

I. MOTION SEEKING RESCISSION OF NOTIFICATION DECLARING SERVICES IN CONNECTION WITH PRODUCTION, SUPPLY AND DISTRIBUTION OF ELECTRICITY INCLUDING OTHER SERVICES UNDER ASSAM STATE ELECTRICITY BOARD TO BE ESSENTIAL SERVICES

AND

II. STATUTORY RESOLUTION SEEKING APPROVAL OF NOTIFICATION DECLARING SERVICES IN CONNECTION WITH PRODUCTION, SUPPLY AND DISTRIBUTION OF ELECTRICITY INCLUDING OTHER SERVICES UNDER ASSAM STATE ELECTRICITY BOARD TO BE ESSENTIAL SERVICES

SHRI ASHWANI KUMAR (Bihar):
Sir, I move:

"That this House recommends that the notification of the Government of Assam, Political (A) Department No. PLA-583/81/106, dated the 17th November, 1981, declaring the services in connection with production, supply and distribution of electricity including other services under the Assam State Electricity Board constituted under the Electricity (Supply) Act, 1948, to be essential services within the State of Assam for the purpose of the Essential Services Maintenance (Assam) Act, 1980 (41 of 1980), be rescinded."

उत्तमाध्यक्ष महोदय, आसाम की बिजली सप्लाई की व्यवस्था सरकार इसशियल सर्विसेज मेटेनेंस एक्ट के अन्दर लाना चाहती है। पहले भी जब इसशियल सर्विसेज मेटेनेंस एक्ट इस सदन में आया था तो चर्चा हुई थी कि कोई गम्भीर समस्या होगी तभी इसके ऊपर इस कानून का उपयोग किया जाएगा। यह केवल कानून बना कर एक शस्त्र रखा जा रहा है अपने हथियार के तौर पर। आज ऐसी क्या समस्या आ गई जिसके लिए इसको 17 नवम्बर को कानून की

आवश्यकता पड़ रही है। ऐसा लगता है कि जो आन्दोलन चल रहा है और जो आन्दोलनकारी हैं उन्होंने 19 और 20 तारीख को अवज्ञा आन्दोलन करने को कहा था उसी को देखते हुए किया गया है। यह आन्दोलन वास्तव में किस बात के लिए हो रहा है। सरकार का ध्यान बार-बार इस ओर आकर्षित किया जा रहा है। आन्दोलन वहाँ के युवक वहाँ की जनता कर रही है कि विदेशी नागरिक आसाम में न आएँ। सरकार उनको रोकने में असमर्थ रही है। सरकार ने स्वयं इस सदन में स्वीकार किया है कि आज भी विदेशी नागरिक सीमा पार करके आ रहे हैं और सरकार उनको रोकने में असमर्थ है। इतना बड़ा आन्दोलन चल रहा है सरकार घोरण कर रही है कि विदेशी नागरिकों को नहीं आने देंगे परन्तु फिर भी वे क्यों आ रहे हैं, इस ओर मैं सरकार का ध्यान और सदन का ध्यान आकर्षित करना चाहता हूँ जब इतना सक्षम आन्दोलन हो रहा है। प्रधान मंत्री से लेकर गृह मंत्री तक सब कहते हैं कि विदेशी नागरिकों को नहीं आना चाहिए, इसका विरोध करना होगा तो फिर उनको यहाँ आने के लिए कौन से तत्व निमंत्रण दे रहे हैं। क्या सरकार ने उनके ऊपर ध्यान दिया है। कई बार शंका होती है कि ऐसे तत्वों को सरकार के विशेष लोगों का संरक्षण प्राप्त है। सरकार के अन्दर कुछ ऐसे तत्व हैं जो उनको निमंत्रण दे रहे हैं जिसके कारण विदेशी नागरिक समझते हैं कि आन्दोलन हो, बातचीत हो तो भी हम वहाँ जाएंगे और कोई हम को निकाल नहीं सकेगा। इसीलिए वे आज घम छोड़ कर आ रहे हैं। यह समस्या केवल आज आसाम तक ही सीमित नहीं रह गई है मेरी जानकारी है कि बंगाल में 24 परगना, मालदाह, दीनाजपुर इन सब क्षेत्रों में बड़ी संख्या में विदेशी नागरिक आ रहे हैं। बिहार

[श्री अश्विनी कुमार]

में भी कटिहार में संचालन परगना में मैंने स्वयं घूम कर देखा है वहाँ नये-नये नागरिक आते चले जा रहे हैं और नयी-नयी बस्तियाँ खड़ी होती चली जा रही हैं। सरकार तो कुम्भकर्ण की निद्रा में सोई हुई है लेकिन यह जो समस्या है बढ़ती चली जा रही है। इसके संदर्भ में मैं एक बात कहना चाहता हूँ। कुछ दिन पूर्व एक समस्या बंगलादेश में उत्पन्न हुई थी कि भारत से जो नागरिक चले गये थे जिनके बिहारी मुसलमान कहा जाता था, उनको बंगलादेश की सरकार निकालना चाहती थी। उन्होंने घोषणा की कि हम लोग मार्च करेंगे और लाहौर चले जाएंगे। अभी-अभी समाचारपत्रों में छपा है कि वे लंग भारत के भिन्न-भिन्न क्षेत्रों में आ कर बस गए हैं। लेकिन सरकार का ध्यान इस ओर नहीं है। इस ओर ध्यान देने में असमर्थता रही ही है। यहाँ सरकार को बार-बार बार्डर से घुसपैठ रोकने के लिए सुझाव दिये जाते हैं। पिछले साल कहा गया दो बंदूक लगा दी गई, फिर चर्चा के अन्दर आया कि दीवार बनाई जाएगी। दीवार की बात पर अधिकारियों ने कहा कि सरकार के पास सीमेंट नहीं है, खर्चा नहीं है। क्या देश की सुरक्षा के लिए सरकार के पास पैसा नहीं है। मैं यह निवेदन करूँगा कि सरकार ने आई० एम० एफ० से जो पाँच हजार करोड़ रुपये का लोन लिया है आप इसमें कम से कम देश की सुरक्षा की दृष्टि से कुछ खर्च करें। कम से कम बारबेंड वायर फेंसिंग, एक आठ मील का था, जितना उपयुक्त समझें उतना नो-मैंस लैंड बनाया जा सकता है। आप की बार्डर पोस्ट्स जो पाँच, छः या आठ किलोमीटर की दूरी पर हैं इससे उनकी दूरी को कम किया जा सकता है और एक से दूसरी पोस्ट को जोड़ने के लिए बार्डर रोड बनाए जा

सकते हैं पेरैलल टू डी बार्डर। ऐसा कुछ काम करिये तब शायद जो इतना इनफिल्ट्रेशन हो रहा है वह रुकेगा। दुर्भाग्य का विषय है कि सरकार इस ओर धोर उपेक्षा कर रही है सुरक्षा की दृष्टि से। इसको जगाने का काम जो आन्दोलन कर रहे हैं उन शान्तिपूर्ण आन्दोलनकारियों के प्रति सरकार का रवैया निष्क्रियता का है। अभी जिस समय यह नोटिफिकेशन किया गया। उसके पूर्व यहाँ से 14वाँ राऊंड बात करके विद्यार्थी नेता गये थे। वह 14वाँ राऊंड है या 15वाँ राऊंड है यह भी विचार का विषय हो जाता है। अभी कल एक समाचारपत्र में कार्टून में भी दिया है कि 127वाँ राऊंड है या 128वाँ राऊंड है, इसी पर डेढ़ घंटे तक चर्चा हुई और उसका कोई निष्कर्ष नहीं निकला। मुझे लगता है कि सरकार को ध्यान देना चाहिए कि इस प्रकार से बातचीत करते-करते ऐसा न हो। 10 तारीख को उन्होंने पब्लिक मीटिंग करने की घोषणा की है। जिन नेताओं से सरकारी आफिसर बैठ कर बात करते हैं, वे जो अपना पक्ष रखना चाहते हैं उस मीटिंग को बैन कर दिया जाता है। क्या कारण है बैन करने का? कोई लेजिटीमेट कारण नहीं है। डेमोक्रेटिक फंक्शनिंग है, कोई अशांति नहीं है, आज तक का आन्दोलन पीसफुल है। उस पीसफुल मीटिंग को भी बैन किया जाता है। वहाँ आर्मी और पुलिस फोर्स लगा दी जाती है कि जजेज कोर्ट मंदान में कोई न आ सके। इससे ज्यादा अधिनायकवादी नीति क्या होगी। यह सरकार अपनी शक्ति के बल पर गांधीवादी ढंग के आन्दोलन को कुचलने का प्रयास कर रही है और उनके इस प्रयास से कोई लाभ होने की आशा मुझे नहीं दिखती है। यह आन्दोलन फिर हो रहा है। सरकार इस प्रकार से जो अधिनियम ग्रहण करती चली जा रही है उसका

उपयोग ब हो करके दुस्योग हो रहा है इस तरह से जो दुस्योग हो रहा है, इस माते से मैं इसका विरोध करता हूं और चाहता हूं कि सरकार इसको समाप्त करे। इस प्रकार से केवल अधिकार न ले और उसके साथ जो जुड़े हुए कर्तव्य हैं, जो समस्याएं हैं, जो अखिल भारतीय समस्याएं बनती चली जा रही है, उनको दूर करे। आज बंगाल एक, बिहार दो, आसाम तीन, त्रिपुरा चार, और मणिपुर पांच, इन पांच-पांच स्टेट्स की जो स्थिति है उसको सुनझाने के लिए सरकार सामने आये। केवल अधिकरण न करे। आज यह अधिकरण अनावश्यक है इसलिए मैं इसका विरोध करता हूं।

The question was proposed.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI YOGENDRA MAKWANA): Sir, I beg to move:—

"That in pursuance of sub-section (2) of section 2 of the Essential Services Maintenance (Assam) Act, 1980 (41 of 1980), as amended by the Essential Services Maintenance Act, 1981 (40 of 1981), this House approves the issue of the notification of the Government of Assam, Political (A) Department No. PLA 533/81/106, dated the 17th November, 1981, declaring the services in connection with production, supply and distribution of electricity including other services under the Assam State Electricity Board constituted under the Electricity (Supply) Act, 1948, to be essential services within the State of Assam for the purpose of the Essential Services Maintenance (Assam) Act, 1980 (41 of 1980)."

The All-Asam Students Union and the All-Assam Gana Sangrama Parishad, who have been spearheading the Assam agitation on foreigners issue, had been giving calls from time to time for Assam bundh and non-cooperation by Government and semi-Government

public corporations employees and employees of various statutory boards and corporations. These calls led to serious disruption of public life and working of public/Government offices and caused grave hardship to the community. The employees of Assam State Electricity Board which has got the monopoly of the production, generation, distribution of electricity in the State of Assam, also participated in the calls for bundh/non-cooperation given by All-Assam Students Union and All-Assam Gana Sangrama Parishad. The employees of the Board under the Vidyut Karmachari Parishad are active participants in the movement on foreigners' issue. The AASU and the AAGSP revived their agitation on foreign nationals' issue and gave a call for bundh for thirty-six hours on the 19th and 20th November, 1981. The employees of the State Electricity Board who were supporting the movement were likely to respond to the call of the agitation leaders for resuming the agitation. The bundh could, therefore, have disrupted the electricity services in the entire State and caused grave hardship to the people of the State. It was in this context that the question of invoking the provisions of the Essential Services Maintenance (Assam) Act, 1980 was considered by the Government of Assam. The State Government was of the opinion that strikes in the services in connection with the production, supply and distribution of electricity including other services under the Assam State Electricity Board constituted under the Electricity (Supply) Act, 1948 would prejudicially affect the maintenance of supplies and services necessary for the life of the community and would result in the infliction of grave hardship to the community. They, therefore, declared these services under sub-clause (v) of clause (b) of sub-section (1) of section 2 of the Essential Services Maintenance (Assam) Act, 1980 as amended by the Essential Services Maintenance Act, 1981 (40 of 1981) to be essential services within the State of Assam for the purposes of aforesaid Assam Act. By another order strikes in the essential services so notified were prohibited.

[Shri Yogendra Makwana]

I commend that the Resolution approving the issue of the notification by the Government of Assam be passed by the House.

The question was proposed.

SHRI ERA SEZHIYAN (Tamil Nadu): Sir, I have given a notice for raising a point of order. It is about a serious lapse on the part of the Government and it constitutes a grave violation of the statutory direction given by an Act of Parliament. It also constitutes an utter contempt to the prerogatives and privileges of this House.

I will refer you to the Act where it says in sub-section (2). of Section (2).

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Let me get a copy of the Act.

SHRI ERA SEZHIYAN: In the meantime, I shall quote. Sub-section (2) says that every notification issued under sub-Section (v) sub-section (1) (6) shall be laid before each House of Parliament immediately after it is made, if it is in session, and on the first day of the commencement. . .

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Which section are you reading?

SHRI ERA SEZHIYAN: Sub-section (2) of section 2. . .

SHRI YOGENDRA MAKWANA: Sub-section (2) of section 2.

SHRI ERA SEZHIYAN: It has been amended.

SHRI YOGENDRA MAKWANA: That is why it is not clause, it is section.

SHRI ERA SEZHIYAN: The Essential Services Maintenance (Assam) Act, 1980, has been amended by the Essential Services Maintenance Act of 1980. It says that every notification issued under this sub-section (1), "shall be

laid before each House of Parliament immediately after it is made, if it is in session, and on the first day of the commencement of the next session of House if it is not in session and shall cease to operate at the expiry of 40 days of the day, if so laid, from the first day of the reassembly of the Parliament." Now, this notification has been issued on the 17th November, 1980. The House was not in session on that day. Therefore, it could not be laid before the Parliament. But it should have been laid on the first day of the commencement of the next session of the House, that is, on the 23rd November, 1981. But on that day it was not laid before the House. In other words this statutory provision was not observed.

I have got the explanatory Statement of the Minister giving reasons why the notification issued by the Government of Assam on the 17th November, 1981, declaring certain services under the Essential Services Maintenance Act, 1980, as amended by the Essential Services Maintenance Act, 1981, to be essential services was not laid before the House.

It says :

"According to the provisions of sub-section (2) of section 2 of the afore-said Assam Act, the Notification should have been laid before each House of Parliament on the first day of the commencement of the current session, that is, the 23rd November 1981. This could not be done because intimation about the notification was received late in the evening of the 24th November, 1981. Immediately thereafter, action was taken to have the Notification laid on the Table of the House at the earliest."

This is the explanation given to the House when it was laid on the Table of the House on the 30th November 1981. Sir, my objection is two-fold.

Firstly, it should have been laid on the 23rd November 1981. Why there has been delay, it is for them to explain. They cannot say that it has been received in the evening of the

24th. They should have taken to task the person who was responsible for issuing this Notification and they should have asked him why he has not taken the trouble of sending it in time to this Government. In fact President's Rule is there in Assam now and this Government is functioning as the Government of Assam and, therefore, I cannot go from tweedledum to tweedledee. Sir, the same Government, for all purposes of this Parliament, exists for Assam also and, if there is any lapse on the part of the person who issued the statement from Assam to come over here on the 23rd evening, then the blame squarely lies on this Government only and as per the statutory provision, this should have been laid on the Table on the 23rd November 1981. (*Time bell rings*). Just one more thing, Sir. It should have been laid on the Table of the House on the 23rd November, but it was not laid. Therefore, there is serious lapse and that lapse should be taken into account. The Government owes an apology to this House and an explanation as to why this has been done in this way.

Secondly, Sir, from their statement it is very clear that it has been received in the evening of the 23rd November. First, it should be inquired as to why it has taken such a long time for sending a copy from Gauhati to New Delhi and, secondly, having received it on the 23rd evening, why it has been laid only on the 30th November 1981, that is, seven days later. On the 17th November, it was issued. Then they took seven days to bring the papers from Assam to Delhi and another seven days to put it up before this House. Therefore, there is double delay. Saying that it was received in the evening of such and such day does not mean anything. This House demands a clear explanation from the Government. (*Time bell rings*). Sir, just one minute. Here you must see the mischief which is going to be done. More delay means that they will have to count forty days from the day on which it is first laid on

the Table of the House and by this subterfuge they can go on extending it beyond forty days to forty-seven days or sixty days. Delay means that this will happen. Therefore, there has been a lapse on the part of the Government in the observance of a statutory obligation. It is very clear. They have violated this statutory provision and they owe an explanation and an apology to the House.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr Makwana, do you want to say anything on this?

SHRI DINESH GOSWAMI (Assam): Sir, I do not know why Mr. Sezhiyan is raising this point and also the other technicalities. These technicalities can be raised only when the Constitution functions. But the Constitution does not function in Assam. Therefore, I do not know why you are raising all these technicalities. You can raise them only when the Constitution functions. Sir, I can raise many other serious lapses. But all these lead to no response from the Government.

SHRI YOGENDRA MAKWANA: Sir, the honourable Member read out the statement giving the explanation for the delay in laying the Notification on the Table of the House. It has been clearly mentioned therein that it was received on the 24th evening. On the 24th itself we gave a letter to the Office of the Rajya Sabha. That means that on the 26th we sent a letter because it was received late in the evening of the 24th, 28th and 29th were holidays, being Saturday and Sunday respectively. So, only 30th was the day on which we could lay it on the Table of the House and, therefore, it was laid on the Table of the House on the 30th November.

AN HON. MEMBER: Why?

SHRI YOGENDRA MAKWANA: It is because the previous two days were holidays. Please wait. Let me finish. Now, there is no facility of translation in Hindi and printing in Hindi in Assam. So, Sir, the Notification, received late in the night of the 24th, was

Shri Yogendra Makwana

translated and cyclostyled on the 25th and on the 26th we sent a letter and the 28th and 29th were holidays and on the 30th it was laid on the Table of the House. Sir, this explanation was provided while laying the Notification on the Table of the House. Yes, Sir, there is some delay on the part of the officers in sending it here. They should have sent it earlier, two days or one day in advance. For that, Sir, I have asked for an explanation from the officers concerned.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): After the Minister has explained, I don't think there is anything more now.

SHRI ERA SEZHIYAN: No, Sir. With regard to the Hindi version of the Notification, I find from the papers circulated that the Hindi version was already there. Therefore, it is not correct to say that they have taken time for the translation. It has already been issued.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): As far as this Government is concerned, the explanation, to my mind, seems to be quite satisfactory. As far as the receiving of the Notification from the Assam Government is concerned, there is certainly a delay and as the Minister has said he will enquire into it and see. . .

SHRIMATI MARGARET ALVA (Karnataka): It was on the 17th.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): But here it was received only on the 24th evening. On the 26th they intimated the Rajya Sabha Secretariat that they wanted to lay it on the Table. (Interruptions) He was saying that within one day they were able to translate also, as far as I understood it. (Interruptions) It has not caused any delay and, therefore, I think the explanation. . . .

SHRI ERA SEZHIYAN: There are not two Governments. There is one Government. This Government is in

charge of Assam also under President's rule.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Constitutionally you are right. But there is a distance of a thousand miles. (Interruptions) One at a time, please.

SHRI NARASINGHA PRASAD NANDA (Orissa): You are also a member of the Committee on Subordinate Legislation. This type of thing we examine. Now, a statutory provision has been violated. You must reprimand them and tell them that this sort of thing does not occur in future.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I appreciate, Mr. Nanda, what you have said. But the Minister has himself said that he admits that there has been a delay. (Interruptions).

SHRI NARASINGHA PRASAD NANDA: But let him regret. I do not understand why he is not regretting it. (Interruptions) it is unjustifiable.

SHRI SADASHIV BAGAITKAR (Maharashtra): The Minister does not regret on the part of the Government. (Interruptions).

SHRI ERA SEZHIYAN: The statutory requirement is that it has to be laid on the Table on the first day of the commencement of the Session. That should be . . . (Interruptions).

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): The Minister has admitted that there has been a delay as far as receiving the intimation from the Assam Government to the Centre here is concerned. Well, I do not think it would be quite right to say that the Government here is the same as the Government there. The President does assume the powers of the State Government of Assam, but there is, in law, a State Government. You cannot say that in Assam there is the Central Government. It is the State Government whose powers are exercised by the Centre. But as the Minister has said that he would enquire into it, let us give him an opportunity to find out what has happened. And, certainly, I

agree with Mr. Sezhiyan that where a statutory provision is there the Government must take the utmost care to see that this statutory provision is strictly adhered to. Now, the motion and the Resolution are now . . . (Interruptions)

SHRI SADASHIV BAGAITKAR: He is not sorry for that. He should be sorry for that. (Interruptions)

SHRI NARASINGHA PRASAD NANDA: This Statutory Resolution is only a secondary.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Nanda, you have moved the motion. Now, the motion and the Statutory Resolution are under discussion. How many times do you want to speak? You will have an opportunity to reply.

SHRI NARASINGHA PRASAD NANDA: The Statutory Resolution moved by the hon. Minister is only a secondary complication. The primary disease is elsewhere. Now, Assam is burning. We have discussed the issue of Assam often times. I do not want to repeat those points. But I have one observation to make. With a list of 64 Members the Opposition groups met the Governor of Assam.

4 P.M.

He did not accept the list and he did not invite the leader of the Opposition front to form the Government. Earlier, with the strength of a lesser number of Members, the Governor had invited someone to form a Government which did not last long. Like the American Government which applies double standard in giving uranium to Pakistan and India, this Government has also started applying double political standards in the same situation. The response of the Governor should have been favourable. I do not think that the Governor had any computer to enable him to judge that the members whose names had been given in the list would not owe allegiance to the opposition front.

The basic problem of Assam about the foreign nationals is there. Recently the Prime Minister invited the leaders of the opposition. They have taken a tentative decision that from amongst the opposition, some leaders will be selected. So, the Government, the opposition and the agitation leaders are likely to meet in a tripartite conference to solve this problem of Assam. I do not want to complicate this problem by making my own submission on this. I welcome this decision to hold tripartite talks which may result in a successful termination of this long-drawn struggle in Assam.

I would say that when you are trying to create a congenial climate of coming together and exchange views across the table, it is not proper to create this kind of pinpricks by moving this Resolution. It will vitiate the whole climate of congeniality in which people can talk and negotiate and have some fruitful discussion. This pinprick could have been avoided by the Government if they so wanted. In this context, I would submit that this Resolution moved by Mr. Makwana, the Minister of State for Home Affairs, is most inopportune. I have nothing more to say on this.

SHRI BISWA GOSWAMI (Assam): Sir, I oppose the Resolution moved by the hon. Minister of State for Home Affairs and I support the Motion moved by my hon. friend, Mr. Ashwani Kumar. The Government of India is moving in a most unimaginative way in so far as the question of Assam is concerned. They have done everything to suppress the movement against foreign nationals and practically an undeclared emergency is existing in that State. Sir, more than two years have elapsed since the massive movement on foreign nationals issue was started and as many as 14 rounds of talks have been held between the leaders of the movement and the Government. The leaders of the movement kept in abeyance their programme of movement and they

[Shri Biswa Goswami]

were ready for talks. They were for an amicable settlement of the problem. But suddenly the Government has created a situation by which the people of that State are provoked. Sir, on the 10th of November, the movement leaders wanted to hold a rally to explain the progress of talks between the Government and them. And the Government did not allow them to hold that peaceful rally. And you will be surprised to know, Sir, that the entire State of Assam is under Section 144. And what happened? In spite of the bans imposed by the Government people went and peaceful rallies were held at different places and no untoward incident took place on that day.

SHRI YOGENDRA MAKWANA: I am sorry to interrupt, Sir. May I request that since the Assam Resolution is coming again before the House for the extension of the President's Rule, all this can be discussed then? This is a limited Resolution for the approval of the Notification declaring as an essential service to supply of electricity. So, if they restrict the discussion to that, since the Resolution about the extension of the President's Rule is coming before the House within two or three days, everything can be discussed at that time. (*Interruptions*).

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Minister, that has been my constant endeavour. And Mr. Nanda is one of those who have been warning that I should be very careful in not narrowing the scope. Well, I can make an appeal that you please restrict your observations to the subject of the Bill, specially in view of the assurance given by the Minister that the main resolution would be coming before the House soon. Now you may confine your remarks to this subject only.

SHRI BISWA GOSWAMI: But the declaration of electricity supply as an

Essential Service is also another step to suppress the movement.

Then, Sir, what has happened? On the days the peaceful bandh was observed, on the 19th and 20th, people were beaten up mercilessly on the streets. Many things are not appearing in the press. Even minor boys and girls were beaten up on the streets on the observance of the peaceful bandh on the 19th and 20th. Then, what has happened? There was lathi-charge and firing and one student died. Sir, I want to mention in this House what has happened on the day of *rasta-roko* programme.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Please wind up.

SHRI BISWA GOSWAMI: The House of a veteran freedom fighter, late Haladhar Bhuyan of Nowgong was entered by the CRP. They broke open the doors and beat up the inmates and two sons of the freedom fighter were severely assaulted, and one of them received a head injury.

Sir, is this the way the Government want to solve the problem in Assam? They are provoking the people like anything. All the Assamese officers in key positions in the State administration have been removed. And what is the Government doing? They are doing nothing. And no development work has been taken up. Even the breaches of roads and embankments during the floods have not been repaired. Ration shops are not supplying ration to the people. In the month of October, the ration for only one week was supplied in the city of Gauhati. (*Time bell rings*). Is this the way to solve the problem? What is the Government doing? Moreover, the differences between the Movement leaders and the Government have considerably narrowed down. The Movement leaders have greatly come down in their demands. They have agreed to accommodate those who have entered into Assam upto 1961 in the State. The only difference is about those who

have infiltrated into Assam between 1961 and 1971. And the Movement leaders have been saying that they do not want their deportation. They say that these people should be redistributed throughout the country. So, if the Government desire, a solution can be found out.

And, Sir, the intentions of the Government are not sincere and that is why they are coming up with these draconian measures. I would like to warn the Government to beware of this thing. While there has been trouble in Manipur, Nagaland and Mizoram, Assam has remained peaceful. So, please do not, by your unimaginative action, antagonise the people in such a manner that they get frustrated because the consequences of that situation may be very serious. (Time bell rings).

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Please conclude now.

SHRI HAREKRUSHNA MALLICK: (Orissa): Sir, Assam is a very delicate matter and, therefore, some more time should be given.

SHRI BISWA GOSWAMI: Sir, I oppose this Resolution. I hope the Government will see reason because there is no such situation in Assam which warrants the declaration of this service as an essential service. I hope that the Government will retrace its steps. They should not go in for an all out confrontation with the people of Assam. They should not declare a war on the people of Assam. In the interests of country's integrity, I would appeal to the Government not to adopt such a suicidal policy. Thank you, Sir.

SHRI DIPEN GHOSH (West Bengal): Mr. Vice-Chairman, Sir, I rise to support the motion moved by Shri Ashwani Kumar, while opposing the Statutory Resolution moved by the hon. Minister of State for Home Affairs, Shri Yogendra Makwana. You

know, Sir, the Assam problem is a political one and it has to be tackled politically. But the way the hon. Minister has moved the Statutory Resolution, betrays the attitude of the Central Government to tackle the situation through strong-arm methods which I oppose. Sir, you know that my party is opposed to the secessionist moves, whether they be in Assam or in Punjab or anywhere else in the country. That is the reason why the movement which is going on there, has to be tackled politically in a cautious way. Simple application of strong-arm methods, I think, will not deliver the goods.

There are some problems in Assam, some in the North-Eastern region because of the lop-sided economic planning I should say, overlooking of some important problems, social problems, has given rise to certain issues. So, I would appeal to the Central Government to take care of the situation and tackle it more wisely and politically instead of going in for strong-arm methods. But, unfortunately, I see that the ruling party at the Centre is not very much interested in getting the job done. Instead, they have kept the Assam Legislative Assembly in suspended animation and now they are trying to carry on certain types of horse-trading for installing a minority Government, led by their own party, the ruling party at the Centre. Sir, I do not want to speak more. I would only appeal to the Minister that instead of trying to settle the issues by strong arm methods, as manifest in the Statutory Resolution, he should take up the matter politically and settle the matter politically. Thank you, Sir.

श्री सदाशिव बागाईतकर : श्रीमन्, जो प्रस्ताव माननीय अश्विनी कुमार जी ने रखा है, मैं उसका समर्थन करने के लिये खड़ा हुआ हूँ। इसका कारण यह है कि मंत्री जी ने आसाम की बहस बाद में आयेगी यह आश्वासन दिया,

[श्री शदाशिव बगाईतकर]

लेकिन मैं मंत्री जो से सवाल पूछता चाहता हूँ कि आसाम में जो यह हो रहा है कि चाहे जो कानून हो, कानून पास करने के पीछे चाहे जो आपकी मंशा हो, आपके इरादे हो, उसका उपयोग वहाँ के आन्दोलन को दबाने के लिये आप कर रहे हैं। एसेशियल सर्विसेज मैटिनेंस कानून जो बनाया गया, उसको बनाते वक़्त आपके मन में, या आपने जो यहाँ सदन में कहा और बाहर कहा, उसमें यह तो कभी नहीं कहा था कि इसका उपयोग भी, जब यह कानून बनेगा इस लिये किया जायेगा, वहाँ के लोगों के आन्दोलन को दबाने के लिये किया जायेगा, और अब वह एक हथियार और एक औज़ार के रूप में आपके पास है और इसी लिये मैं इसका विरोध करने के लिये खड़ा हुआ हूँ।

श्रीमन्, आज हाँ यह रहा है कि हड़ताल मतदूर अगर कर रहे हैं तो हड़ताल में क्रिमिनल आदमी नहीं है। लेकिन हड़ताल की तरफ सरकार ऐसे नज़रिये से देखने लगी है कि मानो हड़ताल करना एक बगावत है। एसेशियल सर्विसेज अधिनियम का जो उपयोग आसाम में इस वक़्त किया जा रहा है, वह इसी दृष्टि से किया जा रहा है। इसलिये मैं मंत्री जी से यह कहा चाहूँगा कि यह जो अधिनियम आप ला रहे हैं यह बहुत खतरनाक साबित होंगे। आसाम की सिचुएशन जो आज है वह राजनीतिक है। जब आपने यहाँ पर नये राज्यपाल की नियुक्ति की थी तो उसी वक़्त हम समझ गये थे कि अब आसाम में जो राज्यपाल विराजमान है, जो इस सदन में हम सब के मित्र थे, ये एक ऐसे व्यक्ति हैं जो अपना इंडिपेंडेंट दिमाग कुछ रखते नहीं हैं। वह ईमानदार हैं शासक दल के प्रधान मंत्री के विश्वास पात्र आदमी हैं और जो वे लोग चाहेंगे वहाँ आसाम में होगा। यह अभी

हमने मान लिया था। वरना कोई वजह नहीं जो इस तरह से राज्यपाल का चयन किया गया। असम में आपकी हर चाल कदम-कदम पर राजनैतिक है और मैं अगह करना चाहता हूँ सरकार को कि आसाम कैटेलिक बन सकता है। पूरे नार्थ ईस्ट को देश के साथ रखने में। आसाम के बारे में जो नीति सरकार ने अख्तियार की है अगर वह उसको बदलेगी नहीं तो देश के सामने डिस-इन्टीग्रेशन का खतरा आ सकता है। तो देश के सामने यह जो डिस-इन्टीग्रेशन का खतरा है तो क्या इस तरह के फोर्सेज को मदद देने के लिये इन सारे कानूनों का इस्तेमाल सरकार करेगी? खालिस्तान की क्या हालत है, इसकी सदन में चर्चा हुई है। नार्थ-ईस्ट में क्या हो रहा है, इसकी चर्चा कर रहे हैं। सरकार का इसमें कितना उत्तरदायित्व है। जिस तरह से सरकार अपने उत्तरदायित्व को निभा रही है और जिस दृष्टि से कानून बनाये जा रहे हैं उसी की मर्यादा में कानूनों का इस्तेमाल सरकार करती तो ठीक था। लेकिन यह अधिनियम जो आप सदन में रख रहे हैं इसका उपयोग आपको आन्दोलन के प्रति जितनी सहानुभूति है, उसकी हिस्सेदारी में जो लोग हैं, उनको सबक सिखाने के लिये, सजा देने के लिये आप करने जा रहे हैं। यह किसी अधिनियम की कभी मंशा नहीं थी और यह आप गलत ढंग से इसका इस्तेमाल कर रहे हैं। आज बिहार में जो स्थिति बनी है, दंगल को बिहार के बारे में इस सदन में चर्चा हुई, आपका एसेशियल सर्विसेज मैटिनेंस एक्ट अब बन गया है, बावजूद उस एक्ट के बिहार में जो हो रहा है और आसाम में जो कर रहे हैं इसकी अगर आप तुलना करें तो आप स्वीकार करेंगे कि खुद आप कहीं धोखा दे रहे हैं। तुलना करने से यह स्पष्ट हो जायेगा। इसलिए मैं चाहता हूँ कि उस स्थिति को आप ज्यादा बिगड़ने न दें और समय रहते आसाम के

सवाल पर पूरे नार्थ-ईस्ट इलाके का डिना-
इन्टोग्रेशन न होने दें, यह चेतावनी देकर मैं
अगली बात को समाप्त करता हूँ।

SHRI DINESH GOSWAMI: Mr. Vice-Chairman, Sir, Mr. Sezhiyan raised certain objections. But as I pointed out to you, there have been serious Constitutional lapses not only on this occasion but on a number of earlier occasions. I can draw your attention to the fact that moneys were appropriated by ordinances; taxes have been levied by Ordinances, and these Ordinances have not been placed in this House. A minority Government was installed in spite of our serious objections and the Government could not face the Assembly. Therefore, I thought it proper that it is no use raising again this technical objection because Government seems to be completely oblivious to these Constitutional lapses.

You can see Sir, on 17-11-1981 this notification was issued and on 23rd or 24th this came to Delhi. This itself shows the communication gap. If a notification takes 7 days to reach Delhi, you can think of the communication gap that is existing today between the Government of Assam and the Government at the Centre, and this communication gap has been reflected in the various steps that the Government has taken. Sir, coming to this notification—you have tried to limit the scope of discussion—it has been stated in this notification, it has been stated by Mr. Makwana, that people would have suffered if electricity had not been declared as an essential service. He said, that is why, this notification had been issued. May I know from him, prior to the issue of this notification, is it not a fact that electricity was all the time exempted by the agitation leaders from the purview of strike? Is it the case of the hon. Minister that the movement leaders had, at no point of time, exempted electricity from the purview of strikes?

I do not remember that such a thing had happened. Except on one occasion, on all other occasions, electricity had been exempted. The fact that electricity had been brought in the purview of the notification is not because the people would have suffered but it is because you want to create a fear psychosis in the minds of the people of Assam. Mr. Biswa Goswami had already pointed out what had happened on the 10th December. I would like to point out that today, I notice, there is an atmosphere of absolute psychological alienation from the national mainstream, in the minds of the younger people in Assam. This is the point I have been making times without number. It is on the plains of Assam that you are fighting the forces of insurgency. Once this feeling of psychological alienation, which is beginning to develop in the minds of the younger people in Assam, grows, the integrity of the entire North-Eastern Region will be at jeopardy. The Government have tried also to break this movement. The Government tried to break the morale of the people employed in public services. A number of young boys have died in recent times because of police firing. A number of young boys have been injured because of police firing. There has been break in service of employees. They have been suspended; they have been removed. Yet, you had to take recourse to this notification, and also to such laws like the Essential Services Maintenance Act, in order to crush this movement. Mind you, if you attempt to crush this movement, it will lead to very serious consequences.

Sir, I am happy, the Government is now thinking in terms of a tripartite discussion. But is it not an irony that when the Government is talking with the Opposition on Assam, none of the Members from Assam has ever been associated in these talks? Who can speak better about the feelings of the people of Assam, except the Members from Assam? None of the Members from Assam has ever been associated

[Shri Dinesh Goswami]

in these talks. If I remember rightly, at no point of time, Mr. Zail Singh had called Members from Assam, at least the opposition Members from Assam to discuss Assam. For more than two years now, Assam has been on the agenda of the Central Government. Can you imagine such a thing would have happened in the case of any other State, when the Members would have been ignored in such manner.

Sir, many things which we have said on the floor of this House, which had been ignored by the Government at that point of time, have been proved by the efflux of time, by the subsequent events. Let me point out to you. If you carry a feeling even now—there seems to be such an impression gaining ground—that the agitation is fizzling out, do not be under any such misapprehension. The agitation is not fizzling out. The people have acquired a spirit of defiance. On that particular day, on the 10th December, I was at Gauhati. I was there on the day of hartal. I moved round Gauhati. Not a single shop was open. On the 19th, the hartal was observed. On the 18th, the Deputy Commissioner called the businessmen of Gauhati and said 'You should keep the shops open'. The business community said 'We are not prepared to keep the shops open'. Therefore, prior to the day of strike on the 18th night, a number of persons, a number of prominent businessmen, were arrested. Let the Home Minister deny it. Under what law? Without waiting to know whether they are going to close their shops or not, whether they are going to respond to the bandh call or not, a number of businessmen were arrested. Do you know what happened? On the 21st, the business community gave a call and throughout Gauhati, not a single shop was open. This is how the business community responded to the threat of your authority. Therefore, Sir, I would like to submit to the Government that it is only by

a spirit of understanding, the problem in Assam can be solved. I would like, therefore, to know from the hon. Minister, when is this tripartite discussion going to take place?

SHRI ARVIND GANESH KULKARNI (Maharashtra): Mr. Goswami, you are a constructive thinker from Assam. I appreciate the feelings which you have expressed. You have said that the Government should have associated Members from Assam in the talks on Assam. But could we not make an appeal now? The Government has now agreed for tripartite talks. Could we not make an appeal now to the movement leaders that they should accept the position and they should come over here and discuss the problem with the Government and friends like you?

SHRI DINESH GOSWAMI: What I am saying is, the Government has had fourteen rounds of talks with the leaders of Assam and at no point of time the Government have tried to ask for our cooperation; at no point of time they have explained to us what has happened in these fourteen rounds of talks and this is the objection that I am taking. (Interruptions). I have come to know it from whatever I have gathered from the student leaders, from the movement leaders. (Interruptions). I am making that appeal now. What Mr. Kulkarni has said, I am making that appeal on the floor of the House. I am making an appeal to the student leaders and the movement leaders that they should come forth and join the tripartite talks. I am making an appeal to the Home Minister to see that when these tripartite talks are held some members from Assam are also associated with the talks, so that we can make some contribution. And I will appeal to the Government to please remember that after the students and the movement leaders have carried on the movement for so long, it is not possible for them to accept a solution which they will not be able to justify to the people. If they were

to accept a solution which the Government offered them two years back, how will they answer the people why they carried on this movement for the last two years? Therefore, the solution must be one which must contain the possibility of accommodation to the student leaders and the movement leaders.

I hope the Government will accept this suggestion and will give some hopeful indication of a reasonable solution when the next round of tripartite talks takes place. I have refrained from commenting on the solution because any comment on that will create an adverse situation. Already the situation in Assam is extremely dangerous and I will only appeal to all concerned: Let all our energy be constructively put forth to find out a solution to this vast and complex problem.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Gopalsamy. He is not there.

SHRI HAREKRUSHNA MALLICK:
 Sir, we very sincerely feel that he should lead the delegation...

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Please, Dr. Mallick. (Interruptions). Dr. Mallick, please sit down. Yes, Mr. Ashwani Kumar.

श्री अश्विनी कुमार : माननीय उपसभा-ध्यक्ष महोदय, जो बातें मंत्री जी ने कहीं थीं उन कई बातों का मेरे मित्रों ने उत्तर दिया है। यह बड़ा स्पष्ट है कि जब भी आसाम...

उपसभाध्यक्ष (डा० रफीक जकरिया) :
 आप उसे रिपोर्ट मत कीजिये।

श्री अश्विनी कुमार : उसी को स्पष्ट करना चाहता हूँ। जब भी हड़ताल हुई है, बंद किया गया है, कभी भी बिजली के ऊपर उन्होंने रोक नहीं लगाई है। इसलिये यह जो किया गया है, यह

बिलकुल गलत किया गया है, अधिनायकवादी कदम है, जिसको मेरे मित्रों ने कहा है स्ट्राइक आर्म ट्रिगगेर है। इसमें मुझे इतना हो कहना है कि मूवमेंट जहाँ शांतिपूर्ण होता है, वहाँ सरकार जोरजबर्दगी करती है और इस प्रकार से जोरजबर्दगी करके नागालैंड, मिजोरम और मणिपुर की स्थिति उत्पन्न कर रही है। आज अगर सरकार बातें करती हातो तो शान्द खालिस्तान में जो खून खरावा हुआ है। इन्हें नहीं होता। सरकार बात नहीं करती है तो लोगों को एक प्रकार से खून खरावे के लिये बाध्य कर रही है और जो खून खरावा करते हैं उनके प्रति सरकार का रवैया बड़ा नरम है। यह मैं सरकार के ऊपर चार्ज कर रहा हूँ। किस प्रकार से भिड़वाले को अरेस्ट किया और छोड़ा, यह सरकार को नाकामयाबी का नमूना है। इनलिये मैं सरकार से निवेदन करना चाहता हूँ कि जो देशमक्क हैं, शांतिपूर्ण हैं, गांधीवादी ढंग से आन्दोलन कर रहे हैं वहाँ पर आप इस प्रकार का कानून लागू करके स्थिति को खराब न करें और आज गोहाटी की स्थिति यह है कि सरकार के पास अडिनेस सात दिन में आता है। मैं आपके माध्यम से सरकार को बताना चाहता हूँ कि हम सरोखे लोगों को चिट्ठियाँ 25-25 दिन में अहाँ आकर नहीं मिलती हैं, यह सैन्ट्रल गवर्नमेंट का डिपार्टमेंट है। इतना वहाँ से कम्युनिकेशन गैप है। हम पत्र लिखते हैं तो दो-दो ढाई-ढाई महोने के बाद गोहाटी जाकर डिलीवर होता है।

किस प्रकार के अधिकारी आज आपने वहाँ रखे हैं? आप प्रधान मंत्री से जल्दी मिल सकते हैं, गृह मंत्री से जल्दी मिल सकते हैं लेकिन गोहाटी के अन्दर ऐसे अधिकारी हैं कि उनसे आप नहीं मिल सकते हैं। उनके पास समय नहीं है,

[श्री अश्विनी कुमार]

घर में बैठकर वे कहला देते हैं कि मैं घर में नहीं हूँ, चपरासी से कहला देते हैं कि मैं बात नहीं करना चाहता। इस प्रकार के अधिकारी वहाँ रखे गये हैं। इसका परिणाम यह होता है कि जो शांति प्रिय ढंग से काम करना चाह रहे हैं उनके मन में एक विचित्र प्रकार का आक्रोश उत्पन्न हो रहा है। मैं अपने माननीय सदस्य श्री गोस्वामी जी की भावना से सहमत हूँ। मैं आपके माध्यम से गृह मंत्री जी को फिर से यह निवेदन करना चाहता हूँ कि जो बात-चीत आप आगे करने जा रहे हैं, उसको ठीक स्तर से करें। यह पोलिटिकल इश्यू है, पोलिटिकल इश्यू की बात पोलिटिकल आदमियों को ही करनी चाहिए। उसके लिये सरकारी अधिकारियों की टीम लगा देना, यह जायज नहीं है। सरकारी अधिकारियों की टीम तो दूसरी तरफ से बातें या डीटेल वर्क आउट करने के लिये होती है। बातें होती हैं राजनीतिक स्तर पर। प्रधान मंत्री बात करती तो बहुत अच्छा था, गृह मंत्री जी करते, मकवाणा जी करते। वहाँ एक एक दिन आफिसर बदले जाते हैं। अखबार में एक दिन आपने पढ़ा होगा कि एक अधिकारी बात कर रहा था कि मुझे पता नहीं है कि पिछली बातें क्या थीं, इसलिये मैं उत्तर नहीं दे सकता हूँ। इससे ज्यादा क्या गलत बात हो सकती है कि सरकार के रि.प.सि.बुल आफिसर्स ये बातें करते हैं कि मुझे पता नहीं है। तो फिर ये टाक्स में आये किसके लिये हैं। इस प्रकार की जो भावनाएँ हैं ये उनको कर रहे हैं। कई बार स्थिति ऐसी लगती है कि आसाम में अंग्रेजों से जितना बुरा व्यवहार नहीं किया था। असम के अन्दर या सारे देश के अन्दर उससे भी खराब व्यवहार आज की सरकार अपने देशवासियों के साथ कर रही है और इसलिये मैं, जो मकवाणा जी ने

प्रस्ताव रखा है, उसका विरोध करता हूँ।
उसको अनावश्यक मानता हूँ।

यह अधिनायकवादी कदम है,
फासिस्टवादी कदम है। उसका मैं विरोध करता हूँ।

SHRI YOGENDRA MAKWANA: Sir, as I said in the beginning, the scope of discussion on this Resolution is limited and as I am going to come before the House with the other Resolution and a Half-an-Hour Discussion is also there, all these matters could have been covered at that time. However, now that the hon. Members have mentioned about these points, I would like to reply to all the Members.

[The Vive-Chairman (Shri Arvind Ganesh Kulkarni) in the chair]

Government's intention to settle this issue peacefully was clear from the beginning when we consulted all the groups and the leaders of Opposition in Parliament at the first meeting which was called here in Delhi. The leaders of Opposition in Assam were also present there and a resolution was passed for a peaceful settlement of this problem. Thereafter several rounds of talks took place between the leaders of Opposition and the Government and the leaders of the agitation and Government also. Fourteen rounds of talks were held between the Government and the leaders of the agitation. But the latest proposals which we received from the leaders of agitation were quite unrealistic because they wanted several things which come to the point of amending the Constitution, amending the Citizenship Act also, amending the Foreigners' Act also and many other things which were not possible.

Sir, the leaders of the Opposition also passed resolutions on 1st May, 31st May and 19th November, 1980 asking them to give up the path of agitation and agree for a peaceful settlement. However, the agitation did

not remain peaceful throughout. Several incidents of home explosions also took place and nearly 290 lives were lost during this agitation and there was loss to the tune of crores of rupees to the nation.

Sir, the Government is very keen to settle the issue peacefully from the beginning and therefore all efforts were made. Even originally when it was suggested that let there be a tripartite conference—that is, between the leaders of Opposition, the Government and the leaders of agitation—that was also accepted. But the leaders of agitation said that the Opposition was irrelevant and they were not prepared to sit with the Opposition and the Government. That created a problem. Again, this time, when the leaders of Opposition suggested that they should be consulted and there should be a tripartite round of talks, we accepted that also. I do not want to go into details about this because again I have to come before the House about this. This Resolution is concerning the supply maintenance and distribution of electricity. Sir, the employees of the electricity undertakings were also actively participating in the satyagraha held on various dates. As this was affecting the supply of essential services to the community, the Governor of Assam thought it necessary to declare services in connection with the production, supply and distribution of water and electricity including other services under the Assam State Electricity Board as essential services by issue of this Notification. This is the reason why I have come before this House for the approval of this Notification which was issued by the Governor of Assam.

The hon Member, Shri Dinesh Goswami, has suggested that the leaders from Assam, particularly the Members of Parliament in this House and the other House, should also be taken into confidence. I agree with the hon. Member. I have taken note of the feelings of the hon. Member and in the next round of talks which will be held either in Delhi or Gauhati—most probably it will be in Delhi—a tripartite

conference of the three groups—they will also be invited.

Not all of them but at least one or two of them will also be invited so that they can ventilate their feelings and also put forward their views and try to settle the issue peacefully. I only want to appeal to all the hon. Members of this House to co-operate with the Government in the solution of this problem which is vexed problem and a national problem. All through the Government has maintained that this problem of foreigners is a national problem and the Government will view it from that angle only and we want to settle it peacefully. Because there are certain interested parties who are misguiding the agitation leaders also, that too has created a problem. But now, when all the political parties have agreed to participate in the talks, I hope that wisdom will prevail upon the leaders of the agitation and they will also join the talks and settle the issue peacefully.

With these words I would request the House to approve the Notification by passing the Resolution which I have placed before the House. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): I shall first put the Motion moved by Shri Ashwani Kumar to vote. The question is:

“That this House recommends that the notification of the Government of Assam, Political (A) Department No. PLA-583/81/106, dated the 17th November, 1981, declaring the services in connection with production, supply and distribution of electricity including other services under the Assam State Electricity Board constituted under the Electricity (Supply) Act, 1948, to be essential services within the State of Assam for the purpose of the Essential Services Maintenance (Assam) Act, 1980 (41 of 1980)” be rescinded.

The motion was negatived.

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): I shall now put the Resolution moved by Shri Yogendra Makwana to vote. The question is:

"That in pursuance of sub-section (2) of section 2 of the Essential Services Maintenance (Assam) Act, 1980 (41 of 1980), as amended by the Essential Services Maintenance Act, 1981 (40 of 1981), this House approves the issue of the notification of the Government of Assam, Political (A) Department No. PLA-583/81/106, dated the 17th November, 1981, declaring the services in connection with production, supply and distribution of electricity including other services under the Assam State Electricity Board constituted under the Electricity (Supply) Act, 1948, to be essential services within the State of Assam for the purpose of the Essential Services Maintenance (Assam) Act, 1980 (41 of 1980)."

The motion was adopted.

THE VICE-CHAIRMAN: Now we go to the next item. Shri Hari Shankar Bhabhra.

MOTIONS FOR MODIFICATION OF—

1. THE FURNACE OIL (FIXATION OF CEILING PRICES AND DISTRIBUTION) (SECOND AMENDMENT) ORDER, 1981.
2. THE LIGHT DIESEL OIL (FIXATION OF CEILING PRICES) (SECOND AMENDMENT) ORDER, 1981;
3. THE PARAFFIN WAX (SUPPLY, DISTRIBUTION AND PRICE FIXATION) (THIRD AMENDMENT) DER, 1981; AND
4. THE KEROSENE (FIXATION OF CEILING PRICES) (SECOND AMENDMENT) ORDER, 1981.

श्री हरि शंकर भाबड़ा (राजस्थान): श्रीमान्, मैं निम्नलिखित प्रस्ताव उपस्थित करता हूँ :

"वह सभा सिफारिश करती है कि अधिवेशन सा० का० नि० सं० 434(अ),

दिनांक 10 जुलाई, 1981 द्वारा भारत के राजपत्र में प्रकाशित और 18 अगस्त, 1981 को सभा पटल पर रखे गये भट्टी का तेल (अधिकतम मूल्य निर्धारण तथा संवितरण) (दूसरा संशोधन) आदेश, 1981 में निम्नलिखित संशोधन किये जायें, अर्थात् :—

'भट्टी का तेल (अधिकतम मूल्य निर्धारण तथा संवितरण) (दूसरा संशोधन) आदेश, 1981 के खण्ड 2 में क्रम सं० (1) से (9) के सामने वर्तमान प्रविष्टियों के स्थान पर निम्नलिखित प्रतिस्थापित किया जाये :—

(1) बम्बई, कोयाली	2400
(2) कोचीन	2400
(3) मद्रास	2400
(4) विशाखापत्तन	2400
(5) हाल्दिया, दिग्बोई, गोहाटी, बरौनी	2400
(6) कलकत्ता	2400
(7) कांडला	2400
(8) ओखा	2400
(9) गोआ	2400"

मान्यवर, भारत सरकार ने एसेशियल कमोडिटीज ऐक्ट की धारा 3 की उपधारा 2 के अन्तर्गत सी में जो अधिकार उस को मिट्टी के तेल की कीमतों पर कंट्रोल करने के मिले हुए हैं उन का उपयोग करते हुए मिट्टी के तेल की कीमतें बढ़ायी हैं। इस मिट्टी के तेल की कीमतें 1974 में इस प्रकार थीं :—

रुपये

बम्बई और कोयाली में	889.06
कोचीन में	888.33
मद्रास में	903.78
विशाखापत्तन में	895.39