

Lok Sabha Debates

(Fifth Session)



सत्यमेव जयते

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LOK SABHA DEBATES

I

LOK SABHA

Thursday, August 10, 1978/Śravana 19,
1900 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Economic help to Vietnam

*364. SHRI SHYAM SUNDER
GUPTA:

SHRI G. M. BANATWALLA.

Will the Minister of EXTERNAL
AFFAIRS be pleased to state:

(a) whether Government of Vietnam
have recently approached the Govern-
ment of India for financial and econo-
mic help, and

(b) if so, the reaction of Indian Gov-
ernment thereto?

THE MINISTER OF STATE IN
THE MINISTRY OF EXTERNAL
AFFAIRS (SHRI SAMARENDRA
KUNDU): (a) No, Sir. The Govern-
ment of Vietnam have not approached
the Government of India with any
concrete proposals for additional
assistance.

(b) Does not arise.

SHRI SHYAM SUNDER GUPTA:
May I know from the hon. Minister,
what is the amount of economic aid
so far given to Vietnam and against
what concrete proposals? Secondly,

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what is the criteria for giving econo-
mic assistance to Vietnam and in what
respect it differs from that of other
countries?

SHRI SAMARENDRA KUNDU:
About the amount of aid and assist-
ance to Vietnam, recently when the
Prime Minister of Vietnam had come
to India, we had concluded certain
agreements and on the basis of those
agreements, we had agreed to give
them Rs. 10 crores of Government-to-
Government credit, Rs. 30 crores of
commercial credit so that they can buy
railway equipments. Then we also
agreed to set up one Rice Research
Centre, Buffalo Breeding Centre and
we had also sent a team to survey
one of their steel mills. They have also
submitted their report and we also
agreed to give them 300,000 tonnes of
wheat as loan; earlier about 100,000
tonnes of wheat was also given. These
are the different types of aid that we
have given. Regarding the criteria,
first of all, as the Prime Minister has
said, we do not attach any ideological
consideration in giving aid. We see
if a country needs help, if a country
is in great distress and if there is a
need for reconstruction of that coun-
try, then even though we are a poor
country, capital importing country,
still we go out of our way to help it.

SHRI SHYAM SUNDER GUPTA. I
want to know whether an additional
assistance can be given to Vietnam if
they come with some concrete propo-
sals, as before.

SHRI SAMARENDRA KUNDU:
It is only a hypothetical question. As
I said, our desire to help such coun-
tries is limitless, but our capability is
limited. Keeping these things in view,
whenever any concrete proposals come
they will be considered on merits.

SHRI G. M. BANATWALLA: The reply of the hon. Minister is that there is no concrete proposal for any additional assistance. I would like to have a clarification that in case there are no concrete proposals, whether any general or broad indications have been given by the Government of Vietnam to the Government of India for any further assistance. Further, I want to know what was the total quantum of assistance sought by Vietnam and how much we have been able to give to them.

SHRI SAMARENDRA KUNDU: As I said earlier, about the additional aid to Vietnam. Are there any concrete proposals. Casually, here and there, they have mentioned it. I can also tell the House that one of the Vice Foreign Ministers who met me sometime back also said that they may need help. That is all. He kept the matter there. So, unless there is a definite proposal, you cannot quantify it.

SHRI HARIKESH BAHADUR: The Government of India is giving some aid to Vietnam. Are there any countries which are reacting adversely because of this aid which is being given to Vietnam and, if so, what are the names of those countries and what is the reaction of the Government of India thereto?

SHRI SAMARENDRA KUNDU: I do not know; not to my knowledge, if any country has reached.

MR. SPEAKER: That does not arise out of the Question.

श्री राम किशन : अध्यक्ष महोदय, यह विषयनाम को जो कर्ज दिया गया है, उसकी प्रभावशी की पहली किस्त कब भुद होगी ? दूसरा सवाल मेरा यह है कि इसकी व्याज दर क्या है ? तीसरा मेरा प्रश्न यह है कि क्या प्रायकी जानकारी में है कि दक्षिण पूर्वी एशिया के देशों को भीन किस प्रकार से ऋण दे रहा है और जिसकी सख्त गती पर दे रहा है, उसको ध्यान में रखते हुए क्या भारत सरकार ने भी उनी प्रकार की कर्ज रखी है ?

श्री समरेन्द्र कुन्दु : यह जो कर्ज है, यह दो टाइन का कर्ज है । एक सरकारी कर्ज है, दूसरा कर्मागिबल कर्ज है । यह जो कर्मागिबल कर्ज दिया जा रहा है, उसकी प्रभावशी दो साल के बाद शुरू होगी ।

एक माननीय सदस्य : प्रभावशी शुरू होगी ।

श्री समरेन्द्र कुन्दु : हिन्दी में बोलने में हम लोगों को तकलीफ होती है । (स्वबजान)

MR. SPEAKER: Wherever you find difficulty, you use English words.

श्री समरेन्द्र कुन्दु : हिन्दी बोलने से महिना सव्य पुरुष सव्य बन जाता है । (स्वबजान)

श्री समरेन्द्र कुन्दु : माननीय सदस्य ने जो कहा कि एशियाई देशों को हम जो देते हैं उसके लिए हमें मरल व्यवस्था करनी चाहिये, मैं कहना चाहता हूँ कि हम इसके बारे में बहुत सोचते हैं और जिनता हो सकेगा इनकी सरल व्यवस्था हम करेंगे ।

Criteria for selecting sites for Telephone Industries

*366. **SHRI S. S. SOMANI:** Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government have adopted any criteria for selecting sites for the telephone industries proposed to be established in the country during the Sixth Five Year Plan; and

(b) if so, the details thereof regarding their location?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) and (b). Yes, Sir. The main criteria for the selection of sites for the location of the proposed telephone equipment producing units are:—

- (i) Availability of trained skilled and semi-skilled workers.
- (ii) Facility for transport of raw materials and finished products from the factory by railway or road as well as for the transport of workers.

(iii) Availability of suitable land and assured supply of adequate quantities of water and power.

(iv) Potential for ancillaries.

(v) Availability of housing and other facilities for workers and staff.

(vi) Suitable climate—extremely hot or cold and dusty climate is to be avoided.

In the draft Five Year Plan 1978—83 provision has been included for setting up of two new units of Indian Telephone Industries Ltd., namely one Switching Factory and one Transmission Factory. The question regarding the location of these two new units is under consideration.

श्री एस० एस० सोमाली : सामान्यतः यह होता है कि जहां पहले से ही उद्योग स्थापित हैं वहां पर नए उद्योग भी लगा दिए जाते हैं। क्या मंत्री महोदय बताएंगे कि ये उद्योग नए स्थानों पर लगाए जाएंगे ?

श्री मरहरि प्रसाद मुखर्जी साहब : इनके लिए एक कमेटी बैठी थी साइट सिलेक्शन और तमाम जो माप्स हैं उस पर विचार करने के लिए मार्च 1978 में। उनकी रिपोर्ट आ गई है। अब गवर्नमेंट उस पर विचार कर रही है और इस पर भी विचार कर रही है कि कहा इनको लोकेशन किया जाए।

श्री एस० एस० सोमाली : जो मानव मंत्री महोदय ने बताया है उनके अनुसार राजस्थान और मध्य प्रदेश में भी इसके लिए काफी उपयुक्त स्थान हैं। क्या सरकार वहां इस प्रकार की टेक्निकल इंडस्ट्रीज लगाने का विचार कर रही है, यदि हां तो किस किस स्थान पर ?

संसार मंत्री (श्री मुकेशजी वर्मा) : सभी प्रांतों से मांग आई है। हमारे एक्सपर्ट लोग कहेंगे कि ये ये सब से ज्यादा सुविधाजनक स्थान हैं, वहां पर लगाए जाएंगे।

SHRI JAGANNATH RAO: May I know, the other things being equal, whether these units will be established in backward States and backward areas and whether there is any proposal to instal one unit in Orissa?

SHRI BRIJLAL VERMA: All these things will be considered.

SHRI B. RACHAIAH: According to the criteria mentioned by the hon. Minister for this question, a Committee was set up to look into the question of location for the establishment of two factories in the Five-Year Plan 1978—83, namely, one Switching Factory and one Transmission Factory. May I know the main recommendation of the Committee? According to those criteria, what are the places that the Committee has recommended now?

SHRI BRIJLAL VERMA: It has not come to the final conclusion as yet

Disparity among families in matter of employment

*367. SHRI SURENDRA JHA SUMAN: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether Government are aware that there are such families in the country most of whose members are in employment whereas large number of families have hardly any member in employment; and

(b) whether Government propose to conduct any study to ascertain the correct position in this regard and formulate labour policy in right direction on the basis of the concrete data thus obtained so as to remove this disparity?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). A Statement is placed on the Table of the House.

Statement

There is no census of the number of families wherein not even one member is employed. There is no proposal to undertake such a census or study but the Government is well aware of the widespread unemployment and under-employment in the country. It is the aim of the present Government

to remove unemployment and substantial under-employment within a period of 10 years. Towards this end, the primary objective of the next phase of development plans is to adopt an employment oriented development strategy. The new Five Year Plan is wholly geared to extending job opportunities of a productive nature and the sectoral programmes of agriculture, rural development, minimum needs, etc. will create vast job opportunities. These employment opportunities are expected to not only reduce unemployment but bring about a reduction in disparities.

श्री सुरेन्द्र नाथ सुखन : माननीय मंत्री जी ने बताया है कि ऐसे परिवारों को कोई जनगणना नहीं की गई है जिनका एक भी सदस्य रेशनपाव्ड नहीं है और इस प्रकार की जनगणना करने का कोई प्रस्ताव नहीं है, तो मैं पूछना चाहता हूँ कि ऐसे परिवारों की गणना, जिनके अध्ययन का कोई प्रस्ताव नहीं है, जब जनता सरकार के सामोनेमुख के अनुसूच उद्देश्य है और समानता के आधार पर विषमता को दूर करने का जो सिद्धान्त है उसे देखते हुए बांछित है या यह क्यों आवश्यक नहीं है कि प्रखंड के आधार पर या और दूसरी तरह से भी यह काम किया जाए जिस परिवार का कोई भी सदस्य नौकरी नहीं करता है ऐसे परिवार की जनगणना करने में क्या विफल है ?

SHRI K. LAKKAPPA : Mr. Speaker, Sir,

MR. SPEAKER: First hear the answer.

SHRI RAVINDRA VARMA The practice in the case of the census is to collect figures and statistics on the basis of either individuals or households. While the number of households is taken into account, no information is given about the number of people employed in a household because the definition of a household that is adopted for the purpose of the census is that those who live together and eat together are regarded as members of a household. In the present census, therefore, there is no indication on the basis of which we can say how many households in the country have people employed or otherwise.

The second part of his question is: why does not the government think in terms of ordering such a census? Now, the census is a colossal operation, and the statistics that are collected in the census are with a view to utilising the information for further action wherever it is necessary.

As far as unemployment itself is concerned, the answer to the question of unemployment are under-employment is not necessarily based on a selection of the households where nobody is employed, but it is based on a strategy which will generate employment in the rural areas. Therefore, the government has decided that the basis of the new plan should be job generation in the rural areas of the country.

श्री सुरेन्द्र नाथ सुखन : मैं पूछना चाहता हूँ कि इस समय सम्पूर्ण भारतवर्ष में लगभग साढ़े नौ करोड़ परिवार बसते हैं जिनमें से 7 करोड़ के ऊपर देहात में और दो करोड़ के लगभग शहरों में हैं और शहर में जो परिवार हैं उनके घर में लगभग 60 प्रतिशत लोग नौकरी पेशा हैं और देहात के जो परिवार हैं उनके सदस्यों का नौकरी में अनुपात लगभग 40 प्रतिशत के घनदर है। तो क्या इस विषयता को दूर करने के लिये, गांव वालों को ज्यादा तरजीह देने के लिये क्या सही महोदय कोई ऐसा विचार करने जितने गांवों के लोगों को विशेष राहत मिल सके ?

SHRI RAVINDRA VARMA: It is a fact that the problem of unemployment and under-employment is most evident in our rural areas, and it is because this problem is so acute in the rural areas that people migrate towards the urban areas. The problem of unemployment, under-employment, irregular employment and seasonal under-employment will have to be tackled in the rural areas. As I stated earlier, the entire exercise of the new Plan strategy, therefore, is to concentrate on the generation of employment in the rural areas. Therefore..... (Interruptions). No, I do not think the hon. Member has said anything about the figures of the unemployed. What he said was about the number of households, and he is quite right in saying that there are about 10 crores

of households in the country according to the 1971 census. That does not need any confirmation from me. The hon. Member was regaling some statistics from the census and I can re-regale those statistics, but I thought I should answer the specific question.

श्री राम बेनी राम : : हनुमान में बेरोजगारी के सम्बन्ध में बहुत ग्रहण सवाल माननीय सदस्य ने पूछा है। बाबू पूरे देश में एक ही परिवार में एक व्यक्ति आई० ए० एस० क्लर्क है। दूसरा इजीनियर है, तीसरा डाक्टर है चौथा मोटर की लाइन में लगा है और पांचवा ठेकेदारी के काम में लगा हुआ है, तो मैं सही जी से यह पूछना चाहता हूँ कि एक फैमिली—एक बाबू की नीति का यह निर्धारण करना चाहते हैं या नहीं? हमारे सभी महोदय भी बेरोजगारी की स्थिति में हैं, हमने उनको बिहार में रोजगार दिया है जिस से वह यहाँ आये हैं। मैं जानना चाहता हूँ कि वह इस मामले में क्या करना चाहते हैं?

SHRI RAVINDRA VARMA: I am very grateful to the hon. Member for explaining the conditions under which I am employed. But, Sir, the main question that he asked was whether the Government is thinking in terms of formulating a policy that would assure employment to one member in each family. In reply to this, I would like to point out that there are certain difficulties. First of all, this may very well attract some clauses in the Constitution which refer to equality of opportunity and discrimination. This difficulty has been experienced, and it is not imaginary, because in the State of Andhra Pradesh, a proposal of this kind, a scheme of this kind, was given a trial. That scheme was to provide one job for one family; it was started in the year 1971. First, it was introduced in Hyderabad and later on it was extended to Visakhapatnam and Warangal. As some hon. Members from Andhra Pradesh will know, because of the operational difficulties, difficulties in identification, legal difficulties including the question of discrimination, and above all, the fact that this would not provide a solution for the problem of unemployment, this exercise was given up. Past experience indicates that this is not the

direction in which we can seek a solution of the problem, but I very much appreciate the sentiments with which the hon. Members have raised this question, since on the face of it, it does look as though it is a grave injustice, that there are some families in which there are many people who are employed, and some families in which there is hardly anyone who is employed. It does look on the face of it that this is a situation which needs attention, and the Government wants to devote attention to it. But whether the way to give attention to it and find a solution is the method that the hon. Member has suggested, a method which has been tried in practice and found to be wanting, is another question, and the answer to that question is in the negative.

SHRI K. S. VEERABHADRAPPA: There was some scheme in Karnataka to provide some stipend to the unemployed graduates. I would like to know whether the Central Government is giving any assistance for that. If not, is the Central Government thinking of giving any assistance to that scheme?

SHRI RAVINDRA VARMA: No such proposal or request for assistance for a scheme of this kind has been received by the Centre.

Asian Islamic Conference

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*368. **SHRI C. K. JAFFER SHARIEF:**

DR. BALDEV PRAKASH:

Will the Minister of **EXTERNAL AFFAIRS** be pleased to state:

(a) whether the Asian Islamic Conference was held in Karachi recently and passed their resolution calling for a plebiscite in Kashmir under international supervision;

(b) whether Indian delegation opposed the resolution; and

(c) if so, the details thereof?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) to (c). According to our information, the Conference adopted a Declaration which included a reference to Kashmir. Participants from India, who attended the Conference in their personal capacity, made an effort to prevent any discussion on Kashmir in the Committee which was dealing with the problems of Muslim minorities, on the ground that the meeting was concerned with social, economic and cultural matters and political items like Kashmir should not find a place in its deliberations. Having failed in their effort, they submitted a note of dissent which was duly recorded.

In the final document of the Conference, the paragraph on Kashmir States that the "India delegation" expressed its reservation on this subject.

SHRI C. K. JAFFER SHARIEF: I would like to know from the hon. Minister whether Government of India received any invitation from the sponsors of this conference, to send any delegation in an official capacity; and if so, what was the attitude of the Government of India on the same.

SHRI ATAL BIHARI VAJPAYEE: It was a non-official conference, and the Government of India did not receive any invitation. And nobody participated in the conference on behalf of the Government of India.

SHRI C. K. JAFFER SHARIEF: Having come to know that the conference was mainly held to discuss, as has been explained by the Minister, social, economic and cultural affairs; and that a political issue like Kashmir has been discussed there, did the Government of India express its protest to the Government of Pakistan; if so, what is the reaction of the Government of Pakistan?

SHRI ATAL BIHARI VAJPAYEE: This conference has been unfortunately discussing Kashmir for the last so many years. Whenever Kashmir was discussed, e.g., in 1971 and 1974, we lodged protests. This time the conference was held in Karachi. The Chief Martial Law Administrator of Pakistan inaugurated the conference. And in his inaugural speech he bracketed Kashmir with Palestine. I would like to quote from what the Chief Martial Law Administrator had said at the Conference:

"We do not wish that Muslims may unite to seize the rights of another country in the world. At the same time, we cannot tolerate that some other country may trample over our national honour and prestige and usurp power in a Muslim area. By these areas I mean Palestine in the Middle East, and Kashmir in South Asia."

When this was brought to our notice, we summoned the Pakistani representative, and we expressed our displeasure. The explanation given by the Pakistani Ambassador was that Gen. Zia was not equating Kashmir with Pakistan, we are not satisfied with this explanation. Jammu & Kashmir is a part of India; it is an integral part of India. Of course, when I say Jammu and Kashmir, constitutionally and legally the whole State is a part of India; And any comparison between Palestine and Kashmir, I told the Ambassador, will weaken the case of Palestine; and it will not help Pakistan in its case on Kashmir. But this conference has been doing such things in the past. But I would like to say that the Indian Muslims who participated in the conference, the delegates tried to block any reference to Kashmir. When they failed, they submitted a note of dissent. I would like to take the House into confidence. The note is a bit long but I think this should be read out in the House:

"It is gratifying to note that the present Governments in both India

and Pakistan are trying to resolve their mutual problems in an atmosphere of understanding, trust and cooperation. The recent visit of the Indian Foreign Minister to Pakistan, agreement on Salal, visit of the Pakistan Foreign Secretary to India and the expected meeting of the two Heads of the States are expected to help resolve the mutual problems.

We the Indian representatives at the First Asian Islamic Conference appeal to those concerned with this matter that they should step up their efforts for the establishment of lasting peace in the sub-continent, specially in the interest of the welfare of humanity. We, therefore, call upon them to speed up the process of their negotiations for the resolution of differences

We hope these efforts would create a climate of mutual understanding, cooperation and trust between the two countries which is essential for the bright future of the whole sub-continent."

I would like to add that the rules governing the issue of passports have been liberalised. (Interruptions).

MR SPEAKER: Such an important statement is being made and you are saying "Sir, Sir. ..." what is all this?

SHRI ATAL BIHARI VAJPAYEE: If no foreign hospitality is involved and if the provisions of the Foreign Contribution Regulation Act are not attracted, our citizens are free to go to any country they like. But, I would like to utter a word of caution. If conferences of such types are held, they should be very careful in associating themselves with such conferences.

श्री बलदेव प्रकाश : जो जमाव दिया गया है उस में यह है कि जो हिन्दुस्तान के प्रतिनिधि वे उन्होंने अपनी परतनल कैपेसिटी में भाग लिया । मैं विवेक मंत्री जी से जानना चाहता हूँ कि जो

हिन्दुस्तान से गए हुए वे और डेलीमेशन में हिन्दुस्तान भाग लिया क्या वह उन लोगों ने भाग लिया जो किसी और बजह से पाकिस्तान उस समय गए हुए वे और बाइ बांस बहा उपस्थित थे, उन्होंने भाग लिया या पाकिस्तान की तरफ से जो हिन्दुस्तान की मुस्लिम संस्थाएँ हैं जो हिन्दुस्तान के मुसलमानों का प्रतिनिधित्व करती हैं उन संस्थाओं के नाम से, इनविटेशन प्राप्त वे और जिन लोगों ने भाग लिया वे उन संस्थाओं के प्रतिनिधि हैं ? अगर ऐसा है तो उन के नाम क्या हैं और कितने लोगों ने भाग लिया ?

दूसरी बात—य एशिया की कान्फरेस की । एशिया के कितने देशों ने उस कान्फरेस में भाग लिया ? काश्मीर हमारे हिन्दुस्तान का इटीप्रल पार्ट है, यह साननीय सबी जी ने बताया । तो जिन एशिया के मुल्को से आए हुए डेलीमेट्स वे उस रेजोल्यूशन का साथ दिया क्या हमारी सरकार ने उन में जिन एशिया के देशों से हमारे मैत्रीपूर्ण सम्बन्ध हैं उन को कोई प्रोटेस्ट नोट दिया है कि यह हमारा अन्वक्नी मामला है, काश्मीर हिन्दुस्तान का इटीप्रल पार्ट है, उस के बारे में उन्होंने बहुत उस रेजोल्यूशन का साथ क्यों दिया ? हम के लिए क्या उन देशों को कोई विरोध पत्र या प्रोटेस्ट नोट भेजा है ?

श्री ब्रह्म बिहारी बाबूजी : . जो भारतीय इन सम्मेलन में शामिल हुए उन की संख्या 19 है । मेरे पास उन के नामों की सूची है । अगर सचन चाहें तो मैं मारे नाम पढ़ सकता हूँ ।

MR. SPEAKER: You can lay it on the Table because the names are not very important.

श्री 0 बलदेव प्रकाश : वह किसी संस्था से संबंधित है या नहीं, यह तो बताया ।

श्री ब्रह्म बिहारी बाबूजी : . अधिकतर लोग संस्थाओं से संबंधित हैं । उदाहरण के लिए श्री मुक्ती धर्तीकुरहमान गए जो आल इंडिया मजलिस मजबूतारत के प्रेसीडेंट हैं और आल इंडिया जमाते उलेमा हिन्द के श्री ब्रह्म मरजी भी गए । धार्मिक संस्थाओं से संबंधित व्यक्ति गए और . (अव्यवधान)

श्री श्री 0 एम 0 बलदेवप्रसाद : आप जरा यह बना दीजिए कि मुस्लिम लोग की तरफ से कोई वहां नहीं गया ताकि यह बात साफ हो जाये । (अव्यवधान)

جی۔ ایم۔ ہدایت والا - آپ فرمایے

بتلا دیجئے کہ مسلم لیگ کی طرف سے کوئی وہاں نہیں گیا تا کہ یہ بات صاف ہو جائے۔

बी बटल बिहारी बाबूदेवी : हमने प्रस्ताव कुछ पत्रकार भी गए । उनके नाम भी इसमें शामिल हैं । सभा पटल पर यह नाम रख दिये जायेंगे । (अव्यवधान)

दूसरा सवाल यह पुछा गया है कि इस कांग्रेस में कितने देशों से धार्य हुए लोगों ने भाग लिया तो हमारी जानकारी के अनुसार इसमें 31 देशों के प्रतिनिधियों ने हिस्सा लिया ।

SHRI C. K. JAFFER SHARIEF:
The statement arose out of my main question. The ruling party members attribute that many Congressmen have gone. But the Majlis-i-Mushawarat has joined the Janata Party. Why I should not protest because it is their party which is represented? It sounds to me that the Jan Sanghis are attributing it to the Congress. (Interruptions) .

MR. SPEAKER: You have made it clear that you have not gone!

बी बटल बिहारी बाबूदेवी : चूंकि यह कांग्रेस गैर-सरकारी थी इसलिए जिन देशों के प्रतिनिधियों ने इसमें भाग लिया उनकी सरकारों को हमने कोई विरोध-पत्र नहीं भेजे हैं, न हम इसकी कोई प्रावश्यकता समझते हैं ।

SHRI B. K. NAIR: The Minister in his reply said that in the earlier conferences also anti-Indian propaganda had been indulged in. Having had that experience, did the Government of India take this opportunity to advise the Indian delegates that it was not proper to attend this conference and it was inadvisable? He said passport rules have been liberalised. But can anybody go to any place and do anything he wants? That is not allowed. Having learnt from experience that this conference is used for anti-Indian propaganda, did the Government take any steps to advise the people at least not to attend this conference?

SHRI ATAL BIHARI VAJPAYEE:
I do not think we should boycott such conferences. If Indians are invited, they should go there and put forward their view-point very strongly. That

has been done and I hope this will continue to be done in future.

बी बी० बी० मन्थल : अध्यक्ष महोदय, माननीय मंत्री जी ने बार-बार इस सदन में कहा है कि पाकिस्तान से हिन्दुस्तान का रिश्ता सुधरा गया है लेकिन उसके विपरीत पाकिस्तान के चीफ मार्शल वा एडमिनिस्ट्रेटर का ब्यान है तो इस सम्बन्ध में माननीय मंत्री को क्या कहना है ? क्या मंत्री महोदय ने पहले जो बार-बार बयान दिए हैं कि हमारा रिश्ता सुधरा है उसको बचलेंगे या क्या कहेंगे ?

बी बटल बिहारी बाबूदेवी : अध्यक्ष महोदय, रिश्ता सुधारने की कोशिश की जा रही है, कुछ मामलों में सफलता मिली है और कुछ मामलों में सफलता नहीं मिली है ।

Venereal diseases in India

*369. **SHRI YUVRAJ:**

SHRI BALDEV SINGH JAS-ROTHIA:

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

(a) whether many people in India have become blind, deaf and disabled because they are suffering from venereal diseases;

(b) whether in view of the magnitude of the population suffering from these diseases, 300 clinics set up for the treatment thereof are too inadequate;

(c) whether several infants die in India on their birth because their parents suffer from some of the venereal diseases;

(d) if so, whether arrangements have been made for proper treatment for these diseases; and

(e) if so, the details thereof and if not, the reasons therefor?

स्वास्थ्य और परिवार कल्याण विभाग में राज्य मंत्री (जी जगदम्बी प्रसाद बाबू): (क) यह सही है कि धन्य लोगों के प्रतिरिक्त ऐसा समझा जाता है कि कुछ मामलों में यौन-रोग, अन्धापन, बहिरापन और धन्य गड़बड़ियाँ पैदा कर देते हैं ।

(ब) जी, हाँ। बीबी पञ्चवर्षीय योजना बाद सम्भोग जनित रोगों के क्लिनिकों की स्थापना अब केन्द्र प्रायोजित योजना नहीं रह गई है और स्वास्थ्य क्योंकि एक राज्य विषय है इसलिए यौन रोगों की रोकथाम के लिए अपनी-अपनी आवश्यकताओं के अनुसार सम्भोग जनित रोगों के क्लिनिक खोलने का काम राज्य सरकारों का है।

(ग) अधिकांश जन्म घरों में होते हैं, जहाँ चिकित्सा अथवा निदान की सुविधाएँ ना के बराबर

होती हैं, अतः यौन-रोगों से पीड़ित रागिनी को कारण शिशुओं की मृत्युदर पर टिप्पणी करना कठिन है।

(घ) और (ङ) यौन रोगों से पीड़ित रागिनी के लिए सभी मेडिकल कालेजों और सम्भोग जनित रोग क्लिनिकों में समुचित निदान और मुक्त उपचार की सुविधाएँ सुलभ हैं। ऐसी संस्थाओं की एक सूची सभा पटल पर रख दी गई है।

विवरण

क्रम सं०	राज्य/संघ शासित क्षेत्र का नाम	मेडिकल कालेजों की संख्या	उन मेडिकल कालेजों की संख्या जिनमें यौन रोग विभाग मौजूद है	ज्ञान स्वीम के अन्तर्गत खोले गये यौन रोग क्लिनिकों की संख्या	उन मेडिकल कालेजों की संख्या जहाँ यौन-रोग में स्नातकोत्तर शिक्षा दी जाती
1	2	3	4	5	6
1	आन्ध्र प्रदेश	8	8	26	2
2	असम	3	3	1	—
3	बिहार	9	9	17	—
4	गुजरात	5	5	6	—
5	हरियाणा	1	1	—	1
6	हिमाचल प्रदेश	1	1	37	—
7	जम्मू और काश्मीर	2	2	11	—
8	कर्नाटक	9	9	21	3
9	केरल	4	4	13	1
10	मध्य प्रदेश	6	6	13	—
11	महाराष्ट्र	13	13	6	1
12	मणिपुर	1	1	3	—
13	उड़ीसा	3	3	11	1
14	पंजाब	5	5	3	2
15	राजस्थान	5	5	3	—
16	तमिल नाडु	9	9	22	1
17	उत्तर प्रदेश	9	9	10	—
18	पश्चिम बंगाल	7	7	18	1
19	दिल्ली	4	4	3	4
20	गोवा	1	1	2	—
21	त्रिपुरा	—	—	1	—
22	पाकिस्तानी	1	1	2	—
23	अवमान और निकोबार द्वीप समूह	—	—	1	—
24	मिजोरम	—	—	1	—
योग		106	106		17
25	भारतीय सामाजिक स्वास्थ्य संघ	—	—	4	—
कुल योग		106	106	237	17

तमिलनाडु और हिमाचल प्रदेश राज्यों के सभी जिला मुख्यालयों में यौन रोग क्लिनिक कार्य कर रहे हैं जिनमें यौन रोगों से पीड़ित रागिनी को अनुसूचित क्षेत्रों में निदान और चिकित्सा संबंधी सेवाएँ प्रदान की जाती हैं। अन्य राज्यों के बारे में सूचना उपलब्ध नहीं है।

MR. SPEAKER: I have been repeatedly requesting the Ministers that when the statements are long, they must place it on the Table of the House. Of course, we are now changing the rule itself.

श्री जगजन्धी प्रसाद यादव : यह 10 पकियो का स्टेटमेंट है। मे इस बात की धोर भी ध्यान दिसाना चाहूंगा कि अगर पूर्व में पहले ही यह विल में बात हो कि स्टेटमेंट हमारा लम्बा है, तब तो आप यह रिपोर्ट कर देते हैं कि स्टेटमेंट लम्बा है लेकिन यह स्टेटमेंट तो छोटा है और इतने हस्ते के बीच में एक मिनट समय भी नहीं लगा है।

श्री युवराज : अध्यक्ष महोदय, भारतवर्ष में बहुत से व्यक्ति ग्रन्थ, बहिर और विकलांग हैं और इसलिए विकलांग है कि उन में में अधिकांश के पिता माता यौन रोग से पीड़ित हैं और उन सम्बन्ध में जो जबाब धारण है, उन में यह बताया गया है कि केवल तमिलनाडु और हिमाचल प्रदेश के सभी त्रिना मुख्यालयों में यौन रोग क्लिनिक कार्य कर रहे हैं, और बताया 106 को मेडिकल कालेज है उन में आप देखेंगे कि जहाँ यौन रोगों की स्नानकालर शिक्षा दी जाती है वे कुल 17 जगहों में हैं। मैं यह कहना चाहता हूँ कि क्या आपने इस बात की जांच करवाई है कि हमारे यहाँ दुनिया के तीन प्रांथों में में एक अर्धा और हमारे यहां जिनने बच्चे हैं उन में 9 प्रतिशत विकलांग हैं और बहिरों की संख्या की 25 में 1 है क्या आप ने इस बात की जांच करवाई है कि जिनने सोय यहाँ विकलांग हैं, ग्रन्थ हैं, बहिर हैं, कोई सर्वेक्षण हम दिशा में कराया गया है या नहीं कि उस में क्या प्रतिशत है ऐसे व्यक्तियों की जिन की वजह से यह यौन रोग है और उस दिशा में बीर्या योजना के बाद सरकार ने राज्यों की सूची में इस को मॉनिटरिंग कर दिया है, तो मैं यह जानना चाहता हूँ कि इसका बीबी योजना में क्या अनुपात था और बीबी योजना के बाद इस दिशा में कितनी वृद्धि हुई है ?

श्री जगजन्धी प्रसाद यादव : इन में कई प्रश्न जोड़ दिये गये हैं। श्रीमन्, पहले तो मैं यह बताना चाहता हूँ, कि हम में पूरे देश का सर्वेक्षण नहीं हुआ है और संभव भी नहीं है लेकिन सैम्पुल सर्वे जो किया गया है, उस में इस रोग से पीड़ितों की संख्या 8 से 10 प्रतिशत आई है और यह सैम्पुल सर्वे क्लब ओमर्स, जेन बालों और स्टूडेंट का किया गया है। स्टूडेंट्स का जो सर्वेक्षण किया गया है, उस में 5 प्रतिशत धारण है और उम हिमाचल में अगर इन का विश्लेषण किया जाए, तो इन लहके रोगियों की संख्या बहुत विशाल पैमाने पर 3 करोड़ है और सरकार की धोर से इस

की व्यवस्था सम्बन्धी जब कुछ कहा जाता है तो मैं समझ में एक बात का धारण करना कि शिक्षा पर राष्ट्रीय बजट का जो अर्थ है वह 3 प्रतिशत ही है और वह काफी नहीं है। जिस प्रकार से हमारे यहाँ टी० बी० और सिपरोवी का विस्तार है, उस को रोकने के लिये हमारी जो इस समय वित्तीय क्षमता है, उस से पूरा उपाय नहीं कर सकते हैं।

जहाँ तक ट्रेनिंग का सवाल है, 106 कालेजों में इस का प्रशिक्षण है और 237 क्लिनिकल इस के बच्चे हुए हैं यद्यपि वे पर्याप्त किसी कीमत पर नहीं हैं। बहुत पंचवर्षीय योजना में सरकार इस में मदद करती थी लेकिन माघन पूरे न होने के कारण राज्य सरकारों का यह काम दे दिया है और में जिनका आवश्यक समझे, इस काम को करे।

जहाँ तक विकलांगों का सवाल है इस में कोई शक नहीं है कि इस बीमारी से अघातन, बहिरागन और पागलपन भी होता है और ब्लड में इस के कीटाणुओं के मर्केशनन में नसे बांधी हो जाती है और मृत्यु भी हो जाती है। और भी इस में कई प्रकार के रोग हैं। विशेष कर सिफिलिस, गोनोरिया से पीड़ित माता पिता की सतानों की माने होती हैं। गोनोरिया अगर महि-साधो को हो जाए तो उन के बच्चों का सुन्दर स्वास्थ्य नहीं होगा। अगर गर्भाशय होगा तो अघोषन हो जाएगा। अगर बच्चा हागा भी तो घाठनी महीने के बाद मर जाएगा। अगर बच्चा जीवित रहेगा भी तो उसका कोई न कोई नखल 14-15 वर्ष की आयु में प्रकट होगा।

श्री युवराज : अध्यक्ष महोदय आपको सुन कर आश्चर्य होया कि 1947 में अघो की संख्या 1.5 करोड़ की तुलना में अब बढ़ कर 4.5 करोड़ हो गयी है। मैं जानना चाहता हूँ कि स्टेट्स में जितने बच्चे अघो हैं, जितने बच्चे विकलांग हैं और जितने बच्चे बहरे हैं, उनमें, आपने जांच करवाई है, और जिनकी जांच करवाई है, उसके अनुसार कितने अनुपात में बच्चे यौन रोग से सम्बन्धित हैं।

अध्यक्ष महोदय, आप कहते हैं कि बीबी योजना तक इस कार्य को भारत सरकार देखती थी, अब उन्होंने यह काम राज्य सरकारों के जिम्मे कर दिया है। देश में यौन रोग से पीड़ित अघो, बहरो की संख्या दिन-प्रति-दिन बढ़ रही है। ऐसी स्थिति में राज्य सरकारों पर यह भार डालने का क्या प्रयोजन है ? क्या भारत सरकार राज्य सरकारों को कोई प्रतिपिन्न अनुदान दे रही है जिससे कि इस समस्या से निबटो जा सकें ?

श्री जगन्मयी प्रसाद बाबू : श्रीमान्, मैंने पहले ही बताया कि राष्ट्रीय बजट का तीन प्रतिशत इसमें बचता है भी कि उपयुक्त नहीं होता है, उसमें कुछ कमी रहती है। उससे नारे देव की भाँष नहीं होता है। इसलिए राज्यों को यह कार्य दिया है। जहाँ तक रोगियों की सख्या का प्रश्न है, यह मैंने पहले ही बता दी है।

SHRI BALDEV SINGH JASROTIA
Before I exercise my right to put the question, I want to bring to your kind notice that My question has not been incorporated in this question I have been wrongly clubbed with my hon' friend My question is as under

"(a) what steps the Government is taking to prevent, remove and help the blind in India, which is having the second largest number of blinds in the world

(b) what is the State-wise number of blinds in the country with causes in each State, of course giving the 10 year figures,

(c) is it in the active consideration of the Government to start blind houses in large number so as to cope with the requirements for treatment help, guide so that millions of these people may have good life all round, and

(d) what is the amount spent on blinds, giving ten-year figures and what is the budget allocation for the current year?"

Since it has been wrongly clubbed, I request that my question should be separately answered another day Now I will ask my supplementary as permitted

In what parts of the country people are mostly affected by such diseases giving details of class and age of such people with history of such cases the ways and means adopted by the Government, the result of such measures and the measures which they are going to take in the future?

श्री जगन्मयी प्रसाद बाबू : जो वह कहते हैं कि हमने स्वेचन पुट किया है उसका जबाब यह नहीं है। हमारे मामले जो स्वेचन था, यह उसी का जबाब है। घर के ब्यापार जानकारी चाहते हैं तो हम सूचना से कर दे सकते हैं।

डा० नुसोला नायर : श्रीमान्, यह यौन रोग बहुत बीमारी में प्रच्छे हो सकते हैं। यह जानते हुए भारत सरकार ने योजना बनाई थी कि इनके ऊपर हमला कर के इन रोगों का समाप्त किया जाए। काम तौर से पहाड़ी इलाका में इनके लिए बहुत कुछ किया गया था। वह सब अब हीला हो गया है। अब मैं मंत्री जी से जानना चाहती हूँ कि इन सारी समस्याओं को ध्यान में रखते हुए और जल्दा से जल्दा में जो बताया गया है उनकी तबलीकी हो ध्यान में रखते हुए क्या सरकार कोई योजना बनायेगी जिससे कि बीमारी से और कम खर्च में इन रोगों को निकाला जा सके? क्या सरकार इन रोगों के इरेडिकेशन का कोई व्यापक कार्यक्रम हाथ में लेगी? साथ ही साथ शिक्षा विभाग को भी साथ लिया जाए ताकि लोग समय में कि कौन से रोग होते हैं और प्रविष्य में न हो सका भी वे स्वयं ध्यान रख सकें, क्या सरकार ऐसी कोई योजना बनाएगी?

श्री जगन्मयी प्रसाद बाबू : एक यह सजीजन है जो विचारणीय है।

जहाँ तक बीमारी फैलने का सवाल है इसके बारे में प्रचार प्रसार हम लागू करते हैं ताकि लोगों को जानकारी हो जाए। पोस्टरी के द्वारा, बुकलेट्स के द्वारा इस काम को किया जाता है। एक फिल्म भी दिखाई जा रही थी। एक दूसरी फिल्म भी तैयार की गई है। दो जगह पर मंडास और हिन्दी में डाक्टरों और पैग मेडिकल स्टॉफ को इसकी लिए ट्रेनिंग दी जाती है। उनको रेड्डी तो रुपए का इरेडिग भी दिया जाता है। बुकिंग प्रकाश डाक्टर हमने पाटमिपेट नहीं करते और इन रोग के इलाज के लिए नहीं भाते इसलिए इरेडिग भी हम करते हैं।

Abolition of Contract Labour in Mines

*371 SHRIMATI PARWATHI KRISHNAN

SHRI K A RAJAN

Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state

(a) whether the Central Advisory Board on Contract labour has recommended abolition of contract labour in certain operations in mines; and

(b) if so, the details and Government's decision thereon?

यस तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री सारंग साय) : (क) और (ख) विवरण सदन की वेब पर रख दिया गया है।

विवरण

केन्द्रीय सलाहकार ठेका श्रमिक बोर्ड की गिरा-दिशों पर जहाँ तक केन्द्रीय क्षेत्र के उद्योगों का सम्बन्ध है, पहली फरवरी, 1975 की सरकारी अधिसूचना द्वारा कोयला खनन उद्योग में (क) कोयला निकालने या कोयला निकालने तथा कोयला बचने, (ख) कोयला मादने तथा उतारने, (ग) अधिभार हटाने तथा मिट्टी खोदने, (घ) साइट कोक तैयार करने और (ङ) भूमि के नीचे पत्थरों में सुरंग बनाने तथा पत्थर काटने के विविध कार्यों के लिए ठेका श्रमिकों की नियुक्ति को प्रतिषिद्ध किया गया है।

पहला मार्च, 1977 में ऐसे प्रतिष्ठानों, जिनके सम्बन्ध में, ठेका श्रम (विनियमन और उत्पादन) अधिनियम के अधीन सम्बन्धित सरकार केन्द्रीय सरकार है, की मिल्कियत वाले या उनके द्वारा अधिवासित भवनों में साइट देने, सफाई करने, धूल झाड़ने तथा चौकीबारी के कार्यों के लिए ठेका श्रमिकों का नियुक्ति करना भी प्रतिषिद्ध कर दिया गया है। जहाँ तक धन्य खानों का सम्बन्ध है जिनमें ठेका श्रमिकों की नियुक्ति को प्रतिषिद्ध करने का विचार है, केन्द्रीय सलाहकार ठेका श्रमिक बोर्ड द्वारा गठित समितियाँ (i) चुना-पत्थर डोलोमाइट और मैग्नीशियम खानों (ii) लौहा-धमस्क खानों और (iii) चोमाइट, अधक, मैग्नेसाइट, जिप्सम, फायरक्ले आदि खानों में ठेका श्रम पद्धति के प्रश्न की जांच या तो कर चुकी है या इस समय कर रही है। इन क्षेत्रों में ठेका श्रमपद्धति के उन्मुख के सम्बन्ध में प्रागे कार्यवाही केन्द्रीय सलाहकार ठेका श्रमिक बोर्ड की सिफारिशों को ध्यान में रखकर की जागी।

SHRIMATI PARVATHI KRISHNAN: The question has been put in English. But since the statement is in English, it is alright according to the statement, it says that on the recommendations of Central Advisory Contract Labour Board, employment of contract labour has been prohibited as far as the industries in the Central sphere are concerned in the coal mining industry. This is a welcome thing and it was known. But what I would like to know is, what is happening about the mines other than

coal, because the Committee had already visited such places as Rajhera and Bailadilla and made recommendations that the jobs of a perennial nature should be decontractorised or whatever word one may like to use should be taken away from the contractors and the workers taken on permanent pay roll and at the same time they also pointed out that the contract labour is being paid less. Out of that discontent, firing has taken place in Rajhera and Bailadilla last year and yet, what action has the Government taken in order to see that contract, labour in these mines is abolished? They are still examining. How many more firings do they want? I would like to know, how soon, what is the target date they have fixed to abolish the contract labour at least in those places where the Central Advisory Contract Labour Board has already made recommendations.

श्री सारंग साय : माननीय सदस्या की भावना यह है कि ठेकेदारी प्रथा बिल्कुल समाप्त हो खदानों में। और वह तो यहाँ तक चाहती है कि सभी कामों में इसको समाप्त किया जाए। पूरी तरह से इसको समाप्त करना सम्भव नहीं है, सारी जगह और सारे कामों में इस प्रथा को खत्म कर दिया जाए यह सम्भव नहीं है। उन्होंने यह भी पूछा है कि कोयले की खदानों के बाद दूसरी खदानों में जो ठेकेदारी प्रथा है उसको कब तक खत्म कर दिया जाएगा। उन्होंने यह भी कहा है कि तारीख बताई जाए कब तक इनको हम समाप्त करने वाले हैं। तारीख बताना तो सम्भव नहीं है। इसके लिए एक सलाहकार बोर्ड है और वह सलाह देता है। जिन कार्यों में वह सलाह देता है कि यहाँ पर ठेकेदारी प्रथा समाप्त कर दी जाए वहाँ पर इसको समाप्त कर दिया जाता है, वहाँ के मालिकों से सलाह करके तभी हम काम करते हैं। हम प्रयास कर रहे हैं कि कोयले के खानों के दूसरे क्षेत्रों में भी, दूसरी खदानों में भी जो ठेकेदारी प्रथा है, इनको समाप्त कर दिया जाए।

SHRIMATI PARVATHI KRISHNAN: He has not answered my question. Obviously, he is not prepared to answer. He said, "when the recommendations come" but I specified the recommendations after visiting Rajhera and Bailadilla. It is on that basis, I said it. In the statement, he says, "Further action regarding abolition of contract labour system in these sectors is to be taken up." I wanted to know by what time.

Anyway, let me come to my second supplementary. It is precisely because the contractors are there, year after year. There is the contract labour in these mines and even in the mines which are within the Central sphere. Here, they have said it that they have implemented the recommendation for the abolition of the contract labour in the Central sphere. In the Rajhera coal mines, the strike is going on. It is an annual affair. When the huts are washed away and the repairs are to be undertaken, the contractors do not carry out the repairs. You will have another firing there. Therefore, I want to know how soon they propose to implement all those recommendations that are already there with them.

श्री सारंग साहू : अध्यक्ष महोदय, यह शर्का तो नहीं है कि क्या पर फिर ने मोती चलेगी और भागन का पूरा प्रयास होगा कि मजदूरों पर बड़ा बोली न चले। अगर तब बंसादीला का प्रयत्न है कुछ मुहों पर मलाहकार बोर्ड की मलाह का गई है उसके लिए हम मलाह से सम्पर्क बना रहे हैं बहा पर भी ठेकेदारी प्रथा समाप्त की जाये। जैसे ही हमारा उनमें बर्नालाप पूरा हो जाएगा तभी समाप्त कर पायेंगे।

SHRIMATI PARVATHI KRISHNAN: I would request the hon. Minister to visit Rajhera coal mines and settle the strike.

SHRI K. A. RAJAN: Regarding this particular question, I am glad to note that the Government have implemented the recommendation of the Coal Mines Advisory Board and they have issued a notification to that effect. But regarding the implementation of the recommendations of the Central Advisory Contract Labour Board regarding the abolition of contract labour in Limestone, Dolomite and Manganese mines, Iron Ore mines and Chromite, Mica, Magnesite, Gypsum, Fireclay etc. mines, what I can understand from the reply is that

he is going to have a dialogue, some sort of a discussion, with employers. While they have already implemented the recommendation in the Central sphere, it is only a question of issuing a notification by the Government in regard to these mines. It has created a lot of unrest in Bailadila because of non-implementation of this recommendation. I would like to know from the hon. Minister when he is going to issue the notification and also to make an effort to settle the strike in Rajhera on this particular issue.

श्री सारंग साहू : अध्यक्ष महोदय, कुछ धन्य खदानों के बारे में माननीय सदस्य ने पूछा। कुछ खानें ऐसी हैं जैसे कच्चा लोहे की और कोयला घोलने के कारखाने इन दोनों के बारे में अभी 30 धन्य को होने वाली मलाहकार बोर्ड की बैठक में विचार आया। विचारविमर्श मलाहकार बोर्ड से प्रान्त के बाद हम फिर उस विभाग से सलाह करने और उसके बाद ही बहा पर इसे लागू करेंगे। उन्होंने कहा है कि प्रायः सरकार है और सीधे प्रोईस नहीं करती है। श्रीमन् कोई भी बात कम से कम सम्बन्धित विभाग या मानिक जो है उनसे बिना सम्पर्क किए सम्भव नहीं है। हम चाहें और प्रायः न चाहें तो काम नहीं हो सकेगा। इसलिए सलाह लेना आवश्यक होगा। इसमें देर हो सकती है, लेकिन प्रयास चल रहा है।

SHRI PURNANARAYAN SINHA: In paragraph 2 of the statement, the hon. Minister has mentioned about the Contract Labour (Regulation & Abolition) Act. I want to know whether the enforcement of the Act will be confined only to mines and such other fields of employment or it will be extended to plantations also where the contract labour is rampant and against which there is a movement by labour to abolish it.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): The provisions of the Act apply to all industries and the effort is to see that they are enforced everywhere. But

the specific question here did not refer to plantations and therefore, the answer in the statement did not contain a reference to it

WRITTEN ANSWERS TO QUESTION

दिल्ली के डाकघरों में दैनिक मजदूरी पर काम कर रहे पकर और अन्य श्रमिक

*365 श्री हरद यादव क्या सचार् मजी यह बनाने की कृपा करेंगे कि

(क) क्या यह सच है कि दिल्ली के डाकघरों में दैनिक मजदूरी पर काम करने वाले पकर और अन्य श्रमिक बड़ी संख्या में काम करते हैं,

(ख) यदि हां तो उनकी धरोवार मंथा क्या है और

(ग) उनकी सेवा का नियमित करन क लिए सरकार न क्या कोववाही की है और इसके लिए क्या प्रनिया/ नियम बनाने जात हैं ?

सचार् मन्त्रालय में राज्य मजी (श्री मरहुरि प्रसाद मुन्नेय साव) (क) जी हां। लेकिन इनकी संख्या बहुत अधिक नहीं है।

(ख) दिल्ली के विभिन्न डाकघरों में 163 पैकर/डाक पियन है। इनक धनिरिक्त बहा 7 पौकीदार/करास जी काम कर रहे हैं।

(ग) जा नैमित्तिक मजदूर रोजगार कार्यालयों के माध्यम से होते हैं और कम से कम दो वर्ष की सेवा का अनुभव रखते हैं (एक वर्ष में 240 दिन की सेवा को एक वर्ष की सेवा माना जाता है) वे निर्धारित विभागीय परीक्षा पास करने पर नियमित स्थापना में वतुषे श्रेणी के वदी पर नियुक्ति पाने के पास होते हैं। ऊपर बताए गए विद्वाही के मजदूरों के मामले में सिर्फ एक कर्मचारी न दो वर्ष की सेवा पूरी की है और उसे नियमित नियुक्ति के लिए निर्धारित विभागीय परीक्षा न बैठने की अनुमति दे दी गई है।

Asian Common Market

*370 SHRI DURGA CHAND Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether the comments on Asian Common Market have been made available to the Government of India by the concerned countries,

(b) if so, the details thereof,

(c) the progress so far made in the materialisation of the idea of Asian Common Market,

(d) whether the Government of India propose to convene a Conference of the neighbouring countries to discuss matters of common interest particularly in economic field, and

(e) if so, the details thereof?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE) (a) to (c) Though the general concept of Asian Common Market has been discussed from time to time no concrete proposal has come to our notice. The Government of India remains responsive to the idea of regional economic cooperation, but recognises that its successful implementation depends upon the willing consent and cooperation of the countries concerned

(d) No Sir

(e) Does not arise

Amendment to Immigration Act

*372 SHRI P K KODIYAN Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether Government have a proposal under consideration to amend the Immigration Act, 1922, and

(b) if so what are the changes proposed to be made and the steps being taken in this regard?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE) (a) Yes, Sir

(b) Government have appointed a Committee to review the question of recruitment for overseas employment with a view to streamline procedures. An important term of reference of

this Committee is to examine the provisions of the Emigration Act, 1922, and to recommend to the Government changes in the Act. The Act, which was enacted to regulate the emigration of agricultural workers from India, has been considered out-dated and needs to be amended to bring it in tune with the present day realities. The Committee has, *inter alia*, considered this need and has recommended amendment of the Act. An interim report of the Committee is likely to be submitted soon to the Government, on the basis of which Government will take a decision on the introduction of an amending Bill in the Parliament.

Resolving Deadlock over Wage Board for Working Journalists and Non-Journalists

*373. SHRI AHMED M. PATEL:

SHRI RAMDEO SINGH:

Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether a meeting consisting of journalists, non-journalists and newspapers employees representatives with Government was held recently in Delhi to solve the tangle over the wage boards for the working journalists and non-journalists; and

(b) if so, the decision taken at the meeting?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). Yes, sir At the meeting held on the 22nd July, 1978, which was attended by the representatives of the employers and the employees in the newspaper industry, it was decided that if suggestions already made were not acceptable to employers, they would send alternative proposals before the 30th July, 1978. Since no alternative proposals were

received from the employers' side, the Wage Boards have been advised to proceed with their work.

Administrative set up of Geological Survey of India

*374. SHRI MOHINDER SINGH SAYIANWALA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether a decision has been taken to drastically change the administrative set up of Geological Survey of India;

(b) if so, the reasons for the same; and

(c) the nature of changes that are sought to be made in the set up?

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK):

(a) Decisions have been taken to make certain changes in the administrative set up of Geological Survey of India.

(b) With the fast growth of G.S.I. and its activities, as well as the growth of new technology, the need was felt for a basic restructuring of administration and policy formulation functions in the G.S.I.

(c) A Board of Management for the G.S.I. has been set up, which will enable greater autonomy to the organisation. The Board will function like the Board of Directors of a Corporation and will ensure fullest participation of scientists in planning and implementation of the programmes of G.S.I. Together with other organisational changes, the new administrative frame-work is designed to introduce cost effectiveness, better personnel management, and optimum utilisation of men and materials in the G.S.I., through appropriate devolution of powers and responsibilities within the organisation.

असंगठित कृषि श्रमिकों के लाभ के लिये योजना

*375. श्री सुभाष बाबुबा। क्या संसदीय कार्य तथा अन्न मंत्री यह बताएंगे की कृषि करने कि :

(क) क्या सरकार ने असंगठित कृषि श्रमिकों के लाभ के लिए कोई योजना तैयार की है;

(ख) यदि हाँ, तो तत्सम्बंधी व्योरा क्या है; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ;

अन्न तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री सारंग साय) : (क) जी हाँ।

(ख) विवरण सभा की मेज पर रख दिया गया है।

(ग) प्रश्न नहीं उठता।

विवरण

(ख) सरकार द्वारा असंगठित बेहिस्तर श्रमिकों के लाभ के लिये तैयार की गई योजनाएँ निम्नानुसार हैं :—

(1) केन्द्रीय श्रमिक शिक्षा बोर्ड के हमारे देश के विभिन्न भागों में 40 केन्द्र हैं। इन केन्द्रों ने वर्ष 1977-78 के दौरान ग्रामीण श्रमिकों की शिक्षा तथा संगठन के लिये 150 से अधिक कैम्प आयोजित किए हैं।

(2) राष्ट्रीय श्रम संस्थान ने नेतृत्व की कला के विकास तथा प्रशिक्षण संबंधी कार्यक्रम के अन्तर्गत लगभग 20 जिलों में ग्रामीण श्रमिक शिक्षा कैम्प आयोजित किए। प्रत्येक कैम्प में लगभग 100 ग्रामीण श्रमिकों ने भाग लिया।

(3) ग्रामीण श्रमिकों तथा उनके संगठनों की समस्याओं की जांच करने तथा उनकी स्थायी समितियों की बैठकों के लिए सचिवालय सेवा की भी व्यवस्था हेतु चालू वर्ष के दौरान प्लान स्कीम के अन्तर्गत केन्द्र में एक ग्रामीण श्रमिक सैल की स्थापना की गई है।

(4) ग्रामीण असंगठित श्रमिक संबंधी केन्द्रीय स्थायी समिति गठित करने का प्रस्ताव है।

(5) बेहिस्तर श्रमिकों संबंधी केन्द्रीय कानून बनाने का एक प्रस्ताव विचारधीन है।

(6) सरकार ने अन्तर्राष्ट्रीय श्रम संगठन अधिनियम 141 का अनुसमर्थन किया है जिसमें प्रतिष्ठानों तथा ग्रामीण श्रमिक संगठनों के विकास के लिये वैज्ञानिक और प्रशासनिक उपाय करना आवश्यक है।

(7) राज्य सरकारों को सलाह दी गई है कि वह राज्य में असंगठित श्रमिक संबंधी स्थायी समितियाँ तथा ग्रामीण श्रमिक सैल स्थापित करें।

(8) मुक्त कराए गए बंशित श्रमिकों के पुनर्वास के लिये केन्द्र द्वारा संचालित प्लान स्कीम अनुमोदित कर दी गई है और चालू वर्ष के लिये बजट में एक करोड़ रुपये का प्रावधान किया गया है।

Port-Based Steel Plants with Foreign Collaboration

*376. SHRI K. MALLANNA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have decided to set up three port-based steel plants with foreign collaboration;

(b) if so, the countries with whose collaboration Government propose to set up these steel plants; and

(c) the terms and conditions for the collaboration?

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK): (a) to (c). Government have been considering the feasibility of setting up three port-based, export-oriented plants. Capacity of such plants, their product-mix and the time-table for setting up such plants would depend on growth of internal and external demand for pig iron and steel and availability of financial resources. Preliminary discussions have been held with certain countries like USSR and Romania on the type of assistance to be provided by them for establishing the projects. No final decision has yet been taken.

Deteriorating Telephone Service

*378. SHRI C. R. MAHATA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government are aware that telephone service in the country is very much deteriorating; and

(b) if so, the reasons therefor and steps taken to improve the service?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) No Sir. There is no such deterioration.

(b) However, as a regular measure to improve the services on a continuing basis the following long-term and short-term measures are being taken:—

(i) During rainy season in large systems suitably staffed fault control centres with tools, testing instruments and equipments are established to expedite restoration of faults caused due to rains in underground cables.

(ii) Intensification of maintenance and inspection, overhaul and rehabilitation of exchange systems.

(iii) In large systems pressurisation of junction and primary underground telephone cables is taken up as a phased programme.

(iv) Use of jelly-filled distribution cables is made in large systems to prevent seepage of water in case of minor damage to cables.

(v) Additional short duty operators are being sanctioned to improve the service.

भागलपुर के शहरी और ग्रामीण क्षेत्रों में जोते गये डाक एवं तारकर

*379. डा० रामजी सिंह : क्या संचार मंत्री यह बताने की कृपा करेंगे कि

(क) गल 15 महीनों के दौरान भागलपुर

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जिले के ग्रामीण और शहरी क्षेत्रों में सरकार द्वारा कुल कितने नये डाक और तारकर जोते गये हैं ;

(ख) इस बारे में प्रगते वर्ष के लिये योजना का व्यौरा क्या है ;

(ग) क्या भागलपुर में डाक तथा तार विभाग के कार्य में सहयोग और सतर्कता के लिए सरकार का विचार एक सलाहकार समिति गठित करने का है ; और

(घ) यदि हा, तो उक्त समिति कब तक गठित की जायेगी और उसमें सदस्यों का नाम निर्देशित करने के लिए क्या मानदण्ड अपनाया जायेगा ?

संचार मंत्रालय में राज्य मंत्री (श्री बरहरि प्रसाद सुखदेव साह) : (क) भागलपुर जिले के देहाती इलाकों में पिछले 15 महीनों के दौरान 7 डाकघर और 78 तारकर जोते गये ।

(ख) भागलपुर जिले के देहाती इलाकों में वर्ष 1978-79 और 1979-80 में क्रमशः 40 तारकर और दो डाकघर जोतने का प्रस्ताव है ।

(ग) जी नहीं ।

(घ) प्रश्न ही नहीं उठता ।

Decline in Production Due to Coal Shortage

*380. SHRI PRADYUMNA BAL: Will the Minister of STEEL AND MINES be pleased to state:

(a) the extent to which the production in various steel plants of the country has suffered due to shortage of coal in the calendar year 1978 upto 30th June, 1978;

(b) the loss thus suffered by Government; and

(c) the particular steps taken to improve the situation?

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK): (a) and (b) Due to short supply of coking coal during the last 6 months, the pushing rate of coke ovens at some of the steel plants had to be reduced in order to avoid further depletion of the stocks held by these plants. However, the production of steel was not allowed to be affected, because coke held in stock

in these plants was used to make up the short fall.

(c) The position regarding coal supplies to the steel plants is regularly reviewed in consultation with the Department of Coal and the Railway Board. A proposal to import low ash coking coal for use in steel plants after blending with Indian coals is also under consideration.

Literature Sent Abroad Regarding Emergency Excesses

*381. SHRI KANWAR LAL GUPTA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have sent any literature about the misdeeds committed during emergency to our different Embassies to circulate it to the important persons of other countries;

(b) if not, why not;

(c) is it also a fact that even the white paper issued by the Ministry of Information and Broadcasting and reports of Shah Commission etc. were also not sent to our Embassies for circulation; and

(d) what specific steps Government propose to take to apprise all important persons in the different countries about the misdeeds committed during the period of emergency?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAEYEE): (a) Yes, Sir.

(b) Does not arise.

(c) No, Sir. The White Paper issued by the Ministry of Information and Broadcasting, Reports of the Shah Commission and other available material like books published on the emergency and articles etc. available through the media, were promptly sent to Indian missions for circulation and possible use through local publicity channels. The findings of the Shah Commission received wide publicity in the world press and well known columnists have written highlighting the disclosures made by the Commission.

(d) Government will continue to take all possible steps to publicise the excesses of the emergency.

विश्वातन योगाधन पर खर्च

*382. श्री राजाधारी बज्जली : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह ज्ञान की कृपा करेंगे कि

(क) श्री बीरेन्द्र बहुनगारी के योगाधन पर, जिसे जब सरकार ने अपने हाथ में ले लिया है, सरकार जिन माह कितना खर्च कर रही है ;

(ख) क्या इसमें कुछ ऐसे उपकरण मचाये गये हैं जिनकी कोई उपयोगिता नहीं है; और

(ग) क्या इन आधन में खाने वाले लोगों की संख्या कम हो गई है और यदि हाँ, तो इस बारे में तत्पक्ष धीरा क्या है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय के राज्य मंत्री (श्री जयबन्दी प्रसाद शर्मा) : (क) केन्द्रीय योग अनुसंधान संस्थान और विश्वातन योगाधन को जब से केन्द्रीय सरकार ने अपने हाथ में लिया है, तब से इन पर हुए महीने वार व्यय इन प्रकार है :-

विवरण

महीना	रकम
1977-78	१०
25 से 31 मई, 1977	2,106.63
जून, 1977	59,101.46
जुलाई, 1977	90,503.21

अप्रैल, 1977	72,391.22
मई, 1977	75,583.84
जून, 1977	85,291.35
जुलाई, 1977	78,352.53
अगस्त, 1977	5,60,385.60*
सितम्बर, 1977	
अक्टूबर, 1977	
नवम्बर, 1977	
दिसम्बर, 1977	
जनवरी, 1978	42,945.81
फरवरी, 1978	1,04,570.09
मार्च, 1978	1,17,601.57
1978-79	
अप्रैल, 1978	99,642.11
मई, 1978	90,515.61
जून, 1978	1,05,043.11
जुलाई, 1978	1,05,988.39

इन्हें लेने से पहले
बिना उपकरणों के
आवाज के लिये
आवेक दिये गये थे
उनसे संबंधी
4.40, 430.45
रुपये के भुगतान
सहित।

(ब) जिन आवाजित उपकरणों के लिए
केन्द्रीय योग अनुसंधान संस्थान के भूतपूर्व निदेशक
द्वारा आवेक दिये गये थे, वे प्राप्त हो चुके हैं
और इस प्रकार हैं —

1. 8 बैनल ईएलसी (निहान कोहरेर,
जापान)
2. गैस थैक (एबीसी, स्विट्जरलैंड)
3. काडियोमेटरांग (सासिल, इटली)

ये उपर्युक्त उपकरण 'अखिल भारतीय आयु-
विज्ञान संस्थान, नई दिल्ली के शरीर विज्ञान
विभाग के साथ मिलकर किये जा रहे
अनुसंधान कार्य में उपयोग में लाये जा रहे हैं।
40 से अधिक विषयों के बारे में आकड़े रिकार्ड
कर लिये गये हैं। लम्बे वक्रे केनेलाइजर और
ईईजी का उपयोग क्लीनिकल के साथ-साथ
आधारभूत अनुसंधान, आसकर प्राणायाम के अध्य-
य में किया जा रहा है।

(ग) केन्द्रीय योग अनुसंधान संस्थान और
विश्वविद्यालय बोनाभम के लिये जाने के साथ
आवकों की संख्या कम हो गई थी लेकिन मार्च,

1978 से गत वर्ष के इसी अवधि के आंकड़ों
की तुलना में यह संख्या बढ़ गयी है। जनवरी,
1977 से जुलाई, 1978 तक की अवधि के
महीनेवार आंकड़े इस प्रकार हैं :—

	1977	1978
जनवरी	5497	3716
फरवरी	4222	3812
मार्च	6384	6673
अप्रैल	6152	9211
मई	10554	14883
जून	6679	16058
जुलाई	3712	11028
अगस्त	3116	..
सितम्बर	6741	..
अक्टूबर	5193	..
नवम्बर	3824	..
दिसम्बर	3711	..

Move for a Moratorium on Nuclear Tests

*383. SHRI CHITTA BASU:

SHRI KUSUMA KRISHNA MURTHY:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government propose to initiate a move for a moratorium on all kinds of nuclear tests, over ground, underground or in the air, pending the conclusion of a comprehensive test ban treaty;

(b) if so, whether any Government has since been sounded; and

(c) if so, the names of those Governments and their reaction?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAHEY): (a) to (c). Eversince 1954, when India had taken the initiative in regard to the banning of all nuclear weapon tests, the Government of India has consistently and firmly expressed the view that, pending the conclusion of a treaty banning all nuclear weapon tests, there should be an immediate suspension of all kinds of nuclear weapon tests in all environments by all States. Most recently, at the Special Session of the UN General Assembly devoted to disarmament, which was held in New York in May-June, 1978, India had reiterated this position of principle and had also tabled a draft resolution (text attached). However, since it was generally agreed that the Special Session should adopt one single and comprehensive Final Document by consensus and not vote on separate resolutions, India decided not to press its draft resolution to a vote at that session. At the same time, India was able to get the idea of suspension of nuclear weapon tests included in the Final Document which states, *inter alia*, that "various views were expressed by non-nuclear weapon

States that, pending the conclusion of this treaty, the world community would be encouraged if all the nuclear-weapon States refrained from testing nuclear weapons."

DRAFT RESOLUTIONS

UNITED NATIONS GENERAL ASSEMBLY

A/S-10/AC. 1/L. 10

23rd June, 1978.

ORIGINAL: ENGLISH

Tenth special session

AD HOC COMMITTEE OF THE TENTH SPECIAL SESSION

Agenda item 9

Review and appraisal of the present International situation in the light of the pressing need to achieve substantial progress in the field of disarmament, the continuation of the arms race and the close inter-relationship between disarmament, international peace and security and economic development

*India: Draft Resolution
Urgent need for cessation of further testing of nuclear weapons*

The General Assembly,

Gravely concerned that continued testing of nuclear weapons exacerbates the arms race, poses a serious danger to the environment and constitutes a grave hazard to the health of present and future generations of mankind.

*Recalling its resolutions on the question of nuclear weapon testing which have been adopted each year ever since 1958 and which, *inter alia*, have condemned all nuclear-weapon tests,*

Reaffirming that a comprehensive test ban is a matter of the highest priority,

Noting the statements that comprehensive test-ban treaty is nearing finalization,

Calls upon all nuclear-weapon States, pending the conclusion of a comprehensive test-ban treaty, to refrain from conducting any further testing of nuclear weapons

पांडिचेरी में प्रति व्यक्ति शिक्षता व्यय

2539 श्री हुकम चन्द कल्याण . क्या स्वास्थ्य और परिवार कल्याण मंत्री प्रति व्यक्ति शिक्षता व्यय के बारे में 6 अप्रैल 1978 के तारांकित प्रश्न संख्या 628 के उत्तर के संबंध में यह बताने की कृपा करेंगे

(क) क्या केन्द्र तथा राज्य सरकार ने वर्ष 1974-75 में पांडिचेरी में प्रति व्यक्ति शिक्षता व्यय 38 रुपये 84 पैसे किया था और यदि हाँ, तो क्या 1976-77 और 1977-78 में इसको बढ़ाने का विचार था ,

(ख) यदि हाँ, तो किना तथा, क्या सरकार जब तक किए गए प्रति व्यक्ति व्यय में सुधार है , और

(ग) यदि नहीं, तो क्या सरकार धन-स्रोतों से सहायता देने के पक्ष में है और यदि हाँ, तो इस समय इन स्रोतों में किन-किन देशों के साथ बातचीत चल रही है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जयलक्ष्मी प्रसाद बाबू) :
(क) और (ख) प्रति व्यक्ति व्यय 38 84 रुपये था जो कि राज्य और केन्द्र, दोनों सरकारों द्वारा किये गये प्लान और नॉन-प्लान खर्च पर आधारित है। 1975-76 में पांडिचेरी स्वास्थ्य सचिव प्रति व्यक्ति खर्च जो 50 04 रुपये हुआ था, वह 1976-77 में घटकर 49 42 रुपये हो गया। वर्ष 1977-78 के खर्च के आकड़े अभी तक ज्ञात नहीं हुए हैं।

केन्द्र और राज्य सरकारें पांडिचेरी में स्वास्थ्य सेवाओं को सुलभ करने की स्थिति में सुधार लाने के लिए सरपूर प्रयास कर रही हैं और राज्य सरकार को राज्य और केन्द्र प्रायोजित विभिन्न योजनाओं को कार्यान्वित करने के लिए योजना आयोग द्वारा स्वीकृत परिधाय के अनुसार सहायता दी जा रही है।

1976-77 में पांडिचेरी में स्वास्थ्य कार्यक्रमों पर जो योजना खर्च 28 11 लाख रुपये हुआ था, वह 1977-78 में बढ़कर 30 28 लाख रुपये हो गया।

(ग) सरकार किसी भी राज्य विशेष के लिए विदेशी महुयना नहीं मान रही है। वैसे, विदेशों में मेडरिया नियंत्रण, सक्ता नियंत्रण, चिकित्सा शिक्षा को बढ़ा देने आदि जैसी हवाई सुरक्षा राष्ट्रीय योजनाओं के अन्तर्गत सहायता दी है। किसी राज्य विशेष के स्वास्थ्य सेवा के कार्यक्रम के लिए निश्चित किए गये समय योजना परियोजना में सारे देशगत और विदेशी राज मामान, दोनों को समक मिलनी है।

जुनागढ़ में डाक्टर भवन की कीमत

3540 श्री अर्जुन सिंह भाई घटेल . क्या संचार मंत्री यह बताने को कृपा करेंगे कि।

(क) क्या गुजरात सरकार ने उम डाक्टर भवन की प्रतिशत कीमत का हार्ड में जानकारी दे दी है, जो गुजरात के गोरान्ग जिले के जुनागढ़ सहर के है ;

(ख) यदि हाँ, तो कब और कितनी कीमत बनाई गई है और यदि नहीं, तो इसके लिए सरकार ने कब और किस प्रकार के समर्थन गुजरात सरकार को इस बारे में भेजे हैं ,

(ग) क्या इन भवन के लिये कोई कीमत निर्धारित की गई थी और यदि हाँ, तो कब और कितनी और इस बारे में सरकार ने क्या कार्यवाही की है ,

(घ) क्या जुनागढ़ के धायाद लोक में स्थित डाक्टर में सुविधाया म वृद्धि करने के लिये कोई योजना बनाई गई है और यदि हाँ, तो योजना का व्योग क्या है और इन पर प्रस्तावित व्यय का योजनावार व्योग क्या है और

(ङ) जुनागढ़ के इन डाक्टर के भवन में सुधार करने के लिये क्या योजनाये बनाई गई हैं और वहाँ डाक्टर सुविधाओं में वृद्धि करने के लिये क्या योजनाये बनाई गई हैं और इन योजनाओं को कब तक कार्यान्वित किया जायेगा ?

संचार मंत्रालय में राज्य मंत्री (श्री नरहरि प्रसाद मुखर्जी) : (क) और (ग) 'नो' हाँ। फरवरी 1978 में इस इमारत का मूल्य 3,00,200 रु. सूचित किया गया था।

(ग) डाक्टर निजल इमरियरी विंग ने इन संपत्ति का मूल्य 97,800/- रु. आका था। इन संपत्ति का हस्तांतरण डाक्टर विभाग को करने के प्रश्न पर विचार किया जा रहा है।

(घ) जुनागढ़ मुख्य डाक्टर की मीठा इमारत में सभी डाक्टर सुविधाये उपलब्ध है।

(ङ) इस समय यह इमारत राज्य सरकार के अधिकार में है। इमारत में कुछ सुधार करने के लिये राज्य सरकार की विचारणा है।

उसी पंच वर्षीय योजना के दौरान जूनागढ़ जिले के सहरी इलाकों में 12 डाकघर खोलने का प्रस्ताव है।

इस इलाके में प्रतिरिक्त तार साठाया का निपटारा करने के लिये 5-1-78 को जूनागढ़ में एक विभागीय तारघर खोला गया था। 12 नवंबर उप डाकघर इस विभागीय तारघर से सीधे कोनोकाम लाइनो पर जुड़े हुये हैं और जूनागढ़ के शास-पाव के 8 नगर और तहसील मुसामव मोरें प्रणाली पर जुड़े हुये हैं। बेराबन, बरबाग, चोरबाव, केसव और मारिया हलीना को मोरें प्रणाली पर जूनागढ़ से जोड़ने के एक प्रस्ताव को संजुरी दे दी गई है।

Development of Health and Family Welfare in Orissa

3542. SHRI PADMACHARAN SAMANTASINHERA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government have received any memorandum from the Orissa Government regarding development of health and family welfare in the State;

(b) if so, when Government received the memorandum and what is the total amount required by the State Government; and

(c) what action has been taken?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) Yes.

(b) The memorandum was received in the Ministry of Health and Family Welfare on 2nd December, 1977. The memorandum contained the number of Schemes for which special assistance was sought from the Central Government. The total amount of the assistance sought by the Government of Orissa in the said memorandum amounts to Rs. 1895.82 lakhs.

(c) The memorandum has been considered in detail in consultation with the Planning Commission. A very large number of Schemes for which assistance has been sought by the

Government of Orissa come within the purview of State Plan Schemes. The requirements of the States are considered at the time of finalisation of the Annual Plan. These Plans are discussed by the Working Groups set up by the Planning Commission and the recommendations of these Working Groups form the basis for allocations to the State Governments in respect of Schemes in the State sector.

The assistance to the State Governments in respect of Centrally sponsored programmes is provided on the basis of the pattern of assistance drawn up in respect of each scheme.

The outlays for Annual Plan 1978-79 for the State of Orissa for the Medical and Public Health Sector Programmes for 1978-79 amounted to Rs. 3.68 crores against the proposed outlay of Rs. 4.55 crores by the State Government. In addition a provision of Rs. 6.98 crores has been made for Orissa in respect of Centrally sponsored schemes.

News Item re. Burmese Insurgents in areas Bordering Manipur

3543. SHRI MADHAVRAO SCINDIA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn towards the news item appearing in Times of India, Delhi dated the 6th July, 1978 regarding presence of Burmese insurgents in the Areas Bordering Manipur; and

(b) if so, his reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) Yes, Sir.

(b) Insurgency in Burma is a matter which falls entirely within Burma's internal jurisdiction. However, the Government are watching the situation for any possible link-up between Burmese insurgents and subversive elements in the border areas.

**Complaints from Telephone users/
subscribers of Amravati,
Maharashtra**

3544. SHRI R. K. MHALGI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government and the concerned authorities of Telephone Department have received number of representations and complaints from Amravati (Maharashtra) telephone users and subscribers during period of last one year;

(b) if so, how many and the nature of complaints;

(c) what action Government and the concerned authorities have taken so far in regard to the said representations; and

(d) whether the concerned, have been intimated and when?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKH-DEO SAI): (a) and (b). Yes Sir. During the last one year 1,268 written complaints were received from the telephone users of Amravati. The details are as follows.

(i) Unsatisfactory maintenance of local exchange lines.	106
(ii) Unsatisfactory working of trunk exchanges.	8
(iii) Wrong duration of trunk calls.	126
(iv) Delay in installation and shifting.	1
(v) Complaints on STD Service.	275
(vi) Disputed meter readings.	179
(vii) Discrepancies in local and trunk calls.	256
(viii) Disconnection of telephones	3
(ix) Directory Complaints	20
(x) Miscellaneous	294

(c) and (d). All service complaints have been attended to and complaints replied to. Billing complaints are

expected to be reduced substantively when STD barring facilities are under installation next year.

Infant Mortality

3545. SHRI OM PRAKASH TYAGI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the percentage of infant mortality per thousand in India as compared to that in other countries of the world; and

(b) the steps being taken by Government to reduce the infant mortality rate in India?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) The infant mortality rate in India for 1972 as per Sample Registration Scheme of Registrar General of India is 139. The infant mortality rates for certain other major countries is enclosed.

(b) The causes of infant mortality can be broadly grouped into, those related to the health of the mother; to the injuries received during the process of birth; and to the environment. The various steps taken by the Government in this direction are as listed below:

(i) The infrastructure for the delivery of maternal and child health services has been expanded both in the rural and urban areas. In the rural areas, the Primary Health Centre has been strengthened by providing additional doctors. Subcentres have been set up at the rate of one for 10,000 population. The ratio of population to be served by a sub-centre is proposed to be reduced to 8,000 in the first instance and to 5,000 during the course this plan period. A team of two Multipurpose Workers will serve this population of 5,000.

The Community Health Workers Scheme has been introduced and it is proposed to have one worker for every one thousand population.

The training of Traditional Birth Attendants (Dais) who assist at the time of child birth in villages has been intensified so that there would be a trained dai also for a village of 1,000 population.

The delivery rooms in the Primary Health Centres are being renovated and additional bed facilities provided. Selected Primary Health Centres are being up-graded to hospitals and maternity units provided in the Taluka/sub-divisional hospitals. Maternity and childrens' units at District Headquarters Hospitals are also being strengthened.

(ii) Special clinics to attend to pregnant mothers and small children are organised in all types of medical and health institutions. Besides keeping pregnant mothers and small children under regular health supervision these clinics provide the preventive services as well as undertake health and nutrition education.

(iii) Preventive immunisation against Tetanus is given to pregnant mothers in order that puerperal Tetanus & neo-natal Tetanus which is a cause of infant deaths in many parts of the country is prevented. Facilities are provided for the protection of infants from Small-pox, Tuberculosis, Diphtheria, Whooping Cough and Tetanus. Possibilities of taking up immunisation against other diseases like Measles and Poliomyelitis is also under consideration.

(iv) Nutritional anaemia is widely prevalent among pregnant and nursing mothers. A scheme is in operation to prevent nutritional anaemia among mothers and children.

(v) A special Integrated Child Development Services Project has been introduced in 100 blocks in collaboration with the Department of Social Welfare. These Projects im-

plemented in the tribal and backward rural areas and urban slums aim at providing intensive health care for pregnant mothers and children below six years of age.

Statement

Countries. @	Year	Infant Mortality Rate
1. Egypt . . .	1974	100.4
2. Ethiopia . . .	1965-70	84.2
3. Kenya . . .	1973	51.4
4. Mauritius . . .	1976	40.4
5. Nigeria . . .	1973	70.3
6. Sudan . . .	1970-75	93.6
7. Argentina . . .	1970	59.0
8. Canada . . .	1974	15.0
9. Mexico . . .	1975	49.7
10. U. S. A . . .	1976	15.1
11. Burma . . .	1972	62.7
12. Indonesia . . .	1965-70	125.0
13. Japan . . .	1975	10.1
14. Malaysia (West) . . .	1975	33.2
15. Pakistan . . .	1968	124.0
16. Philippines . . .	1974	58.9
17. Singapore . . .	1976	11.6
18. Sri Lanka . . .	1978	45.1
19. Thailand . . .	1975	26.3
20. France . . .	1975	11.3
21. Germany (GDR) . . .	1975	15.8
22. Germany (FRG) . . .	1975	19.8
23. U. K. . . .	1976	14.3
24. Yugoslavia . . .	1976	36.3
25. Australia . . .	1975	14.1
26. New Zealand . . .	1975	16.0
27. U. S. S. R . . .	1974	27.7

@ Demographic year Book 1976 United Nations.

Replacement of C.R.

3546. SHRI VAYALAR RAVI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether the Ministry have not implemented the instructions of Department of Personnel to replace CR by performance report; and

(b) if so, the reasons to refuse to implement it?

THE MINISTER OF STATE FOR COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) The Department of Personnel issued instructions for replacement of C. R. by result/performance oriented appraisal system on the 4th March, 1978. These instructions will be implemented for the reports from the year 1978/1978-79 as the case may be.

(b) does not arise

Accommodation for Punjabi Bagh Ext. CGHS Dispensary

3547. SHRI CHATTURBHUI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that Government had invited applications for acquiring a suitable accommodation for the sanctioned Dispensary in Punjabi Bagh Extension/D.D.A. Janta-Flats-Paschimpuri near Madipur;

(b) whether the C.G.H.S. Dispensary sanctioned by Government has not been opened in the aforesaid locality so far and the C.G.H.S. beneficiaries residing in these areas are facing extreme hardship in getting medical treatment; and

(c) if so, what steps have been taken to acquire the accommodation in order to provide immediate medical facilities in the area?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI

PRASAD YADAV): (a) Though as an advance action applications were invited for acquiring suitable accommodation for a dispensary in the area, the opening of a C.G.H.S. Dispensary in Punjabi Bagh Extension/D.D.A. Janta Flats—Paschimpuri near Madipur has not yet been sanctioned.

(b) and (c). The question of opening a C.G.H.S. Dispensary in this area will be considered on the basis of the concentration of Central Government employees in the area, vis-a-vis the prescribed norms for opening of the C.G.H.S. Dispensaries and the availability of adequate funds for the purpose.

Palm Cola, King Cola and Crown Cola

3548. SHRI SARAT KAR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state whether "Palm Cola" manufactured by Khadi Gramodyog Commission or "King Cola", "Crown Cola" etc. contain any cola nut extract?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): The information is being collected and will be laid on the Table of the Sabha.

कैंसर का फैला

3549. श्री विजय कुमार मलहोत्रा : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि यह वर्ष कैंसर से दो लाख व्यक्ति मरे ,

(ख) यदि हा, तो क्या यह स्थिति चिन्ताजनक नहीं है ;

(ग) इन रोग के होने बड़े पैमाने पर फैलने के क्या कारण हैं ;

(घ) क्या सरकार ने इसके कारणों का पता लगाने के लिए कुछ कदम उठाए हैं ; और

(ङ) यदि हा, तो तत्सम्बन्धी व्योरा क्या है ; और यदि नहीं, तो इन सम्बन्ध में कब तक कार्यवाही की जाएगी ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री कमलानी प्रताप साहब) :
(क) और (ख) वेन में कोई राष्ट्रीय केंसर रजिस्ट्री नहीं है और इसलिए केंसर सम्बन्धी रोगता और मृत्यु-दर के प्रमाणिक आंकड़े उपलब्ध नहीं हैं।

(ग) प्रमाणिक आंकड़ों के बचाव में यह कहना कठिन है कि हास ही के वर्षों में इस रोग में कोई वास्तविक वृद्धि हुई है। तथापि, अधिक जानकारी और निदान की बेहतर सुविधाओं के कारण केंसर के अधिक रोगियों का निदान और इलाज किया जा रहा है।

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(घ) और (ङ) भारत सरकार न केंसर के अनुसन्धान और उपचार के लिए कम्पकट, मद्रास और नई दिल्ली में तीन क्षेत्रीय केंसर अनुसन्धान और उपचार केंद्र स्थापित कर दिए हैं। इसके अलावा केंसर के रोगियों को चिकित्सा उपचार की सुविधा प्रदान करने के लिए कोबाट बेरोपी युनिट स्थापित करने के लिए विभिन्न राज्य/स्थानिक सगठनों को केन्द्रीय सहायता प्रदान की गई है। भारतीय आयुर्विज्ञान अनुसन्धान परिषद् ने मुंबई केंसर, टीना केंसर प्रभावशील केंसर, बल केंसर आदि जैसे वेन में होने वाले कुछेक आम केंसरों के सम्बन्ध में बहुमहारी-विज्ञान सम्बन्धी अध्ययन किए थे/कर रही है। इसके अलावा कुछ संस्थाएँ केंसर के अनुसन्धान और अध्ययन कार्य में लगी हुई हैं।

अनाथन जिला मुरत में टेलीफोन एक्सचेंज का खोला जाना

3550. श्री छोटुबाई गायित : क्या संसार मंत्री यह बताने को कृपा करेंगे कि :

(क) क्या मुरतन म मुरत जिले के अनाथन में टेलीफोन एक्सचेंज खोलने के लिए मांग की गई है और तत्सम्बन्धी आगे क्या है, और

(ख) यदि हाँ, तो यह मांग कब तक पूरी की जायेगी ?

संसार मंत्रालय में राज्य मंत्री (श्री मरहुरि प्रताप मुखर्जी साहब) : (क) जी हाँ। 26 पाटियों में करीब एक महीना पहले माया कावज पर टेलीफोन कनेक्शन के लिए अर्जी दी थी।

(ख) आवेदकों से निवेदन किया जा रहा है कि वे प्रथम रकम जमा करा दें। साथ ही साथ एक्सचेंज स्थापित करने की योजना की विषयगत व्यवहार्यता की जाँच करने के लिए जो प्रारम्भिक कार्यवाई की जा रही है। यदि कम से कम 22 पाटियाँ भी प्रथम राशि जमा करा देती हैं तो बाधा की जाती है कि एक वर्ष के अन्तर्गत एक्सचेंज खोल दिया जाएगा और टेलीफोन कनेक्शन दे दिए जाएंगे।

Disparity in Pay Scales of Packers

3551. SHRI A. MURUGESAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the pay scale prescribed for the post of Packers in the Departments under the Ministry of Health and Family Welfare;

(b) whether there is any difference in pay of Packers in different Departments and the reasons thereof; and

(c) whether there is any proposal to eliminate the difference in the Pay-scale, if not, why?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) The pay scales allowed for the post of Packers in the Departments/Offices under the Ministry of Health and Family Welfare are Rs. 196—3—220—EB—3—232 and Rs. 200—3—206—4—234—EB—4—250.

(b) Yes. The difference of pay scales is due to the difference of nature of duties performed. The Packers drawing higher pay scale attend to the packing and unpacking of heavy boxes, mailing, strapping and carpentering of wooden boxes and other jobs including maintenance and counting of medical stores and stitching of the bundles of statistical material despatched throughout the country, whereas packers drawing lower pay scale attend to sedentary job of hacking and unpacking of publicity material.

(c) No; on account of reasons given at 'B' above.

Postal & Telegraphic Forms in Marathi

3552. SHRI BAPUSAHEB PARULEKAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government propose to make all kind of postal and telegraphic forms in Marathi language available to the rural people of Maharashtra; and

(b) if not, what are the difficulties to be experienced by Government in doing so?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKH-DEO SAI): (a) No, Sir. Only a few forms are printed in Marathi language for use in rural areas of Maharashtra.

(b) The following difficulties will be experienced in printing of all kinds of Postal and Telegraph forms in regional languages, including Marathi:—

(i) Post and Telegraph operations by their very nature are cross-country operations. Printing all kinds of Postal and Telegraph forms in any particular regional language would result in operational impediments thereby inconveniencing the public.

(ii) Printing capacity of the Government Presses is limited.

Dysentery Epidemic in Maghalaya

3553. SHRI P. A. SANGMA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Garo Hills District of Maghalaya has been declared dysentery epidemic area;

(b) if so, how many people have died of dysentery in Garo Hills during the last four months;

(c) whether the epidemic has been controlled now; and

(d) if not, what measures have been taken/are being taken to check the epidemic?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) The West Garo Hills have been declared as dysentery epidemic area.

(b) Twenty-two.

(c) Yes.

(d) Does not arise.

Rules for stabilising and emulsifying agents in Flavours

3554. SHRI TRIDIB CHAUDHURI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to refer to the reply given to unstarred Question No. 7545 on the 20th April, 1978 regarding the finalisation of the draft Rules 61-A and 61-B about the use of stabilising and emulsifying agents in flavours and state:

(a) whether the Rules have since been finalised;

(b) if so, whether the notification has been issued in the Gazette of India and if so, the date and number of the same; and

(c) if not, the reason thereof for such a long delay in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) to (c): The Rules have not yet been given a final shape. As soon as these are finalised, they will be notified in the Gazette and a copy of the notification will be laid on the Table of the Sabha as required under section 23(2) of the Prevention of Food Adulteration Act, 1954.

Preventive action regarding Blindness

3555. SHRI RAMA CHANDRAN KADANNAPPALLI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) since we have the largest blind population in the world and a significant part of this could have returned their sight if only timely preventive action were taken, and why Government is not taking any sympathetic steps in this regard;

(b) whether Government has understood recently that Russian Scientists have perfected a CAUSE of serum injection that will completely and successfully rid the sufferers of the dreaded affliction, and

(c) if so, why Government is not concluding an agreement which will be a great boon to millions in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV) (a) The Government is seized of the problem and has launched a National Programme for Prevention of Visual Impairment and Control of Blindness. The programme strategy aims not only to educate the community in eye health care but also tell them the preventive measures to be taken to preserve eye sight and to seek timely treatment at the first sign of eye trouble. Provision is also made to provide curative services for persons who could after operation, get their sight back.

(b) The Government of India are not aware of any such serum injection for treatment of blindness.

(c) Does not arise.

Strikes in Triveni structurals

3556 SHRI UGRASEN Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state

(a) whether there were strikes in Triveni Structural during 1977-78. and

(b) if so, the action taken by Government in this regard and the present situation in the establishment?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) (a) and (b) The matter falls essentially in the State sphere. According to information fur-

nished by the State Government, there was no strike in Triveni Structural during 1977-78. Present labour situation in the unit is reported to be normal.

महोदय ईकसटाइल मिल द्वारा बमियों की छटनी और मजूरी बोर्ड की सिफारिशों को लागू न किया जाता

3557 डा० लक्ष्मीनारायण पांडेय : क्या संसदीय कार्य तथा व्यव मंत्री यह बताने की कृपा करेंगे कि

(क) क्या महोदय ईकस टाइल मिल के बिग्ड बमियों की छटनी करने और प्रथम तथा द्वितीय मजूरी बोर्ड (कंपडा) की सिफारिशों को लागू न करने के बारे में सरकार की गिरावट प्राप्त हुई है, और

(ख) यदि हाँ, तो सरकार ने इन संबंध में क्या कार्यवाही की है ?

संसदीय कार्य तथा व्यव मंत्री (श्री रवीन्द्र वर्मा) :

(क) सरकार द्वारा स्वीकृत सूची कपड़ा उद्योग के पहले मजूरी बोर्ड की सिफारिशें 2 मार्च, 1960 की अधिसूचित की गई और दूसरे मजूरी बोर्ड की सिफारिशें 17 मई, 1969 को अधिसूचित की गई। इन सिफारिशों की राज्य सरकारों द्वारा लागू कराया जाता है। छटनी का प्रश्न की राज्य सरकार के क्षेत्राधिकार में आता है।

(ख) आवश्यक सूचना राज्य सरकार से मांगी गई है।

Industrial Relations Bill

3558 PROF P G MAVALANKAR, SHRI PADAMACHARAN SAMANTASINHERA

Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state

(a) whether it is a fact that the promised and proposed comprehensive Industrial Relations Bill, which was already due last session (Budget Session, 1978) is still not finalised because of its 'complex nature' as indicated and admitted by Government recently.

(b) if so, when and how is the said Bill being finalised;

(c) when will it be introduced in the Lok Sabha; and

(d) the main indications of the proposed Bill?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) to (c). Every effort is being made to introduce the comprehensive Industrial Relations Bill in the Lok Sabha during the current Session.

(d) The Bill will integrate and revise the provisions of the Trade Unions Act, the Industrial Employment (Standing Orders) Act and the Industrial Disputes Act.

Alleged misuse of P.L. 480 fund by St. John's Medical College, Bangalore

3559. SHRI R.L.P. VERMA:

SHRI K. LAKKAPPA:

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

(a) whether St. John's Medical College, Bangalore has misused the funds released under P.L. 480 funds and also violated the principles of admission of students to the colleges on merits; and

(b) if so, action contemplated by Government for such misuse and abuse of funds and malpractices in admission?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) Government have no knowledge of alleged misuse of funds.

(b) Does not arise

Improving Trunk Exchange and Special Services in Delhi Telephones

3560. SHRI DILIP CHAKRAVERTY: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether he is aware that a serious situation is prevailing in the Trunk Exchange and the Special Services Unit of the Delhi Telephone in view of the delinquent attitude of some of the junior employees;

(b) whether one of the officers after failing to take necessary steps in view of interference or fear of interference had sought a voluntary transfer and the same was conceded; and

(c) if so, the steps contemplated by the Ministry to improve upon the services by observing certain set norms?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHEO SAI): (a) No, Sir. No such situation has arisen.

(b) No, Sir.

(c) Action is taken on a continuous basis to improve the functioning of the Delhi Telephones Exchange.

बेरोजगार युवकों को बेरोजगार भत्ता

3561. श्री अर्जुन सिंह बबौरिया : क्या संसदीय कार्य तथा धन मंत्री यह बताने को कृपा करेंगे कि

(क) क्या सरकार का विचार भूतलियम समिति की सिफारिशों के अनुसार बेरोजगार युवकों को बेरोजगार भत्ता देने का है ; और

(ख) यदि हाँ, तो तत्संबंधी ध्वीरा क्या है और यदि नहीं, तो इसके क्या कारण हैं ?

संसदीय कार्य तथा धन मंत्री (श्री रवीन्द्र वर्मा) : (क) और (ख). मजदूरी, धाय तथा मूल्यों संबंधी भूतलियम अध्ययन दल ने शायीय क्षेत्र में एक रोजगार योजना की केवल रूपरेखा का सुझाव दिया है । इस सिफारिश पर अभी तक कोई निर्णय नहीं लिया गया है ।

पूँजिहीन व्यक्तियों की संख्या

3562. श्री राज विनायक वासवान : क्या संसदीय कार्य तथा जन मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में पूँजिहीन व्यक्तियों की संख्या कितनी है; और

(ख) प्रति वर्ष मुख्यमंत्री के कारण ऐसे कितने व्यक्तियों की मृत्यु होती है ?

जन तथा संसदीय कार्य संचालन में राज्य मंत्री (श्री लालच साह) : (क) देश में वर्ष 1974-75 के दौरान राष्ट्रीय श्रमिक परिषदों में पूँजिहीन व्यक्तियों की अनुमानित संख्या लगभग 600 लाख थी । राष्ट्रीय मजदूर संघों का संगठन के 26वें दौर के अनुसार देश में कुल, 1971-विस्तार, 1972 के दौरान पूँजिहीन व्यक्तियों (महरी और श्रमिक) की संख्या लगभग 752 लाख थी ।

(ख) सूचना एकत्र की जा रही है ।

Fault in construction of Lakhya Dam

3563. SHRI G. Y. KRISHNAN: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether it is a fact that a Radioisotope Study conducted by the Bhabha Atomic Research Centre has enabled the Kudremukh Iron Ore Co. to detect and remedy a fault in the construction of the Lakhya Dam, a major component of the mining project; and

(b) if so, the details regarding its functions in connection with the Lakhya Dam as well as the performance of this Radioisotope Study and how far it has helped in detecting and improving the project?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) Yes, Sir.

(b) The Bhabha Atomic Research Centre were commissioned by the Kudremukh Iron Ore Co. Ltd., to investigate the nature of fissures discovered while excavating the cut-off trench in the foundation of the earthen dam over Lakhya river, using radioisotope tracer material. The investigation confirmed that the fissures were not directly connected with the Lakhya-river-flow nor with seepage in the down-stream valley. The foundation was, therefore, completed by concreting the cut-off trench above the fissures with provisions for grout pipes for subsequent grouting of the fissures.

Non-implementation of Provident Fund Scheme in Beedi Factory, Gulbarga

3564. SHRI RAJSHEKHAR KOLUR: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether any action has been taken against the beedi factory owner at Yadagiri (Gulbarga District) for not implementing the Provident Fund Scheme among the labourers; and

(b) the steps taken to see that the factory owner complies with the provisions of the Provident Fund Scheme?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KIRPAL SINHA): The Provident Fund Authorities have intimated as follows—

(a) and (b). The employers in relation to M/s. Sharanappa Kondampalli Harghoda Beedi Factory, Nidagunda, Chincholi Taluq (not Yadgiri), Gulbarga, have not yet started compliance with the provisions of the Employees' Provident Funds Scheme and sanction for prosecution has been accorded.

Outlay for Health and Family Welfare in the Sixth Plan

3565. SHRI S. R. REDDY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the Planning Commission has recently recommended a tentative outlay of certain amounts for health and family welfare in the Sixth Plan; and

(b) if so, the details regarding the allotment of this money, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) and (b): The Planning Commission have indicated broad dimension of the outlays for Health and Family Welfare Programmes for the Plan 1978-83. An amount of Rs. 1319.00 crores has been suggested for the totality of the Health Programmes, apart from an amount of Rs. 11 crores for ESI Scheme. A sum of Rs. 765 crores has been suggested by the Planning Commission for the Family Welfare Programme for the period 1978-83.

The allocations indicated above are tentative. The allocation for the States in respect of Health and Family Welfare Programmes would be decided after the Plan document has been approved

Setting up of Aluminium Plant in the Country

3566. SHRI P. RAJAGOPAL NAIDU: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government are setting up aluminium plants in the country this year;

(b) whether survey has been made in this regard; and

(c) whether any aluminium plant is being set up in Andhra Pradesh?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) No, Sir.

(b) and (c). Detailed exploration of the bauxite deposits in the East Coast (including Andhra Pradesh deposits) is in progress. A Feasibility Study for setting up an export-oriented alumina plant in Andhra Pradesh has been commissioned and the report is expected to be received towards the middle of 1979.

Economic Cooperation with Sri Lanka

3567. SHRI F. P. GAEKWAD: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that a six-member official team visited Colombo on 27th June, 1978 for talks on expanding economic co-operation between India and Sri Lanka; and

(b) if so, the nature and outcome of the talks?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) and (b). An eight-member delegation visited Colombo from June 27 to June 30, 1978, for talks at official level and within the framework of the Sixth Meeting of the Sub-Committee for Economic Cooperation of the Indo-Sri Lanka Joint Economic Commission for Economic, Trade and Technical Cooperation. The talks covered the progress achieved in the implementation of past recommendations and identified new areas of cooperation in the field of trade, industry, agriculture, fisheries, community development, transport, shipping and tourism. In the field of science and technology, new fields for cooperation such as Alternative Sources of Energy, Agro-based industries including processing of agro-wastes, Meteorology and Oceanography were identified.

सकदरअंग अस्पताल के लिये भवनों का निर्माण

3569. श्री राजेन्द्र कुमार शर्मा : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार दिल्ली में सकदरअंग अस्पताल के लिए मिलिटरी बैरको के स्थान पर भवन निर्माण करने के प्रश्न पर विचार कर रही है; और

(ख) यदि हां, तो यह कार्य कब तक पूरा होने की सम्भवना है और निर्माण कार्य पर कितनी छत्रछाई खर्च की जायेगी ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जगज्योती प्रताप शर्मा) :
(क) जी हां ।

(ख) निर्माण कार्य के अन्तर्गत किन-किन मरों को लिया जाएगा, इस पर अभी विचार किया जा रहा है और इन पर कितना खर्च आएगा तथा वे कब पूरी होगी, उनके बारे में अभी कुछ कह पाना संभव नहीं है ।

Illegal Immigration to Gulf countries

3570. SHRI EDUARDO FALEIRO:
Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government are aware that there is a large scale illegal immigration of people of this country to foreign countries and particularly to the countries in the Arabian Gulf; and

(b) what steps does Government contemplate to stop this illegal traffic?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) Yes Sir, Government are aware of the illegal emigration assisted by unauthorised agents to foreign countries and

particularly to the countries of the Gulf. Reports have also been received that agents demand large sums of money from the job seekers, promising them jobs abroad which often do not materialise. On arrival in foreign countries, these emigrant workers find themselves abandoned and thus become destitutes; Government had had to repatriate a large number of such emigrants in the last two years, initially at public expense.

(b) Whenever reports of malpractices by unauthorised agents come to the notice of the Government of India, these are forwarded to the concerned State authorities for carrying out investigations and taking required legal action. In the last one year ending 30th June, 1978, 113 cases were reported to the State authorities. Emigration authorities also carry out checks as all the important embarkation points such as sea/air ports at Trivandrum, Bombay, Delhi and Amritsar, and those proceeding in violation of the Emigration Act are not allowed to depart; such emigrants are generally assisted by unauthorised agents.

सूचीबद्ध प्रवासी के इलाज

3571. श्री राजवजी : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या इस बारे में कुछ अनुसन्धान किया गया है कि इलाज की सूचीबद्ध प्रवासी भारत से आरम्भ हुई थी;

(ख) क्या सरकार का ध्यान इस प्रश्न के समाचार की ओर गया है कि इसकी कुछ पांडुलिपियां श्रीलंका सरकार में उपलब्ध हैं ;

(ग) यदि हां, तो इस संबंध में म्थौरा जानने के लिये सरकार ने क्या कार्यवाही की है; और

(घ) यदि रिपोर्ट सच पाई जाए हो क्या सरकार का विचार उन पांडुलिपियों को प्राप्त करने के लिए श्रीलंका सरकार से बातचीत करने का है ?

क्या हमें और अधिक जानकारी चाहिए है ?
 (क) इस मामले का राजा सरकार को मिल गया है ।

(ख) की है ।

(ग) और (घ). इस मामले पर सरकार विचार कर रही है ।

"Indians held in Berlin"

3572. SHRI RAJKESHAR SINGH:

SHRI YADVENDRA DUTT:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether his attention has been drawn towards news item entitled '22 Indians held in Berlin' published in the 'National Herald' dated the 13th July, 1978; and

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

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) Yes, Sir.

(b) Our Consul General in West Berlin was in touch on this question with the authorities concerned. These 22 persons were eventually deported by the West Berlin authorities since they considered them to have been staying illegally in West Berlin.

Contract Labour system in Coal Mines

3573. SHRI SUKHENDRA SINGH: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state-

(a) the number and names of the coal mines, both in the public and private sector, where contract labour system is still continuing illegally in spite of Government's direction to the contrary in February, 1975;

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(b) whether Government have taken any action against the managements of these mines for violation of Government's directions; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (SHRI LARANG SAI): (a) According to the information made available by the Central Industrial Relations Machinery (on August 5, 1978), contract labour system was continuing in 21 coal mining establishments in Asansol and 12 in Dhanbad Regions in violation of the Government of India Notification dated February 1, 1975, prohibiting the employment of contract labour in certain categories of jobs in coal mines, under Section 10 of the Contract Labour (Regulation and Abolition) Act. The attached statement shows the names of these establishments.

(b) and (c). Prosecution cases have already been filed by the Central Industrial Relations Machinery against some and proposals for prosecution against others are being processed as detailed below:—

Asansol Region: Complaints have been filed against the managements of East Nimcha and Bhanora Collieries of M/s. Eastern Coalfields Limited, Ramnagore Colliery of IISCO and Damagoria Colliery of Bharat Cooking Coal Limited. The managements of East Nimcha and Bhanora Collieries have been convicted and the remaining cases are pending in courts.

Dhanbad Region: Complaints have been filed against the managements of Loyabad Colliery, Ram Kanali, Sendra Bansjora Colliery, Kooridih (of BCCI), Ranisati, Kedla North, Kedla South and Tapin North Collieries of Central Coalfields Limited and Chasnala Colliery of IISCO

Legal action against the remaining collieries in both the regions is being processed by the Central Industrial Relations Machinery.

Statement

I. ASANSOL REGION

Name of the Coal Mines	Name of the Management
1. Toposi	M/s. Eastern Coalfields Limited.
2. Bansra	
3. Belbaid	
4. Mahabir	
5. Annitnagar	
6. Ratibati	
7. Khas Chalbalpur	
8. East Nimcha	
9. Kalurband	
10. Kottadih	
11. Kumardih	
12. Mandelbani	
13. Bonjamihati	
14. Dabori	
15. Sangramgarh	
16. Bhanora	
17. Manoharbahal	
18. Tata	
19. Parasea Open Cast Project	
20. Ramnagore	M/s Indian Iron and Steel Company Ltd
21. Damagoria	M/s. Bharat Coking Coal Limited

II DHANBAD REGION

Name of the Coal Mines	Name of the Management
1. Khudia	M/s Eastern Coalfields Limited.
2. Shampur	
3. Bhulanbararee	M/s. Bharat Coking Coal Limited.
4. Loyabad	
5. Ramkanali	
6. Sendra Banajora	
7. Kooridih	Central Coalfields Limited
8. Ranisati	
9. Kedla North	
10. Kedla South	
11. Tapin North	Indian Iron and Steel Company.
12. Chamala	

Reopening of Aluminium Corporation of India Limited

3574. SHRI JYOTIRMOY BOSU: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether necessary arrangements are complete for reopening of the factory of Aluminium Corporation of India Limited, Jaykaynagar, West Bengal;

(b) if so, the details thereof;

(c) when and under what conditions the factory will reopen;

(d) which categories of employees will be taken back and under what condition or conditions;

(e) whether the factory is still legally under lock-out; and

(f) if so, whether the management has been asked to lift the lock-out?

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK): (a) to (b). Arrangements are under way to attend to the preliminaries connected with the reopening of the factory. These include inventory of assets, financial arrangements for cleaning and overhauling the machinery and equipment and other connected operations.

(c) In the first phase production from fabrication units, namely, extruded sections, rolled sheets and foils is expected to commence in stages from the latter half of this year.

(d) About 180 ex-employees have so far been engaged to attend to the jobs preliminary to the re-start operations. The details of number of persons that will be required for each job are being worked out. As this is a case of restarting a closed unit, ex-employees who will be taken on the rolls will be treated as fresh entrants.

(e) No, Sir.

(f) Does not arise.

Bottlenecks in expansion of telephone system

3575. SHRI DHARMA VIR VASISHT: Will the Minister of COMMUNICATIONS be pleased to state:

(a) what are the main bottlenecks in the expansion of telephone systems in India;

(b) the steps taken or proposed to remove these bottlenecks; and

(c) whether Haryana Telephone Advisory Committee's recent Report has highlighted these bottlenecks; if so, Centre's response?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHEDEO SAI): (a) Main bottlenecks in the expansion of Telephone Systems in India have been—

(i) Inadequate allocation of plan resources.

(ii) Inadequate manufacturing capacity for various types of telecommunication equipment including telephone exchange equipment, underground cables and accessories, lines and wire materials etc.

(b) (i) secure higher plan resources.

(ii) augment manufacturing capacity for various telecommunication equipment.

(iii) make up as much of the gap between requirements and indigenous supplies of telecommunication equipment as possible by import in the light of various techno-economic restraints.

(c) Yes Sir. The general question of shortage of material resources for telephone development plans had been discussed. Action is already being taken as indicated in (b) above.

Allocation of seats to M.B.B.S. Courses for Andaman and Nicobar Islands

3576. SHRI MANORANJAN BHAKTA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government are aware of the continuous demand for integrated MBBS, MBBS seats for the educationally, socially backward Territory of Andaman and Nicobar Islands and any representation/recommendation from the Union Territory Administration received by Government;

(b) what is the number of seats allocated for the year 1978 and last year shown separately;

(c) if the number of seats to less than last year, the reason for the same; and

(d) whether Government propose to allot a few more seats this year?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) Yes.

(b) 1977-78	11
1978-79	10

(c) and (d). Due to reduced number of medical seats made available for allocation this year, it is not possible to increase the number of seats.

Steel Plant at Mangalore

3577. SHRI JANARDANA POOJARY: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government has taken any decision to set up a steel plant at Mangalore; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) No, Sir.

(b) Does not arise.

Further rise in Steel Price

3578. SHRI BALASAHEB VIKHE PATIL: Will the Minister of STEEL AND MINES be pleased to state:

(a) are the Government considering to increase further steel prices in the near future; and

(b) if so, the likely price hike which the actual users will have to pay?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA KUNDA): (a) and (b). No, Sir. There is no proposal for another general revision of steel prices.

मंत्रालयों में नैमित्तिक कर्मचारियों को स्थायी करना

3579. श्री गंगामक्त सिंह : क्या संसदीय कार्य तथा श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सरकार के विभिन्न मंत्रालयों और विभागों में प्रत्येक श्रेणी में कितने कर्मचारी नैमित्तिक हैं;

(ख) इनमें से ऐसे कर्मचारी कितने हैं जिन्होंने जनवरी, 1978 में दो वर्ष की सेवा पूरी कर ली थी; और

(ग) उन्हें स्थायी बनाने के लिये सरकार क्या क्या कार्यवाही कर रही है और जो कर्मचारी दो वर्ष की सेवा पूरी कर चुके हैं उन्हें कब तक स्थायी कर दिया जायेगा ?

श्रम तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री लारंग साय): (क) से (ग) सूचना एकत्र की जा रही है और प्राप्त होने पर सभा की मेज पर रख दी जायेगी।

मदनपुर (फाजिल नगर) के लोगों का एक डाकघर के लिये अभ्यावेदन

3580. श्री रामधारी शास्त्री : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्हें गांव मदनपुर (भेडियारी) बरास्ता राजावाजार खोड्डु के लोगों और उत्तर प्रदेश के जिला देवरिया में ग्राम सभा किशनदेव पुर (फाजिलनगर-देवरिया) से वहां डाकघर खोलने के लिये एक अभ्यावेदन प्राप्त हुआ है ; और यदि हां, तो कब ; और

(ख) इस संबंध में अब तक क्या कार्यवाही की गई है ?

संस्कार संस्थान में काम नहीं (बी मरहुरि प्रभाव मुक्तक काल) : (क) जी हाँ। कलन मेदिनारी गांव में डाकघर खोलने के लिये मई 1975 में वहाँ के लोगों को तरफ से एक सम्मानपत्र प्राप्त हुआ था और किशनदेवपुर गांव में डाकघर खोलने के लिये वहाँ की आम सभा भी धीरे से मार्च, 1978 में एक सम्मानपत्र प्राप्त हुआ था।

(ख) विभागीय मानव्यों के आधार पर मदनपुर में मेदिनारी गांव में डाकघर खोलने का निर्णय नहीं किया गया। किशनदेवपुर गांव में डाकघर खोलने के लिये उत्तर प्रदेश अधिनियम के पोस्टमास्टर जनरल ने 3-8-1978 को मजूरी जारी कर दी है।

गोल मार्केट औद्योगिक में डाकघरों द्वारा देखे गये रोजी

3581. श्री बलराम सिंह बरस्ते : क्या कल्याण और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि

(क) गोल मार्केट, नई दिल्ली स्थित केन्द्रीय सरकार स्वास्थ्य सेवा के एम्बोयिक औद्योगिक में प्रभावी डाक्टर द्वारा प्रतिदिन कितने रोगियों की जांच की जाती है ;

(ख) इस औद्योगिक के प्रत्येक कार्यकर्ता डाक्टर द्वारा प्रतिदिन प्रीसतन कितने रोगियों की जांच की जाती है ;

(ग) क्या सरकार को इस आशय की सिफारिश प्राप्त हुई है कि प्रभावी डाक्टर आमतीर पर रोगियों की जांच करने के कार्य से बचता है; और

(घ) क्या सरकार का विचार प्रभावी डाक्टर की सेवाओं का धीरे उनके विशिष्ट परामर्श का लाभ उठाने के लिए इस संबंध में आवश्यक अनुदेश जारी करने का है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में रजिस्टर मंत्री (बी कल्याण प्रभाव काल) :

(क) और (ख) जनवरी से जून, 1978 तक की छ महीनों की अवधि में गोल मार्केट स्थित केन्द्रीय सरकार स्वास्थ्य योजना के एम्बोयिक औद्योगिक के कार्यकारी चिकित्सा अधिकारी तथा अन्य डाक्टरों द्वारा प्रति दिन कितने रोगियों की जांच की गई उनकी प्रीसतन सख्या सलग विवरण में दी गई है। कार्यकारी चिकित्सा अधिकारी को औद्योगिक के प्रशासनिक कार्य के लिये भी कुछ समय देना होता है।

(ग) जी नहीं।

(घ) यह प्रश्न नहीं उठता।

विवरण

केन्द्रीय सरकार स्वास्थ्य सेवा औद्योगिक, गोल मार्केट, नई दिल्ली के कार्यकारी चिकित्सा अधिकारी तथा अन्य चिकित्सा अधिकारियों द्वारा प्रतिदिन प्रीसतन देखे गये रोगियों का महीनेवार विवरण

कार्यकारी चिकित्सा अधिकारी/ चिकित्सा अधिकारियों का नाम	जनवरी 1978	फरवरी 1978	मार्च 1978	अप्रैल 1978	मई 1978	जून 1978	छ महीनों का प्रीसतन
डा० के० एन० टंडन, कार्यकारी चिकित्सा अधिकारी	91	92	100	85	81	79	528/6= 88
डा० (श्रीमती) जे० राय	136	98	128	102	122	90	678/6=113
डा० एस० पी० पाटक	154	115	139	109	126	112	755/6=126
डा० (श्रीमती) के० मिश्र	113	107	103	116	89	93	621/6=103
डा० सुधीर सूत	125	130	138	132	112	131	768/6=128
डा० (श्रीमती) एम० त्यागी	104	98	89	112	114	83	600/6=100
डा० एस० पी० पुरी	—	—	140	136	133	99	598/4=127

Improving Telephone Enquiry Service in Delhi

3582. SHRI SHANKERSINHJI VAGHELA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the particular steps taken to improve the service of Delhi Telephones particularly on Number 197, 198, 199, 180, 181 and 188;

(b) whether Government are aware that the customers have to wait for many hours even if they book urgent calls to big stations and they have to remind 188 many times and then they get the connection;

(c) the reasons for the carelessness of employees serving on these services; and

(d) the steps taken to redress the grievances of customers and to improve the image of Delhi Telephones?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHEDEO SAI): (a) Various steps are taken on a continuing basis such as:—

- (i) augmentation of position wherever necessary.
- (ii) maintaining the Directory Information upto date to the extent changes taking place are within the knowledge or at the instance of the Department.
- (iii) posting of experienced operators.
- (iv) Toning up the system by such means like cable pressurisation etc., to reduce fault incidence and thereby reduce calls on 198 and 199.

(b) In general urgent calls are rarely delayed by more than 2 hours even on the more congested routes.

(c) There is no carelessness on the part of the employees on these services.

(d) In addition to the steps mentioned at (a) above the following actions are being taken:

- (i) Rehabilitation of all exchange Internal and External Plant where necessary on a phased programme basis.
- (ii) Provision of water barrier on the distribution cables.
- (iii) Use of jelly filled distribution cables on an extensive scale to prevent seepage of water in case of minor damage to cables.
- (iv) Upgradation of Cross-bar exchanges of I.T.I. make on a phased programme basis.

Tie-up Export of Alumina-concentrate with Import of Aluminium

3583. DR. SARAJINI MAHISHI: Will the Minister of STEEL AND MINES be pleased to state:

(a) will the Government try to tie-up the export of alumina-concentrate with the import of aluminium with countries other than U.S.S.R. also;

(b) whether Government would think of using steam in the thermal plants (instead of chilling it into water) to process the bauxite and convert it into alumina; and

(c) what will be the reduction in the cost of power production in that case?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) The feasibility of such tie-up would be considered while taking investment decisions on the proposed Alumina plants based on East Coast Bauxite.

(b) Yes, Sir.

(c) The exact reduction in the cost can be indicated only after a study is made.

सरगुजा और रायगढ़ में वास्साइट के निक्षेपों का विकास

3584 श्री छविदास शर्मा क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरगुजा और रायगढ़ जिलों में प्रचुर वास्साइट निक्षेपों के उचित विकास के लिये कोई प्रस्ताव सरकार के विचाराधीन है और

(ख) यदि हाँ तो इस प्रस्ताव का कार्य-रूप क्या किया जायेगा और तत्संबंधी व्यौरा क्या है ?

इस्पात और खान मंत्रालय में राज्य मंत्री (श्री कल्याण मुष्ठा) (क) जी नहीं ।

(ख) मवाल नहीं उठता ।

केन्द्रीय तथा राज्य स्वास्थ्य केन्द्रों में औषधियों की तस्माई

3585 श्री बहा राय शास्त्र्य क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि

(क) क्या ग्रामीण अलाय मन्त्रीय तथा राज्य स्वास्थ्य मन्त्रालय और अस्पतालों में अधिकांश औषधियाँ मरीजों को न देकर खोर बाजार में बेच दी जाती हैं अथवा औषधियों का मूल्य बिना पर्ची दिए मरीजों में वसूल कर ली जाती है

(ख) यदि हाँ तो क्या सरकार औषधियों के सही उपयोग के संबंध में जिला स्वास्थ्य अधिकारियों का संबंधित अलाय के नागरिकों की समिति बनाम को करेगी और

(ग) यदि नहीं तो उससे क्या कारण है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जगन्मोहि प्रसाद शास्त्र्य)

(क) से (ग) यह सूचना राज्य सरकारों से माँगी जा रही है और जहाँ से मिलने ली है उसे सभा पटल पर रख दिया जाएगा ।

Thums Up

3586 SHRI K LAKKAPPA Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state

(a) whether it is a fact that raids were conducted on Delhi Bottling Co Pvt Ltd when it was found that they

were using on their product 'Thums Up' a different crown, if so, the full details thereof, and

(b) what action Government have taken to prosecute the company for this?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRA SAD YADAV) (a) and (b) Enquiries made by Delhi Administration on receiving complaints that M/s Delhi Bottling Co were using a different crown cork on their product Thums Up' revealed that the said Company had run short of the crown of Thums Up and as such were using the crowns of 'Gold Spot' after affixing stickers of Thums Up on them In view of this the Delhi Administration did not take any action against the Company

Production of Steel

3587 SHRI S R DAMANI

SHRI BHART SINGH CHOWHAN

Will the Minister of STEEL AND MINES be pleased to state

(a) the targets set and actual achievement for steel production in 1975-76 1976-77 and 1977-78

(b) the target of production in the current year and the actual production in the first quarter ended June 30th

(c) whether there was production loss of 90 000 tonnes in the first three months and if so the reasons thereof, and

(d) the steps taken to remove the constraints in order to achieve the targeted production?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA) (a) the fol

following table indicates the target fixed and the total production of ingot steel and saleable steel in the six main integrated steel plants during 1976-77, 1977-78, and 1978-79;

		(In '000 tonnes)					
		1975-76		1976-77		1977-78	
		Target	Actual	Target	Actual	Target	Actual
Ingot Steel		7,697	7,251	8,205	8,428	9,300	8,424
Saleable Steel		5,700	5,778	6,465	6,922	7,373	6,894

(b) The targets of production of ingot steel and saleable steel for the year 1978-79 and actual production during the first quarter ended June, 1978 are indicated below —

		(In '000 tonnes)		
		Target for 1978-79	Target and actual production in April-June, 1978	
			Target	Actual
Ingot Steel			9,965	1,887
Saleable Steel			7,676	1,510

(c) The production of ingot steel and saleable steel fell short of the target by 402,000 and 290,000 tonnes respectively during the first three months, April-June, 1978. The production was adversely affected mainly on account of shortage and frequent restrictions/fluctuations in the supply of power, certain problems relating to the supplies of Coking Coal, both in terms of quantity and quality, and indifferent industrial relations in some of the plants.

(d) Close and constant liaison is being maintained with the Ministry of Energy, D.V.C. and Coal supplying agencies so as to secure maximum supplies of power and good quality coking coal. Proposals are also under consideration for augmenting in-plant power generation capacity at Durgapur and Bokaro Steel Plants and for import of one million tonnes of low-ash coking coal in order to supplement indigenous supplies.

Conference on rural workers

3583 SHRI AMAR ROY PRADHAN Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state

(a) whether Government have convened a special conference to discuss the problems of rural workers and unorganised workers,

(b) if so, the outcome of the conference and the steps taken so far by Government, and

(c) if the answer to part (a) is in negative, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (SHRI LARANG SAI): (a) Yes, Sir.

(b) The Conference decided to set up a Central Standing Committee on Rural Unorganised Labour to advise

the Government on matters relating to the conditions of work and life of rural workers and promotion of rural workers' organisations. It was decided that the definition of rural workers should conform to the definition in ILO Convention 141. The consensus at the Conference was in favour of Central Legislation concerning agricultural workers and for the Ministry of Labour to process the matter further in the light of the views expressed at the Conference in regard to security of service, regulation of hours of work; fixation/revision of wages, social security measures and machinery to settle disputes.

In pursuance to the decision at the Conference, a Rural Workers Cell has been set up in the Ministry of Labour to look after the work relating to the service conditions etc. of rural workers as defined in ILO Convention 141. Action has already been initiated to settle the details with regard to the constitution of the Central Standing Committee on Rural Unorganised Labour. A decision in this regard is likely to be taken soon. Consultation with the State Governments/Union Territories and other interests concerned is continuing to consider the need for having a Central Legislation for agricultural workers as per the consensus at the Conference.

(c) Question does not arise

Improvement of Medical Colleges, Hospitals and Health Centres in Orissa

3589. SHRI GANANATH PRADHAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government have received any proposal from the Government of Orissa for improvement of Medical Colleges, Hospitals and Health Centres in Orissa; and

(b) the action taken by the Central Government on the proposal and the amount sanctioned for the purpose?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) and (b). Yes, Proposals are received from time to time from Government of Orissa for improving Health Services in that State. These proposals are discussed at the time of the formulation of the Annual Plan by the Working Groups. The recommendations of the Working Groups form the basis for the outlays in respect of State Plan Schemes. A large number of Centrally Sponsored Schemes are also being implemented for the country and Orissa gets assistance for the implementation of these Schemes in accordance with the pattern of assistance for each Scheme. The Planning Commission agreed to an outlay of Rs. 3.68 crores for the Medical and Public Health Sector Programmes for the State of Orissa for the year 1978-79. In addition a sum of Rs. 6.98 crores is likely to be made available to Orissa during the current financial year for the Centrally Sponsored Schemes in that State. The Government of Orissa is also likely to be allotted mobile clinics at the rate of 3 clinics per College for enabling the teachers and students of the Medical Colleges to undertake full responsibility for implementation of the totality of the Health Programmes in the areas specified for the particular Medical College.

Departmental Exchange Buildings at District Headquarters in Orissa

3590. SHRI RAMACHANDRA MALICK: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether telephone exchanges are working in unsuitable buildings at many District Headquarters in Orissa having departmental lands causing technical problems and staff resentment for non-provision of standard amenities;

(b) since automatization of District headquarter exchanges is an approved policy, why advance construction

of small buildings in available lands as independent building schemes and shifting of existing exchanges to such buildings, pending automatization, is not being approved and a restriction has been imposed; and

(c) when the restriction will be lifted to overcome the present acute problems?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) to (c). Out of the 13 District Headquarters in Orissa, telephone exchanges are housed in departmental accommodation in 7 and in rented accommodation in 6.

Except Cuttack where an automatic exchange is working, rest of the stations are served by manual exchanges.

It is proposed to provide automatic exchanges at all district headquarters in the country including those in Orissa as early as possible. The programme, however, is handicapped due to limited availability of automatic exchange equipment. A phased programme is being drawn up for provision of automatic exchange equipments and construction of buildings for the same.

Construction of automatic exchange buildings pending availability of automatic exchange equipment and shift of existing manual exchanges to such buildings will involve avoidable expenditure not only on the construction of the automatic exchange buildings but also on the shift of manual exchange equipment which in any case will have to be replaced within the next few years.

The production and supply of automatic exchange equipment is being augmented in the country. With the improvement in position of supply of automatic exchange equipment, it is hoped to start construction of automatic exchange buildings at District headquarters in Orissa during the later part of this plan period 1978-83.

दूतावासों के कर्मचारियों की भांति

3591. श्री हृषीकेश वर्मा : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत में विदेशी दूतावासों में काम करने वाले भारतीय कर्मचारियों ने अपनी भांगो के संबंध में एक आपन दिया है ; और

(ख) यदि हाँ, तो उनकी मुख्य मांग क्या है तथा सरकार ने उन पर अब तक क्या निर्णय लिया है ?

विदेश मंत्रालय में राज्य मंत्री (श्री सचरेन्द्र कुमर) : (क) और (ख). जी, नहीं। विदेश मंत्रालय को इस प्रकार का कोई भी सामूहिक आपन प्राप्त नहीं हुआ है। बहरहाल, व्यक्तिगत रूप से कर्मचारियों द्वारा यूनियनों से शिकायतें प्राप्त होने पर मंत्रालय, 1975 में सभी विदेशी मिशन को परिचालित मॉडल सचिवालय में निहित प्रावधानों के अनुसार उनके दावों को निपटाने के लिए विदेशी मिशनों के साथ बातचीत करता है।

बुकिंग माडल सचिवालय काम में निहित होते जिन्हें निपटार के लिए न्यूनतम माना जाता है काफी ठीक है, इसलिए भारतीय कर्मचारियों द्वारा व्यक्तिगत रूप से की गई शिकायतों के बारे में कोई अन्य निर्णय लेने का प्रश्न नहीं उठता।

अग्नि तथा धातु व्यापार नियम के माध्यम से स्टेनलेस स्टील की चाबरो/रोल्स का आयात

3592. श्री लालजी भाई : क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या स्टेनलेस स्टील उद्योग ने इस आयात का कोई प्रयास देना किया है कि स्टेनलेस स्टील की चाबरो/रोल्स का आयात वास्तविक उपभोक्ताओं की बजाय अग्नि तथा धातु व्यापार नियम के माध्यम से किया जाये ; और

(ख) यदि हाँ, तो क्या सरकार उक्त सुझाव पर विचार कर रही है ?

इस्पात और खान मंत्रालय में राज्य मंत्री (श्री कृष्णा कुम्हार) : (क) और (ख). वर्तमान आयात नीति के अंतर्गत बेदाग इस्पात की चाबरो/स्वायलो का आयात पहले ही अग्नि तथा धातु व्यापार नियम की माफ़त किया जाता है। (ऐसा प्रतीत होता है कि रोल्स से अधिप्राप्त किया गया है)।

Improving Telephone service in Goa

3593. SHRI AMRUT KASAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government are aware that the telephone service in the Union Territory of Goa has come to a complete deadlock putting thousands of subscribers to inconvenience and industrial loss, and

(b) what steps have been taken by the Government to prevent the break in telephone services and to keep the communication functioning?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI) (a) There has been no major breakdown of any of the exchanges in the Union Territory of Goa. However, due to monsoon, and uprooting of trees there has been a slight increase in faults during the period May to July, 1978

(b) The repair work has been stepped up to cope up with the increased number and to reduce the duration of faults. As a long term measure action has been initiated to instal a MAX-I type of exchange at Panaji together with an extensive cable net work

भारतीय छात्रों के लिये बीसा की प्रक्रिया की शर्तों को उदार बनाने के बारे में झररीकी सरकार के साथ विचार विमर्श

3594 श्री ईश्वर चौधरी क्या विवेक मंत्री यह बताने की कृपा करेंगे कि

(क) क्या झररीका में उच्च शिक्षा पाने के इच्छुक भारतीय छात्रों के लिय बीसा की प्रक्रिया की शर्तों को उदार बनाने के प्रश्न पर प्रधान मंत्री की उस देश की यात्रा के दौरान भी विचार-विमर्श किया गया था, और

(ख) यदि हा तो इस बारे में क्या-क्या निर्णय किये गये हैं ?

विदेश मंत्रालय में राज्य मंत्री (श्री समरेन्द्र कुमर) (क) विपक्षीय सम्बन्धों की समीक्षा में इस मामल का सशित उल्लेख हुआ था ।

(ख) झररीकी प्राधिकारी पहले ही पारस्परिकता के बाजार पर भारतीय छात्रों को और उनकी पत्नियों/पत्नियों तथा अधिवाहित नागरिक बच्चों को बीसा देव को तयार हो बने के को 48 महीने के लिए बंद होना और जिसमें बनेक प्रविष्टियाँ भी होंगी जबकि पहले की प्रथा के अनुसार सिर्फ एक बने की प्रविष्टि के लिए बीस विचारों बीसा ही जारी किया जाता था जिसमें एक बार के लिए एक ही प्रविष्टि होती थी । लेकिन झरर कोसकी अधिकारी इस घोर से आश्चर्य हो कि किसी व्यक्ति के बीसा को सीमित करना प्रथा बीसा प्रत्नीकार करना जरूरी है तो यह ऐसा कर सकता है ।

Issue of stamp in honour of Shri Shamji Krishna Verma

3595 SHRI ANANT DAVE Will the Minister of COMMUNICATIONS be pleased to state

(a) whether any representation has been received by Government for issuing a postal stamp for the great freedom fighter Shree Shamji Krishna Verma, and

(b) if so, the action taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI) (a) Yes, Sir

(b) The proposal for the issue of a Stamp in honour of Shri Shamji Krishna Verma was placed before the Philatelic Advisory Committee on 14.7.78 but was not recommended

सलेमपुर एकमचेंज, उत्तर प्रदेश में नये की बोर्ड का लगाया जाना

3596 श्री राम नरेश कुशाबाहा क्या सचारा मंत्री यह बतान की-कृपा करेंगे कि

(क) सलेमपुर एकमचेंज (देवरिया, उत्तर प्रदेश) में नया बी बोर्ड न लाया जाने के क्या कारण हैं ,

(ख) क्या सलेमपुर एकमचेंज के महत्व को कम किया जा रहा है और किसी उच्च अधिकारी के निर्देश पर उसकी लाहना में बाधाये उत्पन्न की जा रही है, और

(ग) यदि नहीं, तो बार-बार शिकायत करने के बावजूद कोई ध्यान न दिये जाने के क्या कारण हैं ?

संचार मंत्रालय में राज्य मंत्री (श्री नरहरि प्रसाद मुखर्जी) : (क) और (ग). सलेमपुर एक छोटा टेलीफोन एक्सचेंज है जिसमें 22 कनेक्शन हैं। मार्च 1977 तक यह एक मैन्युअल एक्सचेंज था और इस के प्रचालन पर अधिक खर्च आने के कारण यह अंशकालिक रूप से काम करता था। 24 घंटे की सेवा देने के लिए एक छोटा आटोमैटिक एक्सचेंज खोला गया है जिस का मूल एक्सचेंज देवरिया है। मौजूदा मैन्युअल एक्सचेंज के बोर्ड पर काम करने वाले दो ऑपरेटरों की सेवाओं को बरकरार रखा गया ताकि रात्रि के समय देवरिया ट्रंक एक्सचेंज को स्विच करके सलेमपुर से हो ट्रंक सेवा की व्यवस्था कर दी जाए। यह व्यवस्था संतोषजनक ढंग से काम कर रही है।

24 घंटे की ट्रंक सेवा सीधे देवरिया ट्रंक एक्सचेंज से दी जा सकती है जिसमें सलेमपुर के ऑपरेटर की मध्यस्थता की कोई आवश्यकता न हो। यह सभी छोटे आटोमैटिक एक्सचेंजों में एक मानक व्यवस्था है जोकि देश के लगभग 3,000 एक्सचेंजों में चल रही है।

सलेमपुर से ही 24 घंटे ट्रंक सेवा देने के सुझाव दिये गए हैं। इससे प्रचालन में काफी ज्यादा लागत आएगी। इस समय भी यह सेवा घाटे पर दी जा रही है। यदि ये सुझाव स्वीकार कर लिये गए तो घाटे आगे और बढ़ जाएंगे।

(ख) जी नहीं।

Cases pending in Labour Courts and their disposal

3597. SHRI VASANT SATHE: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) how many cases are pending in the labour courts, State-wise;

(b) whether it is a fact that the details in settlement of labour dispute have assumed serious proportion; and

(c) if so, what effective action has been taken to ensure speedy disposal of labour cases/disputes?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) A statement showing the number of cases pending with Central Government Tribunal-cum-Labour Courts as on 30-6-78 is attached. State-wise break up of cases is not available.

(b) No, Sir.

(c) Does not arise.

Statement

Statement showing the Pendency of Cases with various Central Government Industrial Tribunal-cum-Labour Courts as on 30-6-78.

S. No.	Name of the Tribunal	Cases under Section 10 of the Industrial Disputes Act	Applications
1.	Central Govt. Industrial Tribunal-cum-Labour Court No. 1, Dhanbad	82	11
2.	Central Govt. Industrial Tribunal-cum-Labour Court No. 2, Dhanbad	3	70
3.	Central Govt. Industrial Tribunal-cum-Labour Court No. 3, Dhanbad	99	91
4.	Central Govt. Industrial Tribunal-cum-Labour Court No. 1, Bombay	62	3547
5.	Central Govt. Industrial Tribunal-cum-Labour Court No. 2, Bombay	46	1909
6.	Central Govt. Industrial Tribunal-cum-Labour Court, New Delhi	189	344
7.	Central Govt. Industrial Tribunal-cum-Labour Court, Jabalpur	29	436
8.	Central Govt. Industrial Tribunal-cum-Labour Court, Calcutta	109	95

Inflated Telephone Bills in Chandigarh

3598. **SHRI BHAGAT RAM:** Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether his attention has been drawn to the news-item published in the 'Tribune' dated the 22nd May, 1978, under the caption "A Phone User's Nightmare";

(b) whether he has enquired into the allegations made in the news item regarding inflated telephone bills in a large number;

(c) if so, what is the result and what remedial steps are being taken by Government; and

(d) how many local telephone users in Chandigarh have surrendered their subscribed trunk dialling (S.T.D.) during this year?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) to (d). The case is under examination. The information will be placed on the Table of the house when the examination is over.

Financial Crisis in Hindustan Steel Works Construction Ltd.

3599. **SHRI A. K. ROY:** Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Hindustan Steel Works Construction Ltd. is in financial crisis due to the lack of work;

(b) whether the lack of work has been created due to the neglect of the HSCL by B.S.L. in assigning job and construction which is being mostly given to the private contractors and multinationals facts in detail;

(c) whether it is a fact that despite lowest tender the job of 2nd Hooghly Bridge, underground tube Railway and Dankuni Gas Plant has been denied to the HSCL; and

(d) what steps Government propose to take to save the HSCL?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) and (b). No, Sir.

(c) The offer of HSCL for Second Hooghly Bridge interchange work is still under consideration by Hooghly River Bridge Commissioners. The tenders submitted for the underground Tube Railway to Metropolitan Transport Project and opened recently are still under scrutiny by the Project. As regards the Dankuni gas Plant, the information is being collected and will be laid on the Table of the House.

(d) Does not arise.

जयपुर के राष्ट्रीय धातुबंद संस्थान को अनुदान

3600. श्री जनवीर प्रसाद बाबु : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) जयपुर के राष्ट्रीय धातुबंद संस्थान को अब तक कितनी केन्द्रीय सहायता प्रदान की गई है ;

(ख) संस्थान को बताने के लिये क्या व्यवस्था की गई है ;

(ग) क्या सरकार इस को केन्द्र के नियन्त्रण में लाने के लिये कोई कानून बनाना चाहती है; और

(घ) इस संस्थान में अभ्यापको शोध पत्रों की संख्या कितनी है और इस समय उनमें से कितने पद खाली पड़े हैं ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जनकश्याम प्रसाद यादव) : (क) केन्द्रीय सरकार ने अब तक राष्ट्रीय धातुबंद संस्थान, जयपुर को सहायता अनुदान के रूप में जो राशि दी है, वह इस प्रकार है —

1976-77 : 5,10,000 रुपये	(पहले ही रीलीज की जा चुकी है)
1977-78 : 11,00,000 रुपये	1978-79 के बजट अनुमानों में कुल 25,000 रुपये के परिष्कार की व्यवस्था की गई है।)
1978-79 : 4,00,000 रुपये	
20,10,000 रुपये	

(ब) राष्ट्रीय धायुर्वेद संस्थान का प्रबन्ध एक शासी निकाय को सौंपा गया है जिसने केन्द्र सरकार के 8 प्रतिनिधि/नामांकित व्यक्ति (इनमें धायुर्वेद क्षेत्र के 4 प्रतिष्ठित व्यक्ति होते हैं), राजस्थान सरकार के 6 प्रतिनिधि। नामित व्यक्ति (इनमें से एक धायुर्वेद के क्षेत्र का प्रतिष्ठित व्यक्ति होता है) और संस्थान का निदेशक होता है। केन्द्रीय स्वास्थ्य और परिवार कल्याण मंत्री इस शासी निकाय के अध्यक्ष और राजस्थान के धायुर्वेद मंत्री इसके उपाध्यक्ष होते हैं। इस संस्थान के निदेशक को पद को भरने के लिए कार्यवाही भी जा रही है। इस समय इसका कार्यभार स्वास्थ्य और परिवार कल्याण मंत्रालय के सहायक मन्त्राधिकार (धायुर्वेद) अपने कार्यभार के अन्तर्गत सभाले हुए हैं।

(ग) राष्ट्रीय धायुर्वेद संस्थान, जयपुर एक रजिस्टर्ड सोसाइटी है, जिसे केन्द्रीय सरकार और राजस्थान सरकार मिल कर चलाते हैं। फिर भी, राजस्थान सरकार का विचार है कि इस संस्थान के लिए एक केन्द्रीय कानून बनवाई जाना चाहिए।

(घ) इस संस्थान में 75 शिक्षण और अनुसंधान पद हैं। निवर्तमान राजकीय धायुर्वेद कालेज, जयपुर के स्टाफ की छान-बीन एक समिति द्वारा यह जानने के लिए की गई थी कि क्या वे इन पदों पर नियुक्त किये जाने के लिए उपयुक्त हैं या नहीं। जो व्यक्ति उपयुक्त पाये गये, उन्हें अपना विवरण देने की सलाह दे दी गई है। इनके बाद 20 पदों के खाली रह जाने की संभावना है जिन्हें अनुमोदिन भरती नियमों के आधार पर भरा जाएगा।

उत्तर बिहार में खोले गये डाकघर और टेलीफोन एक्सचेंज

3602. श्री राज केशव हजारी : क्या संसार मंत्री यह बताने की कृपा करेंगे कि :

(क) गत दो वर्षों में उत्तर बिहार में कितने नये डाकघर और टेलीफोन एक्सचेंज खोले गये हैं ;

(ख) बाबू वर्षों के दौरान उत्तर बिहार में उनके विस्तार की योजना का धौरा क्या है, और

(ग) उसके कब तक पूरा हो जाने की संभावना है और उसके लिये कितनी खनराशि व्यवस्था की गई है ?

संसार मंत्रालय में राज्य मंत्री (श्री बरहुरि प्रताप मुखर्जी साह) (क) डाकघर 40। टेलीफोन एक्सचेंज कोई नहीं।

डाकघर

(ख) बालू वर्ष के दौरान उत्तरी बिहार में 53 डाकघर खोलने का प्रस्ताव है।

(ग) सभी डाकघरों को फरवरी 1979 के अन्त तक खोलने का प्रस्ताव है। डाकघर खोलने के लिए अनुमानित 12,000 रु० की व्यवस्था की गई है।

टेलीफोन एक्सचेंज

(ख) और (ग). उत्तरी बिहार में बाबू वित्तीय वर्ष के दौरान टेलीफोन एक्सचेंज के खोले जाने की योजना, हर एक को दी गई रकम और उसे बाबू करने की अनुमानित तारीख का धौरा नीचे दिया जा रहा है .—

क्रम सं०	एक्सचेंज का नाम	विस्तार से तक (लाइनें)	दी गई रकम (लाख रुपये में)	बाबू करने की अनुमानित तारीख
1	बरभगा	600 700	2.73	31-3-1979
2	छपरा	600 800	5.09	31-3-1979
3	हाजीपुर	200 240	1.05	31-3-1979
4	सिवाय	290 360	2.42	31-12-1978
5	सहृस्ता	200 360	3.18	31-3-1979
6	पुरनिवा	300 360	3.20	31-1-1979

सवाई माधोपुर में सार्वजनिक टेलीफोन और टेलीफोन सेवा में ह्रास

3603. श्री बीरज लाल पटेल : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सवाई माधोपुर (कोटा राजस्वान) में एस० बी० ओ० टी० सेब में टेलीफोन सेवा में गत एक वर्ष से ह्रास हो रहा है और यदि हाँ, तो इसके क्या कारण हैं ;

(ख) क्या सवाई माधोपुर एक्सचेंज के नियन्त्रणाधीन सार्वजनिक टेलीफोन अधिकतम समय खराब रहते हैं और यदि हाँ, तो इसके क्या कारण हैं; और

(ग) यदि नहीं, तो गत छ महीनों के दौरान प्रति दिन उक्त सार्वजनिक टेलीफोन कमरा कितने समय ठीक चालू हालत में रहे और कितने समय खराब रहे ?

संचार मंत्रालय में राज्य मंत्री (श्री मरहूरि प्रसाद मुखर्जी साह) (क) से (ग) प्रपेजिन कृपया एकत्र की जा रही है और इसे मध्याह्न पर रख दिया जाएगा ।

Appointment of specialists in Indian system of Medicines

3604 SHRI MAHI LAL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government have appointed specialists in Indian systems of medicines i.e. Ayurvedic, Homoeopathic systems or given promotions to the rank of specialists to highly qualified and specialists degree holder doctors of these systems working in CGHS as in the cases of Allopathic system of medicine;

(b) if not, the reasons for not making available specialised facilities to the beneficiaries who are undergoing prolonged treatment in the Indian system of medicines and are not getting any relief; and

(c) if so, the number of such specialists appointed in each of the Indian system of medicines?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) to (c). 6 senior and experienced Physicians—4 in Ayurveda, 1 in Unani system and 1 in Homoeopathy—have been appointed on an honorary basis for purposes of specialist consultations by CGHS beneficiaries under-going treatment in Indian systems of medicines and Homoeopathy.

बोकारो इस्पात संयंत्र की क्षमता

3605. श्री रामानन्द तिवारी : क्या इस्पात और जल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बोकारो इस्पात संयंत्र की उत्पादन क्षमता एक करोड़ टन की है ;

(ख) क्या अब इस की क्षमता एक करोड़ टन के स्थान पर 40 लाख टन कर दी गई है ;

(ग) यदि हाँ, तो इसके क्या कारण हैं, और

(घ) इस कारखाने की वर्तमान उत्पादन क्षमता क्या है ?

इस्पात और जल मंत्रालय में राज्य मंत्री (श्री कृष्णा मुखर्जी) : (क) जी, नहीं ।

(ख) और (ग) प्रश्न नहीं उठते ।

(घ) बोकारो इस्पात कारखाने का वर्ष 1977-78 और अप्रैल-जुलाई, 1978 की अवधि का इस्पात पिच का उत्पादन नीचे दिया गया है —

	(हजार टन)	
	1977-78	1978-79
	(अप्रैल, जुलाई 1978)	
इस्पात पिच का उत्पाद	933.3	344.9

Large scale thefts in Steel Plants

3606. SHRI AMARSINH V. RATHAWA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether it is a fact that there is a large scale of loss, pilferage and

theft of stocks from Durgapur, Rourkela, Bhilai Steel Plants and such other ones;

(b) how much such loss, pilferage and theft occurred during 1975 to 1978 and the value of the said stock; and

(c) the steps taken by Government to prevent the same?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA):

(a) There are some incidents of pilferage and theft in the steel plants under Steel Authority of India Ltd. at Bhilai, Rourkela, Bokaro and Durgapur.

(b) The value of property stolen and the amount recovered at these plants during the last three years is given below:—

Year	Value of property stolen (Rs.)	Value of property recovered (Rs.)
1975-76 . . .	2,34,371	1,10,476
1976-77 . . .	2,93,596	1,59,925
1977-78 . . .	4,04,121	2,38,777

(c) Under the existing security arrangement, there is intensive patrolling both in side and outside the plant. Repetitive areas of thefts are identified for better supervision. Checking at the gates for entry and exit both for men and materials, restricted issue of passes, provision of anti-climbing devices and erection of watch towers with search lights are other measures adopted to curb pilferage. These steps have been further tightened. Government have instructed the steel plants to take strong action against the offenders.

Non-functioning of S.T.D. between Delhi and Faridabad

3607. CHOWDHARY BALBIR SINGH: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether 99.9 per cent telephones in Faridabad usually remains out of order through out;

(b) whether it is very difficult to get STD number from Delhi for Faridabad and it takes hours together to get the number; and

(c) if so, the measures Government propose to take to enable the subscribers to use their telephones at Faridabad in a proper way and to get the number from Delhi to Faridabad easily?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) No Sir.

(b) No Sir, calls from Delhi to Faridabad are not STD calls but local calls. There is, however, a very high traffic flow between Delhi and Faridabad which causes congestion during certain busy periods.

(c) In order to relieve the congestion a new tandem exchange has been opened recently. Exchanges are being transferred progressively on this new route. This is expected to reduce the congestion on calls to Faridabad from Delhi exchanges. Immediate improvement is, therefore, expected in the next few months due to this. For long term improvement it is proposed to increase the capacity of junctions from Faridabad and Delhi and *vice versa* by laying coaxial cable between these two stations.

G.S.I. Review Committees recommendations

3608. SHRI A. R. BADRI NARAYAN: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Geological Survey of India Review Committee's recom-

recommendations have been accepted by Government;

(b) if so, the nature of decision taken;

(c) whether Government have considered the aspect that as a scientific Department and with the role it has to play in the national development, whether it would not be desirable to have more effective representation of scientists of the Department in the management council, also to be headed by D.G. of the Department; and

(d) whether Government would reconsider its decision, if it has not already done on those lines?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA):

(a) Yes, Sir With certain modifications.

(b) The Government has resolved to constitute a Board of Management for Geological Survey of India, which will be an integral part of the organization, and which enable greater devolution of power and responsibilities to the organisation and a greater freedom to Scientists in the implementation of their programmes.

(c) Yes, Sir Effective representation of scientists has been secured in the Management Board. However, Government have come to the conclusion that Board of Management of G.S.I. should be headed by the Secretary, Ministry of Steel and Mines.

(d) Question does not arise.

Scarcity of qualified Pharmacists

3609. SHRI M. RAMGOPAL REDDY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether there is likely to be unemployment amongst the already self employed science graduates engaged in the Chemists business because of the amendment made in the

Pharmacy Act whereby no pharmacy will be allowed to run without a registered pharmacist after 1980;

(b) whether any scheme of a short term capsuled correspondence course is being started to enable them to qualify for registration as pharmacists; and

(c) whether Government propose to consider standardisation of some tests to be conducted by the State Drug Controllers for those engaged in the business for long periods to qualify for registration as Pharmacists?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV):

(a) Under the provisions of the Drugs and Cosmetics Act, 1940 and the Rules thereunder, a licence is required for sale of drugs. There are three types of licences viz "Wholesale Licence", "Restricted Licence" and "Retail Licence". Self employed science graduates who are engaged in the sale of drugs against "Wholesale Licences" or "Restricted Licences" will not be affected by the amendments to the Pharmacy Act under which no person other than a "registered pharmacist" can compound or dispense any medicine on the prescription of a registered medical practitioner beyond 31st August, 1981. Self employed science graduates engaged in the chemists business who had been approved as a "Qualified Person" on the basis of their practical experience for the conduct of chemists business under the Drugs and Cosmetics Rules, 1945 on or before 31st December, 1969 can also continue to operate "Retail Licences" as they are eligible for registration as "registered pharmacists".

(b) No.

(c) The question of prescribing a short term course for those who have

passed the matriculation or its equivalent examination and have been engaged in dispensing or compounding of drugs over a period of years to enable them to qualify for prescribed pharmacy diploma is under consideration.

Scheme to utilize Vast Deposit of Manganese in M. P.

3610. SHRI AGHAN SINGH THAKUR: Will the Minister of STEEL AND MINES be pleased to state:

(a) in view of the vast potential of manganese ore deposits in Madhya Pradesh have the Government any scheme to utilize it;

(b) if so, the details thereof; and

(c) whether Government would consider the desirability to establish a ferro-manganese plant to make best use of the vast potential?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) and (b). The manganese ore deposits of Madhya Pradesh are being exploited to meet the requirements of ferro-manganese producers and steel plants

(c) The Manganese Ore (India) Limited have been recently given a licence for setting up a ferro-manganese plant with annual capacity of 60,000 tonnes per annum.

Telephone Exchanges in Haryana

3611. DR. Vasant KUMAR PANDIT: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the total number of telephone exchanges in Haryana, District-wise and how many of them are manual and automatic;

(b) the number of applications pending for telephone connections, exchange-wise; and

(c) whether Jhajjar being the nearest from Delhi will be connected by S.T.D. as per policy of Government that cities within the square of 40 miles will be linked with Delhi and if not, the reasons therefor and by when it would be linked?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) The total number of telephone exchanges in Haryana as on 31-3-78 was 108. The district-wise details are enclosed in statement

(b) The number of applications pending as on 31-3-78 was 1413. The exchange-wise number is given in statement II.

(c) The policy of the Government regarding provision of STD at this stage applies to the district headquarters within 300 kilometers of Delhi. Jhajjar not being a district headquarter is not covered by this policy.

Statement-I

District-wise number of telephone exchanges in Haryana

Sl. No.	District	No. of Manual Exchanges	No. of Auto-Exchanges	Total
1. Ambala		4	13	17
2. Bhiwani		2	7	9
3. Gurgaon		3	10	13

Sl. No.	District	No. of Manual Exchanges	No. of Auto-Exchanges	Total
4. Hissar		6	7	13
5. Jind		2	7	9
6. Karnal		3	7	10
7. Kurukshetra		4	9	13
8. Mohindergarh		1	6	7
9. Panipat		2	2	4
10. Rohtak		2	4	6
11. Sirsa		3	4	7
TOTAL		32	76	108

Statement-II

Sl. No	Name of Exchange	Waiting list.
1. Ambala Cantt.		48
2. Ambala City		46
3. Atand		1
4. Babain		11
5. Badshahpur		1
6. Barara		3
7. Banwala (Ambala)		1
8. Bhiwani		16
9. Bihta		5
10. Bilaspur		4
11. Chankhidandni		7
12. Chhachhrauli		3
13. Chika		3
14. Dabwali		36
15. Dingmandi		1
16. Ellanabad		4
17. Faruknagar		1
18. Fatehbad		1
19. Ferozepore Jhirka		1

Statement-II

Sl. No.	Name of Exchange	Waiting list
20. Ganaur		4
21. Gharaunda		9
22. Gohana		1
23. Gurgaon		56
24. Hailykandi		2
25. Hansi		6
26. Hissar		84
27. Hodel		2
28. Indni		13
29. Ismailabad		3
30. Asrana Motimandi		4
31. Jagadhri		37
32. Jhajjar		6
33. Jhansa		1
34. Jind		6
35. Jui		1
36. Kaithal		14
37. Kalanaur		5
38. Kalanwali		3
39. Kalyat		2

Statement-II

Sl. No.	Name of Exchange	Waiting list
40.	Kalka	24
41.	Karnal	84
42.	Khankehauda	1
43.	Kosli	2
44.	Kurukshetra	8
45.	Ladwa	16
46.	Mullana	2
47.	Mustafabad	2
48.	Narsingarh	3
49.	Narnaul	18
50.	Nilokheri	6
51.	Nissang	7
52.	Nuh	1
53.	Palwal	2
54.	Panipat	37 ¹
55.	Pehowa	9
56.	Pundni	4
57.	Radaur	9
58.	Rania	1
59.	Ratia	11
60.	Reowari	16
61.	Rohtak	13 ¹
62.	Sadhaura	3
63.	Saha	1
64.	Samalkha	12
65.	Sampla	1
66.	Shahbad Markanda	5
67.	Sirsa	63
68.	Siwan	6
69.	Siwani	4
70.	Sohna	1
71.	Sonepat	54
72.	Tarauni	3
73.	Tehana	11
74.	Yamunanagar	66
Total W/list. . . .		1,413

Failure of Talks between Super Powers regarding Indian Ocean

3612. SHRI YADVENDRA DUTT: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the talks between the super powers for the mutual limitation of arms in the Indian Ocean has failed; and

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

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) The last round of talks between U.S.A. and U.S.S.R. on arms limitation in the Indian Ocean was held in Switzerland in February 1978. Since then, there has been no indication when these talks might be resumed.

(b) In recent talks with the representatives of U.S.A. and U.S.S.R., the Government of India has expressed disappointment at the suspension of these talks and hope that the talks would be resumed soon and would result in an agreement which could lead to the eventual removal of the military presence of the Big Powers from the Indian Ocean

Malaria in Delhi

3613. SHRI SURENDRA BIKRAM: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether his attention has been invited to the item 'Malaria Sweeps Delhi' appearing on page 3 of the 'Hindustan Times' dated the 21st July, 1978 and if so, the steps taken to check it immediately;

(b) whether no reduction in malaria staff and sprinkling of insecticides was made during the past year and if so, what are the special reasons for resurgence of malaria; and

(c) whether some foreign assistance has also been sought for preventing malaria if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) Yes, Sir. The Municipal Corporation of Delhi, in close co-ordination with the Dte. of N.M.E.P. and Delhi Administration as well as other agencies conducting anti-malarial work in Delhi, have taken steps to control the malaria situation. Such steps are:

1. *Anti-larval measures:* The Municipal Corporation of Delhi have extended such measures from 90 Sq. miles area to 180 Sq. miles for which men and material have been proportionately increased. Anti-larval work has also been intensified by New Delhi Municipal Committee Deweeding and desilting of big nullahas has been undertaken.

2. *Surveillance operations:* About 500 Fever Treatment Depots and 100 Malaria Clinics have been opened by the Delhi Municipal Corporation in Medical institutions of different disciplines and administrative organisations and stores, microscopes and laboratory technicians have been provided there. The N.D.M.C. have also intensified surveillance work by opening three more clinics.

3. *Domestic Breeding:* The Delhi Municipal Corporation have constituted 80 teams for checking domestic breeding of mosquitoes.

4. *Active Surveillance:* Active surveillance is also being reintroduced in areas held by the Delhi Municipal Corporation.

5. *B.H.C. Spray:* B.H.C. Spray is being done on large scale for covering rural areas, resettlement colonies, riverine belt in two rounds. The first round is in progress. For this

purpose, additional labour, supervisors, and vehicles have been provided. Focal spray operations have been intensified in N.D.M.C. areas.

6. *Health Education:* For enlisting full co-operation of the public, a large scale drive for mass education, through radio, T.V., newspapers and other media like posters, handbills, etc. has been launched.

7. *Co-ordination:* As there are large number of implementing agencies in the Union Territory of Delhi, the progress of anti-malaria operations is reviewed by the Chief Secretary every week. All agencies engaged in this work including representatives of Dte. N.M.E.P. and Defence Services also participate and necessary decisions to implement the various programmes are taken and follow-up action reviewed in the subsequent meetings. The Government of India have also appointed a Central Co-ordinating Officer to co-ordinate the activities of the various organisations.

(b) No reduction in Malaria Staff and spraying of insecticides was made during the past year. The main reasons for the resurgence of malaria in Delhi are as under:—

1. Though there was development and urbanisation of Delhi, the corresponding field staff for anti-larval work was not engaged.

2. Un-authorised colonies with resultant defective drainage.

3. Abnormal floods and mild summer during the last year.

4. Existence of multiple agencies doing anti-malarial work, namely, M.C.D., N.D.M.C., Contonment Board, D.D.A., Railways, All India Radio, Zoological Park, etc.

5. Technical reasons like developing resistance by the vector to insecticides like DDT.

6. Quality and coverage of the spray by the local bodies being

the assistance was rather unsatisfactory.

(c) Assistance is being provided by UNICEF, WHO and SIDA by way of material and equipment and also for containment of *P. falciparum* infection in the areas where such infection is predominant. Details of the assistance from these sources are as follows:—

1. WHO—Fellowships, training, short-term consultants and material and equipment.

2. UNICEF—Anti-malarial drugs

3. SIDA—Operational field research and containment of *P. falciparum* programme in 55 districts of the country in different States

गोवा, दमन और दीव में प्रति व्यक्ति चिकित्सा व्यय

3614 श्री हुकम चन्द कछवाय : क्या स्वास्थ्य और परिवार कल्याण मंत्री प्रति व्यक्ति चिकित्सा व्यय के बारे में 6 अप्रैल, 1978 के सांघिक प्रश्न संख्या 626 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि

(क) क्या केन्द्र तथा राज्य सरकार ने वर्ष 1974-75 में गोवा, दमन और दीव में प्रति व्यक्ति चिकित्सा व्यय 35 रुपये 20 पैसे किया था और यदि हाँ, तो क्या वर्ष 1976-77 और 1977-78 में इसकी बढ़ाने का विचार था,

(ख) यदि हाँ, तो कितना तथा क्या सरकार अब तक किए गए प्रति व्यक्ति व्यय से सन्तुष्ट है; और

(ग) यदि नहीं, तो क्या सरकार अन्य देशों से सहायता लेने के पक्ष में है और यदि हाँ, तो इस सम्बन्ध में किन-किन देशों के साथ बातचीत चल रही है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय के राज्य मंत्री (श्री जगन्मोहि प्रसाद दास) : (क) और (ख) : प्रति व्यक्ति व्यय 35.20 रुपये था। जो कि राज्य और केन्द्र, दोनों सरकारों द्वारा किए गये प्लान और नान-प्लान खर्च पर आधारित है। 1975-76 में गोवा, दमन व दीव में स्वास्थ्य संबंधी प्रति व्यक्ति खर्च जो 47.59 रुपये हुआ था वह 1976-77 में बढ़कर 43.06 रुपये हो गया। वर्ष 1977-78 के वर्ष के आंकड़े अभी संघटित किए जाने हैं।

केन्द्र और राज्य सरकारों गोवा, दमन व दीव में स्वास्थ्य सेवाओं को सुलभ करने की स्थिति में सुधार लाने के लिए भरपूर प्रयास कर रही हैं और राज्य सरकार और केन्द्र आयोजित विभिन्न योजनाओं को कार्यान्वित करने के लिए योजना आयोग द्वारा स्वीकृत परियोजना के अनुसार सहायता दी जा रही है।

1976-77 में गोवा, दमन व दीव में स्वास्थ्य कार्यक्रमों पर जो योजना खर्च 101.39 लाख रुपये हुआ था, वह 1977-78 में बढ़कर 205.47 लाख रुपये हो गया।

(ग) सरकार किसी भी राज्य विशेष के लिए विदेशी सहायता नहीं मांग रही है। वैसे, विदेशों ने मलेरिया नियंत्रण, अधना निवारण, चिकित्सा शिक्षा का नया रूप देने आदि जैसी हमारी कुछ राष्ट्रीय योजनाओं के लिए सहायता दी है। किसी राज्य विशेष के स्वास्थ्य क्षेत्र के कार्यक्रम के लिए निश्चित किए गए समय योजना परियोजना में सारे देशगत और विदेशी मात्र-सामान दोनों की शरक मिलती है।

पश्चिम बंगाल में प्रति व्यक्ति चिकित्सा व्यय

3615 श्री हुकम चन्द कछवाय : क्या स्वास्थ्य और परिवार कल्याण मंत्री प्रति व्यक्ति चिकित्सा व्यय के बारे में 6 अप्रैल, 1978 के तारकित प्रश्न संख्या 626 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि

(क) क्या पश्चिमी बंगाल में 1974-75 में केन्द्र तथा राज्य सरकार द्वारा किया गया प्रति व्यक्ति चिकित्सा व्यय 9 रुपये 74 पैसे था और यदि हाँ तो क्या 1976-77 और 1977-78 में उसमें वृद्धि करने का विचार था,

(ख) यदि हाँ, तो कितनी तथा क्या अब तक किए गए प्रति व्यक्ति खर्च से सरकार सन्तुष्ट है, और

(ग) यदि नहीं, तो क्या सरकार अन्य देशों से सहायता लेने के पक्ष में है और यदि हाँ तो इस सम्बन्ध में किन देशों के साथ इस समय, बातचीत हो रही है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय के राज्य मंत्री (श्री जगन्मोहि प्रसाद दास) : (क) और (ख) : प्रति व्यक्ति व्यय 9.78 रुपये था जो कि राज्य और केन्द्र दोनों सरकारों द्वारा किए गये प्लान और नान-प्लान खर्च पर आधारित है। 1975-76 में पश्चिम बंगाल में स्वास्थ्य संबंधी प्रति व्यक्ति खर्च जो 12.31 रुपये हुआ था वह 1976-77 में बढ़कर 13.38 रुपये हो गया। वर्ष 1977-78 के वर्ष के आंकड़े अभी संकलित किए जाने हैं।

केन्द्र और राज्य सरकारों पश्चिम बंगाल में स्वास्थ्य सेवाओं की सुलभ करने की स्थिति में सुधार लाने के लिए बरपूर प्रयास कर रही हैं और राज्य सरकार को राज्य और केन्द्र प्रायोजित विभिन्न योजनाओं को कार्यान्वित करने के लिए योजना प्रायोग द्वारा स्वीकृत परिषद के अनुसार सहायता दी जा रही है ।

1976-77 में पश्चिम बंगाल में स्वास्थ्य कार्यक्रमों पर जो योजना खर्च 919 14 लाख रुपये हुआ था, वह 1977-78 में बढ़कर 1113 73 लाख रुपये हो गया ।

(ग) सरकार किसी भी राज्य विभाग के लिए विदेशी सहायता नहीं मांग रही है । जैसे, मिस्र को ने मलेरिया नियंत्रण प्रघटा निवारण, चिकित्सा शिक्षा का नया रूप देने आदि जैसी हमारी दुर्लभ राष्ट्रीय योजनाओं के लिए सहायता दी है । किसी राज्य विशेष के स्वास्थ्य क्षेत्र के कार्यक्रम के लिए निश्चित किए गए समग्र योजना परिषद में सार देशगत और विदेशी साज-सामान दोनों की सलज मिलती है ।

उत्तर प्रदेश में प्रति व्यक्ति चिकित्सा व्यय

3616 श्री हुकम चन्द कछवाय क्या स्वास्थ्य और परिवार कल्याण मंत्री प्रति व्यक्ति चिकित्सा व्यय के बारे में 6 मई, 1978 के नाराकित प्रश्न सख्या 626 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि ,

(क) वर्ष 1974-75 में उत्तर प्रदेश में केन्द्र तथा राज्य सरकार ने प्रति व्यक्ति 5 04 रुपये किया था

(ख) यदि हा तो क्या वर्ष 1976-77 और 1977-78 में इसकी बढ़ाने का विचार था और यदि हा तो कितना और क्या सरकार अब तक किये गये प्रति व्यक्ति व्यय से संतुष्ट है, और

(ग) यदि नहीं, तो क्या सरकार अन्य देशों से सहायता लेने के पक्ष में है और यदि हा, तो उन देशों के नाम क्या हैं जिन के साथ इस सम्बन्ध में अब बातचीत चल रही है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जगदम्बी प्रसाद यादव) :
(क) और (ख) प्रति व्यक्ति व्यय 5 08 रुपये था जो कि राज्य और केंद्र, दोनों सरकारों द्वारा किए गए प्लान और नॉन प्लान चर्च पर आधारित है । 1975-76 में उत्तर प्रदेश में स्वास्थ्य संबंधी प्रति व्यक्ति व्यय जो 5 36 रुपये हुआ था वह 1976-77 में बढ़कर 5 84 रुपये हो गया । वर्ष 1977-78 के लक्ष्य के आंकड़े अभी संकलित किए जाने हैं

केन्द्र और राज्य सरकारों उत्तर प्रदेश में स्वास्थ्य सेवाओं की सुलभ करने की स्थिति में सुधार लाने के लिए बरपूर प्रयास कर रही हैं और राज्य सरकार को राज्य और केन्द्र प्रायोजित विभिन्न योजनाओं को कार्यान्वित करने के लिए योजना प्रायोग द्वारा स्वीकृत परिषद के अनुसार सहायता दी जा रही है ।

1976-77 में उत्तर प्रदेश में स्वास्थ्य कार्यक्रमों पर जो योजना खर्च 658 22 लाख रुपये हुआ था, वह 1977-78 में बढ़कर 880 00 लाख रुपये हो गया ।

(ग) सरकार किसी भी राज्य विशेष के लिए विदेशी सहायता नहीं मांग रही है । जैसे विदेशों ने मलेरिया नियंत्रण, प्रघटा निवारण चिकित्सा शिक्षा को नया रूप देने आदि जैसी हमारी कुछेक राष्ट्रीय योजनाओं के लिए सहायता दी है । किसी राज्य विशेष के स्वास्थ्य क्षेत्र के कार्यक्रम के लिए निश्चित किए गए समग्र योजना परिषद में सारे देशगत और विदेशी साज-सामान दोनों की सलज मिलती है ।

बांकानेर तथा सुरेन्द्र नगर, गुजरात के बीच सीधी यातायात सुचारु सेवा का कार्य में करना

3617 श्री धर्मसिंहलाई पटेल क्या सचार मंत्री यह बताने की कृपा करेंगे कि

(क) क्या गुजरात राज्य के सौराष्ट्र क्षेत्र में बांकानेर तथा सुरेन्द्र नगर के बीच एक सीधी ट्रक काल सेवा है और क्या इसके बावजूब भी दोनों नगरों के व्यापारियों तथा निवासियों की कानें छ से । प्राठ बटे तक के प्रयास के बाद भी नहीं मिलती है और क्या इस सबब में निवायसे बांकानेर तथा सुरेन्द्र नगर से सरकार की नेजी गई है ,

(ख) उन पर क्या कार्यवाही की गई है प्रथमा करने का विचार है, और

(ग) बांकानेर तथा सुरेन्द्र नगर के उपभोग-तामा को बेहतर टेलीफोन सेवामें प्रदान करने और तत्संबंधी उनकी शिकायते जूर करने के लिये सरकार का विचार क्या कार्यवाहा करने का है ?

सचार मंत्रालय में राज्य मंत्री (श्री नन्दिनी प्रसाद मुखर्जी यादव) (क) से (ग) जी हा । बांकानेर और सुरेन्द्रनगर के बीच एक सीधी सड़िड वाम कर रहा है । कुछ समय पहले मदन हजीनियर को बांकानेर का बीरा करते समय एक शिकायत मिली थी जिस पर बीने पर बार्बाई की गई थी । तबसे इस सेवामें सुधार हुआ है । इस समय एक साधारण काल लगने में औसत

कप के 15 मिण्ट का विलंब है। कबत कबक में यह विलंब 1-2 घंटे तक बढ़ जाया है।

जाम कंडोरणा तथा धोरजी के बीच सोहरी टेलीफोन लाइन बिछाना

3618. श्री धर्मेन्द्र जाई पटेल : क्या संचार मंत्री यह बातने की ज्ञा करने कि :

(क) क्या गुजरात के सीराम्पु जेल में राजकोट जिले में जामकंडोरणा नगर के टेलीफोन उप-प्रोव्सा संघ ने उनके मंत्रालय धीर धर्मरावाध, राजकोट तथा गुनागड़ स्थित दूर-संचार प्रधिकारियों को जामकंडोरणा तथा धोरजी के बीच एक सोहरी टेलीफोन लाइन बिछाने धीर 100 टेलीफोनों की क्षमता वाले एक पृथक बोर्ड के लिये एक आवेदन पत्र भेजा है ;

(ख) उक्त मांगें कब तक पूरी कर दी जायेंगी; धीर

(ग) टेलीफोन सुविधायें बढ़ाने तथा तालुक के महत्वपूर्ण नगर जामकंडोरणा नगर में इस समय जमे टेलीफोनों में सुधार हेतु सरकार ने क्या कार्यवाही की है धन्य करने का विचार है ?

संचार मंत्रालय में राज्य मंत्री (श्री नरसिं प्रसाद गुजराव साव) (क) की हां।

(ख) जामकंडोरणा धीर धोरजी के बीच दूसरी टंक लाइन 9-9-1977 को बालू कप दी गई है। दावा है कि इस वर्ष के अन्त तक जामकंडोरणा एक्सचेंज का विस्तार 50 लाइनों से 100 लाइनों तक कर दिया जायेगा।

(ग) मध्य की मांगों को पूरा करने के लिये मौजूदा जामकंडोरणा एक्सचेंज का समुचित रूप से विस्तार कर दिया जायेगा। इसी प्रकार टंक परिपात को पूरा करने के लिये परिपत्रों की संख्या में समुचित रूप से वृद्धि कर दी जायेगी।

Copper Deposits in States

3619. SHRI K. PRADHANI: Will the Minister of STEEL AND MINES be pleased to state:

(a) the details regarding copper deposits that have been located in the various States; and

(b) the details regarding their performances ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA):

(a) and (b). While minor occurrences of copper are located in most of the States significant deposits known are located in Rajasthan, Bihar, Karnataka and Madhya Pradesh. Copper deposits in Rajasthan and Bihar are already being exploited by M/s. Hindustan Copper Ltd. and those in Karnataka by M/s. Chitradurga Copper Co. Ltd. and Hutti Gold Mines Co. Ltd. The Malanjkan Copper Project of M/s. Hindustan Copper Ltd. in Madhya Pradesh is under a preliminary stage of execution. The Andhra Pradesh Mining Corporation is developing the Mallarma deposit in Andhra Pradesh. The total production of copper ore in the country during the year 1977 was 25,58,541 tonnes.

Opening of I.T.Is in Assam and N.E. Region

3620. SHRI AHMED HUSSAIN: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the name of places, where Industrial Training Institutes in Assam and other parts of N.E. Region are located; and

(b) the name of places where such I.T.Is. will be opened during the next two years in the N.E. Region?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) A statement is attached.

(b) The Ministry of Labour has not received any proposals from the State Governments/Union Territories in the North Eastern Region for opening I.T.Is. during the next two years.

Statement

The Statements showing Government Industrial Training Institutes in North East Region.

Sl. No.	Name of State/Union Territory	Name of the Places where ITIs are located
1.	Assam	1. Bongaigaon 2. Barpeta 3. Gauhati 4. Jorhat 5. Nowgong 6. Srikona Cachar 7. Tezpur 8. Tinsukia at Jorhat *9. Diphu
2.	Tripura	1. Indranagar (Agartala) 2. Kailashahr
3.	Manipur	1. Imphal *2. Churachandpur Saket *3. Ukhaul *4. Karang *5. Tamenglong
4.	Meghalaya	1. Shillong *2. Tura
5.	Arunachal Pradesh	1. Roing
6.	Mizoram	1. Aijal Aizwal
7.	Nagaland	1. Kohima

*Note : The Institutes are yet to be affiliated to the National Council for Training in Vocational Trades.

Distinction between Telecommunications and Telephon Districts

3621. SHRI AHMED HUSSAIN: Will the Minister of COMMUNICATIONS be pleased to define the words Telecommunication and Telephones and which are such type of Districts/Circles as is being confused as Delhi Telecommunications and Delhi Telephones in the various advertisements?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): Telecommunications is a broad term covering provision of various types of services for communication (speech, signals, data etc.) at a distance as by cable, telegraphs, telephones or Radio, whereas the word 'Telephone' is used to indicate the ser-

vice for transmitting speech alone to a distance, by a telephone and other equipment. In the P&T Department these terms are generally used to denote the organisations in the field which provide both Telephone and Telegraph Services and those provide Telephone Services alone. For organisations for concentrated systems in large cities, because they provide only telephone service, the nomenclature 'Telephone District' is generally used. The organisation for Delhi is, however, an exception because of the fact that the telegraph offices have also been placed under the charge of the General Manager Delhi Telecommunications. The Circles in the Telecom. Wing of the P&T Department provide both Telephone and Telegraph Services and are, therefore, called 'Telecom. Circles'.

Allocation/Retention of Accommodation after Retirement

3622. SHRI AHMED HUSSAIN Will the Minister of COMMUNICATIONS be pleased to state:

(a) number of such cases upto 31st May, 1978 whom accommodation has been allotted or allowed to be retained consequent upon the retirement of P & T employees; and

(b) the justification for such retention?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARIHARI PRASAD SUKHDEO SAI): (a) As the period for which this information is required is not mentioned, it has not been possible to collect the same.

(b) Under the rules a retired Government servant can retain quarters for two months and thereafter he can apply for retention of quarters which can be sanctioned by the competent authority. Normally the retired Government servants apply for retention of the quarters due to education, medical treatment, marriages of their dependents or due to the possibility of getting private or Government accommodation by their dependent children or due to inability to secure proper private accommodation to vacate Government quarters.

Districts/Circles with own Workshops in P & T Deptt.

3623. SHRI AHMED HUSSAIN: Will the Minister of COMMUNICATIONS be pleased to name the Districts/Circles in the P&T Department who have their own workshops with locations and name of those circles who do not have their own workshops with locations and branch locations and names of those circles who do not have their own workshops with reasons and by when they will be provided?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARIHARI PRASAD SUKHDEO SAI): All Telephone Districts/Circles in the P&T Department have their own repair workshops. The information on location and branch locations is being collected and the same will be placed on the table of the House expeditiously.

बिलों का भुगतान न करने के कारण बिहार सकल और पटना टेलीफोन डिस्ट्रिक्ट में टेलीफोन का काटा जाना

3624. श्री के 0 ए 0 राजन : क्या संचार मंत्री यह बताने की कृपा करेंगे कि

(क) क्या टेलीफोन बिना का भुगतान न करने के मामले में निपटारा के धनगत टेलीफोन कनेक्शन काटे जा सकते हैं ,

(ख) यदि हा, तो क्या बिहार सकल और पटना टेलीफोन डिस्ट्रिक्ट में हजारों रुपये के टेलीफोन बिल बकाया पड़े रहने के बावजूद प्रयोक्ताओं को टेलीफोन नहीं काटे गये हैं ,

(ग) यदि हा, तो इसके क्या कारण हैं और प्रत्येक की ओर बिजनी गति बकाया है, और

(घ) उनके विरुद्ध क्या कार्यवाही करने का विचार है ?

संचार मंत्रालय में राज्य मंत्री (श्री नरसिंह प्रसाद सुखदेव साय) : (क) से (घ). वास्तव में एकल की जा रही है और इसे सहाय्य समय तथा पटल पर रख दिया जाएगा ।

Import of Equipment for nation-wide S.T.D. system

3626. SHRI MOHINDER SINGH SAYIANWALA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government have plans to import equipment to speed up the establishment of a nation-wide subscriber's trunk dialling system/service; and

(b) the progress made in this regard as far as implementation is concerned?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARIHARI PRASAD SUKHDEO SAI): (a) Yes, Sir.

(b) Global tenders are being invited for Electronic equipment for four main Trunk Automatic Exchanges. Proposals for import of Trunk Automatic Exchanges at 3 other centres are also under consideration.

State-wise Workers in Organised and Unorganised Sectors and their Wages

3627 SHRI DURGA CHAND Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state

(a) the number of workers in each State at present under organised and unorganised sectors separately,

(b) the wages fixed by each State Government for labour under each sector,

(c) whether the Central Government have issued or propose to issue any guidelines to the State Governments in regard to welfare measures to be taken by the Government for labour;

(d) if so, the details thereof, and

(e) what steps have been taken by each State Government during 1977-78 for labour welfare and with what results?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) (a) The number of workers, statewide, at the end of June 1977 in establishments in the organised sector, covered by the Employment Market Information Programme of the Ministry of Labour is given in the enclosed statement. According to an estimate made by the Planning Commission using the results of the 27th Round of the National Sample Survey and the 1971 Census, there were about 23.61 crores of workers in the unorganised sector at the end of March 1978.

(b) Minimum rates of wages fixed by the various State Governments under the Minimum Wages Act, 1948 in respect of employment covered

under the Act have been published in the Indian Labour Statistics, 1978—in Table 4.6 on pages 82-139—copies of which are available in the Lok Sabha Library.

(c) and (d) Tripartite welfare advisory committees with representatives of the State Governments concerned guide welfare measures to workers employed in coal, mica, iron ore, limestone and dolomite mines and the brick industry.

(e) The matter falls in the State sphere of action.

Statement

Number of Workers in establishments in the organised sector covered by the Employment Market Information Programme of the Ministry of Labour*

(In lakhs)

Zone/State/Union Territory

North Zone

Haryana	4.23
Punjab	5.57
Himachal Pradesh	2.22
Chandigarh	0.48
Delhi	6.35
Rajasthan	7.14
Jammu & Kashmir	1.98

Central Zone

Madhya Pradesh	12.20
Uttar Pradesh	21.15

Eastern Zone

Assam	8.50
Meghalaya	0.40
Manipur	0.29

NOTE: *The Employment Market Information Programme covers all public sector establishments and non-agricultural establishments in the private sector employing 10 and above workers.

@ Figure relates to 31st March, 1977

Mizoram	0' 14
Tripura	0' 31
Bihar	15' 26
Orissa	4' 91
West Bengal	15' 07
<i>Western Zone</i>	
Gujarat	11' 66
Maharashtra	30' 36
Goa, Daman & Diu	0' 52
<i>Southern Zone</i>	
Andhra Pradesh	12' 40
Karnataka	10' 29
Kerala	9' 46
Pondicherry	0' 37
Tamil Nadu	16' 82
TOTAL	207' 68

Shortage of Accommodation in Poona City St. Office Pune R. M. S.

3628. SHRI R. K. MHALGI. Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether there is a shortage of accommodation in Poona City St. Office Pune R.M.S. entailing congestion in office and also no proper and sufficient light, air and sanitary amenities;

(b) when the above said plight of the said office is brought for the first time to the notice of the authorities;

(c) what steps are taken in that regards since then; and

(d) if not, the reasons thereof and what measures are likely to be taken in the near future in regard to the difficulties mentioned above?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHEDEO SAI): (a) There is a slight short-

age of accommodation in Poona city Sorting Office and Pune RMS. Proper and sufficient light, air and sanitary amenities are, however, available in both the offices.

(b) Due to gradual increase in traffic, the shortage of accommodation, which is not acute, has been noticed, for sometime.

(c) and (d). The railways have been addressed to provide extension of Pune RMS building under deposit scheme. It is also proposed to locate a portion of Pune RMS in the proposed extension of Pune Head Post Office building.

Residential Quarters at C.T.I. Bombay

3629. SHRI R. K. MHALGI: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether the Director General of Employment & Training and Joint Secretary of Ministry of Labour, Government of India have received representations dated the 20th June, 1978 from the Central Staff Association (Bombay Unit) C.T.I. Kurla, Bombay in regard to Residential Quarters at the C.T.I. Bombay; and

(b) if so, the action taken by the above said authorities so far or propose to take soon?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Yes Sir, a representation dated 28-6-1978 was received by the Director General of Employment and Training.

(b) According to the report received, a vacant quarter was allotted by the Principal, C.T.I., Bombay to an officer on medical grounds, purely on a temporary basis. The officer concerned has been asked to vacate the quarter by 15th August, 1978. The quarter will thereafter be allotted on a regular basis to an eligible officer by the Quarter Allotment Committee.

सरकारी क्षेत्र के उपक्रमों के कर्मचारियों के वेतन में असंगति

2630. श्री प्रमोद प्रकाश त्यागी : क्या संसदीय कार्य तथा श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकारी क्षेत्र के विभिन्न उपक्रमों के कर्मचारियों के वेतन और भत्तों के बारे में विभिन्न मानदण्ड अपनाये जाते हैं जिससे उनमें निरन्तर असन्तोष बना रहता है ;

(ख) यदि हां, तो क्या सरकार का असंगति दूर करने का विचार है ; और

(ग) यदि हां, तो इस बारे में क्या कार्यवाही करने का विचार है ?

संसदीय कार्य तथा श्रम मंत्री (श्री रवीन्द्र वर्मा) : (क) और (ख). सरकार की नीति विभिन्न सरकारी उद्यमों के कर्मचारियों की मजदूरी-दरों को युक्तिसंगत बनाना है यद्यपि उनमें दृढ़ एकरूपता लाना नहीं है ।

(ग) सरकारी क्षेत्र के उपक्रमों को निर्देश जारी किए गए हैं कि वे अपने कर्मचारियों के वेतन और भत्तों में किसी प्रकार का ग्राम संशोधन करने के लिये सरकार की पूर्वसहमति प्राप्त करें । ऐसे प्रस्तावों पर विचार करते समय सरकार यह ध्यान रखती है कि एक ही उद्योग या क्षेत्र के विभिन्न उद्यमों में, विशेषकर समान स्तरों में जहां सादृश्य स्थापित किया जा सके, मजदूर विन्यास में अनुचित विषमताएं न हों ।

गर्भवती स्त्रियों से काम लेने के लिये ठेकेदारों के विरुद्ध कार्यवाही

3631. श्री विजय कुमार मलहोत्रा : क्या संसदीय कार्य तथा श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि कुछ ठेकेदार गर्भवती स्त्री श्रमिकों से काम लेते हैं ;

(ख) क्या हाल में मंत्रालय को इस आशय की शिकायतें प्राप्त हुई हैं ;

(ग) यदि हां, तो प्रमानवीय कार्यों में लगे हुए ऐसे व्यक्तियों के विरुद्ध क्या कार्यवाही की जा रही है ; और

(घ) यदि नहीं, तो इस बारे में सरकार द्वारा क्या कार्यवाही की जा रही है ?

श्रम तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री लारंग साय) : (क) और (ख). जहां तक केन्द्रीय क्षेत्र में आने वाले उद्योगों का

सम्बन्ध है, केन्द्रीय औद्योगिक सम्बन्ध तंत्र को अभी तक ऐसी कोई शिकायतें प्राप्त नहीं हुई हैं । यदि सम्बन्धित प्राधिकारियों को संगत विवरण के साथ विशिष्ट मामले भेजे जाते हैं, तो उनकी निस्संदेह जांच की जायेगी और उनके द्वारा समुचित सरकारी कार्यवाही की जाएगी ।

(ग) और (घ). प्रश्न नहीं उठता ।

‘अपना टेलीफोन पागो’ योजना के बन्द होने के कारण

3632. श्री विजय कुमार मलहोत्रा : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ‘अपना टेलीफोन पागो’ योजना को अनिश्चित काल के लिये स्थगित की जा रही है ; और

(ख) यदि हां, तो इसके क्या कारण हैं ?

संचार मंत्रालय में राज्य मंत्री (श्री नरहरि प्रसाद सुखदेव साय) : (क) और (ख). ‘अपना टेलीफोन’ योजना चालू है, लेकिन बम्बई, दिल्ली, कलकत्ता और लुधियाना में इस योजना के अन्तर्गत टेलीफोनों की मांग दर्ज करना अस्थायी रूप से स्थगित किया हुआ है । ऐसा इसलिए किया गया है कि इन स्थानों पर ओ०वाई०टी० श्रेणी में अनिर्णीत पड़ी मांगों को पूरा करने के बाद गैर-ओ०वाई० टी० श्रेणी में टेलीफोन कनेक्शन दिये जा सकें और इस प्रकार लम्बे अर्से से पड़ी गैर ओ०वाई० टी० मांगों को यथाशीघ्र पूरा किया जा सके ।

इजराइल के साथ सम्बन्ध

3633. डा० रामजी सिंह : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या इजराइल सरकार ने भारत सरकार की नीतियों के प्रति किसी प्रकार का असन्तोष और विरोध प्रकट किया है और यदि हां, तो इसके क्या कारण हैं ;

(ख) क्या सरकार का इजराइल के साथ भी मैत्री सम्बन्धों का विकास करने का विचार है और यदि हां तो इसमें कितना समय लगेगा ; और

(ग) इजराइल के साथ राजनयिक सम्बन्ध स्थापित करने में क्या बाधाएँ आ रही हैं जबकि हम चीन के साथ ऐसे सम्बन्ध रख सकते हैं जिसने हमारे क्षेत्र को खाली नहीं किया है ?

विदेश मंत्रालय में राज्य मंत्री (श्री समरेन्द्र कुंभू) : (क) भारत इजरायल राज्य को तो स्वीकार करता है लेकिन भारत सरकार ने

मिर्तार **हूजर** सैद्धान्तिक धाकार पर इस्त्रायन
 हापर कपय प्रवेसी पर कवर्सेली कण्ठा कर केने
 का धीर विनिस्तियोवो को उनके धविक्कन
 धक्कार न देने का बिरोध किया है। इस्त्रायन
 ने धक्कित कपय प्रवेसी नै नाबावय तीर पर
 कस्तियो का निर्माण की कर तिसा है। ये सवी
 कारवाइयां सवस्त राष्ट्र के सबध उन प्रस्तावो
 का उल्लंघन है जिनका भारत के खलाफ ग्रन्थ
 धनेक राख्यो नै जी समर्थन किया है।

(ख) विषय मन की प्रवृत्ति बनाने करने इजराइल का प्रवृत्ति भी यही रवैया बना हुआ है और इसलिए प्रश्न के भाग ख का मजाल नहीं उठता।

(ग) जहाँ तक प्राग (ग) का प्रश्न है प्राग जानते हैं कि 1947 में स्वतंत्र होने के समय से ही चीन के साथ भारत के राजनयिक संबंध रहे हैं। 1947 में चीन लोक गणराज्य के प्रतिष्ठान में धाने तक भारतीय मिशन नावकिन में स्थित था और 1949 के बाद पीकिंग में। 1961 में भारत के सर्वप्रथम चीन की नीतिगो की ध्वजी-हथि के प्रतीक स्वरूप त्रिममें दूसरी बानो के साथ-साथ भारतीय प्रदेश पर धनकरा कब्जा करना की शास्त्र है जिम्मे बाद में धार-मण का रूप ले लिया। भारत ने पीकिंग में धनरा राजदूत न रहने का निर्णय किया था। 1976 तक की 15 वर्ष की ध्वजि में भारतीय मिशन एक कार्यवाहक राजदूत के ध्वजिन ही काम करना रहा। मई 1976 में चीन के साथ संबंधों में सुधार की दिशा में पहले कदम के रूप में मई 1976 में इस बात का निर्णय किया गया कि चीन के साथ गुन राजदूत के स्तर पर सम्बन्ध स्थापित किए जाए। जैसा कि मसद में किड बार बताया गया है भारत की यह धाशा है कि वह चीन के साथ ध्वजने सभी विवादों की पश्चात्त के धाधार पर आन्तिगुन बातचीत के जरिए हल कर लेगा जिममें सीमा-विवाद भी शामिल है। जैसा कि उपर बताया गया है उसको देखने हुए यह बात साफ है कि इस निर्णय की हजराहल से सम्बन्ध स्थिति से तलना मर्जी की जा मसल है।

अथ नीति

3634. डा० रामजी सिंह : क्या संसदीय कार्य तथा अन्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार का विचार एक नई नव नीति आरम्भ करने का है वैसे आर्थिक और आयोगिक नीतियों के बारे में किया गया है, और

(क) यदि हाँ, तो तत्संबंधी मुख्य बातें क्या हैं ?

संसदीय कार्य तथा धन मंत्री (श्री रवीन्द्र वर्मा) : (क) घोर (ख), सरकार धन नीति की निरन्तर समीक्षा कर रही है ताकि वे सुनिश्चित

किया जा सके कि अधिकतर के हिस्से की वसूली
सबसे जल्दी की जा सके ताकि वे संगठित
संगठन के अन्दर जा सकें। सरकार द्वारा उठाए गए
महत्वपूर्ण प्रयासों में धारापत्तिका के दौरान
अधिकारों के साथ किए गए प्रयासों की समीक्षा
करना, धर्मियाँ बना योजना के अन्तर्गत महाश्व
प्रति के चुनावों के पीछे जाने को बंद करना, 1977
के लिए मूल्यवत बीजों की बहाल करना और
धारापत्तिका के दौरान बीजों के पुनर्वात अधिनियम की
परिधि में बाहर रखे गए अधिकारों के बर्णों को
उस की परिधि में माना शामिल है। अन्य
महत्वपूर्ण उपायों में व्यापक औद्योगिक संबंध
कानून का प्रस्ताव, प्रबंध में अधिकारों की सह-
भागिता को सुदृढ़ करना, श्रमिक अधिकारों का
समर्थन, प्रवासी अधिकारों का कल्याण और उप-
भोक्ता मूल्य सूचकांक के अन्तर्गत की वर्तमान प्रणाली
को समीक्षा शामिल है।

मजदूरी में विषमता

3635. डा० राजजी सिंह : क्या सततदीय कार्य तथा ध्वज मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या सरकार केन्द्रीय सरकार, राज्य सरकारों, स्थानीय निकायों और मरवाड़ी तथा गैर-सरकारी क्षेत्रों में समान काम के लिये मजूरी में विषमता को मंजूर मानती है और यदि नहीं, तो उस विषय का दूर करने के लिये क्या उपाय लिये जाने का इवकार है और

(ख) रागठित श्रम और असंगठित श्रम के बीच मजदूरी में विषमता किम प्रकार समाप्त की जायेगी ?

सबसे बड़े कार्य तथा धन यन्त्री (श्री एबीएन
बर्बा) (क) और (ख) सरकार का विचार
है कि विभिन्न क्षेत्रों में मजदूरी में वियमता समाप्त
की जानी चाहिए या कम से कम इस वियमता
को सीमित किया जाना चाहिए। मजदूरी, प्रायः
धार मूल्य सम्बन्धी अध्ययन वक्त ने इस
प्रकार की जाच की है और उसकी सिफारिशें
सरकार के विचारार्थ हैं ?

इसप्रात की सज्जाई में काफी

3636. श्री युषराज : क्या इस्पात और खान मंत्री यह बनाने की कृपा करेंगे कि .

(क) क्या मकान बनाने वाले 80 लाख से अधिक मजदूरों को इस्पात की मप्त्याई में कमी होने के कारण बेरोजगारी का सामना करना पड़ रहा है ; और

(ख) क्या यह सच है कि सरकारी इमारतों तथा आलीशान होटलों के निर्माण को छोड़कर मध्य वर्ग द्वारा गृह निर्माण गतिविधि विस्तृत हो गई है ?

इसका और बात बताना मैं राज्य नहीं (को कहना चाहता) : (क) और (ख). हमें-मन, 1977 को सुना में हमें-मन, 1978 में उर्ध्व और गोल उर्ध्व की, जिनका इस्तेमाल मुख्यतः गृह निर्माण कार्यों के लिए किया जाता है उपयोग में लाने हैं। इनसे पता चलता है कि इस्तेमाल की कमी के कारण निर्माण कार्यों में बाधा नहीं आई है। उत्पन्न वास्तविक उपयोगकर्ताओं को। जिनमें मध्य वर्ग के लोग भी शामिल हैं, उर्ध्व और गोल उर्ध्व की सफाई करने के प्रयास करते हैं।

Disparities in rates of Trunk Calls

3637. SHRI BAPUSAHEB PARULEKAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the criteria on which the rates of trunk calls are based;

(b) when these criteria were fixed and when the last revision of the same was made;

(c) whether Government are aware that the rates are not uniform and for the same distance there is great disparity in rates; and

(d) what Government propose to do in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) Rates for Trunk calls are fixed on point to point basis for short distance calls and area to area basis for long distance calls. In the former case the radial distance between the calling/called exchanges is adopted while in the latter case the radial distance between the nominated charging centres of the respective areas is adopted.

(b) These criteria were fixed with effect from 1-1-1971 and these continue.

(c) As the tariff for long distance calls is based on the distance between the respective charging centres and not based on distance between calling and called stations, there can be disparity in some cases.

(d) The present method was adopted considering various administrative and technical aspects. This is a generally in conformity with the standard practice adopted for such calls in most of the countries. No change is, therefore, proposed in this practice.

Teleprinter at Mahad in Maharashtra

3638. SHRI BAPUSAHEB PARULEKAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that a teleprinter was installed at Mahad, a Taluka place in Colaba District in Maharashtra in 1975;

(b) whether it was put in operation only for a few days in November;

(c) whether the teleprinter is still there at Mahad and not put in operation for more than two years and reasons for the same; and

(d) whether the said teleprinter would be put in operation soon and if not the reasons for the same?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) Yes, Sir.

(b) The teleprinter circuit continued on experimental basis from 20-6-75 to 19-12-1975.

(c) The teleprinter circuit is not functioning now from Mahad. It was discontinued because of unsatisfactory performance caused largely due to a link build-up

(d) Teleprinter working between Mahad and Bombay will be commissioned shortly on a 2 link build-up.

Retrenchment in Mines

3639. SHRIMATI PARVATHI KRISHNAN: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the number of workers faced with retrenchment in different mines

including coal mines during the year 1977-78 and 1978-79 so far; and

(b) the main reasons for these retrenchments?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): According to the available information,

(a) the number of workers retrenched (figures are provisional) in different mines was 2787 during 1977-78 and 85 during the period from April to June, 1978.

(b) the main reasons for retrenchment were—

- (i) tapering of work-load;
- (ii) heavy accumulation of stock;
- (iii) expiry of contract;
- (iv) completion of work; and
- (v) uneconomical working of the mines.

Demonstration by Bihar Colliery Kamgar Union

3640. **SHRI A. K. ROY:** Will the Minister of STEEL AND MINES be pleased to state:

(a) whether there has been a disciplined demonstration on behalf of Bihar Colliery Kamgar Union before the Minister during his visit to the Chasnalla mines in February 1978 against the gangster's attack on the workmen resulting in the murder of one employee Surendra Mahato and injury to many;

(b) whether the demonstrators representative submitted a memorandum to the Minister at Sindri demanding action against the Security Staff of IISCO Chasnalla for participating in the attack alongwith the gangsters to which high level probe was assured, if so, the result thereof;

(c) whether the Minister also assured to give employment on com-

passionate grounds to the dependent of the murdered employee; and

(d) if so, steps taken therefor?

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK): (a) and (b). Law and order is a State subject and it is for the State Government of Bihar to take requisite action. However, as already stated in reply to Lok Sabha Starred Question No. 813 answered on 20th April, 1978, the Bihar Government has been requested to expedite the police investigation and take action against the culprits.

(c) and (d). Yes, Sir. Instructions have been issued to IISCO to provide employment to a dependent of Shri Surendra Mahato, in his turn.

Consumption of Refractory Materials

3641. **SHRI A. K. ROY.** Will the Minister of STEEL AND MINES be pleased to state:

(a) the average consumption of refractory materials per month by the steel industries in Public Sector in general and Bokaro Steel Ltd. in particular and the factories from which they are purchased, facts in details,

(b) whether it is a fact that the steel industry in the Public Sector ignores small factories producing refractories even being cheap creating crisis in them if so, the reason thereof;

(c) whether it is a fact that the Industry Ministry has approached the Steel Minister to take steps to bring the small refractory out of crisis; and

(d) if so, the reaction thereof?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) The average total consumption of refractory materials per month by the

steel industry in public sector is 31,000 tonnes, of which the requirement of Bokaro Steel Plant is about 3000 tonnes. The Public Sector Steel Industry purchase refractory materials from about 36 refractory plants including small scale units. A list of the suppliers of refractories is contained in the attached statement.

(b) No, Sir.

(c) and (d). Minister of Industry had forwarded extracts from a report prepared by the Development Centre for Ceramics and Glass Industries, Ranchi on the problems facing small scale refractory units in Dhanbad. The report contained a suggestion that steel plants may give preference to small scale refractory units in the purchase of refractories which these units could supply without the steel plants relaxing the specifications. Steel Plants in public sector are already purchasing refractories from small scale units.

Statement

Names of the Refractory Manufacturers supplying the Refractories to Steel Plants

2. M/s. Orissa Cement Ltd., Rajgangpur.
2. M/s. Belpahar Refractories Ltd., Belpahar.
3. M/s. Orissa Industries Ltd., Rourkela and Barang.
4. M/s. Kumardhubi Fireclay and Silica Works Ltd., Kumardhubi.
5. M/s. The Behar Firebricks and Potteries Ltd., Mugma.
6. M/s. Allied Refractories P. Ltd., Dhanbad.
7. M/s. Indo-RIV Refractories P. Ltd., Nirsachatti.
8. M/s. Ashok Refractories P. Ltd., Nirsachatti.
9. M/s. Bajna Refractories P. Ltd., Nirsachatti.
10. M/s. Harry Refractory and Ceramic Works P. Ltd., Nirsachatti.
11. M/s. Fatka Refractories P. Ltd., Nirsachatti.
12. M/s. G.S. Refractories, Nirsachatti.
13. Nagrath Firebricks and Potteries P. Ltd., Tilat and Dhanbad.
14. M/s. Katras Ceramics and Refractories Ltd., Tilat and Dhanbad.
15. Taneja Minerals P. Ltd., Tetulmari, Dhanbad.
16. M/s. Aloke Refractories P. Ltd., Dhanbad.
17. M/s. Rajhans Refractories P. Ltd., Katrasgarh.
18. M/s. Bharat Refractories Ltd., Refractory Plant, Bokaro.
19. M/s. Bharat Refractories Ltd., Ranomji Road Refractory Plant, Ramgarh.
20. M/s. India Firebricks and Insulation Co. Ltd., Ranchi Road, Marar.
21. M/s. Burns Raniganj Works Durgapur and Salem Works, Salem.
22. M/s. New Bharat Refractories Ltd., Bharechnagar.
23. M/s. Harishtrara Refractories P. Ltd., Mecluskiganj.
24. M/s. Jauhar Firebricks and Refractory Works P. Ltd., Mugma.
25. M/s. Bengal Bihar Firebricks and Pottery Works P. Ltd., Mugma.
26. M/s. Maithan Ceramic P. Ltd., Chirkunda.
27. M/s. Valley Refractories P. Ltd., Chirkunda.
28. M/s. Hind Refractories Ltd., Durgapur.
29. M/s. National Refractories Salampur, Burdwan.
30. M/s. Modern Refractories P. Ltd., Purulia.

31. M/s. Haryana Refractories P. Ltd., Ballabgarh.
32. M/s. Jharia Firebricks and Potteries Works P. Ltd., Dhansar (Closed).
33. M/s. Keramos Belchari, Mugma.
34. M/s. Modern Refractories P. Ltd., Nagpur.
35. M/s. Reliance Firebricks and Pottery Works P. Ltd., Chanch (Closed).
36. Nirsa Refractories,

HIMCO Laboratory, Sonapat

3643. SHRI OM PARKASH TYAGI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to refer to the reply given to Unstarred Question No. 1613 on the 27th July,

1978 regarding spurious and/or Sub-standard Drugs and state:

(a) whether prosecutions have been launched against the owner of the drug manufacturing concern (HIMCO Laboratories, Sonapat, Haryana) in respect of the nine cases mentioned in the Annexure;

(b) if so, the details thereof; and

(c) if not, the reasons for not taking any penal action against this concern?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) to (c). A statement showing the action taken in these cases, as intimated by the Drugs Controller, Haryana, is enclosed.

Statement

Sl. No.	Name of product with batch number.	Action taken
1.	Hico-tab tablet Batch No. 144	Besides issuing orders for the withdrawal of the stock of this product from the market, prosecution has been launched against this firm and the case is under trial in the court of Chief Judicial Magistrate, Karnal.
2. & 3	Prednisolone tablet Batch No. 1037-R, Batch No. 1037-R.	Besides issuing orders for the withdrawal of the stock of this batch from the market, the concerned District Drugs Inspector has been directed on 12-7-78 to take legal action against this firm.
4 to 7	Chloroquine phosphate tablet. Batch No. 694 Batch No. 670 Batch No. 508 Batch No. 694	The firm was directed to withdraw the sub-standard batches of this product from the market and on receipt of the 4th test report in respect of this drug being declared as sub-standard the permission for manufacture of this item has been withdrawn.
8.	A. P. C. tablet Batch No. 357	The firm was ordered to withdraw the stock of this batch from the Market immediately. The firm had, however, released this product only after getting it tested from an approved laboratory who had declared it as being of standard quality, on analysis.
9.	Paracetamol tablet Batch No. 752	The test report of this product was received from the Govt. Analyst, Haryana on 22-5-78 and a show cause notice has been served upon the firm on 27-6-78. They have also been directed to withdraw the stock of this batch from the market immediately.

भूतपूर्व संसद् सदस्यों को पेंशन

3644. श्री हुकम चन्द कठवाय :

डा० वसन्त कुमार पंडित :

क्या संसदीय कार्य तथा श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार का विचार पिछली सरकार द्वारा आरम्भ की गई पेंशन योजना को समाप्त करने का है ताकि पर्याप्त धनराशि की बचत की जा सके और यदि हां तो सरकार इसे कब तक समाप्त करेगी ;

(ख) यदि नहीं तो क्या सरकार ऐसा संशोधन करेगी जिसके अन्तर्गत पेंशन उन्हीं सदस्यों को मिलेगी जो निरन्तर तीन बार तक चुने जाते रहे हों ; और

(ग) यदि हां तो उस पर सरकार की क्या प्रतिज्ञा है ?

संसदीय कार्य तथा श्रम मंत्री (श्री रवीन्द्र वर्मा) : (क) से (ग). संसद सदस्य वेतन भत्ता और पेंशन अधिनियम 1954 में भूतपूर्व संसद सदस्यों को पेंशन के संबंध में संशोधन करने का प्रश्न सरकार के विचाराधीन है। संसद में विपक्षी दलों/ग्रुपों के नेताओं के साथ विचार-विमर्श करने के लिए इस प्रश्न को एक मद् के रूप में रखा गया है और विचार-विमर्श की समाप्ति पर इस विषय में कोई निर्णय किया जाएगा।

Lal Bahadur Shastri's Memorial at Tashkent

3645. SHRI KANWAR LAL GUPTA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government are aware of the fact that there is no proper memorial at a place where Lal Bahadur Shastri died near Tashkent;

(b) if so, the reasons therefor;

(c) whether the U.S.S.R. Government asked the Indian Government's permission to erect a suitable memorial at that place and the Government of India showed its reluctance immediately after his death;

(d) if so, the details thereof;

(e) does Government propose to write to the U.S.S.R. Government to have a befitting memorial of Lal

Bahadur Shastri at that place now; and

(f) if not, why not?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE): (a) to (f). In Tashkent the following memorials dedicated to the late Shri Lal Bahadur Shastri are in existence:

(i) A bronze life-size statue of Shastriji in a square just outside a school which is also named after Shastriji;

(ii) The room where he died turned into a Museum where his bust and other objects are exhibited; and

(iii) A plaque at the place where the Tashkent Agreement was signed commemorating the contribution by Shastriji.

It would not be correct to say that the USSR Government have asked the Government of India for permission to build a memorial for Shastriji and that we had turned it down.

आदिवासी क्षेत्रों में कुटीर अस्पताल

3646. श्री छोटुभाई गामित : या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने आदिवासी क्षेत्रों में कुटीर अस्पताल खोलने के लिए कोई योजना बनाई है और यदि हां तो तत्संबंधी व्यौरा क्या है ;

(ख) गुजरात के मूरत, बलसाड़ और डांग जिलों में किन-किन स्थानों पर ऐसे अस्पताल खोले जायेंगे ;

(ग) कुटीर अस्पताल खोलने के बारे में कार्य कब तक आरम्भ हो जाएगा और लोगों को इलाज का लाभ कब तक मिलना आरम्भ हो जाएगा; और

॥(घ) कुी रस्वतालों पर किए जाने वाले व्यय में केन्द्रीय सरकार और राज्य सरकारों का कितना-कितना अंश होगा ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जगदम्बी प्रसाद यादव) :

(क) जी नहीं । भारत सरकार ने ऐसी कोई योजना नहीं बनाई है ।

(ख) से (घ) . ये प्रश्न नहीं उठते ।

Qualification for Medical Courses

3647. SHRI VIJAY KUMAR MALHOTRA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the students from U.P., Punjab and Bihar after passing I.Sc. (Intermediate Sc.) which is two years course after High School are eligible to appear for competition test to enter the medical colleges whereas students of Delhi after passing 10+2 classes (2 years after High School) have to pass pre medical course (one year course) or B.Sc. 1st Year to be eligible for competitions test to enter medical colleges i.e. the Delhi students have to spend one year extra; and

(b) why the course is not the same in all States?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) and (b). The Medical Council of India has been consulted. The position is that students passing 10 plus 2 Higher Secondary Examination after a period of 12 years study comprising of Physics, Chemistry, Biology and Mathematics or any other elective subject with English at a level not less than the core course for English as prescribed by the National Council for Educational Research and Training, are eligible to appear for competition tests to enter the medical colleges.

Demand of Residence Certificate by Employment Exchanges for enrolment

3648. SHRI CHATURBHUIJ:

SHRI KACHARULAL HEMRAJ JAIN:

Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether employment Exchanges in various States demand a certificate of at least 10 years of residence for enrolling the candidate thereby denying the citizens the right of equality; and

(b) if so, the reaction of Government thereto and the steps proposed to be taken to relieve the unemployed?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) Some State Governments are reported to have imposed a condition of residence in their States varying from 3 to 25 years for registration at the Employment Exchanges.

(b) This is a matter in which the Constitutional right of a citizen to work in any part of India has to be reconciled with the right of local persons to find adequate employment opportunities.

Findings of Ashok Mehta Committee

3650. SHRI SHYAM SUNDAR GUPTA:

SHRI G. M. BANATWALLA:
SHRI MUKHTIAR SINGH MALIK:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the report of the Ashok Mehta Committee which was constituted to review the working of Indian Council of Cultural Relations

has since been submitted to Government;

(b) if so, what are its findings; and

(c) whether Government have since examined its findings; and if so, with what result?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) Yes, Sir.

(b) The main recommendations of the Committee in regard to the working of the Indian Council for Cultural Relations are:

(1) The Council should be the main implementing agency of Government's cultural promotion activities abroad.

(2) Some of the well-known private cultural organisations should also be associated with this work by ICCR.

(3) Greater emphasis should be placed on area specialisation and closer liaison maintained with Universities and other bodies engaged in this work

(4) The Council should have advisory or consultative groups of experts to advise it, both in regard to the content of cultural programme as well as their implementation.

(5) The position regarding housing, pension, promotion prospects and other such benefits to the Council staff should be reviewed and rationalised.

(c) The Government and the ICCR are in the process of implementing the recommendations of the Ashok Mehta Committee. The Prime Minister has approved the suggestion that the ICCR, which functions under the Ministry of External Affairs, should be the main implementing agency of India's cultural promotion activities abroad and a cultural division should

be formed in the Ministry to direct these activities. Steps to implement these and other decisions are being implemented.

Linking of Cities with Delhi through STD

3651. SHRI SHYAM SUNDAR GUPTA:

SHRI G. M. BANATWALLA:

SHRI MUKHTIAR SINGH MALIK:

Will the Minister of COMMUNICATIONS be pleased to state:

(a) the number and names of cities which are likely to be connected with Delhi through the STD system during the next 3 years;

(b) the time by which all the State Capitals are likely to be connected with Delhi through STD; and

(c) the additional financial implications involved therein?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) The following 15 cities are proposed to be connected to Delhi through STD in the next 3 years upto 1980-81:

1. Bareilly
2. Baroda
3. Bhatinda
4. Gorakhpur
5. Kotah
6. Ludhiana
7. Moradabad
8. Panjim
9. Patiala
10. Pune
11. Rampur
12. Salem
13. Shahjehanpur
14. Sitapur
15. Udhampur

(b) All the State Capitals except Imphal (Manipur) and Agartala (Tripura) are already connected to Delhi through STD. The above two stations are likely to be connected by 1983.

(c) As the media and trunk switching equipment are used in common for a large number of routings it is not possible to allocate the expenditure to particular routes. An outlay of Rs. 489 crores has been proposed for the development of transmission networks and installation of trunk telephone equipment to extend subscriber trunk dialling facilities during the Plan period 1978-83.

Imposition of Visa Regulations by Arab Countries

3652. SHRI SHYAM SUNDAR GUPTA: Will the Minister of EXTERNAL AFFAIRS be pleased to state.

(a) whether Government are aware that some Arab countries have imposed visa regulations to restrict the entry of Indian visitors to those countries;

(b) if so, the names of those Arab countries; and

(c) reaction of the Government of India thereto?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) Yes, Sir, to restrict the influx of job seekers, some of the Arab countries have imposed visa restrictions not only on Indian nationals but also on the nationals of other countries.

(b) United Arab Emirates, Kuwait, Bahrain, People's Democratic Republic of Yemen, Libya, Syria, Lebanon, Iraq, Saudi Arabia, Morocco, Qatar and Oman

(c) In the case of Saudi Arabia apart from the normal restrictions,

they have imposed a ban on the entry of Sikhs since mid 1976. Government of India has taken up this matter vigorously with the Saudi authorities both at diplomatic and political levels. In the case of other countries the Government is in touch with their authorities in order to resolve the problems faced by Indian nationals.

Setting up of Rural Welfare Board

3653. SHRI S. S. SOMANI: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether there is any proposal under the consideration of Government for setting up of a Rural Welfare Board; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (SHRI LARANG SAI): (a) No, Sir.

(b) Question does not arise.

Setting up of Ayurvedic Pharmacy in Himachal Pradesh

3654. SHRI DURGA CHAND: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to refer to the reply given to Unstarred Question No. 1406 on the 2nd March, 1978 regarding setting up of an Ayurvedic Pharmacy in Himachal Pradesh and state:

(a) whether the Central Government have since consulted the Himachal Pradesh Government in regard to setting up an Ayurvedic Pharmacy for manufacturing medicines out of medicinal herbs on the pattern of Ranikhet; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) and (b). Presently there is no proposal under consideration of the Government to set up an Ayurvedic Pharmacy for manufacturing medicines out of medicinal herbs on the pattern of Ranikhet. The Himachal Pradesh State Government, however, has been tentatively allocated, during 1978-79, Rs. 1.5 lakhs for the development of a State I.S.M. Pharmacy.

Price of Stainless Steel Utensils

3655. SHRI DURGA CHAND: Will the Minister of STEEL AND MINES be pleased to state:

(a) the price of steel per kg. which is used in manufacturing stainless steel utensils;

(b) what is the price of stainless steel utensils per kg. at present and during the last three years, year-wise; and

(c) what steps Government are taking to reduce the price of utensils?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) The sale price of stainless steel sheets in the gauges used mainly for utensils are indicated below:—

I. Ex-go-down price Rs. per Kg. of imported sheets.

	Price
20G	57
24G	56
27G	55

II. Ex-works price Rs. per Kg. of indigenous CR Stainless Steel Sheets

2G	52.50
22G	53.00

(b) and (c). Prices of stainless steel utensils for the last three years are not available. However, during the

last year the price was about Rs. 130 per Kg. which is at present in the range of Rs. 100—110 per Kg. Indigenous production of stainless steel is being increased and with this, the retail prices of utensils are expected to come down further.

Transfer of Administrative Functions of Department of Mines to G.S.I.

3656. SHRIMATI PARVATHI KRISHNAN:

SHRI MOHINDER SINGH SAYIANWALA:

Will the Minister of STEEL AND MINES be pleased to state

(a) whether Government have decided to take away most of the administrative functions from the Department of Mines and vest them with the Geological Survey of India; and

(b) if so, the detail and reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) Yes, Sir; most of the administrative functions of the Department of Mines relating to the work of Geological Survey of India will henceforth vest in the Board of Management which will be an integral part of G.S.I.

(b) With the growth of the G.S.I. and its activities, as well as the growth of new technology, the need was felt for a basic restructuring of administration and policy formulation functions in the G.S.I. Accordingly, the Department of Mines constituted a Committee to review the organization, structure, function and performance of the G.S.I. The Government of India has now accepted the recommendations of the Review Committee with certain modifications and decided to constitute a Board of Management in G.S.I. which will function like the Board of Directors in a Corporation, and will enable greater autonomy to the organisation

and ensure fullest participation of Scientists in the planning and implementation of the programmes of G.S.I.

Rural Health Scheme

3657. SHRI SUBHASH AHUJA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the implementation of the Rural Health Scheme is unsatisfactory and ineffective;

(b) if so, the reasons therefor; and

(c) the steps being taken by Government to make it effective?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) to (c). No. An evaluation undertaken by some Institutions have confirmed that the scheme has been received well by the people. The performance of the Community Health Workers has also been found satisfactory. It has been admitted that the scheme provides an appropriate answer to the health problems in the rural areas. The evaluation reports have however, pointed out certain deficiencies in the working of the scheme which relate mainly to supply of medicines, teaching aids and training. These have been taken note of and steps are being taken to remove them.

In fact, these deficiencies relate to the initial stage of the implementation of the scheme. Most of the deficiencies have gradually been removed with the progress of the implementation of the scheme. Now it is being ensured that there is no delay in the supplies reaching District Headquarters and Primary Health Centres.

Adequate advance action has been taken to ensure that training is imparted in time and with sufficient preparation.

Evolution of Consultation Machinery of Trade Unions and Employers

3658. SHRI K. PRADHANI: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether Government propose to evolve a permanent consultation machinery represented by Trade Unions and Employers to deal with matters of common interests; and

(b) if so, the details thereof?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). The question of evolving appropriate bipartite forums in industrial establishments/undertakings is being examined by a Committee on Workers' Participation in Management and Equity. The Committee has yet to adopt its Report.

इस्पात के आबंटन के बारे में शिकायतें

3659. श्री कंवर लाल गुप्त : क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या इस्पात के आबंटन के बारे में कुछ शिकायतें मिली हैं ;

(ख) यदि हां तो तत्संबंधी श्यांरा क्या है तथा उन पर क्या कार्यवाही की गई है ;

(ग) इस्पात के उपयुक्त आबंटन के लिए क्या कार्यवाही की गई है ; और

(घ) गत एक वर्ष में किन अधिकारियों के विरुद्ध अशुद्धाचार की शिकायत प्राप्त हुई तथा ऐसी कितनी शिकायतें प्राप्त हुईं तथा उन पर सरकार ने क्या कार्यवाही की ?

इस्पात और खान मंत्रालय में राज्य मंत्री (श्री कड़िया मुण्डा) : (क) चूंकि अब इस्पात के वितरण पर कोई कानूनी नियंत्रण नहीं है इसलिए इस्पात के "आबंटन" का प्रश्न नहीं उठता। फिर भी उत्पादकों द्वारा इस्पात के वितरण की व्यवस्था के बारे में कुछ शिकायतें प्राप्त हुई हैं।

(ख) और (ग) . शिकायतें मुख्यतया ट्यूब निर्माताओं ठंडी बेल्न इकाइयों और पुनर्वेलकों से प्राप्त हुई हैं। ट्यूब-निर्माताओं और ठंडी

सेशन हकाइयो को सर्व बेसिड क्वेश्चन/क्वेस्टन की आवश्यकता है क्योंकि पुनर्वसन को अपने उत्पादन के लिए बिजुट और पुनर्वसन योग्य सामग्री की आवश्यकता है। दोनों मामलों में लिकायतें पर्याप्त मात्रा में कच्चा माल उपलब्ध कराने के बारे में की इनके बताया जिन गारंटियों ने निर्माण के लिए करार किए हुए हैं उन्होंने अपने करारों को पूरा करने के लिए कच्चे माल की विशेष मात्रा सुरक्षित करने की मांग की है इस बात को देखते हुए कि इन मशो की मांग में वृद्धि हुई है तथा इनके उत्पादन में वृद्धि मांग में हुई वृद्धि के अनुरूप नहीं हुई है। उपलब्ध मात्रा दूसरे निर्माताओं और अन्य उपयोगिताओं में उनके निर्माण बाधको, नुस्त में की गई खरीद और जमाता के बाजार पर वितरित की जा रही है। जहां तक पुनर्वसन को तम्ब-उ है उनकी एमो-सिडियनो के माध्यम बिचार-विमर्श करके मासिक वितरण के लिए एक योजना तैयार की गई है और उसे कार्यान्वित किया जा रहा है।

(ग) 1977-78 के वित्त वर्ष में सेल के 13 कार्यालयों के विरुद्ध 10 लिकायतें प्राप्त हुई थी। इन लिकायतों पर स्टील प्रचारिटी प्राय इडिया लि० द्वारा आवश्यक कार्रवाई की जा रही है। इस समय इन कार्यालयों के नाम बताना तथा अन्य विवरण देना लोक हित की दृष्टि से बाधनीय न होगा।

RMS Rest House at Gaya

3660 SHRI DINEN BHATTACHARYYA Will the Minister of COMMUNICATIONS be pleased to state

(a) whether it is a fact that RMS Rest House in Gaya (Bihar) belongs to a private landlord and that it was suddenly taken over by the police due to some court order,

(b) what is the reason for not pursuing the case properly by the P & T Department,

(c) whether the alternate accommodation provided for the RMS staff for their rest is lacking even the basic amenities and facility, and

(d) whether steps are being taken to provide good and permanent Rest House to RMS staff, Gaya?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARAHARI PRASAD SUKHDEO SAI): (a) Yes, Sir,

(b) The first hearing was fixed on 14-3-75. The department could not be represented as summons for the hearing were received on 13-3-75. Thereafter no summons from the court were received by the Department. Suit was decided ex-parte on 16-3-75. The landlord occupied the building on 15-3-75.

(c) Out of the 32 RMS staff members, 12 have been accommodated in a rented building and the remaining 20 in the Old Record Office building from where the Record office has since been shifted. Both the buildings have basic amenities and facilities.

(d) Vigorous efforts are being made to find suitable building near the Railway station.

Effect of Price Hike of Steel on Export of Engineering Goods

3661 SHRI CHITTA BASU Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government are aware of the fact that the recent hike in price of saleable steel has adversely affected the export of engineering goods, and

(b) if so what remedial measures, the Government propose to take to meet the situation?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA) (a) and (b) All export contracts/tenders (in the event that such tenders subsequently result in contracts) for engineering goods and steel bars and rods re-rolled from billets/re-rollables, subsisting on the 4th/5th June, 1978 and against which steel is to be delivered partly or wholly, would be protected from the steel price increase to the extent that the price increase is beyond 10 per cent of the pre-increase price provided the contracts/tenders do not provide for adequate escalation clause. For eligibility for protection, contracts/tenders should have been

registered with appropriate authorities, as already provided for in the regulations.

In view of the measures already taken by Government, as indicated above, the export of steel-based engineering goods has not been adversely affected due to the recent hike in price of saleable steel.

Arrears of E.S.I.S.

3662. SHRI CHITTA BASU: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) the total arrears of the Employees State Insurance Scheme dues from the employers;

(b) the steps taken to recover them; and

(c) the results achieved?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KIRPAL SINHA): (a) The Employees' State Insurance Corporation have reported that a total amount of Rs. 18.97 crores is outstanding against the employers upto 30-9-1976 as on 30-9-77.

(b) The following steps are being taken to recover the arrears:—

- (i) Legal action for recovery of dues, as arrears of land revenue, is being taken under Section 45B of the Employees' State Insurance Act. The procedure for such recoveries has been streamlined and the Regional Directors follow a well defined drill for the same.
- (ii) Recourse is also taken to prosecutions against the defaulting employers under Sections 85, 85A, 85B and 85C of the Act.
- (iii) Besides the legal remedies available under provisions of the Act, administrative and persuasive measures are also

being employed for early recovery of arrears.

(c) The employers have become more conscious and prompt in payment of Employees' State Insurance dues.

Help from I.L.O. for Employment Generation

3663. SHRI RAJENDER KUMAR SHARMA: Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state:

(a) whether Government have requested the ILO to help develop appropriate technologies for employment generation in India; and

(b) if so, the details of the proposal thereon?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): (a) and (b). One of the fields in which the assistance of the Asian Regional Team for Employment Promotion (ARTEP) set up by the I.L.O. under the Project was sought by the Government of India in July 1971 related to the development and application of appropriate technology, which may be labour intensive and at the same time economically viable in the context of the country's need to foster employment growth and promote exports. This area was not, however, covered by the ARTEP in the First Phase of the Project which concluded in May 1975. The Second Phase of the Project is yet to be launched.

Telephone Facilities to Blocks and Thanas in Madhya Pradesh

3664. SHRI RAGHAVJI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the District-wise number of Block and Thana headquarters in Madhya Pradesh where telephone

facilities have not been provided so far;

(b) the time by which telephone facilities will be provided there;

(c) the number of headquarters, out of them, in which telephone facilities will be provided upto March 1979; and

(d) the reasons for slow pace of progress in this work and remedial steps taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) The district-wise number of block headquarters and Police Stations where telephone facility has not been provided so far are given in the statement attached.

(b) Almost all Block headquarters in Madhya Pradesh state are planned to be provided with telephone service by the end of 1978-79, and all police stations satisfying the conditions laid down in the policy in vogue are planned to be provided telephone services during the plan period, 1978-83.

(c) All the remaining block headquarters and about fifty police Stations are proposed to be provided with telephone facility by 31-3-1979.

(d) the progress of provision of telephone facility in Madhya Pradesh is very good as would be evident from the following figures.—

Year	No. of PCOs opened in Madhya Pradesh
1975-76	80
1976-77	195
1977-78	205

Statement

Number of Block Headquarters and Police Stations in Madhya Pradesh not provided with Telephone facilities.

Name of District	Block Hqrs.	Police Stations
1. Raipur	2	3
2. Rajnandgaon	1	5
3. Durg	1	1
4. Bastar	10	10
5. Bilaspur	2	5
6. Surguja	9	15
7. Raigarh	2	5
8. Jabalpur	1	3
9. Chhindwara	2	6
10. Mandla	4	6
11. Sagar	2	8
12. Chhattarpur	2	12
13. Sidhi	3	5
14. Shahdol	1	3
15. Guna	1	7
16. Vidisha	1	9
17. Balaghat	1	2
18. Damoh	1	6
TOTAL	46	
19. Rewa		3
20. Satna		4
21. Panna	NIL	6
22. Tikamgarh		3
23. Seoni		2
24. Narsinghpur		1
25. Betul		5
26. Khandwa		1
27. Bhopal		1

Name of District	Block Police Hqurs. Station
28 Raisen	4
29 Datia	2
30 Gwalior	11
31 Shivpuri	12
32 Morena	20
33 Bhind	8
34 Rajgarh	Nil
35 Dhar	3
36 Dewas	2
37 Jhabua	2
38 Khargone	2
39 Mandla	3
40 Ratlam	2
41 Ujjain	4
TOTAL	216

Places in Karnataka with Telex Centres

3665 SHRI G Y KRISHNAN Will the Minister of COMMUNICATIONS be pleased to state

(a) the names of the places in Karnataka which have telex exchange centres, and

(b) the names of the places in that State where such centres are proposed to be opened in the near future?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI) (a) Bangalore, Belgaum, Hubli, Mangalore and Mysore in Karnataka State are having telex exchanges

(b) Telex exchange are proposed to be opened in the next two years at

Davangere, Bellary, Belchur and Bagalkot subject to sufficient number of applicants forthcoming to take telex connections

Lack of Mutual Contracts among non-Government Agencies of Asia

3666 SHRI G Y KRISHNAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether there is a complete lack of mutual fraternal contacts among the non-Government voluntary agencies of the neighbouring countries in Asia, and

(b) if so, whether Government have formulated any plans to foster closer links amongst these agencies by encouraging mutual exchange of information, persons and institutions?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU) (a) and (b) Though there is no organised programme between India and the neighbouring countries in Asia for the promotion of mutual fraternal contacts among the non-Government voluntary agencies, some exchanges have been taking place in the fields of sports, education, music, art and culture, partly at their own initiative and partly under the Cultural Exchange programmes with some of these countries. The extent and scope of such contacts among non Government Voluntary agencies also depends a great deal on the political climate in those countries and the state of our relationship with them

कावा-महार

3667. श्री सुचेन्द्र सिंह . क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि कावा-महार के मामले मासिक रूप से बढ़ गए हैं तथा बिहार के कुल 31 जिलों में से 25 जिलों में

अब 20 हजार लोग इससे प्रभावित हो चुके हैं और 229 व्यक्ति मर चुके हैं जैसा कि 14 जुलाई 1978 के नवभारत टाइम्स में समाचार छपा है ;

(ख) यदि हां, तो काला-अजार की घटनाओं को रोकने के लिए सरकार द्वारा क्या प्रभावी कदम उठाये जा रहे हैं ;

(ग) अन्य राज्यों में ते प्रत्येक में ऐसे कितने मामलों के समाचार मिले हैं

(घ) क्या वर्ष 1971 से काला-अजार के अत्याधिक मामलों के समाचार मिल रहे हैं परन्तु इसे रोकने का कार्यक्रम केवल गत वर्ष ही शुरू किया गया ; और

(ङ) यदि हां, तो इसे रोकने के लिए विलंब से कार्यवाही करने तथा इसकी ओर समय पर ध्यान न देने के क्या कारण हैं ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जगदम्बी प्रसाद यादव) : : (क) बिहार में 1978 के दौरान 22 जुलाई तक 21,751 व्यक्ति काला-अजार से पीड़ित हुए जिनमें से 32 रोगियों की मृत्यु हुई । 1977 के दौरान काला अजार से प्रभावित जिलों में जिनमें डी० डी० टी० का छिड़काव किया गया था, काला-अजार फैलने से रोक दिया गया है परन्तु जिन जिलों में पिछले वर्ष डी० डी० टी० का छिड़काव नहीं किया गया था उनमें काला-अजार से पीड़ित रोगियों की संख्या में वृद्धि हुई बतलाई गई है । प्रभावित सभी जिलों में अब डी० डी० टी० का छिड़काव कर दिया गया है ।

(ख) काला-अजार को फैलने से रोकने के लिए निम्नलिखित कदम उठाए गए हैं —

I बिहार के लिए :

- (1) धरों में और छतदार मकानों में डी० डी० टी० का छिड़काव ;
- (2) काला-अजार से पीड़ित व्यक्तियों का शीघ्र पता लगाना और उनका पूर्ण इलाज करना ;
- (3) लोगों में स्वास्थ्य संबंधी जानकारी का प्रसार करना ; तथा
- (4) न्वाक चिकित्सा अधिकारियों को काला-अजार पर नियंत्रण पाने का प्रशिक्षण देना ।

II अन्य राज्यों/संघ शासित क्षेत्रों के लिए :

- (1) काला-अजार संबंधी समस्या, यदि कोई हो, तो किस हद तक है, इसका मूल्यांकन करने के लिए राष्ट्रीय मले-

रिया उन्मूलन कार्यक्रम के मुख्यालय में एक काला-अजार सर्वेक्षण दल बनाया गया है ।

- (2) किसी प्रकार की आकस्मिक स्थिति का मुकाबला करने के लिए बिहार, पश्चिम बंगाल, उत्तर प्रदेश, असम, गुजरात, तमिलनाडु, मेघालय और दिल्ली को पेटामिडीन नामक एक काला-अजार की औषधि सप्लाई कर दी गई है ।

(ग) 1978 के दौरान किसी भी राज्य/संघ शासित क्षेत्र से (बिहार को छोड़कर) काला-अजार की एक भी घटना की सूचना नहीं मिली है । तथापि 1977 के दौरान इस रोग की निम्नलिखित घटनाएं होने की सूचना मिली थी :—

तमिलनाडु	62
पश्चिम बंगाल	62 (अगस्त, 1977 तक)
दिल्ली	8 (जुलाई, 1977 तक)
मेघालय	7 (पुराने रोगी)
उत्तर प्रदेश	9

(घ) और (ङ), जब यह रोग केवल बिहार तक ही सीमित था, तब यह समझा गया था कि इस रोग पर नियंत्रण पाना उस राज्य सरकार की ही एकमात्र जिम्मेदारी है किन्तु जब इस रोग का अन्तरराज्य समस्या बनने का खतरा पैदा हो गया, तो केन्द्रीय सरकार ने इस पर नियंत्रण पाने के लिए सहायता प्रदान की ।

Pilferage of Minerals

3668. SHRI SUKHENDRA SINGH: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the attention of Government has been drawn to a statement made by the Mines and Minerals Minister of Bihar State published in the 'Nav Bharat Times' of the 17th June wherein he had stated that 90 per cent of the minerals are being pilfered because the headquarters of mining companies are located outside Bihar which is resulting in a loss of about Rs. 200 crores per year and Bihar State is becoming poorer;

(b) the effective steps being taken by Government to check this pilferage and the instructions issued by Government to the Bihar State in this regard; and

(c) whether Government propose to make it obligatory to shift these headquarters in the Bihar State?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA)

(a) Yes, Sir

(b) Checking of illegal mining and trading in minerals is a subject falling within the jurisdiction of the State Governments and the Central Government is not concerned. The State Governments possess adequate powers to determine a lease if the lessee commits any breach of the terms and conditions of the mining lease.

(c) The Bihar Government had written to the Central Government to make necessary changes in the relevant law to make it obligatory for mining companies to shift their headquarters to Bihar. Central Government have already informed the Government of Bihar the difficulties in making such arrangements.

Indians Settling in Europe

3669 SHRI JYOTIRMOY BOSU Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether West Germany is becoming the new "promised land" for Indians seeking to slip through tough immigration laws and settle in Europe, and

(b) if so, Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU) (a) In recent months there have been reports of Indian seeking entry into West Berlin and from there

to the Federal Republic of Germany. The authorities in West Berlin and the Federal Republic of Germany are becoming convinced that such persons are neither bona fide tourists nor victims of political persecution. It is understood that some of these Indians have been deported recently from West Berlin.

(b) The Government of India disfavours Indians seeking illegal entry into other countries.

Probe into Transfer of Money to Iran

3670 PROF SAMAR GUHA Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether Government have taken necessary steps for making "deeper probe" in regard to payment of 11 million dollars to Iran by the Government of India,

(b) if so, the steps taken thereabout, and

(c) the progress made in the process of making "deeper probe" into the matter of transaction of this said money?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJPAYEE) (a) Yes Sir Further enquiries have been initiated

(b) and (c) So far no additional information beyond that already tabled in the House, has become available

शाकीय स्वास्थ्य योजना

3671 श्री राकेश सिंह क्या स्वास्थ्य और परिवार कल्याण नजी यह बताने की कृपा करेंगे कि

(क) नजीक शाकीय स्वास्थ्य योजना के कार्यान्वयन के लिए क्या व्यवस्था की गई है, और

(ख) क्या इसमें कोई संशोधन करने का प्रस्ताव है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जगदम्बी प्रसाद यादव) : (क) नई ग्रामीण स्वास्थ्य योजना, जो जन स्वास्थ्य रक्षक योजना के नाम से भी प्रसिद्ध है, को चलाने के लिए पर्याप्त प्रबन्ध कर लिए गए हैं। इन प्रबन्धों में प्रशिक्षकों का प्रशिक्षण अर्थात् प्राथमिक स्वास्थ्य केन्द्रों के चिकित्सा अधिकारियों तथा ब्लाक विस्तार शिक्षकों का प्रशिक्षण और जिला चिकित्सा अधिकारियों की ओरियेंटेशन ट्रेनिंग भी शामिल है। इस प्रशिक्षण का आयोजन केन्द्रीय प्रशिक्षण संस्थानों में तथा राज्यों के स्वास्थ्य और परिवार कल्याण प्रशिक्षण केन्द्रों में किया जाता है। प्राथमिक स्वास्थ्य केन्द्रों को जन स्वास्थ्य रक्षकों के प्रशिक्षण की व्यवस्था करने के लिए आवश्यक सामान भी दिया जाता है। इन कार्य-कर्ताओं को एक-एक मैन्युअल और एक-एक किट मिल जाए, इसका भी सुनिश्चय कर लिया गया है। प्राथमिक स्वास्थ्य केन्द्रों में नैदानिक सुविधाओं में सुधार लाने के लिए अतिरिक्त दवाइयों और प्रयोगशाला-उपकरणों को भी व्यवस्था कर दी गई है। इस योजना के कार्यान्वयन के लिए अपेक्षित धन की व्यवस्था भी कर ली गई है और राज्य सरकारों/संघ शासित क्षेत्रों के प्रशासनों को भी धन दे दिया गया है। राज्य सरकारों/संघ शासित क्षेत्रों के प्रशासनों को यह सलाह दी गई है कि वे जन स्वास्थ्य रक्षकों को समय पर नियमित रूप से स्टाइपेंड और मानदेय के भुगतान को सुनिश्चित करें।

(ख) जिस अध्ययन दल ने जन स्वास्थ्य रक्षक योजना का मूल्यांकन किया है, उसके निष्कर्षों और सिफारिशों के अनुसार इस योजना के कार्य-संचालन में कुछ सुधार करने का विचार है।

Pending Applications for foreign assignments

3672. SHRI SARAT KAR: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the number of applications of aspirants for foreign assignments that are pending at present; and

(b) the number of applications disposed of during the last six months and the number of those rejected during the same period?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) the total number of applications registered on the foreign assignment panels maintained by the

Department of Personnel and Administrative Reforms as on 30th June, 1978 is 38486.

(b) 689 applicants were selected for bilateral contract assignments in the developing countries through the Department of Personnel and Administrative Reforms during the period 1st January 1978 to 30th June 1978.

The registration of applicants on the foreign assignment panels remains valid for a period of three years from the date of registration. Normally 2 or 3 applicants are sponsored for each assignment. Such of the applicants who are sponsored for an assignment and are not selected are proposed again for other future assignments.

Grant of Telephone becoming Available due to Discontinuation of O.Y.T. Scheme

3673. SHRI BALASAHEB VIKE PATIL: Will the Minister of COMMUNICATIONS be pleased to state:

(a) how many telephone connections would become available in the country as a result of discontinuation of O.Y.T. Scheme; and

(b) the broad outlines on the basis of which these surplus telephone connections would be given to the applicants demanding new connections?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) OYT Scheme has not been discontinued. Only the registration for new demands under OYT has been suspended temporarily at Bombay, Delhi, Calcutta and Ludhiana. This is to make available the capacity which would have gone to fresh applicants under OYT to non-OYT applicants pending in waiting list for long periods in these cities.

(b) After meeting the existing OYT waiting list in these places the spare

capacity is scheduled to be distributed between "Special" and "General" category applicants in the ratio of 2:3.

Shortage of Sheep used as Feedstock for Anti-Rabies Vaccine

3674. SHRI OM PRAKASH TYAGI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) is it a fact that the acute shortage of sheep used as feedstock for the manufacture of anti-rabies vaccine has forced the Central Research Institute at Kasauli to drastically cut down the production of the vaccine;

(b) what are the reasons for this state of affairs; and

(c) what steps are being taken to make up the loss in production?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAG-DAMBI PRASAD YADAV): (a) and (b). Yes Sir. In April, this year it was learnt that Central Research Institute, Kasauli would not be able to meet the full demand of Anti-Rabies Vaccine of its regular indentors due to short supply of sheep by the contractor. For production of Anti Rabies Vaccine, sheep of younger age and smaller weight without any disease are required. Earlier this year there was difficulty in procurement of this type of sheep. The position has since improved.

(c) It is expected that normal production will be taken up by the Central Research Institute, Kasauli from October, 1978. For the next two months supplies will also be made to the regular indentors of C.R.I. Kasauli by Pasteur Institute, Shillong and Calcutta and Haffkine Bio-pharmaceutical Corporation Ltd, Bombay.

Arrangements of Treatment of Cancer, Blood Pressure and Heart Disease

3675. SHRI GANGA BHAKT SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether adequate arrangements for treatment of cancer, blood pressure and heart diseases have been made in various hospitals in Delhi;

(b) if not, the reasons therefor;

(c) if so, the names of hospitals having treatment facilities for above diseases; and

(d) the number of such patients given treatment during the period from January to June, 1978 and how many of them were cured?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAG-DAMBI PRASAD YADAV): (a) to (c). While adequate arrangements for treatment of blood pressure and heart diseases exist in all the major hospitals in Delhi, arrangements for treatment of cancer are available in the All India Institute of Medical Sciences, Safdarjang Hospital and Lok Nayak Jai Prakash Narain Hospital.

(d) The requisite information is being collected and shall be laid on the Table of the Sabha.

उत्तर प्रदेश के जिलों में स्वचालित टेलीफोन केन्द्र

3676. श्री गंगाभक्त सिंह : क्या संचार मंत्री यह बताने की कृपा करेंगे कि उत्तर प्रदेश के कितने ऐसे जिले मुख्यालय हैं, जहाँ स्वचालित टेलीफोन केन्द्र हैं और पूरे उत्तर प्रदेश में स्वचालित टेलीफोन केन्द्रों के कब तक लगाए जाने की संभावना है ?

संचार मंत्रालय में राज्य मंत्री (श्री नरहरि प्रसाद मुखर्जी) : जिला मुख्यालयों में 39 आटोमैटिक एक्सचेंज काम कर रहे हैं। विभाग सामान्यतया सभी मैनुअल एक्सचेंजों को जिनमें

उत्तर प्रदेश के मनुष्य एक्सपेंस भी शामिल हैं, जिनमें 15 वर्षों में आर्टिफिकल एक्सपेंसों में कटौती के लक्ष्य को पूरा करने के लिए काम कर रहा है।

दिल्ली में शिक्षित बेरोजगारों की उपलब्ध कराये गये रोजगार

3677. श्री गंगाधर सिंह : क्या संसदीय कार्य तथा भवन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने बाबू बंधु में दिल्ली में शिक्षित बेरोजगारों को रोजगार देने के लिए कोई कार्यक्रम तैयार किया है ,

(ख) यदि हाँ, तो इस कार्यक्रम के अन्तर्गत जनवरी से जून, 1978 के दौरान कितने लोगों को रोजगार दिया गया , और

(ग) 1978 के अन्त तक सरकार द्वारा कितने व्यक्तियों का रोजगार उपलब्ध कराया जाएगा ?

संसदीय कार्य तथा भवन मंत्री (श्री रवीन्द्र वर्मा) : (क) से (ग) शिक्षित तथा अशिक्षित व्यक्तियों के लिए रोजगार अवसरों की व्यवस्था करने के लिए कुछ प्लान स्कीमों दिल्ली सभ्यता समितियों की 1978-79 की वार्षिक प्लान में शामिल की गई हैं। इन स्कीमों से लगभग 29,700 व्यक्तियों को रोजगार प्रदान किए जाने की सम्भावना है। जून, 1978 तक ऐसे व्यक्तियों, जिन्हें इन स्कीमों में रोजगार प्रदान किए गए, के बारे में सूचना उपलब्ध नहीं है।

Special Plan for Family Welfare

3678. SHRI R. K. MHALGI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government have drafted any special programme for family welfare in the backward Districts;

(b) if so, the details thereof; and

(c) the progress made since its inception?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) to (c). The Government of India during the Fourth Five Year Plan, 2242 LS-6

approved a Scheme for expanding the basic health and family planning services to disadvantage on difficult areas in the country. This Scheme consisted of two parts namely (i) sanction of special pay to Medical Officers as an inducement for working in such areas, (the total number being restricted to 400 Primary Health Centres) and (ii) provision of basic amenities like electricity, water supply and approach roads (restricted to Primary Health Centre and Family Welfare Centres in 100 Blocks) in such areas.

This scheme was however, discontinued in the Fifth Five Year Plan wherein provision for amenities like electricity, water supply and approach roads formed part of the Minimum Needs Programme under the State Sector.

No specific scheme however, exists for Family Welfare Programme in the backward districts, as such.

Shares of Manganese Ore India Limited

3679. SHRI KACHARULAL HEMRAJ JAIN. Will the Minister of STEEL AND MINES be pleased to state:

(a) whether all the shares of Manganese Ore India Limited have been purchased by the Central, Madhya Pradesh and Maharashtra Governments and if so, when and the percentage thereof in each case;

(b) the capital invested in the Manganese Ore India Limited and whether this capital is sufficient for running the industry and if not, the action proposed to be taken by Government to invest capital therein; and

(c) the amount of interest paid by Manganese Ore India Limited every year and full details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA) (a) Yes Sir All the shares of Mangane Ore India Ltd (MOIL) are now held by the Government of India, the Government of Madhya Pradesh and the Government of Maharashtra in the percentages of 51, 24.5 and 24.5 respectively

(b) The capital invested in MOIL is Rs 215 crores In view of the nature of working of the mines more capital is considered necessary This will be provided as and when required

(c) The amounts of interest paid by MOIL to commercial banks during the past 4 years are as under —

1974-75	Rs 37 14 lakhs
1975-76	Rs 33 99 lakhs
1976-77	Rs 12 78 lakhs
1977-78	Rs 18 00 lakhs

Benefit of Provident Fund to employees of Alokudyog Group of Industries

3680 SHRI C K CHANDRAPAPPAN Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state

(a) Is it a fact that the employees of Alokudyog Group of Industries namely Alokudyog Services Allayn Plywood R K Hotels Alokudyog Overseas etc have been deprived of provident fund benefits and

(b) if so the amount and what action has been taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR RAM KIRPAL SINHA) The Employees' Provident Fund Authorities have intimated as follows —

(a) Yes The following establishments of Alokudyog Group of Industries have defaulted in the payment of the provident fund dues —

(i) Alok Udyog Services, New Delhi

(ii) Bharat Overseas (Private) Limited, New Delhi

(iii) Albion Plywood (not Allayn Plywood) Andamans

(iv) Alok Udyog Vanaspati and Plywood, Budge Budge, West Bengal

(v) R K Hotels (Private) Limited Jaipur Rajasthan

Alok Udyog Overseas (Private) Limited is not covered under the Employees Provident Funds and Miscellaneous Provisions Act 1952

(b) A statement is laid on the Table of the Sabha [Placed in Library See No LT-2624/78]

Safeguard for Dahan Labour

3681 SHRI PADMACHARAN SAMANTASINHERA Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to refer to the reply given to Starred Question No 239 on the 9th March 1976 regarding inter state migrant labourers and state

(a) the total number of labourers annually going out of the State of Orissa for working and

(b) what action has been taken for their safeguard and welfare by Government to eliminate the abuses of the system by administrative and legislative measures?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (SHRI LARANG SAI) (a) The information is being collected and will be laid on the Table of the House

(b) The Compact Committee appointed sometime ago to go into the question of Dadan Labour of Orissa and to suggest measures for eliminating abuses of this system has recommended suitable legislation for such inter-state migrant workers. The matter is being processed in consultation with the Ministry of Law.

Appointment of Local People in Steel Plants

3682. SHRI PADMACHARAN SAMANTASINHERA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Government are aware that in the steel plants the local people are not given facilities for appointment to Class I and Class II services,

(b) the total number of employees serving in Class I and Class II posts steel plant-wise and the number among them of local employees; and

(c) what action has been taken by Government to provide facilities to the local people for appointment?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) and (c) According to the recruitment policy laid down by Government for public sector undertakings, direct recruitment to posts

carrying pay scales the maximum of which is less than Rs. 800 p.m. is required to be made only through the National Employment Services and other sources of recruitment can be tapped only if the Employment Exchanges issue a 'Non-availability Certificate'. Where advertisements are made, these are required to be in local languages and in the local newspapers. Further, in the case of unskilled and skilled workers, clerks and other non-technical staff whose scales are comparatively low, preference is required to be given to persons displaced from the areas acquired for the project and Scheduled Castes and Scheduled Tribes (e.g. Adivasis) so long as basic qualifications and experience are forthcoming. All this helps ensure full opportunities of employment to the local persons.

However, in the case of technical and non-technical posts having higher starting salaries equivalent to class I junior scale of Government, recruitment is required to be made on All India basis, merit and qualifications being the principal criteria

(b) In the steel plants, employees are normally classified into two broad categories, namely, executives and non-executives. Their total number in the public sector Steel Plants as on 31st March 1978 is indicated below.—

Name of Plant	Total/number of regular employees		
	Executives	Non-Executives	Total
1. Bhilai Steel Plant	3,397	52,537	55,934
2. Durgapur Steel Plant	1,951	30,280	32,231
3. Rourkela Steel Plant (incl. Fertilizer Plant)	2,362	34,436	36,798
4. Alloy Steels Plant	745	6,399	7,144
5. Bokaro Steel Plant	3,093	32,107	35,200
6. Salem Steel Plant	68	118	186
7. Indian Iron & Steel Co. Ltd. (IISCO) Burnpur	789	21,366	22,155

Statistics of employment by place of birth or residence are not maintained by the steel plants .

Repair of Ambulances

3683. DR. SAROJINI MAHISHI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the delay in getting the ambulance and other vehicles repaired is due to the fact that Central Health Transport Organisation has no revolving funds to buy spare parts;

(b) how many ambulances are out of order since three years past in Health and Family Welfare services and still continue to be out of order in Delhi; and

(c) what is the position of 'Centralised Ambulance Service'?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) No. Every care is being taken to provide efficient repair and maintenance service for the ambulances. However efforts are being made to create a special fund for buying spares to further streamline vehicle repair activity.

(b) No ambulance is out of order since three years past in the major hospitals, like Safdarjung Hospital, Dr. Ram Manohar Lohia Hospital and L.N.J.P. Hospital in Delhi.

(c) An expert group has been constituted by the Delhi Administration to go into the entire matter and suggest accordingly.

गुजरात के बलसार और डांग जिलों में साक्षात्ताकर

3684. श्री छीमुभाई गान्धोत : क्या संसार मंत्री यह बताने की कृपा करेंगे कि :

(क) गुजरात में बलसार और डांग जिलों के आदिवासी क्षेत्रों में उन स्थानों के नाम क्या हैं जहाँ पर साक्षात्ता और उप-साक्षात्ता हैं ; और

(ख) उन गांवों की संख्या कितनी है जिनमें अभी भी साक्षात्ता की सुविधाएँ नहीं हैं ?

संसार मंत्रालय में राज्य मंत्री (श्री नरसिंह बलसत्तुल्लु साय) : (क) अपेक्षित सूचना सभा घटक पर रखे गये विवरण में दी गयी है । [सन्मालय में रखा गया । देखिये संख्या एम डी-2625/78]

(ख) बलसार जिला } 380 गांव
डांग जिला } 272

Delivery time of Letter from New Delhi to Pune

3685. DR. BAPU KALDATE: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether the delivery time taken by ordinary post for a letter posted from New Delhi to Pune is more than 5 days;

(b) if so, the reason thereof; and

(c) if not, why letters do not arrive in Pune from Delhi in good time i.e. 3rd day?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI): (a) No Sir, letters from New Delhi for Pune are normally delivered on 3rd day of posting. It is possible some individual letter might have got delayed due to some reason.

(b) and (c). In view of (a) above, do not arise.

Setting up of two groups by Steel Authority of India

3686. SHRI DHARMA SINHBHAI PATEL: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether two groups have been set up by the Steel Authority of India, one to examine the production aspect and the other to report on the marketing and sale, with a view to encourage the use of steel in the rural areas;

(b) if so, whether reports have been submitted by both these groups if so, when and a summary thereof;

(c) the total quantity of each item earmarked together with the purposes, for the use of rural populace; and

(d) the items of use by farmers earmarked for production in rural workshops?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA) (a) and (b). Yes, Sir The reports were submitted in December, 1977 A brief summary of the reports is given below:

(1) The Report on the production aspect emphasises the need for improvement in farm implements, storage bins, bullock-cart, engineering workshops for assembly, repair, maintenance and manufacture of items of rural use involving steel at village/block levels. It envisages an employment potential of 10-20 workers per workshop in the rural sector and identifies the machinery needed. It offers scope for development of skills and transfer of steel technology to rural artisans.

(11) The Report on the marketing aspect draws a distinction between items to be produced and promoted directly and items for which coordination with existing manufacturers will be adequate. In the scheme of rural workshops, decentralisation of manufacturing and distribution is envisaged. Details of selection of local entrepreneurs, quality control, consultancy/service centre, publicity aspect and incentives to the entrepreneurs are given.

(c) and (d) About 50 items of rural use for farming, blacksmithy, carpentry, masonry, transportation etc involving steel have been identified. The quantity for manufacture of each item will depend on local demand and economic of workshop operations.

Representation by Engineering Export Industries against increase in Price of Steel

3687. SHRI S. R. DAMANI: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the export engineering industries have represented against the recent increase in steel prices and if so, decisions taken by Government in order to maintain competitiveness of engineering goods exports;

(b) whether the Engineering Export Promotion Council has expressed fears that steel shortages may come in the way of export growth in the current year,

(c) has the Council made any specific proposals to Government by which the growth rate of exports can be maintained and if so, the details thereof, and

(d) the action Government propose to take on them?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA) (a) to (d). Representations have been received from various associations, organisations connected with exports, including the Engineering Export Promotion Council seeking protection from the effects of increase in prices of steel materials made effective from the midnight of 4/5th June, 1978. In view of these representations, it has been decided that all export contracts/tenders (in the event that such tenders subsequently result in contracts) for engineering goods and steel bars and rods re-rolled from billets/re-rollables, subsisting on the 4th/5th June, 1978 and against which steel is to be delivered partly or wholly, would be protected from the steel price increase to the extent that the price increase is beyond 10 per cent of the pre-increase price, provided the contracts/tenders do not provide for adequate escalation clause. For eligibility for protection,

contracts/tenders should have been registered with appropriate authorities as already provided for in the regulations

EEPC had also indicated to Steel Authority of India Limited their total requirements of steel which would be required to meet their export commitments during the year EEPC were advised as to what extent the supply could be made from domestic sources and the extent to which they would have to meet their requirements from imports

Copper Deposits in Kallur Village of Raichur District

3688 SHRI RAJ SHEKHAR KOLUR Will the Minister of STEEL AND MINES be pleased to state

(a) whether copper ore deposits were discovered in Kallur Village of Raichur District in Karnataka, and

(b) if so the progress made for their exploration and commercial utilization may be indicated?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA) (a) and (b) Yes Sir The Department of Mines and Geology, Government of Karnataka have tentatively estimated 6 million tonnes of ore in the area containing 0.8 to 1.0 per cent copper. They are still conducting detailed exploration in the area. At this stage the question of commercial exploitation does not arise.

Opening of RPO at Bangalore

3689 SHRI RAJ SHEKHAR KOLUR Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether he is aware that people of Karnataka and of the extreme South have to go either to Madras or to Bombay in connection with their passport applications and are put to considerable hardship thereby, and

(b) if so, whether it is proposed to open a Regional Passport Office at Bangalore?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU) (a) and (b) In reply to Unstarred Question No. 428 answered in this House on 23-2-1978, it was stated that a full-fledged Regional Passport Office will be opened in the State of Karnataka in the early part of the financial year 1978-79. Accordingly a Regional Passport Office was opened in Bangalore on June 12, 1978.

Loss incurred by Thintani Copper Mines in Sholapur

3690 SHRI RAJ SHEKHAR KOLUR Will the Minister of STEEL AND MINES be pleased to state

(a) whether the Thintani Copper Mines in Sholapur Taluk of Gulbarga District has incurred losses in its operations

(b) if so, the extent of the loss, and

(c) steps taken to improve the working of the project?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA) (a) Yes, Sir

(b) The cumulative losses incurred by the Thintani Copper Project right from its inception upto 31-3-1978 are Rs. 96.86 lakhs.

(c) The Thintani Copper Project is under exploitation by the Hutti Gold Mines Company Ltd., an undertaking under the control of the Government of Karnataka. As against the estimated average grade of the ore-body of 0.8 per cent copper content and 10 metres width, based on diamond drilling data, mine development so far has established an average grade of only 0.4 to 0.5 per cent copper content and

average width of 2.5 to 3 metres. In view of the very low grade of the ore and the narrow width of the orebody, the operations have not proved viable.

Gold in Gulbarga District

3691. SHRI RAJSHEKHAR KOLUR: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether it is a fact that gold was discovered by the Geological Survey in Shorapur Taluka in Gulbarga District of Karnataka; and

(b) if so, what steps have been taken for its exploration?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) Yes, Sir.

(b) Preliminary investigations for gold in Mangalur schist belt, Shorapur taluk, Gulbarga District, Karnataka confirmed the presence of gold in the area. Geophysical surveys conducted during the field season 1977-78 have revealed four anomaly zones in the area. Further work to test the anomalies is in progress.

स्टील प्रचारिटी ग्राम इंडिया द्वारा कोयले का आयात

3692. डा० लक्ष्मीनारायण पांडेय :

श्री यशवन्त शर्मा :

श्री माधवराव सिन्धिया :

क्या इस्पात और खान मंत्री यह बनाने की कोशिश करेंगे कि :

(क) क्या स्टील प्रचारिटी ग्राम इंडिया लि० ने सरकार की मंजूरी लिये बिना घाटे-लिया से 10 लाख टन कोयले का आयात किया है ;

(ख) क्या स्टील प्रचारिटी का कोल इंडिया की प्रतिबद्ध करोड़ों रुपए का घाटा हो रहा है ;

(ग) क्या इस विषय में अब तक की गई कार्यवाही निष्फल सिद्ध हुई है ; और

(घ) क्या सरकार का ध्यान 18 जुलाई, 1978 के "नवभारत टाइम्स" (नई दिल्ली संस्करण) में इन बातों को उजागर करने वाले समाचार की ओर गया है ?

इस्पात और खान मंत्री (श्री सोमूचंडरायक):
(क) जो, नहीं ।

(ख) और (ग). वर्ष 1974-75 से 1976-77 के दौरान स्टील प्रचारिटी ग्राम इंडिया लि० को द्वारा वार्षिक लाभ 30.29 करोड़ रुपए और 73.26 करोड़ रुपए के बीच है । वर्ष 1977-78 के लेखा को अभी अंतिम रूप नहीं दिया गया है परन्तु धारणा है कि सेल को इस वर्ष भी लाभ होगा । लेकिन कोल इंडिया लि० को विभिन्न कारणों से घाटा हुआ है ।

Setting up of Ancillary Industries by Bhilai Steel Plant

3693. DR. LAXMINARAYAN PANDEYA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Bhilai Steel Plant has shown no interest in setting up of ancillary industries and in extending recognition and cooperation to such units already set up and in accepting them as ancillary units;

(b) whether even the ancillary industrial units set up in 1971 have not been recognised as ancillary units; and

(c) if so, the reasons therefor and the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) No, Sir. On the contrary, the management of Bhilai Steel Plant is continuing to render all necessary help and cooperation in the development of ancillary/small scale industries. The plant is placing orders for all such items which can be manufactured by these industries, providing technical know-how and guidance, arranging or helping in procurement of raw-materials, providing testing facilities, etc. As a result of these efforts, small scale industries around Bhilai have progressed considerably. The ancillary selection Committee that is being set up by the State

Government is expected to give its recommendations, based on which some of the units could be recognised as ancillary units by the management

(b) and (c) The question of declaring small scale industries as ancillaries around the Steel Plant was considered by the erstwhile HSL Board in 1972. However, in view of the definition and scope of the ancillary industry then prevailing—according to which an ancillary industry was one which formed part of the production process of the main plant—the industries could not be considered as ancillary industries

However, as per the direction of the Government of India, the Plant Management has initiated action for declaring selected small scale units as ancillaries. It has written to the Madhya Pradesh Government for issuing an order constituting an 'Ancillary Development Advisory Committee'. The State Government has suggested a revised constitution of the Ancillary Selection Committee which has already been agreed to by the Plant Management. To expedite the matter the Plant Management have written to the M P Government suggesting that the proposed Advisory Committee may examine the items which a large number of small scale industries are already supplying to the Plant and select some of these as ancillaries on the basis of their performance

मध्य प्रदेश के मन्सौर, रतलाम, तथा झाबुआ जिलों में डाकघर

1694 डा० लक्ष्मीनारायण पांडेय • क्या संचार मंत्री यह बताने की हुपा करेंगे कि

(क) मार्च, 1975 से मार्च, 1978 तक की अवधि में, मध्य प्रदेश के मन्सौर, रतलाम और झाबुआ जिलों के गांवों में खोल गये डाकघरों का डाकघरों ई० जी० डाकघरों, टेलीफोन एक्सचेंजों और सार्वजनिक टेलीफोन केन्द्रों और लगाये गये डाकघरों की संख्या वितनी है और वे कहाँ कहाँ पर हैं,

(ख) क्या सार्वजनिक टेलीफोन केन्द्रों, टेलीफोन एक्सचेंजों और डाकघरों की कमी बहुत मात्रा में है; और

(ग) यदि हाँ, तो उपरोक्त जिलों में ऐसे स्थानों के नाम क्या हैं जहाँ से इस प्रकार की कमी है?

संचार मन्त्रालय में राज्य मंत्री (जी मन्सूर प्रसाद मुन्शी) का जवाब :

(क) डाकघर और सेंटर कल

अपेक्षित सूचना तथा पटल पर रखे गये विवरण 'क' और 'ख' में दी गई है। [संख्यात्मक में रखा गया देखिए संख्या LT 2626/78]

सार्वजनिक टेलीफोन घर

अपेक्षित सूचना तथा पटल पर रखे गये विवरण 'ग' में दी गई है। [संख्यात्मक में रखा गया देखिए संख्या LT 2626 7b]

टेलीफोन एक्सचेंज

अपेक्षित सूचना तथा पटल पर रखे गये विवरण 'घ' में दी गई है। [संख्यात्मक में रखा गया देखिए संख्या LT 2626/78]

(ख) जी हाँ।

(ग) डाकघर

अपेक्षित सूचना तथा पटल पर रखे गये विवरण 'ड' में दी गई है। [संख्यात्मक में रखा गया देखिए संख्या LT 2626/78]

सार्वजनिक टेलीफोन घर

अपेक्षित सूचना तथा पटल पर रखे गये विवरण 'घ' में दी गई है। [संख्यात्मक में रखा गया देखिए संख्या LT 2626 7b]

टेलीफोन एक्सचेंज

नाम (रतलाम जिला) में टेलीफोन एक्सचेंज की मांग दूर कर ली गई है। प्राप्त करने की मजूरी दी गई है। बताया है कि मार्च 1979 तक एक्सचेंज शुरू जाएगा।

चोपाल में क्षेत्रीय पारंपरिक कार्यालय खोलना

3695 डा० लक्ष्मीनारायण पांडेय • क्या विदेश मंत्री यह बताने की हुपा करेंगे कि

(क) पारंपरिक पाल करने में होने वाली समस्याओं और बर्तनाई की ध्यान में रखते हुए क्षेत्रीय पारंपरिक कार्यालय खोलने का निर्णय किया गया है, और

(ख) यदि हाँ, तो इस बारे में क्या अनुसंधान कार्यवाही की गई है और उक्त कार्यालय भीषाल में कब तक स्थापित हो जायेगा?

विदेश मन्त्रालय में राज्य मंत्री (जी मन्सूर प्रसाद मुन्शी) का जवाब :

(ख) यह निर्णय लिया गया है कि मोपान में एक उप-राष्ट्रीय वास्तु निर्माण कार्यालय खोला जाए और इस निर्णय के अनुपालन में आवश्यक कार्यवाही की गयी है तथा कार्यालय के लिए भवन किराया पर लेना कामियों का चयन जाहि। उम्मीद है कि मोपान में उप-राष्ट्रीय वास्तु निर्माण कार्यालय प्राणामी दो महीनों के अन्दर कार्य करना आरम्भ कर देगा।

Iron and Manganese Ore Mines closed in Goa

3697. SHRI AMRUT KASAR: Will the Minister of STEEL AND MINES be pleased to state:

(a) the number of iron and manganese ore mines closed in Goa due to recent recession in Japanese market, and

(b) what steps Government have taken to keep the mines in operation by utilising the ores for indigenous plants or otherwise?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) No closure of iron and manganese ore mine in Goa has been reported due to recent recession in the Japanese market.

(b) Does not arise

Committee for deciding issue of Special Commemorative Stamps

3698. PROF. P. G. MAVALANKAR. Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether special All India Committee or an expert selection Committee in his Ministry exists for deciding the issuing of special commemorative postage stamps every year;

(b) if so, full names, designations experience of the said Committee, their duration and their terms of reference;

(c) whether the Committee has prepared any guidelines for issuing of such stamps;

(d) if so, full details thereof;

(e) whether the said guidelines are always adhered to and if not, why not; and

(f) full details regarding names and events discussed by the said Committee from 1-1-1976 till date but rejected giving reasons for such rejection?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKH-DEO SAI): (a) In the matter of issue of Special/Commemorative Postage Stamps, the P&T Department is guided by the recommendations of the Philatelic Advisory Committee set up to advise the Government on matters pertaining to 'Philately and Issue of Postage Stamps etc.'

(b) The names and designations of the members of the committee, their terms of reference etc. are placed at the Table of the House [Placed in Library See No LT-2627/78.]

(c) and (d). The Government have prescribed certain guidelines for the guidance of the Philatelic Advisory Committee for examination of the proposals. A copy of the same is placed on the Table of the House. [Placed in Library. See No. LT-2627/78.]

(e) Yes, Sir. Save in exceptional circumstances.

(f) Statement of the proposals discussed from 1-1-1976 is placed at annexure 'C'. The Committee does not give reasons of rejection for want of embarrassment to the members. The decision is unanimous and the stamps are issued generally on those subjects which are recommended by the Committee.

Sale of Human Blood

3699 PROF P G MAVALANKAR
Will the Minister of HEALTH AND
FAMILY WELFARE be pleased to
state

(a) whether Government are aware
that human blood is still being sold
on a commercial basis at several gov-
ernmental and public hospitals all over
the country,

(b) if so, whether Government are
actively considering helping the cause
and movement of voluntary blood do-
nation in the country, particularly in
Ahmedabad and Chandigarh

(c) if so, how and in what manner
and when,

(d) if not, why not, and

(e) financial assistance or grant
given by Government to such volun-
tary agencies in the years 1976 1977
and 1978?

THE MINISTER OF STATE IN THE
MINISTRY OF HEALTH AND FAMI-
LY WELFARE (SHRI JAGDAMBI
PRASAD YADAV) (a) It is a fact
that bulk of blood donation is obtained
from professional donors who get paid
for it

(b) and (c) Government have a
scheme for giving financial assistance
to voluntary institutions/agencies
engaged in the promotion and develop-
ment of voluntary blood donation pro-
grammes all over the country includ-
ing Chandigarh and Ahmedabad Gov-
ernment is also giving grant to the
Indian Red Cross Society for their
voluntary blood donation programme

(d) Does not arise

(e) The following grants have been
given during the last three years under
the scheme mentioned in (b) and (c)
above —

	Rs. in lakhs		
	1975 76	1976 77	1977 78
To Indian Red Cross Society	2.00	2.00	2.00
To Voluntary Organisations	0.79	1.45	0.21

Subjects discussed with Turkish Leader

3700 PROF P G MAVALANKAR
Will the Minister of EXTERNAL AF-
FAIRS be pleased to state

(a) whether a high placed Govern-
mental leader from Turkey recently
visited India on an official invitation,

(b) if so his name and designation,
duration of his stay and the subjects
discussed with him, and

(c) the broad details of agreements
arrived at as a result of this visit?

THE MINISTER OF STATE IN THE
MINISTRY OF EXTERNAL AFFAIRS
(SHRI SAMARENDRA KUNDU) (a)
and (b) At the invitation of the Mini-

ster of External Affairs the Minister
of Foreign Affairs of Turkey, His Ex-
cellency Mr A Gunduz Okcun, paid an
official visit to India from July 10 to
July 13 1978. During his stay here
the Turkish Foreign Minister held talks
with the Minister of External Affairs
covering a wide range of bilateral,
regional, and international issues of
mutual interest, these included the
situation in Middle East Africa and
Cyprus, the new international econo-
mic order, declaration of Indian Ocean
as Zone of Peace and Disarmament.
The two Ministers also reviewed the
progress in relations between India
and Turkey in the fields of trade,
economic and technical cooperation,
cooperation in science and technology
and cultural exchanges.

(c) The Agreement on Economic and Technical Cooperation between India and Turkey was signed during the visit. The Agreement envisages exchange of experts and technicians between the two countries, setting up of joint ventures, joint promotion of studies and schemes likely to contribute to the social and economic development of the two countries and cooperation between the respective production enterprises of the two countries for exchange of technology.

Minister's visit to Geneva for I.L.O. Conference

3701 PROF P G MAVALANKAR Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state

(a) whether he visited Geneva recently to attend the I.L.O. Conferences etc., and

(b) if so, broad details thereto?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) (a) and (b) Shri Ravindra Varma the Union Minister of Parliamentary Affairs and Labour attended, as Visiting Ministers, the 64th Session of the International Labour Conference held in June 1978. In his speech delivered in the Plenary, the Minister stressed the need for re-orienting I.L.O. attitudes and programmes to reflect its character of universality. He also emphasised the urgency of meaningful implementation of the World Employment Programme, the necessity of creating employment opportunities in the rural areas and the need for technology which would maximise employment and production and facilitate more equitable distribution of purchasing power essential for the satisfaction of basic needs.

The Conference, which was attended by a tripartite delegation from India, adopted a Convention and a Recommendation each on (i) labour adminis-

tration and (ii) labour relations in public services. It also laid the groundwork for new international standards on road transport and protection of dockers against accidents which would be considered at the next year's Session.

The Conference also adopted the reports of its Committees on the structure of I.L.O. and on the application of Conventions and Recommendations besides approving the revised budget of the Organisation for the biennium 1978-79 and admitting Namibia to the membership of the Organisation. The Conference held a special sitting to discuss the policy of apartheid of the Republic of South Africa.

Search for prescription of Ayurvedic, Unani and Siddha Systems

3702 SHRI S R REDDY Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state

(a) whether there is any proposal under the consideration of Government to make a search for these prescriptions of Ayurvedic, Unani and Siddha systems of medicines which are in the possession of the families of traditional vaidas and Hakims in the country and to make them available to the common man and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV) (a) and (b) The Mobile Research Units, Survey Units and Special Survey Teams of the Central Council for Research in Indian Medicine and Homoeopathy are gathering prescriptions of the traditional systems of medicine, which are in the possession of the families of traditional Vaidas and Hakims with the intention of making them available to the common man after careful scrutiny. A statement giving details is enclosed.

Statement

The Central Council for Research in Indian Medicine and Homeopathy has established Fact Finding Mobile Clinical Research Units at the following places :—

Name of Station	State
1. Cheruthuruthy . . .	Kerala
2. Patiala . . .	Punjab
3. Bhubaneswar . . .	Orissa
4. Calcutta . . .	West Bengal
5. Jaipur . . .	Rajasthan
6. Jhansi . . .	Uttar Pradesh
7. Varanasi . . .	Uttar Pradesh
8. Jogindernagar . . .	Himachal Pradesh
9. Vijayawada . . .	Andhra Pradesh
10. Bangalore . . .	Karnataka
11. Nagpur . . .	Maharashtra
12. Kurukshetra . . .	Haryana
13. Vidisha . . .	Madhya Pradesh
14. Jamnagar . . .	Gujarat

2. They have also established Survey of Medicinal Plants Units at the following places :—

1. Bhubaneswar . . .	Orissa
2. Calcutta . . .	West Bengal
3. Jaipur . . .	Rajasthan
4. Jhansi . . .	Uttar Pradesh
5. Raniikhet . . .	Uttar Pradesh
6. Jogindernagar . . .	Himachal Pradesh
7. Vijayawada . . .	Andhra Pradesh
8. Nagpur . . .	Maharashtra
9. Bangalore . . .	Karnataka
10. Trivandrum . . .	Kerala
11. Rajpipla . . .	Gujarat
12. Gwalior . . .	Madhya Pradesh
13. Patna . . .	Bihar
14. Gauhati . . .	Assam
15. Jammu . . .	Jammu and Kashmir
16. Tirunelveli . . .	Tamil Nadu

3. Besides, their research workers have carried out special survey tours of Andaman and Nicobar Islands, Lak-

shadweep, Sikkim, Arunachal Pradesh, Leh, Laddakh and Tribal pockets of Nilgiri hills.

4. These Fact Finding Mobile Clinical Research Units, Survey Units and Special Survey teams have gathered information on the prescriptions of Ayurvedic, Unani and Siddha Systems of Medicine which are in the possession of families of traditional Vaidyas and Hakims.

5. The number of such prescriptions gathered is given below, State wise—

	claims/prescription
Andhra Pradesh . . .	263
Assam . . .	82
Bihar . . .	131
Gujarat . . .	388
Haryana . . .	31
Himachal Pradesh . . .	109
Jammu & Kashmir . . .	249
Kerala . . .	104
Madhya Pradesh . . .	387
Maharashtra . . .	88
Orissa . . .	32
Punjab . . .	74
Rajasthan . . .	411
Tamil Nadu . . .	50
Uttar Pradesh . . .	1
West Bengal . . .	17
Andaman . . .	250
Lakshadweep . . .	
Leh . . .	
Sikkim . . .	
Arunachal Pradesh . . .	250
Nilgiri . . .	

6. The Council proposes to bring out a publication in due course, after proper scrutiny, to give such prescriptions wider publicity throughout the country.

Linking Important Cities with Delhi or State Capitals through Micro-wave

3703 SHRI S R REDDY. Will the Minister of COMMUNICATIONS be pleased to state.

(a) whether Government have drawn any scheme to link the important cities with Delhi or State capitals through micro-wave link during the current financial year, and

(b) if so, details regarding the scheme?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI) (a) and (b) A number of important cities have already been linked through microwave systems with Delhi or State capitals. With the commissioning of new microwave systems during the current financial year, linkages through microwave will be available from 24 additional stations to Delhi and 10 additional stations to their respective State capitals.

Providing Nuclear know-how to neighbouring countries

3704 SHRI S R REDDY Will the Minister of EXTERNAL AFFAIRS be pleased state

(a) whether Government propose to provide nuclear know-how to neighbouring countries,

(b) whether any request has been made by the Government of Pakistan in this regard to the Government of India, and

(c) if so the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU) (a) No such proposal is under consideration

(b) No, Sir

(c) Does not arise

Amount lying unclaimed in P O Savings Banks

3705 SHRI ISHWAR CHAUDHARY Will the Minister of COMMUNICATIONS be pleased to state

(a) whether nearly 3 crores of rupees are lying unclaimed in the 82 lakh accounts in the Post Office Savings Banks in the country,

(b) if so, since when, and

(c) where this money will go?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI NARHARI PRASAD SUKHDEO SAI) (a) and (b) In the Post Office Savings Bank, no amount is treated as unclaimed. The accounts in which there is no transaction for six years are treated as silent accounts. As and when the Savings Bank depositor presents his pass book either for operating the account or for closure the silent account is revived and payment is made to the depositor. Up-to-date interest is allowed to the depositor. The Balance of silent accounts at the close of the year 1977-78 is Rs 30.16 crores. The total number of accounts are 82 lakhs approximately.

The procedure of treating the inactive accounts as silent accounts is in vogue since the inception of Post Office Savings Bank Scheme in the year 1882.

(c) This money remains part of the public account and is classified to the "major head-846-P&T deposits not bearing interest—silent accounts SB".

As and when the depositor wants to revive his account for further operation the amount of the account is withdrawn from the deposit head, as stated above, and credited to Savings Bank deposits.

Development Programmes to Meet Steel demand

3706. SHRI P. RAJAGOPAL NAI-DU: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Ministry of Steel and Mines is considering development programmes to meet the steel demand on long term basis; and

(b) if so, the details of the programme?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI KARIA MUNDA): (a) and (b). Yes, Sir. The Draft Five Year Plan 1978-83 envisages a total outlay of Rs. 2,546.53 crores for the development of the Steel Industry. The highlights of the major programmes/projects proposed for implementation/initiation during this period are given below:

(i) Build-up of production in the existing steel plants through maximum capacity utilisation;

(ii) Completion of expansion programmes of Bhilai and Bokaro to 4.0 million ingot tonnes each;

(iii) Modernisation, rehabilitation and introduction of technological innovations in the steel plants;

(iv) Bokaro expansion to 5.5 MT stage;

(v) Setting up of a port-based, export-oriented blast furnace complex with an annual capacity of one million tonne of saleable pig iron on 'Production Compensation' basis or under Rouble Credit arrangement. This would be the first stage of the establishment of a full-fledged integrated steel plant at Visakhapatnam;

(vi) CRG/CRNGO Steel Sheets project at Rourkela;

(vii) First Phase of Salem Steel Ltd., for production of cold-rolled stainless steel sheets/strips;

(viii) Additional melting facilities at the Alloy Steel Plant, Durgapur, to increase the existing ingot capacity from 100,000 ingot tonnes per annum of Alloy Steel to 160,000 ingot tonnes per annum; and

(ix) Increasing emphasis on Research and Development Projects for ensuring higher productivity in the Steel Plants.

In addition to the above, it is expected that there will be a continuing build-up of production in the mini steel plants including electric arc furnaces units and re-rollers.

The increase in the capacity of production, in terms of ingot steel, by the end of the year 1982-83 is brought out in the table below:—

(Figures in '000 tonnes-ingots)

Plant	Rated capacity	
	1977-78	1982-83
Bhilai . . .	2,500	4,300
Durgapur . . .	1,600	1,600
Rourkela . . .	1,800	1,800
Bokaro . . .	1,700	4,750
IISCO . . .	1,000	1,000
Total SAIL . . .	8,600	13,450
TISCO . . .	2,000	2,000
Total Main Steel Plants:	10,600	15,450
Mini Steel Plants:	2,820	3,300
	(approx.)	(approx.)
	13,420	18,750

खेतिहर मजदूरों का कल्याण

3707. श्री जगुर्नुब : क्या संसदीय कार्य तथा अन्य मंत्री यह बताते हैं कि :

(क) क्या सरकार का ध्यान ग्रामीण क्षेत्रों में घर-घर में खेतिहर मजदूरों की दैनिकीय समस्या की ओर दिनामा गया है, और

(ख) यदि हाँ, तो गत वर्ष उनसे कल्याण के लिए क्या वादवादी की गई ?

अन्य तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री सारंग साह) : (क) सरकार ग्रामीण क्षेत्रों में घर-घर में खेतिहर मजदूरों की दैनिकीय के प्रति ध्यान दे रही है ।

(ख) विदरन सदन की बैठक पर एक विचार गया है ।

विचारण

(1) ग्रामीण श्रमिकों की शिक्षा तथा संगठन के क्षेत्र में ग्रामीण श्रमिकों के बीच नेतृत्व की कक्षा तथा श्रमिक संगठनों का विकास करने के लिये विभिन्न राज्यों में लगभग 175 कैम्प आयोजित किये गये हैं ।

(2) सरकार ने ग्रामीण श्रमिकों के संगठन संबंधी अंतर्राष्ट्रीय श्रम संगठन प्रतिमय सभा 141 का अनुमोदन किया है ताकि उनके अधिकारों एवं उनकी दैनिकीय के विकास के लिये वैधानिक तथा प्रशासनिक वातावरण सृजित किया जाए ।

(3) खेतिहर श्रमिका संबंधी न्यूनतम मजदूरी अधिनियम 1949 के कार्यान्वयन के लिये केन्द्र तथा राज्यों दोनों में आवश्यक तब की स्थापना की गई है । राज्य सरकारों/सब राज्य क्षेत्रों की समय समय पर मलाह दी गई है कि वे खेतिहर श्रमिकों के लिए अधिशुचित न्यूनतम मजदूरी वरी के प्रभावों कायान्वयन की सुनिश्चित करने के लिये प्रवर्तन तब की सुदृढ़ करने के कदम उठाए । राज्य सरकारों/सब राज्य क्षेत्रों द्वारा किए गए कुछ उपायों में प्रशासनिक दफ्तों की सुदृढ़ करना अन्य विभागों के प्रतिरिक्त राजस्व कृषि ग्रामीण विकास जैसे विभागों के कर्मचारियों की सेवाओं का उपयोग करना, तथा प्राधिकारियों की सभा में रुचि करना तथा अधिशुचित न्यूनतम मजदूरी-वरी का व्यापक प्रचार करना शामिल है ।

(4) अंतर्राष्ट्रीय श्रम संगठन प्रतिमय सभा 141 में परिभाषित ग्रामीण श्रमिकों की सेवा दफ्तों के कार्य की जाह करने के लिये अन्य मंत्रालय में एक सल की स्थापना की गई है । के-ओय रक्षा की मांगित शोध स्थापित की जा रही है । राज्य सरकारों की भी इस प्रकार की कारवाही करने के लिये अनुरोध दिया गया है ।

रोजगार के लिए गत वर्ष विदेशों में गये श्रमिक

3708. श्री जगुर्नुब : क्या संसदीय कार्य तथा अन्य मंत्री यह बताने की कृपा करेंगे कि :

(क) गत वर्ष रोजगार की खोज में कुल कितने श्रमिक विदेश गये और

(ख) उनमें से प्रशिक्षित तथा अप्रशिक्षित श्रमिकों की प्रत्येक-प्रत्येक सभा कितनी है ?

संसदीय कार्य तथा अन्य मंत्री (श्री रवीन्द्र वर्मा) (क) और (ख) राजगार की खोज में विदेशों की गए कमकालों की कुल सभा और उनमें प्रशिक्षित तथा अप्रशिक्षित व्यक्तियों की सभा के बारे में सूचना उपलब्ध नहीं है । तथापि ऐसे व्यक्तियों की मख्या 45,647 थी, जिन्हें 1-1-1977 से 31-12-1977 की अवधि में विदेशों में नियुक्ति के लिए अन्य मंत्रालय द्वारा अनुमति प्रदान की गई थी ।

राजस्थान के कोटा जिले में डाकघर

3709. श्री जगुर्नुब : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) कोटा जिला (राजस्थान) में 15 जुलाई 1978 तक उप-डाकघरों की कुल सभा कितनी थी और वे कहा-कहां पर हैं,

(ख) कोटा मुख्य डाकघर के अधीन 15 जुलाई 1978 तक कितने उप-डाकघर कार्य कर रहे थे,

(ग) सरकार की नीति के अनुसार एक मुख्य डाकघर के अधीन कितने उप-डाकघर होते हैं, और

(घ) क्या उप डाकघर को मुख्य डाकघर बनाने के लिए नियमों के अंतर्गत कोई कठिनाई है और यदि नहीं तो उक्त उप-डाकघर को मुख्य डाकघर तक बनाने का सरकार का विचार है ?

संचार मंत्रालय में राज्य मंत्री (श्री महारि प्रसाद सुखदेव साह) : (क) डाकघरों की सभा : 58

ये डाकघर बहा-बहा स्थित हैं इसके बारे में सूचना मंगल विवरण 'क' में दे दी गई है ।

(ख) 59

(ग) सरकार की नीति के अनुसार किसी प्रधान डाकघर/मुख्य डाकघर में अधीन 20 से

60 तक उप डाकघर काम कर सकते हैं। (मुख्य डाकघर और प्रधान डाकघर के काम काज में कोई अंतर नहीं है)

(घ) किसी उप डाकघर का दर्जा बढ़ाकर उसे मुख्य डाकघर सभी बनाया जाता है जब संलग्न विवरण 'ख' में दिये गये मानक पूरे होने हों। ऐसी कोई नीति नहीं है कि सभी उप डाकघरों को मुख्य डाकघरों में बदल दिया जाए।

विवरण-क

डाकघरों की संख्या और स्थान का नाम जहाँ वे स्थित हैं

क्रम सं०	उप डाकघरों का संख्या	स्थिति
1	24	काटा महार
2	3	बाराज
3	1	रामगज मानी
4	1	भन्ना
5	1	भतर
6	1	भतान
7	1	बोहाट
8	1	कचट
9	1	छबरा
10	1	छोपा
11	1	बगौड
12	1	दिगाड
13	1	इन्दरगढ़
14	1	इन्नावा
15	1	कैधुन
16	1	कलुबाम
17	1	किशनगज
18	1	खैरबाद
19	1	बिहोरपुरा
20	1	भगरीस
21	1	मारक
22	1	मिसवाली
23	1	मानपुराज
24	1	सतपुरा
25	1	सगौद
26	1	शाहबाद
27	1	मुलतानपुर
28	1	सुमरग मही

योग 58

विवरण-ख

मुख्य डाकघर स्थापित करने के लिए मानक (क) प्रत्येक जिला मुख्यालय में एक मुख्य डाकघर होना चाहिये, बशर्ते कि कम से कम 20 उप डाकघर उससे सम्बद्ध किये जा सकें। पिछड़े इलाकों या ऐसे स्थानों के मामले में जहाँ उप डाकघरों/शाखा डाकघरों को वित्त व्यवस्था में एक निश्चित सुधार होगा जैसा कि इस समय है डाक-सार महानिदेशक के अनुमोदन से एक निचला मानक धपताया जा सकता है।

(ख) किसी मौजदा मुख्य डाकघर को दो भागों में बाँटा जा सकता है। तथापि यह मुनिश्चित किया जाना चाहिये कि इस परिवर्तन के परिणाम-स्वरूप न तो नये मुख्य डाकघर और न ही पुराने मुख्य डाकघर से सम्बद्ध उप डाकघरों की संख्या 20 से कम न हो।

(ग) यदि किसी जिले में कोई मुख्य डाकघर न हो तो वहाँ एक मुख्य डाकघर खाने के बारे में विचार किया जा सकता है बशर्ते कि उसी जिले में कम से कम 20 उप डाकघर प्रस्तावित डाकघर से लाभ के साथ सम्बद्ध किया जा सकें हों। एसा करत समय इस तथ्य पर ध्यान नहीं दिया जाता है कि उस डाकघर के अधीन जिससे दर्जा बढ़ाया जाना वाला उप डाकघर संबद्ध है, साठ (60) उप डाकघर हैं या नहीं। तथापि, यह मुनिश्चित किया जाएगा कि इस प्रकार दर्जा बढ़ाया जाना से शेष मुख्य डाकघर में उप डाकघरों की संख्या 20 से कम न हो जाए।

Rural Health Scheme

3710 SHRI VASANT SATHE Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state

(a) whether attention of Government have been drawn to the news

report appearing in the 'National Herald' dated the 17th July, 1978 under the caption "Rural Health Plan A Big Task for DGS&D",

(b) if so, the reaction of Government to the various observations made therein, and

(c) action taken/proposed in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV) (a) Yes

(b) and (c) The news report has generally mentioned procurement of kits for Community Health Workers and midwives through the DGS & D and of other facts of the Community Health Workers Scheme

The Government is aware of the magnitude of the scheme as pointed out in the report and has taken steps to see that the scheme functions smoothly

Mandays Lost in Mines

3711 SHRI VASANT SATHE Will the Minister of PARLIAMENTARY AFFAIRS AND LABOUR be pleased to state

(a) what is the up-to-date position regarding monthwise mandays loss in the mines during the last one year and the reasons therefor, and

(b) what action is being taken to normalise the position?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) (a) Statements I and II prepared on the basis of available information are placed on the Table of the House

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(b) The position does not appear to be abnormal. The situation is under constant watch of the Government and all efforts are being made to improve the industrial climate in the country with the help of the Industrial Relations Machinery both at the Centre and in the States. Wherever necessary Government is intervening in the disputes with a view to promoting settlements.

Statement

Statement I showing month wise number of mandays lost in Mining and Quarrying during the last one year (June 1977 to May 1978)

Year	Month	Mandays lost
1977(P)	June	187,390
	July	67,631
	August	63,455
	September	85,301
	October	90,532
	November	254,774
1978(PP)	December	86,082
	January	59,319
	February	114,051
	March	262,150
	April	147,302
	May	54,066
TOTAL		1,471,993

(P) Provisional and based on the returns/information received in the Bureau upto 30th June, 1978

(PP) Provisional and based on the returns/information received in the Bureau till 18th July, 1978. The monthly returns from the Regional Labour Commissioners (Central) Asansol and Madras for the month of May, 1978 have not been received.

Statement II

Statement II showing Cause wise distribution of mandays lost in Mining and Quarrying during 1977 (full year) and 1978 (January to May).

Cause Group	1977(P)	1978(PP)
	Mandays lost	Mandays lost
Wages and allowances	470,913	70,269
Bonus	343,715	64,388
Personnel	132,167	128,102
Retrenchment	Nil	Nil
Leave and Hours of work	17,675	3,491
Indiscipline and Violence	26,695	3,455
Others	200,475	359,958
Not known	3,611	7,225
Total	1,195,251	636,888

(P) Provisional and based on the returns/information received in the Bureau till 30th June, 1978

(PP) Provisional and based on the returns/information received in the Bureau till 18th July, 1978 The monthly returns from the R.I.C (C) Asansol and Madras for the month of May, 1978 have been received

बालाघाट में तबड़े का खनन तथा स्लेटर सर्वेज की स्थापना

3712. श्री कचय लाल हेमराज जैन क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि

(क) बालाघाट जिले में ताबा प्रयस्क के खनन और एक स्लेटर सर्वेज स्थापित होने में कितना समय लगने की संभावना है, और

(ख) इस पर कितनी राशि खर्च होगी ?

इस्पात और खान मन्त्रालय में राज्य मंत्री (श्री कृष्णा मुन्डा) : (क) बालाघाट जिले में मासजखड ताप परियोजना में 10 लाख टन वार्षिक क्षमता की खान के निर्माण और उसके अनुसूच साविक के निर्माण का कार्य सितम्बर, 1981 तक पूरा हो जाने की आशा है। खान और साविक की वार्षिक क्षमता को 20

लाख टन तक करने का कार्य सितम्बर, 1983 तक पूरा हो जाने की आशा है। बालाघाट जिले में कोई प्रभाव स्थापित करने का कोई प्रस्ताव नहीं है। मासजखड ताप परियोजना के ताबा खानों का प्रवाण मौजूदा ताबा प्रवाणों में ही किया जाएगा।

(ख) मासजखड ताप परियोजना की अनुमानित लागत 91 90 करोड़ रुपये है।

चूना पत्थर की खुराई

3713. श्री कचय लाल हेमराज जैन .

श्री जयन सिंह ठाकुर :

क्या इस्पात और खान मंत्री यह बताने की कृपा करेंगे कि

(क) क्या केन्द्र सरकार ने सरकारी क्षेत्र में उपयोग करने की दृष्टि से चूना पत्थर तथा बाइ-साइट वाले मध्य प्रदेश के बड़े बड़े क्षेत्र धारित रख छोटे हैं,

(ख) क्या भविष्य में इन क्षेत्रों में इन निक्षेपों की खुराई करने की कोई योजना बिचारागोइन है, और

(ग) यदि नहीं, तो इन क्षेत्रों की खुराई का काम और सरकारी-क्षेत्र का न लीपने के क्या कारण हैं ?

इस्पात और खान मन्त्रालय में राज्य मंत्री (श्री कृष्णा मुन्डा) : (क) से (ग) मध्य प्रदेश के चूना पत्थर और बाइसाइट निक्षेपों वाले कुछ इलाकों को क्रमशः सरकारी क्षेत्र के इस्पात और एल्युमिनियम सदस्यों की वर्तमान और भावी जरूरतों को ध्यान में रखकर मासजखड क्षेत्र में दोहन हेतु धारित कर दिया गया है। तथापि क्षेत्रों के ऐसे धार क्षेत्र पर समय समय पर पुनर्विचार किया जाता है।

विशेष डाक सिस्टम के जारी किये जाने के बारे में निदेशों का उल्लेख

3714. श्री राम लैबक हजारी क्या संचार मंत्री यह बताने की कृपा करेंगे कि

(क) क्या विभाग विशेष डाक टिकटों को जारी किये जाने संबंधी निर्देशों का उल्लेख कर रहा है,

(ख) यदि हाँ, तो उन डाक टिकटों का नाम क्या है, जिनके बारे में इन निर्देशों का उल्लेख किया गया है, और

(ग) इसके क्या कारण हैं ?

संसार मंत्रालय में राज्य मंत्री (श्री नरहरि प्रसाद दुग्गरेव साह) : (क) जी नहीं।

(ख) और (ग), प्रश्न ही नहीं उठना।

Sterilisation in Himachal Pradesh during Emergency

3715. SHRI DURGA CHAND: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of persons who were sterilised in Himachal Pradesh during the emergency;

(b) the number of persons who died and became disabled on that account in Himachal Pradesh during emergency;

(c) the amount given to the State Government for distributing to these people as relief;

(d) the criterion followed in giving the relief to these people; and

(e) whether it is proposed to give relief to the families of deceased in Himachal Pradesh, if so, the details thereof; if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) The number of persons sterilised in Himachal Pradesh during the emergency according to the final figures received from the State Government was 116,770.

(b) According to the latest information received from the State Government, 10 deaths were found to have occurred after sterilisation operations during the two years 1975-76 and 1976-77. On an enquiry however, it was found that only in one case the cause of death related to sterilisation operation.

(c) Central assistance was provided for payment of compensation on per case basis and the State Governments were required to keep Rs. 0.50 paise per case separately for making

ex-gratia payments in case of death or complications due to sterilisation. The total amount made available to the Government of Himachal Pradesh during 1975-76 and 1976-77 for payment of compensation for sterilisation and IUD cases was Rs. 101.66 lakhs and the compensation actually paid was Rs. 113.96 lakhs.

(d) In the case of deaths consequent to sterilisation operations, an ex-gratia amount of Rs. 5000 is payable to the spouse of the natural heir of the deceased person in each case. In case of complications arising out of sterilisation operations, free post-operative care and treatment is provided to the persons affected. Free canalisation facilities are also provided to those persons who may seek such facilities.

(e) Ex-gratia financial assistance totalling Rs. 50,000 has been paid to the families of the deceased in the 10 cases of deaths following sterilisation at the rate of Rs. 5000 per case.

सवाई माधोपुर में टेलीफोन कनेक्शन दिया जाना

3717. श्री बीठालाल वटेल : क्या संसार मंत्री यह बनाने की कृपा करेंगे कि-

(क) क्या यह सब है कि सवाई माधोपुर शहर व सवाई माधोपुर थार० एम० के टेलीफोन एक्सचेंज एक ही स्थान पर है,

(ख) क्या सवाई माधोपुर में नया बोर्ड ब्रचवा एक्सचेंज न लगाने के कारण नये टेलीफोन कनेक्शन लेने वाले स्थानीय प्राधियों के नाम काफी समय से प्रतीक्षा सूची में है और वे परेशान हैं, और

(ग) क्या थार० एम० एक्सचेंज से शहर को और शहर से थार० एम० एक्सचेंज को प्रायः टेलीफोन नम्बर नहीं मिलते जिससे प्रयोक्ताओं को बहुत कठिनाई होती है और यदि हा, तो उक्त सारी समस्याओं को हल करने के लिये सरकार क्या कार्यवाही कर रही है और यदि नहीं, तो इसके क्या कारण हैं ?

संसार मंत्रालय में राज्य मंत्री (श्री नरहरि प्रसाद दुग्गरेव साह) : (क) जी नहीं।

(ब) सवाई माधोपुर सिटी एक्सचेंज में 90 कनेक्शन देने की क्षमता है। 87 कनेक्शन काम कर रहे हैं। प्रतीक्षा सूची में 4 नाम हैं। तीन कनेक्शन शीघ्र ही दे दिये जायेंगे। बागाही मागों को पूरा करने के लिये एक्सचेंज का विस्तार करने का प्रस्ताव है।

(ग) धाकड़े से पता चलता है कि दो एक्सचेंजों के बीच 95 प्रतिशत से अधिक काले प्रभावी होती हैं। यह स्थिति सतोषजनक मानी जाती है। यह सुनिश्चन करने के लिये कि एक्सचेंज की कार्य दृशालता बरकरार रहे, स्थानीय अधिकारी उपयुक्त कदम उठा रहे हैं।

हिन्दी अनुवाद कार्य एक निदेशक के अधीन

3718 श्री अर्जुन सिंह मलौरिया : क्या संसार मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या डाक-तार के महानिदेशक के कार्यालय के समस्त हिन्दी अनुवाद कार्य को एक ही निदेशक के अधीन लाने का प्रस्ताव है,

(ख) यदि हा, तो तत्संबंधी स्वीरा क्या है, श्रीर

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

संसार मंत्रालय में राज्य मंत्री (श्री मरहूर प्रसाद मुखर्जी) (क) जी नहीं।

(ख) प्रश्न ही नहीं उठता।

(ग) प्रशासनिक दृष्टि से ऐसा सुविधाजनक नहीं है कि अनुवाद का माग कार्य एक निदेशक के अधीन कर दिया जाए।

Banning Entry of Sikhs to Saudi Arabia

3719. SHRI DHIRENDRA NATH BASU: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the Sikhs are being banned from entering into Saudi Arabia causing considerable harassment to the Sikh Community;

(b) has Foreign Secretary to the Government of India discussed in this regard with the Saudi Government on his way to attend non-aligned meeting of the Foreign Ministers in Belgrade; and

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

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) Yes, Sir.

(b) and (c) Yes, Sir. During his visit, the Foreign Secretary reiterated that the ban on the entry of Sikhs was unwarranted, and should be lifted. The Saudi authorities assured him that the matter is receiving attention

बाल मजदूरों का शोषण

3721. श्री विजय कुमार मलहोत्रा : क्या संसदीय कार्य तथा श्रम मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या देश भर में बाल मजदूरों का बड़े पैमाने पर शोषण हो रहा है,

(ख) क्या सरकार को इस बारे में कुछ शिकायतें भी मिली हैं; और

(ग) क्या मयाज विरोधी न्याय बाल मजदूरों का गैर कानूनी शोषण भी कर रहे हैं और सरकार द्वारा उनके विरुद्ध क्या कार्यवाही की जा रही है ?

संसदीय कार्य तथा श्रम मंत्री (श्री रवीन्द्र वर्मा) : (क) 1971 की जनगणना के अनुसार देश में कुल बालों की संख्या में बाल मजदूरों की संख्या केवल 4.7 प्रतिशत है, जबकि 1961 में यह संख्या लगभग 8 प्रतिशत थी।

(ख) और (ग), श्रम मंत्रालय को बाल मजदूरों के शोषण के बारे में अब तक केवल एक शिकायत प्राप्त हुई है। संबंधित राज्य सरकार इस मामले की जांच कर रही है। सभी राज्य सरकारों से अनुरोध किया गया है कि वे बाल मजदूरों से संबंधित कानूनी उल्लंघनों को कड़ाई से लागू करें और उल्लंघनों की रिपोर्ट करें।

मस्तिष्क रोग के उपचार के लिये निवतन

3722 श्री युवराज क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि

(क) क्या चालू योजना में मस्तिष्क रोग के उपचार के लिए नियत 1 करोड़ रुपये से घटा कर केवल 18 लाख रुपए कर दिया गया है,

(ख) क्या देश में 10 लाख लोगों के लिए केवल एक मनोविश्लेषक उपलब्ध है और देश के एक निहाई कामिजो में (माइक्रोमाटी) मनो-विश्लेषण विभाग नहीं है,

(ग) क्या देश में एक प्रतिशत लाग मस्तिष्क रोग से पीड़ित है,

(घ) क्या दक्षिण में बेल्लोर में तथा उत्तर में राणीपुर में अस्पताला ड्राग किए गए अध्ययन से पता चलता है कि 10 प्रतिशत रागी बचन मस्तिष्क विचार में पीड़ित है, और

(ङ) यदि हा, तो मस्तिष्क के इन रोगियों को कब तक उपयुक्त चिकित्सा मुविधायें उपलब्ध करायी जायेंगी और यदि नहीं, तो हमें क्या कारण है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जयबन्धी प्रसाद यादव) : (क) जी नहीं, तयार, पावनी पचवर्षीय यात्रा के मसौदे में 'मनोविश्लेषा क्लिनिकों की स्थापना' संबंधी केन्द्र प्रायोजित योजना के लिए, 1 करोड़ रुपये का एक अस्थायी परिकल्पना रखा गया था और राज्यों द्वारा इसके प्रति कम उत्साह दिखाने के कारण 1976-77 में मध्यावधि मूल्यांकन के समय इसे घटाकर 18 लाख रुपये कर दिया गया था ।

(ख) ठीक-ठीक आकड़े उपलब्ध नहीं हैं ।

(ग) नीतिगत स्तर पर किए गए सर्वेक्षणों से ऐसा संकेत मिला है ।

(घ) संबंधित अधिकारियों ने सूचना मांगी गई है और उनसे प्राप्त होने पर उसे मंत्रालय पर रखा दिया जाएगा ।

(ङ) यह सूचना भाग (घ) में जुड़ी है और सूचना प्राप्त होने पर इस पर विचार किया जाएगा ।

गुजरात में लाल मिर्ची के पाउडर में मृगफली का तेल मिलाता

3723. श्री धर्मसिंह भाई पटेल : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि

(क) क्या गुजरात सरकार के स्वास्थ्य और चिकित्सा सेवा निदेशक, भद्रमदाबाद ने अपने 26 मार्च, 1968 के पत्र संख्या जी 117 लाल मिर्च, ई में भारत सरकार के स्वास्थ्य मंत्रालय को गुजरात में सीराष्ट्र के लाल मिर्च के व्यापारियों की ओर से लाल मिर्च पाउडर का मुरझाने रखने के लिए लाल मिर्च में मृगफली के तेल को मिलाएँ और मृगफली के तेल की प्रतिशतना को बढ़ाने की अनुमति देने के बारे में निश्चा था,

(ख) यदि हा, तो पत्र में क्या माग की गई और सरकार द्वारा इन बारे में क्या कार्यवाही की गई अथवा करने का विचार है,

(ग) लाल मिर्च के पाउडर को मुरझाने रखने के लिए मृगफली के तेल का मिलावट के बारे में धोखेबाज अधिसूचना जारी न करने के क्या कारण हैं, और

(घ) अधिसूचना जब तक जारी की जाएगी ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जयबन्धी प्रसाद यादव) : (क) और (ख) जी हा । गुजरात के स्वास्थ्य और चिकित्सा सेवा निदेशक का इस आशय के अध्या-वदन प्राप्त हुआ था कि लाल मिर्च का पाउडर बनाने के समय उसे बिखेरने में रोक्ने और कर्मचारियों को लाल मिर्च के पीसने की प्रक्रिया से होने वाले नुकसान से बचाये रखने के लिए स्थानीय व्यापारियों द्वारा इन्तेमाल किए गये मृगफली के तेल के अथवा लाल मिर्च के पाउडर में मौजूद हो सकते हैं और तेल के तेल आका खाद्य अप्रतिप्रण निवारण अधिनियम के उपबन्धा नियमों के अन्तर्गत निषिद्ध नहीं माना जाना चाहिए । निदेशक ने इन परम्परागत पद्धति के बारे में खाद्य मानकों की केन्द्रीय समिति के विचार मागे थे । अतः उक्त समिति ने इस मामले पर विचार किया था और इसकी सिफारिश पर 23 फरवरी, 1974 को अधिसूचना संख्या जी 0 एम 0 और 205 द्वारा लाल मिर्च के पाउडर के नमूनों को मशोषित कर दिया गया था और उसमें भार के अनुसार अधिकतम 2 प्रतिशत तक किमी श्री बाख तेल का उपयोग करने की इस बात पर अनुमति दे दी गई थी कि प्रयुक्त तेल । प्रतिशत और नाम लेबल पर अंकित कर दिया जाए ।

(ग) और (घ) ये प्रश्न नहीं उठते ।

Quality of Imported Rape Seed Oil

3724 SHRI R L P VERMA
Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state

(a) whether quality standards of Imported Rape Seed Oil have been lowered more than four to five times during the year 1977-78 and the Poly-Bromide Test which detects the adulteration of 'Whale Oil' or other marine oil has been deleted if so, what are the reasons thereof,

(b) whether most of the unrefined imported Rape Seed Oil was solvent extracted which was released from ports for direct human consumption in consideration of illegal gains from Indian importers to the concerned officers of the Directorate General of Health Services, New Delhi and the number of such consignments released with dates,

(c) is it also a fact that solvent extracted unrefined Rape Seed Oil is harmful for direct human consumption and can even cause cancer, and

(d) whether there was no indication on the 'Bills of Entry' and whether the oil was solvent extracted or mechanically extracted and if so, the action taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV) (a) The specification of imported Rapeseed Oil were reviewed three times by the Experts Committee/Panel of the Central Committee for Food Standards on Oils & Fats during 1977 and 1978 in order to bring the various characteristics in conformity with the characteristics of the Rapeseed Oil originating from different countries from where the oils were being imported Polybromide test was recommended to be deleted by the Experts Committee since imported Rapeseed Oil with low erucic acid may give a false positive reaction. The Polybromide test is not exclusively for de-

tecting whale oil or other marine oils but the positive test indicates presence of higher unsaturated fatty acids like linoleic and linolenic acids etc. which are present in rapeseed oil having low erucic acid

(b) The information is being collected and will be laid on the Table of the Sabha

(c) Yes

(d) The information is being collected and will be laid on the Table of the House

Food Research and Standardisation Laboratory, Ghaziabad

3725 SHRI RAMDEO SINGH Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state

(a) whether a Food Research and Standardisation Laboratory was established in 1970 at Ghaziabad (UP) by his Ministry for the purpose of standardisation and research on food articles and to analyse the food samples

(b) the details of standardisation and research work done by the Laboratory during the last 3 years, year-wise,

(c) the year wise expenditure on the Laboratory during the last three years,

(d) whether the Laboratory was not utilized for the purpose for which it was set up and later on recently, it was converted into the appellate Laboratory, and

(e) the reasons for converting the Laboratory into the appellate Laboratory?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV) (a) Yes, the Food Research and Standardisation Laboratory was established at Ghaziabad in 1972 (not in 1970) for the purpose of standardisation of

and research on food articles and to analyse food samples.

(b) During the year 1975, 1976 and 1977, 191, 516 and 440 samples of various foods respectively were analysed in the Laboratory. These samples include the research and standardisation work done on boiled milk, curd, katha, coffee, iodised salts and other miscellaneous products.

(c) The year-wise expenditure on the Laboratory during the last 3 years is as under:—

1975-76—Rs. 3,31,227.

1976-77—Rs. 3,84,489

1977-78—Rs. 4,26,029.

(d) The Laboratory was utilised for the purpose for which it was set up. The appellate laboratories also function as research and standardisation Laboratories in accordance with the provisions of the Prevention of Food Adulteration Act and Rules made thereunder.

(e) The Joint Select Committee of Parliament in their report in 1976 suggested the establishment of more than one Central Food Laboratory for P.F.A. work as, in their view, one laboratory at Calcutta was not sufficient for the whole country. Thus, this laboratory was notified as one of the four Central Food Laboratories with effect from 1-4-1978.

Food Samples

3726. SHRI RAMDEO SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the number of food samples lifted under the Prevention of Food Adulteration Act, 1954 has gone down since the implementation of the Act has been taken over by Delhi Administration due to the undue influence of the unscrupulous food traders;

(b) the number of food samples lifted in Delhi during the years 1975, 1976 and 1977;

(c) whether food inspectors appointed by the Central Government are also being discouraged for lifting food samples in Delhi due to the undue influence of those unscrupulous food traders;

(d) whether the food inspectors of the Ministry of Health had been directed not to exercise their powers given under section 10 of the Prevention of Food Adulteration Act outside Delhi, while they had jurisdiction throughout the country; and

(e) the measures being taken or proposed to be taken by Government in regard thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) No.

(b) The number of food samples drawn in Delhi during the years 1975, 1976 and 1977 is as follows:

1975	3585
1976	1659
1977	322

(c) No.

(d) With a view to maintain cordial Centre-State relations, the Food Inspectors have been advised not to exercise their powers unless the State Governments so desire.

(e) Does not arise.

Checking of Imported Food Articles

3727. SHRI RAMDEO SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the procedure being adopted by the Port Health Officer under the Act to check imported food articles at Bombay, Kandla, Calcutta, Madras and other seaports and whether pro-

cedure is in accordance with the provisions of the Prevention of Food Adulteration Act;

(b) what is the number of such consignments checked with details at Bombay, Kandla, Calcutta and Madras seaports since 1975 to date (year-wise);

(c) whether Government propose to put Food Inspectors under the Prevention of Food Adulteration Programme checking of imported foods, for the work which is already being done satisfactorily by the Port Health Officers staff; and

(d) what are the steps which are taken or being taken to check the creation of such posts?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) The Port Health Officers check the consignments to ensure that no articles of food are imported which do not meet with the specifications that have been laid down as per the provisions of the Prevention of Food Adulteration Act.

(b) The information is being collected.

(c) and (d). During the last 18 months the quantity of food imported has increased considerably. In order to ensure the expeditious release of the edible oil and other food consignments, the Port Health Officers have requested for the posting of Food Inspectors at the Ports. The request is under consideration.

Representation for Getting Treatment from Sarojini Nagar Market

3728. DR. VASANT KUMAR PANDIT: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether a large number of residents living in certain blocks in Sarojini Nagar, New Delhi have to seek treatment in emergencies from the CGHS Dispensary of Netaji Nagar whereas a functioning dispensary located at Sarojini Nagar Market is much nearer and convenient,

(b) if so, the reasons and criteria therefor;

(c) whether several representations have been received from the residents affected to make them eligible for getting treatment from Sarojini Nagar Market functioning dispensary and if so, reasons for not accepting their demand; and

(d) whether any action is being taken to obviate the difficulties of the people in the matter by making them eligible for getting treatment after normal hours from Sarojini Nagar dispensary?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) to (d). Out of the five dispensaries set up under the CGHS in Sarojini Nagar and its adjoining localities of Netaji Nagar and Nauroji Nagar, two (Sarojini Nagar Market and Netaji Nagar) provide facilities for emergency medical treatment outside the normal working hours. For this purpose, Sarojini Nagar-I and Sarojini Nagar Market and Nauroji Nagar have been grouped together and Netaji Nagar and Sarojini Nagar-II form another group. The grouping has been done keeping in view the need for equitable distribution of work load between the two dispensaries providing emergency services and to keep the emergency services within reasonable distance from the residences of the beneficiaries. The maximum distance from any point in the area covered by Sarojini Nagar-II Disp. and Netaji Nagar Disp. will range between 1 to 1.5 kilometres.

The representations received from the residents have been considered, but keeping in view the fact that similar distances in other areas covered by the CGHS are much longer and that the Sarojini Nagar Market dispensary already provides emergency service for the area covered by three dispensaries, it has not been found possible to agree to the same.

Medical reimbursement of treatment

3729. SHRI K. A. RAJAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government are aware that the Group-D officials in the Central Government services are not entitled to medical reimbursement for treatment in a hospital pay ward according to the Central Service (Medical Attendance) Rules; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) and (b). Under the CS(MA) Rules Group 'D' employees are entitled to the same medical and surgical facilities in the approved hospitals to which all other categories of staff are entitled except in regard to accommodation in the paywards of the hospitals. Accommodation in free and general wards of the hospitals was regarded as suitable for Group 'D' employees. With the object of removing this restriction, CS(MA) Rules have since been amended and now all categories of staff are entitled to hospital accommodation according to their entitlement.

CGHS Dispensary, Shakti Nagar

3730. SHRI R. L. KUREEL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the staff of CGHS Dispensary No. 6 Shakti

Nagar do not attend to their work in time resulting lot of difficulties to the patients; and

(b) what steps Government propose to take to improve the working of the Dispensary?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) and (b). No. In the surprising inspections carried out during the last six months no instance of late attendance of the staff came to notice.

CGHS Dispensary, Shakti Nagar

3731 SHRI R. L. KUREEL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that due to late delivery of local purchase medicines in CGHS Dispensary No. 6, Shakti Nagar, Delhi most of the patients purchase their medicines from the market and fail to collect the medicine from the Dispensary;

(b) the details of the local purchase medicines that were not collected by the patients during the last six months; and

(c) the procedure to dispose of such medicines?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) No.

(b) A statement is attached.

(c) Medicines not collected by a patient against the local purchase indent are issued to other patients, who have been prescribed the same.

Statement

Details of the total purchase medicines that were not collected by the patients during the last six months

Name of patient	Folio No	Name of Medicine	Date on which indented	Date on which indented received	Remarks
1 Shri J N Khattar	1195	Cateryol	19-5-1978	19-5-1978	Patient did not turn up to collect the medicine
2 Mrs Kamla	7863	Syp Avil Exp	25-5-1978	25-5-1978	Do
3 Mrs Pushpa	54240	Syp Otto Cal	29-5-78	29-5-1978	Do

CGHS Dispensary, Shakti Nagar, Delhi

3732 SHRI R L KUREEL Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state

(a) whether it is a fact that in CGHS Dispensary No 6, Shakti Nagar, Delhi even the serious cases are not referred to Medical Surgical, E & T or Orthopaedic Specialists in spite of repeated requests from the patients and the patients are compelled to take treatment from the Dispensary itself for a certain period of time before their cases could be referred to concerned specialists,

(b) if so, whether there are any instructions from the Ministry in this regard to the Dispensary, and

(c) the number of cases referred to those specialists during the month of June, 1978?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV) (a) No

(b) Does not arise

(c) Only the medical specialist visits the dispensary for consultation. The number of cases referred to him during the month of June, 1978 is 118

The other cases pertaining to Surgical, ENT or Orthopaedic specialities are referred to CGHS recognised Hospitals for which no statistics are maintained.

CGHS Dispensary, Shakti Nagar, Delhi

3733 SHRI R L KUREEL Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state

(a) whether it is a fact that in CGHS Dispensary No 6, Shakti Nagar, Delhi certain doctors attend Dispensary either in morning hours or in evening hours i.e., from 7 A.M. to 1 P.M. and from 1 P.M. to 8 P.M. resulting into shortage of doctors in the Dispensary at a particular time and also resulting into lot of difficulties to the patients,

(b) whether this arrangement has the approval of the Government, and

(c) the number of doctors put in morning and evening shifts separately during the months of May and June, 1978 and the number of patients visited the dispensary during the same period?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) to (c) Out of the six doctors posted in CGHS Dispensary No 6, Shakti

Nagar, one doctor each attends the Dispensary from 7 A.M. to 1 P.M. and 1 P.M. to 7.30 P.M. One of the doctors is on night duty from 7.30 P.M. to 7 A.M. Thus for the normal morning and evening working shifts of the Dispensary from 7 A.M. to 10.30 A.M. and 5 P.M. to 7.30 P.M. all doctors except the one on night duty and the doctor(s) on leave or off duty are available for attending to the patients visiting the Dispensary.

On account of the pressure of leave during the months of May and June 1978 the number of medical officers available for duty in the normal working hours during the period in question varied from 2 to 3. The number of patients visiting the dispensary during the months of May and June, 1978 was as follows:—

May 1978	7756
June 1978	9570

Medicine supplied to patients in CGHS Dispensary, Shakti Nagar

3734. SHRI R. L. KUREEL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that in CGHS Dispensary No. 6 Shakti Nagar, Delhi even the ordinary medicines are not supplied to the patients from the counter and the patients have to visit again and again although the medicines are available in Store;

(b) whether the medicines of local purchase are supplied to the patients in 5-6 days or more and the patients have to suffer a lot on this account in the same dispensary; and

(c) the reasons for this abnormal delay in supply of local purchase medicine to the patients?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) No.

(b) and (c). Super Bazar is the authorised chemist to supply day to day requirements of non-formulary items as also formulary items which are not available in the CGHS Medical Store Depot. Normally, Super Bazar complies with the indent, either on the same day or on the next day. In case the Super Bazar certifies that the indented medicine is not available with it, the patient is authorised to purchase the same from any chemist and reimbursement of the cost of the medicine is done by the Super Bazar.

Specialists working in Dr. Ram Manohar Lohia Hospital

3735. SHRI ARJUN SINGH BHADORIA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the names of the CGHS Specialists working in Dr. Ram Manohar Lohia Hospital and Safdarjang Hospital with more than 15 years service standing and have not been sent on transfer even once outside Delhi;

(b) the names of such specialist under (a) above who have been working on deputation in developing countries (Africa) for a maximum permissible period and on their return have not been posted outside but in Delhi against the transfer/posting policy laid down by the Government for such cases under CGHS/CHS; and

(c) whether the teaching experience gained by such CHS Specialists in the developing countries (Africa) is recognised by the Government of India and is given due weightage for teaching jobs in the teaching hospitals?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAGDAMBI PRASAD YADAV): (a) Dr. Ram Manohar Lohia Hospital:

1. Dr. K. P. Mathur, Senior Physician.

2. Dr. J. P. Singh, Senior Surgeon.

8. (Smt.) G. Sen, Obst. & Gynae. Gynae.

4. Dr. S. Mukherjee, Consultant in Surgery.

5. Dr. Dharam Pal, Senior Dermatologist.

6. Dr. C. G. Keswani, Physician.

7. Dr. Harbans Lal, Physician.

8. Dr. D. Sen Gupta, Physician

9. Dr. C. M. Jain, Senior ENT Specialist.

10. Dr. B. B. Ahuja, Dermatologist.

11. Dr. G. P. Varma, Senior Paediatrician.

12. Dr. Vidya Bhushan, Psychiatrist.

Safdarjung Hospital, New Delhi.

1. Dr. (Smt.) S. F. Jalnawalla, Senior Obst. & Gynae.

2. Dr. B. S. Kanwar, Physician.

3. Dr. P. C. Rai, Surgeon.

4. Dr. Ved Vrat, Surgeon.

5. Dr. P. C. Sagar, ENT Specialist.

6. Dr. (Smt.) S. K. Sachdeva Obst & Gynae.

7. Dr. R. L. Bikhchandani, Dermatologist.

(b) None of the officers mentioned under (a) had been on deputation in developing countries (Africa) for the maximum permissible period of 5 years. However, Dr. P. C. Sagar and Dr. R. L. Bikhchandani had served in Libya for shorter periods.

(c) No, Sir.

इडियन रेडक्रस सोसाइटी द्वारा सप्लाई की गई औषधियाँ

3736. श्री बबाराज शास्त्री : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने इन समाचारों की जांच की है कि इडियन रेडक्रस सोसाइटी द्वारा अपने केन्द्रों पर सप्लाई की जाने वाली दवाएं बहुत पुरानी होती हैं जबकि उनकी उपयोग की अवधि समाप्त हो चुकी होती है जिससे रोगियों को नुकसान हो रहा है ; और

(ख) यदि हाँ, तो क्या सरकार का विचार ऐसी दवाओं की सप्लाई को रोकने जबकि उनकी सप्लाई से पूर्व उनकी जांच कराने का है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जगदम्बी प्रसाद यादव) : (क) सरकार को ऐसी कोई रिपोर्ट नहीं मिली है ।

(ख) यह प्रश्न नहीं उठता ।

पंत अस्पताल में औषधियों के बारे में गड़बड़

3737. श्री राम सेवक हजारी : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि

(क) क्या पन अस्पताल, दिल्ली में औषधियों की गड़बड़ी के बारे में हाल ही में एक मामला पकड़ा गया है, यदि हाँ, तो नम्बरबंदी ब्योरा क्या है,

(ख) दिल्ली में सरकारी अस्पतालों और केन्द्रीय स्वास्थ्य सेवा योजनाओं में गन तीन वर्षों में औषधियों की गड़बड़ी के बारे में कितने मामले पकड़े गये और संबंधित व्यक्तियों के विरुद्ध क्या कार्यवाही की गई,

(ग) क्या रोगियों के सरलको को समय-समय पर औषधियों और अन्य वस्तुएँ मिलने के लिए मजबूर किया जाता है, जबकि उन वस्तुएँ अस्पतालों में ही उपलब्ध होती हैं, और

(घ) यदि हाँ, तो इसके क्या कारण हैं और इन बारे में सरकार की क्या प्रतिक्रिया है ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री जगदम्बी प्रसाद यादव) : (क) जी हाँ । दिल्ली प्रशासन की अष्टाधार-निरोधी बाधा द्वारा की गई जाच-पड़ताल से जी० डी० पन अस्पताल के बारे में रुक्या 8 में दवाइयों का दुरुपयोग तथा चोरी होने का पता लगा है । दिल्ली प्रशासन संबंधित कर्मचारियों के विरुद्ध आवश्यक कार्यवाही कर रहा है और यह निर्णय भी लिया गया है कि उनके प्रशासनिक नियंत्रणाधीन इस अस्पताल व अन्य अस्पतालों में इस मामले की गहराई से च और जांच की जाए ।

(ख) पिछले 3 वर्षों के दौरान दिल्ली के सरकारी अस्पतालों तथा केन्द्रीय सरकार स्वास्थ्य योजना के औषधालयों में 24 मामलों का पता लगा है । इन मामलों से संबंधित व्यक्तियों के विरुद्ध पुलिस प्राधिकारियों के माध्यम से जबकि विभागीय तौर पर, जैसा भी उचित हो, आवश्यक कार्यवाही की जा रही है ।

(ग) और (घ). जी नहीं । बैसे, कभी कभी रोगी के रिस्तेदारों से ऐसी औषधियाँ मिलने के लिए अनुरोध किया जाता है जो किसी समय

विशेष पर अस्पताल के अन्दर में उपलब्ध न हो और जो रोगी के इलाज के लिए प्रतिवार्य समझी जाती हैं ।

Activities of Anand Margis in Britain

3738. DR. VASANT KUMAR PANDIT: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the anti-terrorists squad of the Scotland Yard in England has evidenced terrorist activities and incidents of violences by Anand Margis operating from a Hostel for Homeless girls in Birmingham;

(b) whether the Scotland Yard Agencies have arrested some persons charging them with conspiracy to murder the former Indian High Commissioner in London Shri B. K. Nehru and plans to murder other officials of India House; and

(c) whether the High Commissioner of India in U.K. inquired into the affairs and if so, the results thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): (a) No, Sir. However the activities of the Hostel for Homeless girls in Birmingham run by the Anand Marg organisation, were enquired into by the anti-terrorist squad of the Scotland Yard in the course of investigations into the activities of the Anand Marg in U.K., following the stabbing incident of an Assistant of the High Commission of India, London.

(b) Niall Anthony Kidd, an Irish national was arrested on the 15th December, 1977 at Wagah Border by the Indian Security agencies. During the course of his interrogation, after his deportation, he revealed that the Anand Marg Sector Leader in London, had formulated plan to assassinate Shri B. K. Nehru, the former Indian High Commissioner in U.K. This plan, however, was shelved as the security around him was very tight. Two other viz, Brian Shaw and Susan

Waring were also arrested as members of the conspiracy.

(c) Investigation, in such cases are always carried out by the local security authorities. However, in this case, since he was arrested and initially interrogated in India, senior officers of the Punjab Police and other security services who were associated with the interrogation of Niall Anthony Kidd, along with officers of our Mission entrusted with security, assisted the London Police Authorities. The case has been charge-sheeted.

12 hrs.

RE. ACCIDENT AT TARA COLLIERY

MR. SPEAKER: Now, papers to be laid on the Table....Mr. Ravindra Varma,

SHRI SAUGATA ROY (Barrackpore): Mr. Ravindra Varma will be laying a report on the fatal accident at Tara Colliery which took place on 31st March, 1978. Immediately after the accident occurred, I had given notice. The Government came out with a statement on the accident ten days after the accident took place. Now he is giving the report on the accident six months after the accident took place..

MR. SPEAKER: I will invite your attention to the rules concerned

SHRI SAUGATA ROY: Have you my notice on this matter?

MR. SPEAKER: I have got your notice, and I have invited your attention ...

SHRI SAUGATA ROY: Will you refer the matter to the Committee on Papers laid on the Table?

MR. SPEAKER: Yes.

SHRI S. NANJESHA GOWDA (Hassan): A full debate has been demanded by 75 Members regarding problems of agriculture in the country....

MR. SPEAKER: I have referred the matter to the Business Advisory Committee.

12.02 hrs.

PAPERS LAID ON THE TABLE

ACCIDENT AT TARA COLLIERY

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) on the fatal accident at Tara Colliery belonging to Messrs Eastern Coalfields Limited, a subsidiary of Coal India Limited, on the 31st March, 1978 [Placed in Library See No. LT-2808/78].

PASSPORTS (AMENDMENT) RULES, 1978

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJ-PAYEE): I beg to lay on the Table a copy of the Passports (Amendment) Rules, 1978, (Hindi and English versions) published in Notification No. G.S.R. 353(E) in Gazette of India dated the 3rd July, 1978, under sub-section (3) of section 24 of the Passports Act, 1967 [Placed in Library. See No. LT-2809/78].

PAYMENT OF GRATUITY (CENTRAL) AMENDMENT RULES, 1978

SHRI RAVINDRA VARMA. On behalf of Dr. Ram Kirpal Sinha, I beg to lay on the Table a copy of the Payment of Gratuity (Central) Amendment Rules 1978 (Hindi and English versions) published in Notification No. G.S.R. 947 in Gazette of India dated the 22nd July, 1978, under sub-section (2) of section 15 of the Payment of Gratuity Act, 1972. [Placed in Library. See No. LT-2610/78].

DRUGS AND COSMETICS (FIRST AMENDMENT) RULES, 1978

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI JAG-DAMBI PRASAD YADAV): I beg to

lay on the Table a copy of the Drugs and Cosmetics (First Amendment) Rules, 1978 (Hindi and English versions) published in Notification No. G.S.R. 376(E) in Gazette of India dated the 20th July, 1978, under section 38 of the Drugs and Cosmetics Act, 1940. [Placed in Library. See No. LT-2611/78].

12.04 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha.—

(i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 9th August, 1978, agreed without any amendment to the Indian Explosives (Amendment) Bill, 1978, which was passed by the Lok Sabha at its sitting held on the 26th July, 1978."

(ii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 9th August, 1978, agreed without any amendment to the Passports (Amendment) Bill, 1978, which was passed by the Lok Sabha at its sitting held on the 28th July, 1978."

(iii) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Press Council Bill, 1978, which has been passed by the Rajya Sabha at its sitting held on the 7th August, 1978."

PRESS COUNCIL BILL

AS PASSED BY RAJYA SABHA

SECRETARY: Sir, I lay on the Table of the House the Press Council Bill, 1978, as passed by Rajya Sabha.

12.05 hrs.

RE. DISCUSSION ON MARATHWADA SITUATION

MR. SPEAKER: Now, we take up Call-Attention. Mr. Vayalar Ravi.

श्री राजविलास वासनाम (हमीपुर) :
प्रत्यक्ष महोदय, मेरा एक व्यवस्था का प्रश्न है।

MR. SPEAKER: Which is the rule which has been broken?

श्री राजविलास वासनाम मेरा व्यवस्था का प्रश्न यह है कि आपने हाउस में कहा था कि मराठवाड़ा पर दो घंटे का डिस्कशन करने का समय देने।

MR. SPEAKER: That matter is being placed before the Business Advisory Committee. Now we are discussing the Constitution (Amendment) Bill; we are sitting upto 8.00 p.m. It is not possible to take it up now.

Mr. Vayalar Ravi (Interruptions)
Mr. Kureel, the matter was raised only the other day. I have referred it to the Business Advisory Committee. Meanwhile we are discussing the Constitution Amendment Bill and you know every day we are sitting till 8 O'Clock

(Interruptions)**

MR. SPEAKER: Don't record. Mr. Bhagat Ram, please take your seat.

I am on my legs. You are going on like this for a long time.

(Interruptions)**

MR. SPEAKER: No, please. So long as you disturb the House, you will not get a chance. Nothing will go on record. Mr. Vayalar Ravi.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Mr. Bhagat Ram has been trying to draw your attention for the past so many days....

MR. SPEAKER: Every day he just gets up and speaks for ten minutes.

SHRI JYOTIRMOY BOSU: You please give him five minutes.

MR. SPEAKER: Nobody can force me. He is trying to adopt a method to force me. Everyday he gets up for ten minutes and wastes the time of the House. Do you think I must yield to it? If I yield once, there will be no end.

SHRI JYOTIRMOY BOSU: Please hear him for a minute.

MR. SPEAKER: By this method nobody will get it.

SHRI DINEN BHATTACHARYA (Serampore): He is trying for the last one week.

MR. SPEAKER: No, please He expects that by saying that he is a back-bencher, he will get it.

(Interruptions)**

MR. SPEAKER: Mr. Ravi why not raise your voice?

SHRI VAYALAR RAVI (Chirayinkil): I was waiting for Mr. Barnala to come. Now that he has come, I will call his attention.

12.07 hrs.

**CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE
REPORTED DECISION OF GOVERNMENT TO
DECONTROL SUGAR**

SHRI VAYALAR RAVI (Chirayinkil): Sir, I call the attention of the Minister of Agriculture and Irrigation to the following matter of urgent public importance and request that he may make a statement thereon:

"Reported decision of the Government to decontrol sugar with effect from 1st October, 1978."

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI SURJIT SINGH BARNALA): Sir, the House may kindly recall my making a detailed policy statement at the beginning of the Budget Session, on February 27, 1978, setting out a number of measures decided upon by the Government to maximize the off-take of sugarcane by the various sweetening agents produced from sugarcane, namely, sugar, khandsari and gur and, more particularly, by the organized sector of the sugar industry. That these measures have considerably met our objective is seen from the single fact that sugar production during the current year, at about 65 lakh tonnes would represent an increase of over 34 per cent as compared to the last year's level of 48.4 lakh tonnes, which itself was a record till then. The sugar industry would be absorbing an additional quantum of sugarcane of the order of about 19 million tonnes during the current sugar year.

Taking into account the record sugar production, the high level of sugar stocks in the system, the preponderant need to further maximize domestic consumption of sugar which has already risen by over 22 per cent in the last one year, to bring the benefits of enlarged production to the consumer etc. the Government had taken up a review of the sugar policy. After carefully considering all aspects of the present situation in this sector, the Government have decided to remove the control on prices, movement and distribution of sugar with effect from August 16, 1978. To ensure a smooth transition, the organisations

responsible for lifting levy sugar against release orders issued before that date are being asked to take over the stocks expeditiously.

The statutory minimum price payable for sugarcane for the season 1978-79 will be raised to Rs. 10/- linked to 8.5 per cent recovery against the present level of Rs. 8.50 linked to 8.5 per cent recovery.

The present excise duty on levy and free sale sugar would be averaged out and imposed on sugar, simultaneously with the discontinuance of the dual pricing system.

To ensure that the sugar prices prevail at reasonable levels, a close watch would be kept on the production, availability and prices. Government hope that the industry and trade would take this opportunity to stimulate domestic consumption by maintaining prices at reasonable levels. In case prices tend to go beyond such levels, Government will not hesitate to take appropriate action.

There are some consequential steps needed under the changed circumstances including those relating to the relief to be provided to units which have created/expanded their capacity in recent times at high cost, for units which modernize their equipment etc. as also to provide incentives to sugar factories for early and late crushing. These are being worked out and appropriate decisions thereon would be taken in due course.

Government hope that the new policy will stimulate domestic consumption and also bring about a greater balance between the sugarcane availability and its utilization by the various sweetening agents. It is also hoped that the domestic consumption of sugar will increase further substantially, in tune with the increasing production.

SHRI VAYALAR RAVI: Mr. Speaker, Sir, sugar is an essential commodity and any variation in its price affects the entire poor class in the country. Previously, on many occasions on the floor of this House, this question has been debated upon many

times and the hon. Members from both sides always have been keeping a vigil to see that the Government should not fall in the trap of the sugar tycoons.

Sir, the previous Government had introduced the policy of dual pricing for the sugar with the intention that the sugar was made available through the ration shops to the poor people at a reasonable price. In 1976, they went to the extent of introducing Levy Sugar price equalization fund Bill also. Even though the sugar tycoons have been trying to influence everybody, all steps have been taken from time to time to see that sugar is made available to the poor at reasonable price.

The present decision of the Government to decontrol the sugar is only going to harm the interest of the poor people and it would directly hit the poor people and would help and benefit the sugar tycoons in this country and they may, help the Janata Party in return. The lobby of the sugar industry is very strong and their influence on the Government has also been strong all the time, even though they number only 103. If you go through the past history of the sugar industry, it would be clear that they have been looting the Government as also the consumers in different ways as well as the cane-growers. They are getting subsidy to the tune of Rs. eighty crores. They have purposely reduced the price of the sugarcane. As you will see, there has been a steep increase in the price of levy sugar as well as free sale sugar from 1975 to 1978. I can quote the figures to establish this. The production of sugar has also gone up. Where is the question of scarcity today? When the sugar production went upto 48 lakh tonnes, even after exporting 30 lakh tonnes, we could maintain the price level and ensure availability of sugar in these days. There was no black-marketing at all.

What is the present position? The Government admit that the sugar production is 65 lakh tonnes; 35 per cent more than the last year. It means, the consumption of sugarcane has gone up, the income of the sugar mills has gone up, the turnover has gone up and the availability of sugar is also much. Export of sugar has also been stopped completely. According to the reports, only 12,000 tonnes have been exported. With the carry-over stocks of the last year and this year's production, a huge stock of sugar is available. It is, therefore, but fair that the sugar should be made available to the consumers at a reasonable price. The sale of sugar is being decontrolled now on the plea of giving better price to the sugarcane growers. What is the price of sugarcane today? In 1975, when the production of sugar was 37 lakh tonnes, the sugarcane price was Rs. 14.50 per quintal in U.P. And during the next year, we got only Rs. 1/- less i.e. Rs. 12/- and Rs. 13/- i.e., even when the sugar cane price was much higher. To-day, according to your own answer in Parliament, it is only Rs. 8.50, or Rs. 8.60. Even in 1975-76, sugar production was very much less and the levy sugar price was Rs. 151/- per quintal. At that time, i.e. when the levy sugar price was Rs. 151/- per quintal, the sugarcane grower could get a price of Rs. 13.50 for his sugarcane.

SOME HON MEMBERS: It was only in UP, and not in other States.

SHRI VAYALAR RAVI: All right. Even when the sugar production was less, and the price was less, sugarcane growers were getting a reasonable price. even according to the recommendations of the Kothari Commission. And Government could also see that it was made available to the sugarcane growers. I agree that there was a discrimination. In the South, i.e. in Karnataka, Tamil Nadu, and Andhra Pradesh, the levy sugar price was very much different from that in Bihar and UP. Even in those

[Shri Vayalar Ravi]
 days, the levy sugar price was Rs. 414 in Bihar and only Rs. 150 and Rs. 120/- in Tamil Nadu and Karnataka. Even to-day that disparity exists. So, in the name of the sugar cane growers, they want to decontrol sugar. But at what time? At a time when there is a heavy availability and heavy production. Price is more. To-day, the levy sugar price is Rs. 250/- in the Muzaffarnagar market, and the open market price is Rs. 360/- and Rs. 430/-. (Interruptions) There are two kinds of sugar. One kind is of a second quality. There is no sweetness in that sugar. The levy sugar price now, even in the ration shop, is Rs. 2.50; and in the open market it is Rs. 3.60 and Rs. 4.30. Production has gone up very high. What is the price of the sugar cane produced? It is Rs. 8.50 and Rs. 11.50. That is the minimum. Do they get a higher price? No. Even the Minister admits that they have been given Rs. 8.50. And they have given them Rs. 11/-, i.e. the price of sugar cane has not gone up. The consumers have to pay more. Sugar cane growers get less. But who gets the profits? It is the sugar magnate who makes the profit. Why?

Your new step is allowing them to make more profits at the expense of the poor—the millions of the poor people in this country. I am from Kerala; and Mr. Bosu is from West Bengal. To-day, a statement has appeared—a statement by the West Bengal Government. We are purely dependent on controlled sugar. The people of Kerala and West Bengal, and all the deficit States have to beg before the sugar magnates and tycoons. They will loot us like anything; and Government may share it—I do not know. There is such a favourable situation. There was the Bhargava Commission report, as to how to help the sugar cane growers. The report says that you must pay a minimum statutory price, and that the excess should be shared 80—50 between the mill-owners and sugar cane growers. That report has not been implemented. Even the previous Government

admitted it viz. that it was not accepted. In the present situation, decontrol will hit the poor, poorer and the poorest people, especially in deficit States like Kerala, in the present favourable atmosphere of sugar availability in the country, May I know from the hon. Minister: will he revise the decision to de-control sugar and make everybody—consumers as well as sugar cane growers—happy? Will he expedite a decision and nationalize the sugar industry completely, to free it from the political influences of the sugar magnates and tycoons? Lastly, to protect the interests of the sugar cane growers, will he implement the Bhargava Commission report forthwith?

SHRI SURJIT SINGH BARNALA:

Controls come only when there are scarce conditions. Some commodities are controlled when production is less and the availability is low. When there is a condition of plenty control is not there. (Interruptions). My hon. friends tried to impress that it is being done to provide some relief to the industry. He said many things which I would not repeat. Sugar industry was being provided with a lot of money when the open market price was Rs. 5.40 or 5.60, as Chaudhuri Balbir Singh was saying just now, in 1975-76; before the Janata Government assumed charge sugar price in the country in the open market was anything above Rs. 5.50 as my friend here was saying. With the coming of the Janata Government into power the prices in the open market went down and the prices in the open market had been prevailing at less than Rs. 4; even now the prices are Rs. 3.70 or Rs. 3.80 in the open market; we have brought it down from Rs. 5.60 to Rs. 3.60, that means, by Rs. 200 per quintal. There was a net loss to the industry. The industry was flourishing at the time when my friends on the other side were in power; they were trying to make the industry prosper. It is for

the public use of sugar that we are producing that this policy has been pursued and it is being introduced. There is no question of reviewing the policy because we have formulated this policy after a good deal of discussion and deliberation among ourselves after taking into consideration all the aspects.

SHRI VAYALAR RAVI: At what price to the consumer?

SHRI SURJIT SINGH BARNALA: Much less than what you anticipate. He referred to the price of sugar cane. The price of sugar cane related to 8.5 per cent has been maintained for the last three years. We are now for the first time raising it to Rs. 10 related to 8.5 per cent and along with that the profit sharing formula is to be part of it. So, if a factory makes a profit it has to be shared by the cane grower as well as the factory 50: 50; that is in the statute. Thus there is no question of lowering the price of sugarcane. The cane grower will be getting a good price and the consumer will be getting sugar at cheap rates; sugar will be available in the country at cheap rates. (Interruptions).

एक माननीय सदस्य • रेट बता दीजिए ।

• (अवधान)

श्री "रत्न किसान (भरतपुर) : अध्यक्ष महोदय, माननीय मंत्री जी ने जो अपने वक्तव्य में यह बात कही है कि जब चीनी का अभाव होता है, तब कन्ट्रोल किया जाता है, मैं समझता हूँ कि यही सब से बड़ी कमी है। चीनी की जो दोहरी नीति है, उस का अभिप्राय केवल इतना ही नहीं था कि इस की कमी थी। यह बिल्कुल सत्य है। एक सेलफैर स्टेट की कल्पना को ले कर हम लोग चले तो जो कम प्राय वाले लोग हैं या जो कमजोर वर्गों के लोग हैं, उन को सुविधाएँ मिलनी चाहिए और सस्ती चीनी भी मिलनी चाहिए। चीनी का कन्ट्रोल मूल्य बढ़ने के बाद नतीजा यह होया कि देश के 6 करोड़ परिवारों को जो सस्ती चीनी प्राप्त करते थे, मंहगी चीनी खरीदनी पड़ेगी।

अध्यक्ष महोदय, मंत्री जी का यह जवाब भी सत्य है कि इससे चीनी की खपत बढ़ जायेगी इसके चीनी का बाजार बाढ़ ऊपर बढ़ जाएगा।

जब कन्ट्रोल में 2.15 रु० किलो चीनी मिलती है, तो बाजार में उस का भाव प्रति किलो 3.65 रुपये है और अगर कीमत 3 रुपये या 3.25 रुपये प्रति किलो रहती है, तो ऊँची कीमत होने से मेरा ऐसा अनुमान है कि चीनी की खपत घटेगी और चीनी की खपत बढ़ नहीं सकती क्योंकि हमारे देश का जो उपभोक्ता है, उसकी परवर्जित पावर निरन्तर कम होती चली जा रही है। इसलिए मैं माननीय कृषि मंत्री जी से यह कहना चाहूँगा कि उन का जो यह विचार है, वे इस विचार को, अपने दिमाग से निकालें कि चीनी की खपत बढ़ने वाली है और किसानों को लाभ होने वाला है।

अध्यक्ष महोदय, किसानों व निम्न प्राय कोई भी कीमत रखें, पिछले साल गन्ना उत्पादकों के लिए प्रापने जो कीमत रखी था, वह भी उन्हें नहीं मिल पायी थी तो प्रापने से क्या गारन्टी है कि जो कीमत अब प्राप रख रहे हैं वह उन्हें मिल पायेगी? एक तरफ तो किसान का नुकसान होने जा रहा है और दूसरी तरफ 6 करोड़ परिवार जो सस्ती चीनी खरीदते थे, उन्हें अब मंहगी चीनी खरीदनी पड़ेगी।

एक तीसरी समस्या प्रापके नामने प्रापे वाली है जिसको कि प्राप गंभीरता से सोचें। जो सरकारी कर्मचारी हैं या सप्लाय शेष के मजदूर हैं, वे इसकी कीमत बढ़ने के बाद बेतन मले और संहाराई भले की बाढ़ सह कर देंगे। जो कुछ प्रापने पिछले साल दिया था वह दूध की कीमत बढ़ाने के बाद उनसे छीन लिया। अब चीनी की कीमत बढ़ाने के बाद जो कुछ उनके पास है, वह भी उनसे छीनने जा रहे हैं। इनसे नया संकट पैदा हो जाएगा।

इसलिए मैं माननीय कृषि मंत्री जी से कहूँगा कि इस का इलाज केवल इतना ही नहीं है कि प्राप इस का डीकंट्रोल कर दें। असल में हमें चीनी नीति पर, देश के सारे सामाजिक ढाँचे पर दूसरे ढंग से विचार करना चाहिए। हमारे सामने किमान भी है, उपभोक्ता भी है और व्यापारी भी हैं। इन तीनों का उचित प्रकार से सम्मिश्रण करें, इन तीनों के हितों की समन्वित रूप से रक्षा करें। जब तक प्राप समन्वित चीनी नीति निर्धारित नहीं करेंगे तब तक पीसमिल में काम करने से इसका कोई भी लाभ होने वाला नहीं है।

इसलिए, मैं निवेदन करना चाहता हूँ कि जनता पार्टी को इस सम्बन्ध में मजबूती से सोचना चाहिए कि चीनी उद्योग का राष्ट्रीयकरण ही इसका इलाज है और दूसरा कोई इलाज नहीं है। अगर राष्ट्रीयकरण में कोई दोष है तो दोष की वजह से राष्ट्रीयकरण बुरा नहीं हो सकता है। मनुष्य अगर बीमार है तो इसलिए मनुष्य को समान्य नहीं किया जाता है। राष्ट्रीयकरण में कोई दोष नहीं था अगर कष्ट कीमत

[श्री राज किशन]

के लोगों ने इस सिस्टम को गड़बड़ कर दिया। अगर आप ईमानदारी से राष्ट्रीयकरण करें और लागत मूल्य को ठीक रखें तो इससे किसान, उपभोक्ता और व्यापारी तीनों का हित होगा। अन्यथा जाने-अनजाने में आप पर आरोप लगने वाला है कि आप पूंजीपतियों की मदद कर रहे हैं। आपने चीनी की डीकंट्रोल किया, सस्ते कपड़े को समाप्त कर दिया। यह कौन-सी दिशा है! यह दिशा निश्चित रूप से पूंजीवादी दिशा है और पूंजीवादी दिशा को जनता पार्टी का गांवों से घाने वाला सामान्य सदस्य स्वीकार नहीं कर सकता है, यह मैं स्पष्ट तौर पर कहना चाहता हूँ।

श्री सुरजीत सिंह बरनाला : उन्होंने कोई नया सवाल तो उठाया नहीं है, तकरार की है। आपने फरमाया है कि इस से खपत नहीं बढ़ेगी। हमारा भ्रमवाज ऐसा है कि इससे खपत बढ़ेगी, यह ज्यादा होगी। जैसे चीनी बढ़ी है वैसे खपत भी बढ़ेगी। एक्सपोर्ट करने के लिए जितना कोटा है, उससे ज्यादा हम एक्सपोर्ट नहीं कर सकते हैं। जितना हम कर सकते हैं उतना हम कर रहे हैं। हमें वेग में ही इसका इस्तेमाल करना है। इसलिए हमने यह डीकंट्रोल किया है।

दूसरे आपने नेशनलाइजेशन का मुद्दा दिया। यह मुद्दा तो पहले भी कई वक्ता ब्रा चुका है। (व्यवधान) एक तरफ तो कुछ लोगों को डीकंट्रोल की चीनी मिल रही थी लेकिन वह सब लोगों को नहीं मिल रही थी। बहुत से गांवों के ऐसे हिस्से हैं जहां कि कंट्रोल की चीनी जाती ही नहीं है। अब कौशिक यह होगी कि चीनी सस्ते भाव पर सब जगह पर मिल सके। चीनी के दो भाव रखने से खुले बाजार की जो चीनी थी उसके भाव बहुत ऊंचे रहते थे। अब उसके दाम कम होंगे और साधारण श्रमिक तक वह पहुंच सकेगी, इससे उसकी कंत्रम्यान बढ़ेगी।

SHRI JYOTIMOY BOSU (Diamond Harbour): This is a glaring instance of an attack on an already severely reduced public distribution system. Whilst the people are suffering from continuous erosion in their purchasing capacity the government is adding fuel to the fire by dismantling the existing distribution system. There is a further reduction in the government commitment to supply essential requirements to the weaker sections of the society. Sugar happens to be one of the main items; therefore there is an increasing gap between promise and performance of the present Janata government. On the one

hand government is talking about bringing in new items under the public distribution system; on the other hand what we see is they are taking decisions to decontrol sugar and also give full freedom to the textile mills not to produce cheap cloth and allow them additional export subsidy to the extent of Rs. 40 crores. This is a clear example of the Janata Government walking into the trap of the big tycoons, and following the same path as the erstwhile government has done.

Remember what happened in 1971. Those in Government lifted control over sugar for which they collected a very big amount. The argument for lifting control was the presence of heavy stock, but Government had to re-impose control within seven months just after the election was over because the money part for the time being became redundant.

Incidentally, the sugarcane output per hectare in India has been kept deliberately low, while 23 new varieties of sugarcane developed by the Coimbatore Sugarcane Breeding Institute have been put to use in other countries.

Only the other day, the sugar magnates were able to squeeze out a concession in reduction of excise duty and guaranteed average return of Rs. 185 and Rs. 190 per quintal.

The ration card holders, as it is, are already paying 30 paise more for every kilogram of rationed sugar.

So powerful is the sugar lobby in Delhi that besides taking money from the front door, they took recourse to all sorts of malpractices.

Here I am quoting the Public Accounts Committee Report in which it was stated :

"Yet another distressing feature of the rebate scheme for 1972-73 is the liberal grant of rebate even to

factories which had not produced any sugar during the base period. This would, in effect, mean that such factories would be entitled to a rebate in excise duty even for their normal production.'

That shows how powerful the sugar lobby is in Delhi.

Again, it says:

"If there is a substantial gap between the tariff value and the actual realisations of the factories, the gap between the tariff value and the ruling market prices is still wider. The Committee were amazed to learn during evidence that while the ruling market price of free sale sugar was Rs. 585 per quintal in September, 1974 in the Hapur market and Rs. 570 per quintal in the Calcutta market, the tariff value for the month of October, 1974 had been fixed as ridiculously low a figure as Rs. 320 per quintal."

This should confirm that those who are running the sugar factories in this country are making more profit for levy sugar although they are saying that they are not making profit.

The maximum and minimum prices of sugar outside the levy sugar were: 1974-75; Rs. 560 and 403; 1975-76; Rs. 550 and Rs. 398; 1977 up to June; Rs. 510 and Rs. 319.

Regarding the production of sugar, he has already given the figures.

I am surprised to see this decision because till the other day they were saying that they were not contemplating the decontrol of sugar. This is from *The Hindu* dated 25th February. It clearly says:

"The broad consensus in the Cabinet was instead of decontrol, other measures should be adopted to help the sugar factories realise their cost of production and continue to pay the cane growers the present prices."

That was the Cabinet decision in February, 1978. Then again, *The Economic Times* of 26th February says:

"The Union Cabinet today grappled with the problems faced by the sugar industry for more than two hours. Though no official announcement is forthcoming, it is understood that there was strong opposition for total decontrol."

What has happened in between? I must take my hat off to the sugar lobby. They have succeeded so well, they have been able to put them in their pocket, to put the Janata Government people in their pocket.

In reply to Starred Question No. 277 dated 5th December, 1977, this was the reply given, Part (b) of the question was:

"Whether Government propose to ensure equitable distribution of rationed sugar to all the citizens of the country on uniform basis and if so, by what time."

The reply was:

"Yes, Sir. In accordance with the decisions taken by the Government on 27-10-1977, it has been decided to increase the State-wise monthly levy sugar quota to 425 grams per capita as against 300 grams earlier for the estimated population as on 1-7-1975."

In between what has happened

MR. SPEAKER: Please come to the question.

SHRI JYOTIRMOY BOSU: I will finish in no time. I assure you I will not take much time.

MR. SPEAKER: I am only getting assurance.

SHRI JYOTIRMOY BOSU: In reply to Unstarred Question No. 1021 dated 21st November, 1977, the Minister of State, Shri Bhanu Pratap Singh, said:

[Shri Jyotirmoy Bosu]

"No proposal has been received from the Madhya Pradesh Government to decontrol sugar."

SHRI BHANU KUMAR SHASTRI (Udaipur): Sir, when my hon friend, Shri Ram Kishen, was speaking, you asked him to stop and he stopped immediately. But, in this case you are allowing Shri Bosu to continue.

MR SPEAKER No, no Your memory may be very short. He did not stop for over a minute I would request Shri Bosu to put the question.

SHRI JYOTIRMOY BOSU "After due consideration of the proposals and keeping in view all the aspects and likely repercussions on various sections of the people, Government have recently decided to continue the policy of partial control on sugar, with equal emphasis on distribution of levy sugar in the rural areas"

What has happened after that? All these are very recent utterances.

MR. SPEAKER This is not a debate He should put a question.

SHRI JYOTIRMOY BOSU: In the Report of the Sugar Industry Enquiry Commission, Volume II it is stated at page 1091,—

"(b) Recommendations from Chapter VII:

(i) The entire private sector of the sugar industry other than the cooperative sugar factories, should be nationalised;

(ii) The marketing of sugar up to the level of wholesale trade should be completely nationalised;

(iii) Provision should be made for adequate representation of labour and cane-growers in the nationalised sector and in the cooperative sugar factories at all levels;

(iv) For formulating and executing policies in regard to the entire sugar industry (public sector and cooperative sector) and for the administration of the public sector of the sugar industry, "

MR SPEAKER. You are making a speech.

SHRI JYOTIRMOY BOSU: I say that the Government cannot have double or treble standards. They set up a Committee or Commission and then they take a decision, as per dictates of the sugar barons. If they proceed with the de-control of sugar, the country will know that the Janata Government has been purchased by the sugar lobby. I want the Minister to give an assurance that he will not proceed with decontrol of sugar and thus deprive the poor people of the sugar which they are getting at controlled price.

SHRI SURJIT SINGH BARNALA
My hon friend was giving credit to both sides. To the other side he was saying, when they imposed control they were in the hands of the sugar lobby, to us he is saying that now we are thinking of decontrolling sugar, we are in the hands of the sugar lobby. I do not know where he stands. Then he pointed out that Government was following different policies and he quoted some replies to questions. He said that on the 5th December 1977 the quota was increased to 425 grams per person. That was done because the availability was more. So, we thought that it should go to every village in the country. Therefore, we increased the quota. But, ultimately, what happened? There were more supplies. 70,000 tonnes more was delivered for public distribution. Then it started coming back to the market by the backdoor, selling at a lesser price. (Interruptions) Shri Bhanu Pratap Singh stated in December 1977 about partial control. Six months earlier he could not anticipate that we are going to de-control sugar...

SHRI JYOTIRMOY BOSU: Sir, on a point of order.

MR. SPEAKER: No point of order.

SHRI JYOTIRMOY BOSU: He is misquoting me.

MR. SPEAKER: Nobody is misquoting him. He has said so much.

SHRI JYOTIRMOY BOSU: Shri Bhanu Pratap Singh said on that day:

"After due consideration of the proposals..."

MR. SPEAKER: No, please. The Minister is not yielding.

SHRI SURJIT SINGH BARNALA: Now the situation has changed. There is more supply of sugar in the market. We have to take into account all these factors and take a decision, which we have done.

SHRI ANNASAHEB P. SHINDE (Ahmednagar): On a point of order. His statement does not make it clear, because the House deserves.... (Interruptions).

MR. SPEAKER: Mr. Jyotirmoy Bosu, Item No. 8.

COMMITTEE ON PUBLIC UNDERTAKINGS

THIRTEENTH REPORT

SHRI JYOTIRMOY BOSU (Diamond Harbour): I beg to present the Thirteenth Report of the Committee on Public Undertakings on Jute Corporation of India Limited—Procurement and Marketing of Jute by J.C.I.

MR. SPEAKER: Now, Matters under Rule 377. Dr. Laxminarayan Pandeya.

DR. LAXMINARAYAN PANDEYA: Rose.

SHRI JYOTIRMOY BOSU: You gave a guidance that this 'Indian Express' news item...

MR. SPEAKER: I have called Dr. Pandeya.

SHRI JYOTIRMOY BOSU: I want to have one minute.

MR. SPEAKER: No. Dr. Pandeya.

12.42 hrs.

MATTERS UNDER RULE 377

(1) REPORTED SUPPLY OF CONTAMINATED ATTA TO SAFDARJUNG HOSPITAL, NEW DELHI.

डा० लक्ष्मीनारायण पांडेय (मदतौर) : अध्यक्ष महोदय, मैं आपकी अनुमति से सफरजंग अस्पताल की कुछ अनियमितताओं तथा वहाँ जिस प्रकार से बीमारों के साथ व्यवहार किया जा रहा है, उनके सम्बन्ध में ध्यान आकषिप्त करते हुए निवेदन करना चाहता हूँ।

जैसा कि नवभारत टाइम्स तथा अन्य समाचार-पत्रों में प्रकाशित हुआ है, पिछले दिनों जो वहाँ बीमारों के लिये धाटा दिया गया, वह इसकी खराब हालत का था कि बीमारों न उसकी बनी हुई खपातिया लेने से इन्कार कर दिया। जब इसका बारे में वहाँ के अधिकारियों ने जानकारी प्राप्त की और जांच की तो उनके परिणाम भी सतीषजनक नहीं हैं। यद्यपि वह धाटा मैं यहाँ पर साफ में नहीं लाया हूँ, लेकिन यदि आप उसको देखते तो वह सारा जमा हुआ था, इस प्रकार की खराब और गन्दी हालत में था जो मनुष्य तो क्या पशु भी उसे खाना पसन्द नहीं करते। बीमारों के लिये इस प्रकार धाटा दिया जाना कदापि भ्यावहारिक नहीं है बल्कि और उनको भयानक रूप से बीमार कर देता है।

मैं यह भी निवेदन करना चाहता हूँ कि पिछले दिनों से जिस प्रकार की वहाँ स्थिति चल रही है, उसी के कारण कई टेंटनस के बीमार हुए और उनकी मृत्यु भी हुई। इस हस्पताल में जो दुर्घटनाएँ चल रही हैं, उसके कारण धन्याय बीमारों को भी काफी परेशानी उठानी पड़ती है।

मैं इस और स्वास्थ्य मंत्री जी जो इस समय यहाँ उपस्थित नहीं हैं, का ध्यान

[डा० लक्ष्मी सापकाव पंडित]

सर्व-कार्य मंत्री जी के माध्यम से आकर्षित करते हुए निवेदन करता हूँ कि वे इस बारे में वक्तव्य दें क्योंकि यह जनसाधारण के लिये बहुत महत्व का विषय है मैं चाहूँगा कि वे यह भी स्पष्ट करे कि वे इसको किस प्रकार सुधारने जा रहे हैं ? इस हस्तक्षेप की हालत दिन-प्रतिदिन बिगड़ती जा रही है, जिसे सुधारा जाना अनहिल की दृष्टि से अत्यंत आवश्यक है ।

(11) REPORTED BREAK IN SERVICE OF MANUAL LABOURERS OF FARAKKA COMPLEX

SHRI SASANKASEKHAR SAN-YAL (Jangipur) A large contingent of manual labour had for a long time worked at the Farakka Complex. The labourers were on muster roll. The previous Government of India had a policy of making break in service of some for a shortwhile to avoid their permanency and they passed as casual labour. During the incumbency of the present Government, after agitation and discussion the casual character was abrogated and all became permanent. Recently, out of a bunch of about 1500 labourers, 600 have been given notice of retrenchment with effect from 1-8-78. Through our intervention that date has been postponed to 15-8-1978. A serious situation has arisen and it is not merely a case of throwing back to unemployment but is inconsistent with the avowed policy of the Janata Government.

(111) REPORTED DECISION TO CANCEL PENSION OF SOME FREEDOM FIGHTERS

SHRI C K CHANDRAPPA (Cannanore) It was a matter of serious public concern that the Government of India has decided to cancel the pension granted to some of the freedom fighters on political grounds and

decided to invoke provisions of Revenue Recovery Act to recover the amount which already had been given to them by way of pension.

Whatsoever might have been the ideological inspiration and political motivation behind a struggle, we must have the broad mindedness and grace to accept it as freedom struggle and honour the participants of those struggles as freedom fighters and national heroes.

But the Janata Government has taken a narrow view on this matter and cancelled the pension granted to some of the freedom fighters merely on narrow political consideration.

Recently the Kerala Assembly has adopted a resolution to express its disapproval of this policy.

They wanted the centre to take immediate decision to grant pension to freedom fighters who took part in the historic Punnappa-Vayalar struggle, Moplah Rebellion and Kavumbi struggle.

It may be recalled that Punnappa Vayalar Struggle was the aimed struggle against the attempt of the former Maharaja of Travancore to declare Travancore independent at the instigation of the British. Moplah Rebellion in Malabar was part of the Khilafat movement and peasant revolt, inseparable part of freedom struggle. Kavumbi struggle was struggle against the British in Malabar.

I, therefore, request the Government to grant pension to the freedom fighters of the struggles and movements mentioned above and stop the act of invoking Revenue Recovery Act against the freedom fighters. It is an insult to injury I request the Government to make a statement on this matter in the House.

(iv) REPORTED FORCIBLE OCCUPATION OF ADULT LITERACY CENTRES OF SHAKURPUR, NEW DELHI RUN BY WOMEN'S MUTUAL AID SOCIETY

SHRIMATI V. JAYALAKSHMI (Sivakasi): Mr. Speaker, Sir, with your permission, I would like to raise the following matter of urgent public importance in the House under rule 377.

Women's Mutual Aid Society is an organisation which has been running fifty centres of adult literacy in the Jhugi-Jhopri colonies for the last eight years with grants from the Government of India. In addition they are running Balwadis and some craft classes also. They have got teachers trained for adult education with the help of the Polyvalent Adult Education Centre. 4000 women have been issued certificates so far by Begum Abida Ahmed. The DDA allotted two rooms tenements in 43 localities to conduct the programme of adult literacy for women, craft centres and Balwadis and they are running them successfully.

Recently, in Shakurpur, all the centres which belong to this Society have been forcibly occupied by Shri Devender Swaroop, Lecturer, D.A.V. College, Evening Wing, Lajpat Nagar. The boards have been removed without their permission; 14 sewing machines and the library of three hundred books have been taken over by them and they have refused to give them back.

They have misguided the teachers who belong to the Women's Mutual Aid Society and with their help, they are carrying on the classes in the schools occupied by them.

In Madhipur Block also, the people belonging to the same group, who forcibly occupied the schools earlier, have again occupied the centres run by the Society and have opened what is called a Medical Store.

As this organisation is run by women, they need protection and I would urge upon the Government to take immediate action in this regard.

(v) REPORTED SIGNS OF BENDING AND COLLAPSE OF SUN TEMPLE AT KONARK, ORISSA

SHRI SIVAJI PATNAIK (Bhubaneswar): Sir, I wanted a Call Attention motion to be admitted on this.

With your permission, under rule 377, I want to raise the following matter of urgent public importance.

The world famous Sun Temple at Konark in Orissa has shown signs of bending and collapse. Already, a big stone has fallen to the ground from the inside top on 4th August. This temple is a monument of Indian art and sculpture situated in the eastern coast in Puri District of Orissa which was built 1300 years back. Every stone of this temple is a master-piece of art. Already many statues have been removed from this temple to the National Museum in Delhi. Some are stolen. Yet whatever remains and particularly this temple is a wonder in the world's art and sculpture. Enough steps were not taken to maintain it with the advice of specialists on the matter. The renowned Archeologist, Dr. D. P. Ghose has opined that because of the adverse effect of atmosphere in the sea-coast and in the absence of proper maintenance, the temple has shown signs of collapse and he has advised that on this matter, the advice of the UNESCO be taken. A team of specialists from UNESCO should be required to study the matter. Another specialist, Sri D. K. Chakravorty has opined that because of the salty atmosphere and sand-storm, this temple is decaying. In order to keep itself free from such adverse atmosphere, long-term as well as short term measures may be taken. Still another Archeologist, Shri P. C. Dasgupta has advised that a big protective umbrella over the temple

[Shri Sivaji Patnaik]

is required in order to maintain it. The Government of India has not yet taken enough steps in this matter. This temple attracts a good number of tourists to our country. Leaving aside this economy parts, this temple which is a part of our cultural history requires the immediate attention of the Union Government for its preservation. I, therefore, urge upon the Government to take immediate steps to get a team of specialists from the UNESCO and act as per their advice. I also urge upon the hon. Minister to visit the place as early as possible so that he can acquaint himself with the problem and take necessary steps at an early date in this regard.

SHRI JYOTIRMOY BOSU: I want half a minute, Sir. The other day I gave a notice, and your secretariat official came and said, under your direction, that I could give notice under rule 377. This is about the publication in the *Sunday Standard* that MPs are lobbying for a polyester firm in Ahmedabad. I would not mention the name—it is D. Ambani; I do not want to mention that. The question is this. After that, I have given notice under rule 377 again as per your direction, but it is not being admitted..

MR. SPEAKER: Which is not being admitted?

SHRI JYOTIRMOY BOSU: On the front page they have said that the MPs are lobbying....

MR. SPEAKER: Please tell me what I have not admitted, I do not know what you are saying.

SHRI JYOTIRMOY BOSU: This is about a news item where it has been alleged that the MPs are lobbying for a polyester firm of Ahmedabad.

MR. SPEAKER: You want to make a statement without making it according to rules. I will look into the matter.

SHRI JYOTIRMOY BOSU: I am most grateful to you, Sir.

SOME HON. MEMBERS rose—

MR. SPEAKER: Whoever wants to discuss anything about his notice, may please come and discuss with me. I am available to everybody for discussion. I may be able to select for today or tomorrow; I have some limitations.

श्री भगत राम (फिल्लौर) : मेरा एक प्वाइंट थाफ़ ज़ाईर है ।

MR. SPEAKER: What is your point of order?

श्री भगत राम नियम 377 के अधीन ग्राम लौर से ग्राम पाच ग्रामियों को एलाऊ करने हैं लेकिन कल आपने बार को किया है । मैं लगातार कई दिनों से चह्रीगद के बारे में... (स्वबुवाव) . .

MR. SPEAKER. I have allowed five Members yesterday also.

श्री भगत राम : हाँ आप ने मुझ को नहीं एलाऊ किया ?

MR. SPEAKER: Mr. Bhagat Ram, you are making a mistake. Yesterday five Members were selected. One of the Members was absent. I did not ask him to remain absent.

श्री रायच जी (बिदिगा) मैं भी नियम 377 का नोटिस लगातार तीन दिन से दे रहा हूँ । वह राष्ट्रीय महत्व का सवाल है ।

MR. SPEAKER: You may have to wait for another three days or 30 days.

12.53 hrs.

CONSTITUTION (FORTY-FIFTH
AMENDMENT) BILL—Contd.

CLAUSE 3—(AMENDMENT OF ARTICLE
22)—Contd.

MR. SPEAKER: Now we take up further clause-by-clause consideration of the Constitution (Forty-Fifth Amendment) Bill.

Mr. Saugata Roy. There are a large number of Members who have to speak. The maximum time allowed is five minutes.

SHRI SAUGATA ROY (Barrackpore): There are only five minutes left before lunch. I will finish.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): When will the Clauses be put to vote?

MR. SPEAKER. At about 6.30 p.m.

SHRI SAUGATA ROY: Yesterday I was speaking about the amendment on preventive detention clauses that have been brought in relation to the Forty-Fifth Amendment when I said that one of the basic mandates on which the Janata Party came to power was not only to do away with the internal Emergency but also to do away with preventive detention. The first good thing they did, although belatedly, was removing the MISA from the provisions of the law—bringing forward the MISA Repeal Bill. It was expected that the Janata Government would do away with these clauses for preventive detention also. But I am sorry that, except reducing the period from three months to two months, no significant change has been made in the articles providing for preventive detention.

I want to state at this stage that it has been the experience in our country that in the last 30 years every government which has come to power has thought that this country is ungovernable without preventive detention laws. Whether it was the Congress Government then or whether it is the Janata Government now, or whether it is the different Governments in the States, they all think that our people are not governable without preventive detention law.

In this context I want to refer to what the United Kingdom is facing where the Irish Republican Army is

staging an open war: if you go to the town, Belfast, you will find that on both sides of the road, there are barricades and soldiers are peeping out from armoured bunkers. Still, even in Northern Ireland, they have not invoked any preventive law. Is it not that we are a civilized country? We do not think that our people can be governed without preventive detention law. When all other countries in the world where there is lot more trouble than what there is in our country....

MR. SPEAKER: You want more trouble here?

SHRI SAUGATA ROY: No. Even they have no preventive detention law. Why do you want the preventive detention law in our country? In this context I may say that, in the Janata Party itself there had been a lot of opposition to the continuation of the preventive detention law. I refer to the speech made by the hon. Member Shri Ram Jethmalani, on the floor of the House.

Mr. Ram Jethmalani has also brought an amendment to this clause but which, I am sorry to say, has not been very honest. He says that after clause 7 the following clause shall be inserted, viz,

"Notwithstanding anything contained in the Constitution, no law providing for preventive detention shall operate in respect of any citizen of India except during the period when the proclamation of emergency is in operation."

Sir, here is where Mr. Ram Jethmalani has made a compromise with the Law Minister that when a proclamation of emergency is in operation, which includes both internal emergency due to an armed rebellion and an emergency due to external aggression, preventive detention can be in operation. But, Sir, as we have said it earlier and I want to repeat it here, we are opposed to the continuation of any clause with regard to internal emergency. Whether the name is internal disturbance

[Shri Saugata Roy]

or whether the name is armed rebellion, there should be no provision for an internal emergency in our Constitution. That is why also, Sir, I want to request Mr. Ram Jethmalani. Let him withdraw his amendment which is half-hearted in the sense that any government can say....

AN HON. MEMBER: He is withdrawing.

SHRI SAUGATA ROY: He will have to, because of pressure from his government.

I want to say as Mr. Barua from our side said yesterday, even with regard to external aggression we have doubts because we have seen the last few years in this country have been an eye-opener to the people of this country and members of all parties including our own Party which has been in power for so long in the country that when excessive power is in the hands of a ruling clique, then it can be operated as much against the members of the ruling party as it can be used against the members of the opposition parties. Mr. Chandrasekhar was a member of our own party when he was arrested. There were other instances also where members of our own Party were arrested during the emergency. So, Sir, Congressmen have also suffered due to this.

So, all I want to say is that it is high time that the Law Minister who earlier has been a staunch champion of civil rights, should come forward removing all these. Mere amendments are nothing because, as you know, in this country the government has very great powers. In a country where people are poor, the State is always more powerful than the people and there is no need for preventive, repressive and draconian laws in the hands of the State in order to govern and guide the destiny of the people.

I might also say here, Sir, that the Janata Party has been a staunch advocate of civil rights here and human rights abroad. Our Prime Minister has spoken a number of times on the question of human rights in different countries of the world. I may say that this concept of human rights does not go well with the concept of preventive detention, nor does it go well with the concept of having any internal or external emergency in this country.

So, with this, I want the Law Minister to come forward and say that there will be neither any preventive detention nor any laws for internal or external emergency in this country so that the people of this country are permanently insured against any interference into their basic rights by the State because, as you know, Sir, the State could very often be reduced to a rule by a caucus or by a few people.

Thank you, Sir

MR. SPEAKER: The House stands adjourned till 2'O'clock.

13 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock

The Lok Sabha reassembled, after lunch, at Five minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]
AMENDMENT) BILL—Contd.

CONSTITUTION (FORTY-FIFTH
AMENDMENT) BILL—Contd.

MR. DEPUTY-SPEAKER: I think we should push through, but for that purpose, I would request the Members to cooperate. There are some clauses which are important, on which some people would like to speak. At the same time, there are other clauses on which there are amendments given by some Members. I would request them not to go on speaking on every clause.

SHRI H. L. PATWARY (Mangaldol): I am concerned with Education. Yesterday, I took permission from the Chair to speak on clause 47.

MR. DEPUTY-SPEAKER: We will come to that. We are still on clause 3. Now **Shri B. P. Mandal**.

SHRI B. P. MANDAL (Madheopura): Mr. Deputy Speaker, Sir: I am not very happy with the present amendment brought forward by the hon. Minister. As a matter of fact, during the elections, we had solemnly pledged before the electorate that we shall do away altogether with internal Emergency. We had been given a mandate to do away with it. We had addressed several meetings, and everywhere we had told the people that as soon as we were voted to power, our first act would be to do away with internal Emergency.

I am sorry that internal Emergency has been allowed to continue. We were criticising Mrs. Gandhi for the proclamation of Emergency. Now Mrs. Gandhi and her supporters and sycophants will go to the electorate and say: "Look here, these people were criticising us for the proclamation of Emergency. But these people have themselves now provided for proclaiming it." What is the difference between internal disorder and armed rebellion, as has been sought to be substituted?

SEVERAL HON. MEMBERS: We are on clause 3 now.

SHRI B. P. MANDAL: I know. I am making a passing reference to internal Emergency. There is no difference between internal disturbance and armed rebellion. Moreover, what is the difficulty, after all, for people like Hitler, Mussolini, Salazar—and last but not the least—and dictators of Indira Gandhi-type to come forward and manoeuvre an armed rebellion here and there and proclaim that a state of Emergency should be declared? There is no check. The hon. Minister has

brought in a clause saying that before advising the President, the Prime Minister will call a meeting of the Cabinet. But, after all, in a parliamentary democracy, what is the position of the Minister, as against the Prime Minister? Within the twinkling of an eye, these Ministers can be asked to vacate, or to resign, if they don't resign, they will be dismissed. Thereafter, his followers and sycophants will be brought in, into the Cabinet. It is not so difficult for a dictator to get it passed. Thus, there can be no check. After all, in a parliamentary democracy and a Cabinet system, there is no voting. Whatever the Prime Minister says that prevail whatever may be the majority view. It is well known to the hon. Minister. There is no check to that. By this we are losing our face. We are giving those persons who have lost their face before the electorate, a good chit, a good certificate, an opportunity to go to the people and say: look, we were justified in proclaiming the emergency.

I now come to this clause. The first and foremost criteria of an independent society is that there should be no imprisonment without trial. This was achieved in Britain long ago, in the 12th and 13th centuries in the Magna Carta, the first charter of liberty. People in Britain got from their king in the Magna Carta a specific declaration that nobody will be sent to prison without trial. But they are continuing preventive detention here, saying instead of 3 months; a person will be detained only for two months. This process of two months may go on and continue for the whole life time of a person. What will be the check? There was specific provision in the Constitution for a board to review the cases of detenus. People eligible to be judges could be there in that board. The hon. Minister has already modified it by saying that this board will be appointed by the Chief Justice of the High Courts and members will be sitting judges or retired judges, and so on. After all we have seen the

[Shri B P Mandal]

character of the judiciary in the country during the emergency. The highest judiciary in the country danced to the tune of the dictator, much cannot be expected from that. So, I say that we should have done away with this.

Yesterday the hon Minister was saying suppose there was external danger there could be emergency, suppose there was internal danger why there should be no emergency? The Central Government has got a large force of central reserve police, border security force and state constabulary and so on and if there is a small armed rebellion here or there, they could quell it. What is the necessity of curbing the independence and liberty of the whole of the nation? If more than fifty per cent of the people take up arms against the government we have no right to remain here because it is the majority which rules. It is not a foreign government which says we shall be here by force of arms. We shall have to be here by the consensus of the people. I have got a lot of other things to say but due to shortness of time I will only say that I support this Bill. I am dutifully bound to support it belonging to the Janata Party. But I support it with a heavy heart. I may again tell the hon Minister that this amending Bill may prove to be the Waterloo of the Janata Party, in the next elections we will have no face. I sound this warning to the Minister. He may be thinking that people support it because we are in the Janata Party we are supporting it. Members of the CPM are supporting it because otherwise it will land them from the frying pan to the fire. The Congress people are supporting it because this Bill will save their face before the people. Therefore, they are getting so much support but I submit that this Bill may prove to be the Waterloo of the Janata Party in the next elections. With a heavy heart I support this Bill.

भी संवर लास पुनः (दिल्ली सदन)
उपाध्यक्ष महोदय, मैं स्वीकार करता हूँ कि किसी भी समय देश में बंदी दायल के किसी प्राप्ति को जेल में नहीं भेजा जाता चाहिए। कल प्राक वा वा मोटे तौर से यही प्रत्यक्ष है कि किसी को बंदी दायल के जेल में नहीं भेजा जाना चाहिए। लेकिन साथ साथ मैं यह भी स्वीकार करता हूँ कि हर देश की प्रत्यक्ष-प्रत्यक्ष परिस्थितियाँ होती हैं। इंग्लैंड और अमेरिका में जो परिस्थिति है वह आज हमारे देश में नहीं है। हमारे यहाँ डाइरेक्ट एलिमेंट्स हैं। मायालैंड मिजोराम और मणिपुर में जो हालात रहे हैं उससे हम नब वाकिफ हैं। यहाँ प्रत्यक्ष-प्रत्यक्ष तरह की पोलिटिकल फिलॉसफी है। (अध्यास) हमारे यहाँ प्रत्यक्ष प्रत्यक्ष पोलिटिकल थिंकिंग के साथ हैं। ऐस भी साथ है जा बैलिक्ली बायसेस में बिलीव करने हैं। हमारे यहाँ तेलगाजा की घटनाएँ हुई और भी बहुत सी घटनाएँ हुई हैं। दिल्ली में भी और यहाँ भी म भी पुलिस रिवाइल हुआ।

जहाँ नब मैं जानता हूँ हमारे सविधान में शक से रोजनेबल रेस्ट्रिक्शन का प्राविधान नहीं था। प्रत्यक्ष मैं समझती नहीं करता हूँ ता पब्लिक और मरवावर पब्लिक न यह प्राविधान लाया। जिस देश का कंस्टिट्यूट एसा है। उस में इस निस्पुटिटी प्राप दि नेशन के साथ बिलवाइ नहीं कर सकते। चाहे कुछ के साथ चाहे मरे मन के साथ और चाहे मावारी में यह प्राविधान लाया हमारे लिए खरौ है। इस दृष्टि से मैं समझता हूँ कि मंत्री महादय ने जो कुछ बिना है वह ठीक है।

लेकिन इसका मतलब यह नहीं है कि इमर्जेंसी के समय जैसा एडवाइजरी बोर्ड हो—उसको भी हटा दिया गया था—और प्राउडक प्राक डिटेनन ही न दी जाय। इमर्जेंसी के समय एडवाइजरी बोर्ड एक स्टोन बीड थी। मुझे याद है कि चौधरी बरण मित्र जा हमारे हीम मिनिस्टर थे दिल्ली जल में रिहा हो गये और उसके पाच दिन के बाद आइर था गया कि प्राप की डिटेनन और तीन महीने के लिए एक्स्टेंड की जाती है। जैसा कि मैं पहले भी बता चुका हूँ डिस्ट्रिक्ट मैजिस्ट्रेट ऑफ वेयर पर बंदी नाम के डिटेनन आर्डर पर साइन कर देता था।

मही महोदय ने यह प्रस्ताव किया है कि तीन प्राविधानों का बोर्ड होगा जिसमें एक हाई कोर्ट का सिटिंग जज होगा और दो या तो हाई कोर्ट के सिलिय या रिटायर्ड जज होंगे। ऐसा नहीं होगा कि किसी को भी बोर्ड का मेम्बर बना दिया जाये। ऐसा करने से इसके नियंत्रण पर बंद रहेगा और नियंत्रण को रोकने के लिए यह बहुत खरौ है।

मैं ने दो सौजन्य दिये हैं। एक तो यह है कि कंस्टिट्यूशनल मारपी होगी चाहिए कि

प्रिवेंटिव डिटेन्शन के हर एक केस में ड्राइब्ड बाइक डिटेन्शन जरूर दी जानैनी। क्या ऐसा कोई प्राविजन है ? कहाँ है, बताइये ।

SHRI RAM JETHMALANI (Bombay North-West): It is already there.

श्री अंबर लाल मुस्त : मेरी दूसरी एमेन्डमेंट यह है कि छः महीने से ज्यादा किसी को डीटेन नहीं किया जाना चाहिए । ऐसा नहीं होना चाहिए कि किसी को दो महीने के लिए डीटेन किया जाये, और फिर बार-बार उसे बढ़ाते गये, और डिटेन्शन इनफेक्टिवली चलती रहे । किसी भी व्यक्ति को, किसी भी हालत में छः महीने से ज्यादा डिटेन्शन बिना ड्राइव्ड बाइक में नहीं रखना चाहिए । क्योंकि 6 महीना काफी है । मरु में जो प्रिवेंटिव डिटेन्शन सरदार पटेल ने किया था तो वह 6 महीने का ही था, 6 महीने से ज्यादा नहीं था । इसलिए मैं यह कह रहा हूँ कि आज जब देश में इन्फेक्टिव है, होर्स है, स्मल्लस है, एम्पियानेज करने वाले लोग हैं, सेबीट्यूस हैं, वायलेस ने बिबीज करने वाले हैं, ऐसी परिस्थिति में यह कहना कि प्रिवेंटिव डिटेन्शन होना नहीं चाहिए, मैं समझता हूँ यह मगन है । इसलिए चाहे हम न चाहते हों इस बीज को लेकिन इसके लिए प्रावधान करना पड़ेगा । आप ने किया, वह ठीक किया । लेकिन मैं चाहता हूँ कि इसमें लिमिट जरूर रखनी चाहिए । यह नहीं कि एक एक दो दो साल तक इस को चलते रहने दें । यह नहीं होना चाहिए । मैक्सिमम लिमिट 6 महीने रखिए । 6 महीने से ज्यादा नहीं होना चाहिए । मुझे इतना ही कहना है ।

SHRI G. M. BANATWALLA (Ponnani): It is very tragic that Clause 3 of the amending Bill seeks to continue this concept of preventive detention. Preventive detention is nothing but a lawless law and it is repugnant to democratic ideals. It is also anomalous to have preventive detention provisions in the Chapter which gives fundamental rights. Not only that. I must mention that the hon. Minister was very eloquent about personal liberty and article 21. He pointed out in this House the relevant provisions in the amending Bill that the enforcement of article 21 dealing with personal liberty cannot be suspended even during times of emergency, but I am constrained to submit that the hon. Minister is trying to shine in false glory, because Clauses 3(b), 4, 5, 6, and 7 of article 22 exclude the application of

article 21 even in times of peace. Therefore, the very astonishing and tragic part of the Constitution is that preventive detention is a subject matter of normal and peace-time legislation. This is something for which we do not find a parallel in democratic countries.

As is well known, there can be no preventive detention law in the USA or in England during times of peace. Similarly, article 34 of the Japanese Constitution of 1946, article 3(2)-(3), i.e. sub-clauses (2) and (3) of Article 3 of the Czechoslovak Constitution of 1948, article 104 of the West German Constitution of 1948 and several others specifically say that there can be no detention without trial. All of them specifically state that no person can be detained without having been given the reasons for detention. They also specifically state that every person shall have the right of being assisted by a lawyer. But here, the tragic part is that we are treating preventive detention as a subject of normal and even peace-time legislation. These preventive detention provisions disfigure our Constitution and ridicule the very concept of the rule of law to which we say we are dedicated.

No doubt, certain safeguards have been provided as far as preventive detention is concerned, but it is not a question of safeguards; it is not a question of remaining in detention for two months or three months without the opinion of the Advisory Board, it is not a question as to how that Advisory Board will be composed. The vital question is detention without trial, which smacks of a feudal society. I, therefore, most humbly request the Government, not to insist upon any such preventive detention law during times of normal peace. I have given notice of my amendment No. 162, which seeks to do away totally with this concept of preventive detention. But there are certain difficulties which we face. Suppose the Government does not accept this idea of removing preven-

[Shri G. M. Banatwalla]

live detention from the Constitution, in that case, we will be obliged to vote in favour of the Government amendment, to do away with the stringent provisions which are at present there in favour of some lesser stringent provision I hope the Government is not going to confront us with such a situation I appeal to the Government most fervently to scrap the provisions relating to preventive detention lock stock and barrel.

MR DEPUTY-SPEAKER Shri Vinayak Prasad Yadav I would again appeal to the Members to be brief in their remarks. Some members have given notices on a number of clauses I would request them to select one or two important clauses on which they would like to speak and inform the Chair of their preferences.

SHRI KANWAR LAL GUPTA
We have to speak on all important clauses

MR DEPUTY-SPEAKER I am calling those members who have not given notice of any amendments according to the list given by the whip

SHRI PURNANARAYAN SINHA (Tezpur) Sir, you should call those members who have not been able to get a chance to speak during the general discussion

MR DEPUTY-SPEAKER We are trying to see to that also, that is, giving opportunity to those who have not spoken in the general discussion. But there are some names which are sent by the whips which also we have to call

श्री विनायक प्रसाद यादव (सहरा)
उपाध्यक्ष महोदय, मैं आपके माध्यम से कानून मंत्री जी को अवगत देता हूँ कि उन्होंने यह 45वाँ संविधान (संशोधन) विधेयक लोकसभा में पेश किया।

"यहाँ तक इनकॉन्सी का सवाल है और नजरबंदी कानून का सवाल है, यहाँ तक हम समझते हैं जनता सरकार में और कांग्रेस की सरकार में इन्होंने कोई फर्क नहीं रहने दिया है।

मेरा प्रमेनडेन्ट है

"There shall be no preventive detention laws except during emergency declared by the President in actual outbreak of war, aggression or armed rebellion"

उपाध्यक्ष महोदय, मैं आपके माध्यम से जानना चाहता हूँ कानून मंत्री जी से कि दुनिया के किसी भी डिमोक्रेटिक देश में क्या साधारण टाइटन में कोई प्रिवेंटिव डिटेन्शन का प्रावधान है? अमेरिका ने तो आपात काल में भी कभी नजरबंदी कानून नहीं लगाया। जहाँ तक हम समझते हैं इस देश में 1977 में जो चुनाव हुए उसने इस देश की जनता ने दिखाया दिया कि हम डिमोक्रेटिक बम्बे-मैन में न अमेरिका से पीछे हैं, न इंग्लैंड से पीछे हैं बल्कि हिन्दुस्तान की जनता ने बतला दिया कि हम बहुत परिपक्व हैं, हमारी डिमोक्रेसी बहुत मजबूत है और उसकी जड़ें बहुत गहरी हैं। परन्तु मंत्री महोदय ने जो प्रावधान रखा है प्रिवेंटिव डिटेन्शन के बारे में वह गहरी है जोकि पहले था। हम पहले मीसा के अन्तर्गत बर्द बार जेल गए हैं। जो प्रावधान पहले से वही प्रावधान इन्होंने भी लगा कर नामस टाईम में भी मीसा या प्रिवेंटिव डिटेन्शन एक्ट को वापस रखने का प्रयास किया है। मंत्री महोदय को सुरक्षा बन्दी का डिफेंस करने का ही अनुभव है, जिनसे भी कभी सुरक्षा बन्दी बनने का दुर्भाग्य नहीं प्राप्त हुआ है, इसीलिए नजरबंदी का प्रावधान को हटाना आवश्यक समझते हैं। यह हमारे लिये लज्जा की बात है कि हमारे स्टेट्यूट बुक पर यह काला घब्बा बना रहे। यह हमारे लिए गर्म की बात है और इसलिए मैंने इस एमेंडमेंट के जरिये इस काले घब्बे को मिटाना चाहा है।

मंत्री मैं माननीय कवर लाल गुप्त का वाक्य सुन रहा था। वे इस सदन के बहुत माननीय और बहुत पुराने सदस्य हैं। वे कह रहे हैं कि हमारे यहाँ तरह तरह के लोग हैं। किस देश में तरह तरह के लोग नहीं हैं। जब आयरलैंड के लोगों ने सत्य आन्दोलन किया था, इंग्लैंड के प्रजन होने के लिये तो इंग्लैंड की सरकार, जिस के खिलाफ वह आन्दोलन हुआ था, और ऐसा कोई आन्दोलन अभी तक हमारे यहाँ नहीं हुआ है, ने कभी ऐसा कानून नहीं बनाया था? नार्वेन टाइटन में उन्होंने जो इस तरह का प्रिवेंटिव डिटेन्शन एक्ट नहीं बनाया था। इसलिए मैं यह समझता हूँ कि यदि जनता पार्टी को सन् 1977 में उस ने भी वाक्य जनता से किया था, उन्होंने पूरा करना है की संविधान से इस काले कानून का काल करना होता।

SHRI B. P. MADAL: The Minister should hear. He should not engage himself in talks.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): I am hearing.

जी विभाजक प्रस्ताव बाबत : मैं आप के जरिये विवेचन करना चाहता हूँ कि जो एमंडमेंट, प्रीवेंटिव डिटेन्शन के सम्बन्ध में हम लाए हैं, उस को कानून मंत्री को मानना चाहिए और वह मानने से ही सन् 1977 में जो चुनाव बोधनापस में कहा जा और जो बायबा जनता से किया जा, उस को पूरा किया जा सकता है। जितनी गालियाँ ऐसे कानून के लिए हम पिछली सरकार को दिया करते थे, उस का जस्टिफिकेशन तभी हो सकता है जब स्टेट्यूट बुक पर यह प्रीवेंटिव डिटेन्शन एक्ट न रहे और उस को हम कल कर दें, नहीं तो इस का मतलब यह होता है कि जब कोई दूसरा सरकार में रहे तो उस को जितनी सारी गालियाँ देना चाहें वे हैं और जब अपने आप गद्दी पर बैठ जाए, तो बड़े से बड़ा कुर्कान करना शुरू कर दें। इस बीच को जनता बर्बाद नहीं करेगी। इसलिए मैं चाहता हूँ कि मेरा एमंडमेंट आप स्वीकार कर लें।

जी सरद बाबत: (जबलपुर) : मुझे भी दो मिनट का समय दीजिए इस पर बोलने के लिए।

MR. DEPUTY-SPEAKER. Mr. Yadav, if I am going to make an exception in your case, there are five hundred and forty Members..

जी सरद बाबत : मैं बीवारी ने भी चाहा हूँ, मुझे भी दो मिनट बोलने के लिए दे दीजिए। मैं इस प्रीवेंटिव एक्ट में गिरफ्तार रहा हूँ (जबलपुर)...जबो ने मुझे सजा दी है।

MR. DEPUTY-SPEAKER: I am very sorry because there are many Members who have been in jail. That is not the reason. There are many Members who have been in jail during Emergency.

जी सरद बाबत हमारे ऊपर आप को क्या करनी चाहिए, मुझे दो मिनट देना चाहिए। मैं बीमार था, इसलिए नाम न दे सका। इस सवाल पर मेरा कानसेल बैचन है। मुझे 102 दिवों का कारा है और फिर भी मैं यहाँ आया हूँ। आप मुझे दो मिनट का समय इस पर बोलने के लिए दीजिए।

2342 LS-9.

MR. DEPUTY-SPEAKER: You speak on the Third Reading.

(जबलपुर).... आप बड़े रीति में बोल दीजिए।

SHRI HARI VISHNU KAMATH (Hoshangabad): Mr. Deputy Speaker, Sir, I have already moved a motion before the House, I have taken the leave of the House and I have already moved the amendment no. 278, list no 35.

At the outset, I should like to make it clear that it would have been the happiest consummation if this odious and abnoxious provision of preventive detention had been repealed and abolished once for all. I had opposed it in the Constituent Assembly thirty years ago when I said that it is strange that Article 22 has been enshrined in the Indian Constitution, an Article which confers on every citizen the fundamental right to be detained without trial. I suggested that it might find a place elsewhere in the Constitution, but not as an Article of fundamental right. It was not be and it was embodied in the Chapter on fundamental rights.

Later when Sardar Vallabhbhai Patel, the then Home Minister introduced a Bill in 1950, in pursuance of the enabling article 22 of the Constitution, in the Provisional Parliament, I had also moved some radical amendments to that Bill, and one or two of them had probably been accepted by the Minister.

Today, I can understand, but not appreciate, the arguments, the pleas that may be made by the Government, by the Law Minister, pointing out certain constraints, political, or if not political, administrative, and the compulsions of the prevailing situations in some parts of the country.

At that time, when Sardar Vallabhbhai Patel introduced the Bill in the Provisional Parliament, he also had said that he was doing so with

[Shri Hari Vishnu Kamath]

a heavy heart, that he had three sleepless nights and that, when he had introduced the Bill, he was not happy over it. I am sure, the Law Minister, Shri Shanti Bhushan, is even more unhappy than Sardar Vallabhbhai Patel was at that time. Sardar Vallabhbhai Patel who was the Home Minister at that time had also said that because of the situation in Telengana and in one or two other parts of the country he was introducing the Bill. It was the Bill in pursuance of article 22. Here also the enabling article is this one. You will have the Bill later on in the Lok Sabha.

What I suggest is if the Law Minister on behalf of the Government is not in a position to accept this proposition that the provisions of the preventive detention should be repealed, should be abolished, then the next best, the second best that we can think of is to mitigate the severity and the hardship of this law recognising straightway that this is at best a necessary evil. That is the position we should adopt, the Janata Party should adopt, on this measure after the commitment that we had made to the electorate last year, only 16 months ago. I would, therefore, earnestly plead with the Government to see to it, to ensure that, if and when, the Bill comes before Parliament, its severity and hardship is mitigated.

There was the Bombay High Court Judgement with regard to detentions during Emergency. I think it was Justice Vimaldal and one more judge—I forget the name—the two judges of the Divisional Bench who had severely criticised and passed strictures on certain detentions which were made during Emergency. They were described as tantamount to punitive detentions, not preventive detentions. Preventive detention means interference with an individual's liberty as little as possible—a person can just be put under house arrest. My colleague, Shrinati

Mrinal Gore was a victim of punitive detention. So was Shrinati Shekhla Reddy in Bangalore who ultimately succumbed to the tortures which she had undergone during her detention. That was during the mini-dictatorship fascist dictatorship of the former, now fallen tyrant Prime Minister during Emergency. Those days are gone and, I hope, they will never return.

One more word and I have done. I would earnestly plead with the Government that in case they cannot make up their mind because of some compulsions and constraints, if they cannot accept the proposal that it should be repealed and abolished once and for all then this period of detention should be minimised, should be made as short as possible. I would be happy if it is made a fortnight, two weeks. But perhaps for administrative purposes, it might not be possible to have only two weeks, then, as I have suggested in my amendment, it should be one month, not two months. One month should be enough for any efficient and honest advisory board to go into this matter and give their opinion as to whether it is necessary at all. I am sure, this will be even a more liberal measure, if at all the word "liberal" can be used in this context at all, than the preventive detention Bill that was first introduced in the Provisional Parliament in 1950. Regarding the safeguards that we are going to provide in this whenever the proposal comes before this House—in the near future or in the distant future I hope and pray that those safeguards will be really, truly and in all conscience foolproof and knave proof so that nobody will be able to side step or side track them as was done during the Emergency period.

I therefore, move my amendment as the second best only, as a necessary evil—I repeat, a necessary evil. I hope that Government will see their way to accept this amendment and reduce the period from two months to one month only.

MR DEPUTY-SPEAKER The Minister

SOME NON. MEMBERS rose—

MR. DEPUTY-SPEAKER: That is why, in the beginning I said that those who have moved their amendments should send me a slip as to which amendments they would like to speak on...

SHRI RAM JETHMALANI: I have moved my amendment

MR. DEPUTY-SPEAKER: You have moved amendments to all Clauses. Would you like to speak on all the Clauses?

SHRI RAM JETHMALANI: Yesterday the decision taken was that we will discuss this Bill clause-by-clause and that we shall confine our comments to each individual clause, but the voting on the Clauses will be taken up ...

MR. DEPUTY-SPEAKER: That is a different thing.

SHRI RAM JETHMALANI: It cannot be that I move an amendment on an important topic and I am not supposed to be heard at all!

MR. DEPUTY-SPEAKER: You have spoken during General Discussion. You could have made all your points then. Anyway, if you want to speak, please send your name. (*Interruptions*) Let me again repeat that you may please speak on two or three important Clauses. If you have moved amendments to all the Clauses and if you keep speaking on all the Clauses, then we will not be able to finish.

SHRI RAM JETHMALANI: There are nearly 50 Clauses. I have selected speaking for myself, three or four important topics on which I wish to speak.

MR. DEPUTY-SPEAKER: That was what I wanted to know.

SHRI RAM JETHMALANI: You have got the list.

MR. DEPUTY-SPEAKER: In the list there are names of Members who have

given so many amendments. (*Interruptions*) Anyway, if you want to speak on this, you may. I only wanted to be guided by you as to what are the important Clauses on which you would like to speak.

SHRI R. K. MHALGI (Thana): There are ten amendments that I have given...

MR. DEPUTY-SPEAKER: That is precisely the reason why I ask for guidance. You have given ten amendments. Would you like to speak ten times during clause-by-clause consideration? Please indicate what are the important clauses out of them on which you would like to speak. Otherwise, how will I know on which one you would like to speak?

MR. JETHMALANI: You may speak.

SHRI SUSHIL KUMAR DHARA (Tamiluk): Those who could not get any chance during General Discussion should be allowed....

MR. DEPUTY-SPEAKER: Even there I have a list from the whip.

SHRI SUSHIL KUMAR DHARA: If it is not possible to accommodate me in clause-by-clause consideration...

MR. DEPUTY-SPEAKER: Even those who have moved amendments are not able to get a chance to speak, and you want to speak! You have not moved any amendment....

SHRI SUSHIL KUMAR DHARA: I have submitted eight such amendments. Please tell me when I can speak then.

MR. DEPUTY-SPEAKER: You can speak in the Third Reading or something like that.

SHRI R. K. MHALGI: I would like to speak on some Clauses...

MR. DEPUTY-SPEAKER: Please send a note.

जी कलम सबे (कलम) : जिन के नाम लिख कर बापको सेने जा चुके हैं उनके कलामा जी किन्हीं कलमे नाम दिए हैं और जिन को कलम विवरण में जोका नहीं लिखा है और जिन के कलाम पर ऐमंडमेंट नहीं है, उनको जी कलम जोका सेने या नहीं ?

MR. DEPUTY-SPEAKER: There is something like time-limit

जी कलम सबे परमिशन दें तो मैं बोलना चाहूँ ।

कलाम सबे सबे वरें रीटिन में बाप का नाम सेने सकते हैं । बिप के पास जाइये और उस से कहिये कि वह बापका नाम सेने ।

SHRI A. K. ROY (Dhanbad) Every day we cannot change the procedure Yesterday we decided that those who have given amendments would be permitted to speak You will limit the time to one minute. That is all.

MR. DEPUTY-SPEAKER Not on all the amendments. Instead of speaking for one minute on each amendment, if you speak on two or three amendments only and make all your points, does it not help you?

SHRI A. K. ROY: How is it possible? The House is concentrating on a particular clause.

MR. DEPUTY-SPEAKER Alright, I will allow one minute on your amendment. And if you exceed one-minute, I will just make you sit down. That is why I am trying to help you, Mr. Roy, but you do not understand. I say, you please speak on one or two clauses and make all your points on that.... (Interruptions) I do not want to waste more time on this. You are only consuming the time of the House by this kind of discussion. I am very sorry you are not helpful at all.

Mr. Ram Jethmalani.

SHRI RAM JETHMALANI (Bombay North-West): One of my colleagues in the Janata Party who just spoke said with a heavy heart and with a feeling of anguish that he was going to support the measure of preventive deten-

tion which the constitutional proposals seek to perpetuate. I share his anguish, but I do wish to make an attempt to dispel it in part.

Sir, we are all faithful Members of the Janata Party but our obligation to support the constitutional measures of the Party is confined to those measures which are consistent with our manifesto and which have been agreed upon in the Party conclave If none of these requirements is satisfied qua any constitutional proposal, there is nothing in any ethics of parliamentary democracy or party ethics which requires us to support a constitutional amendment which is against our conscience.

Speaking for myself, Sir the retention of preventive detention as an instrument of government policy in times of peace is grossly inconsistent with the Party manifesto to which I owe undiluted allegiance. I believe that it has not been debated in my Party and there has been no agreement on this issue Therefore, I wish to make it clear here and now that, whatever be the consequences, I shall certainly oppose the retention of preventive detention in the Constitution of India during peace time or times of normalcy when there is no proclamation of emergency in force.... (Interruptions)

I also wish to tell my government, particularly, the Law Minister that I have never seen such a degree of callousness and insensitiveness to public opinion both inside this House and outside the House.

We have had the experience of the Criminal Procedure Code Amendment Bill by which we sought to perpetuate the MISA in a different form. It had been brought before the Party with all the authority of the Cabinet and the Concurrence of the Law Minister who is here, yet the Party rebelled against it and the Party brought down the government and made it to retreat and, I do not know why the lesson has

net been drawn from that retreat and why the government is still persisting in putting us in a very embarrassing position in which we have to oppose our own government. I hope the government will take the lesson. But let me say this. If it does not and if any of the amendments which is designed to outlaw preventive detention from the Constitution in peace time is accepted by a majority of this House, I am afraid constitutional precedent will require that the government will have to go or at least the Law Minister will have to go.

Therefore, I commend to this House the amendment which I have moved, viz.

"Notwithstanding anything contained in the Constitution, no law providing for preventive detention shall operate in respect of any citizen of India except during the period when a proclamation of emergency is in operation."

There have been a lot of amendments moved to outlaw preventive detention or to modify it. But I am afraid there has been no meeting of the minds so far as the draftmanship is concerned among those who are opposed to preventive detention. I would, therefore, beseech each one of those who love liberty, and who want that Mrs. Gandhi and her regime should not be perpetuated again in this country will extend their whole-hearted support to this amendment. I believe that it meets the viewpoints and requirements of all, except perhaps the requirements of Mr. Saugata Roy who this morning accused me unnecessarily of having entered into a conspiracy with my Law Minister. I am not in conspiracy with my Law Minister because the Law Minister does not accept the amendment. I am at loggerheads with him on this issue and I am surprised that somebody should have still accused me of any conspiracy with him.

There is one more thing I wish to explain. I wish to tell the House, this is a constitutional amendment and

constitutionally if you want to outlaw preventive detention, it must be supported by a two thirds majority. Therefore, I want you to muster as much support as you can for this amendment which is designed to outlaw preventive detention for all times from our Constitution. We might succeed, because the Law Minister should realise that in his own party, a large number, a preponderant number of people are opposed and except the distinguished Shri Kanwar Lal Gupta and Shri Kamath extending half-hearted support, there is no other person who has extended his support to this obnoxious measure.

I believe that in peace time it is only a corrupt Government which has to conceal corruption that needs Preventive Detention, in peace time it is only a weak Government which is torn by internecine conflicts whose writ cannot run in the country that needs Preventive Detention. I believe that in peace time it is only a tyrannical Government and incompetent Government whose law enforcement agencies have no will to enforce the ordinary law that needs Preventive Detention. As it is today, the result of this limited preventive detention has been that all intelligent investigation in the country has come to an end. No police officer, no customs officer, no foreign exchange officer has the will and necessary energy to get out of his office and go and do some sensible investigation. He has got the power of preventive detention. All that he has to do is to make a recommendation and some Secretary in the Government is willing to sign it and put somebody in jail. I tell you that the greatest injury which you have caused to your enforcement agencies is by the retention of this preventive detention even so far as the smugglers are concerned, because today they are being detained at the whim and caprice of your officers and your Secretaries. No investigation is taking place into any crime in this country. A time will come when the investigating machinery will be paralysed, when their capacity to

[Shri Ram Jethmalani]

make investigation will disappear and you will find that hereafter no crimes shall be investigated at all. If my Government wishes to save itself from the charge of being incompetent, from the charge of being weak, and from the charge of being corrupt, it must support our measure and support our proposal that nobody shall be detained without trial while the times are normal. Of course, when there is a war and the country is engaged in mortal combat, some legal and judicial processes have got to be suspended, we have, therefore, extended as a measure of practical necessity our support..... (Interruptions). But I say is that even during war, when you use the preventive detention, you will use it with safeguards, you shall use it with the safeguard of giving grounds, you shall use it with the right of a person to go to a court and say that no reasonable man can arrive at the conclusion that I should be detained, with that limited judicial review and disclosure of ground and the advisory board. Then alone even in time of war should the hated institution be tolerated.

I once again hope and pray that my Government will show the necessary degree of democratic sensitiveness. Let us not excite the contempt of our contemporaries, let us not excite the wrath of posterity. I have salved my conscience and recorded my protest. If you still want to destroy democracy, go ahead, good luck to you.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): Mr. Deputy-Speaker, Sir, I rise to add my very timid voice and weak voice to all those who have vehemently and correctly opposed this clause on preventive detention. I am really surprise that such an elderly statesman, as Shri Kamath, should talk about a "necessary" evil. How can any evil be necessary, I would like to know? All evils have to be fought and this is an evil, that has to be fought and we will fight it and I hope, you will now join us in fighting this

evil and not supporting this "necessary" evil.

Sir, preventive detention is as immoral as the emergency. You say you are against the emergency and now you want to have preventive detention. What did the Minister say? He said: You will have the right of habeas corpus, it will be used judiciously. By whom? I would like to know. You say you have restored democracy, and now you want to hand to the bureaucracy this weapon of preventive detention again. Those who supported emergency now say: Of course, we should have opposed the emergency excesses. Excesses are the logical outcome of emergency itself. What difference is there between you and them? It is as immoral to speak in support of preventive detention.

AN HON. MEMBER: What did you do at that time?

SHRIMATI PARVATHI KRISHNAN: May I tell you that we have admitted our mistake? Please don't make a mistake. We had the courage to do admit our mistake (Interruptions). "One thorn of a mistake is worth 10,000 warning in the wilderness." This is what somebody called Lovell said. And Mr. Kanwar Lal Gupta is talking so much. But I never heard his voice being raised during the election campaign, for the release of thousands of Communists who were still under MISA in Bihar during the months of the election of 1977. Where then was your voice of freedom, Mr. Gupta? Please know what truth is, and don't come here with mixed falsehoods and total untruths.

Why do we say that we are against preventive detention? It is because it is immoral, it is against every concept of liberty, and this immoral clause, which we thought he would remove, in his so-called progressive amendment of the Constitution, he is continuing to keep, and he is just trying to reduce it from 3 months to 2 months, and from 4 months to 3 months. Nobody

in this country should be kept in detention without being brought to trial for more than 24 hours

You say there will be *habeas corpus* available. We saw, between 1948 and 1962 that there was less of *habeas* and more of corpses. You are making a corpse of liberty sitting there. People have registered their vote against the Emergency, against draconian laws, and also against preventive detention. I know your charge sheets, your jud ges and your advisory boards. Between 1948 and 1952, there have been mem bers of our party, against whom char ges were brought. When they were so brought, those charges were taken from the old British CID reports, and these were detailed in the charges that came before the advisory boards. This is what happens with your *habeas* corpses and advisory boards and all the mumbo jambo, that you are trying to put across.

I will just give a warning, in the words of Abraham Lincoln, because I am not convinced that preventive de tention is necessary at all, I am convinced that it is unnecessary. It has to be removed from a sacrosanct document like the Constitution. Lincoln said "This country." He means his country.

"This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing Constitution and Gov ernment, they can exercise their constitutional right of amending it, or their revolutionary right to dis member it and over-throw it."

Every black article of the Constitution, when it continues, it is the forces of revolution that will grow more and more, and they will wipe you out, as were wiped out the days of Emergency, in the 1977 General Elections.

SHRI R. K. MHALGI (Thana) Mr Deputy Speaker, Sir, I am strongly in favour of the complete deletion of preventive detention measures from the Indian Constitution. These pro-

visions have done more harm and da mage than good. They have been widely misused. I know, personally, a number of cases of people in Maha rashtira who were detained because of difference of political faith. The his tory of the last 30 years will amply show that these provisions were used with political motives. I, therefore, demand the total deletion of Article 22 from the Indian Constitution. I hope the hon. Minister will take into con sideration the sentiments expressed in this House.

15 hrs

Without prejudice to what I have said, I would like to move my amend ment No. 170 which is concerned with the composition of the advisory boards. Here is an attempt to give employment to retired High Court judges. I oppose the same.

For very obvious reasons it is a highly objectionable policy to give any kind of employment under the State to retired judges. The Law Commis sion in its report submitted as long ago as in 1959 had recommended a ban on such employment and says that such a provision is obnoxious. Article 148(4) makes such a provision for the Comptroller and Auditor General of India, and as regards judges, the principle underlying the provision is already em bodied in the Constitution. The sooner it is brought into effect the better will it be for the people's confidence in the honest intentions of the government to secure the integrity and independence of the judiciary, creating an atmos phere wherein really even-handed jus tice can be sought against the State. Therefore, my amendment is simply for substituting 'retired judges' by judges of the appropriate High Courts'.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): I have heard so many hon. Members speak ing on the question of preventive de tention, particularly the impassioned plea of Shrimati Parvathi Krishnan.

[Shri Shanti Bhushan]

When I listened to her eloquent speech, I was wondering, taking into consideration her past precedents, past commitments, ideology and the fact that she and her party had extended full support to those forces which had been responsible for the first preventive detention in this country on the ground of reactionary forces and fascist forces and all kinds of things.

SHRIMATI PARVATHI KRISHNAN: If I made a mistake, he does not have to make the same mistake. That is why I said: he should learn from past mistakes and not make further mistakes.

SHRI SHANTI BHUSHAN: I was also wondering after listening to her impassioned plea for the liberties of the people if she were in power in this country and if she had the sole authority to run the country, what is going to happen to our liberties? Anyhow as she herself admits, she has been changing her views; in the past she has been making mistakes. She may very conveniently say that the speech which she made today was a mistake and she was trying to learn from her mistake.

SHRIMATI PARVATHI KRISHNAN: I know too well what the Communist Party had always consistently said about preventive detention; it seems he does not do his home work; I have done my homework.

SHRI SHANTI BHUSHAN: I do not grudge her, I do not deny her the right to change her views from time to time and even if she changes her views in the future, I shall not grudge it.

SHRIMATI PARVATHI KRISHNAN: Against preventive detention, we are on record.

SHRI SHANTI BHUSHAN: Let me put certain matters squarely.

I will not refer to all the speeches which have been made. Of course, I might make a special mention of another speech of my dear friend, Shri Ram Jethmalani. Of course, the burden of his speech was that he wants the Law Minister to go for some reason or other. I have not the slightest grudge. In fact, it makes me feel that he has somehow the suspicion that when a detention order was passed against him, possibly he thinks I had drafted that detention order!

Let me put the issues squarely before the House for consideration. I fully appreciate the sentiments which have been expressed in this House. Preventive Detention is an evil; there cannot be any doubt about it. One cannot possibly be in love with preventive detention. One would like to have that situation and those conditions in the country in which preventive detention can be banned altogether in the country. Let it not be mistaken because the kind of speeches made today in the House indicate as if the hon. members were under the impression that we were, by today's vote, going to enact a law authorising preventive detention. That is not the position, because MISA has been repealed. There were two laws of preventive detention. Article 22 is not even an enabling measure. It is a disabling measure. It is not article 22 which gives the power to enact a law of preventive detention. The power to enact a law of preventive detention arises otherwise. Article 22 only purports to impose certain restrictions on those laws of preventive detention which might happen to be passed. In this country, there were two laws of preventive detention. One was the much-hated Maintenance of Internal Security Act—MISA. There was also the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, the so-called COFEPOSA. So far as MISA is concerned, MISA has gone and we welcome that it has gone. So far as COFEPOSA is concerned, it is continuing. If preventive detention was banned by amending the Consti-

tution today, I would like to place the question squarely before the House. I would like to appeal to the vast experience of hon. members. It is a known fact that the smuggling activities in this country have plundered the country and have caused tremendous ruin to the country. Do the members of the House want all those smugglers to be released straightway? (*Interruptions*).

SHRI SOMNATH CHATTERJEE (Jadavpur): May I know whether the Foreign Exchange Regulation Act, Customs Act and Import and Export Control Act make sufficient provision for them or not? Under those Acts they can be sentenced to rigorous imprisonment even for 7 years. What is this preventive detention even under COFEPOSA? There is no rigorous imprisonment. They are treated as State guests. Some of them are even coming out and spending time outside. They are given royal treatment inside. This is the position. When those Acts like FERA, Customs Act and Import and Export Control Act containing onerous provisions are there for rigorous imprisonment, why are those laws not taken recourse to? (*Interruptions*) Let it be put on record that because we are opposing preventive detention in principle, this impression should not be created that we are in favour of smuggling. We are opposed to smuggling. Proper preventive as well as penal measures should be taken against it.

SHRI SHANTI BHUSHAN: It would be a happy day when the conditions in the country and the administration can be so strengthened that preventive detention would not be needed even against smugglers, when the machinery etc. can be put on a proper footing so that smuggling can really be controlled by the normal laws of the country, and it would not be necessary to have a preventive detention law even for that purpose. Even the hon. Members who have spoken so passionately on this question have taken pains to point out that that is

not the situation today. That is due to various factors. When, under the normal laws, a person is proceeded against, it is well known how much time it takes today to bring him to book. Do the hon. Members think that the situation can be altered in a moment. They will have to be created, but it will take time.

SHRI SOMNATH CHATTERJEE: That is the very same thing that Shrimati Indira Gandhi said. Please don't say that (*Interruptions*).

SHRI SHANTI BHUSHAN: Do you want to hear me or not?

SHRI SOMNATH CHATTERJEE
rose—

MR. DEPUTY-SPEAKER: Mr. Chatterjee, one of your party Members has spoken already. Again, you cannot get up and go on interrupting every time. Listen to the Minister also.

SHRI SHANTI BHUSHAN: As I said yesterday, preventive detention is not a good thing, and because of the fact that this power of preventive detention had been flagrantly abused, I can well appreciate the strong sentiments which have arisen against preventive detention. But the situation at a particular time may demand that this special reservoir of power is necessary in the interests of the people themselves with all the safeguards etc. Maybe we look forward to the day when it would not be necessary, when the conditions in the country will be such that no such threat would be possible from any dark forces of any kind, when the normal laws would be quite adequate to control everything. But these things cannot be just wished away. The reality of the situation has to be seen. If the country has to be maintained, if the interests of the people have to be protected, it has to be there. There will have to be adequate power to deal with the evil forces, but in a manner that the abuse of

[Shri Shanti Bhushan]

those powers is not possible at all, and that has been the attempt. The attempt has been to introduce safeguards.

I am surprised that some hon. Members said that it was merely a question of reducing the period from three to two months, but it is not that. The idea is, the philosophy on which the amendment proceeds is, that so far as the Constitution was concerned, Article 22 provided for preventive detention indefinitely, because it said by clause (7) (a) that Parliament will have the power to decide, to lay down the conditions in which there can be preventive detention without reference to any Advisory Board even for a period longer than three months, that means the period could be indefinite, and we have seen that it was done; during the internal emergency there was neither communication of the grounds of detention, nor even the Advisory Board, no representation, not even *habeas corpus*. That was the kind of preventive detention, which could be abused at the slightest pretext. But, so far as the Constitution, as it would be amended, is concerned, the proposal is that even Parliament will not have the power to enact a law to authorise preventive detention without reference to an Advisory Board for a period of more than two months in any case. It will not be possible to detain a person for more than two months without reference to an Advisory Board. Even the constitution of the Advisory Board will be made in a manner in which there will be complete public confidence. True, if the executive constitutes the Advisory Board, there is a natural suspicion against the constitution of that Advisory Board. But if the judiciary, which is trusted with such drastic powers, such extensive powers, if that judiciary creates an Advisory Board, what is the reason for saying that the

functioning of that Advisory Board could not be trusted? If the judiciary can be trusted with the power of hanging a person, if the judiciary can be trusted with the power of giving a person imprisonment for life, why can't that judiciary, that independent judiciary, be trusted with the power of seeing as to whether there is adequate material against a smuggler or not to justify his detention? What is the reason why the judiciary should not be trusted with the power of seeing whether there is adequate material? After the communication of the grounds of detention within five days and after enabling him to file a representation against his detention, why can't three Judges, selected by the Chief Justice of the High Court, be trusted with the power of seeing that only the proper person, against whom there is a proper material, would be detained? (Interruptions)

MR. DEPUTY-SPEAKER: Nothing will go on record.

(Interruptions)***

SHRI SHANTI BHUSHAN: With great respect, I would appeal to the hon. Members to have a balanced perspective. Let us not, even unwittingly, be kind to smugglers. Today there is no general law of preventive detention; there is a law only for the preventive detention of the smugglers and people of that kind. Today we are not enacting a law, which will authorise the preventive detention of anybody else. It is not so. Without coming to this House, no Government will be able to enact a law of preventive detention, authorising the detention of anybody. It should not be. Nobody should be under the misapprehension that today this House is giving power to enact a law of preventive detention. No. No Government will have the power of doing so, without coming to this House and without the assent of this House. And this House should refuse to give that

***Not recorded.

permission, unless the House at that that time feels satisfied that there is reason and justification for it, that in the interests of the country itself such a law is needed. But if those conditions are not there today, if those conditions are not going to arise tomorrow, why should the hon. Members not trust in their own wisdom, that when such a proposal is made
(Interruptions)

SHRI KANWAR LAL GUPTA Why don't you fix the maximum period of detention?

SHRI SHANTI BHUSHAN Clause 7(b) already makes provision for it. It gives this power to Parliament, to you. In every case, it is for you, hon. Members, to decide as to what shall be the maximum period. You have to decide it, when you enact the law, authorising preventive detention that is contemplated by Article 22. Clause 7(b) says that Parliament may lay down the maximum period during which a person can be detained. So that, whenever somebody wants you to adopt a Bill, pass a Bill, authorising preventive detention, it will be for you to consider what should be the maximum period, whether it should be 3 months, 6 months or 8 months whatever it is. Therefore no, law of preventive detention can be enacted without your consent. We maintain this confidence in yourself. Therefore, unless such conditions arise where you yourself feel that the law is necessary, you should never give your consent to the passing of such a law. Is that not adequate? Why should you think that this power is going to be and can be used for detaining anybody? Article 22 does not give that power to detain anybody. Article 22 is a limitation on the power of Parliament. If Article 22 was not there, the power of Parliament would be unlimited. But Article 22 imposes a limitation on the power of Parliament. Without the Parliament exercising its power on the subject of preventive detention and passing a law

authorising preventive detention the Government, merely on the basis of Article 22, because Article 22 is in the Constitution, does not have any power of detaining anybody. Therefore, this power is reserved with you. You must trust your judgement, you must trust your objectivity and if you resolve that "all right, in the present conditions, there is no need for preventive detention," that has been honoured, there is no law of preventive detention. And tomorrow also, the Government cannot enact a law of preventive detention without your consent.

SHRI RAM JETHMALANI That is wrong. Overnight, you can make an Ordinance and arrest everybody and then come to Parliament for approval.

(Interruptions)

SHRI SHANTI BHUSHAN If the hon. Members do not want, no Government can do it because the Government has to
(Interruptions)

श्री सरय बाबू बाप यही हय को कहा बुन रहे हैं ? बाप ने बिप जारी कर दिया । ऐसे ही उस समय की कर देंगे ।

SHRI SHANTI BHUSHAN Now, Shri Kamath, a very old Member and a Member of the Constituent Assembly, has, if I may say so, with great respect, given a balanced picture of the thing. He has said that it is an evil but in certain circumstances it is a necessary evil. Even war is an evil. Mahatma Gandhi was a votary of non-violence. War is an evil, but sometimes it becomes a necessary evil. When we are attacked by some other country, when we wage a war against a hostile country, can anybody say that it is not an evil? It is an evil, but it is a necessary evil. Therefore, if there is a threat, such a threat which might jeopardise the interest of the people themselves, then we have sometimes to tolerate an evil, but then there have to be safeguards against the abuse of power, which is in a sense an evil power.

[Shri Shanti Bhushan]

Shri Kamath has moved an amendment, he wants the period of two months to be brought down to one month. I would appeal the hon. Shri Kamath to just consider the matter, I fully appreciate his sentiments and feelings when he moves that amendment. But the procedure which is contemplated by the Constitution under Article 22 is that as soon as may be the grounds of detention must be served to a detenu. Thereafter he has to have a right to make a representation against his detention viz., to put his side of the picture, his side of the case. Obviously a detenu must have a reasonable time in which he can make a representation and to be able to make an effective representation, he must have a reasonable time. Thereafter, the Advisory Board is to be given some reasonable time to study the whole matter, to go into it by any procedure that they consider proper, to make any investigation in the matter to look into the matter to their own satisfaction and come to a conclusion as to whether the detention should be permitted or should not be permitted.

I submit, after all this concept of two months is only the maximum period, to take in all possible situations, permutations and combinations which can possibly arise in such a matter. That is why what has been attempted is to reduce the three months period to two months. Let us hope that this experiment of the Government, viz., of scrapping the law of preventive detention not having any law of preventive detention on the statute book today except in regard to smugglers and so on, will succeed and for decades and decades this House will not have an occasion to consider the enactment of any law of preventive detention and may be at that time when there is confidence that "yes, the conditions....

SHRI HARI VISHNU KAMATH: It will remain a dead letter.

SHRI SHANTI BHUSHAN: Let Article 22 remain a dead letter except in regard to smugglers and so on for the time being and let us also wait for the day when this can be scrapped and banned for everybody in the country. But certain steps are necessary and therefore, we have to wait till that day. Thank you very much.

SHRI HARI VISHNU KAMATH: One month, will it not be sufficient at all?

MR. DEPUTY SPEAKER: We take up Clause 4.

Clause 4— (Amendment of article 30

SHRI BAPUSABAB PARULEKAR (Ratnagiri): I beg to move:

Page 2 line 38,—

after "(1A)", insert—

"No property of an educational institution, administered by a minority, shall be compulsorily acquired or requisitioned save for a public purpose and" (36).

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

Page 2, line 43,—

add at the end—

"provided that does not aim at perpetuating the privilege of the economic minority to dominate the society as in the case of public schools." (55).

SHRI SHAMBHU NATH CHATURVEDI (Agra). I beg to move:

Page 2, line 36,—

after "Constitution," insert—

'(i) in clause (1) for the word "minorities" the word "communities" shall be substituted and (ii)' (83).

Page 2, line 40,—

after "minority," insert "community". (84)

Page 2,—

after line 43, insert—

'(ii) in clause (2) after the word "minority" the word "community" shall be inserted'.
(85).

SHRI KANWAR LAL GUPTA
(Delhi Sadar): I beg to move:

Page 2, lines 38 to 40,—

for "(1A) In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in clause (1)".

Substitute—

"(1A) In making any law providing for the compulsory acquisition of any property of any educational, social, cultural, political and other purely charitable institutions established under the Registration of Societies Act, or Trust except in the case of political party, which should be recognised by the Election Commission," (236).

DR. RAMJI SINGH (Bhagalpur):
I beg to move:

Page 2, line 40,—

after 'minority' insert "or majority" (332).

MR. DEPUTY-SPEAKER: You want to speak on this clause also.

Mr. Roy, I must make it very clear that you have given at least 30 amendments and there are two or three amendments on some clauses, and, if you insist on speaking on all the amendments that you are going to move, even at the rate of one minute per amendment, you would require about 45 minutes. So, you must have some consideration for the House. You select some amendments on which you would like to speak and give me indication so that I can call you on those amendments.

SHRI A. K. ROY: Is there any unimportant clause in this Constitution Amendment Bill? I would like to ask that. If you say, yes, let us remove those clauses: let us ask all the members to skip over them. As you made your point clear, let me also make my point clear.

MR. DEPUTY-SPEAKER: Your point is that you want to speak on all your amendments. There is no such obligation that you should speak on all the amendments.

SHRI A. K. ROY: I can assure you that I will be very brief.

MR. DEPUTY-SPEAKER: You be considerate to the House and take into account the time that we have at our disposal. Kindly indicate what are the amendments on which you would like to speak.

SHRI A. K. ROY: Your experience with me will be very happy. I will be very brief.

MR. DEPUTY-SPEAKER: I do not know if you insist on non-cooperating, I cannot help it. I am just appealing to you to cooperate because there is very little time. If you do not pass the Bill by tomorrow, there will be difficulty. Most of the members have their programmes and they would like to go.

SHRI A. K. ROY: I will be very brief and you will be very happy.

MR. DEPUTY-SPEAKER: I do not know. He cannot be briefer than one minute and even then, he will take about 45 minutes of the House.

श्री विनायक प्रसाद दास टाइन बड़ा दिया जाये।

उपाध्यक्ष महोदय टाइन बड़ाने की कोई बात नहीं हो सकती है, हम सोच कर तक बैठेंगे ? कल नान-आफिशियल रहे हैं, आज्ञा दिए नान-आफिशियल विजनेस में चला जायेगा और फिर परसों दूसरे दिक्कत है। फिर उसके बाद एतबार का जाता है। बाकिर कितने दिन आप और चलायेंगे ? इसके अलावा बोटिंग भी करनी है और मैन्युअल की

[उपस्थित नहीं है]

यह सभा चाहिए कि कांस्टीट्यूशन (मॉडिफ़ाई) बिना पर कब होना होगा। इसलिए या तो आप को अपरेंट करे और न करे तो हमारा कोई मुकदमा नहीं है।

SHRI HARI VISHNU KAMATH: May I make a request? About the time allocation that has been proposed by you, may I point out that the much-hated Forty-second Amendment Bill was introduced in the Lok Sabha on September 1, 1978

MR DEPUTY-SPEAKER You want to make a speech

SHRI HARI VISHNU KAMATH: It was bull-dozed during the Emergency. Even so, it was discussed for 8 days in the Lok Sabha and for 6 days in the Rajya Sabha. Here, if you are not bull-dozing, what you will call it—you want to finish in four days.

MR DEPUTY-SPEAKER: This is only a repealing Bill. You are undoing what was done earlier. That is why it requires lesser time. It should take lesser time when you want to undo what was done earlier. Let us proceed.

SHRI BAPUSAHEB PARULEKAR (Ratnagiri): Mr Deputy-Speaker, Sir, I have moved Amendment No 36 and this amendment is with reference to protecting the rights of educational institutions established by minorities under article 30. I feel, in view of the deletion of article 31(2), the safeguard that was provided is taken away.

I would invite the attention of the hon. Law Minister to this adequate safeguard which was there for compulsory acquisition of property, namely, "save for a public purpose". Article 31(2) says:

"No property shall be compulsorily acquired or requisitioned save for a public purpose."

This particular provision has¹ been deleted. In the Notes that are attached to this Bill, it has been stated:

"The safeguard contained in article 31 relating to acquisition of property of an educational institution established and administered by a minority is sought to be incorporated in article 30 by the amendment to that article proposed in clause 4. Clause 34 seeks to insert a new article 300A."

If we read article 300A, we will find that it does not provide that particular protection that was given under article 31(2) because article 300A mentions that nobody's property could be acquired save by authority of law. That means, the State will get the power to enact a law to acquire the property of the educational institutions established by a minority for any purpose, even for purposes which are not public purposes. The other article that is added is article 30(1). Even in that article we do not find that particular safeguard that was provided in article 31(2). Therefore, if we take into consideration the cumulative effect of article 30(1A) and article 300A, it comes to this that nobody's property could be acquired save as authorised by law and he would, perhaps, get some amount as compensation in accordance with the law. But the effect would be that the properties belonging to the educational institutions established by minorities to which some protection has been given under article 30 can be acquired by law for purposes other than public purposes. If this is deleted I believe, a State can conceivably pass a law giving blanket authority to its executive to acquire property on the subjective satisfaction of the executive that such property can be better utilised for any other purpose. I believe that, once this provision, one sentence from article 31(2), is removed, there will be no bar to a State passing such a law which will ostensibly be an innocuous law. I would request my friends, Mr. Banatwalla, Mr. Unnikrishnan and Mr. Stephen, that they should take

into consideration the fact that this safeguard is being removed. Therefore, it is my request through this particular amendment to add, after (1A), on page 2, line 38, the provision that was originally there in article 31(2)—the first part—, namely,

"No property of an educational institution, administered by a minority, shall be compulsorily acquired or requisitioned save for a public purpose and".

This is the amendment that I have moved. I hope the hon. Minister of Law will consider this seriously and accept this amendment.

SHRI A. K. ROY (Dhanbad): My amendment is to prevent the misuse of the concept of 'minority' by the dominant minority of the society, that is, the economic minority. As you know, liberty is allright provided it does not aim at perpetuating or accentuating inequality. That is why, in our Constitution, in the order of precedence, you will find first the right to equality; then only come the right to freedom, the right against exploitation; and lastly comes the right to property. That is why I say that 'minorities' should mean the weak minorities—the religious minority and the cultural minority. Minority should not mean this economic minority, that is, the dominant minority who is ruling over the dormant majority of the society. Even in the name of cultural and educational freedom, all the public schools, the white-collared people, the private schools, the English-medium schools, monopolise the intellect of the society. There was a survey made in 1974-75 and it was found that, in all the IITs, 87 per cent of the entrants are students from English-medium schools—the white-collared people. In the Political and Economic Weekly, last time, something came out; it was a study made by the Indian Council of Social Sciences; and it was said that as there was monopoly over the economy, there has been a monopoly also over the intellect of the society. And the entire elite, the professors, the

bureaucrats, the managers and even the politicians—everybody has come from a small group of people, the English-trained, the public school-trained and all these things. So, this clause which gives freedom to the cultural and educational minorities must be safeguarded, that they are not usurped by the economic minority which wants to dominate the society not only by money but also by their superior training, by their superior intellect and by the privileged institutions which they are running. That is why I say in the clause it should be added;

"Provided that it does not aim at perpetuating the privilege of the economic minority to dominate the society as in the case of public schools."

And the public schools' property may be confiscated without giving any proper remuneration or Compensation.

This is my amendment which I move.

MR. DEPUTY-SPEAKER: You have taken three minutes and at the rate of 3 minutes, you will take 90 minutes of the House.

SHRI A. BALA PAJANOR (Pondicherry): Sir, for the consideration of this House I feel the Law Minister need not answer every amendment. He may reply to all the amendments in the end so that we may save the time.

MR. DEPUTY-SPEAKER: For that members may not agree.

SHRI A. BALA PAJANOR: We agree to it.

MR. DEPUTY-SPEAKER: I know the mood of members. They will not agree.

SHRI SHAMBHU NATH CHATURVEDI (Agra): This clause gives the right to the minorities to establish and administer educational institutions. The amendment that has been brought

[Shri Shambhu Nath Chaturvedi]

forward is designed to safeguard that their property will not be acquired without adequate compensation.

Sir, ours is a variegated society. This safeguard at least we must extend to the other communities also—the safeguard that the property of their institutions shall not be acquired without adequate compensation. That is the purpose of my amendment. There is a slight error here that in 84. For 'minorities' substitute 'communities', the correct amendment.

My submission is this, that we are a variegated society with different languages, religions, cultures, and ours is a vast country. So, if any community whether a minority or majority which sets up an institution should have a right to administer and manage it and should have the protection also that its assets will not be acquired in a summary fashion.

बी कंवर लाल गुप्त (दिल्ली सदर) : अध्यक्ष महोदय, मेरा कहना यह है कि प्रायद्वी के बारे में कन्वेंशनल राइट को समाप्त कर दिया गया है लेकिन उसको एक कांस्टीट्यूशनल राइट 300ए में बनाया गया है। उसमें भी अपवाद यह है कि जो माइनोरिटीज कम्युनिटीज की एजुकेशनल इंस्टीट्यूशंस होतीं उनकी पूरा कम्पेन्सेशन दिया जाएगा।

"(1A) In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in clause (1), the State shall ensure that the amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed under that clause."

इस में यह कन्वेंशनल राइट रहेगा। मेरा कहना यह है कि एजुकेशनल इंस्टीट्यूशंस बाह्य से माइनोरिटीज की हों या मेजोरिटीज की हों, बाह्य से स्कूल हों, बाह्य से कॉलेज हों या और बिस्किट हों उन सब को इसमें लिया जाना चाहिए। फिर एजुकेशनल इंस्टीट्यूशंस की क्यों हों, दूसरी सोचल और कल्पनाल इंस्टीट्यूशंस क्यों नहीं हों। इस में माइनोरिटी का क्या सवाल है, इस में सभी की इंस्टीट्यूशंस आती चाहिए। जो

बी इंस्टीट्यूशंस पब्लिक बेनिफिट्स की हों, उन सभी को इसमें आना चाहिए। केवल माइनोरिटीज के लिए आप बोलें हैं और व की केवल एक्जेंशन की। मान लें किती माइनोरिटी ने कर्मकांड या सराब बना रक्खी है या कोई कम्परास इंस्टीट्यूशन है या सोशल इंस्टीट्यूशन है उनके साथ फूट नहीं देते हैं। मैं पूछना चाहता हूँ कि उसको फूट क्यों नहीं मिलती चाहिये। सिकंदर बख्त साहब ने बना दी तब तो मिल गई और अगर कंवर लाल गुप्त ने बना दी तो नहीं मिलेगी। यह नगत है। जो पब्लिक बेंचकेयर की चीज है वह सब के लिए एक बैरी होनी चाहिये। मैं मानता हूँ कि पब्लिक इंटरैट, सोको इकोनॉमिक बेंचकेयर आदि की दृष्टि से यह नहीं हो सकता है कि सरकार पूरा कम्पेन्सेशन दें। इसका कारण यह है कि गरीबी हमारे देश में इतनी अधिक है कि उनको ऊपर उठाने के लिए सरकार को बहुत से काम करने हैं। जमींदारी एवांशिनन आप ने किया, बहुत बण्डा किया, कस को स्नन क्वायरेस आपको करना पड़ेगा, वह भी बहुत बण्डा होगा, इसको मैं मानता हूँ। मैं आपके सामने सोवियत कांस्टीट्यूशन की भी रचना चाहता हूँ। उसकी धारा 13 को आप देखें। आप अपने यहां इस चीज को बेंच कर रहे हैं। कानून ने भी इसको बेंच करने की बार बार कोशिश की है लेकिन व भी नहीं कर पाई है। बुनिया में कोई देश नहीं है जिसमें यह राइट न हो। आप पहली बार इसको कर रहे हैं। पहले सोवियत संघ में यह राइट नहीं था लेकिन अब नई कांस्टीट्यूशन में दे दिया गया है। मैं धर्मी बस गया था। उन्होंने मुझे वहां की कांस्टीट्यूशन की प्रेजेंट किया था। उस में से आर्टिकल 13 को मैं पढ़ कर आपको सुनाना चाहता हूँ :

"Earned income forms the basis of the personal property of Soviet citizens. The personal property of citizens of the USSR may include articles of everyday use, personal consumption and convenience, the implements and other objects of a small-holding, a house, and earned savings. The personal property of citizens and the right to inherit it are protected by the State."

Citizens may be granted the use of plots of land, in the manner prescribed by law, for a subsidiary small-holding (including the keeping of livestock and poultry), for fruit and vegetable growing or for building an individual dwelling. Citizens are required to make rational use of the land allotted to them. The state...."

उन्होंने यह नया कन्वेंशनल राइट बनाया है। वहां तक कि सोवियत युनियन की भी आवश्यकता

वह यह है कि वह इसकी कमेंटल राइट बनाए। अगर मौखिक भाषा कोडबल में एक्सप्रेसिवेशन होता है तो उसकी आप रोकिये। उसकी मैं स्पेक्ट नहीं करता हूँ। लेकिन जो परमनल प्रायटी एक्सप्रेसिवेशन के लिए नहीं होती है उस पर प्रायटी कानून ठीक नहीं है। आपने यह किया कि जो एग्जिक्यूटिवल मौखिक भाषा कोडबल प्रायटी है वह रोकिये उसकी आपने एग्जिक्यूटिवल दे दिया है। मेरा कहना यह है कि अगर मैं भी आपने बर्नन मौखिक किया, उनके नीचे नीचे जो है उसकी आप क्यों टब करना चाहते हैं। उसकी मेकगाई क्यों नहीं देना चाहते हैं? मेरा कहना यह है कि 31 को तो आप खुदा दें लेकिन 19(1) (एक) को रतने दें। उस में सात भीड़म्ब है

Freedom of speech and expression, assemble peaceably and without arms, form associations or unions, move freely throughout the territory of India, reside and settle in any part of the territory of India, acquire, hold and dispose of property; practice any profession, or to carry on any occupation, trade or business.

ये मातो इटर डिपेंड है अगर मैं बकीन हूँ और मेरी लाइवरी आप में मेरे है ना मेरा राइट प्रायटी प्रायटी के मेरे क्या है? अगर मेरा प्रायटी नहीं है और जाहूँ भी वह आप में मेरे है ता मैं कड़ी जाऊंगा? यह मौखिक है जिसका आपकी घोषणा होगा। मैं नर प्रायटी बनना के दिन की बात है, कम्प्लेक्सन की बात है, वह बांड मैं स्वीकार करता हूँ। इनलिये मैं यह जानना चाहता हूँ कि यह जो इटर-डिपेंड बांड है, एक प्रायटी का आप में मेरे इनलिये है, दूसरे का क्या कर के सबक पर उनके बन्दा का बड़ा कर देते हैं, यह उनसे भी ज्यादा बन्दावार है। इनलिये आप ऐसा अधिकार मन मोड़िये जिससे कन का दूसरी सरकार प्रायटी तो इसका इम्पलीमेंट करे। मेरा कहना है कि प्रायटीन 19(1) (एक) रहना चाहिये और प्रायटीन 31 रहना चाहिये।

आपने इन विधेयक में केवल मुसलमानों की एजुकेशनल इन्स्टीट्यूशन को धनग रखा है, यह सब एजुकेशनल इन्स्टीट्यूशन के लिये क्यों नहीं रखते?

जो रत्नकी सिंह (बावलपुर) उपाध्यक्ष महोदय, मैं इस पर बोलना नहीं चाहता, सबन का समय बचाना चाहता हूँ। मैं केवल इतना ही बिधि मंत्री जी से कहना कि क्लॉज 4 में,

"In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority...."

मैंने उसमें एक समीक्षण दिया था कि "माइनारिटी" के पश्चात् "थर मैजोरिटी" जोड़ दिया जाये। जिसन सम्बन्धी को प्रोत्साहन देने में प्रत्यक्षतक और बहुसंख्यक का वैधानिक नहीं होना चाहिए।

MR. DEPUTY-SPEAKER: Mr. Kamble.

SHRI B. C. KAMBLE (Bombay South-Central): I want to speak on Clause 7.

MR. DEPUTY-SPEAKER: All right. Now the Minister.

SHRI SHANTI BHUSHAN: I am sorry it is not possible for me to accept the amendments which have been proposed

Shri A. K. Roy proposed an amendment relating to public schools. He says that a proviso may be added, which should ensure that the guarantee given to the minorities does not aim at perpetuating the privilege of the economic minorities to dominate the society, as in the case of public schools

As far as this Article is concerned, the purpose of the Article is that in a country, or in a State where we have majority communities and minority communities, which powers may be given to the legislatures of the States, to be exercised on behalf of the people to regulate things in a manner which will cause satisfaction and which will protect the interests of different sections of the society. But so far as minority communities are concerned, they need special safeguards. They need some kind of an assurance. It was in that spirit that this Article was conceived by the Constitution-makers and the idea was that minority communities, whether they are linguistic minorities or religious minorities, must be able to preserve their culture by establishing educational institutions through which their culture and their language—in which they take pride and which they love—can be propagated, and they should not be prevented from protecting those things by having freedom to establish their own institutions.

[Shri Shanti Bhushan]

The purpose of this law is merely to act in the context of the deletion of the fundamental right to property; it is to clarify that the deletion of that fundamental right to property does not mean that so far as educational institutions established by minority communities are concerned—whether linguistic minorities or religious minorities—when some properties belonging to such educational institutions are to be acquired, then compensation may be provided in such a manner that even the fundamental right might become illusory, or might be affected. It is only and merely to ensure that that this clause has been put forward so that the question of any public school etc does not arise here.

Mr Chaturvedi moved an amendment by which he wants that this fundamental right should also be available to the majority community. That involves a matter of principle. There were good reasons as to why special safeguards had to be there for linguistic and religious minorities, and why it was considered that so far as majority communities were concerned—whether linguistic or religious—they did not require any such safeguards. It is true that the judgement of the legislature and of the Parliament representing the people can be trusted in all matters. It is only the minority which is in need of some re-assurance and some protection of fundamental rights and so on. Therefore, it was not considered necessary by the Constitution-makers—and if I may say so, for good reasons—and, therefore, there is no reason for making that amendment at this stage. Shri Kanwar Lal Gupta's amendment also goes more or less on the same lines. He would like this protection to be extended to educational, social, cultural and other organizations. What I have already said in regard to Mr. Chaturvedi's amendment, would cover this aspect of the matter also, because it is only minorities who need such a constitutional protection. Otherwise, the legislature can always be trusted to do the right thing.

MR. DEPUTY-SPEAKER: We now go on to Clause 5. Who are all moving their amendments?

SHRI BAPUSAHEB PARULEKAR: The hon. Minister has not referred to my amendment. It is a very important amendment I have suggested. It is for inclusion of a provision that property should be acquired for no other purpose.

SHRI SHANTI BHUSHAN: I am sorry, I forgot to deal with your amendment. His amendment seeks to provide that the property of an educational institution, administered by a minority, would not be compulsorily acquired save for a public purpose. That was the concept of fundamental right to property. But now that the fundamental right to property itself is sought to be changed, the judgement of the legislature should be trusted. So far as the property right is concerned, it is not of the same importance or value as other more important fundamental rights. Therefore the legislature can be trusted in regard to the regulation of the rights of minorities in regard to property. What is sought to be done is: suppose some property is acquired and the compensation is not adequate the result is that the minority community is not able to continue its activity properly, to run its educational institution properly, in order to safeguard language or religion. The idea of compensation is all right. If this particular land or plot is going away from you, you will have adequate funds to substitute another land or another plot of the same kind so that no difficulty will arise in running year activity. So far as the public purpose concept is concerned, it is the general concept. (Interruptions) Therefore I say this amendment is not acceptable.

MR. DEPUTY-SPEAKER: We take up clause 5 now. There are some amendments.

Clause 5—(Omission of sub-heading after article 30)

SHRI A. K. ROY: I move my amendment No. 56.

Page 2,—

for clause 5, substitute—

'5 For the sub-heading "Right to Property" occurring after article 30 of the Constitution the sub-heading "Right to Work" shall be substituted' (56)

DR RAMJI SINGH I move my amendment No 338

Page 2 —

after line 45 insert—

'(2) The State shall enact a law of statutory trusteeship for all kinds of private property (338)

SHRI A K ROY I agree with Shri Shanti Bhushan our hon. Law Minister that article 19 was not the proper place to argue on the question of the right to work. The heading after article 30 where the right to property is there the hon. Minister has simply omitted that heading and also he removed article 31 from the Constitution. What I feel is here the right to work should be substituted and a full fledged clause on right to work should be inserted should be substituted instead of article 31. Yesterday the hon. Minister said that the socioeconomic conditions of the country at present are not congenial or do not make it possible to guarantee job to every individual. He said so though the Janata Party manifesto while getting the vote promised that they would substitute the right to property by right to work. As Congress has become wiser so also the Janata Party has become wiser after coming to power they have started feeling the necessity of some sort of preventive detention the necessity of finding the impossibility of guaranteeing work and all these things. But I can give a friendly advice to our Law Minister. Even if you include right to work here that does not mean that immediately you will have to provide work. There are so many assurances, commitments and laws you have enacted which have never been implemented. Why do you worry that this

should be implemented immediately? But there is an advantage. You will be able to prevail over the other people. This will give some sort of direction. You will be remembering, because you were also in the Congress Party in 1971, in the UP election the opposition.

MR DEPUTY-SPEAKER I was not in the Congress in 1971.

SHRI A K ROY Actually I am making a mistake. Because of the ruthless way you handle us, I thought you might belong to the Congress. That is the point. In 1974, in the UP election the opposition challenged the Congress saying, 'Return to us the poverty of 1971'. Today the performance of the Janata Party is such that tomorrow the other party may challenge them saying 'Return to us the unemployment of 1976'. So far as solving the unemployment problem is concerned they have curtailed the life of Parliament to five years but they are making every plan for 10 years. There is no plan for less than 10 years. Only two years ago the figure of registered unemployed persons was 8.7 million. Then it became 9.3 million. Then it rose to 11 million. I am afraid this time the figure of registered unemployment will be more than 12 million. That is only official figure. To put a check on that I say that in the Constitution you should substitute right to work instead of right to property and re-write the entire article 1.

डा० रामजी सिंह उपाध्यक्ष महादेव मैने यह एक निर्दोष सलाह देना है। यह इसलिए कि जब मर्यादा के अधिकार का समाप्ति किया जा रहा है और वह जनता पार्टी के वनाश घोषणा पत्र के समुच्चय है ता उस का निराकरण करने का प्रयत्न नहीं है। लेकिन जनता में एक प्रकार की घ्राणका हा सकती है कि यह मर्यादा का किम प्रकार से विमर्जन किया जा रहा है। तो क्या इस संबंध में जो मैने सलाह देना है कि व्यक्तिगत मर्यादा के लिए स्टैच्यूटरी ट्यूटोरियल कार धाल काइडस धाक प्रापर्टीज उस के विषय में एक पार्लिटिव बीज नहीं सोची जा सकती है। विश्व में एक तरफ तो राज्य का पूर्वीबाध या स्टेट-कैपिटलिज्म भी धमकल हुआ और दूसरी तरफ व्यक्तिगत पूर्वीबाध भी धमकल हुआ। इन दोनों की बिकलता को ध्यान में रखते हुए माधे

[श. रामजी सिंह]

की ने जो ट्रस्टीशिप की बात की और डाक्टर सोहिया ने स्टेट्यूटरी ट्रस्टीशिप की बात की भी क्या उस के विषय में नहीं सोचा जा सकता है ? हमें लगता है कि यह एक निर्दोष चीज है और अपने इस राष्ट्रीय जीवनस के सिद्धांत के संबंध में विशिष्ट मरी का सोचना चाहिए था। सम्पत्ति के अधिकार का जहां वह समाप्त कर रहे हैं वही पर राज्य के पूंजीवाद को बढ़ाने नहीं बना चाहिए क्योंकि राज्य का पूंजीवाद भी अगर बढ़ता है तो व्यक्तिगत स्वातंत्र्य का अपहरण होता है यह हम लोग विश्व के इतिहास में देख सकते हैं।

16 hrs

SHRI SHANTI BHUSHAN First of all I must express my gratefulness although with a little embarrassment because Shri Roy compared me with the great nationalist leader Gopala Krishna Gokhale I must say that I hardly deserve the compliment I have nothing in me to match that incomparable great national leader

The hon Member has moved an amendment While the Bill seeks to delete article 31 and also its heading 'Right to Property' he would like article 31 to go but the heading to be substituted by 'Right of Work' He does not by his amendment say that the substantive right to work should be incorporated but he says that at this stage at least the heading may come and later on the substantive right to work may come We used to hear that foundation stones were laid in respect of a large number of projects never having any intention of constructing those projects Amounts used to be sanctioned only for the foundation stone We would not like to be a party to that kind of arrangement that we declare the heading without the substantive content We would like the substance without the heading Let us do the real thing and not seek publicity rather than seeking publicity and not doing the real thing As I have already assured this House as soon as possible conditions would be created so that every single able-bodied person can be provided with work, and that will be the right time when this fundamental right may also come in so that in case some rare individual cannot be provided with the kind of work

suited to him some compensation may be furnished to him

Dr Ramji Singh wants that some kind of assurance should be given by writing something in the Constitution against State Capitalism I do not think there is any occasion to go into the merits or otherwise of State Capitalism in this connection This is merely a simple proposition in the Bill that a fundamental right to property is not necessary because as far as the small man is concerned as I have said yesterday he does not need any assurance

SHRI D N TIWARY (Gopalganj) He wants trusteeship

SHRI SHANTI BHUSHAN That is a different thing That has nothing to do with the cause that we are discussing

MR DEPUTY SPEAKER We go to Clause 6 Shri Kanwarlal Gupta is not here Clause 7

Article 7— (Amendment of article 31A)

SHRI B C KAMBLE (Bombay South Central) I beg to move

Page 3 line 4

add at the end

and (b) the second proviso shall be omitted (326)

Page 3 line 4 after 'article 19, insert—

and it is hereby declared that within one year from the coming into force of any of the provisions of this Act the estate and any rights in the estate shall be deemed to have been vested and acquired by the State in all the major means of production and distribution in India, treating the minor means of production and distribution as may be necessary for maintenance of a family" (363)

SHRI SUSHIL KUMAR DHARA: The Law Minister was very eloquent on this particular point. May I know whether the properties of deities, those in the name of churches and wakfs etc., and religious properties, will also go with this amendment?

MR DEPUTY-SPEAKER: He will tell you when he replies to this clause.

SHRI B. C. KAMBLE: I have moved two amendments. Everybody in this House, whether belonging to the Congress Party or the Janata Party, professes socialism, but the meaning of socialism even according to the dictionary and according to standard textbooks on socialism is this, that the ownership of the means of production and the means of distribution are vested in the community as a whole or in the State. Now if the fundamental right to hold property is abolished and further, if certain rights of acquisition of property by the State are also given, then my humble question is whether the definition that is given in this Bill about socialism is a correct definition, is a true definition, or is a false definition. I submit to the hon. House that we owe a duty to speak the truth. So, if we speak the truth and if everybody professes socialism, then you have no other course except to accept my amendments. In fact, my amendment itself is only half-socialism; it is not full socialism. This is half of the total revolution which is contemplated by Jayaprakash Narayan. My amendment says:

"and it is hereby declared that within one year from the coming into force of any of the provisions of this Act, the estate and any rights in the estate shall be deemed to have been vested and acquired by the State, in all the major means of production and distribution in India, treating the minor means of production and distribution as may be necessary for maintenance of a family."

Therefore, my submission is, either you desist from professing socialism or you accept the meaning and content of socialism. So far as the previous Government is concerned, it befooled the people. Now this Janata Government should not befooled the people. So far as socialism is concerned, either you accept it or reject it.

My second amendment deals with Directive Principles. So far as they are concerned, I do not understand why this Government should be miserly. Even a certain portion of sub-clause (a) of article 39, which deals with Directive Principles, is not accepted. My amendment says that all the Directive Principles must be accepted. Now, after 30 years of independence, we have come to a position where more than 50 per cent of the people are property-less, job-less, who are reduced to the position of mere beggars. That is why I say that the time has come when we have to accept all the Directive Principles as if they are Fundamental Rights. I do not want the Janata Government to make a departure from whatever had been adopted by the previous Governments namely, the Indira Congress Government. If we compare the attitudes of these two Governments, the Indira Congress Government was a little more liberal; they gave little more bread while curtailing liberty; now Janata Government are giving little more liberty but is not prepared to give more bread.

Therefore, my submission is, if you are real socialists—and everybody is a socialist; nobody is prepared to say that he is not a socialist... (Interruptions) everybody professes to be socialist. So far as the election manifesto is concerned, the Janata Party has proclaimed socialism; so also Communists and Congress. Everybody is almost professing socialism. Therefore, I say: you accept the content of socialism. I have suggested that even the Directive Principles should be made enforceable in a court of law.

SHRI SHANTI BHUSHAN: I have to deal with two amendments, which have been moved by the hon. Member, namely, Amendment Nos. 326 and 333. By amendment No. 326, the hon. Member seeks the deletion of the second proviso to Clause (1) of Article 31A, which assures and guarantees that so far as the peasants, so far as the holders of agricultural lands are concerned, if they hold land within the ceiling limits prescribed by law and for some reason their holding or a part of their holding has to be acquired for some public purpose, may be for the establishment of a factory, etc., then so far as the small peasants are concerned, they must be given full market value compensation so that their interests are not affected. That is the purpose. I do not know why the hon. Member does not wish to give this protection or this assurance to these small peasants.

SHRI B. C. KAMBLE: They are not small farmers at all.

SHRI SHANTI BHUSHAN: Within the ceiling limit... (Interruptions)

SHRI B. C. KAMBLE: Average agriculturist in India is holding two acres of land.

SHRI SHANTI BHUSHAN: So the hon. Member is not prepared to concede this protection to what may be called small farmers because he feels that there are smaller farmers also. The smaller farmers' problems are different, which should be tackled. But that does not mean that a person who himself is a small farmer, his interest should not be protected and it should be possible for the State to take away any part of his small holding and not to give even small compensation. I am unable to accept this amendment. The other amendment which the hon. Member has moved...

SHRI DINEN BHATTACHARYA (Serampore): What are the amend-

ments you are accepting? You kindly tell us that.

SHRI SHANTI BHUSHAN: I am not accepting any amendment. I am not able to understand the other amendment also. If I have been able to understand very rightly the purport of this amendment, he would like that as soon as his amendment is adopted, within one year, all the estates and rights thereon which would include the rights of every peasant, every farmer, every tenure holder in every piece of land would be vested in the States. Now this Government is not prepared to accept this amendment that as soon as this is adopted, all the small farmers and peasants of this country should be deprived of their property...

SHRI DINEN BHATTACHARYA: He has not said that. (Interruptions)

SHRI SHANTI BHUSHAN: His amendment reads:

"it is hereby declared that within one year from the coming into force of any of the provisions of this Act, that the estate and any rights in the estate shall be deemed to have been vested and acquired by the State, in all the major means of production and distribution in India, treating the minor means of production and distribution as may be necessary for maintenance of a family."

I do not know as to what he understands by major means of production or minor means of production. According to me, in India, agricultural means of production or agricultural land is the most important and most major means of production. So, if that concept is right, he wants all small peasants to go. The Government is not in a position to accept this amendment.

MR. DEPUTY-SPEAKER: We come to Clause 8.

Clause 8— (Amendment of article 31C)

SHRI A. K. ROY: I beg to move:—
Page 3,—

omit lines 12 to 15. (57)

SHRI DAJIBA DESAI (Kolhapur): I beg to move:—

Page 3,—

omit lines 6 to 9. (116).

SHRI L. L. KAPOOR (Purnea): I beg to move:—

Page 3, lines 8 and 9—

for "in clause (b) or clause (c) of article 39"
substitute—

"in articles 38, 39, 39A, 40, 41, 42, 43, 43A, 45, 46, 47, 48, 48A and 49" (140)

SHRI YUVRAJ (Katihar): I beg to move.—

Page 3, line 8,—

for "in clause (b) or clause (c) of article 39"

substitute—

"in articles 38, 39, 39A, 40, 41, 42, 43, 43A, 45, 46, 47, 48, 48A, 49 and 300A" (163).

SHRIMATI PARVATHI KRISHNAN (Coimbatore): I beg to move:—

Page 3, line 8,—

for "clause (b) or clause (c) of article 39"

substitute—

"articles 38, 39, 39A, 41, 42, 43, 43A, 44, 45, 46 and 51 of Part IV of the Constitution" (232)

SHRI B. C. KAMBLE: I beg to move:—

Page 3, line 8,—

omit "clause (b) or clause (c) of" (328)

Page 3,—

for lines 12 to 15,—

Substitute—

'(c) for the words "and no law containing a declaration that it is for giving effect to such policy

shall be called in question in any court on the ground that it does not give effect to such policy", the words "and Notwithstanding anything contained in the Constitution no law containing a declaration that it is for giving effect to such policy shall be called in question in any court, if it provides for giving effect to such policy; and the court shall enforce it as any other law under the Constitution of India" shall be substituted'. (329)

SHRI A. K. ROY: Mr. Deputy Speaker, Sir in this clause, it appears that the Law Minister has done some justice to his own profession and he seems to have counter-balanced whatever revolutionary or progressive posture, he has shown by deleting the property as the fundamental right, by increasing the curbs of the law and the court. A lot of things has been said about curbing the rights of the judiciary. May I ask. Who is to be blamed, the Parliament or the judiciary or the Court?

You know what is the role of the court. Our constitutional history shows that the court has become a stumbling block to all the progressive legislations that have come before the Parliament. I would like to read from the book entitled "Social Mission of Law" by Mr V. R. Krishna Iyer who is Supreme Court judge. He judiciary or the Court?

"An analysis of the Indian constitutional amendments seems to recall President Roosevelt's angry words 'save the Constitution from the Court'. The First Amendment provoked by the court's opinions on Zamindari abolition and backward classes reservation was a straw in the wind. The Fourth Amendment authorised State monopoly in trade or business and precluded the Court from examining adequacy of compensation for acquisition by the State, of private property, since the Supreme Court's rulings allegedly barred the State's progressive programmes in these directions."

[Shri A. K. Roy]

This is the role of the court. They have behaved as if they are the angles descending from the heavens. It is nothing like that. The Indian judiciary is more feudal than Indian executive and Indian Parliament. The elite, those who have got no connection, no touch, with the people, are in the judiciary. Our sad experience shows that at no cost the power of Parliament should be curbed and the power of the court increased.

SHRI DAJIBA DESAI (Kolhapur): I want that this clause should be deleted. Perhaps, this is a very crucial issue, whether the Directive Principles of State Policy enunciated in the Constitution should have precedence over the Fundamental Rights. This controversy or, perhaps, this thinking, was starting at the time of the Forty-second Amendment of the Constitution. Some of the Janata Party leaders were apprehensive that if the Directive Principles of State Policy are given precedence over the Fundamental Rights, then the Fundamental Rights will be curtailed. So, there is a conflict, whether the Fundamental Rights or the Directive Principles of State Policy should have precedence.

The issue is that the Fundamental Rights are the rights for the individuals in the country, for the citizens in the country, and the Directive Principles of State Policy, as laid down in the Constitution, are social rights, the rights of the society, the rights of the community, specially those Directive Principles which relate to the down-trodden masses, the right to work, the right to free education, the right to life, the right to health and so on. There are a number of things on which the Government is enabled to legislate. It is not a fact that if the Directive Principles are not implemented, it will have no effect. The only thing is that they are not justiciable.

The last Government, the Indira Gandhi Government, agreed that the social rights, the rights of the society, the rights of the community, should precede over the rights of individuals. Perhaps, they had their political game. But it is an enabling clause. Article 31(c) is an enabling clause for the Government to undertake legislation to help the down-trodden people in the country. As Mr. Kamble said, it is not a question of socialism, it is not a question of any facilities being given to the people. But it is only an enabling power of the Government to undertake legislations in the case of down-trodden people, in the case of giving facilities to the down-trodden people.

This enabling power had been given, by the Indira Gandhi Government, which is now being taken away by the Janata Government. It should not be the attitude that merely because it was given by the Indira Gandhi Government, it should be taken out. We should not have this attitude. We are amending the Constitution; we are amending a fundamental document of the country and we should not have any doubtful apprehensions about the thinking of the previous Government. We had differences, we have differences. We are still fighting with them. But this is an issue on which we cannot go back.

Another point I would like to make is this. There is the new principle of referendum. Referendum will freeze the powers of the Parliament to amend the Constitution and it will not be easy to change the Fundamental Rights. Therefore, if we want to freeze the Constitution, freeze the Fundamental Rights, then there will not be any powers with the Government to legislate on the issues of common man in the country. I want to request him that, when you are including referendum in the new Amendment, this is the time when you should keep open the powers of the Government to legislate on mat-

ters coming under Directive Principles.

बी सचन सल कवर (प्रतिभा) : उपाध्यक्ष महोदय, स्वेच्छाचार की जिन प्रणालियों का विकास पिछले कई वर्षों से देखा जा रहा था, उनको 42वें संशोधन में एकत्रित कर लोक-सभा में बलानु पारित किया गया। इस संशोधन का एक ही उद्देश्य था कि प्रधान मंत्री के पद पर छावड़ एक व्यक्ति के हाथों सत्ता का सम्पूर्ण केन्द्रीकरण। परन्तु इसके साथ ही कुछ ऐसे भी सिद्धान्त निरूपित किये गये जो जन हित में आवश्यक थे जिन्हें मौलिक अधिकार के अन्तर्गत डाल दिया गया।

परन्तु वर्तमान बिम में जो हायरिस्टिब प्रिन्सिपल है, उनको हटाया जा रहा है। जनता सरकार भी कुछ कार्य करने वाली है, और उन कार्यों के रास्ते में कोई बाधा न पड़े, इसका प्रबंधन होना चाहिये। इसके लिये सुरक्षा की व्यवस्था होनी चाहिए। ऐसी न होकर यह जो मौलिक अधिकार में शामिल है, उसे हटाया जा रहा है।

इसलिये मेरे इस संशोधन का उद्देश्य केवल धाटिकल 39(बी) और (सी) में दिये हुए सिद्धान्तों को ही सुरक्षा प्रदान करना नहीं है, बल्कि पार्ट 4 में दिये गये सारे सिद्धान्तों का सुरक्षा प्रदान करना है, अन्यथा जनता सरकार और पार्टी के उद्देश्यों को पूरा करने के लिये जा भी कानून बनाये, वे सारे मुकदमोंबाजी के शिकार होंगे। इससे जनता पार्टी के कानिवागी एवं प्रगतिशील कार्य और कदम दूकने और हमारे सामाजिक एव धाटिकल प्रगति के मार्ग में बाधा उत्पन्न होगी।

उदाहरण के तौर पर यदि धाटिकल 38, 39 धाटि धाटि में वणिन उद्देश्यों को पूरा करने के लिए कानून बनाये जाते हैं तो उनको कोर्ट के हाथों में क्यों पकड़ा जाये ? इसलिये इन सिद्धान्तों को संविधान में इसी उद्देश्य में वणिन किया गया है ताकि सरकार शासन चलाने समय जनहित में उनका अपना मार्ग निर्देशक समझे और उनके लिये कार्य करे।

धाटिकल 38, 39 धाटि धाटि में जो निर्देशक सिद्धान्त हैं, वह जनता पार्टी के घोषित सिद्धान्तों के समुच्चय हैं। जैसे जनता पार्टी के घोषणापत्र में सारी बातें निहित हैं जो पार्ट 4 के धाटिकल 38 से लेकर 44 को छोड़कर 49 तक हैं। जिसने सिद्धान्त लिखे गये हैं, उन तमाम चीजों से ऐसा देखा गया है कि जो जनता पार्टी के घोषणापत्र में निहित है, जैसे धाटिकल 40, इसमें नवा-वर्षी और नवनिर्गमों की जीवन्त कर के उनके अधिकारों तथा दायित्वों को विस्तृत किया जायेगा। वे एक लोकतांत्रिक शासन के आधारभूत धन बनकर अधिष्ठान तथा योजना कीजल का परिचय दे सकेंगे। इस बात की वैधानिक गारंटी रहेगी कि इन प्रतिष्ठानों के चुनाव यथारीति और कथमकथम होते रहें।

धाटिकल 41 में जो सिद्धान्त वणिन हैं, उसी के समुच्चय ही जनता पार्टी के घोषणापत्र में कहा गया है कि जनता पार्टी "रोडचार को सुनिवादी अधिकार मान कर भरपूर रोडचार की व्यवस्था" करेगी।

धाटिकल 42 में जो सिद्धान्त निरूपित हैं, वह जनता पार्टी के घोषणापत्र में भी निहित हैं, जिसमें कहा गया है "जनता पार्टी सारे नागरिकों की समानता में विश्वास करती है। इस लिए जनता पार्टी जीवन के सारे क्षेत्रों में महिलाओं के लिए पुरुषों के बराबर धेन और सुयोग की व्यवस्था करेगी। महिलाओं के शिक्षण तथा प्रशिक्षण और गृहस्थी समेत राजमार्ग के प्रत्येक क्षेत्रों में उन के स्थान का विशेष ध्यान रखा जायेगा। गृहस्थी की मजबूत में उन को राहन मिलनी चाहिए और माध्याग सुविधाएं उपलब्ध होनी चाहिए।"

धाटिकल 39(ए) में वणिन सिद्धान्त भी जनता पार्टी के घोषणापत्र में हैं जिसको शार्प-विन करना जनता पार्टी की सरकार का नैतिक कर्तव्य है। घोषणापत्र में कहा गया है "जनता पार्टी ऐसे सुधार करेगी जिससे न्याय सुरन्त प्राप्त हो सके और उस पर ध्वं बहन कम हो। न्याय गरीबों तक पहुंच सके, इस लिए उन्हें कानूनी सहायता दी जायेगी। बड़ देने के धागय से किए गये या बदले के लिए न्यायाधीशों के नवावने और उनकी वरिष्ठता सोंठे जाने पर पार्टी गहर धेद व्यन करती है।" इस में नीगल एड देने का भी प्रन है।

धाटिकल 45 में निशूक तथा धनिवायं शिक्षा की बात कही गई है। हमारे घोषणापत्र में भी कहा गया है कि जनता पार्टी की सरकार उस के लिए व्यवस्था करेगी। इसी प्रकार धाटिकल 47 में दिया गया सिद्धान्त भी जनता पार्टी के घोषणापत्र में सम्मिलित है।

संविधान के पार्ट फोर और धाटिकल 38 से ले कर धाटिकल 49 तक में जो सिद्धान्त निहित हैं, वे सब जनता पार्टी के घोषणापत्र के धन हैं। इस लिए मैं मंत्री महोदय से कहना चाहता हूँ कि न केवल धाटिकल 39(ए) और 39(बी) का, बल्कि पार्ट फोर में दिये गये सभी निर्देशक सिद्धान्तों का संरक्षण दिया जाना चाहिए। ऐसा करने से जनता पार्टी को धाग्य बढने में कोई बाधा नहीं होगी, वर्ना कदम कदम पर मुकदमों-बाजी होगी और जनता की निटियेशन में फमाने से कोई लाभ नहीं होगा।

बी सरकार (कटिहार) : अध्यक्ष महोदय, 45वें संविधान (संशोधन) विधेयक के माध्यम से हम अपने वचनों की धाटिकल पूति कर रहे हैं। हमने 42वें संविधान (संशोधन) विधेयक की 23 धागयें ज्यों की त्यों रहने दी हैं। वे सब सच्चे लोकतन्त्र की प्रणाली को धिकसित करना हमारा उद्देश्य है और यह काम तभी ही संकेत, जब इन सही मुक्तों को स्वरुपित करेंगे।

[श्री सुबराज]

यह ठीक है कि हमने कई बातों में परिचलन करने की कोशिश की है लेकिन व्यक्तिगत समाज तथा धर्म स्वतन्त्रता व नाम पर हम बगैरों लागों की मुझा धर्म स्वतन्त्रता से बिलबाइ नहीं कर सकते और न ही हम समाज की प्रावधान बना सकते हैं जिसमें बगैरों लोग का गरीब एक रास्ता पर हमना करने का हम में का मिल । मैं अपने समाधान में पत्र 3 तथा धर्म तथा लाइला में इन बलाज (बी) धर्म बलाज (सा) आप धर्मिक 14 व स्थान पर धर्मिक 15 से धर्मिक 14 स्थान की बात करती है । हम समाधान का उद्देश्य यह है कि समाधान में दिव्य गय समाधान सिद्धांतों पर केंद्रित करना न हो सके ।

हमने एक दूसरा भी समाधान दिया है । उस सिद्धांत में भी मैं यह कह देना चाहता हूँ कि जिस तरह नियम और कानून बनाने की बात है उसमें स्ट्रुट्टर धर्मिक गुलाम इत्यादि का भी नाम पर परिभाषित करने का आवश्यकता है ।

इन शब्दों व साथ में अपनी बात समाधान करना है ।

SHRI B C KAMBLE: Mr Deputy Speaker Sir, I have moved my amendments No 327 328 and 329. Something which is given and which cannot be enforced in a court of law is an illusory thing. Shrimati Indira Gandhi Government gave precedence to Directive Principles over and above the Fundamental Rights, but they were made illusory because they were made not enforceable in a court of law. What this Government proposes to do is to delete that provision but this Government does not say that these can be enforced in a court of law. Therefore both the Governments have taken a negative attitude and my amendment is an amendment which takes a positive attitude, namely if you give this let it be enforceable otherwise do not give it.

My amendment No 329 says that all the Directive Principles should have precedence over Fundamental

Rights and they should be enforceable in a court of law in spite of the fact or notwithstanding anything contained in the Constitution which relates to the provisions of the Directive Principles. That is the purpose of my amendment.

So far as Fundamental Rights, which have constitutional remedies, they are almost made defunct in the sense that they are not giving the real protection which should be given to the people. The only hope is to see whether the Directive Principles can have that status of being enforceable in a court of law and thereby the aspirations of the people can be achieved. That is the purpose of my amendment.

SHRIMATI PARVATHI KRISHNAN (Chambore): Mr Deputy Speaker, Sir I rise to move my two amendments, whereby we want to restore the old position. I am really surprised that this amendment is here in the Forty-Fifth Amendment Bill.

The Law Minister, when he was earlier speaking, he said in his reply that when one receives a bitter pill with the wrapper, one keeps the wrapper and throws away the bitter pill and that is why according to him was good in the Forty-Second Amendment Bill was being kept by him that is the wrapper. I would like to tell him that sometimes the pill is a decayed pill, sometimes a bit of the pill sticks to the paper and sometimes a bit of the paper sticks to the pill. And now he is throwing away that part of the paper which stuck to the pill. This is because in the Forty-Second Amendment this was a good thing that happened. The courts were told that they cannot interfere, and you would not question in the courts that which was carried out in the spirit of your carrying forward the Directive Principles. The danger of making political and economic decisions dependent on the individual

philosophy of judges is something that we should not go in for.

I would remind the hon Minister of the wise words of an eminent Member of Rajya Sabha when he said

"It is rightly said that the law is one generation behind society and lawyers are two generations behind society "

That is the Minister himself

and I may state that judges are three generations behind society

This eminent person was none other than Shri K. Sadasanand Hegde. I therefore, take the liberty of quoting him because it is a very telling thing that he said

Do not leave your philosophy at the mercy of the judge, your philosophy is enshrined in the Constitution. You will have the Constitution in order to translate that philosophy into action in order to ensure socio-economic progress and certainly you do not want to leave it at the mercy of the judges who are three generations behind society. The law itself is hastening to keep pace with society and we are always being told day in and day out about what Gandhiji used to say. May I also be presumptuous enough to quote what Gandhiji had to say on this matter

"I have in mind many things I would have to do in order to equalise conditions. I am afraid that for years together India would be engaged in passing legislation in order to raise the downtrodden the fallen from the mire into which they have been sunk by the capitalists by the landlords by the so-called higher classes and then, subsequently, and scientifically by the British rulers. If we are to lift these people from the mire, then it would be the bounden duty of

the National Government of India in order to set its house in order continually to give preferences to these people and even free them from burden under which they are being crushed and if the landlords, zamindars, the monied men and those who are to-day enjoying the privileges—I don't care whether they are European or Indian—if they find that they are discriminated against I shall sympathize with them. But I will not be able to help them. It will, therefore, be a battle between the have's and have-nots

To make Parliament supreme and to make Parliament final arbiter of social and economic programmes, is to be on the side of the have-nots and against the have's. And that is why I would appeal to the Minister, in view of the fact that I find him to be too allergic to amendments he may be frightened that there will be brickbats within his own party. I do not know—but I would urge upon the Minister since he has thrown away the bitter pill he should pick back that part of the wrapper which has stuck to the pill which he has thrown away and restore the position as it was before he brought this amendment

SHRI SHANTI BHUSHAN Shrimati Parvathi Krishnan has referred to the pill and the wrapping. But she has forgotten that I had not spoken of the bitter pill, because the bitter pill is always good. I had spoken of the poisoned pill, and if any bit of paper has stuck to any part of the poisoned pill then the paper also should not be kept.

Now the main purport of the amendments which have been moved, is the restoration of the original Article 31C as it had emerged before the 42nd Amendment. Of course there is another minor part of it, viz., one which gave finality to the

declaration. So far as it was concerned, it had been stuck-down by the Supreme Court even on a concession made by the then Government in the Keshavanand Bharati case, and the reason for its deletion was that it was something which had been stuck down with the consent of those who had brought it of course the question of its retention does not arise.

But I must deal with the more important part of the amendment on which several hon. Members have spoken. So far as their sentiments are concerned I fully respect them. What they wish to achieve I fully respect. But perhaps they will also ponder over the implications of what they are suggesting. What is Article 31C? Article 31C purports to give protection to certain laws which might be enacted for the purpose of giving effect to certain Directive Principles and all the Directive Principles but against which Fundamental Rights? It was against 3 fundamental rights viz Articles 14, 19 and 31. So far as Article 31 is concerned viz fundamental right to property the Bill itself seeks to delete it. Therefore we may not concern ourselves with it. So far as Article 19(1)(f) is concerned the Bill also seeks to delete it. We may not also concern ourselves with it. What is the rest of Article 19 and Article 14? Article 14 speaks of equality between one person and another. Article 19 relates to freedom of speech, freedom to form association including trade unions in which Shrimati Parvathi Krishnan I believe must be specially interested. Does Shrimati Krishnan want the Government to have the power viz to ride rough shod in order to implement the Directive Principles on the valuable right of equality of freedom of speech and of freedom to form associations and unions?

SHRIMATI PARVATHI KRISHNAN
I said lawyers were two generations behind society. It is proved.

SHRI SHANTI BHUSHAN The Communist Party of India, the party to which the hon. lady Member belongs of course is 500 generations ahead perhaps. For instance if I may take an illustration article 40(1) of the directive principle says that the State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self government. Suppose a law is enacted by Parliament to say that panchayats have to be constituted and only that person will be competent and eligible to be elected as a member of the panchayat who has signed a written pledge of being a member of the Janata Party or of the Communist Party for that matter, if anyone wants to challenge such a Panchayats Act look here it is discriminatory why should only members of one political party be eligible for being elected to the panchayat the answer to that would be here is article 31C. Clearly this is a law to organise panchayats it is for implementing a directive principle contained in 40(1) article 14 is not applicable no question of equality is there it is for Parliament to decide as to which person should be eligible. Shrimati Parvathi Krishnan would be happy if she really believe in what she is saying. Perhaps she must be planning to bring such a law under which only members of the communist party would be eligible to be elected as members of panchayats and so on. That is the effect of article 31(C). Similarly for making effective provision for securing the right to work also if it is said that only members of a particular party would be given work here is a law which will provide the right to work to a number of people but only those will be eligible to get the benefit as are members of a political party.

SHRIMATI PARVATHI KRISHNAN
Only a person who is doing that sort of thing in office can think in those terms. (Interruptions)

SHRI SHANTI BHUSHAN Otherwise, I should like to know from the

hon Member why for implementing any directive principle, Parliament has to be given authority to override article 14 right to equality? Why is it necessary to implement any directive principle that Parliament, the government must have the power to discriminate against people? Is this discrimination necessary? (Interruptions) How is placing unreasonable restriction on the freedom of speech necessary for implementing any directive principle? I could understand fundamental right to property, and that is why in relation to clause (b) and (c) of article 39, the provision is understandable so far as those laws are concerned, they purport to reduce disparities and distribute means of production etc. All right.

SHRIMATI PARVATHI KRISHNAN Equal wages for equal work are the Directives Principles

SHRI SHANTI BHUSHAN Yes equal wages, for equal work 31(C) as it was agreed to by the hon Member had this mischievous connotation I do not know whether it was appreciated by the people or not, you can enact unequal laws, all that you have to show is that it is in the direction of implementation of the directive principle. If it is so equality does not exist. The right to equality of the people stands wiped off when that law can be shown that it is for implementing directive principles. Freedom of speech stands wiped off, freedom to form associations stands wiped off. Why should the right to form trade unions be wiped off merely for the purpose of implementing directive principles? Why should freedom of speech stand wiped off, freedom to implementing certain directive principles as if there is some conflict between fundamental rights on the one hand and directive principles on the other? Namely that you can only implement the directive principles by trampling upon fundamental rights, such valuable rights like the freedom of speech freedom to move freely throughout the territory of India, freedom to form associations and

unions, even right to equality? It has not the slightest justification I cannot imagine how it is necessary to trample upon those valuable fundamental rights of the people for the purpose of implementing directive principles? If there is the will to implement the directive principles, it is certainly open to any government to implement them with an equal hand. Why should there not be equality? The right to work? Why do you want it to be discriminatory? Why should such a law be given protection by the Constitution if it says that only members of the Congress Party will have the right to work. Now about fundamental rights on which even the hon Member has laid importance—she was very eloquent about the liberties. Now she says no, these liberties freedoms should not exist they should exist only on paper so that the government can say here is a law for implementing (Interruptions) All right, let it be Parliament. All that the Parliament will have to say is this. But the majority party in Parliament always forms the government, it has the confidence of the majority party, therefore that majority party should be able to enact any unequal laws, to trample over the freedom of speech, freedom of association, etc. why? I have never been able to understand this philosophy that it is necessary to trample on the fundamental rights for the purpose of implementing directive principles.

PROF P G MAVALANKAR (Gandhinagar) Are you advocating a confrontation between directive principles and fundamental rights or are you saying that they are complementary?

SHRI SHANTI BHUSHAN I say they are complementary to each other. The directive principles lay down the objectives the goals which must be achieved by the State by legislation or executive action. The fundamental rights indicate the path which must be pursued for achieving those goals. There is no conflict between the two. If somebody tries to raise the bogey

[Shri Shanti Bhushan]

of conflict between the two, it only means that just by paying lip service to those objectives the people are sought to be duped namely allright since we are trying to do something to provide work, therefore the property of the members of one party would be taken away and the property of the members of the other party would not be taken away. No. Whatever is necessary let it be done. Which directive principles require the enactment of unequal law discriminatory law which does not recognise equality between a higher and lower caste between man and woman etc. in which it would be possible to say that this law will give benefit only to men and not to women and so on? I have not been able to understand it. So far as clauses (b) and (c) of article 39 are concerned so long as the fundamental right to property was there one could understand that here is a fundamental right to property the property of an individual could not be taken away because there were all kinds of restrictions. Therefore for achieving re-distribution of means of production non concentration of economic power etc it may sometimes come into conflict with the fundamental right to property and therefore if these directive principles were to be implemented the fundamental right should be subordinated. One could understand that. But to make it general is to make a mockery of the fundamental rights. I hope the hon member would realise the implications of what she has said. If she wants to do away with the fundamental rights there would be no freedom of speech there would be no union. Any law can provide that since this law is for the purpose of giving work therefore, there must not be unions there must not be any collective bargaining, because these might come in the way of giving work to anybody. It is very dangerous if the hon member ponders over the implications of what she is proposing, she will realise that I am trying to save her.

MR DEPUTY-SPEAKER, We shall now take up clause 9

Clause 9—(Amendment of article 38).

SHRI A K ROY I beg to move.

Page 3, line 19,—

omit 'strive to' (58)

Page 3, line 23,—

add at the end—

'and restrict it within the limit of 10 within the period of one year' (59)

SHRI VAYALAR RAVI (Chirayinkil) I beg to move

Page 3 line 19—

for 'minimise' substitute
'eliminate' (106)

SHRI K A RAJAN (Tiruchur) I beg to move

Page 3 lines 21 to 23 —

omit not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations (211)

SHRI BIRENDRA PRASAD (Nalanda) I beg to move

Page 3, line 21,—

after 'status' insert based on caste or class, (281)

SHRI HUKMDEO NARAIN YADAV (Madhubani) I beg to move

Page 3 line 23—

add at the end—

'and the State shall enact law for bringing down disparity in income to the ratio 1:20 which shall gradually be brought down 1:10" (289)

SHRI B C KAMBLE I beg to move

Page 3, line 23,—

add at the end—

"not allowing to widen the ratio of income beyond 1:10

after a period of two years from coming into force of the Act." (330).

SHRI A. K. ROY: The Janata Party in its election manifesto stated:

"A wage and price policy must ensure that income disparities are reduced. Steps will be taken to see that minimum incomes rise rapidly so that the difference between the minima and maxima income, after tax, is reduced to 1:20. It will strive progressively further to reduce this differential to 1:10 within a decade by a policy of income re-distribution that raises the floor levels and discourages bloated incomes."

Article 38 of the Constitution reads:

"The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice social economic and political, shall inform all the institutions of the national life."

After 30 years we see that instead of promoting welfare, they have promoted all types of farewell to every institution, to the principle of equality and everything. The article states that the State shall strive. "Strive" is a very vague word, it should be eliminated, because the Congress Government did strive for 30 years, and we have been brought to this position. The Janata Party Government will also strive to eliminate inequalities, but even within two years inequalities have increased in the country. That is why I want to stipulate that the State shall in particular minimise the inequalities. If the State cannot minimise inequalities, it cannot continue constitutionally. The constitutional right of the Government to continue will depend on the fact whether it has minimised inequalities or not. That is why I want to make it very clear and concrete.

Secondly, some time limit should be laid. Otherwise, like the original article 38, this will also go the same way. That is why I want it should be restricted to 1:10 within one year. I

want it to be effective to give shape to the original commitment of the Janata Party to the people.

SHRI VAYALAR RAVI (Chirayinkil): I was hearing the hon. Minister speak eloquently on the directive principles and trying to defend fundamental rights. I do not want to enter into an argument with him, but as a lawyer in the Allahabad High Court and the Supreme Court, he must have come across many cases where, in the name of fundamental rights, certain measures have been struck down by the courts. The very first case was in regard to the abolition of zamindari. It was challenged on the basis of fundamental rights, the right to property. It has always come in the way.

What is the whole ethos behind this? It is the freedom fighters of this country who thought of this and declared it at Karachi. That is the inspiration of the people. It did not come one fine morning when the Constitution was framed. It came from the freedom fighters and leaders like Jawaharlal Nehru. That is why it was incorporated in the constitution. Unfortunately, it could not be implemented to the extent expected because many hurdles came in the way. That is why once Jawaharlal Nehru said that the courts had become a third chamber of the Indian legislature. They have become a third chamber; that is what Jawaharlal Nehru said once upon a time. They were placing hurdles on the way all the time, whenever any progressive measures were being taken. Here we have moved an amendment. We know that it cannot be mandatory. But, at the same time to the extent possible, they can be a little more liberal in the implementation of the measures which they want to take to reach the goal.

On the other amendments I do not want to speak. So, you should be a little more indulgent and give me a little more time here.

The Directive Principles have sanctity and validity in the Constitution. If you are not able to achieve the

[Shri Vayalar Ravi]

goals mentioned in the Constitution, then the people will lose faith in the Constitution itself. If you are unable to reach the goal, then the people will not trust the Constitution. Only last week, Shri George Fernandes, a member of the Government, said that even in a democracy we do not mind resorting to any method, even resorting to violence, to overthrow the Government. He said on the floor of the House that armed rebellion is the right of the people, a very important right of the people, if they believe that the Constitution cannot deliver the goods, cannot protect their interests and it has become an instrument of the ruling class, which has conservative, feudalistic characteristics in this country. The ruling party is omnipotent and omniscient; they know everything and they are everywhere. But it is not the Bahuguna or the Shanti Bhushan that rule, but it is Birla or the Tata, through the ruling class; they control everybody, because they are everywhere, through the bureaucracy. It is the duty of the Government to see that the Directive Principles must be implemented. That is why we are pressing for their being treated as Fundamental Rights. If they are not implemented, as Shri George Fernandes stated, the people have the right even to revolt by armed rebellion.

Coming to referendum, Shri Shanti Bhushan is an eminent lawyer. Can you compare the Indian Constitution with the French Constitution? Can you compare the Indian political or economic system with that of America? Can we compare our socio-economic system with that of Australia or England? Of course, with England there is some comparison. But in France they have a Presidential system of Government, which is not so here. In England they had a referendum to decide whether they should join the EEC or not. But they have an unwritten Constitution... (*Interruptions*). In Australia they used the referendum to decide on prohibition.

Here also I do not mind having a referendum to decide about prohibition.

During the 1977 election it has been proved beyond doubt that those who speak Hindi can rule India; one belt, the cow belt or the Ganga belt can rule India, in spite of the entire south being against it. Their support or participation is not necessary at all. That is why we object to this provision about referendum. If any proof is required, the elections have proved that this particular belt in the north can rule India, even muffling the voice of the people in the Southern States and even in Bengal, because we speak a different language. You are seeing it every day in this House.

Even today the GT Express was looted on the way. But the affected people could not make any complaint, because it was insisted that they should do it in Hindi and not in English, and they did not know Hindi. So, they could not do anything. They were helpless. This is the situation prevailing today, which is a threat to the integrity of the country. That is why we say that this provision about the referendum will work against the interests of the nation. This is my honest belief. After all, you are not going to be the Minister for eternity. Tomorrow this provision can be used by some fanatic against the interests of the nation. This provision will be used by those who want to have their own domination, whether it is based on casteism, the emergence of the *Chatur Varna* or whatever it may be, which can be dangerous to the Indian democracy itself. Although you speak for freedom and democracy, they can be subverted by this clause. That is why we oppose this clause. I hope Shri Shanti Bhushan will understand and appreciate the sentiments of the people of our part of the country. Please accept our amendment. Give leverage and take leverage from the Parliament and do something for the poor common man and the people who are unemployed in the country at large.

17 hrs.

SHRI HARI VISHNU KAMATH (Hoahangabad): Mr. Deputy Speaker, Sir, I shall try to be brief, concise and precise. My amendment is a brief one, a short one. I wish the Government clarifies the meaning and the connotation of the word 'status' which has been inducted and incorporated in the Constitution for the first time. I do not think the word 'status' occurs anywhere in the Constitution at all. For the first time, it has found a place in the Constitution.

To my mind, the word 'status' has a very inchoate, a very hazy connotation, shall I put it vague? What exactly is a 'status', status based on wealth, based on birth, based on caste, based on class, what exactly is 'status'? Because as has been rightly said, we have got today a phrase 'status symbol'; money, wealth, even drinking and smoking are supposed to be status symbols. I do not know what 'status' means. The Minister will have to clarify this word for the satisfaction of the House. A Sanskrit poet, many centuries ago, said that money and wealth was the symbol of all status.

यस्यास्ति धितं स नरः कुलीनः
स पण्डितः.....

17.02 hrs.

[MR. SPEAKER in the Chair]

I was referring—you have just arrived on the scene, I am thankful—to my amendment with regard to this clause. The word 'status' has been inducted and incorporated in the Constitution for the first time. The Government will have to clarify and define and interpret for the satisfaction of the House, lay down clearly, tell us clearly what it means. I was saying that many centuries ago, a Sanskrit poet referred to this matter and said in his own inimitable poem, a sloka:

यस्यास्ति धितं स नरः कुलीनः
स पण्डितः स कुलिनान् गुणतः

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स एव वयता स च सर्वजीवः

सर्वं वृणाः कविनामवर्षे ।

—I do not know whether it is sarveguna or sarvejana—

AN HON. MEMBER: Please give its translation.

SHRI HARI VISHNU KAMATH: Yes, he who has money, he who has wealth, he is a real kuleen—It applies to all—the poet surveyed his own scene in his own time and said this was the position in his own time—today also it applies perhaps.

SHRI K. P. UNNIKRISHNAN (Badagara): To Sanjay Gandhi also?

SHRI HARI VISHNU KAMATH: Sanjay Gandhi and his mother and everybody else.

He is the Pandit—Pandit not in the sense of U.P. Bihar or Punjab Pandits—(Interruptions), but a learned man he is a well spoken of man, he is appreciated as a connoisseur of gunas, he is an orator, he may be a speaker or not, he may be a dumb fellow, yet if he has money, he is regarded as an orator, and he is invited to the best assemblies for inaugurations and what not. He is regarded as a handsome fellow too whether he is really handsome or not, it does not matter. Money makes a mare go, a horse go, it makes everybody go. All qualities or gunas have recourse to gold.

Now, there was also an old English poet who said the same thing in other words—I can make a variant of that: rank is but the rupee's stamp—he said, rank is but the guinea's stamp. Then, there was the old mentor of the olden days, George Bernard Shaw, who said in his inimitable style—he was talking of socialis, communism—the ambition of the proletariat is to become the bourgeoisie and replace the bourgeoisie. Whatever may happen to the bourgeoisie later on, they would become the bourgeoisie, and the bourgeoisie may move up in the social hierarchy. That is why I have said in my amendment, "status based on caste or class".

[Shri Hari Vishnu Kamath]

What is the precise definition of "status"? What is status? Based on caste or class That should be defined

Sir, you are well aware and the House is well aware that even in Communist States, say after the Revolution was achieved in Russia, Leon, Trotsky wrote a book entitled "Revolution Betrayed"—by the new masters of Russia He was later killed by Stalin Even in Yugoslavia a non-aligned communist country Milovan Djilas, the then Vice President, wrote a book entitled "The New Class" for which he was arrested and jailed by President Tito

SHRI A K ROY Your study is very selective

SHRI HARI VISHNU KAMATH It should be All intelligent men should select their books, not read at random He wrote a book called "The New Class" for which he was punished and jailed by President Tito I am not going into those political matters I only want to high light this particular point with regard to status, as to what exactly the Government means by 'status' based on caste or class? Unless that is defined, we lose all its meaning, significance and importance

What does the previous article 38 as it stands today in the Constitution, say? How does it read? This is clause (1) of the new article It says

"The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform, all the institutions of the national life"

I am afraid, just as this has remained a pious platitude, article 38, as it is in the Constitution—this will be clause (1) of article 38—we are going to add another clause (2) in article 38—this will also remain a pious platitude, nothing more, nothing less

Most of the articles in the Chapter have remained pious platitudes like, the right to free education, the right to work and all that, during the 30 years of the Congress misrule, including the last 10 years of worse than misrule

SHRI VASANT SATHE (Akola)
That is why article 31(C) should remain

SHRI HARI VISHNU KAMATH
Try your best in this House and that House

Therefore unless the Government wishes that these things status facilities and what not should remain as platitudes, just for paper decoration and as ornamentation, I would ask the Government the Law Minister, to clarify as to what exactly he means by the word 'status'—on what it is based or should be based if it is based on anything at all Because only the Preamble mentions that, nowhere else is it mentioned Therefore the Minister in the course of his reply, will do well to inform the House and tell Parliament and the people what exactly he means by 'status' I would plead with the House and the Minister to accept my amendment which says that the status based on caste or class should go—only that status we can understand not any other status

MR SPEAKER I think, you have made your point effectively

SHRI HARI VISHNU KAMATH I am glad you appreciate

Therefore Sir I move my amendment and commend it for the acceptance of the House

श्री हुसैनदेव नारायण वाघव (मधुबनी) :
प्रत्यक्ष महोदय, मैं यह निवेदन करने के लिए
आता हूँ कि जब इस विधेयक पर सामान्य
बहस चल रही थी उस समय श्री सैने एक संसो-
धन दिया था परन्तु उस संसोधन पर मैं बोल नहीं
पाया और उसकी वापिस ही लेना पड़ा। लेकिन
अभी जो वह संसोधन है, साविधान में मैं वह कहना
चाहूँ कि हम लोग जो लोक के अपने अपने

हैं, हमारी पीढ़ी को न तो जाति भूषण की समझने बाधे हैं और न इस समझ के अन्तर्गत बहुत ऐसे व्यक्तियों का है जो उस पीढ़ी को समझ सकते हैं। गांधी में जब छोटी जाति की औरतें बाड़े के महीने में अपने बच्चे के तन को डकने में लिए, जाड़े से बच्चे के लिए स्वयं नंगी हो जाती हैं और अपनी कमर की सारी को बोल कर बच्चे को डक कर रात में सुलाती हैं, मैं नहीं समझता हूँ इस तकलीफ का बहुसास हिन्दुस्तान के शासक वर्ग में कितने लोगों को होगा। जब ये विषमता बढाने की बात करते हैं तो इन्होंने इसमें रखा है कि प्रतिष्ठा, सुविधाओं के अन्तर्गत और व्यवसाय—इन तीन क्षेत्रों के अन्तर्गत विषमता को मिटा देने और समता को लायेंगे लेकिन मैं जानता हूँ कि हम लोगों ने जिस युग से राजनीतिक शिक्षा दीक्षा की थी उसमें यह भी बतलाया था कि निर्गुण और समुण की बात करो। सभी को बराबरी का हक देना, यह निर्गुण का सिद्धान्त है। सभी में ईश्वर है, यह निर्गुण सिद्धान्त है। सम्पूर्ण ब्रह्म है, यह निर्गुण सिद्धान्त है। समुण तब होगा जबकि मानव मानव के प्रति अपने प्रेम का प्रदर्शन करे, उनके लिए अपने को आत्मसमर्पित करे। जब आप समता की बात करते हैं तो आर्थिक विषमता, सामाजिक विषमता, राजनीतिक विषमता, आर्थिक विषमता, मानसिक विषमता, चमड़ी की विषमता—यह सारी विषमतायें समाज के अन्तर्गत विद्यमान हैं। भाषा की विषमता, यह भी समाज में विद्यमान है।

मैं जब भाषा की बात करता हूँ तो हमारे कुछ भाई नाराज हो सकते हैं लेकिन मैं ईश्वर से प्रार्थना करूँगा कि, जिस दिन दक्षिण के हमारे शोषित भाइयों के हृदय में परमात्मा बहु प्रेरणा पैदा करे कि उत्तर भारत के करोड़ों शोषितों के प्रति उनके हृदय में क्या भाव का संचार हो। जिस भाषा के चलते आप दक्षिण के शोषित भाई सत्ता के हिस्सेदार बनते हैं उसी भाषा के कारण उत्तर के करोड़ों शोषितों को सत्ता की हिस्सेदारी से बाँधित होना पड़ता है। इस भाषा के कारण मुट्ठी भर अपने शोषित भाई दक्षिण में तो अधिकारी बन जाते हैं लेकिन उत्तर के मुट्ठी भर हिंदुओं के बर्चस्व को बनाये रखते हैं। इसलिये आप इन बातों पर जरा गहराई से विचार करें। मैं श्री आति भूषण जी से निवेदन करना चाहूँगा कि आप आर्थिक और सामाजिक विषमता जो समाज के अन्तर्गत विद्यमान है उसको मिटाना चाहते हैं और चाहते हैं कि जातियाँ न हो लेकिन मैं पूछना चाहता हूँ कि हिन्दुस्तान के कितने ब्राह्मण के बेटे सिर पर पाखावा डोने का काम करते हैं। इस पाखाव भारत में ऊँची जाति के कितने लोगों ने सिर पर पाखावा डोने का काम किया है? आज भी वह मेहरारू जो आतिथ्य है, जिसके बाप-भाया पाखावा उड़ाने का काम करते थे, उनके पुत्रों, उसकी संतानों को पाखावा उड़ाने का काम करना पड़ रहा है। क्या इस जातिगत

विषमता को मिटाने के लिए आपने कोई समुच्चारा रखा है, आर्थिक विषमता को अन्तर्गत मिटाना चाहते हो, तो एक ही चीज है कि हरिजन, आदिवासी, पिछड़ी जाति, महिला और अल्पसंख्यकों के जो लोग हैं उनकी जब तक सरकारी नौकरी, राजनीति तथा व्यापार में विशेष अवसर देने की बात आप नहीं करेंगे तब तक यह विषमता मिट नहीं सकती और कभी मिटने वाली नहीं है। हमारे सामने एक प्रश्न है कि जब हम जीवन के क्षेत्र में जाते हैं तो पाते हैं कि जो आदिवासी हैं, शोषित हैं, हरिजन हैं, उसको अपने घर की परीक्षाओं से गुजरना पड़ता है, प्रतिनिधित्व की परीक्षा उसको बारम्बार देनी पड़ती है लेकिन जो हिज बर्ग हैं उसके लिए एक ही कम्पटीशन है कि एक बार हिज के गेट से पैदा हो जाए, फिर उसके लिए जीवन में कोई कम्पटीशन नहीं है। इसलिए हिन्दुस्तान की जो सभी हुई जातियाँ हैं, उनको अगर ऊपर उठाना है, तो उनके लिए सविधान में आपको कुछ बातों को जोड़ना होगा। क्या सविधान में आपने विशेष अवसर की बात उल्लिखित की है?

अध्यक्ष महोदय, सामान्य बहस में मुझे बोलने नहीं दिया गया, इसलिए मैं यह चाहूँगा कि आप मुझे दो, तीन मिनट और दें। आर्थिक विषमता की बात आप करते हैं। यह निर्गुण शब्द है।

जो चुनाव बोधना पक्ष में आपने लिखा है, उसकी तरफ मैं आपका ध्यान आकर्षित करना चाहता हूँ। आपने अपने चुनाव बोधना-पक्ष के पृष्ठ 25 पर लिखा है कि बाय का बैचम्ब 1 और 20 के बीच रहे लेकिन पार्टी की कोशिश होगी कि इस बैचम्ब को उत्तरोत्तर कम करके 1 और 10 के बीच लाया जाए। मैं पूछना चाहता हूँ कि बाय जब आपने यह कहा है कि आर्थिक विषमता को हम 1 और 20 के बीच रखेंगे और धीरे-धीरे इसको 1 और 10 पर लायेंगे, तो सविधान में यह लिखने में आपको आपत्ति क्या है? मैं यह कहना चाहता हूँ कि हरिजनों और शोषित वर्गों के बारे में शासक वर्ग की चालाकी यह रही है कि बीड़ी बीड़ी बातें कह कर, बहुत बहुत कह कर कानून में सब लिख दो लेकिन देने का जब सवाल आवे तो कोर्ट में, अदालत में कुछ न मिल पाए। आपने सविधान के अनुच्छेद 16 में यह कहा है कि पिछड़े वर्गों के लिए रिवरेंस होगा लेकिन मैं पूछना चाहता हूँ कि जब आजाप की बात होती है तो कहीं पर आपने दिया है? आपने सविधान में लिख तो दिया लेकिन देने नहीं पाते। इसलिए मैं एक बुनियादी सवाल उठाना चाहता हूँ कि अगर आर्थिक विषमता को आप मिटाना चाहते हैं, तो तीन बातों का उपबन्ध आपको सविधान में करना चाहिए। बेटी, भौकरी और व्यापार, एक आदमी एक रोजगार। एक आदमी चाहे बेटी हो, चाहे व्यापार हो और चाहे रोजगार हो, उसमें से एक करे। मैंने बिहार में देखा है कि एक आदमी के परिवार में एक बेरा

(श्री हुकमदेव नारायण यादव)

आई० एस० है, उसका दूसरा आई आई० पी० एस०, तीसरा आई डेकेदार, चौथा आई हजार बीघा जमीन का मालिक है, और पांचवां आई एम० एस० ए० या एम० पी० है। राजनीति से लेकर सम्पूर्ण जगहों पर मुट्ठी भर को लोग है, उनका कब्जा है। बेसी, नौकरी और व्यापार, एक बावनी एक रोजगार, क्या ऐसा आप संविधान में लिखने को तैयार हैं? क्या संविधान में आप यह लिखने को तैयार हैं कि न्यूनतम 1 होगा और अधिकतम 10 से ज्यादा नहीं होगा याकी आप में 1 और 10 का अंतर होगा? मैं यह भी कहूंगा कि जब आप धार्मिक विषयों को विटाने की बात करते हैं, तो इन सारी बातों के लिए सरकार को सगुण रूप लेना पड़ेगा। सगुण बात रखनी पड़ेगी। यह निर्गुण शब्द आपने बहुत दिनों तक चलाया लेकिन इस निर्गुण के चलते हिन्दुस्तान के गरीबों को कुछ नहीं मिला। इसलिए मैं कहूंगा कि जब इन्होंने कहा है कि प्रतिष्ठा, बुविद्याधो, धनसत्त और व्यवसाय, इन सब में मैं समता लाना चाहते हैं, तो क्या प्रतिष्ठा में समता लाने का प्रयास करेंगे, धनसत्त में समता लाने का प्रयास करेंगे? बुविद्याधो और इन सब बातों में, आप समान धनसत्त देने की बात करने वाले हैं, यह मैं पूछना चाहता हूँ ?

एक बावनी जो जिनकी घर रोज दो सेर दूध पीता रहा हो और दूसरे बावनी को जिनको एक चम्मच भी दूध पीने को नहीं मिला हो और उन दोनों को कहा जाए कि जो स्ट्राइल कुस्ती में लड़ो और उनमें जो जीतेगा वही हिन्दुस्तान का मालिक बनेगा, तो जिसको चम्मच घर दूध नहीं मिला हो, वह कैसे जीत सकता है। इसलिए धार्मिक, सामाजिक रूप से पीड़ित, शोषित लोगों से जो स्ट्राइल कुस्ती में जीत की बात करना, हिन्दुस्तान के गरीब लोगों, पीड़ित लोगों और शोषित लोगों को छोड़ा देना है और कुछ नहीं है। इसलिए संविधान के अन्तर्गत जो समीक्षण दिया गया है उसको जब तक सगुण रूप में नहीं दिया जाएगा तब तक गरीब लोगों को कुछ मिलने वाला नहीं है।

SHRI B. C. KAMBLE: Sir, I have moved my amendment to Clause 9. I would like to know from the Government as to what their economic policy is going to be. What is going to be the maximum and what is going to be the minimum income? What policy is this Government going to pursue?

So far as original Article 38 is concerned, it embodies a provision which is a comprehensive provision with regard to the structure of the society and it speaks about securing a social order for the promotion of welfare of

the people in various spheres. The additional provisions now proposed to Article 38 speak about elimination of inequalities etc. I would like to ask the Law Minister, what he means by the elimination of inequalities in status, in facilities, in opportunities etc. What I am submitting is, you leave aside all spheres, but only economically what is going to be the maximum and minimum income, what would be the ratio between the two that the Government proposes. The Government, instead of talking in general and vague terms should fix some definite ratio between the minimum and maximum, so far as the income is concerned.

SHRI K A RAJAN (Trichur): Sir, my amendment to the amendment proposed in the Bill stands. The proposed amendment in the Bill is:

"The State shall, in particular, strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations."

My amendment is:

"omit, 'not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations'"

My submission is that the portion which I want to be omitted is quite redundant. That only will create a friction in the Constitution. If we go through the Directive Principles, Articles 38, 39 and 46, and read them together, it would be quite clear that these Articles given enough protection. Article 38 reads:

"The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political shall inform all the institutions of the national life."

Then Article 39 says:

"The State shall, in particular, direct its policy towards securing—

(a) that the citizens, men and women equally, have the right to an adequate means of livelihood;

(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

(d) that there is equal pay for equal work for both men and women;

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

(f) that childhood and youth are protected against exploitation and against moral and material abandonment."

Article 46 reads:

"The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation."

With regard to this particular provision about the protection envisaged in the Directive Principles, we know by our experience and the Government knows by their experience, how far this protection has been extended to the scheduled castes and scheduled tribes. We have got many instances. These are not there only at the present juncture. We did not even extend protection. There are many in-

stances which have been brought before this House, where scheduled castes and scheduled tribes are discriminated against in various fields. Not only that. They are even taken to task and they are not given adequate, normal protection to which citizens are normally entitled. You can see the instances in Belchi and Agra. We can find so many instances. That is why I submit that even this particular protection under Directive Principles could not be afforded. Here, my apprehension regarding this particular clause—which I want to be omitted—is this: there is a fantastic theory brought about recently, between urban vs. rural; organized vs. unorganized and industrial vs. agricultural labour or workers. This philosophy is a very dangerous one. We all admit that we want equality for all the sections, irrespective of whether they are in urban or rural areas, they are agricultural or industrial workers etc. Unfortunately, the industrial workers and those who are having their wages fixed by their organized strength, cannot be blamed for your having denied such wages to others. If the former had not got them, you cannot guarantee that they will get them—because your policy is such. It is a question of economic philosophy and politics as well. This philosophy is creating all these difficulties. That is why I move this amendment.

SHRI SHANTI BHUSHAN: I have nothing much to say. I am sorry I am not in a position to accept the amendments. It has been suggested that the ratio of 1:10 in incomes, should be added in this very Article, which has been proposed by the Bill. But may I submit for the consideration of the hon. Members that the Article goes even beyond? It does not stop at even 1:10, because it strives to go even further, 1:20 or 1:10 can be a stage; but why should we not strive to go further? Therefore, I don't think it will be proper to accept this amendment.

[Shri Shanti Bhushan]

It has been said that the word 'strive' should not be there. But the word 'strive' should be there. It is most important. The only way to achieve anything is by striving and endeavouring. Therefore, it will not be right to delete this.

I am happy that two Georges were referred to by the hon. Members. Shri Kamath quoted George Bernard Shaw and Mr. Vayalar Ravi referred to George Fernandes—of course in different contexts. Mr. Ravi referred to the statement of Mr. George Fernandes i.e. a statement made by the latter. But I must say that he did not refer to it in the proper context. He said that Mr. George Fernandes had said that armed rebellion was the right of the people. If any statement of this nature was made, it is clear that it was made, not for a democracy. George Fernandes did not say that in a democracy, armed rebellion was the right of the people. In a dictatorship, where there is no democracy—then it is an entirely different thing; and democracy is the negation of such a thing. In democracy, you can remove the Government by the public opinion, by creating public opinion and by the right to vote—which has been demonstrated in this country. It was the right to vote which removed a Government from this country. Therefore, nobody can say that armed rebellion is the.... (Interruptions)

DR. V. A. SEYID MUHAMMAD (Calicut): Who decides whether democracy is functioning or not?

SHRI SHANTI BHUSHAN: I am not going into the controversy as to who should decide. Of course, people decide. People know it; and they have decided it.

Shri Kamath raised the question of the meaning of the word 'status'. He said that unless the expression was defined, it was difficult to identify it.

I was wondering whether, if Shri Kamath is not defined, it will be difficult to identify him.

SHRI HARI VISHNU KAMATH: This is no answer at all. (Interruptions).

MR. SPEAKER: 'Status' is indefinable.

SHRI HARI VISHNU KAMATH: I am glad I am in good company.

(Interruptions).

SHRI SHANTI BHUSHAN: This concept of 'status' is not new to the Constitution, nor is it brought only by means of this Bill—because, as has been pointed out, the original preamble itself referred to 'status' of equality and 'status' of opportunity. It would not be possible to strait-jacket status by referring to caste or class, because we know that status is something which cannot be put in language or a definition. But one knows status. It may be based on caste or occupation, or on the basis of the fact that a person is living in a big city. It may be based on one's dress or wealth. There are so many things.

MR. SPEAKER: Membership of Parliament also.

SHRI SHANTI BHUSHAN: That is also there. I have nothing more to say on this.

MR. SPEAKER: Now we come to clause 10.

Clause 10—(Substitution of new article for article 71).

SHRI A. K. ROY: I beg to move my amendments, 60, 61 and 62.

Page 3, line 28,—

for "whose decision shall be final"

substitute "within three months" (60).

Page 3, line 23,—

omit "not" (81)

Page 8, line 41,—

add at the end—

"provided it is not more than ten per cent of the total electorate" (62)

This clause is concerned with the election of the President and Vice-President, that is, the highest posts in this country and it has been drafted with the least efficiency, I should say. It is very superfluous. I do not know, something is not becoming clear even in the sentences. It appears that our Law Minister is a very legal Minister. He has got great faith in the Supreme Court but the way he expressed his faith in the Supreme Court, I do not think, it does much credit.

MR. SPEAKER: I may tell the hon. Members that voting is not likely to take place today; it is likely to be tomorrow. Not that I want you to go out of the House; please remain.

PROF. P. G. MAVALANKAR: Till what time are we sitting today?

MR. SPEAKER: 7 O'clock; if you want to sit beyond that I have no objection.

SHRI HITENDRA DESAI (Godhra): At what time voting will take place tomorrow?

MR. SPEAKER: Just now it is not possible to say the time.

SHRI KRISHNA CHANDRA HALDER (Durgapur): Private Members' business is fixed for tomorrow at 3.30.

MR. SPEAKER: Voting is likely to take place in the morning... (Interruptions)

SHRI A. K. ROY: I have to bring a privilege motion against you, because by your announcement you have completely diluted the whole House. Take 71(1); all doubts and disputes arising out of or in connection with the election of a President

or Vice-President shall be inquired into and decided by the Supreme Court whose decision will be final, 'whose decision shall be final' is superfluous; it has no meaning at all. It means you have not got much faith in the Supreme Court. You are feeling insecure; there may be something different, above the Supreme Court? This thing has been inserted with a fear psychosis; these people are suffering from some sort of a fear psychosis. They have inserted this. I have put the words, 'within three months'. It must be stipulated because any controversy arising out of the election of the President or the Vice-President is a very important thing and it must be decided within a short time limit; it must be specified in the Constitution; it should not be in such vague terms, '...whose decision shall be final'. It is superfluous.

That the election of the President or Vice-President will become invalid is not a very normal phenomenon; it can only happen in abnormal situation, abnormal conditions. If we say that all the acts done by him between the time he was elected and a verdict is given by the Supreme Court, are valid, that will give a dangerous weapon to the future. That is why all the acts must be declared invalid. You know the election procedure of the President or the Vice President. There is not much scope for wrong doings there. Even then if the election is found to be not correct, some very wrong thing is going on in the political system of the country and so all the actions done by the President or the Vice President will be invalidated by reason of that declaration. So, 'not' must be deleted. Otherwise, during that period the illegally elected President or Vice-President may do many wrong things.

Then in clause (4) it is said that the election of a person as President or Vice-President shall not be called in question on the ground of the existence of any vacancy for whatever reason among the members of the electoral college electing him. The

[Shri A. K. Roy]

electoral college for the President and Vice-President consists of Members of Parliament and Members of State Assemblies. So, there must be some sort of stipulation. Otherwise, the Janata Government might think that the States are being ruled by different parties and they will find some way of seeing that all the State Assemblies are dissolved and then they will elect the President or Vice-President. Some others will find some other ways. That is why some sort of stipulation should be there. Here the electorate is limited and each vote has got a different value. That is why I have given an amendment that the vacancy should not be more than 10 per cent. For a referendum, they have said 51 per cent. Naturally the election of the President should be based on at least 90 per cent voting. That is my amendment.

SHRI SHANTI BHUSHAN: Two amendments have been proposed. One is the deletion of the expression "decision shall be final". The main purpose in keeping these words is that there should be no review in such matters so that there may not be any uncertainty. Once the Supreme Court has given its decision in such an election petition, it should be final.

SHRI A. K. ROY: After the Supreme Court gives its verdict, is there any other review?

MR. SPEAKER: There is review by the Supreme Court.

SHRI A. K. ROY: Supreme Court only can review; there is no other review.

SHRI SHANTI BHUSHAN: Even regarding Supreme Court in a matter involving the Vice-President and President, there should be certainty so that once the decision having been given, the scope of any review, second review or third review should not be possible, so that the entire

nation may know that the election is good or not good. The scope for review should not be there. There is review by the Supreme Court itself. The decision once given is final for all time.

Apart from that, if this was not there, when power has been given to Parliament to regulate any matter relating to or connected with the election of President or Vice-President by law, except that it would not be inconsistent with the provisions of the Constitution, theoretically at least it might have been opened to Parliament to say that even against the decision of the Supreme Court, there will be some other forum or the President will decide... (Interruptions).

MR. SPEAKER: Mr. Roy, please do not get into a debate.

SHRI SHANTI BHUSHAN: So far as this amendment that a period of three months should be incorporated in the provision is concerned, may I ask the hon. members to consider one thing. After all, there can be difficulties. Suppose evidence is not available. Suppose a crucial witness is lying ill. It may not be possible to conclude the case within 3 months and the jurisdiction of the Supreme Court would disappear. Therefore, it is not possible to accept the amendment.

SHRI R. VENKATARAMAN (Madras South): By merely putting in the words 'decision is final' can you take away the jurisdiction of the Supreme Court to review its decision, which is given to it under other provisions?

SHRI SHANTI BHUSHAN: That is a matter of argument. Perhaps the hon. member might like to argue it!

MR. SPEAKER: We shall take up clause 11.

Clause 11—(Amendment of Article 74).

SHRI A. K. ROY: I beg to move:—

Page 4, line 4,—

for “, either generally or otherwise,”

substitute “once” (63)

SHRI L. L. KAPOOR: I beg to move:—

Page 4,—

after line 6, insert—

“Provided further that the President shall not act on the advice of the Prime Minister on matters relating to the safeguards provided in the Constitution unless such advice has also been endorsed by the Minister for Scheduled Castes and Scheduled Tribes, exclusively and specifically appointed in the Council of Ministers to look after interests of the Scheduled Castes and Scheduled Tribes.” (154)

Page 4,—

after line 6, insert—

“Provided further that the President shall not act on the advice of the Prime Minister recommending dissolution of the House of the People unless such advice has been approved by a majority of not less than two-thirds of the Members of the Council of Ministers at a meeting specially convened after giving a fifteen days’ prior notice for the purpose.” (155)

SHRI R. K. MHALGI: I beg to move:

Page 4,—

after line 6, insert—

“Provided further that if the President is satisfied, after making such enquiries, as he deems fit, that such advice, tendered after such reconsideration, is violative of any of the provisions of this Constitution, he may refuse to act in accordance therewith.” (173)

SHRI SHAMBHU NATH CHATURVEDI: I beg to move:

Page 4, line 6,—

add at the end—

“except in case where he is required by the Constitution to act on his own satisfaction” (182)

SHRI KANWAR LAL GUPTA: I beg to move:—

Page 4, line 6,—

add at the end—

“failing which it shall be deemed after three days that the President has acted in accordance with the advice tendered after such reconsideration” (238)

SHRI SHYAMNANDAN MISHRA (Begusarai): I beg to move:—

Page 4,—

for clause 11, substitute—

“11. In article 74 of the Constitution, in clause (1),—

(a) for the words “who shall, in the exercise of his functions, act in accordance with such advice”, the words “in the exercise of his functions”, shall be substituted; and

(b) the following proviso shall be inserted at the end, namely:—

“Provided that the advice tendered by a Council of Ministers which has been rejected at the polls or has lost the confidence of the House of the People would not be considered as advice contemplated in clause (1) except in routine matters.” (276)

SHRIMATI PARVATHI KRISHNAN: I beg to move:—

Page 4,—

for lines 3 to 6, substitute—

“Provided that where the President considers that the

[Shrimati Parvathi Krishnan]

advice goes against the provisions of this Constitution, he shall give his reasons in writing and may require the Council of Ministers to reconsider such advice, either generally or otherwise, within a period of five days, and the President shall act in accordance with the advice tendered after such reconsideration." (283)

SHRI HUKMDEO NARAIN YADAV: I beg to move:—

Page 4, line 5,—

after "shall" insert—

"use his discretion and" (290)

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

Page 4, lines 4 to 6,—

omit "and the President shall act in accordance with the advice tendered after such reconsideration" (331)

PROF. P. G. MAVALANKAR: I beg to move:

Page 4, line 4,—

after "reconsider" insert "only once" (340)

SHRI A. K. ROY: Here, I am only wanting to say that the wording is vague, because, when the right to review, the right to return, the right to send something back for reconsideration is given, it has to be very clearly specified. For example, here you say "either generally or otherwise". It does not mean anything, or it may mean many things. So, such things should not be there in such an important clause, in such an important matter where there is some controversy between the Cabinet and the President. The President feels unhappy over certain enactments and he wants the Council of Ministers to review it. It is also an abnormal situation, it is not a normal situation.

The constitutional provision should be very clear. Yet it says "either generally or otherwise". It is not specific how many times the President may require the Council of Ministers to reconsider such advice. Suppose something is enacted and goes to the President and he sends it back. The Council of Ministers stick to their position and the President again sends it back. So, it must be specified how many times the President can send it back to the Council of Ministers for reconsideration. That is why I want that the term "once" should be there, and "generally or otherwise" should be deleted.

की सदन सदन कपूर : अध्यक्ष महोदय, मैं 154 और 155 नम्बर के दोनों संशोधनों पर एक साथ ही अपने विचार रख देना चाहता हूँ। इस संशोधन से बेरा उद्देश्य स्पष्ट हो जाता है। संविधान के अन्तर्गत सेइयूल्स कास्ट एंड सेइयूल्स ट्राइब्स के संरक्षण के लिए एक कमीशन बना हुआ है। वह इस काम के लिए बल और सार्थ नहीं है। वह एक रेकमेंडेटरी बाडी है और होम डिपार्टमेंट से उसका संचालन होता है। यह देखा जा रहा है कि ऐसी स्थिति में इस सदन में और सदन के बाहर भी इतनी बड़ी धावादी जो अनुचित जाति और अनुसूचित जनजातियों की है, उसकी सुरक्षा के लिए और उसकी बहुवृत्ति के लिए प्रायः तक कोई कारगर कदम नहीं उठाया गया और न ही उनके लिए कोई ऐसी व्यवस्था हुई है। प्रायः दिन उनके साथ जो धत्याचार और गत्याचार हो रहा है वह सबको विपत्ति ही है। होम डिपार्टमेंट के अन्तर एक छोटा सा विभाग है आफिसर्स का जो कि सेइयूल्स कास्ट एंड सेइयूल्स ट्राइब्स कमिशन की रिपोर्ट पर ऐश करता है और अपने मनमानी ढंग से करता है। इस सदन में भी यह मांग उठी है कि सेइयूल्स कास्ट एंड सेइयूल्स ट्राइब्स तथा गीकर सेवकों के लिए एक प्रलय से मिलिट्री का प्रावधान होना चाहिए और इसीलिए मैंने यह मांग की है कि प्रधान मंत्री के अन्तर्गत जो कैंबिनेट है उसके अन्तर सेइयूल्स कास्ट का एक मंत्री होना चाहिए जिससे कि उनके स्वामी की रक्षा हो सके और पुरजोर तरीके से उनके उत्थान के लिए उनकी सुरक्षा के लिए व्यवस्था वह करे ताकि उनके मन में एक आत्म-विश्वास ही कि हमारे लिए एक प्रलय मिलिट्री बनाई गई है।

असंबेडमेंट नम्बर 155 का उद्देश्य इतना ही है कि प्रधान मंत्री पर अंकुश लगाया जाये। यह देखा गया है कि 1969 में जब श्रीमती इंदिरा गांधी शासन में थीं, उस वक़्त वह अल्पमत में थी थी, लेकिन संसद की ङग करने की शक्ती केवर उन्होंने जाली गरी को बना रखने की कोशिश की। इसके साथ कितने निरंकुश ढंग से वह पैस धाई, वह सबको पता है। प्रायः कानून मंत्री

वहां मौजूद हैं। इन्होंने ही इनाइजाबाद हाईकोर्ट में चुनाव आयोग के विचारों को स्वीकृत कराया था। प्रधान मंत्री के विचारों को जबरन ठुकरा और उस जजमेंट से बचने के लिए सुप्रीम कोर्ट में जो मुकदमा चलाया गया उस मौके पर 7 अगस्त, 1975 को एकाएक संघ्या में इस सदन में बिल पेश किया गया और बहु बिल पेश करने के बाद बाकी रोज में सारी प्रक्रिया पूरी कर ली गई थी। हवाई अड्डा को तैयार रखा गया था कि रातों रात हवाई अड्डा से बिल को मेजर देश की विभिन्न विधान सभाओं से उसको पास करा लिया जाये। विधान सभाओं को रोके रखा गया और वहां पर बस्बानाजों में जो संसोधन पास किया गया उसको जल्दी से जल्दी हवाई अड्डा से मेजर विधान सभाओं से पास करा कर रातों रात संघ्या गया। 9 तारीख की रात को बहु भाषित पट्टा और 10 तारीख को सुप्रीम कोर्ट की सुनवाई होने वाली थी। 10 तारीख को सुबह राष्ट्रपति से इस्तफा करा कर उसको सुप्रीम कोर्ट में पेश दिया गया। यह सारी बातें सतनाती हैं कि कुत्तित हुन से काम करने का यह एक नमूना था। इसलिए मेधाहता हूँ कि प्रधान मंत्री पर एक ऐसा प्रकुल रखा जाये जिससे कि वे संसद सदस्यों को धमकी देकर अपना उल्का सीधा न कर सकें। तथा अपनी मनमानी करके देश तथा सार्वधान के साथ बिलबाइ न कर सकें। इसलिए मेरे इस ससोधन को स्वीकार किया जाना चाहिए। संसद पर या मजिमेंबल पर कोई एकाधिकार न हो पाये तथा शासन निरकुल न होने पाये तथा प्रजातन्त्र के उसूलों में लोगों को पूर्ण आस्था रहे तथा सदस्यों को सोचने बिचारने और अपनी राय समय पर देने की आजादी रहे—इसके लिए यह संसोधन आवश्यक है। इन्हीं मन्त्रों के साथ मैं अपना संसोधन पेश करता हूँ।

SHRI R. K. MHALGI (Thana): Sir, I have moved amendment No. 173. By clause 11, a proviso is being inserted in article 74(1). I would like to add one more proviso to article 74(1) of the Constitution, namely:

"Provided further that if the President is satisfied, after making such enquiries, as he deems fit, that such advice, tendered after such reconsideration, is violative of any of the provisions of this Constitution, he may refuse to act in accordance therewith."

I do stand by the concept of supremacy of parliamentary democracy but, at the same time, I earnestly desire that the provisions of the Constitution are not violated by the Council of Ministers in the advice they extended to the President. The recent past is

quite fresh in our minds. Therefore, it requires no more explanation. My amendment does not subscribe to the view that the President is merely a rubber stamp. The President has to preserve, protect and defend the Constitution under the oath of article 60. My amendment shall give an apt opportunity to the President to keep his pledge. I hope the Minister will accept my amendment.

SHRI SHAMBU NATH CHATURVEDI (Agra): My amendment is 182.

MR. SPEAKER: Your amendment is "Add at the end—

"except in case where he is required by the Constitution to act on his own satisfaction"—

There is no such clause in the Constitution that he can act ...

SHRI SHAMBU NATH CHATURVEDI: "Except in case where he is required by the Constitution to act on his own satisfaction"—this should be added after the clause. As has been stated here there have been occasions when the President, even against his will, had given his consent to certain proposals, which the Cabinet or the Prime Minister had recommended. The latest was when the Emergency was proclaimed. ...

MR. SPEAKER: If I am not disturbing you, is there any provision in the Constitution, where the President can act on his own discretion?

SHRI SHAMBHU NATH CHATURVEDI: I have said 'on his own satisfaction'.

MR. SPEAKER: The Governor can. But there is no provision in the Constitution .. Your amendment says.—I do not know how it was allowed—"except in case where he is required by the Constitution to act on his own satisfaction". My recollection of the Constitution is that there is no provision in the Constitution under which the President can act on his own satisfaction, unlike the Governor. But in the English Constitution, there are three occasions where he can do so. But that is a matter of convention and not a provision.

SHRI SHAMBU NATH CHATURVEDI If the President is satisfied

MR SPEAKER What are you referring to?

SHRI SHAMBU NATH CHATURVEDI 352

MR SPEAKER The President's satisfaction is that of the Executive and he has no separate satisfaction. Our Constitution has been interpreted by the Supreme Court that the President is merely a Constitutional head and that he borrows the satisfaction from the Cabinet. You better come to the next Clause.

SHRI SHAMBU NATH CHATURVEDI If he has no personal satisfaction in the matter, how is he going to defend and protect the Constitution and what is his oath about?

MR SPEAKER All this was considered by the Supreme Court and they have come to the conclusion that the President is merely a Constitutional head.

SHRI SHAMBU NATH CHATURVEDI He is a Constitutional head, that is alright. Mr. Mhargi has said it very clearly. But I have also said it in a different form. I say, 'on his own satisfaction'.

MR SPEAKER I am sorry for taking your time. Mr. Mhargi's amendment confers on him certain rights. Your amendment presumes that he has already the right. That is the difference between Mhargi's amendment and yours. Anyway, now that you have said

SHRI SHAMBU NATH CHATURVEDI I will say something about it. There have been two instances recently as I said just now and of course the latest was about the proclamation of Emergency. Even if the President was not satisfied that the circumstances existed for the proclamation of Emergency, he had to do it, even though it was not to his satisfaction. If satisfaction is derived because the recommendation of the Cabinet is there, then

this language should not have been used, because elsewhere they have said specifically that the President will be guided by the advice of the Cabinet. That is my contention and if the other interpretation is accepted, then it goes against the oath that the President takes for defending and protecting the Constitution. If he has no discretion in the matter and he has just to act as a rubber stamp, he violates that oath of office. This is my interpretation. In that case, he has to act against his conscience and which is violative of the Constitution. So I think this amendment should be accepted.

MR SPEAKER Mr. Kanwar Lal Gupta

SHRI KANWAR LAL GUPTA The clause 11 reads

'In article 74 of the Constitution, in clause (1) the following proviso shall be inserted at the end, namely —

'Provided that the President may require the Council of Ministers to reconsider such advice, either generally or otherwise, and the President shall act in accordance with the advice tendered after such reconsideration."

So the power of sending back to reconsider has been given to the President under the new clause. Previously, there was no power to the President for sending back for reconsideration. It is an important thing. I agree. But I want to add at the end

"Failing which it shall be deemed after three days that the President has acted in accordance with the advice tendered after such reconsideration."

Suppose the President does not act, as it happened a few months back. You will recall that when Mr. Jatti was the Acting President and he was asked to sign on the proclamation or the recommendation of the Governors for the dissolution of certain Assemblies, he was in a fix. For three or four days, he refused to sign. Some Minister went to him. He said, "I cannot sign." Later on, after some time, he

agreed to sign. So, I have added this proviso. We have had a bitter experience. Supposing, after reconsideration, the Cabinet comes to a conclusion and requests the President to sign it, the President does not sign it. That will be a funny situation as happened before. Therefore, I have moved this amendment. Supposing he refuses to sign, after three days, it will be deemed that the President has acted in accordance with the advice tendered after reconsideration. This is the solution I have suggested. We have had a bitter experience in the past. At that time, we did not know what used to be done because there was no provision in the Constitution.

I request the hon. Law Minister, Shri Shanti Bhushan, keeping in view the past experience, to provide this and accept my amendment.

I want to submit one thing more. For instance, a few years back, the Opposition got a majority in the Rajasthan Assembly and all the members were paraded before the President. They had a majority. But the Governor asked the former Chief Minister Mr. Sukhadia, to form the Government though he was not having a majority. But once he was appointed as the Chief Minister, then some members shifted from this side to that side and he got a majority.

I want to pose a question here. The President is supposed to act on the advice of the Council of Ministers. It is true in most of the cases. But in such a case, after the elections if there is no clear-cut majority with any party, then who will decide it? Supposing "A" is the Prime Minister at that time and he does not command a majority and he advises or asks the President to declare him as the leader of the House to form the Government, what will he do? That is a problem which I want to pose before the Minister. So, I think, there are certain functions of the President in which the President is supposed to act judiciously, not on the advice or on the direction of the Cabinet. These are the two problems.

Regarding my amendment, I think, keeping in view the past experience, the Minister should accept it.

18 hrs.

SHRI SHYAMNANDAN MISHRA: (Begusarai): Mr. Speaker, Sir, this, to my mind, is one of the most important Clauses in the Forty-Fifth Amendment which requires a very close attention of the House. My regret is that, neither the Government nor the various Groups and Parties in Parliament, have taken care to pay as much attention as this Clause deserves.

My amendment seeks to restore the position as it existed before the Forty-Second Amendment. That is, I would like the same position as was there before the Forty-second Amendment to be restored, namely there shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President in the exercise of his functions. If that had been done, if the Government were pleased to restore the position as it existed before, then I would not have come forward with the proviso which I have sought to add under this Clause.

Why do I say that it is one of the most important Clauses? It is because if the position is allowed to remain as it is now, my fear is that it may render the General Elections infructuous, it may render this House impotent and in fact the whole democratic policy may be thrown into a jeopardy. This position, Mr. Speaker, would make it mandatory upon the President to accept any advice from a Council of Ministers. That means, that even if a Council of Ministers is defeated at the polls it would still be competent to offer advice to the President. That is what I mean by saying that the whole General Elections can be rendered infructuous. Similarly, if there is any Council of Ministers which has been defeated in the House or which has lost the confidence of this House, then that Council of Ministers would also be competent to offer advice to the President. So, this House

[Shri Shyamnandan Mishra]

would be rendered completely impotent. After having thrown out the Government, the Government would still be in the position, and the Government might stick on for as long as the President might be pleased or, probably, as long as the Cabinet might recommend. There are other cases too which might be visualised.

Then, Mr Speaker, the proposed amendment that is being brought up by the Government is completely redundant. I do not agree with the view that the President did not possess this power earlier. May I refer this hon House to article 78? Article 78 gives the power of unlimited information to the President. I do not consider the President of India as a figure head, I consider him as the Constitutional head. The President has got the power of unlimited information. The President, if he so wants, can keep any government under check by this power of unlimited information. Article 78(c) says

" if the President so requires, to submit for the consideration of the Council of Ministers any matter on which a decision has been taken by a Minister but which has not been considered by the Council "

That power belonged to the President even earlier.

Then, would you kindly consider this position also that the President is not obliged to accept any advice from the Council of Ministers within a particular time? There is no time limit given, and during this period, the President can send for reconsideration and reconsideration—as many times as he likes. There is nothing preventing the President from submitting a matter for the consideration of the Council of Ministers. So, this is a completely redundant proviso that is sought to be brought up by the Government. And I think the government would reconsider this proviso if this is the position now.

Mr. Gokhale, the then Law Minister, had said what exactly the Forty-second Amendment had sought to do. The intention as Mr. Gokhale said was—to the other intention I will come a little later—that it was being done as a matter of abundant caution. But what I find is that it bristles with abundant troubles. I emphasise that this abundant caution may lead us to abundant troubles. He said that it was to ensure that the President would accept the advice without question. That is what they wanted to do. But, this position remains, and this was the practice followed since Independence. It was also confirmed by the various judgments of the Supreme Court. So, there was no need for bringing up an amendment of this section. But it appears there was a different intention and if I may say so of not a very creditable nature. Probably, the intention was that in any circumstance, the President must accept the advice. That was the intention. So, why should the government fall a prey to that intention? Why should the present government accept that position?

In the various judgments—this is my respectful submission and I will refer to only one or two of them—it had already been accepted that the President was the Constitutional head.

The position was accepted even in the latest case,

Shamsher Singh v State of Punjab. In this case a Bench of seven Judges had unanimously held that the President was only a constitutional head and he had to act on the advice of the Council of Ministers. In fact, Mr Speaker, you will kindly recall that in the case of *U.N Rao vs Shrimati Indira Gandhi*, the position taken by the court was that even after the dissolution of the Lok Sabha, there had to be a Council of Ministers. The challenge before the court was that after the dissolution of the Lok Sabha, there would not be the collective responsibility to the House and, therefore, there need not be any Council of Minis-

ters. But the Court held that there had to be a Council of Ministers because the President had to act only on the advice of the Council of Ministers. So, even after the dissolution of the Lok Sabha, the position taken by the court was that there had to be a Council of Ministers for the simple fact that the President had to act on the advice of the Council of Ministers. That being so, I really do not know what impelled the government not to accept this position.

The Forty-second Amendment makes, in my humble opinion, the obvious more obvious, but, at the same time, kills the unwritten part of the Constitution. The Constitution has two parts, the written and the unwritten part; the unwritten part of the Constitution depends upon the conventions.

Now, after having taken the position that every advice of the Council of Ministers has to be mandatory and has to be accepted by the President, the amendment incidentally kills the unwritten part of the Constitution. The unwritten part of the Constitution was...

MR. SPEAKER: The hon. Member's time is up.

SHRI SHYAMNANDAN MISHRA: I have not spoken on the Constitution Amendment Bill.

So, Sir, may I also bring to the notice of the government what Mr. Justice Krishna Iyer said in the Shamsher Singh's case? That makes the position quite clear. Here, Mr. Justice Krishna Iyer said:

"We declare the law of this branch of our Constitution to be that the President and Governor, custodians of all executive and other powers under various Articles shall, by virtue of these provisions, exercise their formal constitutional powers only upon and in accordance with the advance of their Ministers save

in a few well-known exceptional situations. Without being dogmatic or exhaustive, these situations relate to (a) the choice of Prime Minister (Chief Minister), restricted though this choice is by the paramount consideration that he should command a majority in the House, (b) the dismissal of a Government which has lost its majority in the House but refuses to quit office; (c) the dissolution of the House where an appeal to the country is necessitous, although in this area the Head of State should avoid getting involved in politics and must be advised by his Prime Minister (Chief Minister) who will eventually take the responsibility for the step. We do not examine in detail the constitutional proprieties in these predicaments except to utter the caution that even here the action must be compelled by the peril to democracy and the appeal to the House or to the country must become blatantly obligatory."

In view of these situations which cannot be taken care of by the present amendment, I would appeal to the government to accept my amendment. In the first instance I would request them to restore the position as it existed before. With that will come to life the Conventions. All the judgments of the Supreme Court also confirm the manner in which this House would like the President to function. Secondly, if the government does not propose to do that for any reason, then they should accept the proviso that I have suggested in the place of their proviso. Their proviso is not at all necessary. That does not mean anything. That does not carry any sense. So, I would ask them to accept my proviso. But my first request—that would probably meet the position much more effectively—would be that the pre-Forty-second Amendment position should be restored. I do not think it necessary to read out my amendment because it is before the hon. Members. So I leave it there and I hope the government would consider the matter fully.

SHRIMATI PARVATHI KRISHNAN: We have given notice of this amendment not because that the amendment is important but because we wanted to get an opportunity to speak on this clause as we vehemently oppose this whole clause. We consider in the spirit of the Constitution as pointed out by Mr. Mishra, the President is the constitutional head of the government and, therefore, the parliamentary system that has been established has to be further strengthened and here the accountability to Parliament of the Council of Ministers and Parliament to the people is what is being weakened. This is what will happen. Already in this country we have seen operating, even within the Parliament and outside, various lobbies—the sugar lobby, the monopolists' lobby, the multi-national corporations' lobby and so on—and various discussions taking place as to how these lobbies function and now you want to create a President's lobby also.

The point is that when the Council of Ministers tender their advice if the advice is wrong, to whom are they accountable? To the people of this country and the Parliament. And that is why we think and consider that this proviso is a proviso that goes against the whole spirit of strengthening parliamentary democracy and it goes against the spirit of the idea that the Council of Ministers are accountable to the Parliament who in turn are accountable to the people. It is in that spirit, and it is for the Parliament to question what is right and what is wrong and to come to a decision on the basis of that.

Therefore, for this reason we oppose this whole clause.

श्री सुकन देव भारद्वाज बाबू : अध्यक्ष महोदय यह बहुत ही गम्भीर प्रश्न है। मैं कानून का कोई जानकारी नहीं हूँ लेकिन हिन्दुस्तान के एक साधारण नागरिक की दृष्टि से मैं यह सोचता हूँ कि प्रश्न यह पैदा होता है कि राष्ट्रपति और मंत्रि-मंडल, इन दोनों में क्या फर्क है। सञ्चयन में जो कहा गया है, उसके मन्त्र में मैं यह निवेदन करना चाहता हूँ कि जब राष्ट्रपति

मंत्रि-मंत्रि-मंडल की इच्छा के विपरीत कुछ नहीं कर सकता, तो फिर राष्ट्रपति को रखने की उपयोगिता क्या है। किस लिए इतना बड़ा मकान और इतना खर्चा पैसा खर्च करके एक आदमी को बैठा करके रखें और उसको कहें कि करना होगा वही जो हम कहेंगे। जब करना होगा, वही जो हम कहेंगे तो उनसे क्यों मोहर लनवाएंगे, प्रधान मंत्री ही मोहर लगा दें, बस। आज संसदीय लोकतंत्र में यह विचारणीय प्रश्न है। यह जो संविधान का सञ्चयन है, यह कहा जायगा कि इसे संसद ने पास किया है। लेकिन क्या संसद से पास किया है ? इसमें बहुत ऐसी क्लार्किंग है जिन पर संसद में मनवाना होगा। कहा जाता है कि संसद सर्वोपरि है। संसद सर्वोपरि है जनता पर। लेकिन क्या संसद वास्तव में सर्वोपरि है ? नहीं ? संसद पर सर्वोपरि बहुमत वल है जिसके आधार पर कानून पास होता है। लेकिन क्या बहुमत वल सर्वोपरि है ? नहीं। बहुमत वल पर मंत्रि-मंडल सर्वोपरि है जिसके आदेश पर हमको भी नाक रगड़ कर बोट देना ही पड़ेगा। लेकिन क्या मंत्रि-मंडल सर्वोपरि है ? नहीं। मंत्रि-मंडल पर प्रधान मंत्री सर्वोपरि है जिसकी इच्छा के अनुसार सम्पूर्ण मंत्रि-मंडल को चलना होगा। तो संसदीय लोकतंत्र में यह भी एक विचारणीय प्रश्न पैदा होता है। आज एक आदमी प्रधान मंत्री जो चाहें उसकी मंत्री के अनुसार राष्ट्रपति बने, समझ बने, सारा देश बने, यह लोकतंत्र का मूल्य बहुत क्षयमान है। प्रधान मंत्री अपनी मंत्री के अनुसार इशारा कर दे और मंत्रिमंडल पाम कर दे। जैसे हम लोगों की राय के अनुसार बात ही जाय तो संसद के बहुमत सबको की राय होगी कि प्रिवेटिज डिटेन्शन को खत्म कर दिया जाय। लेकिन मंत्रि-मंडल के कुछ मंत्री चाहेंगे भी कि प्रिवेटिज डिटेन्शन खत्म हो किन्तु प्रधान मंत्री कहेंगे कि नहीं, इसको नहीं खत्म होना है तो वह नहीं होगा। इसलिए मैंने यह सञ्चयन दिया है कि राष्ट्रपति को यह अधिकार रहना चाहिए कि स्वविवेक से काम करने का। मैंने सञ्चयन दिया है कि मन्त्रणा के अनुसार स्वविवेक से राष्ट्रपति काम करेगा। राष्ट्रपति को इतना अधिकार जम्बर रहना चाहिए क्योंकि प्रधान मंत्री ही, मंत्रिमंडल ही या बहुमत वल ही, सत्ता की भ्रष्टाचार से काटा जा सकता है, हिन्दुस्तान की समस्या इसकी साथी है। हिन्दुस्तान की संसद ने बहुत बड़का भीषण सञ्चयन किया है। हिन्दुस्तान की संसद ने इन से दुविधा देखे है। हिन्दुस्तान की जनता और संसद को फिर कभी वैसे दुविधा न देखने पड़े इसके लिए यह प्रावधान रहना चाहिए।

मैं एक ही निवेदन करके समाप्त करूँगा कि मंत्रिमंडल या प्रधान मंत्री अगर एक आदेश का कोई प्रस्ताव ले जाय कि यह मंत्रिमंडल भारत के वर्तमान संविधान को समाप्त करता है तो राष्ट्रपति के सामने पारा नहीं है कि वह कहेंगे कि मंत्रिमंडल पुनर्स्थापित करे। लेकिन फिर जाएँगे कि हम अपने उस प्रस्ताव पर अग्रिम हैं तो

राष्ट्रपति को भी मोहुर लगानी पड़ेगी। संविधान का अर्थ है, कि इस संविधान को लागू किया जाय इसलिए संविधान को लागू करने के अलावा पर मोहुर लगाने के सिवाय राष्ट्रपति के सामने और कोई बारा नहीं रहेगा। इसलिए मैं निवेदन करना कि अगर राष्ट्रपति को इस तरह से कठघरे में बैठा करके प्रश्न सत्र में बन्द करके रखा है तो फिर उसके पत्र पर और भाषित पर हस्ताक्षरों और साक्षों लपका खर्च करने हमारी गरीब जनता का पैसा बरबाद क्यों करेंगे? यह पैसा तो कर हमारे जेबों में पानी की दे देते तो हम समझे कि प्रधान मंत्री की तानाशाही रहे तो रहे, हमारे जेबों को पानी तो मिलेगा। इसलिए मैं यह कहना कि यह बिल्कुल निरर्थक बनता है एक व्यक्ति को एक शासनी की जो अपनी राजनैतिक और स्वार्थपरता की विचारधारा से प्रभावित होकर काम करेगा।

SHRI B. C. KAMBLE: I have moved an amendment to say that "the President may act in accordance with the advice tendered after such reconsideration." Should be omitted. This is a very serious amendment. Government should look at it from an impartial point of view. I submit that the parliamentary system of Government is being tested, so far as the provision in Article 74 is concerned. 'Parliament' means both the Houses put together, plus the President. Parliament is not without the President; and the President has certain prerogatives. And there are two prerogatives. And I am quite sure the hon. Law Minister will not be able to say that the President does not possess these two prerogatives at all. Those prerogatives cannot be taken away by both the Houses put together, or by the Council of Ministers, or by anybody—if you want the parliamentary system of Government to function in this country. Therefore, apart from the question of humiliation of President when you make a provision that whatever advice is given shall be binding, it is unconstitutional. The President represents the State and the Prime Minister represents the Government. The State is a permanent machinery and therefore the Government cannot encroach upon the State, just as Indira Gandhi Government encroached upon the State; both the government and

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the state were rolled together. That was political corruption, namely, rolling the state and the government together. The two prerogatives of the President, namely, to summon the leader to ask him to form the Government and declare the Lok Sabha as dissolved belong only to the President and nobody else, not even to the Council of ministers, not even Prime Minister even though for the purpose of government the President is the constitutional head. The government or even the two Houses together cannot touch those prerogatives. Because the two Houses together, plus the President—they constitute Parliament. Parliament consists of three entities the two Houses plus the President. The President, by himself, that office by itself is a separate identity. When you say that the President can refer for reconsideration, that is no consideration for the President. Therefore, my submission is that in case there is likely to be conflict between Prime Minister's advice and the President's views, we shall go the way Pakistan went. There also the conflict came between the powers of the President and the powers of the Prime Minister.

That was the position in Pakistan. I should like to warn the government to consider this matter very seriously and if you want to go the way Pakistan went, you can go on in that way in regard to this question.

PROF. P. G. MAVALANKAR: I must say that quite interesting and instructive arguments have been advanced on this very important article, namely 74. Undoubtedly, it is one of the very important articles of our Constitution because it discusses the relationship between the President and the Council of Ministers. You, Mr. Speaker, said just now that the Supreme Court had already opined that the President is supposed to be acting as a constitutional head...

MR. SPEAKER: Except on three matters mentioned.

PROF. P. G. MAVALANKAR: I am bound to strike a slightly different note on this. As I see it in my humble way, I think, as it is, the powers and responsibilities of the President in the manner in which they have been enunciated and outlined by the founding fathers of the Constitution do not really make the President entirely a constitutional head, although it is true in practice he is supposed to be acting like the British monarch in the British system of democracy. But I say there is a certain difference between the British head of constitutional democracy, and the Indian head. The British head is hereditary and permanent. In India it is not so. Therefore, you cannot say that the Indian President would be 100 per cent like the British monarch, totally, in theory and practice, as a constitutional head. There is some difference. A greater sense of involvement and even certain constitutional manoeuvrability, if I may put it that way, on the part of the President, to act especially in times of difficulties and crisis....

MR. SPEAKER: Your amendment is not that.

PROF. P. G. MAVALANKAR: I will have to explain my point of view. Talking about the British monarch it was Walter Bagehot who in his classic work, "The English Constitution" written during the 19th Century Britain, outlined three main rights of the British monarch: right to be informed, the right to encourage and the right to warn. The President in India has undoubtedly the right to be informed; he has also the right to encourage, but I am afraid the right to warn is completely taken away if you make him completely bound by what Council of Ministers says. Therefore, the Indian Constitution is slightly different. The Indian President is also elected, although indirectly, unlike the British Queen who is hereditary. The Prime Minister is not only elected, but also supported by a

majority in the Lok Sabha. Naturally, his view must prevail over that of the President. In view of our recent experience, particularly since 1971 onwards, the Janata Government has, it seems to me, brought this amendment saying that the President shall have the power to ask the Council of Ministers to reconsider their decision on any point. But the Government amendment does not specify whether the President can ask for such reconsideration any number of times or only once. On balance, it seems it is good to leave some area of commenting, suggesting and even initiating by the President through this process of reconsideration, on the basis of the decision of the Council of Ministers. To that extent it is good, because the President is not made a complete rubber stamp. But I want the Law Minister to clarify whether the President can ask for reconsideration only once or more. I am not a legal pundit, not even a lawyer, I am at best a lawyer's son.

MR. SPEAKER: There is lawyer's blood in you.

PROF. P. G. MAVALANKAR: It seems to me that the amendment suggested by the Government leaves some doubt, and that the President may consider that he has the right to ask for re-consideration more than once. That is why I have mentioned in my amendment "only once". If the Council of Ministers reconsiders it and says "We stick to our original decision" or "We agree to your suggestion", then that must be the end of the matter. Otherwise, you will create a sort of built-in confrontation between the President and the Prime Minister. I want to avoid that.

SHRI RAM JETHMALANI: I hope the hon. Minister is aware of the provision in the General Clauses Act which says that the right to do a thing means the right to do it again and again.

SHRI SHANTI BHUSHAN: Sir, a number of hon. members have given amendments to this clause and I propose briefly to reply to the points they have made. As in respect of the other clauses, I find that Mr. Roy is the first who has given an amendment. In fact, when I find that he is giving amendments and speaking on possibly every clause and wanting to reform this Bill so much that I am reminded of Raja Ram Mohan Roy and I wonder whether he has any affiliation with Raja Ram Mohan Roy who was such a great reformer. He has also raised the same question raised by Prof. Mavalankar as to whether the clause which is sought to be introduced is not vague. When we drafted this clause, we had carefully considered it. The original draft did contain the words 'only once' but after reconsideration and deeply pondering over it, it was put in a manner which, without mentioning 'once' because it might be jarring, produced the same idea in a more dignified language, namely, through the proviso which says "... and the President shall act in accordance with the advice tendered after such reconsideration". He shall act on that advice, which means, when the reconsidered advice reaches the President, he has no discretion in the matter. Expressly it says that he shall act as per the advice tendered after reconsideration. Therefore, there is not the slightest doubt that he can ask for reconsideration only once. That is on account of the reason that Prof. Mavalankar pointed out, namely, the prerogatives of the British monarch—right to be informed, which has been expressly recognised in the Constitution—Shri Shyamnan-dan Mishra has referred to the article—right to encourage and right to warn. Prof. Mavalankar was wondering whether the right to warn which was possessed by the British monarch had been taken away from the President. May I ask the hon. Member to consider what this asking for reconsideration is? Does it not mean that when an advice is tendered by the Council of Ministers, if the President has the feeling that for some

reason it is not appropriate and there can be certain consequences, he warns? The right is only to warn the Council of Ministers. He says: "Look here, you had better reconsider because these are likely to be the consequences, these results are likely to flow." Therefore, the right which is now being conferred by the proviso and sought to be included will include right to warn, because, after all, he is the highest functionary elected in a manner. Therefore, he must have a role. No doubt, the Council of Ministers is responsible to this august House and there cannot be a confrontation between the Council of Ministers and the President, the Council of Ministers must have effective power, but the President's function to warn, to encourage, to initiate, to advise and to ask for reconsideration should be there and that is being maintained.

Shri Kapoor has given two amendments the first saying that in the matter of the Scheduled Castes and Scheduled Tribes, the Prime Minister's advice should not be binding on the President.

MR. SPEAKER: If the Prime Minister himself is a Scheduled Caste man?

SHRI SHANTI BHUSHAN: The whole question is that there cannot be any distinction between one function and another. In respect of all the functions of the Government, the Government is responsible to this august House and through this august House to the people of this country and therefore that responsibility being there, no distinction between one function and another can be recognised.

Similarly, in the matter of the dissolution of the Lok Sabha, he wants two-thirds majority of the Council of Ministers. I submit that is not an aspect which need be considered.

Shri Mhalgi's amendment is that if the advice given by the Council of Ministers is against the Constitution, the President should have the power to disregard it. The question would

[Shri Shanti Bhushan]

arise again who would determine it, because, after all, we know that in so many cases there are genuine differences of opinion even among the Judges of the courts as to what exactly is the provision of the Constitution and whether this course of action or that is in accordance with the Constitution. If such a principle was recognised and such a power was given to the President, it would create the kind of confrontation which Shri Mavalankar said must not be there. If there is such a dangerous provision, one would not know where one would land.

Shri Chaturvedi has given an amendment stating "except where required to act on his own satisfaction". That was a matter which even the Supreme Court has made clear. In fact, soon after the Constitution was adopted in this country, this question had been raised by the then President, Dr. Rajendra Prasad, and it was referred by the then Prime Minister for advice to the distinguished Attorney General, Shri Setalvad, and Mr. Alladi Krishnaswamy Aiyar. Both were learned pundits in constitutional law. They unanimously held that the Constitution which had been adopted in this country was parliamentary democracy on the British pattern where the Council of Ministers which was responsible to the House exercised effective power, and the President could not be an alternate or parallel centre of power. And the view has always been upheld, and even recently when the Supreme Court decided the case to which Shri Shyamnandan Mishra was pleased to refer, by a unanimous judgement this position of the President was recognised and the distinction between the Governor and the President was indicated. So far as the Governor is concerned, he has some functions to discharge in his own discretion, and others in which he is bound by the advice of the Council of Ministers. So, such an amendment would be completely superfluous, not in accordance with the scheme of things.

Shri Kanwarlal Gupta has moved an amendment. In view of a certain event which happened in this country, he wanted an express provision to be introduced that if the President delays beyond three days, he would be deemed to have accepted and acted in accordance with that advice. But the position is that even the President is bound by the Constitution. If the constitutional provisions are very clear that he is bound to act on the advice of the Council of Ministers, there need not be any suspicion, because naturally the Constitution cannot provide a safeguard against somebody not functioning in accordance with the Constitution. The provision is very clear and if any President chooses to disregard such a constitutional provision, he renders himself liable to impeachment proceedings. Therefore, I would appeal to the hon. Member. Even in the case he has in mind, he would know that it was the provision of the Constitution which asserted itself. Wherever there are such clear constitutional provisions, we need not really contemplate disregarding or flouting of them, so that there need not be any provision for such a safeguard in this connection.

SHRI KANWAR LAL GUPTA: There was a case where you faced a difficulty.

SHRI SHANTI BHUSHAN: We also know the result of the case.

SHRI KANWAR LAL GUPTA: The remedy you have told us is impeachment. For impeachment certain conditions have to be fulfilled. It is possible that the party in power may not command that majority to impeach a President. Then what is the remedy?

SHRI SHANTI BHUSHAN: I want to assure the hon. Member that when it comes to the question of flouting such a provision of the Constitution, it will cease to be a party affair, the whole House will be one and they are bound to uphold the Constitution because, after all, everyone has pledged

himself to the Constitution. But, apart from that, such safeguards can really serve no purpose. As has been stated on so many occasions, it is not the letter of the law which matters.

MR. SPEAKER: It is the character of the people that counts.

SHRI SHANTI BHUSHAN: Public opinion asserts on such occasions and nobody can afford to disregard the force of public opinion.

Shri Shyamnandan Mishra has also given certain amendments and I would like to refer to them. Firstly, of course, he said that the original article 74 did not contain an express provision that the President was bound by the advice of the Council of Ministers and why it should not be restored. Now it is true that even when that article was there, the view of the constitutional pundits like Shri Setalvad and Sir Alladi Krishnaswamy Iyer and of the Supreme Court in Shamsher Singh's case was that even though an express provision was not there, that was implicit; otherwise, such a provision might have been needed. But once a change was made, the then Law Minister said in the House that the change was made only by way of abundant caution, to make explicit what was implicit. Now if you delete that change and you go back to the original position deliberately, if there is no change between the two positions, in that case such a change now would not be called for, because just as the earlier change was without any purpose, the change now would also be without any purpose. But, in this change there will be a tendency in some quarters to read some meaning, and then one could say that perhaps Parliament was not satisfied with this position, with this express provision and, therefore, it is going back on it. Therefore, I would like to inform the hon. Member that even though in Shamsher Singh's case the Supreme Court took the view unanimously by seven Judges, there was a certain period during which a doubt

had been cast about the meaning of article 74, and a certain view had been expressed even in the Supreme Court, that there can be certain functions with regard to which the President was not concerned with or bound by the advice of the Council of Ministers. There is a line of such cases and perhaps the hon. Member is aware of them.... (Interruptions) I am not merely contemplating that. There was a stage in which certain decisions.... (Interruptions) So far as the other aspects are concerned, I will deal with them. But, at a certain stage, a much wider area was sought to be indicated for the functioning of the President.

SHRI SOMNATH CHATTERJEE:
Sardari Lal's case.

SHRI SHANTI BHUSHAN: There was a stage when such a view was taken about the constitutional power. Unlike the executive power, it there is a constitutional power, articles 309, 311 and others, when a constitutional power is conferred on the President, then he may not be bound to act in accordance with the advice of the Council of Ministers. About that kind of theory, a certain doubt was raised in 1950 by the then President. That theory again raised its head at a certain period. There are cases; I will tell you those cases. Chief Justice Subba Rao had indicated that line in certain cases, much earlier than Shamsher Singh's case.

SHRI SOMNATH CHATTERJEE:
Sardari Lal's case said that he will not take the Council of Ministers' advice.

SHRI SHANTI BHUSHAN: He had drawn a distinction between the executive functions and the other constitutional functions of the President. And he said that in exercise of those functions which are not purely executive functions, which may be regarded as Constitutional functions, the President is not bound to act in accordance with the advice of the Council of Ministers.

SHRI SHYAMNANDAN MISHRA
May I draw the attention of the Minister to this? Right from Ram Jawaya case, then in the Sajeevi Naidu case and then again in UN Rao Vs. Indira Gandhi case and then Shamsher Singh Vs the State of Punjab, in all these cases the Supreme Court has held that

MR. SPEAKER Whatever the doubts might have been expressed earlier, the Supreme Court has firmly ruled that he is a Constitutional head

SHRI SHYAMNANDAN MISHRA
Yes That is the Constitution Then why bring in

SHRI SHANTI BHUSHAN My point is if after Shamsher Singh case and when that position was made explicit by the 42nd Amendment if the Parliament made a change again and went back to the old position there was a possibility of somebody reading it as a meaningful amendment

SHRI SHYAMNANDAN MISHRA
No, No (Interruptions)

SHRI SHANTI BHUSHAN and confirming the view which has been held by Justice Subba Rao. However, there need not be such controversy on this because so long as the hon Member agrees if it is merely a matter of language, so long as the effective position is the same he has also agreed that the real correct constitutional position is that the President is bound by the advice of the Council of Ministers and whether it is expressly said or not expressly said there, I submit that

SHRI SHYAMNANDAN MISHRA
My submission is, it has the effect of killing the unwritten part of the Constitution

SHRI SHANTI BHUSHAN I am coming to that Now, I can appreciate the hon Member's anxiety

that if a defeated Council of Ministers viz, even after the dissolution of the House, because the Constitution requires that there shall always be a Council of Ministers, so that even when the House has been dissolved, and prior to the holding of the elections, there is a certain period during which there is no House, there is no Lok Sabha, yet the Council of Ministers has got to be there and the President during that period also is bound by the advice of the Council of Ministers. What the hon Member has in his mind his anxiety is should the President be still bound by the advice tendered by such defeated Council of Ministers if it is defeated at the polls. That is one contingency. The second contingency that the hon Member has in his mind is that if a Council of Ministers is defeated on the floor of the House a No-Confidence Motion is adopted against the Council of Ministers and yet that Council of Ministers instead of choosing to resign purports to tender advice to the President whether the President even in such circumstances would be bound to act in accordance with the advice of the Council of Ministers

श्री राज नारायण (रायबरेली) बीमन मैं आपके ध्यान में एक सवाल पेश करना चाहता हूँ श्री प्रतिपक्ष की इसका जवाब दें कि वह कौन सा प्रोजेक्शन था जब प्रथम राष्ट्रपति श्री राजेन्द्र प्रसाद जी ने यह कहा कि राष्ट्रपति केवल एडविसरी नहीं रहेगा ?

मैं यह सवाल रखने से याद है कि जब लिम्बत का मसाला था तो राजेन्द्र बाबू की राय थी

MR. SPEAKER What is the significance of this?

श्री राज नारायण मैं यह कह रहा हूँ कि राजेन्द्र बाबू ने उन घमन पर कहा कि राष्ट्रपति की एडविसरी को भी कमीशन कर देना चाहिये क्योंकि राष्ट्रपति अगर केवल एडविसरी ही तो जो हमारे मित्र श्री इन्द्रम देव नारायण बाबू ने कहा है, उनकी बात सही मानी जायेगी। मुझे यह है तीन वाक्य राजेन्द्र बाबू ने कहे हैं—

भारत सरकार ने चयनकर चुन की लिम्बत पर बीम का कच्चा कदल करके, भारत की

उस युग का कल भीमना है चीन के हमने के रूप में। भारत को प्रायश्चित्त करना पड़ेगा सिविल को आजाद कराकर।

मैं राजेन्द्र बाबू को वोट कर रहा हूँ। जब चीन का हमला हुआ तो उन्होंने कहा—“कमोहन रेखा भारत-तिब्बत की सीमा रेखा थी, न कि भारत और चीन की।” राजेन्द्र बाबू उसके खिलाफ थे, मगर उनको कर्पस किया गया बिना वह उस समझौते को मानें।

मान लीजिये उसके समान और प्रधान था थाये, जब राष्ट्रपति की राय भिन्न हो। यह नहीं माना जाना चाहिये कि मखिमल की राय ही सही और जस्ट है, कभी-कभी राष्ट्रपति की सलिल राय भी राष्ट्रीय मुक्तेश्वर से जस्ट और सही हो सकती है।

मेरे जानना चाहता हूँ कि इसको कही श्री मारिप्रपण जी गुजैरा देगे या नहीं देगे ?

SHRI SHANTI BHUSHAN: I would like to draw the attention of the hon. Member to article 75 of the Constitution which follows on the heels of article 74 because it contemplates the special power of the President in two matters. One is the appointment of the Prime Minister and the other is that the Council of Ministers or the Ministers hold office during the pleasure of the President with the result that even the power to dismiss a Council of Ministers is vested in the President. It is obvious, when the President has the power to dismiss a Council of Ministers, in the matter of dismissal, he is not supposed to be governed by the advice of the Council of Ministers because it is the Council of Minister....

MR. SPEAKER: How do you spell it out? You earlier said that there was no discretionary power with the President. If that is so, how does it follow?

SHRI SHANTI BHUSHAN: In the matter of appointment or choosing of a Prime Minister, after the Council of Ministers has tendered its resig-

nation, so far as the new Prime Minister is concerned, the new Prime Minister is not to be chosen by the President on the advice of the outgoing Council of Ministers. That is obvious. Because the President has been given the power to appoint a Prime Minister and, obviously, that is the special power which has been contemplated by the Constitution and, in the matter of choosing a Prime Minister, the President is not to be governed by the advice of a defeated Council of Ministers.

For instance, if a party loses elections and, therefore, the Council of Ministers tenders the resignation and the other party, thereafter, has to be inducted in office, can anybody say that the President will have to consult the outgoing Council of Ministers as to which person belonging to the new party which has won the elections has to be invited to take oath as the Prime Minister? Therefore, so far as article 75 is concerned, it is a special provision. It would not be governed by article 74 for the simple reason that it is a special provision. The principle is well-known that if there is a general provision, it does not cover a special provisions. So far as article 75 is concerned, the Prime Minister shall be appointed by the President. I submit that nobody can argue that even in the matter of appointing a Prime Minister the President will have to obtain the advice of some Council of Ministers and then choose a Prime Minister.

SHRI SHYAMNANDAN MISHRA: By making the advice of the outgoing Cabinet mandatory on the President, you are doing that.

SHRI SHANTI BHUSHAN: That will leave article 75 absolutely unaffected.

[Shri Shanti Bhushan]

Similarly, when a Council of Ministers is defeated at the polls and does not choose to resign, even though it does not enjoy the confidence of the new House or even in a case where a vote of No-Confidence has been passed in the Council of Ministers and the Council of Ministers refuses to resign, even there, I submit, the President would be fully within his rights in dismissing the Council of Ministers.

SHRI SHYAMNANDAN MISHRA: How? Where are the powers?

SHRI SHANTI BHUSHAN: Article 75 is an express provision that the Ministers hold office during the pleasure of the President. That is clause (2) of article 75. Of course, the President has to act in a constitutional manner ..

MR. SPEAKER: May I point out one difficulty? If your argument is correct, then article 74 becomes superfluous because, if the President does not accept the advice, all that he needs to do is to dismiss the Ministry and appoint another Ministry.

SHRI SHANTI BHUSHAN: No, no. I must make it clear that he does not have the power to dismiss the Council of Ministers in all circumstances. It is not contemplated because the Council of Ministers is responsible only to the House. Therefore, so long as the Council of Ministers continues to enjoy the confidence of the House, till then the President's power to dismiss the Council of Ministers does not arise.

MR. SPEAKER: Please see clause (2) which says "The Ministers shall hold office during the pleasure of the President".

SHRI SHANTI BHUSHAN: It is well known that all the provisions of the Constitution have to be construed

harmoniously. There is an express provision of the Constitution that the Council of Ministers shall be responsible to the Lok Sabha and, therefore, if the Council of Ministers is responsible to the Lok Sabha, it follows by implication that such a Council of Ministers should function which enjoys the Confidence of the Lok Sabha. If a Council of Ministers which continues to enjoy the confidence of the Lok Sabha is dismissed by the President, under article 75, in that case, the President would not be acting in accordance with the Constitution because he would be violating the express requirement. Therefore, this power of the President is to be exercised only in accordance with the provisions of the Constitution....

SHRI DHIRENDRANATH BASU (Katwa): Sir, you will remember, when Pandit Jawaharlal Nehru was the Prime Minister of India and Dr. Rajendra Prasad was the President, the Hindu Code Bill was sent back twice. So, the President can ask for reconsideration as many times as he wants ..

MR. SPEAKER: That point has been covered by him.

SHRI RAM JETHMALANI: Suppose the Prime Minister or the Cabinet is defeated on the floor of the House and the Cabinet advises dissolution of Parliament, what happens?

SHRI SHANTI BHUSHAN: Does Mr. Jethmalani want to constitute me into a Supreme Court? Because it is not these academic questions which are under consideration..

SHRI SHYAMNANDAN MISHRA: All the powers of the President will have to be exercised in accordance with article 74. That is the essence of the Constitution. (Interruptions)

SHRI SHANTI BHUSHAN: It is not a question of anybody's thinking. The President has to act in accordance with the Constitution.

SHRI VASANT SATHE (Akola): That contingency is no more hypothetical because it is likely to happen very soon. What will you do?

SHRI SHANTI BHUSHAN: So far as the Council of Ministers which has lost a general election or against which a no-confidence motion has been passed in the House continuing to function and advise is concerned. (Interruptions)

AN HON. MEMBER: If a motion has been tabled?

SHRI SHANTI BHUSHAN: It is only when a motion of no-confidence has been adopted, so that the Council of Ministers has lost the confidence of the House; then, the President would be perfectly entitled to dismiss that Council of Ministers, whether that Council of Ministers tenders its resignation or not. (Interruptions)

SHRI D. N. TIWARY (Gopalganj): Suppose a no-confidence motion has been tabled in the House and has not been discussed, or is to be moved in the House, and the Prime Minister goes and asks the President to dissolve the House. What happens?

MR. SPEAKER: There is also another thing. Suppose somebody knows that the Prime Minister will advise. You move a no-confidence motion so that he may not advise dissolution.

SHRI VASANT SATHE: In anticipation of a no-confidence motion, as the condition stands now, suppose the Prime Minister were to go and advise the President to dissolve. What will you do?

SHRI SHANTI BHUSHAN: It is quite clear that, except in these two contingencies....

श्री सुशीला नयार (झाँसी): इसमें कीमती, कठिनिपत्तन है। यह जो स्पेसिफिकली प्रेसीडेंट की पारर बिसेट की कम्पलीटली चीन रहे हैं, स्पेसिफिकली यह कह कर कि एक बार केसके को रिज्यू करके फिर कमीशन की सहाय्य आप ही यह प्रेसीडेंट को माननी

ही पड़ेगी, उसके बाव यह कहना कि यह 75 के लहज यह कर सकते हैं, यह कर सकते हैं, यह कार्य माने नहीं रखता। इसलिए अगर यह सचमुच चाहते हैं कि प्रेसीडेंट को यह डिस्क्रिशन रहे जाय जिनसे जैसा कि कुछ लोग कह रहे हैं, नो-कॉन्फिडेंस के डर से मंत्री-मण्डल कुछ उलटी सीधी मताह प्रेजीडेंट को न दे सके, तो फिर उनको पुराना क्लाउ रस्टो र करनी चाहिए और यह नया प्राविको नहीं लगाना चाहिए।

SHRI P. VENKATASUBBAIAH (Nandyal): Why not go back to the old provision?

SHRI SHANTI BHUSHAN: I am in entire agreement with the hon. Member when he says that, if the Council of Ministers tenders an advice to the President in regard to dissolution of the House, it will be binding under the terms of this article because it is only in two contingencies when either the Council of Ministers has been defeated at the polls or when a no-confidence motion has been adopted in the Lok Sabha against that Council of Ministers... (Interruptions)

SHRI SHYAMNANDAN MISHRA: Out of fear, the Prime Minister may dissolve the House.

DR. SUSHILA NAYAR: The hon. Minister forgets that Mrs. Indira Gandhi dissolved the House when neither of these two contingencies was there—neither was she defeated nor she had... (Interruptions)

MR. SPEAKER: That has nothing to do with it.

DR. SUSHILA NAYAR: She was afraid that she might lose majority. She was afraid of the discomfiture because she did not have the majority. She dissolved Parliament... (Interruptions). What he says is not correct... (Interruptions).

SHRI SHANTI BHUSHAN: I have not said that the Council of Ministers cannot recommend the dissolution unless they have been defeated in a no-confidence motion. I have not said

[Shri Shanti Bhushan]

that I have said that except in these two contingencies, when a Council of Ministers has either lost the confidence of the people of the country by having been defeated in the general elections (Interruptions)

SHRI SHYAMNANDAN MISHRA Can the hon Law Minister not take into account what the hon Member, Shri Piwary has submitted? He has said that there might be a contingency, a situation in which a no-confidence motion has been tabled and the Prime Minister thinks that he is going to lose the confidence of the House and out of fear he recommends to the President the dissolution of the House. What would happen in that case?

There might be another situation. What happened in the United Kingdom in 1931 Ramsay MacDonald had resigned from the Labour Party. He did not enjoy the confidence of the Labour Party and yet he began heading the coalition Government with the help of the Liberals and Conservatives. At that time the question was raised that the advice tendered to the monarch was a bad advice; it was not a good advice. So there might be a situation in which the Prime Minister comes to lose the confidence of his own party. If in that situation the Prime Minister goes to the President and recommends the dissolution of the House, what happens?

SHRI VASANT SATHE Today, Shyambabu is uttering prophetic words (Interruptions)

SHRI P VENKATASUBBAIAH Why not accept the pre-42nd Amendment position?

SHRI VASANT SATHE. We agree, reject the 42nd Amendment, upto it, fulfil your promise to the people and accept the pre-42nd Amendment position (Interruptions)

SHRI B C KAMBLE. I want a clarification. Does the Government accept that the President has a prerogative exclusively to declare Lok Sabha dissolved? Does the Government accept this position or reject it? (Interruptions)

MR SPEAKER No debate at 11. Law Minister conclude now

19 hrs.

SHRI SHANTI BHUSHAN I want to conclude by replying to this query which has been raised by an hon Member joined in by some other hon Members namely that if the Prime Minister out of fear because he has lost the confidence of his party or for any other reason out of fear recommends the dissolution of the Lok Sabha then the query which has been raised is what will happen? And my answer is, the people of the country will become entitled to choose (Interruptions) There will be democracy. The people will choose the Government of their own liking (Interruptions)

MR SPEAKER There are a large number of amendments. Is it the pleasure of the House to sit for another hour?

SOME HON MEMBERS No no

MR SPEAKER The House stands adjourned till Eleven tomorrow

1901 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Friday, August 11 1978/Sharada 20, 1900 (Saka)