

RAJYA SABHA

Wednesday, the 30th March, 1977/the 9th Chaitra, 1899 (Saka)

The House met at eleven of the clock.

Chairman pro.tem Shri Banarsi Dag in the Chair.

INTRODUCTION OF MINISTERS

THE PRIME MINISTER (SHRI MORARJI R. DESAI): Sir, I introduce the Ministers to the House:—

1. Shri Jagjivan Ram—Minister of Defence.
2. Shri L. K. Advani—Minister of Information and Broadcasting.
3. Shri Parkash Singh Badal—Minister of Agriculture and Irrigation.
4. Shri Pratap Chandra Chunder Minister of Education, Social Welfare and Culture.
5. Shri Purushottam Kaushik—Minister of Tourism and Civil Aviation.
6. Shri H. M. Patel—Minister of Finance and Revenue and Banking.
7. Shri Biju Patnaik—Minister of Steel and Mines.
8. Shri Ravindra Varma—Minister of Parliamentary Affairs and Labour.

ANNOUNCEMENT REGARDING RECOGNITION OF THE CONGRESS AS THE OPPOSITION PARTY IN THE HOUSE AND OF SHRI KAMLA PATI TRIPATHI AS THE LEADER OF THE OPPOSITION

सभापति : मैं यह सूचित करता हूँ कि मैंने राज्य में कांग्रेस दल को विपक्षी

दल के रूप में और उसके नेता श्री कमलापति त्रिपाठी को राज्य सभा में विपक्ष के नेता के रूप में मान्यता प्रदान कर दी है।

MOTIONS FOR ELECTION OF DEPUTY CHAIRMAN

SHRI RANBIR SINGH (Haryana): Sir, I beg to move the following Motion :

1. "That Shri Ram Niwas Mirdha be chosen as the Deputy Chairman of the Rajya Sabha."

SHRI SAWAISINGH SISODIA (Madhya Pradesh): Sir, I second the Motion moved by Shri Ranbir Singh.

SHRI V. B. RAJU (Andhra Pradesh): Sir, I beg to move the following Motion :

2. "That Shri Ram Niwas Mirdha be chosen as the Deputy Chairman of the Rajya Sabha."

SHRIMATI LEELA DAMODARA MENON (Kerala): I second the Motion.

सदन के नेता (श्री लाल बहादुर शास्त्री) :
मैं प्रस्ताव करता हूँ कि :

" श्री रामनिवास मिश्रा को राज्य सभा के उप-सभापति के रूप में चुना जाय । "

SHRI OM MEHTA (Jammu and Kashmir): Sir, I second the Motion.

The Questions were proposed.

सभापति : मैं सर्वप्रथम श्री गणवीर सिंह द्वारा उपस्थित किये हुए तथा श्री सवाई सिंह सिसोदिया द्वारा विधिवत्

[सभापति]

अनुमोदित किये हुए प्रस्ताव पर मतदान कराऊंगा।

प्रश्न यह है कि :

“श्री रामनिवास मिर्धा को राज्य सभा के उप-सभापति के रूप में चुना जाय।”

सभापति : प्रस्ताव सर्वसम्मति से स्वीकृत हुआ।

मैं घोषणा करता हूँ कि श्री रामनिवास मिर्धा राज्य सभा के उप-सभापति के रूप में चुन लिये गये हैं। मुझे विश्वास है कि श्री रामनिवास मिर्धा अपने परिपक्व अनुभव के आधार पर इस पद के लिए सर्वथा उपयुक्त हैं। आप राजस्थान विधान सभा के 10 साल तक सभापति रह चुके हैं। आपको प्रशासन का भी पर्याप्त अनुभव रहा है। राजस्थान सरकार और यहां केन्द्रीय सरकार में भी आप काफी समय तक प्रशासन के अन्दर रहे। इसलिए आपकी निष्पक्षता और कार्य क्षमता के बारे में सदन को तनिक भी सन्देह नहीं हो सकता है। मुझे पूर्ण आशा है कि वे अपने कार्य का सम्पादन निष्पक्षता और योग्यता से करेंगे और सदन को उन पर पूर्णतया विश्वास होगा।

मैं श्री मिर्धा जी से अनुरोध करता हूँ कि वे अपना आसन ग्रहण करें।

[Mr. Deputy Chairman in the Chair.]

FELICITATIONS TO THE DEPUTY CHAIRMAN

सदन के नेता (श्री लाल आडवाणी) : उपसभापति महोदय, मैं अत्यन्त आनंदित अनुभव करता हूँ कि आपने इस श्रेष्ठ दायित्व को संभाला है। मैं अपनी ओर से, सारे

सदन की ओर से, अपने दिल की ओर से आपका हार्दिक अभिनंदन करता हूँ और मैं मानता हूँ कि इस सदन में इस पद के प्रति न्याय करने की जितनी आप में क्षमता है, जितनी आप में योग्यता है, उतनी शायद किसी और में कम ही होगी। मैं यह एक औपचारिक रूप से नहीं कह रहा हूँ, क्योंकि मुझे स्मरण है कि जब आप राजस्थान में थे और वहाँ की विधान सभा के अध्यक्ष के रूप में काम करते थे, तब मैंने आपके कार्य-संचालन को स्वयं देखा था, प्रत्यक्ष देखा था। मैं उस समय वहाँ की पत्रकार दीर्घा में एक पत्रकार की हैसियत से काम करता था और मैं कह सकता हूँ कि किसी भी सदन की, किसी भी विधान मण्डल की अध्यक्षता का पद, उसमें जो महत्व है, उस महत्व को आपने बहुत योग्यता से निभाया। उसमें जो सौजन्यता चाहिए, उसमें जो गरिमा चाहिए, और सबसे बढ़ कर उसमें जो निष्पक्षता चाहिए, वह आप में पूरे रूप में भरी हुई है। संसदीय लोकतंत्र के अन्दर मैं मानता हूँ, स्पीकर का या चेयरमैन का स्थान जो है, वह स्वयं में एक निकाय है, स्वयं में एक इंस्टीट्यूशन है, एक धुरी है जिसके चारों ओर संसदीय लोकतंत्र योग्य रूप में चलता है। He is in a way part of the House but he is above the individual Members also. यह आप में योग्यता है कि आप इसको ठीक प्रकार से निभा सकेंगे।

मुझे कल जब इस बात की सूचना मिली कि इस सदन के अधिकांश लोग—चूँकि यहाँ पर विपक्ष का बहुमत है, यहाँ पर विपक्ष में जो लोग बैठे हुए हैं उनकी संख्या, जो सरकारी दल है, उससे अधिक है—उनकी यह सम्मति हुई है कि आपको यह कार्य दीर्घा में जो बहुत खुश होई, बहुत आनंद हुआ और इसीलिए मैंने अपनी ओर से भी आपके नाम का प्रस्ताव किया और यह इच्छा व्यक्त की कि यह सर्वसम्मति

हो सके। मैं पुनः आपका, अपनी ओर से, सदन की ओर से और अपने दल की ओर से स्वागत करता हूँ और अभिनन्दन करता हूँ।

श्री श्रीम मेहुता (जम्मू और काश्मीर) : उपसभापति जी, मैं अपने दल की ओर से आपका अभिनन्दन करता हूँ और आपको बधाई देता हूँ कि आपको सर्वसम्मति से इस सदन ने यहां का डिपुटी चेयरमैन नियुक्त कर दिया। मैं यहां पर जो सब दल हैं उनका भी धन्यवाद करता हूँ कि उन्होंने भी, जब मैंने उनके सामने आपके नाम का प्रस्ताव रखा तो मान लिया और इसी वजह से आप यहां पर चुने गये। मैं यह भी सदन को बता देना चाहता हूँ कि इससे पहले कि आप सरकार में मंत्री पद पर बने आप यहां का जो पैनल आफ वाइस चेयरमैन था उसमें रहे और बड़ी अच्छी तरह से आपने उस कार्य को निभाया और यहां उस वक्त जो सदन के मेम्बर रहे वे जानते हैं कि कितनी अच्छी तरह से, कितनी खुश-नीदी से आपने उस काम को निभाया। यहां आने से पहले भी जब आप राजस्थान में थे, वहां असेम्बली में 10 वर्ष आप स्पीकर रहे; उसका भी आपको अनुभव है।

मैं अपने दल की तरफ से और यहां जितने भी मेम्बर हैं उनकी तरफ से आप को बधाई देता हूँ और मुझे पूर्ण आशा है कि आप इस काम को बहुत अच्छी तरह से निभा सकेंगे। धन्यवाद।

SHRI BHUPESH GUPTA (West Bengal); May I associate with my colleagues in expressing the same sentiments as they have expressed in congratulating you, Mr. Deputy Chairman, on your unanimous election to the exalted position? It is an occasion for congratulating you. At times I have felt a little sorry for you because for the first time you had an opportunity of sitting with us in the

opposition and tasting some of these things that we have tasted these 25 years. But you have been denied this grand opportunity of having an experience of functioning as an opposition Member. Naturally, you have lost something and I am sorry for it for you. But, then, you have gone to the Chair again from the opposition this time and by an agreement from both sides of the House, and it is indeed in this manner that this post should be filled. I only wish that the Congress Party had not only informed us of their choice for you but also taken us into confidence in considering the various names because we should be past that stage of information; we should know that we are in a stage of consultation. Democracy functions not on the basis of fait accompli of information, democracy functions on the basis of mutual understanding and consultation. But, I do not hold it out against them. We are all in difficulties these days and some small lapses should be forgiven. But you have occupied a very important position and our parliamentary democracy, if I may say so, has entered a new phase, which is physically demonstrated here. For example, which part of the world today there does exist a House where the ruling party has got 25 Members as against 162 Members of the main opposition? That itself is a paradox but such is life. There is no straight road to Rashtrapati Bhavan along which we can proceed in future. So, it is very very important that consultation between the government side and the opposition should be more frequent, more meaningful and more purposive than it is sometimes in a spirit of forgive and forget. Otherwise we will not be able to function in this House as we ought to.

Mr. Deputy Chairman, you shall be presiding over an extraordinary situation in this House when the Treasury Benches will be composed only of the Government men and a large opposition party without having the power. Therefore, you will have to bring about a synthesis in a situation

[Shri Bhupesh Gupta]

of this kind where the big opposition, much bigger than the Government side, has to function and the Government is there with a smaller number. But if the policies are good, measures are good, there is understanding and We are true to the interests of the people, their aspirations and urges, well, this kind of a division will not come in the way either of your functioning or of our functioning or of the functioning of our friends in the Government Benches. What is important today is to strengthen our mind with purpose and determination for serving the cause of the people and not only restoring democracy on the rails but also enthusing the functioning with new thoughts, new ideas and new conceptions of programme of action. That is all we would like to say.

Mr. Deputy Chairman, before I end, I would naturally extend to you our *full* cooperation, which, I believe, others will also extend to you as has already been done by the Leader of the Government Party, Mr. Advani. I should only like to request you that you must be naturally extremely merciful towards the Government Benches because they are not in a very happy position. I am talking of the physical existence of it. You need not indulge in coercion, I think. But we are a party in the opposition here and we would expect—I am speaking for my party—all the opportunities that are due to us and nothing more than that. I hope that with your guidance, with your leadership, with your understanding and with your sympathy we shall give an excellent account of this House in fulfilling the responsibilities before us. Even in a difficult situation that we are facing, let us, Sir, with your guidance and leadership, display to our people and to the whole world that whatever may be the divisions in the House, this House stands by the principles of democracy in all situations and, above all, stands by the urges and aspirations of the people. And this is all

the more necessary today. Sir, we must turn a new leaf in parliamentary history and this can be done only by working for the cause of the masses and rendering a dedicated service to the hungry millions who are looking forward to us in parliament for justice.

SHRI VISWANATHA MENON (Kerala): Sir, I congratulate you on behalf of the Communist Party of India (Marxist). I endorse the sentiments expressed by other colleagues. At this opportunity, when I assure you all the co-operation of my party, I request you to be more impartial towards all the members, especially towards the backbenchers of this House, because as a backbencher, I was sitting for years and I know the difficulties in trying to catch the eye of the Chair. So, I request on behalf of the backbenchers that you must be very considerate towards the backbenchers. There should be no discrimination between people like senior Members and others, between Shri Bhupesh Gupta and backbenchers. And that is my request. Thank you.

SHRI M. KAMALANATHAN (Tamil Nadu): Mr. Deputy Chairman, on behalf of the DMK Party and on my own behalf, I extend my hearty felicitations to you. Sir, on your election as the Deputy Chairman of this House, I have no doubt that you will hold the scales even. This is the first time in the history of India that another party, other than Congress, has come to power. This is really a turning point in our history. I have full faith that in the changed circumstances, you would play your historic role as the Deputy Chairman of this House. Thank you, Sir.

SHRI V. V. SWAMINATHAN (Tamil Nadu): On behalf of All-India ADMK I extend our wholehearted congratulations and felicitations to you. As per the parliamentary democracy the election of Deputy Chairman and Deputy Speaker usually would be from among one of the Member of the opposition party. When the question of electing Deputy

Speaker in the other House arose, the name of Shri Godey Murahari, former Member of this House, was suggested and the Prime Minister gracefully accepted and agreed to elect him as the Deputy Speaker of the other House. So, Sir Deputy Chairman has been elected unanimously there. You have been occupying very prestigious positions in Rajasthan and you are not only nice to look at, but parliamentary manners are also embedded in you, during the past two decades. You have been Speaker for ten years in Rajasthan and a Minister for three years in the State and also occupying many important positions, like the Minister in the Ministry of Home Affairs, Defence Production etc.; in the Centre. I hope, sir, the traditions of democratic principles will be strengthened further and the relation between the Treasury Benches and the opposition will be most cordial.

On behalf of my party, I extend all the cooperation to you. I wish you success.

SHRI HAMID ALI SCHAMNAD (Kerala): Mr. Deputy Chairman, Sir, I also associate myself in congratulating you on your having been elevated to this high position today. The moment you sit there in that Chair, you cease to be the member of any political party. We are quite sure, Sir that you would be able to do justice to all sections of the Members sitting on this side as well as Members sitting on the other side. I am quite sure your experience and guidance will be available to us and that you will be able to keep up the dignity, the stature, the decorum and the decency of this House. Sometimes, sir, you may have some little trouble in this House. I am quite sure you will be able to overcome those troubles and you will be able to keep up the dignity and the stature of this House. On behalf of my party, I wish you good luck and success.

SHRI U. K. LAKSHMANA GOWDA (Karnataka): Mr. Deputy-Chairman, Sir, I congratulate you on my personal behalf and on behalf of the few

Independent Members of this House—Let me associate myself with the felicitations of the other Members on your election as the Deputy Chairman of this House. Sir, We have known you for many years. I have personally known you for many years. I have heard that you have been a very successful Speaker of the Rajasthan-Assembly. I have also personal knowledge of your performance in this house as a Minister. I am sure, Sir, you will be able to discharge your duties with dignity and impartiality. I am sure no one in this House will have any grievance about that. Let me once again offer you my felicitations and congratulations to you and wish you all success in your venture.

SHRI N. H. KUMBHARE (Maharashtra): Sir on behalf of the Republican Party of India, I congratulate you on your election as the Deputy Chairman of this House. Sir, you are a person who has got the qualities of both head and heart. I have been a back-bencher. I hope the back-benchers would not be ignored.

MR. DEPUTY CHAIRMAN: I express my deep gratitude to the hon. Members for electing me to this exalted office of Deputy Chairman of this august House and for reposing confidence and faith in me. I express my grateful thanks to the Leader of the House, the Leader of the Opposition, leaders of other groups and the Independent Members for their affection and for the good words they have said about me today. I am profoundly overwhelmed by the sentiments that they have expressed.

I am fully aware of the heavy responsibilities which I am required to shoulder in the discharge of my duties. But the kind sentiments expressed by hon. Members from both sides of the House embolden me to look to the future with confidence and courage. I would always endeavour to uphold the high traditions that have been established by my esteemed predecessors in this House. I would always try to uphold the rights and

the privileges of hon. Members and it will be my continuous and incessant endeavour to regulate the "proceedings of the House in a way that would be in keeping with the highest traditions of this noble institution and further enhance the prestige and the dignity of the office of the Deputy Chairman. But this can only be possible if every section of the House as well as individual Members extend to me their full co-operation and support in conducting the business of the House in a manner that would do credit to us all. I will depend upon the co-operation from every Member of this House, on whichever side of the House I may be sitting.

Once again, I am thankful to you for the words and sentiments you have expressed, to those who have sponsored me and to those who have supported me, and I assure you all of my complete devotion to the service of this House.

PAPERS LAID ON THE TABLE

Proclamation issued by the Governor of Jammu and Kashmir

THE MINISTER OF HOME AFFAIRS (CHAUDHURY CHARAN SINGH): Sir I beg to lay on the Table a copy of the Proclamation No. P-1/1977, issued by the Governor of Jammu and Kashmir on March 27, 1977, in relation to the State of Jammu and Kashmir. [Placed in Library, See No. LT-13/77].

I. Notification under the Customs Act, 1962, and Related Paper.

II Notifications under the Customs Tariff Act, 1975.

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): Sir, I beg to lay on the Table—

I. A copy (in English and Hindi) of the Department of Revenue and Banking Notification G.S.R. No.

14(E) dated the 12th January, 1977, under section 159 of the Customs Act, 1962, together with an Explanatory Memorandum thereon. [Placed in Library. See LT-11/77].

II. A copy each (in English and Hindi) of the following notifications of the Department of Revenue and Banking, under sub-section (2) of section 8 of the Customs Tariff Act, 1975:—

(i) Notification G.S.R. No. 877 (E), dated the 13th November, 1976.

(ii) Notification G.S.R. No. 13 (E), dated the 12th January, 1977. [Placed in Library. See No. LT-11/77 for (i) and (ii)].

REPORTS OF THE COMMITTEE ON SUBORDINATE LEGISLATION

SHRI MULKA GOVINDA REDDY (Karnataka): Sir, I beg to present the Twenty-third Report of the Committee on Subordinate Legislation.

Sir, I also present the Twenty-fourth Report of the Committee on Subordinate Legislation.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE.

Undemocratic and Unwarranted Dissolution of the Jammu and Kashmir Legislative Assembly

SHRI V. B. RAJU (Andhra Pradesh): Sir, I beg to call the attention of the Minister of Home Affairs to

the undemocratic and unwarranted dissolution of the Jammu and Kashmir Legislative Assembly on the basis of the advice tendered by the Chief Minister of that State.

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): Sir, I read a statement on the problem of Jammu and Kashmir with your permission, Sir.

Following statement of the Leader of the Congress Legislature Party withdrawing his party's support to Sheikh Abdulla Government, the Chief Minister advised the Governor to dissolve the Legislative Assembly. As the advice was given in terms of Section 35(2) of the J & K Constitution, the Governor acted upon the advice given by the Council of Ministers. The Governor is empowered to dissolve the Legislative Assembly by invoking provisions of section 35(2) of the State Constitution.

The question that is perhaps agitating the members is why the Governor has not explored the possibility forming an alternative Government when the Congress Legislature Party claiming majority in the House had openly withdrawn its support. The Governor has acted within the framework of the Constitution. Section 35(2) provides that "All functions of the Governor except those under sections 36, 38 and 92 shall be exercised by him only on the advice of the Council of Ministers". Having regard to the above provision, the Governor acted on the aid and advice of his Council of Ministers.

The budget for the financial year commencing 1st April, 1977 has yet to be passed. In the event of the dissolution of the House without the necessary financial appropriation and grants being available, it was not possible for the Government to continue to function in accordance with the provisions of the Constitution of the State. The Governor, therefore, proposed taking action under section 92 of the State Constitution with the concurrence of the President. Having regard to all the aspects of the situation, the concurrence of the President under clause (5) of section 92 of the J & K Constitution was conveyed to the Governor. The Governor thereafter issued on 27-3-1977 the Proclamation imposing Governor's Rule in the State for a period of six months.

SHRI V. B. RAJU: It is for the first time since Independence that a

Governor's Rule was imposed in Jammu and Kashmir. Sir, there are two aspects—one is the Constitutional aspect and the other is the political aspect. I would lay stress on the Constitutional aspect and I would just dilate upon the issue by going into the political aspect too.

Sir, there are two actions of the Governor I am only sorry—I can easily see the difficulty of the Government, the Government had not much time—this House was not informed of the action of the Governor, most undemocratic action in the annals of the pre-independence history of the country and after independence also.

Sir, the Indian Constitution does not visualise a dictatorial or authoritarian rule in any form. If my friend, the hon. Home Minister, will bear with me and if he seeks the advice of the Constitutional experts, only in emergent situations the President rule is visualised and even then it is not the President's rule, it is a Parliament rule. On no occasion, at no place in this country a single person's rule, an ex-civil servant's rule, rule of a person who is appointed—his assumption of executive functions, legislative functions and financial powers—is visualised. Nowhere and it never happened in the 30 years of the independent existence of this country. This is the first time. I am not importing any emotion or any politics into this. I would like this matter to be thoroughly examined because it is the first undemocratic action after this new Government has assumed office. Without fear of contradiction and with a sense of responsibility, I am making this statement

Let us examine the constitutional aspect. There is the Constitution for Jammu and Kashmir. Under Article 370, they have a special privilege. Sir, this country has struggled for quite a length of time to bring the people of Jammu and Kashmir into the mainstream of politics of this

country and they succeeded in 1864, when Article 356 was extended to Jammu and Kashmir. Article 356 applies to Jammu and Kashmir. Any impression that Article 356 does not apply to Jammu and Kashmir is an erroneous impression.

Sir, what does Article 356 say? "If the President on receipt of a report from the Governor of a state or otherwise, is satisfied that a situation has arisen in which the governments of the State cannot be carried on in accordance with the provisions of this Constitution, the President may by Proclamation—." There is a note below that: "In clause (1) of article 356, references to provisions or provision of this Constitution shall, in relation to the State of Jammu and Kashmir, be construed as including references to provisions or provision of the Constitution of Jammu and Kashmir". Section 92 of the Jammu and Kashmir Constitution is not a substitute of Art 356; it is under the umbrella of Art. 356. Sir, let this be examined. When the Governor actually reports to the Government of India, to the President, that there is a break down and even Section 92 provides that he should come for actual concurrence of the President—then the President is actually seized of the matter. The President is advised by the Council of Ministers and the Council of Ministers in this case advised the President unconstitutionally, wrongly. They have violated the provisions of the Constitution and they should bear the responsibility for this act.

When the matter came before the President for concurrence, he should see what has happened there. What is the communique we have got here which the Governor issued? What is the report of the Governor? It should be placed on the Table of the House. Parliament has been ignored, the sovereignty of Parliament has been eroded. Sir, we demand what is the Governor's report?

Then I come to the actions of the Governor. There are two actions, the first action was to dissolve the Assem-

bly. He has not referred to the Government of India. It was not necessary. It is within his competence. He acted on his own. He created a crisis, I never found any irresponsible civil servant like this present Governor who has created the crisis in Jammu and Kashmir when the salaries have to be paid.

Before 31st March, the budget was to be approved. I don't import any emotion. I am only pleading with a loud voice that 31st March was the last day. The Government would come to a standstill if the salaries were not paid. What do we do? Who advised him to dissolve the Assembly? Is it the Chief Minister or the Council of Ministers? You don't know. Under the Section of the Jammu and Kashmir Constitution. It is the Council of Ministers. On 25th March, sir, the party which placed Sheikh Abdullah in power had written to the Governor that they had withdrawn their support. It is not that the Governor was kept in darkness because the Congress Party felt with all seriousness that the budget must be approved before the 31st March. The Congress Party could have thrown him out on the floor of the House. No, it did not like to do that way it did not like to create a crisis. It apprehended that Sheikh Abdullah might behave like that. What the Congress Party apprehended came true. They told the Governor that they withdrew the support. The Governor was sitting in Delhi when the crisis was going on. Why did he sit in Delhi when the crisis was going on there? The Assembly was not dissolved at the time. Where was the need for consultation with the Home Ministry here? He had inherent powers to dissolve the Assembly. He need not seek your permission to dissolve the Assembly. He sat here for a few days; he went back. By that time the Congress Party had, through a resolution, conveyed to the Governor, with the signatures of nearly 44 Members out of a House of 73 that they would form the Government to discharge

the democratic responsibilities of getting the budget passed, the employees being paid salaries, the State to run, the Government to run. The Governor ignored this. And he has taken the advice of the Chief Minister.

Sir, the Janata Party was complaining that the Congress surrendered to an extra-Constitutional authority. I would humbly submit before the House that Sheikh Abdullah, before he was actually relieved of his office, communicates to Mr. Jayaprakash Narayan : "I have advised the Governor to dissolve the Assembly to go to the polls, and I am relinquishing my office today." And he sends a telegram. Which is the extra-Constitutional authority when the Chief Minister seeks guidance from Mr. Jayaprakash Narayan and not from the House? What should the Governor have done after the advice had come? He should have verified whether it was the decision of the Council of Ministers or not. No where in the Constitution is it said that the Chief Minister is competent to advise. It is the resolution of the Council of Ministers. By that time six Congress Ministers resigned. So, the Governor should have taken into consideration the realities of the situation, what the position of the Government was and what the position of the Chief Minister was. He simply, technically, takes shelter under that section and says, "I dissolve the Assembly." Did the Governor consider that by dissolving the Assembly what will happen to the budget? Was the Governor sure that a Government could not be formed there when 44 Members out of a House of 73 plus Independents also; the group led by Mr. Lone also was supporting them—wanted to form the Government? He actually uses his strong hand and dissolves the Assembly. That is the story so far. The Governor has created a crisis there. Then he comes to Parliament for the concurrence of the President under section 92 and says, "Please give me concurrence." Concurrence for what? Should concurrence be given for his dictatorship there, for his authori-

tarian rule there? The President immediately ought to have said.. {Interruption}. It is on constitutional points; I am not repeating any points. (Interruption)

Sir, if that is so, let scope be given for a debate on this question in this House. We are ready for it. We want such a debate. It is a very serious matter and I am not importing any other thing into it excepting facts of Constitution. The Council of Ministers advise the President. See article 356. Article 356 is there. It applies. While applying article 356, the President would take section 92 also into consideration. That is the actual position. Can anybody contradict this point? There are authorities to quote. When there are two articles or two sections contradicting each other, that which is latter is to prevail and, in the Constitution, whatever is latter would prevail over the earlier one. It is, by implication, a repeal. Let any constitutional authority study it. This application of article 356 or extension of article 356 to Jammu and Kashmir happens later on, in '64. They completely ignored it. Under article 356, Parliament comes into the picture. When the Assembly is not there, Parliament comes into the picture. Parliament authorises the President actually to take some executive action and be responsible for it when the President, in turn, entrusts the Governor. There is a specific clause: "...declare that the power of the Legislature of the State shall be exercisable by and under the authority of Parliament." Always the legislative powers are exercised either by Assembly or by Parliament. These powers are not exercised either by the Governor or even by the President. No such visualisation is there. Sir, the Governor says that he is assuming legislative functions. Let section 92 be read by anybody on that side and let it be said that there is a specific power given to the Governor to assume legislative functions. It is not so. I will read section 92.

"... assume to himself all or any functions of the Government of the

LShri V. B. Raju]

State and all or any of the powers vested in him or exercisable by any body or authority in the State."

Any body or authority' is a Corporation or some autonomous body, not Legislature. The same wording has been taken here from the Constitution.

The second part of the article says, 'the legislative powers be vested in Parliament; That is omitted here. But in clause 4 it is said, 'if the Governor by a proclamation under this section assume, to himself any powers of the Legislature to make laws with reference there'. But is there any power there. There is no specific power. With his proclamation there is no specific power to assume the legislative functions. The Governor has violated the Constitution even of Jammu and Kashmir by assuming the legislative functions. Sir, even if you concede the legislative functions, what about the financial powers? Even the President of India under the President's Rule does not have the financial powers. The financial powers are with Parliament. The Governor cannot assume the financial powers. Even the Jammu and Kashmir Constitution does not empower the Governor to assume such powers, much less the Indian Constitution under article 356. I hold article 356 is applicable to Kashmir. When the people of Kashmir want to be in the mainstream and when they say that article 356 should apply to them—and they had it in 1974—the present Government says, "No; no. You are not in the mainstream. You are separate. You are exclusive". Is it so, Sir? The Governor in a press communique says that he is going to pass the Budget. Who is he to pass the Budget? Where are the powers for him to pass the Budget? It is Parliament alone which is competent to pass the Budget. Sir, 'no taxation without representation', let us take it. This is the basic characteristic of a representative Government. Who is the Governor to pass the Budget?

AN HONOURABLE MEMBER: He should be removed.

SHRI V. B. RAJU: Not only removed. We will not allow him to go like that. It is a Constitutional matter. A crisis has been created. Leave politics. I have not spoken about politics. The Congress actually has the right to be in power. It has been denied. History will record it. I am not going to beg for power. The Congress had sacrificed its powers and given to Sheikh Abdullah. We are not going to beg for office. The point is that of Constitutional break-down. I charge this Government that it has violated the Constitution, that it has created a crisis in Jammu and Kashmir.

In the other House, it seems, the Government have premised elections there. Where is the question of promising election? We have the right to have elections and we will face the election. It is not magnanimity. We had given them the General Elections to fight freely. We have to save democratic values and democratic norms. Therefore, Sir, the democratic norms should be preserved and the whole thing should be reviewed. I would demand that there should be a debate on the subject in the House.

श्री सुन्दर सिंह भंडारी (उत्तर प्रदेश):
श्रीमान्, मैं माननीय गृह मंत्री जी से इस
समस्या पर स्पष्टीकरण चाहूंगा।

SHRI LOKANATH MISRA (Orissa): Sir, on a point of order. The previous procedure used to be that whenever there was somebody calling the attention of the House and the Minister in regard to some subject, the Minister would reply to him immediately. I do not suppose Mr. Sunder Singh Bhandari is in charge of Home Affairs. I won't suppose so. Therefore, I would plead with you to ask the Home Minister to immediately reply and then you may call the next Member.

SHRI BHUPESH GUPTA (West Bengal): Sir, let us follow the procedure which we have been following. I think they are quite right. When an

intervention is made, the Minister replies. Then follow the other aspects of the question. Of course, sometimes it has happened that all the questions and statements were made first and then the reply was given at the end. But it seems that it is the desire of the House that a reply should follow immediately after the points have been raised in the Calling Attention. Let Mr. Charan Singh reply to it and then let U3 proceed ahead.

MR DEPUTY CHAIRMAN: There will be two ways of handling a motion of this nature. The first is Hon. Members may raise their points, make brief observations and the Minister replies. The other procedure is that the members make their observations and at the end the Minister replies. But it seems there is nothing to insist by way of procedure here, and if the House wishes—as it does appear here—I would request the Home Minister to make a speech.

चौधरी चरण सिंह : ड्यूटी चैयरमैन सर, मैं माननीय मित्र से माफ़ी चाहता हूँ। मैं उनके नाम से परिचित नहीं हूँ।

एक माननीय सदस्य : श्री राजू।

चौधरी चरण सिंह : मैं माननीय राजू साहब को बधाई देना चाहता हूँ कि उन्होंने बहुत कोशिश की है एक गलत बात को अच्छे तरीके से पेश करने की। मुझे नहीं मालूम कि वे बकालत करते हैं या नहीं करते हैं, लेकिन he tried his best to make the worse appear better. उन्होंने उन बातों पर एम्फेसिस दिया जो इर्रिलेवन्ट थीं, इस मामले से गैरमुनाल्लिक थीं। यद्यपि उन्होंने यह कहा कि वे भावनाओं को उभारना नहीं चाहते लेकिन उसका असर यही हुआ है। तो भावनाएं उभारने से काम नहीं चलेगा।

डिमोक्रेसी की दुहाई देना—मुझे नहीं मालूम वे किस पार्टी से वास्ता रखते हैं, अगर कांग्रेस पार्टी से रखते हैं....

श्री रणबीर सिंह (हरियाणा) : अखिल भारतीय कांग्रेस कमेटी के महामंत्री हैं।

चौधरी चरण सिंह : कांग्रेस पार्टी के महामंत्री हैं तो मुझे बड़ी खुशी हुई कि आज कांग्रेस पार्टी के महामंत्री की ओर से जनतंत्र की दुहाई दी जा रही है। बड़ा अच्छा उन्होंने आवाज़ान दिया। (Interruption) उप-सभापति महोदय, मैं अपने माननीय मित्रों से यह कहना चाहता हूँ कि अगर इस तरह से उन्होंने कोशिश की, उनकी तादाद ज्यादा है, ताकि मैं बोल न सकूँ तो यह इस हाउस की प्रोसीडिंग्स के लिए मुनासिब नहीं है और मेरे ख्याल से यह जगह भी नहीं है इस बात के लिए। (Interruption) अगर वे चाहते हैं...

SHRI V. B. RAJU: It is not for a public speech. It is actually a constitutional point. It is a clarification.

चौधरी चरण सिंह : मैं उसका जवाब देने वाला हूँ। मैं यह अर्ज कर रहा हूँ कि आप ने केवल कांस्टीट्यूशनल प्वाइंट ही नहीं उठाया। आपने स्वयं तस्लीम किया कि पहले आप डिमोक्रेसी के मुनाल्लिक कुछ कहें। जो आप ने डिमोक्रेसी के मुनाल्लिक फरमाया है मैंने कहा कि वह मेरे लिए एक नयी खबर थी। जुलाई 75 में आप का यहाँ क्या भाषण हुआ होगा वह मुझे नहीं मालूम, लेकिन इतना मालूम है कि आपका वोट रहा होगा इमरजेंसी नाफिज करने के लिए, आप का वोट रहा होगा उस पार्टी के हक में जो यह कहती आई है कि एक व्यक्ति भारत है..... (Interruption) उपसभापति महोदय, मैं आप का प्रोटैक्शन चाहूंगा। मैं आप के जरिए यह कहना चाहता हूँ कि इन का वोट रहा होगा उन लोगों के हक में जिन का प्रसिडेंट अपोजीशन वालों के लिए कहता है :

[चौधरी चरण सिंह]

"They are thugs and hoodlums" जो यह समझते हैं कि जो उन से डिफर करते हैं वे कस्टी के दुश्मन हैं तो मैं यह कह रहा हूँ कि आज मेरे लिये यह रिबेलेशन है, नई खबर है कि डेमोक्रेसी की दुहाई दी जा रही है। आपने डेमोक्रेसी के मुताल्लिक जो कहा उसके मुताल्लिक मैंने कहा।

कांस्टीट्यूशनल प्वाइंट आपने वाद में रोज़ किया उसके मुताल्लिक मैं यह कहना चाहता हूँ कि

under section 92 of the State Constitution the Governor had no choice except to act on the advice of the Council of Ministers.

आपके आर्गनाइजेशन के प्रेसिडेंट को और से 25 तारीख की शाम को एक खत जाता है गवर्नर साहब के पास कि हम ने मौजूदा गवर्नमेंट से जो हमारा समर्थन था वह वापस ले लिया है। यह लेटर आर्गनाइजेशन के प्रेसिडेंट का जाता है। कोई लेजिस्लेचर पार्टी का रेजोल्यूशन नहीं है कि हम ने अपना सपोर्ट विदड़ा कर लिया है। अगर उन का भी रेजोल्यूशन होता तब भी वह गैरमुताल्लिक था, इम्पैटीरियल था कांस्टीट्यूशन के अल्फाज को देखते हुए। 26 तारीख को सबेरे शेख अब्दुल्ला साहब कौंसिल आफ मिनिस्टर्स के लीडर होने के नाते कौंसिल आफ मिनिस्टर्स की तरफ से एडवाइस देते हैं कि लेजिस्लेचर को डिजाल्व कर दिया जाये और वह कर दिया गया तो कौन से डेमोक्रेटिक कांस्टीट्यूशन और कौन से डेमोक्रेटिक प्रिंसिपल्स की हत्या हो गई, कहां वे फ्लाउट हो गये, कौन सी कांस्टीट्यूशन की ब्रीच हो गई। सिवाय तीन आर्टिकल्स को छोड़ कर गवर्नर को कोई डिक्लेशन नहीं है एक्सेप्ट टु एक्ट आन दि एडवाइस आफ कौंसिल आफ मिनिस्टर्स। आर्टिकल 35 (2), सब-आर्टिकल दो

"All functions of the Governor, except those under sections 36, 38 and 92, shall be exercised by him only on the advice of the Council of Ministers."

अगर इसमें शब्द 'ओनली' न होता तब भी गवर्नर उन की एडवाइस पर अमल करने को हकबजानिब होता, लेकिन यहां तो गवर्नर के सामने कोई आल्टरनेटिव नहीं था। यह 26 तारीख को सबेरे की बात है। कांग्रेस पार्टी का रेजोल्यूशन 7.20 पर हुआ। उस के बाद उनको लिखा जाता है। उस के पहले उन्होंने सपोर्ट विदड़ा नहीं किया था। लेजिस्लेचर पार्टी ने नहीं किया था और उस के लिए कोई उनका रेजोल्यूशन नहीं है। मेरा केस यह है कि अगर वह सपोर्ट विदड़ा कर लेते तब भी गवर्नर को हक था कि जो उन्होंने अमल किया है उस तरह से अमल करने का। उस के बाद सेशन चल रहा था असेम्बली में कोई नो-कॉफीडेंस मोशन नहीं आया। किसी मामले पर उनकी डिफीट नहीं हुई। काम बाकायदे चल रहा था। आप के प्रेसिडेंट की तरफ से एक लेटर लिखा जाता है, प्रेसिडेंट आप दि आर्गनाइजेशन, नाट दि लीडर आफ दि लेजिस्लेचर पार्टी ...

SHRI V. B. RAJU: Sorry for the interruption. The statement of the leader of the Congress Party

करते हुए जो हमारे कांग्रेस प्रेसिडेंट थे उन्होंने लिखा, यह आप को मालूम है।

चौधरी चरण सिंह : मैं एडमिट कर रहा हूँ।

श्री बी० बी० राजू : लेटर के साथ एक स्टेटमेंट भी था। वह स्टेटमेंट भी साथ में जोड़ कर उन्होंने भेज दिया था, यह आप को मालूम है ?

चौधरी चरण सिंह : यह मुझे मालूम है। डोगरा साहब ने कोई बयान दिया। मेरे पास जो इन्फार्मेशन है उस के हिसाब से बता रहा हूँ। मुझे नहीं मालूम कि किस मन्त्रालय में और कहाँ उन्होंने बयान दिया, लेकिन तस्लीम करता हूँ कि वंशक प्रेजिडेंट साहब ने उनके स्टेटमेंट को उसमें इंकलूड कर दिया था, लेकिन लेजिस्लेचर पार्टी का कोई रेजोल्यूशन नहीं था। केवल लीडर का बयान था और उस से यह नहीं माना जा सकता कि लेजिस्लेचर पार्टी ने अपना सपोर्ट का बिड़ड़ा कर लिया है। लेकिन मेरा अल्टरनेटिव कैंस यह है कि माना कि आप की राय में लीडर का बयान माना जायेगा लेकिन उस को कंस्टीट्यूशन में हक है। नोकांफीडेंस मोशन वहाँ पास नहीं हुआ, कोई रेजोल्यूशन भूव नहीं हुआ लेजिस्लेचर के फ्लोर पर, उन की कोई डिफाइट नहीं हुई। तो 26 तारीख को ...

श्री बी० बी० राजू : फ्लोर पर मौका मिला था।

चौधरी चरण सिंह : उस का सवाल नहीं था। उस के पास तो कोई च्वायस ही नहीं थी।

SHRI MOHAMMAD YUNUS SALEEM (Andhra Pradesh): Sir, I rise on a point of order.

(Interruption)

MR. DEPUTY CHAIRMAN: Order, please.

SHRI MOHAMMAD YUNUS SALEEM: Sir, it has appeared in the papers that while forwarding the statement of the Leader of the House, the Congress President had also appended a list of the members of the legislature who were supporting the Congress Party ____

MR. DEPUTY CHAIRMAN: This is no point of order.

SHRI MOHAMMAD YUNUS SALEEM: ____ and reducing the ruling party to a minority. Has this been brought to his notice?

चौधरी चरण सिंह : मैं जानना चाहता हूँ कि स्टेट कंस्टीट्यूशन एक डेमोक्रेटिक तरीके से मंजूर किया हुआ है और जो आपकी पार्टी के डिप्टी लीडर हैं लोक सभा में डा० कर्ण सिंह वह उस समय सदरे रियामन थे, उन्होंने इस कंस्टीट्यूशन को असेंट दी। तो डेमोक्रेसी का क्या मतलब है? डेमोक्रेसी का मतलब यह है कि अगर किसी आदमी के अनुकूल कोई चीज हो तो डेमोक्रेसी है? कंस्टीट्यूशन के मातहत गवर्नर ने ऐक्ट किया है जिसका कोई अल्टरनेटिव नहीं था। यह कहा जाता है कि आपका मेजारिटी है। मान लीजिए कि आपकी मेजारिटी हाउस में है तो उस मेजारिटी में क्या दिक्कत है, हवाई नाट गो टु दि पोल्स? (Interruption) मैं अपने दोस्तों को प्रतिक्रिया को जानता हूँ कि पोल्स का जो नतीजा अभी हुआ है वहाँ भी वही नतीजा होगा। वरना पोल्स का स्वागत होना चाहिए था उनकी तरफ से। हमने यह तय किया है कि तीन महीने के अन्दर इलेक्शन हो जाएगा। अगर आप की मेजारिटी है तो आप बेशक जीत जायेंगे।

रहा यह कहना कि मेजारिटी के होते हुए भी प्रेजिडेंट रूल किया हुआ है। तो हमने तो आपकी ही नकल की है, उस से ज्यादा नहीं किया; जून 1973 में कांग्रेस पार्टी की मेजारिटी थी उत्तर प्रदेश में, आपने अपने चीफ मिनिस्टर को हटाया और बजाय दूसरा लीडर चुनने के 5 महीने तक प्रेसिडेंट रूल रखा।

SHRI V. B. RAJU: One word....

CHAUDHURI CHARAN SINGH: I do not yield.

श्री बी० बी० राजू : हमारी नकल मत कीजिए

(Interruption)

चौधरी चरण सिंह : माननीय राज साहब ऐसी ऐसी बातें कर रहे थे जो मुझे इनटालरेबुल थी, आई कंस्ट्रक्चर । मैं अर्ज करना चाहता हूँ कि कांग्रेस पार्टी हो, कोई भी पार्टी हो, जब कि मेजारिटी मौजूद थी, इजाजत करते थे तो गवर्नर से इस्तीफा लेकर दिल्ली के बिहेस्ट पर गवर्नर का रूल एक बार गुजरात में हुआ, एक बार उत्तर प्रदेश में हुआ । जो पीपुल्स रिपब्लिकन टिव थे उनकी गवर्नमेंट आप बना सकते थे तो आपने प्रेसिडेंट रूल कराया । उस समय राज साहब का रिएक्शन क्या था ? अगर आपकी मेजारिटी थी, आपके जो मैम्बर्स हैं वे शक वे मेजारिटी में हैं, आई कंसीडर इट, तो मैं जानना चाहता हूँ कि दो तीन महीने के अन्दर उस मेजारिटी को अफर्म करने का मौका आपको मिलेगा, परेशानी किस बात की है समझ में नहीं आता । आप 5 साल के लिए चुनकर आये थे, आपने उसको 6 साल कर दिया । वैसे तो उस मेजारिटी का जो मॅण्डेट था वह खत्म हो गया । दुनिया में वह मॅण्डेट खत्म माना जाता था । लेकिन आप का 5 वा 6 साल, 6 का 7 साल और 7 का 8 तक कर सकते थे । इस तरीके से उनका मॅण्डेट खत्म हो गया तो why not welcome an occasion to renew that mandate? दिक्कत क्या है ? जोश क्या है, गरमी क्या है ? हम तो कहते हैं कि इलेक्शन करो, जिसकी मेजारिटी है वह रूल करे ।

SHRI V. B. RAJU: My point is not answered. I actually seek your protection.

12 NOON

श्री रबी राय (उड़ीसा) : यह तरीका नहीं है ।

SHRI V. B. RAJU: Sir, since you are standing now, I will sit down. But you would have heard me. Two points I mentioned. One is about the

dissolution by the Governor and the other is.....

(Interruptions)

श्री रबी राय : मेरा प्वाइंट आफ आर्डर है ।

SHRI V. B. RAJU: ...whether article 356 is actually..... (Interruptions) _____

MR. DEPUTY CHAIRMAN; Points cannot be raised like this because there will be no end to the discussion. We have certain rules for conducting the proceedings and there cannot be any such interruptions. We have a procedure which means that all the Members speak and the honourable Minister replies and we should go like that only.

श्री रबी राय : प्वाइंट आफ आर्डर . . .

SHRI V. B. RAJU: Sir, it is really a clarification that I am seeking. I want to know whether the Minister agrees that article 356 is actually extended to the State of Jammu and Kashmir and whether the President, when actually he gives his concurrence, is to abide by it Or not.

सूचना और प्रसारण मंत्री (श्री लाल आडवाणी) : मैंने राज साहब का पूरा भाषण सुना । मैं अपेक्षा करता था कि इतनी सारी लम्बी भूमिका के बाद वह कोई सवाल पूछेंगे । उन्होंने कोई सवाल नहीं पूछा सिवाय अपना मत व्यक्त करने के कि यह अनकंस्टीट्यूशनल, अनइमोक्रैटिक है और इसका उनका जवाब भी मिल गया । अब उन्हें ख्याल आता है कि हम को क्लेरिफिकेशन पूछना चाहिए । यह आपको देखना चाहिए कि यह तरीका ठीक है या नहीं जब कि आपने एक सदस्य को काल कर दिया है ।

AN HON. MEMBER: Sir, on a point of order.... (Interruptions)'

MR. DEPUTY CHAIRMAN: There cannot be any point of order now. The matter is under discussion.

श्री सुन्दर सिंह भण्डारी : मैं गृह मंत्री जी से एक स्पष्टीकरण चाहूंगा कि जिस समय शेख अब्दुल्ला ने गवर्नर को एडवाइस किया था हाउस को डिजोल्व करने के लिए तो क्या उस समय वह इस काम के लिए अधिकृत थे या नहीं थे ? क्या इसके पहले उनको यह मालूम हो चुका था, उन्हें कब दे दिया गया था कि उनको समर्थन देने वाली कांग्रेस पार्टी ने समर्थन वापस ले लिया है या उनके एडवाइज करने के बाद कांग्रेस पार्टी ने अपना प्रस्ताव रखा कि उनसे समर्थन वापस लेने का ? मैंने यह स्पष्टीकरण इसलिए चाहा क्योंकि यह क्लेम किया जा रहा है कि जब शेख अब्दुल्ला ने गवर्नर को एडवाइज किया उस समय वह मेजोरिटी पार्टी का कमांड नहीं करते थे और वे माइनोरिटी में थे और इस कारण माइनोरिटी चीफ मिनिस्टर को एडवाइज नहीं करना चाहिए । मैं चाहूंगा कि सरकार की तरफ से इसका स्पष्ट जवाब मिले कि कांग्रेस पार्टी ने अपना सपोर्ट विदहोल्ड करने के पहले शेख अब्दुल्ला की तरफ से गवर्नर को एडवाइज कर दिया गया था ?

जब कि राज साहब की तरफ से पालिटिकल ओवरटोन आ गये हैं तब मैं यह चाहूंगा कि गृह मंत्री जी को क्या इस बात की जानकारी है कि जब कांग्रेस पार्टी ने शेख अब्दुल्ला की सरकार को समर्थन देने का फैसला किया था उसी समय यह बात तय हो गई थी कि जल्दी से जल्दी चुनाव कराए जाएंगे और चुनाव कराकर फिर से बदले हुए हालात में काश्मीर में सरकार कायम करने के लिए कदम उठाये जायें ? क्या यह बात सच है कि उन चुनावों को टालने की कोशिश की गई यहां तक कि लोकल बोडीज के चुनाव कराने का मौका आया तो कांग्रेस पार्टी की तरफ से यह लगातार धमकी दी गई कि कंस्टीट्यूशन-

नल क्राइसेज पैदा कर दिये जायेंगे अगर लोकल बोडीज के चुनाव कराये गये । इस चीज को देखते हुए आज उनको डेमोक्रेसी के नाम पर अपील करने का कोई हक नहीं रहा है । मैं गृह मंत्री महोदय से इन दोनों बातों का स्पष्टीकरण चाहूंगा ।

चौधरी चरण सिंह : डिप्टी चेयरमैन साहब, माननीय राजू साहब और उधर बैठे हुए माननीय सदस्यों का जो यह ख्याल है कि सैक्शन 92 आफ द स्टेट कंस्टीट्यूशन के अधीन गवर्नर को आर्टिकल 356 के अप्लीकेशन के बाद कोई अधिकार नहीं रह गया था, यह ख्याल उनका गलत है क्योंकि आर्टिकल 356 का जो एक्सप्लेनेटरी नोट रखा है उसको पढ़ने की कृपा करें । आर्टिकल 356 कहता है :

"If the President on receipt of a report from the Governor of a State or otherwise is satisfied that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution, etc. etc—"

आगे चलकर क्लॉज (सी) में कहा गया है कि —

"....including provisions for suspending in whole or in part the operation of any provisions of this Constitution relating to any body or authority in the State."

In clause (1) of article 356, references to the provision or provisions of this Constitution shall, in relation to the State of Jammu and Kashmir, include reference to the provision or provisions of the Constitution of Jammu and Kashmir, and....

SHRI V. B. RAJU: If you do not mind, it is a question of debate. The provisions of section 92 of the Jammu and Kashmir Constitution are no substitutes to article 356. Please read the word 'including.....'. Therefore, my submission is that when the matter

[Shri V. B. Raju]

comes before the President, the President should see how the application of section 92 is violating article 356 of the Constitution. By extending article 35-6, the matter will come before Parliament within two months, and —

MR DEPUTY CHAIRMAN: You have made your point

चौधरी चरण सिंह : डिप्टी चेयरमैन साहब, इसमें वाय-नेशन का सवाल नहीं है। सवाल यह है कि आर्टिकल 356 के एप्लीकेशन के बाद भी स्टेट कांस्टिट्यूशन के सेक्शन 92 के मातहत गवर्नर इन पावर्स को एज्युम कर सकता है। आर्टिकल 356 के अधीन प्रेजीडेंट का रूल 2 साल तक चल सकता है और सेक्शन 92 के अधीन गवर्नर का रूल 6 महीने से आगे नहीं चल सकता है। अगर प्रेजीडेंट रूल की बात होती तो सारी स्थिति आपके सामने आती।

SHRI V. B. RAJU: Not necessarily. I am only correcting the information. President's rule can be for six months also.

CHAUDHURI CHARAN SINGH: And it could be extended to two years. मेरे कहने का मतलब यह है कि प्रेजीडेंट का रूल दो साल तक हो सकता है। अभी केवल 6 महीने की बात कही गई है। मैं समझता हूँ कि यह बात बिल्कुल आपके इंटरेस्ट में और आपकी पार्टी के इंटरेस्ट में है। हम पावर्स को अपने हाथ में नहीं रखना चाहते हैं। मैंने कब ही लोक सभा में कहा है और यहाँ भी अर्ज करना चाहता हूँ कि हम तीन महीने के अन्दर इलेक्शन करवाना चाहते हैं। ऐसी हालत में यह बात समझ में नहीं आती कि इसमें दिक्कत क्या है, परेशानी क्या है?

(Interruption)

SHRI V. B. RAJU: I am not interrupting. Parliament's right to be seized of the matter has been denied.

चौधरी चरण सिंह : मेरा कहना यह है कि अगर प्रेजीडेंट का रूल होता तो दूसरी बात थी। लेकिन गवर्नर के रूल में स्थिति दूसरी हो जाती है। आप भारत के कांस्टिट्यूशन को पढ़िये स्टेट के कांस्टिट्यूशन को पढ़िये।

MR. DEPUTY CHAIRMAN: Mr. Bhupesh Gupta.

SHRI BHUPESH GUPTA: The whole development in the State of Jammu and Kashmir, in our view, is most unfortunate. I wish that so soon after the election this development had not taken place. It is not our intention at this stage at all to go into the controversies, much less into the acrimony of this matter. As you know, Sir, in the past always when the problem of Jammu and Kashmir came before this House, we approached it from a broad and national angle, avoiding as far as possible controversy, heat and exchanges. I cannot recall any debate in this House, so far as the State of Jammu and Kashmir is concerned, when we went into this kind of controversy, heat or exchanges, when there was a possibility of bringing some better approach to bear on the subject. I think the same spirit should be maintained.

Sir, you know very well, in this House we have been pleading for an accord between the Congress Government at the Centre and Sheikh Abdullah. Syed Mir Qasim is sitting by my side. Once I went to Kashmir when I was the Chief Minister there, and I must say to Syed Mir Qasim that he was sincere and genuinely concerned about an accord between Sheikh Abdullah and the Congress Party as we in this House were. That is the spirit in which we have to function I think that past history should not be raked up again in the heat of controversy. Now the question is: what to do? It has happened. One can argue either way. You are brilliant lawyers sitting on both sides of the House and you can give arguments and counterarguments. We have seen that the

problems of Kashmir have never been tackled by taking strictly legalistic views. The fact is that the Congress Party entered into an accord or agreement with Sheikh Abdullah and he was made the Chief Minister or the head of the Government when he did not have any majority as such. It goes to the credit of the Congress Party. They came to an understanding that Sheikh Abdullah would rule the State of Jammu and Kashmir and he accepted it. Now, Sir, I maintain that this should not be given the go-by. Let us not rake this up after 60 many years and so much water had flown down the bridge. Begin a new chapter of understanding in Jammu and Kashmir. I am not blaming, anybody. I am not here to blame anybody. You know very well that we must have a different type of approach for obvious reasons. I do not want to dilate upon that approach. That approach cannot be brought about unless the Government and the opposition, especially the opposition which has been the ruling party before, come to an understanding. Why, Sir, should it not be possible for the Government to have mutual consultations with the Congress Party and others? Even Mrs. Gandhi used to consult the opposition on many occasions. That is why I would suggest that rather than getting into heated exchanges, we should have a little sober attitude in this matter. I hope you will appreciate it.

Sir, the spirit of accord has been broken. We are very sorry. The accord was brought about due to the goodwill of all concerned—Sheikh Abdullah on the one hand and the Congress Party leadership on the other. We also played our part in bringing about that accord. Naturally, we are very very sorry that it has been broken. How to revive it? After all, elections are elections. You come and go. What is important is to have a political approach of accord in Kashmir. That is what I would stress. That should not be given the go-by or abandoned in any case.

87 RS—2.

Otherwise you will be inviting trouble from people who are not friendly to our country and who are out to exploit the situation in Kashmir. I do not want to name them. But you have to be careful about them. Sir, the spirit of accord should be there. I think fresh discussions are necessary. I would appeal to my friends. I do not like to be a constitutional lawyer like Mr. Raju or Mr. Antulay. Mr. Antulay hardly understands anything of the Constitution as I do. But most of the things that he said have been rejected by the people. That is not the point. Here, I think the confrontation should be avoided. Elections can be fought. I am not bringing in the elections. But political confrontation in Kashmir should be avoided. The State of Jammu and Kashmir should be kept, if I may say so, out of the bounds of political confrontation. That is what I would like the Parliament to be seized of the matter. Confrontation should be avoided. It is in our national interest. It is in the interest of the people of Kashmir. It is in our interest here, whether we sit on that side or on this side of the House. Sir, therefore, let us not generate more heat than is necessary. Let it be over. I would urge upon, before I sit down, Mr. Charan Singh and Mr. Morarji Desai to take counsel with the leaders of the Congress Party and others of the Opposition in order to see how the situation can be met, and as I said, in order to avoid what I call political confrontation which at all costs must be avoided. Let certain norms of democratic functioning be worked out with a view to maintaining first of all the spirit of the accord. If not immediately later it is possible to restore it. We have to go together. As far as Jammu and Kashmir is concerned, the problem must be faced together, tackled together in a spirit of give and take and mutual understanding avoiding tension. And as I was saying friction over a matter of this kind will not be helpful to us. I said it and I repeat it. This is my appeal to you.

चौधरी चरण सिंह : टिपुटी चैयरमैन साहब, मैं माननीय भूपेश गुप्त के जो विचार हैं और जो उनकी भावना है उनका स्वागत करता हूँ और आदर करता हूँ। इस में पहल किसी की, सोचने की बात यह है। पहल हुई है कांग्रेस पार्टी की और से। कांग्रेस पार्टी ने जानबूझ कर देश के हितों को शेर अब्दुल्ला साहब से एक एकार्ड या अग्नी-मेन्ट या एक समझौता किया। उनकी मैजोरिटी उस वक्त में नहीं थी और 4 साल हो गए तब से कभी उनकी मैजोरिटी नहीं हुई। अब उस मैजोरिटी सपोर्ट को कांग्रेस पार्टी ने बिड़ड़ा करके एक और पहल की है, पेशकदमी की है, इस स्थिति को पैदा करके। मैं यह समझता हूँ कि माननीय भूपेश गुप्त मुझ से इस बात में सहमत होंगे पहल क्यों की है वह जानें। लेकिन की है, उन्होंने इसमें दो राय नहीं हो सकती है। तो हमारे सामने कोई और रास्ता रह ही नहीं गया था। हमारे सामने दोनों रास्ते ओपन थे, एक यह कि आर्टिकल 356 के जरिए प्रेसीडेंट रूल नाफिज करना, जो 3 साल तक एक्सटेन्ड हो सकता था और 3 महीने भी और दूसरे गवर्नर्स रूल, आर्टिकल 92 के मातहत, जो छः महीने से ज्यादा नहीं हो सकता है। तो हमने जो सिम्पलर मेथड था वह किया जो कि गवर्नर ने रिक्मण्ड किया और हमारी कांसिल आफ मिनिस्टर्स को वह चीज ज्यादा सिम्पल और काबिले मंजूर लगी। मेरी समझ में नहीं आया हमारा इस में गुनाह क्या है? फिर मैजोरिटी वह है, पांच साल में जिस का मैनडेट खत्म होता है। लेकिन यहां पर यह मैजोरिटी का मसला शोर से, शराब से, आवाज से, हल होने वाला नहीं है। (Interruption) मैं जानता हूँ, आप यह कहेंगे। मैंने जो बात कही है उसके

बाद मोटिव्स इम्प्यूट करना, यह कहाँ तक मुनासिब है, माननीय टिपुटी चैयरमैन साहब यह मैं अपने दोरतों पर छोड़े देता हूँ। यह कहता कि मैजोरिटी है, डिमोन्स्ट्री का मर्डर हो गया है, तो उसके लिए जब फोरन इलेक्शन होने वाला है तो दिक्कत क्या है? अगर हम इलेक्शन को टिनाई करते—जो हम कर नहीं सकते थे, हमारा इन्टेन्शन भी नहीं है, हमारा तो इरादा यह है कि गवर्नर रूल नाफिज करने की नीयत ही न आये और अगर आए तो हम छः महीने और तीन महीने के लिए भी उसको पावर नहीं देना चाहते। हम तो चाहते हैं कि जैसी ही कांस्टीट्यूशनल ब्रेकडाउन हो किसी स्टेट में, तो फोरन इलेक्शन कराया जाए। न ही मेरी मन्शा है, न कांसिल आफ मिनिस्टर्स की, कि हमारे लीडर या प्राइम मिनिस्टर के हाथ में तीन महीने, छः महीने या दो साल के लिए स्टेट्स की व्यवस्था का भार रखा जाए। तो हम जब उसमें इलेक्शन करा रहे हैं तो मैं समझता हूँ उस में कोई शिकायत नहीं होनी चाहिए।

श्री प्रकाशवीर शास्त्री (उत्तर प्रदेश):

इतिफाक की बात है कि मैं संसद् के उन सदस्यों में हूँ जिन्होंने जब शेख अब्दुल्ला को परीक्षण का यह अवसर दिया जा रहा था उस समय भी यह कहा था कि आगे चल कर यह भूल साबित होगी। मैं इस सरकार से कहना चाहता हूँ कि पहले जाने परीक्षण की भूल, जिस की चर्चा हम कर रहे हैं, आप न दोहराये। जो परीक्षित है उस की परीक्षा लेना समझदारी नहीं होती। फिर भी

जो प्रश्न मैं पूछना चाहता हूँ वह यह है कि पीछे स्टेट्समैन में एक समाचार निकला था कि वर्तमान सरकार सभी विधान सभाओं को भंग कर के विधान सभाओं के लिए नये इलेक्शन कराना चाहती है। उसी से सम्बंधित एक और वक्तव्य देखने को मिला हमारे पहलें राष्ट्रपति श्री वी० वी० गिरि का जिन्होंने चौधरी साहब की सरकार को सदन में बैठ कर गिराया था। उन्होंने वक्तव्य दिया कि देश की सभी विधानसभाओं के चुनाव होने चाहिए। क्या सरकार इस बात से सहमत है कि जो पीछे स्पीकर्स कान्फ्रेंस ने निर्णय लिया था कि किसी सरकार को गिराना हो तो पहले उसका बहुमत विधानमंडल के अन्दर देखा जाना चाहिए, विधानमंडल के बाहर उस का बहुमत नहीं परखा जाना चाहिए। क्या सरकार स्पीकर्स कान्फ्रेंस के इस निर्णय से सहमत है कि किसी भी सरकार का बहुमत सदन में परखा जा सकता है, बाहर नहीं। मैं यह बात पूछ रहा हूँ कि इन दोनों पृष्ठभूमियों में कि स्टेट्समैन में समाचार निकला है और गिरि साहब ने यह वक्तव्य दिया है।

दूसरी बात जो मैं विशेष रूप से पूछना चाहता हूँ कि शेख अब्दुल्ला साहब ने जो राज्यपान महोदय को विधान सभा भंग करने की राय दी तो यह क्या अपने मंत्रियों से सलाह करने के बाद राय दी या अकेले क्योंकि इस में जो शब्द आपने पढ़ कर सुनाये थे "कौंसिल आफ मिनिस्टर्स" हैं, मुख्य मंत्री अकेले राय नहीं दे सकता, अपने मंत्रियों से परामर्श कर के गवर्नर को राय दे सकता है। तीसरी बात विशेष रूप से मैं यह जानना चाहता हूँ कि कल जैसा समाचार पत्रों में मैंने पढ़ा है विदेश मंत्री श्री अटल बिहारी वाजपेयी ने लोक सभा में वक्तव्य देते हुए कहा है कि धारा 370 के सम्बन्ध में हम वहाँ को जनता से पूछ कर निर्णय लेंगे। लेकिन पीछे इस प्रकार के वक्तव्य लोक सभा

और राज्य सभा में कई बार सरकार की ओर से आये हैं कि यह धारा काफी हद तक घिस चुकी है और जो रह गयी है वह भी घिसने-घिसते घिस जायेगी लेकिन कल के वक्तव्य से प्रतीत होता है कि सरकार फिर पीछे की ओर लौट रही है। इन दोनों बातों में कहां तक तालमेल है? ये तीन प्रश्न मैं पूछना चाहता हूँ।

चौधरी चरण सिंह : उपसभापति महोदय, स्टेट्समैन में क्या निकला है और माननीय वी० वी० गिरि ने क्या कहा है। इन दोनों में से कुछ पढ़ा नहीं है। (Interruption) घबड़ाते क्यों हैं, परेशानी क्या है? यह वाक्या है कि मैंने पढ़ा नहीं है। उन्होंने कुछ कहा हो, इस गवर्नमेंट की कोई इस तरह की नीति नहीं है कि स्टेट गवर्नमेंट्स को ठीक उसी तरीके से गिराया जाय जैसे कि वह पार्टी गिराती रही है जिस के माननीय प्रकाश-वीर शास्त्री सदस्य हैं और जिस की मैम्बर होने से पहले वे बहुत शिकायत किया करते थे। हमारी कोई इस प्रकार की नीति नहीं है। मैंने यह पढ़ा नहीं है, लेकिन आपकी मंशा में समझ गया हूँ।

दूसरी बात मुझे याद नहीं पड़ रही।

श्री रणवीर सिंह : स्पीकर्स कान्फ्रेंस का फैसला।

चौधरी चरण सिंह : मेरी इत्तिना है कि जो कुछ भी माननीय शेख अब्दुल्ला साहब ने कहा है गवर्नर साहब को कौंसिल आफ मिनिस्टर्स की एडवाइस से कहा है, उस के मशविरे से कहा है।

तीसरी बात उन्होंने 370 के बारे में कही मैं मौजूद था जब माननीय वाजपेयी बोल रहे थे, लेकिन माननीय वाजपेयी ने

SHRI V. B. RAJU: Sir, I want to raise a point of order. What the Minister has just now stated is that he has information that the Council of Ministers has advised the Governor to take the action. But if you see the telegram of Sheikh Abdullah, it says: I have advised the State Governor to dissolve the Legislative Assembly. He did not say "or Government". I am only pointing out that there is actually a discrepancy. I would like him even now to verify and inform the House whether there was a resolution of the Council of Ministers because the Constitution stipulates that the Council of Ministers should advise the Governor. It is a point which may be clarified.

श्री भैरों सिंह शेखावत (मध्य प्रदेश):
राजू साहब, यह बता दीजिये कि इमरजेंसी लागू करने वक्त प्राइम मिनिस्टर ने कौंसिल आफ मिनिस्टर्स की तरफ न एडवाइस किया था।

SHRI V. B. RAJU: Sir I am not asking actually the present Government to only copy our mistakes but to copy our good elements.

श्री भैरों सिंह शेखावत : इमरजेंसी लागू करने के समय आप की प्राइम मिनिस्टर ने कौंसिल आफ मिनिस्टर्स की राय ले कर क्या प्रसीडेंट को एडवाइस की थी ?

SHRI V. B. RAJU: The very fact that you are here is actually the good element of our party.

श्री प्रकाशवीर शास्त्री : मैं फिर बहुत विनम्रता के साथ चौधरी साहब से कहना चाहता हूँ कि यह वह पद है कि जिस पर कभी सरदार पटेल और गोविन्द वल्लभ पंत बैठ चुके हैं इस लिये गृह मंत्री जी की ओर से

जो उत्तर आये और गृह मंत्री जी की ओर जो वक्तव्य आये उस में उसी प्रकार की गम्भीरता की अपेक्षा संसद के सदस्य उन से करते हैं। इसलिये मैं विशेष रूप से पूछना चाहता हूँ कि जैसे कि मंत्री जी ने यह कहा कि शेख अब्दुल्ला साहब ने अपने मंत्रियों से राय लेकर गवर्नर को यह राय दी, तो क्या कोई इस प्रकार का संकेत वह दे सकेंगे कि अपने मंत्रियों के साथ शेख अब्दुल्ला साहब की बैठक कब हुई। थोड़ा सा वह इस प्रकार का संकेत दें कि उन्होंने अपनी मंत्रि परिषद् से राय कब ली या बिना अपनी मंत्रि परिषद् से राय लिये हुए ही मुख्य मंत्री को अधिकार है कि वह संवैधानिक दृष्टि से राज्यपाल को विधान सभा भंग करने के लिए कह सके। अगर इस संबंध में गृह मंत्री जी के पास कोई जानकारी हो कि कब उन्होंने अपनी मंत्रि परिषद् की राय ली तो वह जानकारी कृपा कर के वह सदन को दें।

चौधरी चरण सिंह : उपसभापति महोदय, माननीय प्रकाशवीर शास्त्री की प्रतिक्रिया को मैं समझ सकता हूँ क्योंकि मैंने यह कहा कि पहले जिन बातों पर वह एतराज किया करते थे वही आज उनके सामने है और आज जिस पार्टी के सदस्य के नाते वह बोल रहे हैं वहाँ होने के नाते उनकी यह नाराजगी बिल्कुल स्वाभाविक है (Interruption) मैं यह जानना चाहता हूँ कि मैंने ऐसी कौन सी बात कही है जिससे माननीय प्रकाशवीर शास्त्री जी मुझे याद दिलाते हैं सरदार पटेल की गम्भीरता की ? मुझे यह जानने का हक है कि ऐसी कौन सी बात है। उपाध्यक्ष महोदय, मैं यील्ड करने के लिये तैयार नहीं हूँ जब तक कि कोई प्वाइंट आफ आर्डर न हो।

श्री रणवीर सिंह : व्यवस्था का प्रश्न है।

श्री उपसभापति : वह प्वाइंट आफ ऑर्डर उठा रहे हैं ।

श्री प्रकाशवीर शास्त्री : पहले तो मैं यह कहना चाहता हूँ कि यह भारतीय संसद् है, उत्तर प्रदेश की विधान सभा नहीं है ।

श्री उपसभापति : यह कोई व्यवस्था का प्रश्न नहीं है ।

श्री प्रकाशवीर शास्त्री : जिस पार्टी में बैठने के लिए चौधरी साहब को आपत्ति हो रही है कि मैं उस में क्यों बैठा हूँ, मैं उन को बताना चाहता हूँ, हालांकि उन बातों को मैं विस्तार से कहना नहीं चाहता कि उनकी पार्टी के लोग जो 18 महीने तो जेल में रहे और तीन, चार महीने पहले ही छूटे हैं, फिर भी अगर वे चाहें तो मैं बता सकता हूँ कि....

SHRI LAL K. ADVANI: On a point of order, Sir. It is the tradition of this House not to make any reflections on any Legislative Assembly. The U.P. Legislative Assembly....(Interruptions) is an elected forum of the people of Uttar Pradesh and the observation just made by the hon. Member, I feel, is a reflection on the Assembly and, therefore, it should be expunged.

मैं मानता हूँ कि संसद् एक श्रेष्ठ सदन है । मैं मानता हूँ कि हमारी राज्य सभा और लोक सभा बड़े और श्रेष्ठ सदन हैं जो अपनी गरिमा के साथ, श्रेष्ठता के साथ अपने काम का संचालन करते हैं, लेकिन मैं यह भी मानता हूँ कि हिन्दुस्तान की जितनी विधान सभाएँ हैं, जिन में उत्तर प्रदेश की विधान सभा भी है, वह सब श्रेष्ठ सदन हैं और उन का काम गरिमा के साथ चलता है । यह कहना कि यह राज्य सभा है, यह कोई विधान सभा नहीं है उत्तर प्रदेश की,

it is a reflection on that Assembly and it must be expunged.

श्री रणबीर सिंह : यह तो सच है ।

श्री सुलतान सिंह (हरियाणा) : माननीय भ्रातृवाणी जी ने कहा माननीय प्रकाशवीर जी के वक्तव्य से किसी दूसरे हाउस पर असर पड़ता है । उपाध्यक्ष महोदय, आप ने शास्त्री जी के कथन को सुना होगा । यह स्टेटमेंट आप दि फैक्ट है कि यह उत्तर प्रदेश की विधान सभा नहीं है अगर भ्रातृवाणी साहब इस हाउस को उत्तर प्रदेश की विधान सभा मानते हैं तो शास्त्री जी की बात को निकाल दें, लेकिन यह फैक्ट है कि यह उत्तर प्रदेश की विधान सभा नहीं है ।

श्री लाल भ्रातृवाणी : मैं समझता हूँ कि इस में कोई एक्सपेंशन की जरूरत नहीं थी, लेकिन चूंकि माननीय सदस्य ने कुछ कहा है, इसलिए मैं उदाहरण देना चाहता हूँ कि जो हमारे लोक सभा के सदस्य निर्वाचित हुए हैं वहाँ पर वे कुछ बात कहें तो उस पर उन को टोका जाए और यह कहा जाए कि यह लोक सभा या राज्य-सभा नहीं है तो वह ठीक नहीं है । जिस समय यह कहा गया कि यह उत्तर प्रदेश की विधान सभा नहीं है यह लोक सभा है यह याद रखें तो इसका अर्थ यह था कि जैसे उत्तर प्रदेश की विधान सभा का कोई स्टैंडर्ड नहीं । इसलिए मैं आप से निवेदन करूँगा कि माननीय सदस्य अपने शब्द वापस ले लें या उन को एक्सपेंज किया जाए ।

SHRI JAGJIT SINGH ANAND (Punjab): Sir, I have a point of order.

श्री प्रकाशवीर शास्त्री : मैं विनम्रता से केवल इतना ही निवेदन आपसे करना चाहता हूँ, मैं चौधरी साहब के व्यक्तित्व

[श्री प्रकाशवीर शास्त्री]

को जानता हूँ, इसलिए पहली बार जब इन्होंने कहा, आप ने ध्यान दिया होगा, मैं ने उस समय उत्तर नहीं दिया, लेकिन जब द्वारा उन्होंने इस बात को कहा तो मैं समझता हूँ कि इतने महत्व के ओहदे पर बैठने वाले आदमी को थोड़ा अपने पद की गरिमा और अपने व्यक्तित्व की गरिमा का ध्यान रखना चाहिए। इसलिए मुझे ये शब्द कहने पड़े।

श्री उपसभापति : एक व्यवस्था का प्रश्न उठाया गया है कि जो बात माननीय सदस्य श्री प्रकाशवीर शास्त्री ने कही, जिसमें कि उत्तर प्रदेश विधान सभा का उल्लेख है, उसको सदन की कार्यवाही से हटा दिया जाए। मैं सदन की कार्यवाही को देखूँगा और उस पर उचित निर्णय दूँगा क्योंकि सदस्य जोर देना चाहते हैं कि उस पर कुछ न कुछ निर्णय हो। लेकिन मैं माननीय सदस्यों से अनुरोध करूँगा कि इस प्रकार के आक्षेप, प्रत्याक्षेप, न करें और बड़ी संजीदगी और शान्ति से सदन की व्यवस्था चलाए। क्योंकि बहुत अहम मामले हमारे सामने हैं। इन सब बातों को ध्यान में रखते हुए मैं माननीय सदस्यों से निवेदन करूँगा कि कोई ऐसा बात न कहें जो सदन की गरिमा के अनुकूल न हो। मैं माननीय सदस्यों से यह भी निवेदन करूँगा कि व्यवस्था का प्रश्न इसलिए नहीं उठाया जाता कि आप कुछ बात कहना चाहें। व्यवस्था के प्रश्न की कुछ सीमाएँ हैं। उनको समझ कर ही व्यवस्था का प्रश्न उठाएँ।

SHRI JAGJIT SINGH ANAND: Sir, this was not my intention. How can you make this observation without listening to me? I did not utter a word. Do you think I am making a "bahana" on this? I am sorry Sir,

public importance

on the first day of your occupying the Chair, you are attributing mo'i-ves to me. I did not expect this from you.

श्री उपसभापति : माननीय सदस्य जरा गम्भीरता से सुनें। अभी दो तीन प्रश्न उठाए गए, उन सबके सम्बन्ध में मैंने कहा।

श्री जगजीत सिंह आनन्द : मेरे ऊपर कहा है जी आपने।

श्री उपसभापति : आपके लिए नहीं कहा। मैंने एक सामान्य व्यवस्था की बात कही है। इसके आधार पर ऐसे प्रश्न न उठाए जाएँ। मैंने केवल यही कहा है। दो चार बातें जो उठाई गई हैं व्यवस्था के प्रश्न के आधार पर वह नहीं उठाई जा सकती नियमों के अनुसार। मैंने आपकी ओर संकेत नहीं दिया।

SHRI JAGJIT SINGH ANAND: Sir, my point of order is that, if read in cold print, it may not have any implication. But the connotation of the expression was as Shri Advani said. If the House is to function in a proper spirit, such aspersions should not be cast.

श्री रबी राय : मेरा यह निवेदन है कि एक्सपोज़ करने का जो निवेदन किया जाता है उसके बारे में तत्काल निर्णय होना चाहिए। अदरवाइज वह प्रैस में आ जाएगा। इस बारे में विचार यह रखना चाहिए

(Interruption)

श्री नत्थी सिंह (राजस्थान) : आसन की तरफ मे व्यवस्था होने के बाद उस बारे में कोई प्रश्न नहीं उठाया जा सकता।

श्री प्रकाशवीर शास्त्री : कौंसिल आफ मिनिस्टर्स के सदस्य यहां बैठे हैं मेरे प्रश्न का जवाब माना चाहिए।

श्रीधरी चरण सिंह : मुझे को अफसोस है कि अनावश्यक रूप पर कुछ हीट या गर्मी इस मामले में आ गई। भूल जाते हैं मेरे दोस्त कि माननीय शास्त्री जी ने यह कहा कि इस पद पर रह चुके हैं माननीय गोविन्द बल्लभ पंत और माननीय सरदार पटेल जो गंभीरता उनकी है उसका भूल नहीं जाना चाहिए। इसका क्या मतलब होता है . . .

(Interruption)

श्री उपसभापति : कृपया शांत रहिए।

श्रीधरी चरण सिंह : मैं, सरदार पटेल और गोविन्द बल्लभ पंत जिनके अधीन सात साल तक मुझे काम करने का सोभाग्य मिला था, उनके पैरों की धूल भी नहीं हूँ। लेकिन मेरे कहने में गंभीरता की क्या कमी थी वह मैं समझ नहीं पाया। जिस समय असेम्बली उत्तर प्रदेश का जिक्र हो रहा था उस समय मैं प्रोटेस्ट कर रहा था। (Interruption) कांग्रेस पार्टी का मैम्बर होने से पहले आपकी यह राय थी।

श्री प्रकाशवीर शास्त्री : आपकी क्या राय थी।

श्रीधरी चरण सिंह : मेरी राय कुछ भी थी पर अटैक नहीं था . . .

(Interruption)

श्रीमती विद्यावती चतुर्वेदी (मध्य प्रदेश) : आप भी पहले कितनी पार्टी बदल चुके हैं और अभी कितनी और बदलेंगे। कांच के घर में रहने वाले दूसरों पर पत्थर नहीं फेंका करते।

श्रीधरी चरण सिंह : मेरी बहन को अच्छी हिन्दी आती है इसका उन्होंने प्रमाण दे दिया है।

श्रीमती विद्यावती चतुर्वेदी : कम से कम यह तो आपकी समझ में आया इसके लिए शुक्रिया।

श्रीधरी चरण सिंह : जो मार्च, 26 को खत लिखा गया उससे यह जाहिर होता है कि जो मैंने कहा वह ठीक है। वह पत्र इस प्रकार है :

My dear Governor, You will kindly recall my discussion with you in Delhi yesterday in respect of the situation arising out of the statement of Mr. Mufti Mohammed Syed, President of Jammu and Kashmir Pradesh Congress Committee. I have discussions with the Ministers of my Council on the subject. The matter has been examined in all its aspects and details. On the basis of the decision arrived at as a result of deliberations, I beg to advise you to kindly dissolve the Legislative Assembly of Jammu and Kashmir."

LEAVE OF ABSENCE TO SHRI VENIGALLA SATYANARAYANA

MR. DEPUTY CHAIRMAN: I have to inform Members that the following letter dated the 21st March, 1977, has been received from Shri Venigalla Satyanarayana:—

"I had an heart attack and am bed-ridden since 9th of this month. Doctors advised me not to move from the bed at least for four weeks. I request you to kindly grant me the leave for this session."

Is it the pleasure of the House that permission be granted to Shri Venigalla Satyanarayana for remaining absent from all meetings of the House during the 100th Session of the Rajya Sabha?

(No hon. Member dissented)

MR. DEPUTY CHAIRMAN: Permission to remain absent is granted.

MESSAGES FROM THE LOK SABHA

- I. The Appropriation (Railways) Vote on Account BUI, 1917.
- II. The Appropriation (Railways) Bill, 1977

SECRETARY-GENERAL: Sir, I have to report to the House the following messages received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:—

(1)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Appropriation (Railways) Vote on Account Bill, 1977, as passed by Lok Sabha at its sitting held on the 29th March, 1977.

(2) The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

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"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Appropriation (Railways) Bill, 1977, as passed by Lok Sabha at its sitting held on the 29th March, 1977.

(2) The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

Sir, I lay a copy of each of the Bills on the Table.

REFERENCE TO DEMAND FOR RELEASE OF ALL DETENUS HELD UNDER MISA

SHRI BHUPESH GUPTA (West Bengal): Sir, I am grateful to you that you have given me the permission to raise a matter of great im-

portance. Sir, this is about political detenus and undertrial detenus, including hundreds of Naxalites in detention or in various jails of the country, especially in West Bengal.

Sir, the matter has been raised by us in the past. During elections this became all the more essential. We know the fate of these political prisoners, many of them have been in jail or detained under MISA for many years. Many are under-trial prisoners, without any charge being framed against them and we have got thousands of them in West Bengal. I had met some of them in prison in the past and now we are getting telegrams from West Bengal and other parts of the country also. Sir, in the Janata Party Election Manifesto it is stated that they would repeal the Maintenance of Internal Security Act. In the President's Address, we find it is mentioned that it will be reviewed. I don't know, Mr. Advani, what is there to review? If you are committed to the repeal of the Maintenance of Internal Security Act, one fine Bill is enough to repeal it. You don't review an Act having come to the conclusion that you have to repeal it. When Indira Gandhi was heading a minority government, at our insistence the Preventive Detention Act was revised. It was not on the Statute Book till after the 1971 elections. It has been revived in the form of MISA.

Now, Sir, first of all I would like to ask the Home Minister, Mr. Charan Singh who is here, and Mr. Morarji Desai to implement that pledge straightaway—namely the annulment of the Maintenance of Internal Security Act. What is this review?

But I am here now to bring to your notice what is worrying many many people all over the country. In West Bengal, about 5000 political prisoners are still there. A whole number of people called Naxalites have been under detention for many years, al-

though the Maintenance of Internal Security Act does not permit detention for more than a year or two. Many are being held as under-trial prisoners without any chargesheet being given to them. It is not anything like a rule of law when you hold people as under-trial prisoners for many many years. There is no case against them; you don't prefer a charge-sheet against them. Just this morning, I have received a telegram as follows: "Ensure release 100 political workers. Large number of political prisoners detained without trial, under-trial without charge-sheet, without prosecution.. etc". This has come from West Bengal. From other States also, they are coming. Therefore, my appeal—that is the operative part of my appeal—to the new Government is that pending repeal of the Maintenance of Internal Security Act, Government should give directions to the State Governments that all political prisoners—Naxalites and others—should be set-free forthwith. There need not be any delay when the Government is under a firm commitment to do it. It can be done in this session. There are many others who are under-trial prisoners. I should like the Government to give a direction to the State Governments within their competence of power. The State Government in this matter, has the power, but the advice from the Central Government on behalf of Parliament would not be wasted. These under-trial prisoners should also be set free. There is no case against them. Why should they be kept under this 'Black' Act in jail for such a long time. Sir, you can imagine the sufferings of the families. Careers of a large number of young men in their teens have been ruined. I think a time has come to cry a halt to this kind of destruction of our youth in prisons. Many Naxalites even said that elections should be fought. Things have changed now. I think the Government should take a proper view of this matter and act very quickly. Well, this is one thing. Then, they should all be given a proper political status. In West Bengal

and other States, they are not getting the status. How long can we get on with this thing? I have been pleading for years and years in order to get things right. Now that the Government itself is committed by the electoral pledge to the people the Maintenance of Internal Security Act should go. There is no need for delaying this matter. Government can take immediate action over this matter. I would therefore like to ask Mr. Charan Singh to go into this matter. Let that chapter be closed once and for all. This chapter should be closed finally. I would bring to your notice that two Naxalites of Andhra Pradesh—Kesta Gowda and Blaovtmeiya were executed during the Emergency. Sir, I don't know how their families are. They were agricultural labourers and poor people and I think you can render some assistance to them. Sir, these steps should be taken.

Once again, I do beseech the Government and appeal to the Government to give this task the topmost priority. Not only in terms of our conscience but also in terms of their own election manifesto. It is necessary that these political prisoners should be released without much delay. I come from West Bengal. The other day I read in the paper that thousands of prisoners are there. You can imagine how people feel. It is a serious matter for the people of West Bengal. I have been again and again appealing to the Government. I once again appeal to this Government, not from any partisan point of view. This question assumes the character of a humanitarian question. Sir, I therefore hope the Government will take steps, if necessary by consulting us and others on this side of the House, and expedite the matter. Do not sit on the files, please. Enough sitting on the files has taken place. Do not allow your officers to cook up problems they have done a lot of mischief. A political decision should be taken that not one political prisoner of the left

[Shri Bhupesh Gupta] democratic movement, whether the CPI(Mj) or CPI or any other party or Naxalites, would be in prison. Let us begin a new chapter by declaring general amnesty to all these unfortunate people in the prisons of the country. Thank you.

PROF. RAMLAL. PARIKH (Gujarat) : Sir, before the Home Minister speaks, whenever this question came up, the previous Government consistently and continuously refused to give the correct state of affairs about the detenus, as to what was the figure of detenus and where they were detained. This time I would request the Home Minister to bring put a complete statement as to what is the state of the detenus and how many were detained actually. I think we should not lose more time on this so that the House could be fully informed as to what happened during the emergency. I think this is what the House would expect.

SHRI VISWANATHA MENON (Kerala): Sir, on behalf of my party also I endorse the Sentiments expressed by Mr. Bhupesh Gupta. Many of my party comrades are in prison still. Not only Naxalites, but other people also; in the name of Naxalites, are put in jail in Kerala. There are various persons who are not even being produced before the court. That is the position. So I would request the hon. Home Minister to take an active interest in this matter. Some of these matters concern the State Government. But he should take a strong stand in this matter. I would request him to give a favourable reply.

SHRI HIMMAT SINH (Gujarat): Sir, I have a point to make, arising out of what Shri Bhupesh Gupta has said and which has been referred to by Shri Ramlal Parikh. I would like to make a mention of the reply given in the Gujarat Assembly by the Home Minister. When he was asked about the number and other

details about the detenus, the Home Minister failed to give a reply. He suppressed the information. It is therefore all the more necessary that the Home Minister of India take note of this and gives full information regarding all the detenus of all the parties including those who have not yet been released.

गृह मंत्री (जोधरी चरण सिंह) :
उपसभापति महोदय, मुझे बहुत ही खुशी है कि माननीय भूपेश गुप्ता जी ने यह सवाल उठाया। मैं उनसे पूर्णतया सहमत हूँ और दूसरे तीनों मित्रों से भी जिन्होंने उनका समर्थन किया।

यह प्रश्न हमारे विचाराधीन है और जो शिकायत माननीय मित्रों की है कि पिछली गवर्नमेंट ने कभी कोई तफसील या डिटेल् गिरफ्तारशुदा लोगों की नहीं दी, यही कठिनाई हमारे सामने भी है। ये सारी डिटेल्स म इकट्ठा कर रहे हैं और इस सिलसिले में आवश्यक आदेश चार दिन पहले दिये जा चुके थे। 26 मार्च को यह गवर्नमेंट बनी थी और 26 की शाम को ही कैबिनेट की मीटिंग हुई। 27 तारीख को हमने होम सेक्रेटरी को यह कहा है कि इस सिलसिले में जो डाटा या तफसील उनके पास नहीं है—जो कि उनके पास होना चाहिए था—यह उसको इकट्ठा करें। और मैं आपकी इजाजत से गवर्नमेंट की तरफ से यह वायदा करता हूँ कि इन दो या तीन दिन के अन्दर एक डीटेल्ड स्टेटमेंट मैं गवर्नमेंट की तरफ से सदन की पटल पर रखूंगा।

SHRI BHUPESH GUPTA: What about my suggestion regarding the relief?

चौधरी चरण सिंह : हाँ, हाँ ।
सारी बातों और सारी नीति के सिलसिले
में ।

ALLOCATION OF TIME FOR DISCUSSION OF GOVERNMENT BUSINESS

MR. DEPUTY CHAIRMAN: I have to inform Members that the Business Advisory Committee at its meeting held today, the 30th March, 1977, allotted time as follows for Government Legislative and other Business to be taken up during the current session of the Rajya Sabha:—

<i>Business</i>	<i>Time Allotted</i>
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1. General Discussion on:—

- | | |
|------------------------------------|---------|
| (a) General Budget for 1977-78 | 3 hours |
| (b) Railway Budget for 1977-78 | 2 hours |
| (c) Tamil Nadu Budget for 1977-78 | 1 hour |
| (d) Nagaland Budget for 1977-78 | 1 hour |
| (e) Pondicherry Budget for 1977-78 | 1 hour |

2. Discussion on the Address delivered by the Vice-President acting as President (4th, 5th and 6th April, 1977)

3. Discussion on the Resolution on increase in the export duty on coffee, groundnut and cardamom.

4. The Committee decided that the following Appropriation Bills should be taken up for consideration and return on the 31st March, 1977:—

- (a) The Appropriation Bill, 1977.
- (b) The Appropriation (Vote on Account) Bill, 1977.
- (c) The Appropriation (Railways) Bill, 1977.

- (d) The Appropriation (Railways) Vote on Account Bill, 1977.
- (e) The Tamil Nadu Appropriation (Vote on Account) Bill, 1977.
- (f) The Tamil Nadu Appropriation Bill, 1977.
- (g) The Nagaland Appropriation (Vote on Account) Bill, 1977.
- (h) The Nagaland Appropriation Bill, 1977.
- (i) The Pondicherry Appropriation (Vote on Account) Bill, 1977.
- (j) The Pondicherry Appropriation Bill, 1977.
- (k) The Finance Bill, 1977.

The Committee also recommended that the House should sit up to 6.00 P.M. today and till late in the evening tomorrow with a view to completing all the legislative business to be taken up on that day.

The Committee further recommended that the House should sit on Thursday, the 7th April and Monday, the 11th April, 1977 for the transaction of Government business.

SHRI BHUPESH GUPTA (West Bengal): Sir, I have a submission to make with regard to this motion, it seems some other Bills are going to come before the House, as we have to sit on the 11th March, 1977, but it has not been indicated which are the Bills which are going to come. I suggest that immediately Bills restoring the Feroze Gandhi Act and repealing the Press Objectionable Matters Act and the Maintenance of Internal Security Act be brought before the House. Announcement should be made in this regard so that we can accordingly make our arrangements, instead of telling us on the previous evening that such and such Bills are coming before the House. Do I have an assurance—and we should have that assurance—that these two Bills restoring the Feroze Gandhi Act and

[Shri Bhupesh Gupta]

repealing the Press Objectionable Matters Act will be included among the Bills that are going to come before the House? I should like to know from the Government the position in this regard because we have to make some preparations. Some indication should be given as to the Bills which the Government propose to bring before the House. Will the Leader of the House, Mr. Advani, enlighten us on this?

SHRI HARSH DEO MALAVIYA (Uttar Pradesh): Sir, I would like to know whether there would be questions admitted during the days for which the House has been extended.

MR. DEPUTY CHAIRMAN: There would be questions on the 11th April, 1-1977.

THE BUDGET (RAILWAYS) 1977-78 *General Discussion*

SHRI S. W. DHABE (Maharashtra): Mr. Deputy Chairman, Sir, we are discussing the Railway Budget and some of the points which have been stated by the Railway Minister in his speech. I would like to say, Sir, something which is stated in para 20 of the speech that the collective bargaining evolved on the railways over the years has to be re-activated. It is further stated:

"It will be my consent endeavour to seek co-operation of the trade union machinery in this task. I will introduce a new element of dynamism in the management-labour relationship."

As for the work of the trade union movement, I welcome the statement but it has got many difficulties and it is not very clear. The collective bargaining in the railways is not possible and has not been made possible

because there is a clamour and the clamour has been that the trade union rights would be restored which has been generally accepted by the party in power now. Sir, in the railways, though it is an industrial undertaking under the ILO—the International Labour Organisation has accepted it as an industrial undertaking—it has been the policy of the government not to accept it as an industrial undertaking, and the Industrial Disputes Act of 1947 has been denied to the workmen to raise any dispute against the railways and the problems could not go either for adjudication or for decision. Sir, one of the reasons why the strike has taken place is this. A demand which had been made by George Fernandes on the last strike of 1974—I would like to quote his statement in the press conference; it appears on the 1st May, 1974, (Hindustan Times) is;

"Mr. Fernandes clarified that they had originally demanded minimum need based wage, but, as an interim measure, agreed to accept minimum pay for a railway worker as given to his counterpart in a public undertaking. But this demand, he said, had been totally rejected. Along with it, the demand for higher dearness allowance had also been thrown up. On the question of bonus, Fernandes revealed that railways were not included in the terms of reference of the Bonus Review Committee. Against their demand for supply of subsidised and adequate quantity of foodgrains through Railway Departmental Stores, the Ministry had only agreed to make available foodgrains in such quantities and at prices as locally available. In certain areas in the North Eastern Railway an adult got only one kilo of rice a month. Apart from inadequate supply of food-grains from public distribution system, there were only 360 fair-price shops in 7,000 railway stations. The Railway Ministry had also refused, Sir, to accept their demand to treat railwaymen as industrial workers for service conditions and

for purpose, under the Industrial Disputes Act."

Therefore, Fernandes said that these were the main demands for which they were going on strike.

Sir, on other three or four demands which he had made I would only like to say that it has been the universal demand of the working class throughout that bonus should be paid to all employees irrespective of who is the employer. I am sorry to say that in the statement first which has come from the Minister there is no reference to the important demand of the railway workmen. The payment of Bonus Act, 19C5 when it was enacted, excluded from its operation a number of undertakings—public undertakings and also

the railways under section 32 1 P.M. of the Act. Sir, the Bonus

Commission which was appointed earlier and in pursuance of whose recommendations the Act was passed, has stated: "It is proper to construe the concept of bonus as sharing by workers in the prosperity of the concern in which they are employed. This has also the advantage that in the case of low-paid workers, such sharing in prosperity augments their learnings."

Sir, two concepts of bonus are there. As wages are low, the workers are entitled to get more money by way of bonus to augment their earnings. The second concept is sharing in the prosperity of the undertaking, it has been accepted in the statement made by the Minister that workers are responsible for more earnings apart from the Government policies, that they have worked hard and their performance is excellent. If that is the position, are they not entitled to ask for bonus? Are they not entitled to ask for a share in the prosperity? I demand, Sir, that a clear statement should come from the Minister on this important aspect of this question.

श्री उपसभापति : माननीय सदस्य अपना भाषण जारी रखेंगे। सदन की कार्यवाही दो बजे तक स्थगित की जा रही है।

The House then adjourned for lunch at one 'minute past one of the clock.

The House reassembled after lunch at two of the clock, Mr. Deputy Chairman in the Chair.

SHRI S. W. DHABE: Amongst the demands which Mr. Fernandes has made, who is now occupying the treasury benches, one is parity with the wages in the public sector undertakings and another is that bonus should be paid to all the workers. Apart from this, Sir, the manifesto of the Janta Party, published in "The Indian Express" of the 11th February 1977 says like this:

"It will be the policy of the Government and the party in relation to the workers to do these things"

Sir, I will not read out all the paragraphs, but I will read out only paragraph 6 which reads like this:

"Consistent with the Gandhian attitude towards labour and industry, the Janta Party believes that workers must be treated as part of the industry. They must not only receive adequate wages and bonus, but also be enabled to participate in management and equity. To attain these objectives, the representatives of workers will be provided opportunities in schemes for participation in management, etc., etc."

Of course, Sir, the question of equity does not arise in the railway undertaking. But I think the honourable Minister has said in clear terms: "I will try to introduce a new element of dynamism in the labour-management relations" In view of the com-

[Shri S. W. Dhabe] mitment to pay bonus and adequate wages to the workers, I think this statement is a very half-hearted and a halting one, the statement does not indicate that the workers in the railways would be paid the same wages as are paid to the employees in the public sector undertakings. Today Sir, in the steel and coal industries, the workers are paid a wage, a minimum wage of Rs. 425 or so while the railway employees are paid about Rs. 200/- or so a^ost half of it. Therefore, it is high time that the wage policy was defined, that the national wage po'icy was clearly enunciated and proper norms were fixed for paying adequate wages to the railway workers. That is why I consider the demand for a need-based minimum wage as an important thing in the matter of industrial relations in the country.

The second thing to which the honourable Minister, who believes in dynamism in tlte labour-management relations, has referred is the question of participation in the management by the workers. This principle of workers' participation in the management has been accepted as a Directive Principle in the 42nd Amendment to the Constitution. Though the ruling party is saying that it wants to repeal the 42nd Amendment, one of the things which have been accepted and enumerated in the Directive Principles in the 42nd Amendment is workers' participation in management. There are two recognised unions in thig undertaking and the progress in the matter of workers' participation in management is, as wd all know, very slow. They should be members of the Railway Board since there are different levels of management and the workers should be associated with the management at various levels. If this is done, the whole thing will go a long way in improving the labour-management relations and a new concept of partnership in industry will emerge and strikes may not be necessary at all. Therefore, I consider that this is a very important aspect and I hope

that when we meet in the month of May 1977, a clear-cut policy on thiis issue of parity in wages and need-based minimum wage to all the workers in the railways will be announ-ced.

SHRI JAGAN NATH BHARDWAJ (Himachal Pradesh): Workers participation also.

SHRI S. W. DHABE: I have already said that, I have already said that it will go a long way in improving the operational efficiency of the railways and will also solve many problems.

In this connection, Sir, I would like to say that it will be necessary, if workers' participation in management is accepted as an article of faith, to provide training to the workers and training programmes will have to be undertaken. To undertake training programmes with the association of labour trade unions, I think, w'l be a good augury and will go a long way in improving labour-management relations.

Sir, in the statement made by the Minister there is a reference that dismissed workers, who went on strike in 1974, will be reinstated unconditionally. I welcome this statement. But it is not clear what is meant by this statement. I would like to know whether it is in accordance with the decisions of the High Courts and the Supreme Court that a worker goes back to the original post and has continuity of service and is also entitled to back wages. I think that when the Minister has stated that he will be reinstated he is entitled to get back wages from the date of dismissal till he is reinstated. But if the right to strike is to be accepted as a weapon of collective bargaining, I fail to understand why only the 1974 strike is taken into consideration. In fact, there were other strikes before this. There was the loco strike, to my knowledge, in 1972 and occupation-wise, railway workers' strike, in the year 1973 also. I think that this benefit should be extended to them also, and...

THE MINISTER OF RAILWAYS (SHRI MADHITJ DANDAVATE): There was one strike in 1948.

SHRI S. W. DHABE: It was a part of the movement. I am not going into that. That may be different. But at least the people involved in the strikes I have just mentioned should also be reinstated.

I have one more suggestion to make.

Sir, I hope that in laying down the policy, the important questions which arise as the right to strike as a weapon of collective bargaining, the parity in wages, the right to get bonus and, as I have already stated, trade union right—that is, the provisions of the Industrial Disputes Act, 1947, should apply to railway workmen,—will also be considered by the Railway Minister.

SHRI U. K. LAKSHMANA GOWDA (Karnataka): You were taking an entirely different line six months ago.

SHRI S. W. DHABE: I spoke in the same spirit even then. I opposed the C.D.S. in party meeting also.

Sir, I will like to mention one or two local problems before I sit down. The Dadar Express from Nagpur to Dadar takes a long time, starting at 10 P.M. and reaching Dadar in the afternoon, at about 4 P.M., on the next day. There is a suggestion and demand that from Gondia to Bombay there should be another express train to be named as Vidarbha Express which should reach Bombay at about 9 A.M. for the convenience of the citizens of Vidarbha.

Another thing is that the electrification programme is halting between Bhusaval and Durg. There is no electrification on this line. About three hundred or four hundred workers were retrenched. I would request that this question may be taken up immediately, so that all the casual labourers who were thrown out of

their jobs will get back employment under the new scheme.

I have one last suggestion to make. There is only one train connecting Nagpur and Kolhapur, called the Maharashtra Express. It takes 30 hours. But there is no canteen arrangement on the train. I hope the Minister will look into this small assignment on the Maharashtra Express, making proper catering arrangements on this train running between Nagpur and Kolhapur.

With these words, Sir, I thank you very much for giving me this opportunity.

MR. DEPUTY CHAIRMAN: Mr. Ramlal Parikh.

PROF. RAM LAL PAKIKH (Gujarat): Mr. Deputy Chairman, Sir, I am happy to learn from the speech of the hon. Railway Minister on the Railway Budget there is an overall improvement in the performance of the Railways. I do not know whether he had enough time to go through all these questions. As we all know, the Railway Minister is presenting the budget more or less prepared by the previous Government and he has yet to present a new budget. When the Vote on Account is finished and when a fresh budget is presented after a few months, the programmes and the concern for the working men in the Railways as envisaged by Janata Party are to be reflected. In spite of that, I congratulate the Railway Minister that he lost no time in taking the first opportunity for reinstating all those railway workers who were removed, retrenched and dismissed because of the railway strike which they had undertaken for their just demands.

While this is satisfactory, the question of providing basic amenities to the passengers is still a question which needs very serious probing and consideration. We are increasing the

[Prof. Ram Lal Parikh]

speed of the trains. We are introducing Rajdhani Expresses and Super-speed Expresses. While this is all right, I do not think this reflects any sense of priority. Let us find out whether the claim of the railway administration that there is adequate facility for drinking water is true. I am sorry I am unable to subscribe to this view of the railway administration that the drinking water facilities and sanitation have improved. In fact, this is one of the problems which has been hanging on for years now. Since the Railway Minister has come with a massive mandate of the people, his hands are strengthened to resolve some of these basic problems. The time has come to find some way to provide drinking water facilities in the railway compartments in the running trains. It is not impossible. It does not involve that much amount or mechanism by which one should be frightened.

Sir, I do not think that the level of sanitation is very satisfactory as yet. If we try to enter any of the lavatories at the railway stations, we can never find them clean. Probably they do not have any water facilities to flush the lavatories from time to time. Whatever may be the reason, the sanitation as a whole has remained poor under the previous Government. It would be for the new Railway Minister now to take up this problem which is a basic problem for the Class II passengers. The claim that the railways have been punctual was never true even during the emergency. Today morning, I travelled from Baroda to New Delhi by De Luxe which left Baroda yesterday evening and which reached today nearly 40 minutes late. I do not dispute that there is some improvement, but that is not enough to lead us to a situation where we can be satisfied and say, that the situation does not need any further improvement. There is need for improvement in terms of sanitation, drinking water and arrangements for reserva-

tion. No doubt, some anti-social elements have been weeded out. The reservations are a little more easier. But corruption still goes on at big stations. It will have to be the endeavour of the Janata Party Government to ensure that this corruption in reservation is totally removed. I am glad that the Railway Minister, in the limited budget for four months, has not forgotten the welfare of the railway staff and has provided nearly 19 crores of rupees for the welfare of the staff. This indicates the concern of the Janata Party Government for the railway staff. Then, Sir, there are some cases which require an enquiry. Just as the Railway Minister decided to reinstate those who had suffered because of the railway strike, there are cases where, during the emergency, the previous Government committed heavy excesses on railway employees, particularly the temporary railway workmen in the name of compulsory sterilisation. I have myself received six such employees at the Ahmedabad workshop who were forced to accept compulsory sterilisation. They belong to the minority community of Muslims. They did not abide by the compulsion and they have been removed from service and they are still without jobs and their condition is very pitiable. I would, therefore, request the Railway Minister to ensure that in respect of those who have been made the victims of compulsory sterilisation in the Railway administration under the orders of the previous Government, their condition is rectified very soon.

Sir, in terms of passenger amenities, one more thing I would like to point out. Although there are instructions that prohibition should be strictly enforced in the railway carriages and nobody should be allowed to use liquor in the railway carriages, on the 28th evening, when I was travelling from Bombay to Baroda in Rajdhani Express, in coach No. 1, seat No. 35, two persons near my seat were freely using liquor and nobody could check them, nobody could tell them and

nobody could stop them from using it. I think it is very dangerous that these rules are allowed to be flouted so easily.

Sir, we have been told that the Fifth Plan has provided Rs. 500 crores for the development fund and that a number of new projects would be undertaken. Obviously the Railway Minister has started his job only the day before yesterday and there was not enough time to give the whole picture. But I would like to present to him some of the problems which affect the Gujarat State. The Gujarat State has been demanding for years that the railway line in the Saurashtra region which is the meter gauge one should be converted into broad gauge. This has been accepted by the Railway administration but it has not been implemented. In fact, it has been delayed under one or the other pretext. The work has started but it has never reached its completion even after years. And the bottleneck at Viramgam is of such a serious nature that it affects trade and commerce, it affects the passenger traffic and it creates a lot of inconvenience, and the Saurashtra region, therefore, is seriously affected in its entire development programme. It remains a neglected area so far as the railways are concerned. In

the same way, the Gujarat people have been demanding that there ought to be some faster trains between Ahmedabad and Delhi on the

lines of the Deluxe trains between Bombay and Delhi, passing through Baroda on the meter gauge section because it takes 24 hours and passes through Rajasthan. The Rajasthan and Gujarat people have been demanding that there is a necessity for faster trains on this track so that people can travel conveniently by spending a night and a few hours during the day time and thus save one day. Then, Sir, on the question of introducing faster trains, I would like to stress one point. That is, we should not create any type of facilities

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or trains or services which are exclusively for certain classes. Take, for example, the Rajdhani Express. We have only the air-conditioned 2nd class and nothing for the ordinary passengers. Now, this would not be consistent with the kind of policies that we all want to pursue of having an egalitarian society with social justice where all classes, particularly the weaker sections of the people and the common men have equal access to all the services in our country. So I would plead here that in trains like the Rajdhani Express and other superfast trains while we create facilities for air-conditioned class passengers and passengers for other classes, we must also ensure that we maintain a certain minimum accommodation for the ordinary class passengers who would also like to avail of such trains then they are already in operation.

The Railway Administration is one which directly comes into contact with a large masses of the people. The railway traffic has been rising at the rate of 6 per cent and this is a very good rise. It is, therefore, very important that the Railway Administration at every level is in close touch with public men, with representatives of the people, with Members of Parliament and Members of State Legislatures and leaders of public opinion and the Railway Administration should be continuously in the know of what is going on in the public mind in terms of the impact of the Railway Administration. Now, I think, it is necessary to review the present arrangements of consultation. There is a large scope to improve it. It is already there but there is much room for improvement. The Members of Parliament particularly have to be involved more effectively and continuously in every consultation machinery at the divisional level, at the zonal level as well as at the Central level. I think this is very important because it is this sector of the Government which, if properly managed, can bring a lot of satisfaction to the

[Prof. Ram Lai Parikh] people, and, it is this very sector, which, if not adequately looked after, can create a lot of confrontation with and dissatisfaction among the people. Therefore it is of supreme importance that people through their various types of representatives are kept in close consultation with the Railway Administration particularly in the development of various amenities and services.

I am very happy and I congratulate the Minister again because he has indicated a surplus of Rs. 200 crores this year and while this is a good thing he has also indicated that a heavy effort would be needed for repaying nearly Rs. 477 crores debt to the revenue and development reserve fund. This all means that the Railways have a big task ahead. People can very rightly look forward to a very progressive and proletarian administration from Shri Dandavate, who is a very eminent public worker and a devoted socialist and who has been one with the weaker sections of the people. It is very fortunate that Shri Dandavate has taken over such a vital portfolio and everybody looks forward with great hope and expectation from him to revitalise the Railway Administration and make the railways the Railways of the people. Thank you,

SHRI KALYAN ROY (West Bengal): Mr. Deputy Chairman, Sir, although the baby was produced by the previous Congress regime, Mr. Dandavate has presented it before the House and I expected, on behalf of the C.P.I., that he would at least give some indication as to the shape of things to come, some kind of an outline of the specific measures which he is going to undertake to root out the rot which has crept in in this mighty institution. I congratulate him for taking a decision to reinstate all those who were dismissed or suspended. The basic democratic right which a worker enjoys in a democratic country is the right to go on a strike and the right to come back to work

after the strike is over. Even that elementary right was taken away by Mrs. Gandhi's Government and the working class has not forgiven her for that. But, is Mr. Dandavate satisfied that reinstatement is enough? What about demotions and transfers made on a mass scale? Is he going to set that right? Certainly, I do not know what he is going to do about it but what about the untold sufferings of the victimised employees in the last three years? Have you all forgotten them? What about those employees' children who could not pursue their education because their fathers lost their jobs? What about those wives and daughters—I know some of these cases in Asansol in West Bengal—the hospitals on the ground that their who could not get the medicine from husbands and fathers took part in the legal strike? And Mr. Dandavate would agree with me because I also led a strike in Asansol in West Bengal. It was a legal and justified strike and the workers were deliberately, by a conspiracy hatched by the Government and the Railway Board, victimised the workers. The Government was itching for a fight against the working class. There is no doubt about it. Emergency started and the entire military, the C.R.P. and the Border Security Force were mobilised to crush, the most genuine, legitimate, legal and justified strike. Is he going to give some compensation to those who lost their jobs, who lost their lives, who lost their properties, who were dragged in the midnight from their quarters before my very eyes? I am surprised, and I am glad also, that some of the Congressmen are in now. Things could have been averted if they had spoken this in 1974. They remained silent and colluded with this organised massacre of the Railway workers. I want to ask Mr. Dandavate what is he going to do about the two million workers who have been victimised and what about those who did the excesses. Are you going to completely forget that? I am not in favour of witch-hunting but what about those officers who

took sadistic delight in prosecuting, day after day, the employees? They could not dare to talk to the officers. What are you going to do about those who were prosecuted for mere collecting signatures or collecting subscriptions or putting a simple poster on the platform? Will you remain silent? Otherwise, the working class is also not going to forgive you as they have not forgiven Mr. Kamlapati Tripathi. And if you do not take any action, then these officers—because Ministers come and Ministers go—in the next opportunity will repeat what they did in 1974-75. So, I for one, want that these excesses should be enquired into and the officers, however high they are, wherever they are posted, whatever is their designation, should be punished and some example is set so that the darkest period of history is not repeated.

What about the Railway Board? As demanded in past, should there not be the abolition of the organ which was the creation of the colonial period, a useless system of the nineteenth century, the wall between the people and Parliament and the Railway Minister, which is the 'basic source of all this rot, mess and corruption in the entire administration? Will that remain, as it is untouched as a white elephant, or after getting the massive mandate from the people in a democratic manner, at least now will you dare to take some action to abolish it? What is the necessity of it excepting spending crores of rupees to keep them happy and hearty so that they can go on ruling in a most undemocratic manner? Then, what about certain basic ills which have been perpetuated by the Railway Board? I think Mr. Dandavate would be aware that there are nearly four lakh casual workers in the Railways. I am reading from a reply to my question on 27th August 1973. And the reply was that there were 3,14,320 casual workers and some of them have worked for ten years. For ten years he remains a casual worker. Hundreds and thousands of workers remain

under contract. And is Mr. Dandavate aware of their wages? The wage today is even less than what is paid to an agricultural labour. Will you set it right? Will you take certain decent steps to abolish these medieval traces in the Railway administration? Will you make permanent at least those workers who have completed one year of service, as is done in other public sector undertakings? Will the railway workers be treated as industrial workers? These were my demands. I fought for these demands. I went to jail for this and I was victimised for this. In regard to taking a decision on the Railway Board, will Mr. Dandavate act exactly in the same way as the other Railway Ministers did? I do not know. I have a fear that he may be swallowed again by the Railway Board whose appetite is unlimited.

SHRI MADHU DANDAVATE: My appetite will not be spoiled.

SHRI KALYAN ROY: Then, there is the question of sterilisation. I cannot forget this. Mr. Deputy Chairman, I have this 'Newsletter' of October-November, 1976. This is a periodical which is published by the Railway Board covering the Eastern Railway. On page 2, there is a heading "Family Planning: Special train introduced". There are no trains for the backward areas. No faster trains have been introduced. But a family planning train has been introduced. The General Manager of the Eastern Railway states that they have succeeded in motivating over 30,000 railwaymen to undergo sterilisation. They issued a circular. They also said that those who did not undergo sterilisation would not get promotion and would not be given other incentives like quarters and so on. I would put a question to Mr. Dandavate. Now, we know that 30,000 persons have been sterilised in the Eastern Railway. Will it be enquired into? I would like to know how many members of the Railway Board underwent sterilisation. This would be a very useful informa-

[Shri Kalyan Roy]

tion. Even a child of 8 years was sterilised by Mr. Bansi Lai's Government. Even a young boy of 12 years was sterilised in U.P. I would like to know how many of the General Managers underwent sterilisation. Are they included in this 30,000? I do not think anyone of them would have undergone sterilisation.

SHRI N. H. KUMBHARE (Maharashtra): They are all old people.

SHRI KALYAN ROY: After producing 13 children. A person would look old at the age of 30 after producing 13 children.

I would like him to have a second look where excesses have been committed in the name of sterilisation. What kind of sterilisation was done to force the Class III and Class IV workers?

Then, there is the question of bonus. Mr. Dandavate said in the other House bonus as deferred wage. I congratulate him for that. But when shall I get it? The Railway Board did not allow the Government to pay Rs. 40-50 crores by way of bonus, while they spent nearly Rs. 2,000 crores to crush the strike. Will it be paid at all in this year?

What about the apprentices? I mentioned about the casual workers who number about 4 lakhs. I mentioned about the contract workers. I think there are about 12,000 apprentices who have completed their courses. Will they be made permanent? Will some more will be appointed? What is the policy?

Then, I would like to take up the question of wagons. I would not go into the details. But this is a problem which is coming up again and again in this House in the course of debate? through calling attention notices and so on. I would like to know whether the Government and the Railway Board have got any policy towards the placing of orders for

wagons.. The unfortunate fact is that the entire wagon industry is concentrated in the eastern part of India. Lakhs of workers are engaged in building wagons. Wagons are not built only in Jessops or Indian Standard Wagons or Braithwaite. There are also hundreds of small factories engaged in this. Before the Emergency, there have been massive lay-offs resulting in unemployment because of the erratic placement of orders for wagons. Sometimes back it was 60,000 and now I think it has gone to 10,000. What is the actual position? When will this 'state of uncertainty' be over because the Railway Board does not know about this? They are pressurised this way or that way. They do not have the proper directive or proper instructions. I want to know how many thousands of wagons have been ordered far. What is the present position? What is the directive? Or, will these factories be closed and this erratic policy pursued? When the darkest chapter in the history is over, let the Government come out openly because all of those wagon dealings were done secretly. In what manner, I do not know. Let the Government come out openly, clearly, categorically before the House, before the people, enunciating their policy in respect of wagons. I demand this because the supply of wagons was a mysterious problem.

Do you know what is the position in coal industry? I think, 36 per cent of the freight is coal in Railways. Ninety million tonnes of coal are handled by Railways, as far as I remember, and all of them have suffered because of shortage of wagons. As a result of this, factories were shut down. So, there is no proper perspective or direction. I would like to know whether this direction will come now.

Similarly, regarding this erratic attitude towards placement of orders of axles, wheels and sleepers, you know that during the emergency, one of

the most important departments of the Durgapur Steel Plant which was producing sleepers and wheels, was closed down because the Railway Board did not place orders for these two items and the perpetual cold war was going on between the Ministry of Industry and the Ministry of Railways. Instead of placing orders on the public sector plants for axles, sleepers and wheels, they went abroad, paying a higher price and foreign exchange, allowing the workers to be thrown out of job from the public sector plants. I want to know categorically from the new Minister whether our installed capacity for wheels, installed capacity for sleepers and installed capacity for axles in the Durgapur Steel Plant will be fully utilised before he goes to abroad for these items. Will the steel plants let a proper and adequate price which was inadequate till today? It is very tiny. On the one hand, the railways deliberately give freight concession for bamboo, for cement and other commodities which are utilised for the monopoly section, at a very low price, at a low tariff, lesser than the cost of transport, and on the other hand they give a higher price for the commodities, to the essential pulpment which we buy from the steel plants. In other words, the basic sympathy of the Railway Board tends to be towards the monopolist and tycoons of the country. I would like to know whether his imbalance could be set right by the new Minister.

Similarly, about the question of accidents, in the printed pamphlet which was placed yesterday, i.e. "Review of Accidents of Indian Government Railways—1975-76" on page 2 it is written, I quote:

- This increase in accidents was due to the after-effects of the countrywide strike by the railwaymen and unsettled conditions of working in the country which had neglected the maintenance of railway assets and discipline among the

railwaymen. During the period April to September 1975 there were 536 train accidents against 446 during the corresponding period of the previous year.

Would Mr. Dandavate own this? Did the strike lead to indiscipline? What kind of discipline has been imposed in the last two years? May I ask Mr. Dandavate: Was it a voluntary one? I refuse to accept the allegation that we were ever indisciplined. Now the Budget presented by Mr. Dandavate wants to show that the accidents and unsettled conditions of working in the country were due to the strike. I do not know actually whose Budget it is. I do not know whose baby it is. It is definitely not Dandavate's baby.

SHRI MADHU DANDAVATE: It is an open secret.

SHRI BHUPESH GUPTA: (West Bengal): At the moment, they were illegitimate.

SHRI KALYAN ROY: Yes, responsibility rests partly on him. He is right. We both went to jail. Now you can easily accuse me. You have become Railway Minister. So compensate us. Who is preventing you? You give us bonus. Who is preventing you? You give us bonus. Who is preventing you to give us the back wages? Why have you said "reinstated"? When reinstating, the back wages should be paid whatever these may be. I see he is keeping silent and I see a smile on his face. Great injustice has been done, great wrong has been committed by the Junta which was ruling here in collusion with another Junta which is ruling in the Railway Board. I accept that if wrongs are corrected, serious discipline has to be restored, the workers who were victimised should be paid their back wages in full. You can think about it.

[Shri Kalyan Roy]

So, Sir, there must be a new approach, a new outlook. Lastly, there are two points I want to make. One is about the underground railway in Calcutta. In reply to all the questions so far tabled by me and others, I read one question put in 1974: "Overall upto date progress in the tube railways in Calcutta is 3.5 per cent and the work is scheduled to be completed by the end of 1979". This was said by Shri Mohammad Shaif Qureshi. In *The Statesman*, in the end of 1974, both Mr. Bhola Sen, Minister of West Bengal and Mr. Mukherjee, Manager, Metropolitan Transport Project maintained that "as yet there is no question of not being able to complete the underground project by 1979, the target date". Unfortunately—I have been to Calcutta—we have seen nothing but a mountain of mud coming out of the Maidan. Hardly there has been any progress. When will the Project be completed? Are they serious about it? I think there is an underground attempt to sabotage the whole thing. Can he give any date—99 years, 100 years or 200 years—when the 3 per cent expansion will increase to at least 4 per cent expansion? All this time we were trying to get a categorical reply from Shri Buta Singh or Shri L. N. Mishra, but we never got a reply. Now Mr. Dandavate has come and I definitely think that the workers should be more encouraged after they go back to work. So he can give a categorical assurance— as Railway Minister he can give a commitment that by such and such date, this will be completed. All the old dates are gone.

Lastly, I shall mention one of the very basic points which is agitating not only the railway workers but also other workers: what is the criterion regarding choosing collective bargaining agencies? I quote, Sir, from *The Statesman* of 3rd December, 1973: "The Union Labour Minister, Mr. L. N. Mishra said in Calcutta on Sunday that he attached considerable importance to the conference in Delhi on

January 22, to which he had invited leaders of the two railwaymen's federations and those of the four central trade unions. He was keen on developing a norm which would help and solve the disputes as soon as possible". Indian Railway employees number 2.4 million distributed over 729 categories and he wants to the multiplicity of unions. Would he now introduce what he was preaching and advocating and shouting all along that there should be a secret ballot to choose the type of union which will get recognition? So long recognition was left at the mercy of the Congress Ministers and their stooges. There is, no doubt about it. So long, recognition was given not on the basis of majority but on the basis whether one's allegiance was to the INTUC or not. That was the only criterion. Even where the workers did not like this, the union was recognised just because it happened to belong to the INTUC. Will this anarchic state of affairs disappear to continue? Will he now have the courage to introduce the ballot system in the railways so that multiplicity of unions is avoided, and will he do it in consultation with the Centre of Indian Trade Unions? At least last year we found all the labour legislations have been pushed through without any decency of consultation whatsoever. Nobody knew about it, not even a whisper about it. Suddenly we found in the House that a Bill has come, affecting the working class. Whether the same situation will continue, whether the same anarchic situation will continue, the working classes want to know.

Lastly, before I sit down, I can assure him that so far as the AITUC is concerned, we will give wholehearted co-operation to improve the efficiency of the railways, whose productivity has already gone up. There is no reservation about it but, at the same time, the working class want positive answers to the questions of: recognition of secret ballot, payment of bonus, reinstatement with bad wages and definite steps against those officers who committed excesses.

the last three years of the darkest rule. Thank you,, Sir.

DR. RAJAT KUMAR CHAKRA-BARTI (West Bengal): Mr. Deputy Chairman, Sir, I would like to take just a few minutes to present some of the cases of my State, West Bengal.

Sir, my Request to the hon. Railway Minister firstly would be with regard to the Howrah-Sheakhala broad gauge line. The Railway Minister might know that there was a light (railway which/ has gone into liquidation for quite some time now. Then the Government took a decision that it should be a broad gauge line between Howrah and Sheakhala. But unfortunately so far, nothing has been done. Very little work has been done in this direction to open the Howrah-Sheakhala line. As the hon. Minister will know,, more than ten or fifteen lakhs of people come from that side of Howrah district, and the road condition being so bad and the road transport being so bad, the people are over-crowding the bus stops, and so many accidents occur. Now this line has to be completed as early as possible.

My next point is that we were demanding a double track between Dum Dum and Barasat for a long time now. The survey has been completed. Because of the single track, untold suffering has been caused to the people who are living in this area, a vast area from which a large number of people commute daily to and from Calcutta. This aspect should be looked into and action taken as early as possible. This, I hope, the hon. Minister will do.

Sir, I was rather glad to note that the Railway Minister said in the other House—it appeared in the paper—that he wanted to open more railway tracks in the hinterland. I may remind him that there is one place known as Balarghat in North Bengal. This area has a very big town but there is no railway line to approach this place. We have been fighting for a long time for having a railway line

in that area. At the same time I understand that survey has been completed for one or two lines in the Sunderbans area which is also a hinterland of West Bengal. I hope the hon. Minister will also look into that in order to open more lines in the 'backward area or the hinterland area. Now, I Sir,, regarding the metropolitan tube railway, as my honourable colleague Mr. Roy has already pointed out, the way the work is going on, we do not know whether we will be able to complete it by the end of this century or even by the middle of the next century. The problem connected with this is that as years go by,, because of the price rise, the cost of having the project completed goes up. Already it has probably become double. It may be ten-fold or twenty-fold judging by the progress of the work, which is 25 per cent. A final and firm decision must be taken as early as possible so as to allot more money for this project. Otherwise, it will be as good as abandoning the whole project because at the rate at which the work is progressing, I do not know whether any Government will be able to complete this project even in 50 years of time.

Sir,, I share my concern with Mr. Roy again in the matter of wheel and axle department of the Durgapur Steel Plant. I have visited the plant personally and I have seen that the workers are laid off or rather they are simply sitting idle because the Railways are not purchasing wheels and axles. What they are telling them is that they will buy so many wheels or so many axles and they will assemble these things in their plant. And again they are importing such things from abroad by paying huge amount of money whereas they do not like to pay even cost price of these wheels and axles produced at the Durgapur Steel Plant, who were supplying complete assemblies of wheels and axles which the Railway Board has discarded. They say, "No. We are not going to buy the complete assemblies. Piecemeal we will buy certain number of wheels

[Shri Rajat Kumar Chakrabarti] and certain number of axles from your plant". This point should be looked into properly.

About the casual workers or temporary workers, I have also the same viewpoint. It is surprising that the people who have been working for the last 8 to 10 years are even today being paid Rs. 4 as daily allowance, which comes to Rs. 120 per month. They are not being made permanent. They do not enjoy the facility of provident fund or gratuity or any other privilege which a worker should get. /

Sir,, it is very good to know that the honourable Minister has decided to take back those people who were retrenched and they will be given their proper places, and so on. Sir, in this connection, I would like to point out that many a time we have found out that because/ of the bureaucratic action, this sort of things develops between the Ministry and the working class. Sir,, I would like to put the question to the new Minister that whenever a worker is being retrenched or harassed by the bureaucracy, what action does he propose to take to ensure that he is able to get his grievance redressed? The poor worker/ cannot meet the Minister and cannot represent his case. He cannot even go to the court to get his grievance redressed because the man has nothing to eat, his whole family is starving. He cannot approach the Government to have a redressal of his grievances.

Sir, I would like to quote one example. Though it is not exactly connected with the Railway Ministry, since the full Ministry has yet to be formed,, it is my appeal to the [Government through the Railway Minister to look into this particular case. There is one Mr. Haripada Ghosh, Upper Division Clerk, who has been there for 20 years in the Calcutta Port Trust and who for the last four years has been responsible for unearthing under-invoicing and over-invoicing in the Calcutta Port Trust which will in-

volve more than Rs. 3 crores. He submitted several memoranda to the Ministry of Shipping and Transport and he has made an allegation against the Chairman and the C.F.A.O. and the Ministry has agreed that 80 per cent of the charges which have been made by this man, who is also working as the President of the Staff Union, are substantiated. But,, very unfortunately, the corrupt gentleman, Mr. D. K. Sen, the officer,, has been given an extension recently for one year and this poor fellow, Mr. Haripada Ghosh, has been suspended from service and there is an inquiry going on *ex-parte* in order to throw him out of the job. Sir, the reason why I mention this point is because there is no scope for putting any question on the Ministry of Shipping and Transport and the poor fellow has probably been retrenched during the last week so that the family will be starving next week or week after that. So,, this is the price, this is the thing they get in return for the service rendered to the country. There is no dialogue between the worker and the Minister. What is the procedure? The procedure is they must approach public representatives like MLAs and MPs. Whenever we write a letter to the Minister, it should be the duty of the Minister to enquire from the MLA or the MP and call for the file to see who is to blame and whether the man has been suspended or not. Most of the Ministers depend completely on bureaucracy and whatever the bureaucracy tell them, they take action on the basis of that and the poor people have no way to make his words reach the ear of the Minister. So, I would appreciate if the new Government,, the new Ministry will take action, take this viewpoint whenever such letters are received from them, from public men like us, they should also call us and see what is actually happening; so that there may be a proper link between the workmen, the masses and the Ministers who are always surrounded by bureaucracy and whatever they put up in the file there is no other way for the Minister to know what is

actually happening in those cases. So, I hope these cases will be dealt with properly in future. Sir, I may say that that particular Haripada Ghosh was called by the highest body, the Public Accounts Committee held on the 15th March, 1975 in the Parliament House. Here he submitted all the documents and the PAC categorically assured him that no repressive measure would be taken against him and he would not be penalised or victimised for coming- as witness or coming to the PAC for giving evidence. But, in spite of the categorical assurance given by the PAC, this particular gentleman not only had been suspended but he has been retrenched, probably last week.

SHRI BHUPESH GUPTA: If that is so, it is a gross breach of privilege. You should ask Mr. Ghosh.

DR. RAJAT KUMAR CHAKRA-BARTI: I have submitted a short-notice question.

SHRI BHUPESH GUPTA: Not here. We are also here. But to the Chairman of the Public Accounts Committee.

DR. RAJAT KUMAR CHAKRA-BARTI: Already a letter has been written to the Chairman, but no answer has been received from the last Chairman.

SHRI BHUPESH GUPTA: I would suggest to you, since you have taken it up, kindly to write a letter. We are participants in the Public Accounts Committee unlike in the Estimates Committee.

DR. RAJAT KUMAR CHAKRA-BARTI: I have simply a suggestion that the action of the bureaucracy is such that many times there is no connection between the actual suffering people and Ministers. Ministers should not put up walls surrounding them and the only communication between the Ministers and the public

or the masses, is through the public representatives like us, MPs, MLAs or the party people. I am not going to take up further time. I sincerely hope that so far as my State of West Bengal is concerned, the views about the railway lines, the plight of the Durgapur Steel Plant, etc., will be looked into and appropriate action taken as early as possible.

श्री उपसभापति : रेलवे बजट पर बहस के लिए दो घण्टे का समय निर्धारित किया गया था। करीब आधा घण्टा मंत्री महोदय अपने उत्तर के लिए लेंगे और साढ़े तीनों बजे के करीब अपना उत्तर प्रारम्भ करेंगे। इस लिए माननीय सदस्यों निवेदन है कि संक्षेप में बोलें ताकि ज्यादा सदस्य बहस में भाग ले सकें। **Shri Viswanatha Menon,**

SHRI VISWANATHA MENON (Kerala): Sir when I speak on this Railway Budget, I feel the time has been too short to criticise the Minister because he is new. But certain things we have to say because the Railways are not run by Ministers; they are actually run by the Railway Board. And almost all Railway Ministers are prisoners of the Railway Board. So my humble request to Mr. Madhu Dandavate is not to be a prisoner of the Railway Board. Try to make them your prisoners. Either scrap this Railway Board or change their pattern of working. They are a set of bureaucrats sitting there and thinking in the old traditional bureaucratic way and doing things accordingly. That is what is always happening. For example, when he made the statement in the Lok Sabha about reinstatement of workers, the next day comments of a spokesman of the Railway Board appeared in the papers. He asked "What workers?" They do not know anything. So even at the first stage they are not happy with this kind of thing. So you must be very careful. That is what I have to tell the hon. Minister on this matter.

[Shri Viswanatha Menon]

Then coming to the demands of the workers, naturally I need not elaborate them. Everybody knows them. They include the question of bonus, the question of parity in wages and so on. The basic point is whether the new approach of the Ministry will be to consider the Railways as an industrial concern, whether the industrial Disputes Act will be applicable to the railway workers, and whether they will get the benefits of other public sector undertakings. The previous Ministers were evading this basic problem; rather they were opposing this demand. My humble submission is that this is the basic question on which he has to take a decision.

Then about the reinstatement of workers, naturally the reinstatement order may be there, but for months together these workers will have to go after the officials the divisional officers and so on. So a particular date must be fixed by which time the workers must be taken back with back wages. And in the case of those people who have suffered, who have been murdered, who have been killed by the police in connection with the railway strike, compensation must be paid. This is a natural corollary of the action he is thinking of. If he wants to implement it, the basic point is that he should have the machinery. And the Railway Board being what it is. I do not think it will be in a position to implement all these things because their entire approach is bureaucratic. They treat the railway worker just like their own slave. So that attitude must be changed. I request the hon. Minister to take a very strong stand on this question. And if he succeeds, well and good, because even now I have my own doubts since the bureaucracy in this country is so powerful. Anyhow, on my behalf and on behalf of the Centre of Indian Trade Unions, I promise him all co-operation in this connection.

Then I come to my State. Naturally we also want certain things.]

am coming from the southern most State and unfortunately in these elections, no Janata candidate has been elected from there. Neither a Janata candidate nor a Marxist candidate has been elected. So, do not ignore us. You must take more interest in our State.

SHRI U. K. LAKSHMANA GOWDA: Mr. Kalyan Roy will give you assistance.

SHRI VISWANATHA MENON: But in Kerala neither a Marxist nor a Janata candidate was elected. So, do not have any differential treatment. Our main point is on the question of electrification. Kerala has got abundant electricity and our Government is prepared to give electricity cheaply. Why not electrify that area? This is a very important point. And the Government of Kerala, whoever was in power, had taken up this attitude. The other point is about the Alleppey-Ernakulam railway line. Here also the Government of Kerala has offered to give them wooden planks and other things free. At least Urns project must be taken up. Now I come to another important line, namely, Teli-cherry-Mysore line. This is a very important line connecting the two States of Kerala and Karnataka. I will request the new Railway Minister to take some interest in this line also.

Then, in Kerala there is one district where there is not even an inch of railway line. It is the Idikki district where we have the plantation belt. We have the Idikki project and Munnar. My humble suggestion to the Railway Minister is to provide a railway line between Alwaye and Madurai passing through Munnar and the plantation belt. From the economic point of view, from the business point of view and from the travellers' point of view this will be very useful and in every respect it will be a very lucrative line for the Railways.

Now I come to the difficulties of ordinary or Janata passengers. It is only natural that the Janata Government must have some feeling for the Janata passengers. What is their lot? They have no drinking water. People coming from Kerala have to spend two or three days in the trains. There is no provision for taking bath. There is no water. Your first concern must be for these people. If necessary, please scrap this Rajdhani nonsense. Stop that business. It is not at all essential. Why should you bother about Rajdhani? Try to do something for the second class or Janata passengers. Give them more facilities and forget the Rajdhani. Provide drinking water for the second class passengers in every compartment.

SHRI KALYAN ROY: Why not have both Rajdhani and Janata?

SHRI VISWANATHA MENON: You may be interested in Rajdhani.

SHRI KALYAN ROY: Shri Samar Mukherjee wants more Rajdhanis.

SHRI VISWANATHA MENON: Shri Kalyan Roy is more interested in the Rajdhani because that goes to Calcutta. I am not so much interested in it. My point is preference must be given to second class passengers. If they have money, let them have Rajdhanis. The other day I wrote a letter to Mr. Qureshi and I got a reply from him. It was his last letter because soon after that his Government lost in the elections. I had suggested to him to have some cabins, like the ladies' cabins, in the Jayanti Janata so that the passengers can lock their cabins and took after their luggage. The Minister said: We have no money. We have to put some fans which will cost too much. I ask: What about air-conditioning in the Rajdhani? I only wanted some cabins for the passengers of Jayanti Janata. Why not do that? Why not provide drinking water in the second class

compartments? That should be your first concern. After doing that, you can take interest in Kalyan Roy's Rajdhanis. His party is more interested in Rajdhanis.

I do not want to take much of your time. On the other line I want to refer to is the line between Kuttipuram and Guruvayoor. The survey for this line has already been done. I think the work should start now. Shri Kamlapati Tripathi was very much interested in this line. I think the present Minister also will take interest in this line.

श्री वीरेंद्र कुमार सक्सेना (मध्य प्रदेश) : माननीय उपसभापति महोदय, माननीय रेलवे मंत्री जी ने जो बजट प्रस्तुत किया है, उसके बारे में मेरे मित्र श्री कल्याण राय अभी कह रहे थे कि यह पहले का तैयार किया हुआ बजट है लेकिन अपने कुछ विचार या अपना कुछ दृष्टिकोण वे इसमें और सम्मिलित कर सकते थे। मेरा ऐसा ख्याल है कि इतना समय नहीं था कि नये रेलवे मिनिस्टर अपने कुछ विचार इसके अन्दर सम्मिलित कर सकें या उसको रिशेप कर सकें, इसमें कुछ परिवर्तन कर सकें। हम भी यह चाहेंगे कि पूरी तरह से विचार करने के बाद, पूरे फेक्ट्स और-फिगर्स के साथ रेलवे की बैकिंग देखने के बाद आवश्यक परिवर्तन करने का प्रयास करें वह उचित होगा। इस मामले में जो तैयार किया हुआ बजट है यह सब पूर्व में तैयार किया हुआ बजट है। हमें यह पूर्व में तैयार किया हुआ बजट ही प्रस्तुत करना पड़ा क्योंकि समय बहुत कम था। इसके लिये इन पर कोई उत्तरदायित्व नहीं है।

मुधार के बारे में मेरे मित्र कुम्भारे जी कह रहे थे कि इमरजेंसी में ही रेलवे में पैक्ज लटी आई है। इमरजेंसी के कारण ही भ्रष्टाचार कम हुआ है। इ

[श्री वरेंद्र कुमार शर्मा]

बातों में कोई तथ्य नहीं है। अगर केवल इमरजेंसी को लेकर ये बातें कहीं जाती हैं तो इन्हें बातों को झूठ सिद्ध करना होगा। लोगों को डरा धमका कर भ्रष्टाचार मिटाना चाहेंगे, किसी को एकसत्रीय दवा दे कर ठीक करना चाहेंगे तो यह उचित बात नहीं है। इसी नाते से इमरजेंसी हटा दी गई है। मैं समझता हूँ सामान्य कार्यकाल के अन्दर ही ट्रेनें समय पर चलेंगी, ठीक प्रकार से कार्य होगा। मध्य के ऊपर पैसेंजर अपने निश्चित स्थान पर, अपने लक्ष्य पर पहुंच सकेंगे। दूसरे देशों के अन्दर भी ट्रेनें समय पर चलती हैं। जब हम यह कहते हैं कि भारतीय रेलवे के एम्पलाइज एफिशिएंट हैं, उनकी कार्यक्षमता के अन्दर कोई कमी नहीं है तो यह कैसे मान लें कि इमरजेंसी के बाद ट्रेनें समय पर नहीं चलेंगी। यह जो कहा जाता है कि आज 90 परसेंट पैक्जु लिटी है और यह सब इमरजेंसी के कारण है तो मेरा कहना है कि यह बात दूर होनी चाहिये। बिना इमरजेंसी के 95 परसेंट, 98 परसेंट पैक्जु लिटी होगी, समय पर ट्रेनें चलेंगी, इस चीज को भी प्राप्त किया जा सकता है। इस लक्ष्य को भी प्राप्त किया जा सकता है। मुझे आशा है नये रेल मंत्री सारे कर्मचारियों का पूरा सहयोग देकर समय पर ट्रेनें चलवाने का प्रयास करेंगे।

अभी मेरे पूर्व वक्ता यह कह रहे थे कि जनता पार्टी नई पार्टी है। मैं यह कहना चाहता हूँ कि जनता के नाम से तो यहाँ पहले से ट्रेन चलती है। आप जानते हैं जनता ट्रेन के नाम से एक ट्रेन चलती है। हम इन ट्रेनों को एमेशियल सर्विसेज के रूप में चलाते हैं। जनता के लिये चलाते हैं। जनता को आवश्यक सुविधाएँ देने के लिये रेलें चलाई जाती हैं। सबसे बड़ी बात जो शासन को ध्यान में रखने की है वह यह है कि जनता

का कै। अधिक र अधिक सुविधाएं मिलें, एमेशियल सर्विसेज किस प्रकार से उपलब्ध हो। इसके बाद रेलवे कर्मचारियों के हितों को देखने का बात आती है। मुझे विश्वास है कि नये रेल मंत्री सारे कर्मचारियों का विश्वास प्राप्त करके ठीक प्रकार से और समय पर ट्रेनें चलाने में सफल हो सकेंगे, ठीक प्रकार से जनता को सुविधाएं दिलवा सकेंगे। हम जानते हैं कि कर्मचारियों को दंडित करके या भय से काम नहीं करा सकते। काम दिन से और मन से होता है। मुझे विश्वास है सारे कर्मचारी इसी भावना से काम करेंगे और जो लक्ष्य हमारे सामने है है उसको पूरा करने का प्रयास करेंगे।

मेरे मित्र जनता को और सुविधाएं देने की बात कर रहे थे। मैं समझता हूँ कि एयर कंडिशनड कोच समाप्त कर देने में कोई कठिनाई नहीं होगी। कुछ थोड़े से व्यक्तियों के लिये इस सुविधा को जारी रखना कोई आवश्यक नहीं। आप जानते हैं कि पहले फर्स्ट क्लास, सेकेंड क्लास और थर्ड क्लास, ये तीन क्लास हुआ करते थे और आपने थर्ड क्लास को हटा कर सिर्फ फर्स्ट क्लास और सेकेंड क्लास रखा। यह अच्छा कदम है। जब ऐसा हुआ है तो एयरकंडिशनड कोच को जारी रखने को कोई आवश्यकता नहीं है। हम इसको अवलिश कर सकते हैं। कुछ लोगों की सुविधा के लिये यह आवश्यक नहीं है कि इसे जारी रखा जाए। अभी एक माननीय सदस्य ने ध्यान आकर्षित किया कि हम गमियों में सेकेंड क्लास के पैमेंट्स को पानी उपलब्ध नहीं करा सके हैं।

श्रीमन्, मैं केवल गमियों के मौसम की ही बात नहीं कह रहा हूँ। मैं तो यह मानता हूँ कि एयर कंडिशनड कोच की कोई आवश्यकता नहीं है। इस नीति को बदला जाना चाहिए और सेकेंड

क्लास पैसेंजर को सुविधाएं देने की ओर ज्यादा से ज्यादा ध्यान दिया जाना चाहिए।

SHRI KALYAN RAO: What about saloons for high officers?

SHRI VIRENDRA KUMAR SAKHALECHA: No question of saloons now.

मुझे इस बात पर भी आश्चर्य होता है कि आम तौर पर मंत्री लोग तो साधारण कौचेज पर ट्रेवल कर सकते हैं, लेकिन रेलवे के जो बड़े अधिकारी हैं या जो रेलवे बोर्ड के सदस्य हैं उनको यात्रा करने के लिए सैलून की आवश्यकता होती है। मैं समझता हूँ कि आज की परिस्थितियों के मुताबिक सैलून के माध्यम से यात्रा करने की आवश्यकता नहीं है। जो सुविधाएं जनता को उपलब्ध हैं बहो सुविधाएं अधिकारियों को भी दी जानी चाहिए। आज आवश्यकता इस बात की है कि सेकेण्ड क्लास के यात्रियों की सुविधाएं बढ़ाने के लिए सरकार की तरफ से कार्य किया जाना चाहिए और उनको अधिक से अधिक सुविधाएं प्रदान की जानी चाहिए मैं समझता हूँ कि इसके लिए आपको जो भी काम करना पड़े वह किया जाना चाहिए।

आज भी भारत के अन्दर यह स्थिति है कि लोग छतों के ऊपर चढ़ कर यात्रा करते हैं। मैं समझता हूँ कि अगर लोगों को डिब्बों के अन्दर बैठने के लिए जगह मिल जाती तो वे किसी भी स्थिति में अपना जल खारे में डाल कर छतों पर यात्रा करना पसन्द नहीं करते। कोई भी आदमी अपनी जान खतरे में डालना नहीं चाहता है। चूँकि डिब्बों के अन्दर जगह नहीं मिलती है, इसलिए लोग छतों के ऊपर यात्रा करने में। ऐसी हालत में जरूरत इस बात की है कि लोगों को डिब्बों के अन्दर बैठने के लिए

स्थान दिया जाना चाहिए। जहाँ पर और जिन स्थानों में रेल के डिब्बों में लोगों को जगह नहीं मिलती है, वहाँ पर और ट्रेनें चलाये जाने की आवश्यकता है। सेकेण्ड क्लास के पैसेंजर को कम से कम डिब्बों में जगह मिल सके, इसका प्रयास किया जाना चाहिए।

उपसभापति जी, इस सदन के अधिकांश सदस्यों को और लोक सभा के सदस्यों को भी इस बात का अनुभव होगा कि रेलों में रिजर्वेशन प्राप्त करने के लिए कितनी कठिनाई का सामना करना पड़ता है और इस क्षेत्र में रेलों के अन्दर कितना भ्रष्टाचार है। इमरजेंसी के काल में भी यह भ्रष्टाचार बना हुआ था और मेरा कहना तो यह है कि इमरजेंसी में भ्रष्टाचार और भी बढ़ गया था। क्योंकि लोगों को इस प्रकार का डर नहीं रह गया था कि कोई शिकायत करने वाला भी है। अखबारों में कोई बात छप नहीं सकती थी। अगर दिल्ली से अहमदाबाद जाना हो तो रिजर्वेशन नहीं मिलता था, लेकिन अगर 10 रु० का नोट आगे कर दीजिये तो सीट मिल जाती है। इस प्रकार की स्थिति सर्वत्र व्याप्त है। मैं चाहता हूँ कि इस प्रकार के भ्रष्टाचार को समूल नष्ट कर दिया जाये। हमारे रेल मंत्री जी इस विभाग में अभी नये आए हैं। मैं आशा करता हूँ कि वे इस तरफ भी ध्यान देने की कृपा करेंगे। आज आवश्यकता इस बात की है कि रेलवे के अन्दर भ्रष्टाचार समाप्त करके सेकेण्ड क्लास के पैसेंजर्स के लिए पानी, बिजली और अन्य सुविधाएं उपलब्ध कराई जाये।

इसके अलावा यहाँ पर पिक रेलवे चलाने की बात भी कही जा रही है। मीटर गेज लाइनों की भी यहाँ पर चर्चा होती है। यह भी कहा गया है कि सभी मीटर गेज लाइनों को गार्ड गेज लाइनों में बदला जाएगा। लेकिन अभी तक इस दिशा में कोई खास प्रगति नहीं हुई है। यह भी

[श्री वीरेंद्र कुमार सखलेचा]

कहा जाता है कि पैसे की कमी है। इसके कारण कई क्षेत्रों में जहाँ पर इसकी आवश्यकता है, अभी तक कोई काम नहीं किया गया है। मैं खास तौर से आपका ध्यान मध्य प्रदेश की ओर दिलाना चाहता हूँ। स्टेट रिआर्गनाइजेशन कमीशन की रिपोर्ट के मुताबिक जब मध्य प्रदेश का निर्माण किया गया तो यह भी कहा गया था कि वहाँ पर रेलों की अधिक से अधिक सुविधाएं प्रदान की जाएंगी; क्योंकि यह हमारे देश का सबसे विशाल प्रदेश है। आज भी मध्य प्रदेश के अन्दर गाड़ियों की बहुत कमी है। मैं चाहता हूँ कि अहमदाबाद से कलकत्ता तक रेल लाइन बनाई जाये और भोपाल और बिलासपुर को भी रेल द्वारा जोड़ दिया जाये। मध्य प्रदेश में अधिकांश भागों में मीटर गेज लाइनें हैं। उन को ब्राड गेज में बदलने की आवश्यकता है। अहमदाबाद से खण्डवा तक की लाइन को अभी तक पूरा नहीं किया गया है। इसी प्रकार से अहमदाबाद, कलकत्ता, भोपाल से कनेक्ट करते हुए उज्जैन, भोपाल, बीना, कटनी होकर रेल लाइन निकालने की चर्चा की गई, लेकिन उस पर कुछ नहीं हुआ। मध्य प्रदेश के इन्टीग्रेशन की दृष्टि से यह उचित है कि छत्तीसगढ़, मध्यभारत, महाकौशल और जबलपुर का इलाका भी कनेक्ट हो और सुविधा से तेजी के साथ आना-जाना हो सके। इसका प्रयास अभी तक इस दृष्टि से नहीं हुआ। मुझे आशा है कि रेल मंत्री इस ओर ध्यान देकर, मध्य प्रदेश में कम्युनिकेशन की जो कमी है, खास कर जो ट्राइबल इलाके हैं, जो आदिवासियों के इलाके हैं जहाँ बहुत दिनों से यह मांग की जाती रही है कि वहाँ से इन्दौर को कनेक्ट किया जाय, लेकिन यह कार्य आज तक पूरा नहीं हुआ। विभिन्न मंत्री आए और आश्वासन देकर चले गए, लेकिन आज तक उन को पूरा नहीं किया गया। इसके कारण पूरे धारा जिले के

अन्दर रेल टिक नहीं होती है, बस्तर का कोई कनेक्शन आज तक भी रायपुर या दुर्ग से नहीं है। बस्तर में 185 किलोमीटर का कनेक्शन रोड से है। तो यह सारे जो पिछड़े हुए इलाके हैं, विशेष-रूप से जहाँ 60 लाख आदिवासियों की आबादी है, उनका देश के अन्य भागों से रेल से कोई कनेक्शन नहीं है। आशा है कि नई लाइनों के अन्दर इस क्षेत्र को प्राथमिकता दी जायगी। अभी भी इस बजट के अन्दर नई लाइनों के बारे में जो प्रावधान किया गया है, उसे देख कर मुझे आश्चर्य होता है। इसमें भी ऐसे क्षेत्रों के लिए कोई प्रावधान नहीं किया गया है। यह तो पुराना तैयार किया हुआ बजट है लेकिन फिर भी इसका पुनरावलोकन करते समय उसमें इस बात की ओर ध्यान देंगे और मध्य प्रदेश के लिये नई रेलवे लाइनों की व्यवस्था करने का प्रयास करेंगे।

एक और बात की ओर मैं ध्यान आकर्षित करना चाहता हूँ और वह है ट्रेन्स के बारे में। अभी तक ट्रेनों का जो टाइम टेबल होता है वह वर्ष में दो बार चेंज किया जाता है, परिवर्तित किया जाता है। उसके कारण यात्रियों को बड़ी असुविधा का सामना करना पड़ता है। चेतक एक्सप्रेस उदयपुर से दिल्ली आती है। उसके अन्दर स्लीपर कोच के बारे में और टाइमिंग के बारे में जो असुविधायें हैं उन्हें दूर किया जाये। खंडवा से नई ट्रेन का टाइम जल्दी हो गया है और वह चित्तौड़ में आ कर डेढ़ घण्टे खड़ी रहती है जब तक कि उदयपुर से वहाँ गाड़ी न आ जाये। इस लिए टाइम टेबल के बारे में जनता की आवश्यकताओं की ठीक प्रकार से अनुभूति करके इस प्रकार का परिवर्तन किया जायेगा और इसके लिए प्रयास किया जाना चाहिए।

एक और बात, जैसे कि पहले के रेल मंत्री ने व्यवस्था की है और मैं चाहूँगा कि नये

मंत्री भी उसको आगे बढ़ाने की कोशिश करेंगे। श्री कमलापति त्रिपाठी जी ने हिन्दी को रेलवे के अन्दर पूरा प्रोत्साहन देने का पूरा प्रयास किया। मुझे पूरी आशा है कि श्री दंडवते जी भी हिन्दी को प्रोत्साहन देने का प्रयास करेंगे। वे भी हिन्दी के समर्थक रहे हैं। रेलवे के अन्दर अधिकांश काम हिन्दी में हो, इस दृष्टि से प्रयास करेंगे।

उपसभापति महोदय, संसद की अनेक कमेटियाँ हैं जो कि हर रेलवे से सम्बन्धित हैं। लेकिन उनकी हालत यह है कि वह साल में एक आध बार ही मिलती हैं। इस सम्बन्ध में पैसेजर्स को क्या सुविधायें दी जा सकती हैं, इनमें क्या सुधार किया जा सकता है, इस सम्बन्ध में उनकी राय ली जानी चाहिए। पैसेजर्स की क्या कठिनाइयाँ हैं, इसमें क्या परिवर्तन कर सकते हैं, इसके लिए ये समितियाँ फार्मली मिलने का प्रयास नहीं करती। मेरा ख्याल है कि इस ओर भी ध्यान देने की आवश्यकता है।

इसी प्रकार से कर्मचारियों के परमोशन के बारे में एक निश्चित व्यवस्था की जानी चाहिए। हम जगह-जगह स्टेशनों पर देखते हैं कि कर्मचारी अपने परमोशन के बारे में, जो ईमानदारी और मेहनत से काम करने वाले लोग हैं, उनके क्लेम्स की कोई सुनवाई नहीं होती, पक्षपात द्वारा दूसरे लोगों को फायदा मिलता है। मेरा सुझाव है कि रेलवे में परमोशन के बारे में, सर्विसेज के बारे में इस प्रकार की निश्चित प्रणाली बना दी जाय, जहाँ कि अग्नेस्ट कर्मचारी को ठीक प्रकार से एप्रिसियेशन मिल सके। क्योंकि यहाँ आजकल कोई ऐसी व्यवस्था नहीं है इस कारण पक्षपात चालू है और इस पक्षपात के कारण कई आदमी भ्रष्ट होने पर भी आगे उन्नति पाते हैं और सही काम करने वाले को कोई मोका नहीं मिल पाता है।

पैसेजर्स को सुविधा दिलाने के लिए पैसा आवश्यक है। मेरा कहना है कि यह जो सारा भ्रष्टाचार होता है रेलवे के अन्दर, गुड्स के अन्दर, बुकिंग के अन्दर, यदि इसको खत्म किया जाय तो इससे काफी पैसा उपलब्ध हो सकता है। हम मैकिड क्लास में सुविधायें बढ़ाने, नई रेलवे लाइन डालने में उस पैसे को लगा सकते हैं और इससे बार-बार यह कहने की आवश्यकता नहीं होगी कि हमारे पास पैसा नहीं है। नये धोवों में हम आजकल रेलवे लाइनें नहीं डाल सकते हैं, मैकिड क्लास में सुविधायें नहीं बढ़ा सकते। यदि इसमें सुधार किया जाय तो हम इसमें पर्याप्त मात्रा में धन उपलब्ध कर सकते हैं, बचत कर सकते हैं और उस पैसे को इस कार्य के अन्दर लगा सकते हैं।

मुझे आशा है कि नए मंत्री जो इस दृष्टिकोण से और इन सारे पिम्परेज को रोक कर और अन्य फजूल के खर्चों के अन्दर कमी कर के उस पैसे को नई लाइन्स लाने के अन्दर या मैकेड क्लास के पैसेजर्स को सुविधाएं उपलब्ध कराने के अन्दर लगाएंगे। इस आशा के साथ मैं अपना निवेदन समाप्त करता हूँ।

MR. DEPUTY CHAIRMAN: Now, Shri G. Lakshmanan.

SHRI OM MEHTA (Jammu and Kashmir): Sir you have to call one Member from that side. You consecutively called three Members.

SHRI G. LAKSHMANAN (Tamil Nadu): I belong to the Opposition.

[Th° Vice-Chairman (Shri Ranbir Singh) in the Chair]

Mr. Vice-Chairman, Sir, before I commence my small speech on the Railway Budget, I would like to salute the great Indian people for restoring a self-respecting way of life in this country to themselves. You all know, Sir, that no citizen could live in this country, at least for the

[Shri G. Lakshmanan] past two years with self-respect. And the Indian people the most cultured, civilized and ancient people of the world, have restored that self-respecting way of life to themselves not through bullets but through ballots. Therefore, I salute those great Indian people for this non-violent revolution which they have brought about through the ballot paper. Sir, how was the self-respect of a citizen of this country affected because of two years of emergency? No officer, whether he is in the Railway administration or in any other department could come to the office in the morning with a belief that he would go back as a government servant.

SHRI KALP NATH RAI (Uttar Pradesh): Are you speaking on the Railway Budget?

SHRI G. LAKSHMANAN: Yes. I am speaking on the Railways. I am speaking about you also. I am speaking on the railways, and all the atrocities you have committed have also to be spoken of so that you can refine yourself, you can correct yourself. That is why, I am helping you.

Sir, I was saying that, the self-respect of the citizens of this country has been affected [because of this emergency. A railway employee will come to the office in the morning telling his wife and children that he would get some money from his office to look after them. And when he comes to the office he is given a paper saying, "you are compulsorily retired you are considered to be a dead-wood and that your services are no more required." There is no charge-sheet and no intimation that he would be removed from service, even at the age of 50, when he has a lot of responsibilities to discharge to the family and to the nation. He would have had his son or daughter in a medical college or an engineering college or an arts college. He goes back to his house in the evening and tells his wife that everyone of them has to be on the streets. Likewise in the Railways, thousands of

employees have been compulsorily retired. I would, therefore, request the hon. Railway Minister to reinstate all those employees who have been compulsorily retired at the fag end of their service, having put in 30 or 35 years of unblemished service, having served not only the Indian Government but also the foreign government loyally. And those citizens have been made by the previous Government to live a life without self-respect. And why do I say that they could not have a life of self-respect? Because, as soon as they are retired, they have no other go but to beg for money from other employees. Therefore, they have lost their self-respect. That self-respect must be restored to all the employees, not only the railway employees but also the Government employees and the industrial workers who have been discharged or dismissed by the capitalists or the Government or the public sector undertakings. Sir, here I would like to make a special request to our hon. Railway Minister to see that all those people who have been compulsorily retired after the declaration of emergency are reinstated unconditionally with a regret for the action taken by the previous Government and that, I think, our hon. Railway Minister would do.

Sir, I want to say another thing. I said: They were not able to lead a life of self-respect. I said this because a lot of money which is due to the railway employees was deducted in the name of impounding of dearness allowance. The amount is about Rs. 1300 or Rs. 1400 crores. Since such a large amount was impounded, a railway employee was not able to make both ends meet. The Government at that time had stated that because it increased the inflationary trends in the country, therefore they were shopping the payment of dearness allowance. But, what is the situation prevailing for the past one or two years? The prices have increased by 15 per cent. Therefore, their view that because of the grant of dearness allowance the prices have

increased, is not correct. The fact is that their policies have failed. No decent Government would have asked for the extension of the period for "the impounding of dearness allowance, as the Government did last year. The Government thought that if the dearness allowance was not paid to the employees, the prices would fall and inflationary trends would be curtailed but those things have not taken place and instead the prices have increased by 15 per cent. No decent Government could have masked for any extension of the period in respect of the impounding of dearness allowance or compulsory deposit. Therefore, what that Government did not do, this Government, the Janata Government must immediately honour. My special request to the Railway Minister is that an Ordinance should be issued today to the effect that from 1st April compulsory deposit and dearness allowance shall not be deducted from the salaries of employees. Of course, the amount already impounded can be returned according to the provisions of the Act. I would like the Government to state that no compulsory deposit in respect of dearness allowance would be deducted from the salary due on 1st April 1977. An Ordinance to this effect should be issued. That is my request.

Sir, as far as the railway employees are concerned, you all know that they have been co-operating with the Government and the railway industry is the most efficient industry in our country, rather in the whole of Asia, but the people involved in that industry were called anti-national criminals and they were all victimized for a national struggle, a trade union struggle. I am very happy on the announcement made by our hon. Railway Minister to the effect that all these employees would be reinstated. Mr. Railway Minister, you must tell all those railway employees who have dismissed that the accusations made against them by the former Government, namely, that they were criminals or anti-national elements, are regretted by the Government of India

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which has now taken charge. You must also reinstate all those people with full pay and all that.

Sir, so far as the Indian working class is concerned, it is the most efficient working class or else our country would not have improved so much. The railways have improved like anything.

Then, Sir, I would like to refer to the catering services on the railways.

(Time bell rings)

THE VICE-CHAIRMAN (SHRI RANBIR SINGH): Please try to wind up.

SHRI G. LAKSHMANAN: The catering service employ a vast manpower on the railways. The Miabhoy Commission had recommended that all those people who had completed 240 days of work on such establishments must be paid the salary of a class 4 employee.

(Time bell rings)

THE VICE-CHAIRMAN (SHRI RANBIR SINGH): Please try to wind up.

SHRI G. LAKSHMANAN: Sir, the Deputy Chairman was good enough to permit the hon. Members to speak. There are no speakers on the other side.

THE VICE-CHAIRMAN (SHRI RANBIR SINGH): There are many, my friend.

SHRI G. LAKSHMANAN: All right, I will obey you.

SHRI KALP NATH RAI: You should speak on railways.

SHRI G. LAKSHMANAN: I cannot exclude you and all the atrocities that were committed by you in these two years which will be ringing in your ears and we will be exposing you in this one year, which has been in-

[Shri G. Lakshmanan]

augured by the President Of India. That will continue. (*Interruptions*). It is a very good fight. It is a democratic fight and I cannot exclude you.

THE VICE-CHAIRMAN (SHRI RANBIR SINGH): Please wind up.

S(HRI G- LAKSHMANAN; I thank you for the opportunity you have given me. If I had some more time, I would have posed some more problems.

SHRI MULKA GOVINDA REDDY (Karnataka): Mr. Vice-Chairman, Sir, I congratulate the Janta Government and I congratulate my good friend, the Railway Minister, Shri Madhu Dandavate. I am glad that he has appreciated that there has been all round improvement in the Railways during the past years and in his speech he stated: "There has been general appreciation of the unprecedented improvement in the railway working". I am glad that the Railway Minister in his speech also stated: "All the Railway employees who were either suspended or dismissed as a sequel to their participation in the Railway strike in 1974, will be reinstated unconditionally." This is a very bold decision and I am glad that he also stated that this will be implemented within six weeks and their seniority will be restored and there will be no break of service in their case and their service will be counted. I would also urge that they should agree to the request made that they should also get their past pay for the period during which they remained suspended or dismissed.

Mr. Vice-Chairman, there should be proper cordial and good industrial relation between the employees and the Railway management. Not only should the employees be considered as employees but also as partners in the Railways. Only then they will give of their best to improve the Railways to bring about an all-round improvement in its working.

I would also urge that the Railway zones should be reorganised. They have become too unwieldy. There should be one more Railway zone comprising the former Mysore State and the new areas that have been added to Mysore, that is, Karnataka. Mysore had its own Railway, Mysore Railway, and most of the employees, when the Railways were integrated with the Indian Railways, were not given their due share in promotions etc. Their claims should also be looked into.

Mr. Vice-Chairman, in order to improve the working of the Railways, in order to speed up the traffic, both passenger and goods, the present metre gauge system should be converted into broad-gauge in a phased manner. The work already started on conversion into broad gauge should be speeded up, for example, the Guntakal-Bangalore line. It should be completed at the earliest. The Hospet-Hubli-Miraj line should also be completed at the earliest. Then, there is a demand from the State Government that the Bangalore-Mysore Railway line should be converted into broad gauge. I would also urge that there should be more and more of dieselisation and electrification. With this, we can see a lot of improvement in the working of the Railways.

I am glad that the Minister stated in his speech that they are considering the question of having a Konkan Railway. We will extend all support to him if he constructs this railway line from Bombay to Goa and to Bangalore. It is a very badly neglected area. There are no proper communications. And this railway line will fulfil the requirement of this area. Sir, some surveys have already been made in regard to the Chitradurga-Royadurga line. Work should be undertaken on this line. Now, these are two dead points. If these two points are joined together, there will be a lot of improvement in the movement of goods and in the running of trains between Andhra and Karna^

taka. The State Government has been urging that Karwar which is going to be a very important port should be connected by rail. I would urge that Karwar and Hubli should be linked by rail.

Members have already said that proper amenities are still wanting, particularly for the second class passengers. Though there is some improvement in regard to cleanliness in the trains and at the railway stations, this is not adequate. The Minister has stated that there is some improvement in the railway catering. This is far from true. The railway catering has not at all improved. Some steps should be taken to see that proper food is served to the passengers in the trains and at the various stations. The catering committees should be revived. National, zonal and divisional committees should be constituted to supervise catering in the railways and to see that proper food is served to the passengers. There were and there are consultative committees at the national, zonal and divisional levels. They should also be reconstituted so that the people and their representatives feel that they are consulted and they are involved in the management of the Railways and in regard to the provision of services to the business people for movement of foodgrains and so on. These are very important things which should be immediately attended to.

The Railway Board and the Ministry had taken a decision to locate the wheels and axles plant at Yelahanka near Bangalore. This decision was taken nearly two years back and this was announced on the floor of the House. But no steps have been taken in the direction of implementing this decision. This is very necessary. I heard some rumour. I do not believe in rumours. But it has been said that the Railway Board is thinking of shifting this plant from Yelahanka near Bangalore to some other area. I am sure the hon. Minister would look into this and start imple-

menting this decision which the Government had taken some time back.

Lastly, I would like to say something about punctuality in the running of trains. In his speech, the hon. Minister has stated that it is now nearly 90 per cent. It is true that there has been some improvement in the running of trains. But there is no explanation forthcoming why trains are delayed even at the starting point. I can understand if there is delay on the way. The question of starting the trains at the scheduled time from the starting point should be looked into and there should be no reason or explanation given why trains could not be started at the scheduled time from the starting point.

We wish the hon. Minister well. He has taken charge only recently. He has not been able to devote much time in preparing the future plan for the development of Railways. The Railways are the biggest undertaking in the country. If there is all-round improvement in the Railways, there will be improvement in the national economy as a whole.

SHRI V. V. SWAMINATHAN (Tamil Nadu): Mr. Vice-Chairman, Sir, I welcome the Budget because it is surplus, without raising the rates of freight and fares of the passengers. But this Budget is said to be a short one, for the first four months and you would come again to this House with a subsequent Budget. I would request the hon. Minister, Prof. Danda-vate, to give an assurance that even in the subsequent Budget there will be no rise in fares of at least second class passengers. One of the hon. Members said that mostly the passengers travel by second class, whereas I would like to add that the major portion of the railway income is only from second class passengers and yet the convenience of the second class passengers is not adequately looked after in proportion to the income contributed by the second class passengers. I congratulate the Minister,

[Shri V. V. Swaminathan] Prof. Dandavate; and pay tribute by joining along with other colleagues in this House for having boldly reinstating all the employees sacked in 1974 strike, unconditionally, that too within six weeks, without any loss of promotion or break in service. Also I have to thank the hon. Minister because in the other House he gave an explanation about bonus. He said that bonus is a deferred payment and not an *ex-gratia* payment. As law stands today, as far as the railway employees are concerned, industrial laws are not applicable to them. The railway industry is called a departmental undertaking. Neither is it called a public undertaking, nor an industry. There are differences of opinion among various high courts. I expect, at least during the Janata regime the hon. Minister, Prof. Dandavate, would make it clear in unequivocal terms either by bringing in amendments to existing laws or new legislation that the railway department would be considered as industry or the industrial laws would be made applicable to the railway employees thereby enabling them to get bonus. I am glad that the Minister has to take concrete steps to see that the participation of labourers is extended to the service and commercial organisations and as an experimental measure, he has introduced selection committees in important cities like Madras, Bombay and Delhi. It is said that a sum of Rs. 10 crores had been allotted for the development of underground tube railways in metropolitan cities of Bombay, Madras and Calcutta. But Mr. Kalyan Roy said, as far as Madras is concerned like Calcutta we do not find any visible sign or improvement in this respect. Additional efforts will have to be made to improve the position in those areas. In your speech you mentioned that important terminals like Delhi, Bombay, Calcutta and Madras are now reaching the saturation limit but as far as Madras is concerned, I must say that it is a very ancient junction and requires immediate improvement. No steps

have been taken to improve or expand the Egmore Junction at Madras. They can easily acquire the zoo area which can be shifted to the Raj Bhawan, Guindy, Madras. That has to be done.

I am also glad that the Minister had made a mention about implementing recommendations of the Kripalani Committee to wipe out corruption in the Railway Department, he was thinking of appointing an expert committee to review the structure of freight rates on rational basis and also to reconsider the set-up of the Railway Board.

Now, here they have said that there is cleanliness in Railway stations. I would like to bring it to the notice of the hon. Minister and the officials concerned that as far as railway platforms are concerned, there are lots of beggars and loathsome diseased persons loitering here and there pestering the passengers. What the Railway Police and the BSF have been doing, I do not know. I hope the Railway Minister would now take steps to see that beggars and worst diseased persons without tickets are not allowed to enter the platforms and worry the passengers.

Thank you.

SHRI KHURSHED ALAM KHAN (Delhi): Sir, at the outset I must say that the speech of the hon'ble Minister reflects some of the assets which he has inherited from the previous Government and we hope that these will be preserved in letter and spirit.

Sir, the Railways, which is the largest public sector undertaking, have stayed out of the red for the last two years. This is a very creditable thing because the financial position of the railways for the previous years was not very cheerful. Therefore, we look forward hopefully that the year 1977-78 would also close with a good profit and this tradition will be maintained in future also. Obviously, this is due to the fact that all the people concerned in the public sector undertaking have

made the contribution and have given of their best. And it is hoped that they will continue to give of their best in future also.

There is no doubt that the railways have come out of the tunnel, as they say. But really speaking, they are still not out of the woods and, therefore, more hard work, more honest work and more thoughtful planning will have to be done in order to achieve the objectives that we have in view. It is earnestly hoped that the high level of operating efficiency and the economies of operation that we have achieved during the last two years will be maintained and will be improved. This is a very important matter and, in fact, we have to give the highest priority to this matter.

Sir, the Hon'ble Minister has taken the decision to unconditionally reinstate the staff that was dismissed, or whose services were terminated in 1974. This is his decision and I suppose he has taken this decision in his wisdom. Sir, we would like to sound one word of caution, that is he has to ensure that this act will not erode the discipline which is very essential for a public sector undertaking like Railways.

Sir, in recent weeks, there have been a number of serious and major accidents. Normally, we read from the papers that these accidents are attributable to human error or human factor. But I suppose this is not the only reason. There are some other reasons also, and that is the failure of the equipment. It is, therefore, very necessary to ensure as to how far the human error is responsible for these accidents and how far the failure of the equipment and what are the Railway authorities are going to do in future to prevent such accidents. In my opinion—and I hope the hon'ble Minister will also agree with me—this is a dangerous trend and has to be prevented in future.

Sir it is a known fact that the financial structure of the Railways is out-dated and out-moded. This was stated at the time of the last budget also. But we are not aware as to what action the Railway Board or the railway authorities are going to take about it. In fact, not only the financial structure but the Railway Act itself is out-dated and out-moded and we need a revised and a new Railway Act. I hope the Railway Minister will find some time to give consideration to these suggestions.

We quite agree that there is need for some financial relief on account of the various social obligations that the Railways provide. But it will be necessary to examine the whole question of freight and rates and then take a decision; otherwise *ad hoc* decision will not be a lasting solution.

Sir, another very important factor is the rail-road coordination, particularly in view of the fact that high-rated traffic is now being largely diverted to road traffic. Besides, it is also a known fact that 4 P.M. about 5,000 all-India road transport permits have been issued, and this will mean that high-rated traffic will be diverted to road" and the railways will have to do something to ensure that they get their due share of high-rated traffic. Otherwise I am afraid it will be necessary for them to revise the freight rates for the ordinary traffic which will hit the common man.

Sir, apart from the other achievements of the Railways during the last two years it is a known fact that the operating efficiency of the railways has improved from 65 per cent to 90 per cent and this is a very good achievement. We want our railways to run on time and we want them to continue to run on time and I hope it will be necessary to ensure that this aspect of the railways gets special attention and top priority of all concerned.

[Shri Khurshed Alam Khan] Sir, another important factor which must be kept in view is the terminal capacity in cities like Delhi, Bombay and Calcutta. The terminal facilities which exist at present have already been outstripped by the requirements and unless immediate steps are taken for providing additional terminal facilities, we would find that the terminal facilities existing will be choked up and there will be difficulty in admitting trains and in the departure of trains on time.

Sir, another important point which a number of speakers raised is the rapid transit system and they all spoke about Calcutta. The rapid transit system is necessary not only for Calcutta but also for Bombay, Delhi and Madras. The allocation of Rs. 10 crores made for the rapid transit system in the Plan is most inadequate, and I earnestly hope that the hon. Minister will use his good offices with the (Planning Commission and get an adequate allocation for this purpose. I hope something will be done about it soon and we should not allow the underground projects to go underground for ever.

Sir, I think a number of friends have stressed the need for workers' participation at various levels. We also agree that the scope of workers participation should be enlarged to cover more areas and more departments, but it seems necessary that workers' participation should be linked with some kind of incentive schemes so that the workers become more interested in such participation and produce really good results.

Sir, as I have said, the railways' financial position is not still very comfortable and therefore immediate steps have to be taken for the recasting of the financial structure of the railways. This is a very important matter and otherwise it will be really difficult for this undertaking to be run on commercial lines and be viable also.

Another important factor which we have to keep in view is the demands of the workers—whatever may be our decision—regarding payment of back wages, wages for the period they were suspended or discharged]. We have also to keep in view the fact that the Exchequer is not overburdened or, otherwise you will have to come forward for increase of freight rates and passenger fares which we consider are already quite high and there is no scope for further increase.

Another important factor is planning in the railways. The planning may be on a long-term basis and it should not be confined to five or ten years. In fact we should formulate a plan for at least a period of fifteen years and implementation with) review on a year-to-year basis or whatever period is decided for the purpose. Sir, all efforts should be made for levelling of the crosses and for increasing the productivity, particularly looking into the cost of fuel. The cost of fuel consumption in the Railways is still very high and something has to be done to control it because the fuel cost is a very important factor of the over-all operating cost.

I would also like to mention that the recruitment policy of the Railways needs some reconsideration in view of the fact that there are certain communities which are not entirely represented on the Railway staff and something has to be done to ensure that they also get their due share. I am sure the honourable Minister will look into this matter and do something about it.

Sir, in the end, I would like to say that the Railways are our largest public sector undertaking and I would hope that this public sector undertaking will continue to progress because our entire progress and the progress of the country depends upon our communication system, our transport system, and therefore it needs all the importance, it needs all the

priorities and it needs all the considerations that the Government can afford to give it.

Thank you, Sir.

उपसभाध्यक्ष (श्री रणबीर सिंह) :
देखिए, अब आप 5 मिनट से ज्यादा नहीं
बीजिए ।

SHRI JAGJIT SINGH ANAND
(Punjab): I hope you will bear with me as
you did for the rest of them.

उपसभाध्यक्ष (श्री रणबीर सिंह) :
आपके दल से कल्याण राय जी ने आलरेडी
20 मिनट ले लिए हैं ।

SHRI JAGJIT SINGH ANAND: Firstly, I must say that when I heard about the announcement made by Mr. Dandavate in the other House yesterday, it was like a whiff of fresh air. I must say that this announcement shows that he has brought the impact of his trade union approach to the new job that he has taken up, and he needs my congratulations for that. But I must say that it is not a question of going back to 1948 or 1949; he should kindly go back at least to 1973 because the category-wise unions—I mean, the loco running staff unions—which initiated certain action, had also roused the working classes to the bigger action in which he himself was one of the leaders and about which he has been kind enough to say that all those who were dismissed and retrenched will be taken back. This pleases me especially because last year in January, 1976, honourable Mr. Kamalapati Tripathi had made a partial concession, but under pressure of the *bara sahebs* of the Railway Board he went back on this concession within two months, in March, 1976. And there have been many people who have been going from door to door and who have been under great duress. So this announcement made by him will be a very positive factor.

Then, Sir, I also want to say that there was the Miabhoy Report and there were commitments made by the past Ministers that by the 31st December, 1976 the total time for a man on duty in the case of the running staff will not be beyond 10 hours in any case. That has not been implemented. Mr. Khurshed Alam Khan was talking of the achievements during this period, and the most laudable achievement was punctuality. No doubt, there was some improvement in punctuality, but the way it was attained is more important. We know that the staff was neither increased nor given any concessions, nor was there any improvement made in their living and working conditions; it was the chasers who made them do more work. So I would request Mr. Dandavate to see that it is not that the horse-beaters are increased but the horses that do the job are increased and they are given good conditions of work. (Interruption). What I am saying is that the punctuality was at the cost of beating of the workers and by putting more and more of chasers. I have gone to Kan-pur and seen how they increased their working hours from 10 to 24 and under what conditions are the running staff working. I must say that with his trade union background the Minister should see to it—and I do hope that he will—that it is not that the workers are squeezed like this and punctuality got out of them; punctuality should be under normal conditions.

Here, I also want to say about the Railway Board. My friend's observation was that things have been out of the red for the last two years. Why were things out of the red in the Railway Board only for the last two years? Why had the Railway Board gone on expending and expanding? It started with 3 Members. Now, there are 5 full Members, 8 Additional Members, 3 temporary, Additional Members, 30 Directors, 90 Deputy Directors, 379 technical staff and 1,297 non-technical staff. All this has been happening since 1956 and

[Shri Jagjit Singh Anand]

the Railways have been going from bad to worse till the emergency came. Do we need an emergency to make these *bara sahebs* function, who go about in saloons? What I am saying is that I expect a different type of set-up now.

Now, Sir, I want to say something about representation also. I happen to be the President of one small railway union, the Northern Railway Workers' Union. It is not a recognised union. Firstly their letters were not answered. Then I began writing letters on my MP pad. There used to be some response from my honourable friend who is no longer here. 'He was under me as a press worker once but when he began organising later on the All-India Safai Mazdoor Union and began running after the "Rising Star" who fused like an electric bulb, we did not get replies to letter despite repeated protests. I would request whenever an Honourable MP writes to Minister, the letter should be more promptly replied but not like the other way. Shri Qureshi said that letters would be replied, but replies were not received.

THE VICE-CHAIRMAN (SHRI RANBIR SINGH): Please try to wind up.

SHRI JAGJIT SINGH ANAND: Shri Qureshi said- letter, will be replied but they were not replied by him, replies prepared by Burra sahibs' were sent without applying mind. I have not spoken for three minutes yet.

THE VICE-CHAIRMAN (SHRI RANBIR SINGH): You have already taken five minutes.

SHRI JAGJIT SINGH ANAND: Sir, now I want to mention some specific problems regarding a region which is common to me and to the Vice-Chairman. They started a Flying Mail. It was a very good train. Now it is a dust-gathering mail. They introduced Shan-e-Punjab. The Flying

Mail goes to Amritsar early in the morning and it goes to Ludhiana in between as Shan-e-Punjab. It comes back without any sort of *safai*. It is full of dust. It comes back as Flying Mail. So, Shan-e-Punjab, the pride of Punjab, the best train, has been turned into a dust-gathering train. I would suggest that the Tata Mail should go daily from Tatanagar to Amritsar instead of going once in four days and that train reaches Amritsar before 6.00 A.M. and leaves Amritsar after 7.00 P.M. The Flying Mail is not properly cleaned. If this Golden Temple Express as it is called is made a daily train, both the problems would be solved. Then, Sir, it is already named "Golden Temple Express". It is a very good name. It serves many people from Tatanagar to Golden Temple. It meets the Sikhs sentiments. It is a very good sentiment. That train comes from Jamshedpur and goes to the Golden Temple. It is a good name. Then, Sir, about the Rajdhani Express. I would say that whatever train service facilities you have built up, by scrapping them you are not going to save. Only you make better utilisation of them. You should be careful in future that at the cost of second-class passengers you are not going to bring in such more and more trains. Here I agree with my friend from the CPI (M). About the present Rajdhani Express an announcement was made that instead of stopping it in Delhi, it will be taken to Chandigarh, and then nothing was done about it by his predecessor. I would request Shri Dandavate to look into this to have more revenue with the same trains and with no more additional expenditure. Then, Sir, I want to say that there are certain very stark anomalies. In the past Shri Qureshi, despite all our efforts, did not send replies. One small thing, Sir. While converting into new first-class coaches, they have not given a proper seat to the poor attendant who goes from Delhi to Jammu Tawi. They have reduced the space to just nine inches—and they have taken away the extra rexin seat also where he even cannot sit.

It is just a commod top. Then, Sir, chair cars have been introduced on the Flying Mail. They can provide more space. You can go in Flying Mail from Jullunder to Delhi by paying Rs. 71 and by gathering all the dust. But you come by the same chair car by air-conditioned express and you pay only Rs. 39 because firstly a foolish decision was taken to increase the air-condition rate. Now they reduced it. Now everybody in the first class is crying that you are given in Flying Mail the ordinary Chair seats and you are charging Rs. 71 and in the Delux Train you provide for 39 rupees an air-conditioned Chair seat. This also we wrote to the Minister. Finally, an explanation from the bureaucracy was sent. Such a thing causes injury to the public very much. I would request that it may be looked into. Because of shortage of time the only thing I would say is that the Railway Convention Committee, which had to be dissolved, was Unanimous that this Railway Board had to go. They have said that it is the most powerful white elephant and it's bureaucrats do not at all listen to whatever has been said in Parliament all these years. I would request Mr. Dandavate to look into this and take some early action either through the formation of a new committee or through some other way to get rid of this Railway Board which is full of inefficiency, corruption and "bara lat-sahebism". That is what it is.

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THE VICE-CHAIRMAN (SHRI RANBIR SINGH): Mr. Lakshmana Gowda. I hope you will take only two minutes.

SHRI U. K. LAKSHMANA GOWDA: Certainly. Thank you for giving me two minutes even though I had not given my name. Mr. Vice-Chairman, Sir, I only want to congratulate my friend, Mr. Madhu Dandavate who has taken over as the Railway Minister and I welcome him. I know that he

had not had any time to look into the actual railway budget. In the budget that^{na}s been prepared in the short time available to him and presented to this House, there are many good features. But there are a lot many things which are more desirable and unfortunately because of lack of time, I cannot go into these details. I would just like to mention one or two points. The first point is with regard to his decision regarding the workers retrenched in connection with the 1974 strike. Certainly it is a welcome decision. I congratulate him on that. But at the same time, I would like to utter a few words of warning. Everybody in this House including congress members today have been saying that there should be not only reinstatement but reinstatement with back wages without any consideration to what the effect is going to be on the railway finances. I certainly do not object to reinstatement. I welcome the decision. Also question of bonus has to be reviewed. The whole matter has to be reviewed. But one has to have definitely some idea of the effect it is going to have on the railway finances. I do not want my friend, Mr. Dandavate, to come here at the time of the next Railway Budget saying that because of these things, he had to raise the fares of second class passengers and^{also} the freight rates on essential commodities. I only request him to look into this matter very carefully and to increase the efficiency of the railways. As my friend, Mr. Khurshed Alam Khan said, during the last one year or so, so many truck services have been introduced and there is such a heavy competition with the railways particularly in freight transport. So one has to be very careful to see what the railway finances are going to be in future. So I would caution him that very careful consideration should be given to see that efficiency is increased, corruption is reduced and generation of more freight and passenger traffic is done so that after providing all these amenities, it will be possible to see that the railways

[Shri U. K. Lakshmana Gowda]

do not go into the red but continue to be one of the important public sector undertakings which will provide the exchequer with sufficient finances. I would like also to join my friend, Mr. Mulka Govinda Reddy, particularly with reference to certain matters which were referred to by him regarding Karnataka. I would plead for the early completion of the Hassan-Mangalore railway line which was taken up several years ago and work on which is going very slow. A part of it has been commissioned and I hope it will be completed this year. I would also like to suggest the continuance of the broad-gauge railway line from Miraj right up to Bangalore, and also the extension of broad-gauge from Bangalore to Mysore. With these words, Sir, I once again congratulate my friend, the Railway Minister and I hope he will be able to come to us with more concrete proposals in future.

Thank you.

SHRI HAMID ALI SCHAMNAD
(Kerala): We also join him in his sentiments.

PROF. MADHU DANDAVATE: Mr. Vice-Chairman, Sir, it was indeed a very pleasant change to find that the very members who were instrumental in subjecting the working class to untold miseries, atrocities, tortures and imprisonment, have changed over to the side of the working class and they have come forward to champion the cause of the railway workers. I welcome this new change that has taken place. But for this change to be brought about, a political change had to be brought about in the country and those in the treasury benches had to be thrown to the opposition benches. Does not matter. Even then a change has come about. Even if they, for their own purposes, for their own limited strategies, side with the working class. I will consider this to be an important post-emergency gain in the country. I welcome this change. Friends, many hon. Members had referred to the position and

functioning of the Railway Board. I will have to put the record straight. While sitting on the other side of the House—of course in the other House—many of us had expressed certain doubts and suspicions regarding the functioning of the Railway Board. And we do not change our opinion when we change from the opposition to the treasury benches. But I would like to examine the entire issue in depth. Some hon. Members went to the extent of saying that it is the Railway Board members who try to swallow the Ministers. It depends upon who is the Minister. I can assure the hon. Members that firstly I won't tolerate or allow them to swallow me and if they ever do it they will find it difficult to stomach me. They will find it a difficult job. I have checked up the constitutional and legal position on this. I have found out that no doubt there are certain deficiencies in the functioning of the Railway Board. But very often when the Ministers are not able to deliver the goods, they throw the baby to the Railway Board and to the Members of the Railway Board. And they say: What could we do? I would like the entire House to understand as to what is the position of the Railway Board *vis-a-vis* the Minister. I would like to clarify this point and put the record straight. Here is the Manual of Office Procedure and here the position of the Railway Board has been made quite clear. Section 114 of the Manual says:

The Railway Board was first constituted under the Indian Railway Board Act of 1905 for controlling the administration of railways in India. It functions as a Ministry of the Government of India and exercises all the powers of the Central Government in respect of regulation, construction, maintenance and operation of railways. By virtue of inclusion of the Financial Commissioner for Railways in its constitution the Railway Board also exercises the full powers of the Government of India in regard to the railway expenditure.

No doubt the powers are very wide. But at the same time even in this Act there are a number of lacunae. It says that the Railway Board has to function as a Ministry. And when a Ministry functions, who is the head of the Ministry? It is no good denying the fact that even if the Railway Board has to function on the Ministry, it is the Railway Minister who is the head. That position should be absolutely clear. Whenever any policy matter comes up or when an important issue comes up for decision, even if the Railway Board has the powers and functions of the Ministry, it is ultimately the decision of the Minister that must reign supreme. His decision is supreme even under this out-dated Act. But sometimes difficulties are created. It is not because of the provision of the Manual or the legal provisions in the Act, but because of the failure of the Ministers. If I do not look into the papers, if I function as a mediocre, if I do not try to understand the financial implications of the problems, if I do not try to understand the genuine difficulties of the working classes, if I do not respond to their legitimate representations, if I do not try to understand how the resources of the country are to be mopped up or how those resources are to be developed for the Railways, if I do not do these things, then as a Minister I have to rely on experts or some Secretary or some Chairman and such Chairman or such Secretary will always destroy a mediocre Minister. That is what has been happening in this country... (*Interruption*) I am not casting aspersions on X or Y. I am only putting forward the theoretical position. It is not only in this country. There are a number of volumes of literature available on the functioning of Parliamentary Democracy all over the world. Maurice has written a beautiful work which says that whenever a Minister functioning in any Ministry refuses to study the problems, who does not understand the grievances of the people, who does not try to study all the aspects of the problems, then he has always to rely on bureaucracy. It is not that he has no power.

It is not the bureaucrat that dominates him. He has the freedom. But if I as the Minister decide to surrender my freedom at the feet of the bureaucrats, whether in the Railway Board or elsewhere, then it is not the Members of the Board who are to be blamed, but it is the Minister who surrenders his freedom that is to be blamed. He is to be blamed and I can give a solemn assurance to this House that on the day I find that I have to surrender my freedom to the bureaucrats in the Ministry. I shall resolutely come and courageously come before the House and tender my resignation as the Railway Minister of this country. That is the position that I would take before this House. In spite of that, Sir, certain restructuring of the Board is necessary. I have repeatedly said that and it is not only I who has said that, but, Sir, you will be happy to note that the Administrative Reforms Commission that was set up—again it was set up not by our Government, but it was the legacy of the old Government—has said that. And, Sir, in the Administrative Reforms Commission that was set up, not only the members of the then ruling party were there, but eminent members like Shri H. V. Kamath were also functioning as members of the Commission.

SHRI KALP NATH RAI (Uttar Pradesh):
The Prime Minister also.

PROF. MADHU DANDAVATE: Yes, fortunately. I am very proud to say that the person who holds the position of Prime Minister in this country now was heading that Commission, that Administrative Reforms Commission at that time and that Administrative Reforms Commission has come forward with a very valuable document in which there is a chapter on the functioning of the Railway Board. We would like to go through it and we would like to take the suggestions from the trade union organisations also and we would also respond to the suggestions made by the members of the Opposition. As far as the functioning of the Ministry is concerned,

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I am least concerned with my position in the Janta Party and I do not function merely as a member of the Janta Party. Even if constructive suggestions and proposals are made by many members of the Opposition, I would be willing to accept those suggestions and proposals and it is only on this basis that parliamentary democracy in this country functions and can function. That is why I say that we would examine the entire problem. But, for that, I need not cast any aspersions on any individual Members of the Railway Board. Sir, when the Members in both the Houses make allegations against each other, we have the opportunity to answer those allegations. But very often what is done by the Ministers is that if they fail in their policies, if they fail in their ministerial tasks, if they fail in the implementation of their policies, they find some scapegoats and they find such scapegoats in the Secretaries and other members of the staff because these people have no right to come before the House and put forward their points of view. So, whenever I fail, I shall never put the blame on my officers, but I shall take the blame on myself and for that even if the House wants to punish me, I shall face that punishment and I will not make the members of the staff the scapegoats because they have no opportunity to come to the House and they cannot issue any statements. But as far as we are concerned, we have the fullest freedom and even as far as the Minister is concerned, he has the fullest freedom and, therefore, there is no question of his being swallowed by anyone.

Then, Sir, an honourable Member said: "Do not try to become the prisoner of the Railway Board; but try to make the Railway Board your own prisoner." Sir, my concept of freedom is that I will not surrender my freedom and I will not be anybody's prisoner and, similarly, I will not ask anyone to be my prisoner because freedom must not be for one, but must be for everyone. Therefore, that

concept of unilateral freedom is not acceptable to me at all. Neither shall I be anybody's prisoner nor shall I ask anyone to become my prisoner. It is the policy that has to be implemented and that policy is to be directed by you Members of this House and the Members of the Lok Sabha and I will be purely guided by the constructive proposals and suggestions made by you all. Therefore, I would like to make a solemn assurance that we will examine in depth these questions on the basis of the recommendations of the Administrative Reforms Commission, on the basis of the suggestions made by the various trade union organisations, On the basis of the suggestions made by the Railway-men's Federations and also on the basis of the suggestions that have been made by some of the other trade union organisations. We will try to examine the problem in depth and try to find out whether there is any necessity for restructuring the entire Railway Board and we will take it up in right earnest.

Sir, there is another aspect to which I may be able to make a categorical reference now.- There are many friends who talk about the demands of the railway workers. Some wanted us to make a declaration here and now that bonus is granted; some wanted us to declare here and now that the workers will be treated as industrial-workers; some wanted us to declare here and now that all the previous demands that have been made by the All-India Railwaymen's Federation and others would be accepted *in toto*. Sir, I am glad that Mr. Kalyan Roy, who took a very radical position, a radical stand, even he had the courtesy to say that the Minister had very little time and he was prepared to accept it. I am saying this not because I have come to this side of the House. I would like to make the position clear and let there be no confusion. The National Co-ordination Committee for the Railwaymen's Strike which was set up put forward a six-point programme, a charter of demands, which included bonus, which included the demand for the

recognition of the railway workers as industrial workers, the demand for job evaluation and a number of other problems and so on, and when the question came up at the time the whole thing culminated in the ^{strike} the leader of the Committee had made it explicitly clear that these demands were also negotiable.

It is not that we are now saying so. You can check up all the papers during the railway struggle, any you will find that even when we were embarking upon a massive railway struggle we had made it clear to the then Railway Minister that all these demands are negotiable in the sense that if you accept them in principle the implementation can be deferred. Some sort of interim relief can be given to the workers. After all, the railway workers have to look to the strength of the Railways. Mr. Madhu Limaye had written a letter to Prime Minister, Smt. Indira Gandhi. Mr. George Fernandes had written a letter to Mr. L. N. Mishra, the then Railway Minister, and made it clear that these demands were negotiable in the sense that we were prepared to see that they were accepted in principle and that as far as the implementation is concerned, because of the state of economy of the country, we will not insist on the implementation of all of them. Now the problem has been made more complicated. Did those friends on the other side who insist that here and now declare the bonus, take note of the fact that when we were behind the bars for 19 months, they not only stopped the implementation of the policies which they were propounding but under the directive of the former Prime Minister of the country they reversed even the accepted bonus policy of 8.33 per cent? They reversed the entire policy. They linked up bonus with productivity. They said that it was not possible to grant bonus where there was not profit at all. They completely reversed that policy. They brought in legislation. So, before we implement our bonus policy, first we will have to reverse the bonus policy that has been introduced by them. They have made

a complete mess of the national bonus policy by introducing complete reversal of the old policy. It is not merely a question of bonus policy. Now it is a question of bonus policy over the entire country. Therefore, we will have to go into the entire problem in depth. We will have to sit with the representatives of trade union organisations, we will have to sit with the representatives of the various sections, and I have complete confidence that we will be able to arrive at some sort of a viable conclusion with the help of which we will see that the economy of the country flourishes and at the same time we will be able to give the benefit to the working class. Now, this is the attitude that we are going to take.

Friends, so many problems have been raised. I have been told that it is a welcome step that all the employees who have been victimised during the 1974 struggle will be taken back. Seniority will be retained. Break in service will be condoned. Everything will be completed in a time-bound phase, six weeks. That is what I declared in the other House yesterday. And I wish to repeat it here also, because what happens is the Minister makes an assurance and the implementation machinery is lacking about the time-bound character of the implementation. And, therefore, immediately after the presentation of the Budget in the other House I had a meeting with the members of the Railway Board—the Chairman of the Railway Board was ¹ so present—and I discussed with them the question as to what is the time that is required for complete implementation of that policy. I told them that I would not give them the time myself, but that they must state, keeping in view the administrative difficulties, as to what is the time that should be fixed up. I was told that from the administrative point of view the entire problem of victimisation may be tackled within six weeks. Next day I announced in the other House that within six weeks the entire problem would be solved. And I can assure this House

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that after the announcement that I have made on the floor of the other House, when six weeks' period is completed, after that you will not find even a single victimised worker of 1974 out of work. All of them will be rehabilitated...

(Interruptions)

Many other problems have been raised. The first task is to tackle the problems of the working class. Therefore, if other problems have to be tackled, there must be a little elbow room. We will sit with all of you. Nothing will be done in a unilateral way. We will consult the trade unions. As far as the working class is concerned, a new scheme has to be put through. It is not merely through the co-operation of Ministers, not merely the co-operation of the Railway Board, but what is required is the co-operation of the working class and the respective trade union organisations.

I can assure the House that all the relevant problems will be tackled with full co-operation and consultation of the trade unions and they will be settled amicably. That is the approach that I would like to take.

A number of problems regarding the construction of lines have been made. I do not want to go into the regorous details of each and every line. In fact, I have taken the charge only two days back. If I try to utter even the name of some of the construction lines, I may be wrong geographically, though I may be right politically. Therefore, I do not venture into giving false promises. I want to make a general statement. All the constructions of new lines, especially in the backward areas, where the surveys have been completed, will be expedited. We will try to expedite the matter. Wherever resources are lacking, we will try to provide resources. We will discuss the problems. It will be our constant endeavour to see, especially in the backward regions, that we push forward the construction of new lines. It is my

constant endeavour to see that in this country, the regional economic imbalance between the rural areas and urban areas are removed. Necessary infra-structure for development, has to be built up and this infrastructure can be provided only by the Railways. That is why, in the other House, I have been insisting for years together that if the backward regions are to be economically developed, it is necessary that priority must be given to the construction of the infra-structure in the form of railways and rest assure that it will be my constant endeavour to see that these lines are constructed without any partiality and without any bias for any province or State. By way of clarification, I may say this. Some remark has been made that probably when I am flunking in terms of the development of the West Coast Railway, I am adopting a parochial attitude. I wish to make it very clear that the West Coast Konkan Railway which is sought to be built up has been on the anvil for a long time. It is not a railway line for one particular State. It will start from Maharashtra. It will go through Goa. It will pass through Mysore State and go to Kerala. It will go to Cape Comorin which is a part and parcel of Tamil Nadu. Therefore, there is no instrument other than the West Coast Railway through which we can bring about the spirit of integration in the entire Southern region and in the country. This is one aspect which has to be borne in mind. I never talk in terms of the problems and gains of one particular State, even if I come from that State. Some of the newspapers have reported today that I have said that this West Coast Railway will run through all the States, but it will not touch the State from which I come. I come from Konkan area. The entire line is called as Konkan Railway Line. I think it was because of reporting. I had said that it would touch not only the place from which I come, it would touch all the States I had mentioned. I would like to make that correction because it is a distortion of the statement that I

had made. There are other lines to which references have been made by our friends from Bengal, Bihar, Madhya Pradesh, etc. There have been memoranda also. You can rest assured that we will look in to the problems whether it is Tamil Nadu or Kerala or Bengal or Bihar. We will judge all the problems on merit. Wherever surveys have been completed, it will be our endeavour to see that we mop up the necessary resources and construct the lines.

There has been a lot of reference to corruption. Certain booklets have been circulated along with the budget papers. It is quite clear that these documents were prepared before we took over or even before the declaration of the results. I do not know. I do not own the responsibility for every statement in the booklets or documents that have been circulated. Someone rightly said that I am carrying the baby which has been produced by someone else. It is factually correct that someone produced the baby and I am carrying it. Even while carrying somebody else's baby, I tried to twist the arm of the baby which could have probably hit the working class. I have seen to it that the baby is not able to play any mischief. Once that is done, the basis for the future would be laid.

One hon. Member went to the extent of saying that if we grant the various demands of the railwayman and there is a greater burden thrown on the society and the finances of the Railways!, probably we may come forward in the coming budget with certain proposals and try to increase the fare. He wants me to declare that there will be no increase in the fare at all. If even stupidly I declare that, some other Member from the Opposition side will raise a privilege issue against me right tomorrow. If I were on the other side, I would have certainly raised that. I am throwing a hint. But he will not be using it because I would not commit that breach of privilege by saying what I am likely to do in the next Budget. It will be a breach of

privilege and, therefore, I do not want to make any commitment for the future. But we will take into account all the suggestions that have been made over here.

Sir, there has been a reference to corruption. On corruption, there has been voluminous material in this country. On Railways also, there is considerable material. Acharya Kripalani was heading a committee on corruption and all the parties had co-operated with that committee. No partisan dimension was projected in that particular committee. And the findings of the Acharya Kripalani Railway Corruption Committee are a wonderful document. I will carefully go through it. I will discuss also some of the problems with Acharya Kripalani himself. Fortunately, he is available with us for some sort of consultation. Therefore, we will consult prominent citizens, we will consult various agencies and we will try to set the things right. There have been a number of committees that have been set up and I want to tell the House that some of the committees have been born out of a desire to be a patronage to individuals. If some persons have lost in elections, they have to be rehabilitated there. Unfortunately in our country, very often some of the jobs have really become the jobs of rehabilitation compensation. We will not like to follow that practice at all and we will examine all the committees. If we find that certain committees have been created only to project certain individuals or give patronage to them or to rehabilitate them when they have been politically uprooted, such committees will be completely wound up. We do not want to carry on with such committees. Probably, it might inconvenience the Members of my Party, it might inconvenience the Member^s or the opposition party. But I will not be guided by the fact whether it affects the Members of the Janata Party or it affects the Members of the Opposition. I must see to it that in the eyes of the public, our picture must be very clear. And

[Prof. Madhu Dandavate] with that perspective, we will review and re-examine the committees that have been formed in the past. And if we come to the conclusion that certain committees are useless—I found that certain committees have been created with the same type of Members appearing and obviously, to rehabilitate them, these committees have been created—such committees will be scrapped. I give you that assurance. I do not want to take much of your time.

SHRI KALYAN ROY: What about the under-ground railway system?

PROF. MADHU DANDAVATE: I am coming to that. As far as all those trade union problems are concerned, I have said that we will examine them in depth in consultation with the trade unions and arrive at the necessary conclusions. And those trade unions will also include not only the recognised federations but we have also to take into account the views of the other labour organisations.

Friends, repeatedly we are told and I am happy that it has not been repeated here and within the two days, when I tried to examine the working of the Railway administration, I found that there is a lot of centralisation. And here, some Members have also referred to that. They said that there must be rapport between the Minister and the individual person who is aggrieved. I want the House to understand that there might be lakhs and lakhs of people or thousands of people who feel aggrieved. Some might be industrial workers, some might be passengers, some might be coming for appointment in the railways and some might have grievances regarding transfers. For all of them, if the individual cases are to be attended to by the Minister, it is very likely that if a man comes through a right channel and an influential person, probably, his case might be settled when others who have no in-

fluence with the influential personalities will go completely neglected. And, therefore, I will respect no doubt the communications sent by all the MPs, all the trade union organisations, but it will be my constructive suggestion to all the MPs and all the trade unions that it is better that all the cases of injustice rather being taken up through individuals, whether they are MPs or MLAs, if they come through the respective trade union organisations and passenger associations and if institutionalisation of all these grievances is made, it is easier for us to function. And it is on that level that I will try to function so that I myself will not remain amenable to various influences. That is the perspective in which the Administration will try to function. Sir, I am thankful to Members on both sides of the House who, without inducting any bitterness in the debate, have made a number of constructive proposals and suggestions. I especially thank the last speaker and the one before him who have stressed the necessity of building up the finances of the railways and augmenting the production of the railways. On this point I may assure them that since in my very first speech, namely, the Budget speech, I have given the railway workers an assurance that injustice in the form of victimisation is going to be ended, I have now the moral authority to go to the railway workers and tell them that I have done my job and it is now for them to do their job, namely, to improve discipline, improve production and improve efficiency and with that particular moral tone, I am confident that through trade union organisations and even through individual appeals I will be able to tell the workers to augment the resources.

I have already sent one general appeal to all the railwaymen the keynote of which is: I have responded to your demand which could not be considered for the last three years. I may tell you that the former Labour

Minister of the Government of India rang me up and said that for the last three years he was trying to see that all these retrenched workers were reinstated but could not succeed because there were a number of difficulties. He said that he was happy that I had done it today. Therefore, with that achievement I will be able to appeal to the workers that they must augment the resources, improve production, improve efficiency and the performance should be far better. It does not depend upon the emergency. Thus in the coming year we are going to establish that even without the imposition of emergency in the country but with the willing co-operation of the workers in this country and by holding consultations with the trade unions, efficiency and discipline and the strength of the railways can be improved. That will be the task and objective with which I will try to function.

THE BUDGET (GENERAL) 1977-78 —
General Discussion

THE VICE-CHAIRMAN (SHRI RANBIR SINGH): We shall now take up the General Discussion on the General Budget, Mr. Kureel.

श्री प्यारे लाल कुरील उर्फ तालिब (उत्तर प्रदेश) : उपसभाध्यक्ष जहाँ तक बजट का तात्पर्य है, मुझे कुछ कहना नहीं है। उस पर मुझे कुछ ज्यादा विचार करने की जरूरत नहीं है क्योंकि यह इन्टरिम बजट है। आगे जब जनता पार्टी का बजट मायेगा उस पर हम कुछ कह सकेंगे।

फिर भी दो-तीन बातों की तरफ मैं आप की तबज्जह दिलाना चाहता हूँ कि यह जनता सरकार जो बरी है यह भानमती का कुँनवा है जो मुक्तलिफ आइडियोलोजी वाली पार्टियों से बना है। हमारी छोटी-छोटी गलतियों को लेकर, हमारी छोटी-छोटी कमजोरियों को लेकर इन लोगों ने जो कीशमहल बनाया है वह किसी भी वक्त

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चाकनाचूर हो सकता है। यह मैं बता देना चाहता हूँ और खुले तौर पर बता देना चाहता हूँ कि यह इन को कामयाबी नहीं है, इन की पालिसियों की कामयाबी नहीं है, इन की अपनी पार्टी की कामयाबी नहीं है। आज तक ये जमाते आपस में लड़ती रही हैं और जो गवर्नमेंट में बैठे हुए हैं...

SHRI PRANAB MUKHERJEE (West Bengal): Sir, the Finance Minister is not here. He should be here.

THE VICE-CHAIRMAN (SHRI RANBIR SINGH): The Finance Minister is busy in the other House.

रेल मंत्री (प्रो० मधु बंधवते) : पटेल साहब दूसरे सदन में काम में लगे हैं। वे चन्द मिनटों में आ जायेंगे।

श्री प्यारेलाल कुरील उर्फ तालिब : फाइनेन्स मिनिस्टर को ही नहीं, सब मिनिस्टर्स को यहां होना चाहिए। कोई भी मिनिस्टर यहां मौजूद नहीं है। मैं कहना चाहता हूँ जनता पार्टी के लोग जो आपस में लड़ते थे, आपस में एक दूसरे का सिर फोड़ते थे इकट्ठा हो कर इन्होंने एक ऐसी पार्टी को हराने की कोशिश की है जिसका कुछ इतिहास है, जिस ने बड़े-बड़े काम किये हैं। मैं आजादी की बात नहीं कहना चाहता हूँ। उस पार्टी ने हिन्दुस्तान को यूनीफाई किया है, आजादी के बाद तमाम रियासतों को हिन्दुस्तान में शामिल किया। जो काम पटेल ने किये देशी रियासतों को हिन्दुस्तान के अन्दर मिला कर वह काम कोई पार्टी नहीं कर सकती थी। जमींदारी को मिटाया और गरीबों को, काश्तकारों को भूमि पर अधिकार दिया। जो सीरदार थे उन को भी भूमिस्वर बनाया।

मैं पूछना चाहता हूँ कि कमजोर जातियों के लिए, शेड्यूल्ड कास्ट के लिए, शेड्यूल्ड ट्राइब्स के लिए इन पार्टियों के पास क्या प्रोग्राम था ?

[श्री प्यारे लाल कुरील उर्फ नालिव]

आज कोई पार्टी कह सकती है कि उस ने अपनी पार्टी का सदर हरिजन को बनाया है। आज हमारी पार्टी है जिसने दो हरिजनों को अपना सदर बनाया है। एक तो जगजीवनराम जी है जो आज आप के साथ है और दूसरे है संजीव्या जी। हमारी पार्टी ने जनरल सेक्रेटरी हरिजनों को बनाया है। आज हमारी पार्टी में सेपरेट सेल्स है हरिजनों की उन्नति के लिए। यही नहीं, बाल इण्डिया कांग्रेस कमेटी में और तमाम प्रान्तीय कांग्रेस कमेटियों में हरिजनों को उठाने के लिए उन के सेल्स अलग मौजूद है जो भाये दिन हरिजनों की दिक्कतों को दूर करने की कोशिश करते हैं। हमारी जो प्राइम मिनिस्टर थीं, जिन्होंने इस मुल्क के मस्तक को ऊंचा किया सारी दुनिया में और सारी दुनिया ने उन की ताकत को माना और अमरीका भी हिन्दुस्तान से डरा और दुनिया की दूसरी ताकतें भी हिन्दुस्तान का मोहा मानने लगीं उन्होंने अपने वक्त में हरिजनों के लिए जो प्रोग्राम रखा वह काफी बेहतर था। उन्होंने बांडेड लेबर को खत्म किया। गरीब हरिजनों के बच्चों को सौ रुपये में या कुछ पैसे दे कर खरीद लिया जाता था और बूढ़े होने तक वह उन की गुलामी करते थे, अपने खरीदार की गुलामी करते थे और उन के बाद उन के बच्चे और पोते उनकी गुलामी करते थे। सदियों से यह काम चला आ रहा था। किसी पार्टी ने क्या इस को खत्म करने की बात सोची थी। कितने लोग थे कि जो बांडेड लेबर को जानते थे? मैं हरिजनों का सब से पुराना मेम्बर हूँ। मैं केन्द्रीय असेम्बली में भी रहा हूँ। मैं जानता हूँ कि किसी पार्टी ने हरिजनों, कमजोर और गिरे हुए तबकों की तरफ ध्यान नहीं दिया है। इन-डेडेबनेस जो सदियों से चली आ रही थी उस में सूद दर सूद उन से लिया जाता था और इस तरह से एक बार उन को कुछ पैसा दे

कर जिन्दगी भर उन को गुलाम बनाये रखा जाता था, हमारी कांग्रेस सरकार ने उस को खत्म किया। हमारी पार्टी ने भूमिहीनों को जमीनें दीं और उन गरीब लोगों को छोटे छोटे घड़े चलाने के लिए लोन दिये। उन के लिए बिना सूद के लोन का इंतजाम किया और सिचाई के लिए छोटे किसानों के सामने तरह तरह की स्कीमें रखीं। उन को लोन देने की स्कीमें बनाई गईं और यह सब करने वाली, श्रीमती इन्दिरा गांधी को हम ने हरा दिया। आप कहेंगे कि उन को आप ने हराया है। लेकिन आप के सामने क्या प्रोग्राम था। एक हुवा चली जिस में देश के बेस्टेड इंटररेस्ट और ब्योरोक्रेसी मिल कर एक हो गईं और अपने चन्द जाती मतान्बात की वजह से, अपनी सेल्फिशनेस की वजह से गवर्नमेंट इंप्लाइज वोनस के सवाल को ले कर नाराज हो गये और बड़े अफसर इस लिए नाराज हो गये कि वह नहीं चाहते थे कि यहां के बुनियादी आर्थिक ढांचे में कोई तब्दीली आये। वह अफसर जानते थे कि वे लोग अफसर हैं और उन के लड़के भी अफसर हो जायेंगे। वह अंग्रेजी बोलना जानते हैं और इसीलिए इंटरव्यू में दो, तीन सौ नम्बर रख जाते हैं। उस की वजह से ही जो काबिल हैं वे पीछे रह जाते हैं और जो काबिल नहीं हैं वह आगे बढ़ जाते हैं। दो सौ नम्बरों में उन को 180 या 160 या 170 नम्बर मिल जाते हैं और इस लिए ब्योरोक्रेसी कभी नहीं चाहती कि समाज के अन्दर कोई बुनियादी तब्दीली आये। वह नहीं चाहते कि समाज के बुनियादी ढांचे में गरीबों को भी जमीन मिले, वह छोटे घड़े शुरू करें। आज हिन्दुस्तान का 90 परसेंट व्यापार बनियों के हाथ में है। कौन बनिया है जो उस को आसानी से छोड़ने को तैयार होगा। आज इन बनियों ने, इन सरमायेदारों ने देश के बेस्टेड इंटररेस्ट ने और ब्योरोक्रेसी ने मिल कर हम को हराया है और इस में सी आई ए का खयाल

नगा है। मुझे ज्यादा टाइम नहीं है और न मैं ज्यादा बोल सकता हूँ, लेकिन मैं जानता हूँ कि किस तरह से आप जीते हैं और कौसी बेईमानियाँ की गई हैं। किस तरह से एक वोट ने चार, चार, छः छः वोट डाले हैं इस लिए कि अफसरों की हमदर्दी आप के साथ है। इसलिए नहीं कि आप ने काम किया है, इसलिए नहीं कि जनता को आप पर विश्वास है कि आप काम करेंगे, इसलिए नहीं कि आप काबिल है, लेकिन ऐसा उन्होंने भी अपनी गरज से किया है। नसबन्दी के प्रोग्राम की बात आप कहते हैं, लेकिन उस में कहीं देहातों में अगर जबरदस्ती हुई है तो उस की जिम्मेदारी गवर्नमेंट पर, उस की पालिसी पर नहीं है। उस की जिम्मेदारी कुछ खुदगर्ज लोगों पर है, उन के खराब करेक्टर पर है। वह खुदगर्ज लोग जो जात-पात मानते हैं उन्होंने छोटे छोटे आदमियों को पकड़ कर यह कराया है। तो यह हमारी गलती नहीं है। तो यह पालिसी की गलती नहीं है। ये छोटी छोटी गलतियाँ हैं जिन को दूर किया जा सकता था। मगर जनता को गुमराह किया गया। देहात की जनता को गलत रास्ते पर रखा गया। उनमें गलतफहमियाँ पैदा की गई। उनसे जबरदस्ती काम लिया गया। आपने जात-पात फैलाया चुनावों में। मैं आपको बताना चाहता हूँ कि जहाँ हरिजन बस्तियाँ थीं वहाँ पर आपने जगजीवन राम जिन्दावाद के नारे लगाये। जहाँ पर ब्राह्मण बस्तियाँ थीं वहाँ पर अटल बिहारी वाजपेयी जिन्दावाद के नारे लगाये। जहाँ पर जाटों की बस्तियाँ थीं, वहाँ पर चरण सिंह जिन्दावाद के नारे लगाये। मुझे बताइये यह कहां नहीं हुआ ? इस वजह से आप जीते हैं। तो जनता का यह शीशमहल चन्द दिनों में टूटेगा और आप देखते रह जायेंगे। आप क्या कर सकते हैं ? इतने साल हो गये, एक पार्टी भी आप इस देश में नहीं बना सके। आप अपने

डिफरेंसेज को दूर नहीं कर सके। इन सब बातों की वजह से आज आप ताकत में हैं। लेकिन हम आपको विश्वास दिलाते हैं कि आप सरकार को नहीं चला पायेंगे। आपकी पार्टी के अन्दर राजनारायण जैसे आदमी हैं जो एक पार्टी पर विश्वास रखता है। वह डिक्टेटर है सब से बड़ा। वह शख्स ऐसा है जो जहर फैलायेगा आपकी पार्टी में। चरण सिंह को मैं जानता हूँ। जब एस० बी० डी० की गवर्नमेंट बनाई थी कांग्रेस के आदमियों को तोड़कर तो मैं पहला शख्स था कांग्रेस की अपोजिशन पार्टी में होते हुए मैंने चरण सिंह के मिनिस्टर को 60 वोटों से हराया। मानसिंह वर्मा को मिनिस्टर बनाया गया। वह ऐसा मिनिस्टर था जो न काउंसिल का मेम्बर था, न एसेम्बली का, लेकिन चरण सिंह ने उसको लिया था। मैंने उसको 60 वोटों से हराया, उसको इस्तीफा देना पड़ा।

This ultimately led to the total disintegration of the S.V.D. Government.

राजनारायण को मैं जानता हूँ कि वह कैसा तानाशाह है। हम तो कुछ नहीं। हमारे मिनिस्टर तो अफसरों से मिल कर काम करते थे। मैं जानता हूँ राजनारायण तो उनकी कुर्सियाँ उलट देगा। राजनारायण थप्पड़ मार देगा उनको। वह किसी की नहीं चलने देगा, वह आपकी सरकार को कभी नहीं चलने देगा...

(Interruptions)

एक अफसोस की बात यह है कि राज आपने शुरू किया है वह हवा किस तरफ से शुरू की है वह देखने की बात है। डाइने-माइट केस जैसे मामले वापस लिये हैं। आप थोड़ी देर रुक सकते थे, अदालत फैसला करती और उनको बेकसूर करार देती और फिर आप कह सकते थे कि कांग्रेस ने उनको गलत गिरफ्तार किया, गलत केस चलाये। आपने आते ही उनके केस को वापस ले लिया।

[श्री प्यारे लाल कुरील उर्फ तालिव]
यह डेमोक्रेसी है ? यह डेमोक्रेटिक तरीका है ? फिर आपने क्या किया । आपने उनको मिनिस्टर बना दिया । कितना अन-डेमोक्रेटिक, अन-कंस्टीट्यूशनल यह काम आपने किया है । अदालतें चल रही है, आप फंसने सुन लेते । थोड़े दिन में फंसला हो जाता । लेकिन आपने केस वापस ले लिया । अपनी हुकूमत को बनाने के लिए आपने यह तरीका अख्तियार किया है ।

आपने एक बनी हुई काश्मीर एसेम्बली को भंग कर दिया । एक गवर्नर के कहने पर जो कुछ आपने किया है उस पर बहुत कुछ कहा जा चुका है उस पर कुछ नहीं कहना चाहता । मैं जानता हूँ आप तोड़-फोड़ का क्या काम करेंगे । मैं जानता हूँ इस तोड़-फोड़ से जो आप महल तैयार करेंगे वह रेत का महल ज्यादा देर तक कायम नहीं रहेगा । मैं आपको यकीन दिलाता हूँ ।

उपसभाध्यक्ष (श्री रणबीर सिंह) :
कृपया समाप्त करिए ।

श्री प्यारे लाल कुरील उर्फ तालिव :
मैं डिस्ट्रिक्ट पालिसी में विश्वास नहीं करता पर मैं आपको शुभकामनाएं जरूर देता हूँ कि आप डेमोक्रेटिक तरीके से काम करें और आप सही रास्ता दिखायें । मगर यह जो केमेज आपने वापस लिये है यह ठीक नहीं है । जिस तरीके से असेम्बली को तोड़ा है वह ठीक नहीं है । मेरी शुभकामनाएं आपके साथ है । मैं चाहता हूँ कि एक अल्टरनेटिव पार्टी जो मजबूत हो, बने । उसकी एक ही आइडोलोजी हो, उसका एक डीफिनिट प्रोग्राम हो । हम जैसे गरीबों के लिए, अछूतों के लिए और दूसरे शड्यूलड कास्ट्स के लिए, बीकर मैक्शन के लिए एक खास प्रोग्राम होना चाहिए जैसा कि कांग्रेस के अन्दर है । आपने छोटे-छोटे बच्चों को पैसा देकर, कपड़ा दे कर जनता

पार्टी जिन्दाबाद के नारे लगवाये, यह कोई अच्छी बात नहीं है । आपने इनको गांव-गांव में फैला कर हमारे लोगों को तकरीर नहीं करने दी, उनको अपने विचार नहीं रखने दिये । यह सब आपने किया है और पुलिस ने भी आपसे कोआपरेट किया है । ज्यादा न कहते हुए मैं आपका शुक्रियादा करता हूँ ।

SHRI K. S. MALLE GOWDA (Karnataka): Sir, with a feeling of great relief I welcome the great political change that has been brought about in the country by a great non-violent revolution through the ballot-box, India today is re-discovered and acclaimed by the world as the largest free democracy. The world has never had, in its record, a democracy where one party-rule continued for an unbroken period of nearly thirty years as in India. Power corrupts. And we can rightly add that power given to a political party continuously for over a quarter of a century corrupts to the core. Thirt God-sent change was overdue to this country to ensure democracy in its true meaning to the great Indian people.

The inexorable political change unfolds the shining truth—the eternal truth that in a free democracy the people would come to reject any political party which would place itself above the country and sacrifice the interests and well-being of the people to nourish itself.

The greatest of the elections, just ended in the largest of the free democracies of the world has thrown up another truth that, in a modern, enlightened age, it is free democracy which enshrines and ensures equality, human dignity, human development and freedom of the individual that the people would love, desire and fight for.

Sir, I strongly feel that the choice of Shri Morarji Desai as Prime Minister at this juncture in the troubled

history of India, was the best and the right one. The Prime Minister is a true follower of Gandhiji and is a strong advocate of human freedoms, individual liberty and is known to be a true democrat. He fears God and truth and these virtues in the leader of this nation are good enough to promise us a good 'Janata raj*' if not the ideal 'Rama Rajya' of our dreams.

Sir, we have before us the example of two great men of our country, Mahatmaji and Shri Jayaprakash Narayan, who loved the people of India and served them truly and selflessly, without so much as a thought for the throne at Delhi. It is the fervent hope of the Indian people—the youth, the old, the poor and the rich—that Janata Party and their allies will prove by their solidarity and solid work for the people, that they truly would worship the people and not power.

After the imposition of emergency, I had urged upon the former Prime Minister, Shrimati Indira Gandhi, in this House, that 'political vendetta' should not be allowed to take root in this holy land of Bharata. I appeal to the present Prime Minister Morarji Desai and the Janata Government to show the 'divinity in man' and follow forget and forgive' policy in respect of the past unhappy events. There should be no witch-hunt.

I am sure that the good India people have greatly appreciated the greatness of Shri Jayaprakash Narayan and Shri Morarji Desai who called on the former Prime Minister.

Sir, I want to warn the new Government about two vital points. The Government should ensure strict price control in respect of articles of daily consumption as we, the poor and middle class families in the country, would feel the pinch of the price rise and would comment on the performance of the new Government.

Secondly, I want to remind the Government of its pledge to remove

destitution in this country within a definite period of ten years. This pledge cannot be fulfilled if we do not take strong, emergent measures to check the population growth in our country with a package programme of incentives and disincentives simultaneously along with our plan to increase production in fields, factories, mines and oil-wells so that our GNP far outpaces the annual population increase.

श्री सुन्दर सिंह संधारी (उत्तर प्रदेश) :
 आदरणीय उप-सभाध्यक्ष महोदय, मैं आशा करता हूँ कि इस बजट पर भाषणों के दौरान कांग्रेस पार्टी की तरफ से जो उन्हें ने रचनात्मक सुझाव देने का एक सामान्य सभासद निर्माण करने का प्रयत्न किया है, उसकी कुछ झलक देखने को मिलती है। मुझे अफसोस है कि मुझे इस बारे में बहुत बड़ी निराशा हुई है। भारत की जनता ने इस चुनाव में जो फैसला किया है, मैं समझता हूँ कि बड़ी से बड़ी हस्ती के लिए भी यह एक बहुत बड़ी धृष्टता होगी अगर वह उसकी इज्जत न करे। यह कहना कि लोग बहुकाव में आ गये, यह मायदा उनके मुंह से कहा जा सकता है जिन्होंने इस जनता को बहुकाने में बहुत दिनों सफलता प्राप्त की है। यह चुनाव हमारे देश की जनता की जागृति का परिणाम है। हर और धमकियों के वातावरण में भी उसने प्रजासत्ताक को समझने का और अपने भविष्य को अपने आप बनाने का जो इस अवसर पर फैसला किया है, उसके लिए मैं सब देशवासियों को बधाई देता हूँ। यह पहला मौका था जब लोगों को आस-पास के आघार पर बाँटा नहीं जा सका शहर तथा गाँव के आकार पर लोगों में भेद नहीं किया जा सका। इन चुनावों में सब प्रकार के सरकारी प्रलोभन और दबाव उनकी इंसानियत को खरीदने में असफल रहे।

श्री कल्याण नाथ राय (उत्तर प्रदेश) :
 आदरणीय उप-सभाध्यक्ष महोदय, क्या वे फाइनेंस बिल पर बोल रहे हैं ?

श्री सुन्दर सिंह भंडारी : जब आपको तरफ के माननीय सदस्य फाइनेन्स बिल पर अपना भाषण दे रहे थे तो हमने उनको शांतिपूर्वक सुना। इसलिए आप भी सुनने की कोशिश कीजिये। अगर आपको समझ में नहीं आता है तो अपने साथी से पूछ लीजिये।

मैं यह मानता हूँ कि इमरजेन्सी के हथियार से लोगों को डराया, धमकाया जा सकता है, लेकिन यह बात मेरी समझ में नहीं आती कि देश की आर्थिक परिस्थितियों को सम्भालने के लिए इमरजेन्सी का हथियार किस प्रकार से कामयाब हो सकता है। कुछ दिन तक तो

श्री प्यारे लाल कुरील उर्फ तालिब : मुल्क के अन्दर इमरजेन्सी इसलिए लागू की गई थी कि आप अराजकता फैला रहे थे। इसीलिए आपको गिरफ्तार किया गया था। कि आप पुलिस और फौज को बग़वत पर उठता रहे थे

श्री सुन्दर सिंह भंडारी : मैं समझता हूँ कि चाहे कीमतें गिराने का सवाल हो, चाहे आवश्यक वस्तुओं साधारण आदमियों को उपलब्ध कराने का सवाल हो, चाहे उत्पादन बढ़ाने का सवाल हो या मुद्रा-स्फीति रोकने का सवाल हो या नीतियों से संबंधित प्रश्न हों, इन पर पुलिस के डंडे से काम नहीं चल सकता है। हाँ, यह हो सकता है कि जो लोग चोर-बाजारी करें, जमाखोरी करें, माल को छिपाकर रखें, उनको डराने या धमकाने से कुछ काम चला हो, उत्पादन इससे नहीं बढ़ता। इमरजेन्सी लागू किये जाने के दो-तीन महीने तक डर के मारे आर्थिक परिस्थितियाँ सुधर रही हैं, यह आभास कराया गया लेकिन नीतियों के अभाव में कोई सही दृष्टिकोण लागू न होने के कारण विधायी सरकार आर्थिक क्षेत्र में सफल नहीं हो सकी। आज यह स्वीकार किया गया है कि इतनी लम्बी इमरजेन्सी के कार्यकाल के बाद भी कीमतें बढ़ी हैं, इनफ्लेशन बढ़ा और परिस्थिति आर्थिक क्षेत्र में काबू के बाहर

होती चली गयी। आज भी 15 प्रतिशत से अधिक थोक मूल्यों के भाव में बढ़ोतरी हुई है और अगर हम पिछले सात वर्षों की नीतियों का विश्लेषण करें तो सात वर्ष पहले के मुकाबले में आज कीमतें दुगनी बढ़ गई हैं, दू-हज़रेड परसेन्ट उसमें बढ़ोतरी हुई। जहाँ तक फुटकर मूल्यों का संबंध है वह तो एक वर्ष में ही 33 प्रतिशत तक बढ़ गये हैं।

अब यह बात ठीक है कि पिछले दिनों में हमने काफी विदेशी मुद्रा कमाई और काफी अच्छा स्टॉक सरकार के पास विदेशी मुद्रा के रूप में है। लेकिन यह किस कीमत पर हमने कमाया। जो कुछ देश में आवश्यक वस्तुओं उपलब्ध थीं विदेशी मुद्रा को अर्जित करने के क्रम में हमने उसका निर्यात किया और इसके कारण अपने देशवासियों को उन चीजों के अभाव में हमने रखा। आज यह परिस्थिति पैदा हो गई है कि विदेशी मुद्रा इतनी इकट्ठी हो गई है कि देश में मुद्रा-स्फीति और देश में कीमतों की बढ़ाने का भी वह एक कारण बनती जा रही है। मेरा यह सुझाव है कि इसको एक डेड रिजर्व के रूप में न रखा जाए। आज भी देश की आर्थिक गति को तेज करने के लिये आवश्यक वस्तुओं के आयात की वृद्धि आवश्यकता है। इसके कारण यहाँ के उद्योग मंत्री का एक बहुत बड़ा बल मिल सकता है। जिस तरह से हमने अन्न का भंडार बनाया है, उसी प्रकार से एडिबल आयल और रुई के ऐसे भंडार अगर हम बनाकर रखेंगे तो देश के उत्पादन को एक नई दिशा प्राप्त होगी। इसके कारण देश की मुद्रा-स्फीति पर भी दबाव पड़ रहा है उसका भी घटाने में मदद मिल सकती है।

[The Vice-Chairman (Shri Lokanath Misra) in the Chair].

इसलिये मेरा यह निवेदन है कि हमको जल्दी से जल्दी इस दबाव को, जो विदेशी मुद्रा के इकट्ठे होने से देश में हो गया है,

उसे देश की ग्रंथ रचना के लिये उपयोगी रूप दिलाने का प्रयत्न किया जाय।

पिछले दिनों इस सारी आर्थिक रचना में मनमाने तरीके का दबाव, प्रतिबन्ध और तरह तरह की रुकावटें, देश की ग्रंथ व्यवस्था को स्वाभाविक रूप से बढ़ाने में बाधा के रूप में सामने आई। चाहता हूँ कि सरकार उन सब परिस्थितियों पर पुनर्विचार करे। देश में आवश्यक वस्तुयें हर व्यक्ति के पास पहुंचे इसका मैं समर्थक हूँ। लेकिन अनावश्यक रुकावटें जितनी जल्दी हटाई जायेगी तो देश के सामान्य आर्थिक रचना के निर्माण में हम मार्ग प्रशस्त कर सकते हैं। इस पर विचार करने की आवश्यकता है।

सरकार की तरफ से पांचवी पंचवर्षीय योजना के जो दो वर्ष बचे हैं उसमें भी किस प्रकार से प्राथमिकता रखी जाय, किन-किन मदों पर प्राथमिकता से रुपया खर्च किया जाय, इसका सरकार विचार कर रही है। मैं चाहता हूँ कि आने वाले पूरे बजट में जो एक-दो महीने के भीतर हमको देखने को मिलेगा उसमें इन प्राथमिकताओं को बदल कर ही उसके अंदर रुपयों का प्रावधान किया जाएगा ताकि आज अनिवार्य रूप से जिन चीजों को प्राथमिकता मिल कर उनका उत्पादन होना चाहिए उसके लिए उस बजट में और राज्यों को मिलने वाले मद में उसकी पूरी गुंजाइश दिखायी दे।

यह बात भी आवश्यक होगी कि जो हमारे सार्वजनिक संस्थान हैं उत्पादन के, उन में शत प्रतिशत उत्पादन की दिशा में हम कितनी जल्दी आगे बढ़ सकते हैं। उनके अन्दर लगाई गई शक्ति निरर्थक न पड़ी रहे, उसका पूर्ण उपयोग हो और उसके लिए जो इन्फ्रास्ट्रक्चर तैयार करना पड़ता है उसको तैयार करने के लिए हम सब प्रकार की प्राथमिकताएं किस प्रकार उपलब्ध कर सकते हैं, इसकी भी उसमें व्यवस्था करें।

ग्रामीण विकास, बहु-चर्चित होने के बाद भी, एक उपेक्षित विषय आज तक रहा है। मैं चाहूँगा कि अगले बजट में ग्रामीण विकास के ठोस कार्यक्रमों को हाथ में लिया जाए। अगर मैं उसका एक उदाहरण दूँ, तो आज भी इतने 25 वर्षों की देश की स्वतंत्रता के बाद भी हजारों गांव ऐसे हैं जहाँ पर पीने के पानी की व्यवस्था नहीं है। पेय-जल को प्राथमिकता दें और उसके लिए केन्द्रीय बजट में भी आवश्यक प्रावधान करना अनिवार्य प्रतीत होता है।

जमीन कास्तकार को मिले, वह उसका मालिक बने, ये चर्चाएं तो बहुत हुई हैं, परन्तु इस क्षेत्र में ठोस पग उठाए जाने चाहिए क्योंकि केवल मालिक बनाने से ही काम नहीं चलेगा। सविस कोम्पारेटिव्हस कायम करने होंगे, केन्द्रीय बजट में भी इसका प्रावधान करना होगा कि इस प्रकार की सविसेज को जो अग्रिकलचरिस्ट्स के लिए बने, उनकी आर्थिक परिस्थिति को सुधारने के लिए जो मदद दे सके, उसकी व्यवस्थाएं बजट में होना आवश्यक है।

कई ऐसे सूखे क्षेत्र हैं जहाँ पर वर्षा का अभाव है और अभी भी सिंचाई की योजनाएं उन तक नहीं पहुंच सकी हैं। वहाँ पर हमें ड्राई फार्मिंग, टेक्नालाजी की व्यवस्थाएं करनी होंगी। योजना में भी उसको प्राथमिकता मिले और मुझे विश्वास है कि आने वाले वर्ष में इस ड्राई फार्मिंग टेक्नालाजी को प्राथमिकता मिलेगी और ऐसे क्षेत्रों के लिए आवश्यक प्रावधान किया जाएगा।

ग्रामीण विकास के लिए यह भी आवश्यक है कि अभी तक औद्योगीकरण का जो तरीका रहा है वह इस प्रकार से रहा कि ग्रामों के दूरस्थ अंचल अछूते हैं। जब तक हम पूरा का पूरा औद्योगीकरण का नक्शा नहीं बदलते, उसको विकेंद्रित नहीं करते और कृषि के आधार पर विकसित करने का निर्णय नहीं

[श्री सुम्बर सिंह भंडारी]

लेते और उसी के आधार पर प्लान प्रायोरिटीज और बजट में उनकी आवश्यकताओं के लिए प्राथमिकताएं हम नहीं देते, तब तक ग्रामीण विकास केवल एक चर्चा का ही विषय बन कर रह जाता है। चिंता केवल यहां भाषणों में व्यक्त हो कर रह जाती है पर उसके लिए कोई ठोस पग कहीं उठते हुए नहीं दिखाई देते।

दूसरा ज्वलंत प्रश्न बेरोजगारी का है जो देश के अंदर बढ़ता चला जा रहा है। पिछले दिनों में श्रम योजनाएं बनीं। माननीय सदस्यगण मुझे माफ करें अगर मैं कहूं कि यह एक स्थायी प्रश्न है, यह श्रम योजनाओं से पूरा नहीं हो सकता। श्रम योजनाओं से कुछ क्षुब्ध खल जाते हैं, रुपय का ऊपर ही ऊपर बंटवारा हो जाता है लेकिन वास्तविक जो बेनिफिशरीज हैं, जिनको वास्तव में नौकरिया मिलनी चाहिए या उनकी आर्थिक परिस्थिति को सुधारने के लिए जो ठोस कदम उठाने चाहिए वह सब होने की बजाए ये श्रम योजनाएं पब्लिसिटी और ग्लॉरी के उपादा हैं; उनका लाभ ठीक व्यक्तियों को नहीं पहुंच पाता।

मैं सरकार से यह निवेदन करना चाहूंगा कि अब इस पंचवर्षीय योजना के बचे हुए काल में भी, और छठी पंचवर्षीय योजना के लिए जो भूमिकाएं बन रही हैं, उन्हें "गिमिक्स" करने की कोई आवश्यकता नहीं है। अब अगर वे सीधे सीधे ढंग से और विस्तृत स्ट्रक्चर के आधार पर, नीतियों के आधार पर इन बातों को अपने सामने रख कर चर्चें तो उसमें से ही लाभ हो सकेगा।

मैं केवल एक-दो सुझाव इस बजट के सम्बन्ध में देना चाहूंगा। मैं चाहूंगा कि पिछले दिनों में कम्पलसरी डिपोजिट स्कीम लागू की गयी थी उस के द्वारा, हम कर्मचारियों को आज की महंगाई की अवस्था में परिस्थितियों से मुकाबला करने के लिए राहत देते थे

वह उनसे छीन कर हम ने उनके प्रति बहुत बड़ा अन्याय किया है। मैं चाहूंगा कि वित्त मंत्री इसके लिए मार्ग निकालें और कम्पलसरी डिपोजिट स्कीम को समाप्त कर के जो कुछ पैसा कर्मचारियों का जबर-दस्ती रोक लिया गया है वह उनको वापस दिलाने का प्रावधान करें।

इसी प्रकार से जो महंगाई भत्ते की शर्त पहले तय हुई है और कास्ट आफ लिविंग इन्डेक्स के साथ उसको जोड़ा है उसके सम्बन्ध में भी पूरी राहत मिलनी चाहिए।

रेलवे कर्मचारियों के सम्बन्ध में माननीय रेल मंत्री ने घोषणा की। जब तक लिविंग वेज का फार्मूला तय न हो जाय मैं चाहूंगा कि बाकी की सुविधाएं और सहायता देने का फार्मूला कुछ लिमिटेड लेबर तक सीमित न रहे, देश भर के सब मजदूरों पर और सब श्रमिकों पर उसे लागू करने के लिए हमें कदम उठाना पड़ेगा।

पिछले दिनों में यह तर्क दिया गया था कि क्यों कि इकानॉमिक आफर्डर्स के खिलाफ देश के साधारण कानूनों के अन्तर्गत कार्यवाही नहीं कर सकते थे इसलिए हमें इमरजेंसी प्रावीजनस का सहारा लेना पड़ा। पिछली सरकार वीर महीनों के लम्बे बाटिकाल में इमरजेंसी प्रावजनस के बिना इन आर्थिक अपराधों से कैसे निबटा जा सकता है इस के लिए कोई कांफ्रिट स्टैंप ले कर नहीं आ सकी और बिना अपराध बताये लम्बे डिटेंशन के द्वारा ही उन्होंने आर्थिक अपराधों से निबटने का तरीका बनाया हुआ था। अब इमरजेंसी हट गयी है। मैं इस के लिए बधाई देता हूं सरकार को। उन्होंने बाहर की इमरजेंसी को भी—बाहरी खतरे का जो हीमा बनाया हुआ था—समाप्त कर दिया। देश में कम्पलीट नाभंलसी है, लेकिन इसका मतलब यह नहीं है कि कुछ भी करने की छूट हासिल हो या आर्थिक अपराधों के लिए छूट मिली हो या समाजविरोधी तत्वों

को गड़बड़ करने का मौका मिले। मैं चाहूंगा सब क्षेत्रों में और विशेषकर आर्थिक अपराधों के क्षेत्र में कानूनों का जल्दी से जल्दी अध्ययन हो और अगर इन आर्थिक अपराधों को रोकने के लिए कानून की सीमाएं किसी प्रकार से छोटी दिखायी देती हों, तो यह पहला काम होना चाहिए सरकार का कि कानूनों को इतना सशक्त बनाये कि इन आर्थिक अपराधों को रोका जा सके। साथ ही इस बात का भी ध्यान रखा जाय कि इमरजेंसी प्रावीजन्स का आश्रय लेकर नागरिकों के मौलिक अधिकार समाप्त करने के और बिना मुकदमा चलाये कैद में रखने के जो पग पिछली सरकार के द्वारा उठाये गये उन की सम्भावना ही न रहे। इस चुनाव में अगर लोगों ने किसी चीज को बदलने की कोशिश की है तो इसी स्थिति को बदलने की कोशिश की है। और जो फैसला उन्होंने दिया है इस सरकार को उस से अपनी ताकत ग्रहण करनी चाहिए। कानूनों को अपटुडेंट बना कर सारे देश की जनता को ऐसे अपराधों के चक्कर से बचाने में सरकार सफलता प्राप्त करे यह हमारे कार्य का उद्देश्य होना चाहिए।

मैं वित्त मंत्री महोदय को उन की इस नयी जिम्मेदारी के लिए शुभकामनाएं देता हूँ और चाहूंगा कि आने वाले बजट में जो मैंने सुझाव दिये हैं उन के सम्बन्ध में ठोस पयों का नक्शा वे उपस्थित कर सकें। धन्यवाद।

श्री रणबीर सिंह (हरियाणा) :
उपसभाध्यक्ष जी, भारत के वित्तीय इतिहास में सब से छोटा भाषण जनता पार्टी के वित्त मंत्री का है। उन्होंने अपने भाषण में जिक्र किया कि जो बजट तैयार हुआ है वह उनके दृष्टिकोण के मुताबिक नहीं है इसलिए आगे के बजट में अपने दृष्टिकोण को दर्ज करेंगे।

आगे वह कैसा दृष्टिकोण रखना चाहते हैं यह तो हम को मालूम नहीं है इस लिये कि उन्होंने इस बात का कोई व्योरा नहीं दिया है। लोगों को वह गलत आशायें देना चाहते हैं या लोगों की आर्थिक स्थिति को सही तौर पर मजबूत करना चाहते हैं यह तो आगे आने वाला समय बतायेगा, लेकिन जै ही आज सदन में बहस हुई, जम्मू कश्मीर के बारे में कि पार्लियामेंट को भी अधिकार न हो जो संविधान में होना चाहिए था यह अजीब बात है। वहां एक शक्सी ठुकुमत कायम की गयी जिस को कांग्रेस पार्टी ने खत्म किया। वह किस इरादे से की गयी यह तो आगे आने वाला समय बतायेगा। इसी इरादे को वह आगे बढ़ाना चाहते हैं या नहीं यह भी आगे आने वाला समय बतायेगा। उनकी जो बजट स्पीच है वह बहुत छोटी है इसलिये कि लोग सोच न सकें। जैसा कि मेरे पूर्व बक्ता भंडारी जी ने जिक्र किया कि आपात स्थिति में जो कुछ बातें हुई थीं उन की वजह से कांग्रेस पार्टी को हार खानी पड़ी यह बात सही नहीं है। मैं जानता हूँ कि उनके बड़े बड़े नेता हमेशा एक ही बात की दुहाई देते रहे। उन्होंने कभी कोशिश नहीं की कि आपात कालीन स्थिति में हुए नुकसान को लोगों को बतायें, वह एक ही बात की दुहाई देते रहे—परिवार नियोजन की और उस में हुई ज्यादतियों की। उसके अलावा बड़े से बड़े नेता ने भी कोई दूसरी बात नहीं कही। मैंने सभी बड़े नेताओं के भाषण सुने हैं। वह केवल चुटकियां देते थे कि अगर कांग्रेस वाले आयें तो कहो कि 'दो केस दो, एक वोट दो'। इस मजाक में हिन्दुस्तान का चुनाव हुआ और उस के नतीजे पर आज हमारी सरकार के बजीर और दूसरे साथी खुश हैं। लेकिन उनकी यह खुशी बहुत दिन नहीं ठहरने वाली है।

उपसभाध्यक्ष महोदय, आगे जो बात मैं कहना चाहता हूँ वह नयी बात नहीं है। अब उधर बैठता था तब भी कहा करता था।

(श्री रणवीर सिंह)

जहां तक हमारे वित्त मंत्रालय का संबंध है उस की सोच बदलने की आवश्यकता है। हमारे देश ने माना है कि का हम को, देश में समाजवादी आर्थिक ढांचे को लाना है लेकिन अभी तक वित्त मंत्रालय पिछले तीस साल से और आज भी उसी चक्कर में हैं जिस को मरकेंटाइल इकोनामी का जमाना कहते हैं। वित्त मंत्रालय की सोच समाजवादी नहीं हुई है। हमारे देश में आज भी कांग्रेस पार्टी ने जनता पार्टी को जो राज दिया है वह कितनी मजबूत हालत में दिया है यह देखने की बात है। हमारे पूर्व वक्ता ने इस बात की कोशिश की कि दो हजार करोड़ विदेशी रुपया, जो यह सरमाया हम ने छोड़ा है, उस का उन्होंने मज्जाक उड़ाने की कोशिश की। मैं उन को बताना चाहता हूं कि मैं इस सदन का मेम्बर था जब पहली पंचवर्षीय योजना बनी थी और खास तौर पर भंडारी जी जिस पार्टी से पहले संबंध रखते थे, जिस का नाम जनसंघ था, उस के जन्मदाता श्री भयामाप्रसाद मुखर्जी थे। उन की बात मुझे आज भी याद आती है। पहली पंचवर्षीय योजना के बारे में उन्होंने कहा था कि उस के अंदर सिर्फ ढाई सौ करोड़ रुपये को विदेशी सहायता का जिक्र था।

उन्होंने कहा था कि न अमरीका इनके साथ है, न रूस इन के साथ है, इनको कौन देगा। ये तो बहकावे की बातें हैं और आज हम दो हजार करोड़ रुपया विदेशी सरमाया उनके लिए छोड़कर जा रहे हैं, 2300 करोड़ रुपया छोड़कर जा रहे हैं। तो बजाय इसकी तारीफ करने उसको मज्जाक में उड़ाने की कोशिश की है। एक दफा तो मज्जाक में जीत गये। मज्जाक के अंदर लोगों को ज्यादा देर तक बेवकूफ नहीं बना सकते हैं। आप इस बात को समझें। मैं मानता हूं कि हमने 30 वर्ष तक इस देश का आर्थिक ढांचा बनाने की कोशिश की है और मजबूत ढांचा बना कर

आपके हाथ में देकर जा रहे हैं। मुझे याद है ज। 1947-48 के अंदर जो हिन्दुस्तान का बजट था वह सिर्फ 900 करोड़ रुपये का बजट था और 300 करोड़ रुपये का डिफेंस का बजट था। आज जब हम छोड़कर जा रहे हैं तो 14 हजार करोड़ रुपये की टैक्स की आमदनी होगी, ऐसी मजबूत हालत में हम आपको सौंपकर जा रहे हैं। 14184 करोड़ रुपये की आय आज होगी।

श्री मुन्दर सिंह भण्डारी : छोड़कर कहा जा रहे हैं ?

श्री रणवीर सिंह : आपके हाथ में दिया। छोड़कर कहीं जाने वाले नहीं हैं। आपकी आंखों में हमेशा हम खटकते रहेंगे। आप के लिए यहां आकर भूत हम बने रहेंगे। लेकिन भूत हमको मानकर आप सही देश के काम को चलायें तो उसमें हमें खुशी है। हमारी प्रधान मंत्री इंदिरा गांधी ने इस देश को 10-11 साल के अंदर मजबूत किया। ग्रामीण इलाकों की बात कही जाती है। जब वह प्रधान मंत्री बनी थीं इस देश के अंदर 75 हजार गांवों से ज्यादा गांवों में बिजली नहीं गई थी। जब वह गई हैं तो पौने दो लाख गांवों के अंदर बिजली का प्रसार करा कर गई हैं। जब वह प्रधान मंत्री बनी थीं उस वक्त सिर्फ 10 लाख पम्पिंग सैट थे, जब वह गई हैं, देश में 28 लाख बिजली से चलने वाले पम्पिंग सैट छोड़कर गई हैं। जब वह प्रधान मंत्री बनी थीं उस वक्त हिन्दुस्तान की जो बिजली पैदा करने की शक्ति थी वह 20 लाख किलोवाट की थी, जब वह गई हैं तो वह 2 करोड़ 40 लाख किलोवाट बिजली पैदा करने की शक्ति बनाकर गई हैं।

आज देश आपकी तरफ देखता है। आपने बड़े वायदे किये थे। आपने लोगों को बताया था कि हिन्दुस्तान की कांग्रेस ने देहातों की तरफ ध्यान नहीं दिया। अब हम आपकी तरफ देखना चाहते हैं कि आप कैसा करेंगे, कैसा न्याय किसान के साथ करेंगे।

भापने जिन्हें किया था आज हमारी पार्टी के वजीर अग्रिकल्चर मिनिस्टर सरदार प्रकाश सिंह बादल साहब करनाल जिले में गए थे और जेल के दरवाजे खटखटाये थे यह कहते हुए कि 105 रुपए क्विटल गेहूं का दाम थोड़ा है। अब हम देखते हैं कि बादल साहब का न्याय कैसा है, किसान को कितना पैसा मिलने वाला है और किसान के ट्रैक्टर के ऊपर जो एक्साइज ड्यूटी है, जैसा कि एक समय था जब कि बाहर से जो ट्रैक्टर आते थे उन पर कस्टम ड्यूटी नहीं थी, लेकिन देश को कुछ आर्थिक हालत ऐसी आई कि उसका ऊपर एक्साइज ड्यूटी लगानी पड़ी, कस्टम ड्यूटी उनके ऊपर लगानी पड़ी और जब आपके हाथ में काम दिया तो आर्थिक ढांचा देश का मजबूत है और आज हम देखना चाहते हैं कि ट्रैक्टर पर से आप एक्साइज ड्यूटी घटाते हैं कि नहीं।

ट्रैक्टर पर कितनी एक्साइज ड्यूटी घटाते हैं। मैं आपको बताना चाहता हूँ कि आप का काम भी वही वित्त मंत्रालय में काम करने वाले चलायेंगे जिन्हें कार की फिक्क है, देश में अनाज पैदा करने की फिक्क नहीं है। देश में अंदर अनाज कैसे पैदा होता है इस बात की उनको फिक्क नहीं है। इसीलिये कीमतें घटी हैं कारों की, ट्रैक्टरों की नहीं घटी। आप भी इम्तिहान में आने वाले हैं। जब आप हम को मानते हैं कि हम इम्तिहान में पास नहीं हुए हैं तो आपको भी देश देखना कि आप कैसे इम्तिहान में पास होते हैं। आप जानते हैं मैं उस प्रदेश से आता हूँ जिस प्रदेश के मुख्य मंत्री एक बार चौधरी बंसीलाल थे जिनका नाम विरोधी दल के सदस्यों को अखरता है लेकिन इस बात से विरोधी दल के सदस्य इंकार नहीं कर सकते कि हिन्दुस्तान का वही सबसे पहला प्रदेश है जिस प्रदेश के अंदर हर गांव के अंदर बिजली पहुंची है, जिस प्रदेश के अंदर 60 फीसदी गांवों के अंदर सड़कें पहुंची हैं। अब हम आपको देखना चाहते

हैं। अब चौधरी चरण सिंह जी इम्तिहान में आए हैं, उनको हम देखना चाहते हैं कि चौधरी चरण सिंह का अब छारोली इलाका नहीं है, बागपत का इलाका है, उसमें कितने असें ने बिजली पहुंचाते हैं, कितने असें में सारे गांव के अंदर सड़कें पहुंचाते हैं। जमुना हमारे बीच में है। आप याद रखिये कि इन चुटकियों से बहुत दिन काम नहीं चलेगा। चुटकियों से चुनाव एक दफा जीता जा सकता है बार-बार चुटकियां लगाते से चुनाव नहीं जीता जा सकता। यह तो इतिहास की बात हो गयी कि परिवार नियोजन इतिहास की बात हो गयी कि परिवार नियोजन के अंदर ज्यादातियां हुई हैं। मैं चाहता हूँ कि आप जरा इस बात का व्योरा दें क्योंकि हमारी कांग्रेस सरकार ने, इंदिरा गांधी की सरकार में कभी यह नहीं कहा था कि ज्यादातियां हों। उन्होंने, चुनाव के वक्त में जब उनको पता लगा कि परिवार नियोजन प्रोग्राम चलाने में देश के अंदर कुछ ज्यादातियां हुई हैं, आश्वासन दिया था कि उन आदिमियों के खिलाफ जिन्होंने परिवार नियोजन के अंदर ज्यादातियां की हैं, गैर कानूनी कार्रवाइयां की हैं उनके खिलाफ कार्रवाई की जाएगी। अब आपके हौसले का इम्तिहान है कि आप आई०सी०एस०, आई०ए०एस०, आई०पी०एस० आफिसरों से डरते हैं या उनकी गलतियों पर उनको सजा देते हैं।

श्री सुन्दर सिंह भंडारी : आपने सजा दिलवाई थी।

श्री रणबीर सिंह : आप तेजी न दिखाएं। अभी बहुत समय है। छः साल का समय है। आप छः साल चलते हैं या नहीं चलते हैं यह भी देखने वाली बात है। उत्तर प्रदेश की सरकार टूटती थी तो केन्द्रीय सरकार को बदनाम किया जाता था। अब आपकी सरकार, जो खिचड़ी की सरकार है कब तक चलेगी

(श्री रणवीर सिंह)

यह संसार और भारत देश देखेगा। हम चाहते हैं कि आप कामयाब हों इसलिये कि आपकी कामयाबी से देश की तरक्की होगी। हम कुर्सीयों के भूखे नहीं हैं लेकिन यहाँ कुर्सीयों के भूखे आपस में लड़ते रहते हैं और यह आने वाला इतिहास ही बताएगा। किसानों की बात करने वाले, ग्रामीण अर्थ-व्यवस्था को मजबूत करने की बात करने वाले कितने कामयाब होते हैं यह इतिहास ही बताएगा। आपको याद होगा कि जब हम उधर बैठते थे तब भी यही बात किया करते थे। आप मेरी बात की तारीफ करेंगे। आखिर में, मैं एक प्रार्थना करता हूँ कि यह वित्त मंत्रालय की जो सलाह है इसको आप छोड़ दें अगर आप चाहते हैं कि ग्रामीण अर्थ व्यवस्था सही हो। देश की अर्थ व्यवस्था सही हो। यह जो तनखाहदार भाई हैं इनके दबाव में आना छोड़ दें। यह देश तनखाहदारों का देश नहीं है यह देश गरीबों का देश है जिन गरीबों की आमदनी 30 रुपये महीना भी नहीं है। उनके लिए आप क्या करते हैं, उनको किस हद तक ऊपर उठाते हैं, जरा यह देखने वाली बात है। मैं कहता हूँ कि हमारे देश ने जो शक्ति पैदा की है, जो बिजली पैदा की है और हमारे देश ने जो बिजली के यंत्र पैदा किये हैं उनको अब लगाइये। मैं समझता हूँ कि आज जो यह कहा जाता है कि यह डेफिसिट बजट है, घाटे का बजट है और यह जो नोट का चक्कर है, इसको आगे देखने की जरूरत है।

आखिर में एक बात यह कहना चाहता हूँ कि हमारे स्वर्गीय प्रधान मंत्री श्री जवाहर लाल नेहरू कहा करते थे कि समाजवाद के अन्दर क्या होगा? समाजवाद के अन्दर हिन्दुस्तान के लोगों के हाथ खुलेंगे उनके बाजू खुलेंगे और हिन्दुस्तान आगे बढ़ेगा। आज हालत यह है कि हिन्दुस्तान के अन्दर जो शक्ति है, जो सम्पत्ति है, उसके बारे में हमारे वित्त

मंत्री कहते हैं कि जो तनखाहदार लोग हैं उनकी मंहगाई बढ़ गई है, इसलिए उनकी मंहगाई बढ़ाई जानी चाहिए। जिस तरह से हमारे देश में मंहगाई की मांग बढ़ती जा रही है उसको देखते हुए ऐसा लगता है कि यह मांग कभी पूरी नहीं हो सकती है। इसलिए आज जरूरत इस बात की है कि हिसाब लगाकर योजना बनाई जाये हम जितने यंत्र पैदा कर सकते हैं, जितनी बिजली पैदा कर सकते हैं उनको पैदा करें। हमारे देश में चाहे ईंटों का सवाल हो, कोयले का सवाल हो, अनाज का सवाल हो, या अन्य कोई दूसरा सवाल हो, हमें सबसे पहले अपनी खेती की तरफ ध्यान देना चाहिये। हम आपके लिए दो करोड़ टन अनाज का भंडार छोड़ कर गये हैं। इसी तरह से कोयले का भंडार है, लोहे का भंडार है। हमें अब आगे यह देखना है कि आप देश का शासन किस तरह से चलाते हैं।

एक और बात मुझे कहनी है। मुझे यह मालूम नहीं कि किस की कार्यवाही से यह कार्य हुआ है। हमारे यहाँ जो सीमेन्ट के बोरे हैं उनकी कीमत फी बोरा 10/- 50 बढ़ गई है। यह कैसे बढ़ गई, यह बात समझ में नहीं आती है। कोई मैं प्रशासन को बदनाम नहीं करना चाहता हूँ, लेकिन अगर आप गलत नीतियों पर चलेंगे तो आपको भी वही नतीजा भुगतना पड़ेगा जो हमें आज देखना पड़ रहा है क्योंकि हमें जो सलाह देने वाले भाई थे, जो हमको सच्ची बात नहीं कहते थे, उनके बहकावे में हम चले। मैं चाहता हूँ कि आप देश को आगे बढ़ाये और देश की तरक्की करें।

SHRI P. K. KUNJACHEN (Kerala): Mr. Vice-Chairman, Sir, I take this opportunity, first of all, to congratulate the people of India who have struggled by ballot and emancipated themselves from the tyrannical regime. I welcome the Finance Minister's speech because he has plainly stated that the Budget did not reflect the philosophy, politics

and programmes of the present Government. The reason is lack of time, and . . .

SHRI RANBIR SINGH: There is no policy, because it is khichri.

SHRI P. K. KUNJACHEN: In the President's speech it is stated in which direction the Government is going to move, namely, the MISA, the amendment to the Representation of People's Act, the 42nd amendment to the Constitution, etc., will be reviewed, and the PPOMA will be revealed. He has further stated that people were against authoritarian rule and also against the development of extra-constitutional powers.

Sir, the election result is very clear. The southern States have not come up as the northern States have done. Elections were not conducted for the Assemblies in Tamil Nadu and also in Pondicherry. Election was conducted for the Kerala Legislative Assembly only.

Sir, so many malpractices have been committed by the ruling front headed by Congress in Kerala elections. I am not going into the details. But I wish to bring to the notice of the Government that Government must request the Chief Election Commission to go into details. Sir, the paper used for the printing of ballot papers has been removed from the Government press and also the ballot papers have been printed in private presses. It has already been distributed in every polling booth for committing malpractices. There is another thing which is also against the election rules. Communal feelings had been raised at a high level. The ruling front tried to create hatred between Muslims and Hindus stating that the Jana Sangh is against the Muslims and Vice-versa. A cartoon has been published in 'Chand-rika', a daily paper, in which a pig is shown. A portion of the flesh has been cut. It is taken by Comrade

E.M.S. Namboodripad and it is being given to the opposition Muslim League Leader. Such things have happened throughout the State. That was the propaganda which has been done. After the elections, there is no rule of law in Kerala. The Central Government must take a serious note of this thing. In Alleppey District, the house of the Secretary of the C.I.T.U. Zila Committee was raided by Congress goondas. His wife was taken out and assaulted. Similarly, so many instances have taken place in Cannanore District. I am not going into all the details. So many atrocities have been committed. Congress goondas are joining together and attacking the opposition people there with the help of police. The Government must conduct inquiries about this at the earliest.

SHRI KALP NATH RAI: Why is he saying Congress goondas? Kindly ask him to be goodmannered.

SHRI HAMID ALI SCHAMNAD (Kerala): He has not called the Congress as goondas. Those who have done those things have been called goondas.

(Interruptions)

SHRI KALP NATH RAI: Don't say like that. You are a**. If he says that Congressmen are goondas he is a**.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): You had your say, Mr. Kalp Nath. Now you must resume your seat.

DR. RAMKRIPAL SINHA (Bihar): Some unparliamentary words have been used. They should be expunged.

(Interruptions)

••Expunged as ordered by the Chair.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): He is on a point of order. Let us hear him.

SHRI KALP NATH RAI: This man has three times said Congress goondas". Why hai he said that? He could not say *so*.

डा० रामकृपाल सिंह : उपसभाध्यक्ष
महोदय, क्या कोई इस सदन का माननीय
सदस्य किसी दूसरे माननीय सदस्य को *
कह सकता है ?

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): If anybody has addressed another Member of the House in a derogatory term, that has to be expunged.

SHRI KALP NATH RAI: Any other party also.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): Mr. Kunja-chen, it would be in good taste if you do not accuse any party member as goonda element. That would be in good taste in a parliamentary democracy.

SHRI P. K. KUNJACHEN: I never mentioned any party member but the goondaism that had been committed by the Congress people. That is what I meant.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): That is the difference.

SHRI KALP NATH RAI: It is quite different.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): Now he has changed his version. Let him go ahead.

SHRI SULTAN SINGH (Haryana): whatever he has said is not in good taste.

Expunged as ordered by the Chair.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): Now you have heard what he has said. Let him go ahead.

SHRI P. K. KUNJACHEN: Sir, the 42nd Constitution Amendment must be repealed first. Then we will have to think of changing the Constitution or bringing about some amendments.. First of all this 42nd Amendment to the Constitution has to be withdrawn.

Similarly, Sir, there is another thing. It is understood that even now certain political prisoners are in jail. They must be released immediately. A general amnesty must be proclaimed and all the political prisoners, whoever they might be, must be released from the jails immediately.

Sir, the most urgent problem before the country and the Government is the rise in prices and also the unemployment problem. Immediate steps must be taken by the Government to bring down the prices of essential articles. It is now understood that the price rise has gone up by 15 per cent in the recent past. So, immediate steps are needed in this direction. Steps may be taken to solve unemployment problem also.

Sir, in this connection, I wish to bring to your notice certain important issues relating to Kerala. In Kerala, our handicraft industries are in a crisis. Take the case of cashew industry. Sir, before the declaration of emergency there were 180 days of work per worker per year in the cashew industry. After the emergency they have been reduced to 80 days a year because the cashew nut has not been purchased from Africa and it has not been brought to Kerala. Two lakhs of workers are depending on this industry. This year also the same will be the position. There would be only 80 days or 70 days of work per worker. Similarly, the coir industry is also in a crisis. A plan has been submitted by the previous Government itself for sanction-

ing Rs. 15 crores for the uplift of this industry. But it has not been sanctioned and the coir industry is suffering. Similar is the case with the handloom industry. About Rs. 30 or 40 crores worth of crape cloth is in stock as there is no market. In fact, all the people working there who belong to the INTUC, the CITU and the AITUC are demanding that some rehabilitation work should be taken up for these handloom workers.

Sir, to talk of big industry, there are very few big industries in Kerala. So, Sir, this Government must consider starting of some industries in Kerala so that the unemployment problem could be solved at the earliest. The Central Government has fixed a target of ten years to solve the unemployment problem.

Sir, in the President's Address, it is said that the Government will take a completely neutral stand in its relations with other countries. Even though I subscribe to that idea, at the same time, I wish to bring to the notice of the House that we must be aware of the stand taken by the imperialist forces. It is the imperialist forces who fought against Vietnam and its people for a long time. It is the imperialist forces headed by America which have overthrown the Allende Government in Chile, Sir, it is the imperialist countries which are building military bases in Diego Garcia. We should not forget these things. So, when we consider this aspect, we must remember that it was the socialist block which came to our help, and not the imperialist countries, for building up the economic plans and for the defence of the country. So it is important that when we consider of our relationship, we bear these things in mind. With these words I conclude, Sir. Thank you.

THE VICE-CHAIRMAN (SHRI
LOKANATH MISRA): Shri Sardar

Arnijad Ali, not here. Yes, Shri Schamnad.

SHRI HAMID ALI SCHAMNAD: Mr. Vice-Chairman, Sir, I rise to support the Budget that has been presented before the House by the hon. Finance Minister. The hon. Finance Minister has made it clear that the Budget and the Demands for Grants that are presented were prepared on the basis of the directions given by the previous Government and it has been made clear in the Budget Speech itself that they do not reflect the policies and programmes of the present Government. It is gratifying to note that all the Ministries and Departments of the Government as well as all the public sector agencies will be asked to observe utmost economy in expenditure and that the present Government would emphasise austerity and avoidance of all forms of ostentatiousness.

Sir, this Government has 'emphasised the necessity of maintaining the freedom of the people and respecting the rights and liberties of the common man. I am very glad that the Government has taken steps to see that whatever obstructions were there on the freedom of the people those are removed and freedom is given to the people of our country. At the same time, I would like to say, Sir, that it is not only the political and other freedom which are important but the economic freedom is also very important and should be given to the people. I am quite sure that the Janata Government will work in that direction and see that people are not economically exploited. At present exploitation from big houses, big landlords and big industrialists is there and that exploitation should be put a stop to once and for all. I am quite sure that the present Government headed by Shri Morarji Desai will work in that direction and see that the common man is free from economic exploitation. Today landlordism is prevailing in our land and in many States, bossism by the feudal

[Shri Hamid Ali Schamnad]

lord_a is continuing. All these people should be free and land reform measures should be implemented not only in letter but in spirit also. Even though some land reform measures have been implemented, full action has not yet been taken and I would therefore appeal to the Government to see that all the necessary land reform measures are implemented and land is given to the tiller who tills the soil. I hope the Government would work in that direction.

I may stress an important point with regard to the rural economy of the country. Today the rural economy of the country is upset and the cultivator being the backbone of our country, his interest should be safeguarded. Today the prices of agricultural produce are falling and, at the same time, the prices of food-grains are also falling. It is a very delicate position as far as foodgrains are concerned. The number of consumers in our country is very large and most of them are poor people and therefore the prices of foodgrains cannot be raised beyond a certain level. It is therefore essential that the price of fertilisers and the cost of production of foodgrains should be curtailed. For that, Government should formulate a policy to see that economic price is fixed for the food-grains.

6 P.M.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): Mr. Schamnad, how long will you take? Would you take about two or three minutes more?

SHRI OM MEHTA (Jammu and Kashmir): Let him finish, Sir, We will sit.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): All right.

SHRI HAMID ALI SCHAMNAD: Thank you for the gesture.

Then, the cost of the fertilizer is going very high and the cost of agricultural implements also is going up but the cost of agricultural produce, especially, the foodgrains, is coming down. So, there should be a balance to see that a cultivator who produces foodgrains, gets an economic price, a price by which he could carry on his normal life, because, he has to do his cultivation, clear his debts and look after his children. For that, a national economic price should be fixed. I appeal to the Government for that.

Credit facilities should be extended to the small farmers. Much has been said by the previous Government about opening rural banks to help the small farmers as if the entire farmer community is getting that credit facility. Such a propaganda has been carried on in the country that everywhere they have opened rural banks. But, actually, not even half per cent of the needy people in the country are being given this credit facility. Adequate fund may not have been available. For that, more funds should be made available so that the needy farmers are given the credit facilities.

Supply of electricity at a cheaper rate also should be arranged for the farmers. Underground water should be lifted and made available to the farmers. We have got a lot of resources which have got to be exploited and, therefore, I suggest that underground water should be lifted, thus converting dry lands into wet lands. There has got to be a proper scheme for converting dry lands into wet lands. Pumps should also be freely supplied to the farmers.

Another thing which I wanted to urge upon the present Government is to have a crop insurance scheme. This scheme would benefit the farmers. If, today, the crop is destroyed because of some natural calamity and because of other reasons beyond the farmer's control, the farmer has no other source of getting compensation. If a crop insurance scheme is started, there would be a security for the toil

and labour put in by him. Crop Insurance scheme should be one of the programmes of this Government and the Finance Minister should see to the practicability of having such a scheme.

Another thing is, the present Government, the Janata Party's Government are going to set up a Minorities Commission. It would be a boon to the minority communities in the country. I am sure the Janata Government headed by Shri Morarji Desai would definitely appoint a Minorities Commission and that too, as he said, it would be a permanent Commission. I really welcome the gesture of our beloved Prime Minister Shri Morarji Desai when he said that such a Commission is going to be appointed. The entire Muslim community of this country would be grateful to the Prime Minister Shri Morarji Desai and his colleagues for appointing this Commission so that the grievances of the minority communities are redressed. As far as lawlessness in the States like Kerala is concerned, I would like to add to the sentiments expressed by the previous speaker, Mr. Kunjachen. These rowdy elements are there. I do not say that they belong to this party or that party. But they should be checked. The political parties should not encourage such rowdy elements. Simply because the Kerala Ministry is headed by a Congress Chief Minister, it does not mean that the Congress Party should encourage the rowdy elements in the Kerala State. If they encourage, the Centre should step in and see that the State Governments do their duty. Lawlessness in the country should be dealt with firmly. We speak about giving freedom to the common man and all that. But at the same time, I would say that freedom should not be given to such an extent that chaos and confusion is created everywhere. We should not give too much freedom to the Police. Freedom should be curtailed in the larger interests of the people so that there is no chaos and

confusion. I would appeal to the Home Ministry to see that the lawlessness is dealt with wherever it is prevailing. If the State Governments do not do their duty, the Central Government should step in and see that the atmosphere of cordiality and peace is restored and maintained throughout the country.

MESSAGE FROM THE LOK SABHA

I. The Appropriation Bill, 1977;

H. The Appropriation (Vote on Account) Bill, 1977;

in. The Tamil Nadu Appropriation Bill 1977;

IV. The Tamil Nadu Appropriation (Vote on Account) Bill 1977

SECRETARY-GENERAL: Sir, I have to report to the House the following messages received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha;

(I)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Appropriation Bill, 1977, as passed by Lok Sabha at its sitting held on the 30th March, 1977.

The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

(II)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Appropriation (Vote on Account) Bill, 1977, as passed by Lok Sabha at its sitting held on the 30th March, 1977.

[Secretary General]

The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

(HI)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Tamil Nadu Appropriation Bill, 1977, as passed by Lok Sabha at its sitting held on the 30th March, 1977.

The Speaker has certified that this Bill is a Money Bill."

(IV) "In accordance with the provisions of Rule 96 of the Rules of Pro-

cedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Tamil Nadu Appropriation (Vote on Account) Bill, 1977, as passed by Lok Sabha at its sitting held on the 30th March, 1977.

The Speaker has certified that this Bill is a Money Bill."

Sir, I lay a copy of each of the Bills on the Table.

THE VICE-CHAIRMAN (SHRI
LOKANATH MISRA): The House
stands adjourned till 11 A.M. tomo-
row.

The House then adjourned at seven minutes past six of the clock till eleven of the clock on Thursday, the 31st March, 1977.