

श्री प्रकाश मेहरोत्रा : भरमार हो रही है, तो उसको कम करने के लिये सरकार क्या कदम उठा रही है? इन्होंने खुद माना कि भरमार हो रही है, तो मेरा प्रश्न यह था कि इनको कम करने के लिये क्या कदम उठाये जा रहे हैं?

श्री सभापति : कानून तो बने हुए हैं।

श्री नारायण दत्त तिवारी : यूनियन बने या न बने, यह मजदूरों का अधिकार है। उन्हें यह पूरा अधिकार है कि वे ट्रेड यूनियन एक्ट के अन्तर्गत अपनी यूनियन बना सकें। लेकिन यह शासन का प्रयास है कि कोई इस प्रकार की कोशिश की जाये जिससे यूनियनों की अधिक संख्या होने से हड़तालों की संख्या अधिक न बढ़े।

इसके लिये लेबर मिनिस्टर्ज कान्फेन्स में विचार किया गया कि स्ट्राइक बैलेट से दो तिहाई अगर मजदूर स्ट्राइक की बात करते हैं, तभी लीगल स्ट्राइक मानी जाये। यह भी सुझाव दिया गया है। इन सुझावों पर शासन विचार कर रहा है, लेकिन हम बाध्य नहीं कर सकते कानून से कि मजदूर अपनी यूनियन एक से अधिक न बना सकें।

MR. CHAIRMAN: Last question. Mr. Dhabe.

SHRI SHRIDHAR WASUDEO DHABE: Sir, the Minister says in the statement that there is reduction of mandays lost during this year, though still some more days are to go. In Air-India, a strike took place. No negotiations were held because they were on strike. May I know, if any guidelines are issued when notice is given of strike? The experience is that they do not call them for negotiations. Are any preventive steps taken

for negotiating with the Unions about their grievances?

SHRI NARAYAN DUTT TIWARI: The situation differs from industry to industry, plant to plant. If in any industry there are recognized unions, the industry concerned or the plant concerned has to negotiate with the recognized unions under the established parameters or under the established agreement that is enforceable or enforced in that particular plant or industry. It is difficult for me to answer any question directly regarding Air-India at this moment.

MR. CHAIRMAN: Next question.

Organisations of political nature under Foreign Contribution Act, 1976

*443. SHRI SYED SHAHABUDDIN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that Government have recently specified 35 organisations as 'organisation of a political nature, not being a political party' by an order under the Foreign Contribution Act, 1976;

(b) if so, what are their names with activities and ideology, and the names of political parties with which they are associated;

(c) what are the numbers and dates of orders passed since the Act came into force together with the organisations affected; and

(d) whether the orders were subsequently rescinded or modified in any respect?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI YOGENDRA MAKWANA):

(a) Yes, Sir.

(b) Under section 5(1) of the Foreign Contribution (Regulation) Act, 1976 "organisation of a political nature not being a political party",

means such organisation as the Central Govt. may, having regard to the activities of the organisation or the ideology propagated by the organisation or the programme of the organisation or the association of the organisation with the activities of any political party by an order stipulate that such organisation shall not accept any foreign contribution except with the prior permission of the Central Government. Thus, the Government have to take into consideration anyone or all these four criteria under this Section. Having regard to the activities or the ideology or the programme of the organisation or the association of the organisation with the activities of any political party, Government have specified 35 organisations under this Section. A statement giving the names of the 35 organisations is laid on the Table of the House. [See Appendix CXVI, Annexure No. 144]

(c) 106 organisations were notified on 18-2-1977 in the Gazette of India *vide* SO 177 (E) and 35 organisations were notified on 16-9-1980 in the Gazette of India *vide* SO 792(E).

A statement giving the names of 106 organisations notified on 18-2-1977 is also laid on the Table of the House. [See Appendix CXVI, Annexure No. 145]

(d) The only modification made was to notify the change of addresses of two organisations viz. Hindi Mazdoor Sabha (Makhan Chatterjee group) and the Hindi Mazdoor Sabha (Mahesh Desai group).

SHRI SYED SHAHABUDDIN: Mr. Chairman, part (b) of the question related to the activities, ideology or the political party with which these organisations are associated. The hon. Minister has very correctly given the legal position. But he has failed to provide the factual information I had asked about the factual position, in the case of each specific organisation which has been brought under the purview, out of the four reasons given in the law, which ones are operative, that is to say, if it is association with a political party, the name of the

political party, if it is ideology, description of the ideology; if it is the programme or the activity of the organisation then the details of programme or the activity. That information has not been provided, and I would request the hon. Minister, through you, Sir, to provide that information, with respect to each of these 141 organisation which have been listed.

SHRI YOGENDRA MAKWANA:

Sir, it is difficult to provide all this information in a statement. But I can tell the hon. Member that the association which belongs to a particular political party holds the ideology of that political party.

SHRI SYED SHAHABUDDIN: I

have asked about the name of the political party with which a given organisation may be associated and you have not given that. How do I know which organisation is connected with which political party?

SHRI YOGENDRA MAKWANA: If he is interested, I will...

SHRI SYED SHAHABUDDIN: I will help you. It need not always be association with a political party because you can bring them under this clause even if they are not associated with any political party for any of the 3 other reasons.

SHRI YOGENDRA MAKWANA: Some of the 35 associations are as follows:

All India Insurance Employees Association connected with CPI.

All India National Life Assurance Employees Federation affiliated with INTUC.

National Federation of Indian Railwaymen connected with Congress Party.

Institute of Indian Labour has links with National Front of Indian Trade Union.

National Federation of Posts and Telegraphs Employees connected with CPI and CPM.

Indian National Plantation Workers' Federation affiliated with INTUC.

Anand Marg connected with Proutist role of India.

Sir, if you permit, I will put the list on the Table of the House.

SHRI SYED SHAHABUDDIN: Then I will ask a specific question.

SHRI MANUBHAI PATEL: The organisation was started by Guruji and Shri S. M. Joshi is connected with it. Its headquarters are at Poona. *(Interruptions)*

SHRI YOGENDRA MAKWANA: I will read out the whole list.

MR. CHAIRMAN: What is the total number? I am thinking of the man-days.

SHRI YOGENDRA MAKWANA: That is why I said that I will put it on the Table of the House.

SHRI SYED SHAHABUDDIN: My second supplementary is this. Mr. Chairman, you will be aware of a number of decisions of the High Courts and the Supreme Court to the effect that even where the law does not provide for a specific procedure to be followed in implementing a certain law, there, the rules of natural justice apply. The rules of natural justice do not require any statutory provision to be included in the body of the law. I am aware that in this Act which is a product of the emergency, there is no procedural protection at all. Yet I would like to know whether under the rules of natural justice any of these organisations were told about the information that the Government had against them with regard to their activities, programmes, ideologies or association and whether they were given a chance to rebut that information. Mr. Chairman, we have a right to know whether the rules of natural justice were applied before this order was passed by the Government.

SHRI YOGENDRA MAKWANA: Sir, the Act provides that an Organisation of a political nature should take prior permission for foreign contribution. Now "the organisation of a political nature" is a connotation which means that if any organisation is either affiliated or has an ideology similar to that of a political party, then it is of a political nature. If they are working like that, then also they are of a political nature. Even if they are helping as a political party in any way, they are of a political nature. Taking into consideration all these aspects, 35 organisations have been specified as organisations of a political nature. The only thing that they require to do is to seek the prior permission of the Government of India under section 5 before taking any contribution from a foreign agency.

SHRI SYED SHAHABUDDIN: That is not the answer to my question. Mr. Chairman, please let me explain. Firstly, he is factually wrong. When the law talks about the basis for considering an association to be an association of a political nature. It is always association with a political party which is relevant.

It may be either the activities of the organisation or the ideology propagated by the organisation or the programme of the organisation or the association of the organisation with the activities of any political party. This is just one of the clauses. The question I had asked was this: Before passing the order that a given organisation or association comes under the definition of an organisation of a political nature, the Government has to keep these four aspects in view. Has the Government applied the rules natural justice? This is the question I had asked them.

SHRI YOGENDRA MAKWANA: Sir. . .

SHRI SYED SHAHABUDDIN: You say yes or no.

SHRI YOGENDRA MAKWANA: I say, yes, because the Government decided... (Interruptions)

MR. CHAIRMAN: Mr. Kulkarni. Then Mr. Mathur and Mr. Manubhai Patel.

SHRIMATI PURABI MUKHOPADHYAY: What about me?

MR. CHAIRMAN: You are late.

PROF. SOURENDRA BHATTACHARJEE: Sir, I am connected with an organisation which is referred to here. And I think the description is quite improper. Therefore, I would like to be given an opportunity to put a supplementary.

MR. CHAIRMAN: All right. Mr. Kulkarni, please hurry up.

SHRI NARSINGH NARAIN PANDEY: Sir, you call me also.

MR. CHAIRMAN: We will see. I will exercise my discretion.

SHRI ARVIND GANESH KULKARNI: Sir, the hon. Minister has termed these organisations though not as political parties but as of political nature. I would like to ask the hon. Minister whether he will review the position in this regard. Sir, we are particularly disturbed when an organisation like the Rashtriya Seva Dal brought up under the heritage of the Indian National Congress is listed here. The number is 35 in the list of organisations. I can quote many such organisations—the Gujarat Mahila Congress, the Congress Seva Dal, etc. So, I want to ask specifically whether any review is possible about this organisation. I cannot claim about the other organisations but particularly this Rashtriya Seva Dal is an organisation having the heritage of the Indian National Congress. Does the Government not feel that the character of this organisation is not of a political nature and review accordingly, particularly because this organisation never

hankers after foreign funds or Indian funds? It is a service organisation. It has got nothing to do now with the Indian National Congress, but its principles are there.

MR. CHAIRMAN: You made your point. Let him reply.

SHRI YOGENDRA MAKWANA: Sir, the Rashtriya Seva Dal has association with the erstwhile Socialist Party of India. Therefore, it is considered as of a political nature.

SHRI ARVIND GANESH KULKARNI: Has it got nothing to do with the Indian National Congress? Why are you so sensitive about the name Socialist Party?

SHRI YOGENDRA MAKWANA: There is no question of Socialist Party or the Indian National Congress. Even the organisation which has an ideology similar to the Indian National Congress like the INTUC is also considered as an organisation of a political nature. And they are listed here. If the hon. Member refers to all the 35 given here, then he will be able to see that also.

SHRI KALYAN ROY: Which INTUC? There are two INTUCs now.

SHRI YOGENDRA MAKWANA: Both.

श्री रामेश्वर सिंह : सभापति जी, मैं मंत्री जी से जानना चाहता हूँ कि इन संस्थाओं को विदेशों से कितना पैसा मिला है और इनका हिसाब किस ढंग से रखा जाता है और किस तरीके से खर्च किया जाता है ?

श्री योगेन्द्र मकवाना : श्रीमान्, सब संस्थाओं का तो मैं दे नहीं सकता क्योंकि 1978 में लगभग 4 हजार संस्थाओं को मिलता था, आज का बढ़कर 5 हजार हो सकता है। लेकिन जिन ऐसोसियेशन्स और आर्गेनाइजेशन्स ने परमिशन ली है वह

केवल 5 है। अभी तक 5 ने अप्लाई किया है और 5 को परमिशन दिया है और 5 को फारन कंट्रीव्यूशन मिलाता है। इनमें से पहली है, महिला समाजवादी सुधार सभा, पूना। उसने परमिशन ली है सितम्बर, 1977 में। The amount is....

AN HON. MEMBER: From which country?

SHRI YOGENDRA MAKWANA : The amount is Rs. 70,450 for 1978. (Interruptions). No, no, it is in terms of rupees. Then it is Rs. 2,87,600 for 1979 and Rs. 1,67,400 for 1980.

AN HON. MEMBER: From?

SHRI YOGENDRA MAKWANA : I will read it because it is given column-wise: The Workers Welfare Association of West Germany, Rs. 42,350 for 1977, Rs. 37,040 for 1978 and Rs. 3,040, this is in March 1979, West Germany. Rs. 70,450, which I read, is also from West Germany. And the third is Rs. 3,32,600 from the Workers Welfare Association of West Germany. All from West Germany and the permission was granted in 1977-78 and 1980.

श्री रामेश्वर सिंह : मैंने यह पूछा था कि जो खर्च करते हैं किस तरीके से करते हैं और उसका हिसाब आपको किस तरीके से देते हैं। जो पैसा आता है उस पैसे का खर्चा कैसे होता है। उसका हिसाब आपको किस तरीके से दिया जाता है यह हिसाब मैंने पूछा था।

श्री योगेन्द्र मकवाना : मैंने कहा कि एक्ट का जो परव्यू है लिमिटेड है। उसमें हिसाब का जो स्टेटमेंट आता है Every six months they are supposed to submit the accounts to the Government, a statement, the amount received and the amount spent. No details are given and it is very difficult

to get all the details unless we amend the Act.

SHRI PILOO MODY: Why?

श्री नागेश्वर प्रसाद शाही : ए. ही बताया चार का नहीं बताया।

श्री योगेन्द्र मकवाना : सब को बता देता हूँ लेकिन

MR. CHAIRMAN: That will take the whole hour, if you want it.

SHRI NAGESHWAR PRASAD SHAHI: Put it on the Table.

SHRI YOGENDRA MAKWANA: All right, I will lay it on the Table of the House. (Interruptions).

MR. CHAIRMAN : There is now room only for two more questions, Mr. Mathur and Mr. Pandey. I have got these names now.

PROF. SOURENDRA BHATTACHARJEE: Sir, I have to ask a question.

SHRI AMARPROSAD CHAKRABORTY: Sir, I have also to ask a question.

MR. CHAIRMAN: Everybody cannot ask questions.

SHRI AMARPROSAD CHAKRABORTY: Sir, I am the General Secretary of the All-India Trade Union Co-ordination Centre. I do not know when the order was passed and when it was given effect to. So, I must mention the whole thing.

PROF. SOURENDRA BHATTACHARJEE: Sir, I am connected with the All-India Federation of University and College Teachers.

MR. CHAIRMAN : All right, we will go on with the question, if you so insist.

श्री जगदीश प्रसाद माथुर : श्रीमन्, शहाबुद्दीन साहब ने जो पूछा था उसका जवाब नहीं मिला। इसलिये उनकी जानकारी

के लिये मैं दोहराना चाहता हूँ। जिन संस्थाओं के आर्डर पास किये गये उनसे पूछा नहीं गया, उनको बताया नहीं गया। मैं जानना चाहता हूँ कि कौन सा तरीका है जिससे यह तय करते हैं। दो संस्थाओं के नाम हमारे सामने हैं—आल इंडिया वीमेंस कांफरेंस इसका नाम नहीं है और दूसरा—जमायते उल उल्लेमा हिन्द—इसका नाम भी नहीं है। ये दोनों पालिटिकल पार्टियाँ ऐसी हैं जो कांग्रेस का साथ देती रही हैं। इनका नाम इसमें क्यों नहीं है और किस आधार पर यह तय करते हैं ये बातें मैं जानना चाहता हूँ।

श्री समाप्ति : सवाल तो हो गया अब जवाब सुनिये।

श्री योगेन्द्र मकवाना : जिनका नाम दिया है वे कांग्रेस के साथ नहीं हैं लेकिन मैंने शहाबुद्दीन साहब को कहा नेचुरल जस्टिस के बारे में। If it is a criminal case or something then it comes. But the Government having taken into consideration the reports of the associations and having made its own assessment, notified the organisations and it was not considered necessary to hear the organisations since the act does not specify so.

श्री जगदीश प्रसाद माथुर : मेरे सवाल का जवाब नहीं आया। वर्षों से ये कांग्रेस का साथ दे रही है। उनका रेजोलूशन है, उनका प्रस्ताव है, उनका मैनिफेस्टो है। आप उनको क्यों नहीं करते। आप हम को यह बताइये। It is political. It is absolutely political.

SHRI YOGENDRA MAKWANA : That organisation is not with the Congress. Even if the hon. Member has

pointed out that it is not with the Congress, but if it is with any other political party, we will notify because there is ample scope of notifying. As and when it is noticed, the Government notifies it. If the hon. Member wants more organisations to be notified, I would request him to supply the information and if it is necessary..

SHRI JAGDISH PRASAD MATHUR: What about the All-India Women's Congress? What about it?

SHRI NARSINGH NARAIN PANDEY: Sir, the hon. Minister has given a statement about 35 organisations.

And all these organisations got the money from 1977 to 1980 at the time of Janata Party rule. May I know from the hon. Minister whether he has got the information as one of the leaders of this country who is a labour leader and was an ex-Minister for Industry, has categorically stated that he had taken money from an international socialist organisation of Germany and I would like to know what account he has rendered to the Government, and about the expenditure whether the Minister has got any information. If he has got, will he place it on the Table of the House? (Interruptions)

SHRI NAGESHWAR PRASAD SHAHI: What about the ruling party? What about the money the ruling party has taken... (Interruptions). Hon. Prime Minister is here; she can tell what money has been taken... (Interruptions). Your party is fattened by that money. What do you say about that... (Interruptions).

SHRI VIKRAM MAHAJAN: Sir, he is casting aspersions; that should be expunged... (Interruptions).

SHRI NAGESHWAR PRASAD SHAHI: Ruling party thrives on foreign money; it receives foreign money... (Interruptions).

SHRI NARSINGH NARAIN PANDEY: When I am putting my supplementary, why are you interrupting? Let it be clarified.... (*Interruptions*).

MR. CHAIRMAN: Nothing will be recorded while I am standing. There is no point having a cross-fire across the House. The question has been asked. Let us hear the answer.

SHRI NAGESHWAR PRASAD SHAHI: The question is about the hon. Member of the Lok Sabha. He is a Member of Lok Sabha.... (*Interruptions*). You cannot castigate him here.... (*Interruptions*).

SHRI J. K. JAIN: Mr. Shahi cannot interfere; you cannot intervene.

MR. CHAIRMAN: Mr. Shahi, he has not named anybody.

SHRI PILOO MODY: Does it require any further description? To say that he was the Minister of Industry; he was the Minister in the Janata Government, is any further description required? (*Interruptions*)

SHRI J. K. JAIN: Do you want the name? I can give you the name if you want.... (*Interruptions*).

MR. CHAIRMAN: I am cutting out the reference. Nothing is being recorded. Please do not record while I am standing. Nobody is in possession of the House when I am standing. If hon. Members choose to fling words at each other, they will have the pleasure of doing so without it being on the record. Now, a question has been asked. There is reference in it to a particular gentleman by description which was more amplified by Mr. Piloo Mody. He, in fact, specified him more perfectly than did the hon. Member. Without referring..

SHRI PILOO MODY: I was only provoked to give the description because you were saying that no gentleman was mentioned....

MR. CHAIRMAN: Name.

SHRI PILOO MODY: You will also recall that in the remarks which Mr. Shahi has made, no name was given either. Yet, you found it expedient to point this out to the House. It is in that connection that I clarified the situation. (*Interruptions*).

SHRI C. P. N. SINGH: Mr. Shahi was pointing out this side and saying 'Prime Minister'. There cannot be two Prime Ministers.

MR. CHAIRMAN: Mr. Piloo Mody, I am glad, you were not a Minister. Otherwise, the description would have been easier.

SHRI PILOO MODY: Except that it would not have fitted either me or you, Sir. (*Interruptions*).

MR. CHAIRMAN: Now that you have exchanged all these bouquets, shall we go on to the work? (*Interruptions*).

SHRI YOGENDRA MAKWANA: Sir, the question refers to the organisations of political nature and not of any individual. The hon. Member has asked about a particular gentleman and the question is regarding the organisations of political nature.

MR. CHAIRMAN: You can ignore it.

SHRI YOGENDRA MAKWANA: It does not arise from this.

MR. CHAIRMAN: It is ruled out. (*Interruptions*) I think, I will exercise some discretion (*Interruptions*).

SHRI MANUBHAI PATEL: Sir, there is some confusion here, in regard to the name of Seva Dal. There is one Rashtriya Seva Dal and Congress Seva Dal in the second list. There are two Congress Seva Dals, the Congress(I) Seva Dal and the Congress(U) Seva Dal. There is some confusion in this. I would like this

to be clarified by the hon. Minister and I would also request the Prime Minister to look into it because the nature of these voluntary organisations were never of a political nature.

MR. CHAIRMAN: I am sure, the Prime Minister will look into it, if necessary. We will now pass on to Question No. 444. (*Interruptions*).

MR. Chakraborty, have you not seen the scene? Were you not in the House? (*Interruptions*) I am sorry for you and I am also sorry for myself. Now, we go to Question No. 444.

Banning of foreign agencies working in Tribal Belts of India

*444. SHRIMATI AMARJIT KAUR:†
SHRI LADLI MOHAN
NIGAM:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government propose to ban all foreign agencies working in the tribal belts in the context of their involvement in the recent unrest in the tribal belts of India;

(b) what is the number of foreign agencies which are working as socio-economic development organisations in the tribal belts of India;

(c) what is the nature of their activity, the name of the country to which they belong, and what is the source of their financial assistance; and

(d) what action Government propose to take to curb the activities of these agencies?

@Previously Starred Question No. 337, transferred from the 12th December, 1980.

†The question was actually asked on the floor of the House by Shrimati Amarjit Kaur.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI YOGENDRA MAKWANA): (a) No, Sir.

(b) and (c) Information is being collected and will be laid on the Table of the House.

(d) Appropriate action will be taken as and when the activities of any such organisation comes to adverse notice.

SHRIMATI AMARJIT KAUR: Sir, is it a fact that foreign intelligence agencies are active in financing and supplying weapons to the Adivasis and instigating them to fight for a separate Jharkhand State comprising parts of West Bengal, Bihar, Orissa and Madhya Pradesh? Is it not a fact that these foreign agencies are also instigating the people in the North-Eastern Region, in Mizoram, Nagaland and so on, to fight for an independent State?

Under the circumstances, what is the Government doing to identify these foreign agents and banish their activities in these sensitive areas?

SHRI YOGENDRA MAKWANA: The hon'ble lady Member is right to a certain extent because certain organisations have been noticed in tribal or as doing these activities. Therefore, the State Government of West Bengal has already asked those organisations not to take up any more activities after the completion of the projects they have undertaken at present.

SHRIMATI AMARJIT KAUR: Is it not a fact that the activists are mainly from the Munda tribe, most of whom are Christians belonging to the GFL Church in West Germany?

SHRI YOGENDRA MAKWANA: Sir, it will not be desirable to give the names. But there are two missionary organisations that have been noticed by the West Bengal Government and they have already issued notices to them.