इस लिए मैं प्रबन्ध समिति के मानवीय महसूसों से प्रार्थना करता हूँ कि वे इस विज्ञेयक पर आयोगुक्त हो कर विचार करें और इसका गुहारेव की दृष्टि से दें। गुहारेव चीन भारत रूस भी गये थे। उन्हें निपाइवाट्य जगत का भी सपना देखा था। विज्ञान के साथ अध्यात्म को जोड़ने का उनका सपना था, जो भारत कर सकता है, और इसी के लिए विश्वभारती का जन्म हुआ था। मैं समझता हूँ कि विश्वभारती के मानवीय महसूस इस बात को ध्याद मेरखेंगे।

DR. PRATAP CHANDRA CHUNDER: I should like to think our young energetic Member, Shri Saugata Roy for drawing our attention to a very important matter, whether the Visva-Bharati is fulfilling the original ideas of Tagore and if not, that we should try to include these ideas in this Bill.

I know this controversy which is going on but I will respectfully submit to this House that much of this controversy is based upon an inadequate appreciation of facts. In fact we have noticed in the observation of Prof. Dilip Chakravarty that there is some dispute about the original ideas of Tagore himself. What were these ideas? So, instead of going to the secondary source, we have tried to go into the primary sources and incorporate the primary sources in this Bill very carefully. The clauses are not before us. So I would not like to go into the details, but I would briefly say that the original objects of Tagore have been included in the Memorandum of Association of the Visva-Bharati Society which was set up in the early 1920s.

Now, in this objects clause there was one very significant mention that all the objects were governed by the respect for Shantam, Shivam, Adhikam. But in the existing Act, this phrase, Shantam, Shivam,

Adhikam has been completely struck out. That shows that the spiritual and moral concept which was there in the constitution of the Visva-Bharati has not been introduced in the original Act. So we thought that to restore the original ideas of Poet Tagore, it would be necessary to bring back this whole concept and instead of having truncated objects in the Bill, we have introduced the entire objects of Tagore in this Bill.

The second main change which we tried to introduce is this, that these truncated objects were included in the residuary powers of the University. That means the University could or could not follow some of these objects. But we have now taken the objects into a special clause of the Bill which can be interpreted as the objects clause. 'The objects of the University would be...' and that includes the entire objects which have been set out in the original Memorandum of Association of Visva-Bharati. I will submit that these changes will certainly be sufficient for the purpose of keeping before Visva-Bharati the ideas of Poet Tagore and it will be necessary for the University to stick to the objects and not to deviate from them. Incidentally, when I got some communications from some of the respected scholars and journalists from Calcutta about the objects of Visva-Bharati and their protests about the manner in which the Bill has been brought, I wrote a letter to them saying that they had not spelt out what the objects were. For the information of the hon. Members, particularly, Dr. Ramji Singh, who said, *Cheriva sopas karma chakhiye*, I can tell him that in the days of poet Tagore, his original idea had to be modified to a great extent because Visva Bharati was ultimately affiliated with the Calcutta University and the students were getting the instructions to go through various disciplines of Calcutta University. If we were to return to the original character which was modified during poet Tagore's lifetime, then we have to scrap this Act altogether, to repeal this act, and bring Visva Bharati into the fold of Calcutta University, although it is not all desirable. The real problem was modernisation and the poet himself felt that general instructions alone will not do. Students who would come out of this institution would require jobs. It is not education in general. But, it should be some sort of job-oriented education so that the standards which will be recognised in society in general will have to be adopted. So, the poet, with great lamentation, conceded the demands of the students that Visva Bharati might be linked up with some standardised universities. However, we do not want to make Visva Bharati as any other university but it should have a distinct character of its own.

[Dr. Pratap Chand Chunder]

Therefore, this major change has been proposed in this Bill. I hope whatever has passed in this House now will be placed before the Select Committee when it will have its deliberations. Moreover, I can assure you and other hon. Members that really we want to democratise the organisation of the university. At present, in all bodies there is the provision for nomination and these nominations are made by the Visitor with the recommendation of the Minister. But, now we want to shed our power and we would like to give the power to the academic communities of the university including the teachers Pathabhavena School so that, ultimately, the functioning of the university will depend largely on the academic community. As you know, Madam, all these human institutions depend on the good and bad features of human conduct. So, when the academic community will have majority in the management, we expect that they will respect the ideals of Poet Tagore and will strive to maintain the university in accordance with the ideals that Tagore himself contemplated.

With these words, I humbly submit to this House to accept the motion that I have moved.

MR. CHAIRMAN: The question is:

"That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill further to amend the Visva-Bharati Act, 1951, made in the motion adopted by Rajya Sabha at its sitting held on the 25th July, 1978 and communicated to this House on the 27th July, 1978 and do resolve that the following 22 Members of Lok Sabha be nominated to serve on the said Joint Committee, namely :

- (1) Shrimati Renuka Devi Barakataki
- (2) Shri Bedabrata Basu
- (3) Shri Tridib Chaudhuri
- (4) Shri Dharendranath Basu
- (5) Shri Rudolph Rodrigues
- (6) Shri C. K. Chandrappan
- (7) Shri Ajit Singh Dahbi
- (8) Shri Raj Krishna Dawn
- (9) Shri V. Kishore Chandra S. Deo
- (10) Shri R. D. Gattani
- (11) Shri Samar Guha
- (12) Shri V. G. Hande
- (13) Shri Nirmal Chandra Jain
- (14) Shrimati Mohsina Kidwai
- (15) Dr. Basojini Mahishi
- (16) Shri P. Rajagopal Naidu

- (17) Shri K. A. Raju
- (18) Shri Ramjiwan Singh
- (19) Dr. Saradish Roy
- (20) Shri Jagannath Sharma
- (21) Shri Rajendra Kumar Sharma
- (22) Dr. Pratap Chandra Chunder"

*The motion was adopted.*

16.15 hrs.

#### INDUSTRIAL RELATIONS BILL

MR. CHAIRMAN: Now, the House will take up the motion on the Industrial Relations Bill.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): I beg to move:

"That the Bill to consolidate and amend the law relating to the registration of trade unions of employees and employers, the rights and liabilities of registered trade union disputes, the conditions of employment of employees, and the investigation and settlement of disputes between employees employed in industrial establishments or undertakings and their employers, and for matters connected therewith or incidental thereto, with a view to promoting healthy industrial relations leading to accelerated economic development and social justice, be referred to a Joint Committee of the Houses consisting of 33 members, 22 from this House, namely :

- (1) Shri Chitta Basu, (2) Shri Dinen Bhattacharya, (3) Shri S. R. Damani, (4) Shrimati Minal Keshav, Gore, (5) Shri Hukam Chand Kachwai, (6) Shri Amrit Nahata, (7) Professor P. G. Mavalankar, (8) Shri Prasanbhai Mehta, (9) Shri B. K. Nair, (10) Shri K. S. Narayana, (11) Shri K. A. Rajan, (12) Shri A. E. T. Barrow, (13) Shri K. Ramamurthy, (14) Shri Ramdas Singh, (15) Shri Saugata Roy, (16) Shri Ram Dhami Shastri, (17) Shri Digvijaya Narin Singh, (18) Shri Govind Ram Miri, (19) Shri Ugrasen, (20) Shri R. Venkataraman, (21) Shri C. Venugopal, (22) Shri Ravindra Varma and 11 from Rajya Sabha;

That in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of December, 1978;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 11 members to be appointed by Rajya Sabha to the Joint Committee."

In moving the motion I would like to draw the attention of the House to the fact that in respect of the other two Bills too which were introduced along with this Bill yesterday the proposal is that the same Joint Committee should study the Bills. This is because, as I explained earlier, the three Bills together give a comprehensive picture of the relations, the procedures, the machineries that are being proposed. I would only say further, Comrade Chairman, that in the case of some other Bills in the past there have been instances of the same Committee studying more than one Bill and reporting to the House. I do not want to take the time of the House in reciting or citing such instances. I would only say this much by way of observations in making the motion. I hope the House will accept the motion.

**MR. CHAIRMAN:** Motion moved:

"That the Bill to consolidate and amend the law relating to the registration of trade unions of employees and employers, the rights and liabilities of registered trade unions and settlement of trade union disputes, the conditions of employment of employees, and the investigation and settlement of disputes between employees employed in industrial establishments or undertakings and their employers, and for matters connected therewith or incidental thereto, with a view to promoting healthy industrial relations leading to accelerated economic development and social justice, be referred to a Joint Committee of the Houses consisting of 33 members, 22 from this House, namely:

- (1) Shri Chitta Basu, (2) Shri Dinen Bhattacharya, (3) Shri S. R. Damani,
- (4) Shrimati Mirnal Keshav Gore,
- (5) Shri Hukam Chand Kachwai,
- (6) Shri Amrit Nahata, (7) Professor P. G. Mavalankar, (8) Shri Prasannabhai Mehta, (9) Shri B. K. Nair,
- (10) Shri K. S. Narayana, (11) Shri K. A. Rajan, (12) Shri A. E. T. Barrow, (13) Shri K. Ramamurthy,
- (14) Shri Ramdas Singh, (15) Shri Saugata Roy, (16) Shri Ram Dhami Shastry, (17) Shri Digvijaya Natain Singh, (18) Shri Govind Ram Miri,

(19) Shri Ugrasen, (20) Shri R. Venkataswamy, (21) Shri C. Venugopal, (22) Shri Ravindra Varma and 11 from Rajya Sabha;

That in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House, by the last day of the first week of December, 1978;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 11 members to be appointed by Rajya Sabha to the Joint Committee."

There is an amendment for circulation of the Bill for the purpose of eliciting opinion by Shri Ram Dhami Shastry. He is absent. Shri Purnanarayan Sinha.

**SHRI PURNANARAYAN SINHA:** I moved:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1978."

**PROF. DILIP CHAKRAVARTY** (Calcutta South): It is stated by my hon'ble friend, Shri Ravindra Varma, that this Bill has been brought with a view to promoting healthy industrial relations and to accelerate industrial development and social justice. I am emphasising on this aspect of 'Social justice'. In the district of Burdwan, Raniganj and Kulti coalmining area, hundreds of houses are collapsing and thousands of inhabitants are vacating the area, which is bringing in untold misery to the ordinary people. I have received an answer to Unstated Question No. 5083 on 30-8-78, that is, yesterday, wherein it is not denied that there is a continuing hazard of subsidence and landslide in the Raniganj and Kulti coalmining area.

**MR. CHAIRMAN:** This is a Bill on Industrial Relations. Kindly speak only on the Bill.

**PROF. DILIP CHAKRAVARTY:** I have shown the connection, Madam, between this Bill and this matter which I am raising. Let it go before the Select Committee for their consideration.

MR. CHAIRMAN: This is to go to the Select Committee.

PROF. DILIP CHAKRAVARTY: I know. That is why I say, let the Members of the Select Committee bear these things also in mind.

At present 112 collieries under Eastern Coalfields Limited are existing in Raniganj coalfield and in 40 such collieries, hydraulic sand-stowing is adopted. Six more collieries would be taken up for such stowing in future. Then, what about the rest? The people are suffering due to the hazards of subsidence as pointed out by the district administration. Due to lack of funds, they cannot fill the empty pits with sand. That has created lot of problems. Subsequently, the matter was again brought up for discussion with the specially invited representative of the State Government on 17-6-1978 in the Sixth Meeting of the Coal Conservation and Development Advisory Committee held at Calcutta and it was unanimously decided that the Area Development Authority may be formed immediately under the West Bengal government, with representatives of the coal companies, Coal Controller and Director-General, Mines Safety.

The proposal for having an Area Development Authority is to make it a focal point for integrated development of the area, including diversion of railway lines, roads, or transfer of inhabitants. I emphasise this last point, namely, the transfer of inhabitants. Now the question arises: Who is to bell the cat? I suggest that till such time as the Area Development Authority is constituted, a programme of hydraulic sand-stowing be adopted. The Coalmining Management in the area should not plead paucity of funds to cover up their inaction resulting in untold suffering to the inhabitants due to the hazards of subsidence or landslide rendering thousands of people homeless.

With these words, I hope, the hon. Minister and also the Members of the Select Committee would give sufficient importance to this important aspect of the problem which I have raised just now. Thank you, Madam.

SHRI SAUGATA ROY (Barrackpore): Madam, yesterday, when the Motion for introduction of the Bill was brought in this House, there was a strong opposition to the introduction from all sections of the House, because, in this very ambitious Industrial Relations Bill, which the hon. Minister has brought forward after a long delay and a lot of tall promises, there were certain clauses which were curbing the right of strike.

Certain notices had to be given for calling a strike. Government has got an arbitrary control over the right to strike of the workers. Also, in the provision relating to lockout, which is contained in the same sub-heading of Chapter VIII, a similar ban was not put on lock-out, to the extent that strike was banned.

The Rules of Procedure provide for asking the House to instruct the Joint Select Committee to make special or additional provisions in the Bill to see that a certain thing is done. And that is why Madam, under Rule 75(3) I move:

"That at the end of the Motion for reference of the Bill to the Select Committee, the following be added, namely,—

'The House gives instructions to the Joint Select Committee to which the Industrial Relations Bill is proposed to be referred, to make additional provisions in the Bill, to see that the right to strike of the workers is not curbed.'

Because, Madam, with due respect to the composition of the Committee and to all the Members who will be in that Committee, may I say that law in this country has never been very favourable to the employees? It has always been favourable to the employers. And the composition of the Committee is not determined with respect to the views of the members regarding the labour problems. It may very well happen that the composition of this Committee may be such that it will be weighted more in favour of the employers. In that case, the majority may decide, or may take a decision on this proposed Industrial Relations Bill, which may well be, that the right to strike which has been proposed in the Bill will be kept or further curbs on the right to strike will be put. I want to submit that this special and additional provision should be made in this Bill so that the right to strike of the employees, which is a fundamental right, is not taken away. We have got a weak working class in this country and this fundamental right is a political right and not so much a constitutional right, as such. But, it is a political right, in the sense that we have a very weak and less-organised working class in this country and therefore it is the ultimate weapon and we have to see that this is not curbed. Also I proposed that there should be a special instruction to see that the right to lock-out is limited and curbed to as large an extent as possible. I again want to move that this additional enabling provision be made in the Bill and give specific instructions to the Select Committee so that it may reflect the feelings of the Members of the

House who feel that there should not be a cut on the right to strike of the workers. On the other hand, all possible cuts should be put on the right to lock-out of the employers. The employers are still doing so in so many ways all over the country. So many jute mills are closed in the country. The working class is expecting so much from the Bill and unless such provisions are made in the Bill, the aspirations of the working class cannot be fulfilled. So, it is a very ambitious Bill.

**SHRI PURNANARAYAN SINHA** (Tatpur): Madam, in moving my amendment I have got to draw the attention of the House to rules 298 and 299. Rule 299 reads as follows :

"299. Members who are not members of the Select Committee may be present during the deliberations of the Committee but shall not address the Committee nor sit in the body of the Committee."

From the very inception, this Bill has taken a considerable time for conceiving before it came for consideration and after it was introduced, there was an opposition even from the Government Benches. Under these circumstances, it is better that a wider public opinion should be called for in order to finally bringing up the Bill in a form which the House can accept. So, my idea of proposing this amendment is that either it be sent to recognised Labour Federations of the country which are under the control of different political leaders or the scope of the Select Committee may be made wider by enlarging the number of Members of the Select Committee so that they are drawn from different sections of the House. At the same time, all those persons who are active workers in the Trade Unions, those who organise the unions, those who organise labour, who organise the strike, those who support the cause of the labour and those who have gained experience in the Labour courts and Tribunals will be considerably helpful in bringing forward an acceptable form of the Bill. Therefore, I said that either the Bill is referred to the recognised Labour Federations of the country or the number of Members of the Select Committee may be made larger to at least 45—30 from this House and 15 from the other House—so that all shades of opinions are represented on this Committee and they can thrash out the differences in various provisions of the Bill. They would also consider other questions with regard to the legislative competence of the House and whether 60% majority of the Union must be there in order to call a strike is also acceptable to all the Unions. So, I propose that the number of Members of the Select Committee—if it is decided

to refer the Bill to the Select Committee—may be made larger so that wider sections of the people of the House are represented on the Committee. Therefore, I request the hon. Minister to name 30 hon. Members of this House from different sections, and let 15 or even less number of Members from the other House come and represent on this Committee. I only want the active trade union leaders and workers who are Members of this august House to be on the Select Committee so that they can, amongst themselves, discuss the provisions of the Bill and bring forward a bill which will be universally acceptable to all sections of the House. This is my submission and with this submission I press my amendment.

**SHRI M. KALYANASUNDARAM** (Tiruchirappalli): Comrade Chairman, I regret that the hon. Minister should persist in moving this motion for referring the Bill to a Joint Committee. At the same time, I also regret that you should be in the chair when such a motion is being discussed. You are one of the stoutest opponents of this Bill. Perhaps nobody else is available to occupy the chair and allow you to make the speech opposing the Bill.

In spite of our opposition to the Bill, a Member of my Party has been included in the Select Committee and we have no objection to enter the Joint Committee. It does not mean that in any way, directly or indirectly, we support the anti-working aspects of the Bill. That only shows that we are determined to fight inch for inch and step for step on the anti-working class provisions of the Bill and see that reason will prevail on the Government to make some changes. With that attitude, a Member of my Party has agreed to serve on the Joint Committee.

The Bill by this time has attained notoriety throughout the country and the organised trade unions and important trade union centres have opposed some of the principles especially the right to strike and right to collective bargaining. These are the rights earned by the working class of this country over a period of fifty years through sufferings and sacrifices, facing bullets and repression. Those rights are now sought to be curtailed. The ruling party are taking pride that they have restored democracy and they have done away with emergency. If one carefully scrutinises this Bill, so far as the working class of this country is concerned, this Bill seeks to make the conditions of emergency permanent with regard to the right to strike and right to collective bargaining. This is a Bill which cannot be supported by any one, leave alone those who support the working class;

[Shri M. Kalyanasundaram]

even those who want to have industrial peace in this country would not give their support to this measure. This will only create more unrest among the workers, because the workers cannot effectively settle their disputes by availing of the Government conciliation machinery or any other machinery. There will be prolonged negotiations without any settlement. That means, the workers will get frustrated and there will be direct action, unprepared direct action, and dislocation of industry. This Bill will not secure the objectives for which the Bill is introduced.

Even at this stage, I would urge upon the ruling party to drop this motion and bring about another Bill in the light of the suggestions made by the All India Trade Union Congress and other trade union centres in this country.

There is another point. The Government is trying to rush through this Bill. The time given for the Select Committee is upto the last day of the first week of the next session. That shows that the Government is anxious to pass this Bill. Let them have it. Even if they pass the Bill, the provisions of the Bill, which are anti-working class, will be opposed by the working class in the factories and streets. You have to face these things. I would, therefore, urge upon the Government to give sufficient time to the Joint Committee to examine the provisions very thoroughly, record evidence and give another opportunity to the trade unions so that the Joint Committee at least can have the satisfaction of having gone through the Bill more thoroughly and fully. I would urge upon the Minister to extend the time limit for the Joint Committee.

**SHRI SOMNATH CHATTERJEE** (Jadavpur) : Through this Bill which is being proposed to be referred to a Select Committee, the right of the workers to strike is sought to be frustrated and taken away—which is a stab in the back of the working classes. I do not know who is the real author of this Bill. The entire industrial relations machinery in this country is now sought to be bureaucratized. And I did not know that Mr. Ravindra Varma was so fond of bureaucrats. This stint of Ministership of 1-1/2 years seems to have completely corroded whatever proper attitude to labour relations he might have had.

This Bill has earned the unique distinction of being rejected by almost all important trade unions. One thing is very clear, viz. that in our country where the working class has very limited rights under the Constitution of this country, those limited

rights are going to be taken away. There are in-built provision, which provide for discrimination amongst the working classes, and between the working classes of different geographical areas also. And the minimal right which has been earned by the working class in this country to go on strike, is sought to be frustrated and taken away through an absurd proposal that has been mooted in this Bill. The Constitution of India and this Bill seem to be totally inconsistent with each other. They cannot tally. That is why we say that by this Bill, an attempt has been made to take away the very minimal rights of the working class in this country.

By a majority, they will send this Bill to the select Committee. But I feel that in the matter of this Bill, the Select Committee has a very great responsibility. We would like to see that the Select Committee does not try to dispose of this matter hurriedly, without full consideration, but that it takes into consideration the views of all the different sections of people, of trade unions, and of the working class as a whole. The State Governments should be consulted in this matter. We would like to know how the Government of India, which is trying to restore democratic rights in this country, could make such a comprehensive effort to almost nullify the little democratic rights that the working class in this country possesses.

**16.38 hrs.**

[**SHRI RAM MURTI** in the Chair]

You have seen, Mr. Chairman, Sir the type of thinking that has been put in the making of this Bill. There is a chapter dealing with the so-called unfair practices. One of them speaks about what are the activities which are supposed to be unfair practices on the part of the employees and of the trade union of employees. It is provided that it will be unfair practice.

“to indulge in coercive activities with the intention of preventing the certification of a registered trade union of employees as sole negotiating agent or chief negotiating agent, or the constitution of a negotiating committee.”

This is supposed to be an unfair practice. Apart from what is sought to be conveyed here, this is a pernicious proposal. Somebody might have called Mr. Ravindra Varma as an ambassador for labour. But what is he trying to prove? Is this the way you are trying to preserve the rights of the working classes? There is not a single proposal in the whole Bill which

advances the right of the working class, even by one small step. On the other hand, hurdles have been put in various matters—which take away the rights of the working class.

Supposing a demonstration will be staged at the residence of the employers and the managerial staff. Now the demonstration has been held by the Supreme Court to be a fundamental right, if it is not violent. If there is a peaceful demonstration before the residence of the employer who has misappropriated the provident fund, who has not paid the provident fund and who has not paid wages and salaries also, then that is to be treated as an unfair practice and then it is to be referred to the tribunal. You kindly see what is constitution of the tribunal. On page 13 of the Bill, it says :

"No person shall be qualified for appointment as the Presiding Officer of a Tribunal unless among other things—

(a) he has been an officer of the Ministry or Department of the Central or State Government dealing with Law or Labour, not below the rank of a Deputy Secretary, or equivalent post, for not less than five years."

Therefore, the Deputy Secretary in the Labour Department who has specialised in labour activities for five years will be qualified to be the President of the Tribunal. Now, is it not a mandatory provision that he must be a Judge or a District Judge or a Presiding Officer of a Labour Court? Then it further says :

"He has, in the opinion of the appropriate Government, adequate experience in industrial relations."

There will be no check and we know that most of the governments in this country are functioning totally under the control of the bureaucracy. Who will be the Presiding Officer of this Tribunal? What will be the composition of the Tribunal? There is nothing indicated. And then there is a question of so-called unfair practice like the right to become a negotiating agency, a chief negotiating agency and so many other duties and functions have been given to the Tribunal. It will depend almost on the *quidam* of this bureaucracy. Now for whose benefit you have brought forward this Bill?

The Bill had been introduced yesterday and it had been sent to the Select Committee. We would very strongly urge that the fullest opportunity should be given to the Select Committee to take all evidence, views of the different sections of the working people in this country and there should not be any measure which should be sought to be hurried through or bulldozed either through the Committee or through this House. Let us not at least give this impression to the people of this country, the working people of this country that this Parliament which had not been able to advance their rights is keen to take away their rights in a manner which creates a suspicion and doubt among the minds of the people of this country. Therefore, I strongly urge that this matter should be taken note with due importance by the Select Committee; and I am sure that Mr. Ravindra Varma will think many times before trying to show his weight or the weight of his party either in the Select Committee or in this House in getting this Bill pass.

SHRIMATI PARVATHI KRISHNAN (Coimbatore) : Mr. Chairman, Sir, thank you very much for giving me this opportunity to speak. I want to draw the attention of the Minister and the Members of this Select Committee to certain rather dangerous and obnoxious clauses in the Bill, because the hon. Minister, in the Statement of Objects and Reasons states that he has tried to streamline the labour legislation that exists in the country and to bring forward a comprehensive measure which, according to him, is going to deliver the goods, as far as industrial relations are concerned in favour of the working class. I beg to differ. Because the only streamlining that has taken place is—I would like to point out to the Members of the Select Committee and the Members of the House that all the worst provisions of the Maharashtra Industrial Relations Act, Madhya Pradesh Industrial Relations Act, BIR, Gujarat Industrial Relations Act and so on have been streamlined into this legislation. This is something which the working class has been consistently opposing and the bankruptcy of those legislations has been seen. Year after year, for instance, in Bombay when the millowners signed an agreement with the so-called recognised unions—recognised under the BIR—every year there is a strike, the agreement is thrown into the Arabian Sea and the employers have to pay what the workers demand. Such things are there. Now here comes the Minister and makes such a misleading statement in the statement of objects and reasons and then he expects us to think all the rest of it is something very very innocent and very progressive and democratic.

[Smt. Parvathi Krishnan]

I am sorry and that is why I should like the Members of the Select Committee to go into this aspect seriously.

About unfair labour practices my colleague Shri Somnath Chatterjee has already spoken ; yesterday at the introduction stage itself I said that from our party and the All India Trade Union Congress to which I belong we take very serious objection to these unfair practices. But of course his inspiration comes from the BIR and the practice in Maharashtra. I am not surprised.

The next question is a question which has been dogging the trade union movement and industrial relations in this country for a pretty long time *viz.*, selection of the negotiating agent. In the statement of objects and reasons the Minister has written that various interests have been consulted. I should like to remind the hon. Minister that out of 11 central trade unions organisations, nine have said that they want recognition by ballot.

The President of the INTUC Shri Bhagwati has only recently in Bangalore made a statement that their organisation also is coming round to this point of view. (Interruptions) I said 'coming round'. I have used my words carefully. Mr. Stephen, I am convinced that in the Select Committee three wise and sensible members of your party who have been sent there will certainly come round when they see public opinion. I hope they are also living in this new allegedly free atmosphere, democratic atmosphere. With your principle of democratic majority, a vast majority, nine out of eleven have said that they would like to have recognition by ballot. If you bring forward a different formula certainly it will not be acceptable to the working class and you will have history repeating itself, whether in Bombay or in a number of other places, including the Railways. Because of the manner in which industrial relations in the railways are being neglected you are finding that one after the other category associations are coming up. We are in favour of industrial organisations wherever industries are there. But when the recognition policy of government is so bankrupt, naturally those categories who find themselves neglected and forgotten by the vested interests in the recognised unions come into being, as for instance, Loco Running staff association who conducted a strike. Similarly the ticket checking staff association, carriage wagon staff, and so on, every single category. There are 800 categories no doubt but at the same time there are some categories that are large in number and also powerful in their organisations. That is why we have said,

when you have those vested interests in the recognised unions, recognition by ballot is the method which would be a democratic method. Comrade Minister, that is what I should like you to convey to all your comrades who will be there in the Select Committee.

Lastly with regard to the right to strike, the hon. Minister was very impassioned when he said : never will we touch the right to strike and so on. He has got that method ; the manner in which he says it sounds extremely convincing but if Members of the Select Committee go very carefully through the Bill, they will find the right to strike is cut in a very subtle, extremely subtle manner, of which only this Minister is capable of...

AN HON. MEMBER : This is not undue persuasion ?

SHRIMATI PARVATHI KRISHNAN : This is very legitimate criticism. Let us go by his assurance, otherwise we can always refer it to the Committee of Assurances. . . .

Therefore, as far as the right to strike is concerned, the point is, the methodology that has been given in this Bill for settling of the industrial disputes is such that the right to strike is being emasculated and on the surface is this appearance we are not touching the right to strike because we believe in democracy. It is only in the emergency period that the right to strike was taken away, etc. It was not taken away. Many strikes did take place during the emergency period. I have reminded the Minister again and again and the House, I do not want to elaborate that point because right to strike was never surrendered. All Central Trade Union Organisations even at the time of aggression by the Chinese was there in 1962, the working class said, we are for the defence of the country but we will not surrender our right to strike. In 1965 the working class was second to none in helping the war effort. But they did not surrender their right to strike. Therefore, I would warn the Minister that again the working class is not going to surrender the right to strike. Merely by saying that it is illegal, merely by all those threats and penalty provisions do not

think that you are going to be able to outlaw strikes in this country. So long as capitalism continues, so long as the exploitation is there by the big multinational corporations, by the monopolists, by the Government itself in the Railways and in the Central Government services, the workers will see that they safeguard their right to strike irrespective of any legislation. Therefore, when you are coming with the comprehensive industrial relations legislation, you should see that the right to strike is safeguarded and you should see that your conciliation machinery is strengthened and go into whatever defects were there in the conciliation machinery. And that is what is important. All this cooling of a period of sixty days, this and that, this cumbersome thing is to bamboozle the general public. Industrial peace cannot be maintained by the legislation of this sort. Industrial peace will come when the workers have really democratic functioning union, when the recognition of the unions is through a democratic process and when workers also have the confidence that they can make their voice felt in Government policy. Because, otherwise, the delays are there at the governmental level, in referring matters to adjudication, in intervening when conciliation proceedings are there. The delays are mainly because of the Government. Therefore, this right to strike, I would say, has to be examined very very carefully. Merely saying that the right to strike is not banned, because those words of banning are not there, therefore, strikes are legal, we cannot accept this position. And the working class in this country, Mr. comrade Minister, is mature enough, is serious enough and will understand exactly what the implications are. You cannot bamboozle the working class by saying "but we have not taken away the right to strike. It is there. But it is only the ultimate weapon and we have created all other things that will see that strikes can be avoided, etc." No, the working class cannot be bamboozled

in that fashion. This, I would like to bring to the notice of the hon. minister and to the Select Committee and my comrade Shri Saugata Roy who is sitting here on my right. Lastly, I would like to say (*Interruptions*) by this clandestine way of banning the right to strike, the working class will not be taken in.

Lastly, the interference that is going to be there as far as registration is concerned and the powers that are being given to the Registrar of the Trade Unions is something that we cannot accept, because this is really giving more and more powers to the bureaucracy and not safeguarding and strengthening the democratic functioning of trade unions. For instance, when a strike ballot is taken, who the hell is the Registrar to supervise it? It is the workers themselves and the leadership of the union who will supervise it. There are a hundred and one examples of that sort. The powers of the Registrar have to be gone into very carefully and far from giving him greater powers, you will have to see that the democratic functioning of the trade unions is strengthened further and that has to be left to the trade unions. That is why I agree with Comrade Somnath Chatterjee when he said, we hope that you will consult the trade unions in a proper manner and not in a slipshod way of a working group and trying to make out that that is the whole tripartite machinery. You should see that the trade unions are given a full opportunity. They are the best judges of how to strengthen the democratic functioning of their own organisations. I certainly do not think that the Government which cannot have democratic functioning in its own party, is going to be able to teach us how to run our unions democratically.

**SHRI SARAT KAR (Cuttack) :**  
I do not want to enter into a long debate at this stage when the Bill is to be referred to a Joint Committee, but I would like to make some suggestions.

16.58 hrs.

[SHRIMATI PARVATHI KRISHNAN in the Chair]

There is already a consensus in the House that this Bill should be carefully examined. I would not support the extreme statement that this Bill proposes to perpetuate emergency nor do I want to say that the right to strike has been completely snatched away. The Minister

[Shri Sarat Kar]

said that the right to strike is the ultimate weapon and not the fundamental weapon. We must strike a balance between the right to strike and the running of our national industries. Because the Bill is important, I feel it should be circulated for eliciting public opinion. All sections of people and political parties should sit together and invite memoranda from the trade unions and the people.

MR. CHAIRMAN : The Defence Minister is due to make a statement now. After that you can resume your observations.

SHRI SARAT KAR : I have almost finished. Only a minute more. I support the proposal of Shri Purnanarayan Sinha that more members should be added to the Joint Committee, specially members with experience of trade unions and also members from the younger elements should be added. Sometimes unscrupulous labour leaders lead the workers astray. So, when we say that for recognition of unions there should be secret ballot, similarly there should be secret ballot for strike so that the opinion of majority of the workers may be taken into consideration.

27.00 hrs.

**STATEMENT RE. REPORTED  
SELECTION OF AIRCRAFT FOR  
INDIAN AIR FORCE**

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) : MR. Chairman, Government have apprised the House from time to time of the position concerning the selection of a new type of aircraft to replace the Canberras and Hunters.

On 29th August, 1978, Hon'ble Member Shri Raj Narain, made some observations in the House under Rule 377, bearing on the subject. It has accordingly become necessary to clarify the position. Let me state categorically, at the very outset, that no decision has been taken by Government yet as to the type of aircraft to be acquired or manufactured in India for the purpose in view. The Committee of the Cabinet which is concerned has yet to consider the report of the Team of experts and senior officials who were deputed to visit Sweden, France and the U.K. to make a comparative evaluation of the JAGUAR, the MIRAGE F.1 and the VIGGEN, which as the House will recall, are the three types of aircraft which have been under consideration for the purpose.

It is not possible, specially at this stage when the Cabinet Committee has still to consider the matter and arrive at a decision, to offer any comments on the points raised by Hon'ble Member, Shri Raj Narain—whether concerning the French offer or any of the other offers. It will also not be proper to disclose the contents of any exchanges between the Government of India and the Government of France, or for that matter, with any other friendly foreign Government concerned. But the question of ignoring any offer, or of in any way overlooking either its merits or demerits, simply does not arise.

I should like to categorically deny that a selection has already been made, or a decision already taken, in the matter. I need hardly add that any suggestion or insinuation that any "commission" has been distributed as a consideration for such an alleged decision—either at the instance of a "caucus" or "pressure group", or otherwise—is entirely untrue.

It will be for the concerned Cabinet Committee to go into all relevant aspects of the various offers strictly on merits and arrive at a decision. The sole consideration kept in view will be the national interest. Due note will be taken of any valid facts or points of view that may be expressed on the subject, but not of any inspired reports, interested rumours or ill-informed or misleading speculations.

**श्री सारत कार (दिल्ली साइर) :** अभी मंत्री महांदेव ने जो दीप योनिटेशन एवर कैप्ट के बारे में व्यक्तव्य दिया, मैं उसके बारे में उन से पूछना चाहता हूँ कि इस का निर्णय कब तक होगा वर्तमान दस वर्ष से यह मामला विषय में है। जल्दी कैसा होना चाहिए और दूसरी तरफ याक बदलावारों में आग ने रिपोर्ट पढ़ी हाली कि तीन बार पाकिस्तान द्वारा हमारी टेरीटरी में काफिरिय हो चुकी है। मार्डन और सोफिस्टिकेटेड वेपन पाकिस्तान बर्दाच रहा है। ऐसे एयरकैप्ट जारी रहा है जो लाहौर से दिल्ली तक आ सकते हैं। नेहीं की संख्या भी उनकी बह गई है। इस परसेट अपने बजट का बह इस पर बर्च कर रहा है। छांस से जो एयरकैप्ट वह बरीच रहा है वह इतने सोफिस्टिकेटेड है कि हमारे देश में उनका मुश्किला करने वाले एयरकैप्ट नहीं हैं। बाह दौर से

यह कानूनोंमें रोड बनने के बाद और यहां पर रोडेड को रहे हैं उन को बेचने के बाद शिरा से साधित होता है कि उन भी भी पाकिन्नान के साथ सांठांठ है, इन सारे बैक्साउण्ड को बेचते हुए लगता है कि पाकिन्नान त्रिस उद्देश्य से यह सब कर रहा है यह नाकूह है। तो मैं इतना ही पूछना चाहता हूँ कि इस सम्बन्ध में हमारी क्या तैयारी है? मंत्री मंडाइय इसे साफ करें।

**SHRI JAGJIVAN RAM :** I may answer this question, though it does not strictly arise out of the statement.

I may add that we keep ourselves informed by all available channels and means about the build-up of military strength and of other developments of any significance to our geo-strategic environments. I would like once again to assure the House that everything necessary is being done, and will continue to be done, to ensure our defence and national security.

**MR. CHAIRMAN :** Shri Raj Narain. Clarification, not a speech.

**श्री राज नारायण (रायबरेली) :** स्त्रीब में दृष्टि देख रहा है? आप पहले ही स्त्री देखा बोलती हैं?

The speaker is he who speaks the least. वही स्त्री है तो कम से कम बालता है। लेकिन वही देखता हैं कि आप ज्यादा बोलती हैं।

मैं जाननीय सुरक्षा मंत्री जी से यह जानता हूँ कि क्या यह मर्दों है कि जो एफनपट कमेटी है उपरे केवल वह पूछा गया है कि अब हमारी आवश्यकता कितने से पूरी हो जाती है? पहली बात तो यह है।

एक बात यह है कि बाबू सेना के जो पूछा जाता है उनकी रिपोर्ट अगर

डिफेंस विनिस्टर चाहते तो प्रभी भी मेरे पास है, उनकी आकूतों क्या है, कैसे उत्तिवारी से वे लड़ाना चाहते हैं? यह बात तो बिल्कुल स्पष्ट हो गई है कि यह जो जगुआर है इसकी उड़ान का बेग जो है वह भिराज की उड़ान के बेग से 15-20 प्रतिशत कम है। तो क्या यह सही है और इस पर कमेटी ने कोई जांच को है या नहीं? इसके अलावा जहाज की खूबी क्या होती चाहिए? दुसरों के जो राइटर होते हैं उन राइटरों से बचकर, कम से कम छंकाई पर जा कर उड़े और गतु को भारकर फिर वहां से बापिस चला गये—यह खूबी किस जहाज में है, क्या इसकी कोई जानकारी सरकार ने की है या नहीं?

मैं इस बात की जी सकाई चाहता हूँ कि यह सही है कि जब प्रधान मंत्री जी अन्तीका गए थे तो उनके साथ उनके विशेष सचिव थे: वॉ. ओ. शंकर धौर उनके पोलिटिकल (जननीतिक) सचिव थे कोति भाई जी गये थे जो कि लंदन में उत्तर गए थे और प्रधान मंत्री के लौटने के बहुत दिन बाद बापिस गये तो वे कहां कहां गये? हमारे पास पूरी रिपोर्ट है, हम किसी को फ़साना नहीं चाहते हैं लेकिन हम चाहते हैं कि बात साफ हो जावें कि इसमें देश का सवाल है, राष्ट्र का सवाल है, इसमें किसी उन्नित का सवाल नहीं है। इसलिए वे वहां उत्तर कर कहां कहां गए और क्या जगुआर से सम्बन्धित जो प्रक्रियाएँ हैं उसको बेचने वाले, उनसे उन लोगों की बातचीत हुई तथा उनकी सारी व्यवस्था किन लोगों ने की—इन सारी बातों की जानकारी सुरक्षा मंत्री जी के पास आ गई है या नहीं?

**श्री जगजीवन राव :** यहां तक यह सबों प्रश्न इस वक्तव्य के सम्बन्ध में उठाये जा सकते हैं—इसका नियंत्रण तो आप

[बी जा रिवन राम]

दे सकते हैं। मैं इतना प्रश्न कहा चाहूंगा कि जो एसरै यविकारी लाग व उड़ान तीनों जटाओं का तुलनात्मक अध्ययन किया है और सभी पहल से किया है। किसकी जावता कितनी है, उड़ान का बग कितना है, कौन कौन अस्ट्रेंजर है, किस ऊंचाई पर उड़ सकते हैं—इन सर्वों बातों की जावकारी उद्देश्य दो है और तुलनात्मक दृष्टिकोण से ही है और नियर कॉमिटी के ऊरां छांडिया है।

प्रबाल नदी के साथ कौन कौन गया था, वे कहा कहा उतरे—इसकी जावकारी तो सुने नहीं है। लेकिन मैं यह कहना चाहूंगा कि ऐसा कोई नियर कॉमिटी नियवत्या कि जटावर के मध्यवर्ती में कोई अवै नियवत्य हुआ है, सचवाई से बहुत हूर है। तुलनात्मक दृष्टिकोण से देख कर, ऐसा मैं पहने कहा है, जटाओं सु-जाके लिए वो सब में अवै नहीं करते हैं हवाई जटाव द्वारा उसके बारे में नियवत्य किया जायेगा।

SHRI C. K. CHANDRAPPAN (Cannanore): If I understood the hon. Minister correctly, he said that there is a need to replace the ageing aircraft or the outmoded ones, and also that three types of aircraft, Jaguar, Mirage and Viggen are under examination. Now, I would like to know in the context of his statement whether the requirement of this new type of aircraft has been discussed at the Army level or at whichever level it should be in the Defence Ministry, and a final decision taken that we have to go in for these new kinds of aircraft, or whether there was any opinion that the existing aircraft which are used for defence purposes could be modified and brought to the level to meet the requirements. I would also like to know whether, apart from these three aircraft which you mentioned, the Expert Committee has considered any other aircraft, particularly from the Socialist part of the world. I am mentioning this because of the fact that we have MIG manufacturing capacity here. MIG-25 is known and proved as one of the good aircrafts. I want to know whether all those aspects have been considered.

SHRI JAGJIVAN RAM: If it were possible to do with anyone of the existing aircrafts of the Indian Air Force, that would have been the simplest method to do. But the decision to replace the Canberra and Hunter has been taken by the experts of the Indian Air Force. They have the authority and we have to go by their advice. They have evaluated all these three, no more, because there was no other offer for any other kind of aircraft of this variety. So far as the Socialist countries are concerned, of course, we have in our Indian Air Force quite a sizeable number of aircrafts of the Socialist countries, but the type of aircraft that we require for this purpose has not been offered by them.

57.12 hrs.

INDUSTRIAL RELATIONS BILL—  
*Contd.*

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): Madam Chairman, I am very grateful to the hon. Members who have offered their views and also observations on the motion that I have made. I am particularly grateful to the hon. Member, Shri Ram Murti, who gave us an opportunity to listen to you as well.

The observations that hon. Members have made mainly centre around three points. One is about the need for consultation. The other is the anxiety or apprehension about the possibility that there might be some inhibition about the right of the working class to invoke the ultimate weapon of strike. The third is that the Committee may be subjected to undue influence. These, by and large, are the three main points that the hon. Members who took part in the debate made. Of course, as could be expected, some hon. members spoke with greater vehemence and more effect, and some hon. Members presented their points of view as suggestions.

I find myself in a somewhat difficult position, which I hope the House would appreciate. If I am very vehement in the defence of every clause that this Bill contains, then it can very well be said that I have made up my mind, the Government has made up its mind and, therefore, the Joint Committee is a farce. If I do not defend, at least some of the major points that constitute the scheme, then it may be said that I am so apologetic about the Bill that I myself seem to be so much

susceptible to the voice of the hon. Member opposite that I am having second thoughts. I know, therefore, that I face this dilemma in answering the observations that have been made.

I would rather like to err on the side of caution and say that since the Joint Committee will scrupulously scrutinise every clause in the Bill, it would be better on the part of the Government not to give impression that it would like to defend every clause as it is found today in the Bill.

27.15 hrs.

[SRI N.K. SHIVALEKAR is the Chair]

But I must say that if this Bill has come before this House in the shape in which it has come, it is because the Government feels that it has had sufficient consultations to be able to visualise a consensus which eventually may be acceptable to all sections concerned. Now, it may well be that the Government's estimate is wrong, it may well be that it can be corrected to the point, where it would become acceptable to everybody, it may well be that there would be differences of opinion. I do not hazard any statement about the shape in which the Bill will come from the Select Committee.

SHRI RAJ NARAIN ( Rae Bareli) : Joint Select Committee.

SHRI RAVINDRA VARMA : Yes, thank you. This is the month of Ramzan sharif and the habiliment as well as the manner of certain hon. Members may remind me of certain aspects of culture.

SHRI K. GOPAL (Karur) : Iftar dinner.

SHRI RAVINDRA VARMA : What I said also includes that.

My hon. friend, perhaps, did not hear the word 'habiliment'.

श्री राज नारायण : अब विषय पर आइए ।

श्री रविंद्र वर्मा : आप अनुमति देंगे तो अकर आएंगे हालांकि यह आप की प्राप्त नहीं है ।

श्री रविंद्र वर्मा : आप को इन की अदरका अभी पता नहीं है ।

SHRI RAVINDRA VARMA : I was saying that therefore, as far as I am concerned, I would like to assure the House

of two or three things, which are enough as far as the answer to the observations are concerned. The first one is that there can still be the fullest consultations as was said earlier yesterday and I repeat it today, I do hope that the Joint Committee will give an opportunity to all section of the working class, trade unions, not only working class but also the employers and others who are affected by industrial disputes to present their point of view, so that the Committee may come to its conclusions after weighing the evidence that will be laid before it, after analysing this problem and after looking into the suggestions that are incorporated in the clauses in the Bill. I would not, therefore, say anything in advance about the shape in which the Bill will come from the Joint Committee. But I would assure the House that the effort of the Government will be to see that the Committee is not subjected to any undue influence. A reference was made to the fact that the majority may be of one view. There is always a danger in democracy of majority and minority and difference of opinion. But I can assure the House that as far as I know....

SHRI K. GOPAL : Janata is an example.

SHRI RAVINDRA VARMA : My hon. friend should reciprocate the tenor of my observation. If he unnecessarily wants to needle me, I would have to use a thimble and I have to show that all skins are equally sensitive.

I was, therefore, trying to say that inspite of the fact there is majority and minority in democracy, there will be no attempt on the part of the Janata Party or this Government in any manner to steamroll the Joint Committee because this is too serious a subject. Just because a subject happens to be serious with implications and remonstrations, that will affect not only one class but the whole of the society, one cannot say that the matter should not be discussed. The matter has to be discussed. Every point of view has to be listened to and the hon. Members of the House must have confidence in each other that every Member of Parliament who is a Member of the Committee will fulfil his responsibility as a Member of Parliament, not as a representative of a particular religious group or a particular class or a particular party, but as a Member of Parliament elected by six hundred thousand and odd voters who are the symbols of sovereignty of this country. Therefore, I am sure that the Joint Committee will look at all the objections that have been raised from this point of view.

[Shri Ravindra Verma]

Now I must make a reference to the question of right to strike. I went into the question yesterday. Again my friend, Mr. Saugata Roy and a few others who did not have an opportunity to speak yesterday referred to this question. I do not want to take the time of the House at this hour by going into this at length. But I will repeat what I said yesterday, inspite of my friend, Comrade Parvathi Krishnan saying that....

श्री राजनारायण : उन को छोड़ दें।

श्री रवीन्द्र वर्मा : उन को कैसे छोड़ सकते हैं। यदि हाउस के सामने उन्होंने आपनी बात रखी है, तो उस का जवाब देना मेरा कर्ज़ हो जाता है।

श्री श्यामनन्द मिश्र (बेगुसराय) : 'कामरेड' एक नई चांज बला ही है आप सोचो ने।

श्री रवीन्द्र वर्मा : इस में आपको क्या एतराज है?

You can opt out of that.

SHRI SHYAMNANDAN MISHRA : I have already opted out. Why do you fasten it on her?

SHRI RAVINDRA VARMA : She has not objected nor has she delegated the right of protection to you. I do not know. It is upto her to get up and say that I should not call her "comrade."

SHRIMATI PARVATHI KRISHNAN : Every hon. Member is welcome to have his personal allergy. What can I do Comrade Minister?

श्री राजनारायण : किसी को किसी भी ओर पर एतराज है, किसी को किसी और भी ओर पर एतराज है। मिश्र जी को कामरेड सब पर एतराज है।

SHRI SHYAMNANDAN MISHRA : "comrade" does not suit her.

SHRI RAVINDRA VARMA : I do not know and I should not go further into that, who suits whom as a comrade!

I can only say, once again, that there will be no attempt, either subtle or otherwise, to deny the right of the working class to strike. If the Joint Committee feels that anything in this, as I said yesterday, militates against the conception of reconciling the rights of individuals, groups and classes with the rights of the society as a whole, the Joint Committee will, certainly, come up with a conclusion that what has been suggested is wrong or obnoxious or whatever the word is. Member wants to use and would say, eliminate it or amend it, and it will come before the House. Therefore, when it comes before the House, the House will be in a position to say, at that time, whether the recommendations of the Joint Committee, in any way, militate against fundamental rights. I do not have to answer it in advance.

The last thing that I would like to say is about such things as strike ballots, interference by the Registrar of Trade Unions, etc. These are matters of detail into which I would not like to go, at this stage, specially to defend anything that is said there, not because there is no case in what is said there, but it would be pre-judging the views of the Joint Committee.

SHRIMATI PARVATHI KRISHNAN : I said it for the benefit of the Joint Committee.

SHRI RAVINDRA VARMA : I shall not deal with it at greater length.

Then my good friend—for a change, I would call her my good friend—Shrimali Parvathi Krishnan, also said about the working class in India being mature enough to see through all this....

SHRIMATI PARVATHI KRISHNAN : I would like to know from him whether he is demoting me or promoting me. Is it a demotion or a promotion? I do not know.

SHRI RAVINDRA VERMA : There is no question of any kind of "motion". Therefore, my hon. friend should not look at it as demotion or promotion and should not create commotion in the House.

While dealing with this question, I would only say to her, in this respect, that everybody knows that the working class is mature but this fact about maturity of the working class should be invoked not only in one field but in every field.

चीकारी बालबीरी तिहु : यह नई बात है। आप इस ठंग से बात कह रहे हैं। इसे सेनेट कमेटी में भी बाता है। वहाँ पर भी हम ने बहस करती है। उस समय क्या आयेगा, क्या नहीं आयेगा, पर्वी से आप कैसे सारी बातें भह सकते हैं। पर्वी से सारा बहस कैसे ड्रेड यनियस के बारे में हो सकता है? यहाँ भा. संग्राम ने सवेचन देने हैं।

श्री लोकवत राय : आप बहस करने के हमारे प्राविधिक को छीन लेना चाहते हैं। (व्यवस्था)

SHRI RAVINDRA VARMA : The Hon. Member is perhaps quite right but the difficulty, as I told you earlier, is that if I don't answer, I will be accused of not answering and if I answer, it is said I am anticipating. Therefore, I sometimes have the difficulty of being buffeted between the green signal and the red signal. Under the circumstances, I think I have said enough by way of answer to the observations that have been made and I can assure the House that I will use all the influence at my command with the Select Committee to ensure that it looks at every aspect of the Bill, in the light of the apprehensions that have been expressed here, as well as the necessities of the situation.

I commend the motion to the acceptance of the House. There is one thing, if I may say it. In response to the suggestion that has been made that time may be short, if I may make a formal motion amending it, I may say 'first week of December', instead of 'first week of the next session.'

MR. CHAIRMAN : Your amendment is 'first day'. That is all right. Now, there is an amendment by Shri Purna Sinha. Are you pressing or withdrawing it?

SHRI PURNANARAYAN SINHA : I have made an alternative suggestion that the Committee should be enlarged. If he accepts the enlargement of the Committee, I have no objection.

MR. CHAIRMAN : I don't want any conditional withdrawal. Either you say that you withdraw or you don't withdraw. There can be only either of these two: there cannot be any conditions.

SHRI PURNANARAYAN SINHA : I was not convinced. I made a suggestion that the Committee may be enlarged to include all sections, and there was an alternative suggestion to refer it to another Committee. . . .

SHRIMATI PARVATHI KRISHNAN : There is no motion before the House for enlargement of the Committee.

SHRI PURNANARAYAN SINHA : There was no reply to my suggestion. I have not heard anything from the Minister so far as my suggestion is concerned.

MR. CHAIRMAN : Anyway, you are free to press or not to press.

SHRI PURNANARAYAN SINHA : I am pressing in that case.

SHRI RAVINDRA VARMA : I may say one thing to the Hon. Member. It is not possible that the Committee should include everyone who is competent and interested. But the Hon. Member seems to have some apprehensions that those who are not members of the Committee cannot depose before the Committee. It is not so.

SHRI PURNANARAYAN SINHA : Unless he is a Minister he cannot depose.

SHRI RAVINDRA VARMA : No, a Member can depose. He can be called: he can tender evidence. Nothing is preventing him. Therefore, he need not have that mis-apprehension. He only cannot act as a Member.

SHRIMATI PARVATHI KRISHNAN : I am on a point of order. There is no motion before the House for enlarging the Committee. Notice should have been given, but there is no notice. In the case of the motion for eliciting public opinion, lack of notice was condoned: but that does not mean that something else can be thrust on the House.

MR. CHAIRMAN : I want to know finally whether the Hon. Member wants to press his amendment or he wants to withdraw.

SHRI PURNANARAYAN SINHA : It is a provision of law that a Minister may, with the permission of the Chairman, address a Committee of which he is not a Member. So, it empowers only Ministers to address a Select Committee: other Members cannot. I therefore suggested that, in order to include all sections of the people, the Committee may be enlarged.

Dissent is possible. Let it go on record that with this dissent I withdraw.

MR. CHAIRMAN : I don't think such sort of a thing can be recorded. You are free to withdraw or not to withdraw. I am asking you again and again whether you want to press your amendment or not.

SHRI PURNANARAYAN SINHA : Dissent is in iff'd. I withdraw.

*This amendment was, by leave, withdrawn.*

MR. CHAIRMAN : The question is :

"That the Bill to consolidate and amend the law relating to the registration of trade unions of employees and employers, the rights and liabilities of registered trade unions and settlement of trade union disputes, the conditions of employment of employees, and the investigation and settlement of disputes between employees employed in industrial establishments or undertakings and their employers, and for matters connected therewith or incidental thereto, with a view to promoting healthy industrial relations leading to accelerated economic development and social justice, be referred to a Joint Committee of the Houses consisting of 33 members, 22 from this House, namely (1) Shri Chitta Basu, (2) Shri Dinen Bhattacharya, (3) Shri S.R. Damani, (4) Shrimati Mrinal Keshav Gore, (5) Shri Hukam Chand Kachwai, (6) Shri Amrit, Nahata, (7) Professor P.G. Mavalankar, (8) Shri Prasannabhai Mehta, (9) Shri B.K. Nair, (10) Shri K.S. Narayana, (11) Shri K.A. Rajan, (12) Shri A.E.T. Barrow, (13) Shri K. Ramamurthy, (14) Shri Ramdas Singh, (15) Shri Saugata Roy, (16) Shri Ram Dhari Shastri, (17) Shri Digvijaya Narain Singh, (18) Shri Govind Ram Miri, (19) Shri Ugrasen, (20) Shri R. Venkataraman, (21) Shri C. Venugopal, (22) Shri Ravindra Varma,

and 11 from Rajya Sabha;

That in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of December, 1978.

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 11 members to be appointed by Rajya Sabha to the Joint Committee."

*The Motion was adopted*

17.33 hrs.

**HOSPITALS AND EDUCATIONAL INSTITUTIONS (CONDITIONS OF SERVICE OF EMPLOYEES AND SETTLEMENT OF EMPLOYMENT DISPUTES) BILL.**

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) : Sir, I beg to move :

"That the Bill to consolidate and amend the law relating to the conditions of service of employees employed in hospitals and educational institutions with a view to securing the welfare of such employees, and for the investigation and settlement of disputes between such employees and their employers, and for matters connected therewith or incidental thereto, be referred to a Joint Committee of the Houses consisting of 33 members, 22 from this House, namely : (1) Shri Chitta Basu, (2) Shri Dinen Bhattacharya, (3) Shri S.R. Damani, (4) Shrimati Mrinal Keshav Gore, (5) Shri Hukam Chand Kachwai, (6) Shri Amrit Nahata, (7) Professor P.G. Mavalankar, (8) Shri Prasannabhai Mehta, (9) Shri B.K. Nair, (10) Shri K.S. Narayana, (11) Shri K.A. Rajan, (12) Shri A.E.T. Barrow, (13) Shri K. Ramamurthy, (14) Shri Ramdas Singh, (15) Shri Saugata Roy, (16) Shri Ram Dhari Shastri, (17) Shri Digvijaya Narain Singh, (18) Shri Govind Ram Miri, (19) Shri Ugrasen, (20) Shri R. Venkataraman, (21) Shri C. Venugopal, (22) Shri Ravindra Varma,

and 11 from Rajya Sabha ;

That in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee ;

that the Committee shall make a report to this House by the last day of the first week of December, 1978 ;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 11 members to be appointed by Rajya Sabha to the Joint Committee."

MR. CHAIRMAN : The question is :

"That the Bill to consolidate and amend the law relating to the conditions of service of employees employed in hospitals and educational institutions with a view to securing the welfare of such employees, and for the investigation and settlement of disputes between such employees and their employers, and for matters connected therewith or incidental thereto, be referred to a Joint Committee of the Houses consisting of 33 members, 22 from this House, namely, (1) Shri Chitta Basu, (2) Shri Dinen Bhattacharya, (3) Shri S.R. Damani, (4) Shrimati Mrinal Keshav Gore, (5) Shri Hukam Chand Kachwai, (6) Shri Amrit Nahata, (7) Professor P.G. Mavalankar, (8) Shri Prasannbhai Mehta, (9) Shri B.K. Nair, (10) Shri K.S. Narayana, (11) Shri K.A. Rajan, (12) Shri A.E.T. Barrow, (13) Shri K. Ramamurthy, (14) Shri Ramdas Singh, (15) Shri Saugata Roy, (16) Shri Rani Dhari Shastri, (17) Shri Digvijaya Narain Singh, (18) Shri Govind Ram Miri, (19) Shri Ugrasen, (20) Shri R. Venkataraman, (21) Shri C. Venugopal, (22) Shri Ravindra Varma,

and 11 from Rajya Sabha;

That in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of December, 1978 :

that in other respect the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 11 members to be appointed by Rajya Sabha to the Joint Committee".

*The Motion was adopted.*

27-34 hrs.

**EMPLOYMENT SECURITY AND MISCELLANEOUS PROVISIONS (MANAGERIAL EMPLOYEES) BILL**

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) : Sir, I beg to move :

"That the Bill to provide for the security of employment to Managerial employees, the recovery of amounts payable to such employees by their employers and for matters connected therewith, be referred to a Joint Committee of the Houses consisting of 33 members, 22 from this House, namely ;

(1) Shri Chitta Basu, (2) Shri Dinen Bhattacharya, (3) Shri S.R. Damani, (4) Shrimati Mrinal Keshav Gore, (5) Shri Hukam Chand Kachwai, (6) Shri Amrit Nahata, (7) Professor P.G. Mavalankar, (8) Shri Prasannbhai Mehta, (9) Shri B.K. Nair, (10) Shri K.S. Narayana, (11) Shri K.A. Rajan, (12) Shri A.E.T. Barrow, (13) Shri K. Ramamurthy, (14) Shri Ramdas Singh, (15) Shri Saugata Roy, (16) Shri Rani Dhari Shastri, (17) Shri Digvijaya Narain Singh, (18) Shri Govind Ram Miri, (19) Shri Ugrasen, (20) Shri R. Venkataraman, (21) Shri C. Venugopal, (22) Shri Ravindra Varma,

and 11 from Rajya Sabha ;

That in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee ;

that the Committee shall make a report to this House by the last day of the first week of December, 1978 ;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 11 members to be appointed by Rajya Sabha to the Joint Committee.

MR. CHAIRMAN : The question is :

"That the Bill to provide for the security of employment to managerial employees, the recovery of amounts payable to such employees by their employers and for matters connected therewith, be referred

Mr. Chairman

to a Joint Committee of the Houses consisting of 33 members, as from this House, namely :

(1) Shri Chitta Basu, (2) Shri Dinen Bhattacharya, (3) Shri S.R. Damani, (4) Shrimati Mrinal Keshav Gore, (5) Shri Hukam Chand Kachwai, (6) Shri Amrit Nahata, (7) Professor P.G. Mavalankar, (8) Shri Prasannbhai Mehta, (9) Shri B.K. Nair, (10) Shri K.S. Narayana, (11) Shri K.A. Rajan, (12) Shri A.E.T. Barrow, (13) Shri K. Ramanurthy, (14) Shri Ramdas Singh, (15) Shri Saugata Roy, (16) Shri Ram Dhari Shastri, (17) Shri Digvijaya Narain Singh, (18) Shri Govind Ram Miri, (19) Shri Ugraasen, (20) Shri R. Venkataswamy, (21) Shri C. Venugopal, (22) Shri Ravindra Varma and 11 from Rajya Sabha ;

That in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee ;

that the Committee shall make a report to this House by the last day of the first week of December, 1978 ;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 11 members to be appointed by Rajya Sabha to the Joint Committee."

*The motion was adopted.*

MR. CHAIRMAN : The hon. Home Minister wants to make a statement. . . .

SHRI DINEN BHATTACHARYA : Before he makes the statement, Sir, I want to know how long the House will continue. Will it be upto 6.00 p.m. or . . . .

MR. CHAIRMAN : I am in the hands of the House. Actually it is a little premature. The time now is only 5.35 p.m.

SHRI DINEN BHATTACHARYA : After some time, it will be 6.00.

MR. CHAIRMAN : Don't be impatient. We shall decide later. The Home Minister.

27.5 hrs.

STATEMENT RG. INCIDENT OF STONE THROWING AT BOAT CLUB RESULTING IN INJURIES TO THE MINISTER OF EXTERNAL AFFAIRS, SHRI ATAL BEHARI VAJPAYEE.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S.D. PATIL) : I have ascertained the facts relating to the incident which took place this morning in the course of which Shri Atal Behari Vajpayee received injuries on his forehead as a result of stone throwing. Delhi Police have informed us that about 1900 students had assembled at the Boat Club to demonstrate their feelings of sorrow and anger. About five or six girls amongst the students so assembled were permitted to go in a Police jeep to present a Memorandum to the Deputy Speaker. During the time, Shri Vajpayee reached the Boat Club and addressed the students climbing on the bonnet of another Police Jeep. Even while he was addressing the students, some tried to climb on the jeep. Some from the crowd threw stones, one of which hit Shri Vajpayee on the forehead. The injuries which he has received have been attended to at Dr. Ram Manohar Lohia Hospital. He is under observation in the Hospital. One Constable also received minor injuries.

Two persons namely Vijay Kumar, a student of Punjab University and Shri Ram Krishan, a student of evening classes, DAV College, Lajpat Nagar, New Delhi have been arrested and a case of FIR No. 539, dated 31-8-1978 under sections 147/148/149/506/508/592/353 IPC, P.S. Parliament Street, New Delhi, has been registered against them and investigations are continuing. There was no lathi charge but the students were chased away with canes by the Police after this incident.

SHRI KANWAR LAL GUPTA (Delhi Sadar) : In the morning in my statement, I said that Bhim Singh who was there in the Boat Club belonged to Cong (I). I do not know his late affiliation. I do not know if he belongs to Congress or Congress (I).

MR. CHAIRMAN : How does it arise? I do not think it arises out of the statement. He has taken note of that.

SHRI O.V. ALAGESAN (Arakkonam) : I do not know where is the necessity of his saying now that he does not know if he belongs to Congress. He may even belong to RSS.

SHRI KANWAR LALGUPTA : Don't provoke me unnecessarily. I am fair enough. When I am not threatened I have said it. ....  
(*Interruptions*)

SHRI HARIKESH BAHADUR (Gorakhpur) : I can make the point very clear. I have gone there. I have seen Mr. Bhim Singh there. He is an MLA of Kashmir and he belongs to Congress (R).

MR. CHAIRMAN : This is not an expression he should make here. After all in the morning he has said it and that was all right. I am not allowing any question on that now.

17.37 hrs.

#### ASSENT TO BILLS

SECRETARY : Sir, I lay on the Table following two Bills passed by the Houses of Parliament during the current session and assented to since a report was last made to the House on the 24th August, 1978 :—

1. The Appropriation (No. 4) Bill, 1978.
2. The Tobacco Board (Amendment) Bill, 1978.

MR. CHAIRMAN : Now, Mr. Chand Ramji, do you want to move your Bill? What do you propose to do?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM) : If it is possible.

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK) : If the House is agreeable to sit for 2-3 hours.

MR. CHAIRMAN : I just want to know the opinion of the House. What is the desire of the House? Next item is Shri Chand Ram's Motor Vehicles (Amendment) Bill. Two hours are allotted but it may take a longer time. Is the House prepared to sit longer?

SEVERAL HON. MEMBERS : No, no.

MR. CHAIRMAN : So, do we adjourn *sine die* now?

SOME HON. MEMBERS : Yes, yes.

MR. CHAIRMAN : So, the House stands adjourned *sine die*.

17.40 hrs.

*Lok Sabha adjourned sine die.*

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