

women. The recruitment of judges including women judges for presiding over lower courts falls within the jurisdiction of the State Governments and the High Courts.

12 NOON

STATEMENTS BY MINISTERS

(i) Correcting the reply given in the Rajya Sabha on the 7th September, 1981 to Unstarred Question, 1782, regarding postponement of elections to Lok Sabha seats in Assam.

श्री संयद अहमद हाशमी : एक बहुत अहम मसला मैं पेश करना चाहता हूँ...

श्री सभापति: अभी ठहर जाइए हाशमी साहब ।

Now, the Minister of Law to make a statement correcting answers to questions. Yes, Mr. Shiv Shankar. Just wait, Mr. Hashmi.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): Sir, in paragraph 2 of the reply to part (a) of the Rajya Sabha Unstarred Question No. 1782 for the 7th September, 1981, by Shri Amarprosad Chakraborty, it was stated, "The adjourned poll in the 3-Autonomous District (ST) Constituency will be held as soon as the Government of Assam reports that conditions in the Constituency are such as permit elections being held therein."

The fact is, however, that the adjourned poll in the 3-Autonomous District (ST) Parliamentary Constituency was countermanded by the Returning Officer under section 52 of the Representation of the People Act, 1951, as a result of the death of Shri S.C. Dasgupta, a contesting candidate *vide* his order dated the 18th September 1980. As a copy of the Returning Officer's order did not reach this Ministry, the fact could not be included in reply. The poll will be held, as already stated in the reply, as soon as the Government of Assam reports that conditions in the constituency are such as permit elections being held therein.

श्री संयद अहमद हाशमी : एक बहुत अहम मसला मुझे पेश करना है, मुझे इजाजत फर्माएँ। इस वक्त जब कि पार्लियामेंट का सेशन खत्म होने जा रहा है मैं एक बहुत अहम मसला

* [श्री सुद अहमद हाशमी : एक

बहुत अहम मसला मुझे पेश करना है - मुझे इजाजत फर्माइएँ - इस वक्त जब कि पार्लियामेंट का सेशन खत्म होने जा रहा है मैं एक बहुत अहम मसला

श्री सभापति : अभी थोड़े अरसे के बाद कह लीजिए ।

SHRI ERA SEZHIYAN (Tamil Nadu): Sir, the honourable Minister is giving a correction to a reply given by him on the 7th September, 1981 and in the correction he says that earlier they had given that the election would be held as soon as the Government of Assam reports that conditions in the Constituency are such as permit election being held therein and now he is giving the correction that as a result of the death of the candidate, as given in the order of the Returning Officer there, the election was countermanded. Here, Sir, you will find that the order of the Returning Officer is dated 18th September, 1980 on the adjourned election. It is not clear how the Returning Officer's order dated the 18th September, 1980 took more than a year to reach the Ministry. The second point, Sir, is that even as per the explanation given by the Election Commissioner.

MR. CHAIRMAN: I hope there is no misprint. Are you quite sure? It is possible for anybody to do that.

SHRI ERA SEZHIYAN: In the earlier report, it was mentioned.

MR. CHAIRMAN: I don't think this can be solved here.

SHRI ERA SEZHIYAN: Sir, I only want to point out this thing because the House has been fed with incorrect information time and again.

* [] Transliteration in Arabic Script.

SHRI P. SHIV SHANKAR: How can you make such an allegation, an allegation which is baseless? The position that I am explaining is that the poll was countermanded and that information we did not receive. That is why we said that they adjourned the poll. That was wrong and, therefore, I have corrected it.

MR. CHAIRMAN: It is only a small correction, Mr. Sezhiyan.

SHRI P. SHIV SHANKAR: One cannot be too technical in such matters.

SHRI ERA SEZHIYAN: Sir, the Minister is making a harsh remark against me and because of that, I want to put it to you and if you are satisfied with that, then I will not say anything. We have before us a report, the 7th Report published by the Chief Election Commissioner which is dated the 7th January, 1981. Here also, in the Report given by the Election Commission, it has been stated on page 10, regarding Assam, "in the 3-Autonomous District (ST) PC, the poll was postponed due to the State itself." I am not finding anything of value here. Here is a report given by the Election Commission itself in January, 1981 wherein it is stated that the Poll has been stayed. (Interruptions) I would like to know why the Minister could not have the correct information till September, 1981.

MR. CHAIRMAN: He is correcting his answer. You are correcting the... (Interruptions)

SHRI ERA SEZHIYAN: Full particulars have not been given to the House. I would like to know why... (Interruptions)

MR. CHAIRMAN: I think you are trying to correct the Election Commission (Interruptions)

(ii) Correcting the reply given in the Rajya Sabha on the 7th December, 1981, to Unstarred Question 1377, regarding violation of MRTP Act by Companies.

SHRI P. SHIV SHANKAR: Sir, in reply to parts (a) and (b) of the

Rajya Sabha Unstarred Question No. 1377 by Shri Shiva Chandra Jha replied on 7-12-1981, the name Messrs Rajalakshmi Mills Limited has been wrongly mentioned through inadvertence instead of that of Messrs Rajalakshmi Textile Processors, Limited. The name "Messrs Rajalakshmi Mills Limited" has, therefore, to be substituted by "Messrs Rajalakshmi Textile Processors Limited": The mistake is regretted.

Accordingly, the reply to part (c) of the above question is to read as follows:—

"(c) No application for Industrial licence was received by the Department of Industrial Development (Secretariat for approvals) from the companies, referred to in reply to parts (a) and (b) of the question, after the date of institution of prosecution against them in the court."

श्री शिव चन्द्र झा (बिहार) : सभापति महोदय, यह सवाल मेरा था जिस का कि उन्होंने कचेक्षण किया है। क्या आप मुझे इजाजत दे रहे हैं कि मैं इस पर और सवाल कर सकूँ और कुछ जानकारी हासिल कर सकूँ ?

श्री सभापति : इस वक्त नहीं।

श्री शिव चन्द्र झा : आप इजाजत नहीं देंगे यह मैं जानता हूँ।

RE. MUSLIM UNIVERSITY BILL

श्री सयद अहमद हाशमी (उत्तर प्रदेश) : मैं आप से इजाजत चाहता हूँ एक बात कहने की।

† [] شری سید احمد ہاشمی : میں

آپ سے اجازت چاہتا ہوں ایک

بات کہنے کی۔

श्री सभापति : इस के लिए एक तरीका होता है। अगर आप कोई बात रेज करना चाहते हैं तो स्पेशल मेशन से रेज करिये।

† [] Transliteration in Arabic Script.