

[Shri Bhanu Pratap Singh]

never uttered? I have only said that there are certain conditions and certain areas in which big as well as small farmers cannot produce wheat which is within the acceptable limits. The very idea of distinguishing or discriminating between small and big farmers is politically motivated and I do not accept it.

MR. DEPUTY CHAIRMAN: We then close discussion on this. We will take up the next item after lunch.

I adjourn the House till 2.00 P.M.

The House then adjourned for lunch at seven minutes past one of the clock.

The House reassembled after lunch at five minutes past two of the clock. The Vice-Chairman (Shri Arvind Ganesh Kulkarni) in the Chair.

REFERENCE TO RISE IN CINEMA TICKETS RATES IN DELHI

SHRI LAKSHMANA MAHAPATRO (Orissa): Mr. Vice-Chairman, Sir, we are not safe in Delhi. This time, the attack is from the cinema houses. They have raised unilaterally the ticket rates. The hike is 100 per cent in some cases.

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): I am very sorry, Mr. Mahapatro, you have to take your seat. You please take your seat first. You are not allowed to raise anything. The Chair has not written here anything that this point can be raised. Now, we start with the Budget (Goa, Daman and Diu), 1979-80, and the Goa, Daman and Diu Appropriation (Second Vote on Account) Bill, 1979.

SHRI LAKSHMANA MAHAPATRO: Sir, when something serious occurs . . .

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): There are many serious problems in the world and in the country.

I. THE BUDGET (GOA, DAMAN AND DIU), 1979-80—GENERAL DISCUSSION

II. THE GOA, DAMAN AND DIU APPROPRIATION (SECOND VOTE ON ACCOUNT) BILL, 1979.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL): Mr. Vice-Chairman, Sir, with your permission, I beg to move:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the services of a part of the financial year 1979-80, as passed by the Lok Sabha, be taken into consideration."

Sir, the House is well aware that in the month of April 1979, the Assembly was dissolved and the President's rule imposed in this Union territory. The Legislature passed a Vote on Account for two months, i.e., for the months of April and May. And now it is proposed to have a Vote on Account passed for the next five months, i.e., inclusive of the first two months it is up to the end of October 1979. And, we hope, Sir, that by October 1979, the elections will be held and the appropriate Legislature will then have an opportunity of discussing the Budget as a whole and pass the Budget for 1979-80.

So far as the question of holding the elections is concerned, I am sure that this matter is agitating the minds of some of the hon. Members. On this score I can only state at this moment that the Goa Administration has already approached the Election Commission for holding elections in Goa. The Commission are yet to take a decision on the actual dates of the

polling. As a first step for preparing the revised electoral rolls, house to house enumeration is proposed to begin on 27th May, 1979.

So far as the financial allocations or the proposals are concerned, I may be permitted to state that the budget estimates for 1978-79 were approximately Rs. 63 crores, which were raised to Rs. 66 crores in the revised budget estimates. But the budget estimates for 1979-80 are approximately Rs. 73 crores. It is Rs. 10 crores more than the original budget estimates for 1978-79 and Rs. 7 crores more than the revised estimates for 1978-79. The Annual Plan for this Union territory which was Rs. 27.50 crores has been raised this year to Rs. 30 crores. The House will be glad to know that during the Fifth Plan period the total allocation was Rs. 85 crores which has been practically doubled during the Sixth Plan period. It is Rs. 156 crores.

Sir, I do not think that anything more need to be said on this occasion. It is a constitutional obligation on the Government of India to get this Vote on Account passed and so this has been passed by the Lok Sabha and I request the hon. Members to take it into consideration and return this Vote on Account Bill as passed by the Lok Sabha. Thank you, very much.

The question was proposed.

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): We are now taking up the Budget (Goa, Daman and Diu), 1979-80, General Discussion, and the Goa, Daman and Diu Appropriation (Second Vote on Account) Bill, 1979, as passed by the Lok Sabha. Yes, Mr. Dhabe, please.

SHRI S. W. DHABE (Maharashtra):

Mr. Vice-Chairman, Sir, in the case of Goa Budget for 1979-80 and the Appropriation Bill, the Minister has made a statement to the effect that because the elections are going to be expedited, a Vote on Account for five months only is being taken. Sir, it smacks of hypocrisy. Otherwise, there was no need for having a Budget for 1979-80. Not only that, in the whole affair of Goa, the attitude of the Government has been to tamper with democracy and kill it and up till now, they trampled with impunity in the Goa case with the principle for survival of democracy and rights of the elected political parties. Please see at this arbitrary administrative action. Action has been taken by the Government under Section 51 of the Government of Union Territories Act, 1963 and an order was issued on 27th April, 1979. Sir, this Union Territories Act of 1963 under Section 51 gives powers to the President which says: "...On receipt of report from the Administrator of Union Territory or otherwise that...the situation has arrived in which administration of Union Territory cannot be carried on in accordance with the provisions of this Act..." This is not like Article 356 of the Constitution. It is not clear from the the order whether any breach of the provisions of this Act has been committed by the previous Government or the previous Ministry. These provisions specifically limit the powers of the President unlike Article 356 of the Constitution. The provisions of this Act have not been followed. I would like to know from the Minister which provision of the Act has not been followed resulting in the dissolution of the Assembly of elected representatives. It was specifically mentioned that a deputation met the Lt. Governor and 16 members of the Assembly paraded before the Lt. Governor in favour of forming an alterantive Government, out of 30 members. Twice the Speaker of that House had to give casting vote to keep in power the Govern-

: [Shri S. W. Dhabe]

ment of Mrs. Shashikala Kakodkar. When the Government became a minority Government and when the alternative Government was possible to be formed, no reasons have been given by the Government as to why they dissolved the Assembly.

Sir, though they talk of democracy and democratic principles, they have set a very bad precedent in the country. When an alternative Government is possible, they dissolved the Assembly with impunity. It is obvious that this was done to save their Governments in U.P. and Bihar when they had dissidents in their party and they wanted to threaten the Assembly members there that if they behaved like those in Goa, then Assemblies of U.P. and Bihar will be dissolved.

Therefore, Sir, under Section 51 of this Act, what compelled the Government to resort to this action, I would like to know. It is no use saying that *fait accompli* the President's power of dissolution is absolute. We know it. But political impropriety is involved in this matter and also democratic impropriety is involved. I can understand if the alternative Government had been formed and again it was defeated. Then, as you could have rightly said, as a stable Government was not possible, it had to be dissolved. Congress Party was the largest party in the Goa Assembly in opposition and it was their right to have been called upon to form the Government in Goa. Instead of that, they resorted to the most undemocratic and dictatorial action. How are their officers behaving? They are behaving like lords. They were only waiting for the dissolution to take place. In this connection, on 12th May, Chief Secretary, Mr. Agarwal has said in the Press Conference that their officers will go and tour all areas, tehsils, taluks and so on and will assess the political

situation and will report back to the administration about the political situation. Not only that, Sir, He has gone ahead and said that they will behave as our ambassadors, as the ambassadors of the administration and develop contacts. Sir, I would like to quote what he has said:

"Mr. Agarwal said that Government officers on field duty would also be expected to listen to political currents and report back to the Government."

He has also said:

"They will be ambassadors of the administration".

What does it mean? Up till now, we were only hearing that the police and the intelligence departments were sending reports about political activities and about political meetings. Here, every officer is being asked to give political information and report on political events. If the bureaucracy or the Government services are used for political purposes, which was the attack of the Janata Party on the previous Government, what will happen? They are also doing the same thing. I must say, Sir, that this person who has made this statement in the Press Conference does not deserve to be the Chief Secretary of any administration or any territory. He has been condemned by the local leaders also, including the Janata leaders, Mr. Madhavrao Bir. He has issued a statement criticising the Chief Secretary for issuing such a statement. Therefore, I would like to know from the hon. Minister whether any instructions have been issued just to have this farce of elections and impose a Janata Government on Goa, by this method of asking for political reports and indulging in political persecution. This has created grave doubts in the minds of the people of Goa, about the President's Rule and the Janata administration.

Before I go to other points, I would like to say at this stage that in our Constitution and in the Act, Union Territories have been given a second class status. I would like to quote article 239A. This has been quoted when they wanted statehood for Delhi. It says:

"Parliament may by law create for any of the Union Territories of Himachal Pradesh, Manipur, Tripura, Goa, Daman and Diu and Pondicherry—

(a) a body, whether elected or partly nominated and partly elected, to function as a legislature for the Union Territory, or..."

When the Government is considering the question of amending the provisions of the Act and Constitution, I would request Mr. Satish Agarwal to communicate my views to the Government—I would suggest that article 239A requires an amendment. You cannot have a legislature which is partly nominated and partly elected. This has what has happened in Andaman and Nicobar. Elected members were there on the municipal committee. But the members could not elect a Chairman because the Chairman was nominated. Hence, it is high time article 239A is amended. Similarly, Sir, we say that the Union Territories are given equal justice and equal treatment. But this is not the case. Now, article 80 of the Constitution speaks about the composition of the Council of States, namely, this House. This is as per the Fourth Schedule. Manipur, Tripura, Meghalaya, the newly added Sikkim, Delhi, Pondicherry, Mizoram and Arunachal Pradesh, all have representation on the Council of States. Under the First Schedule out of nine Union Territories four have been given representation to the Council of States, but Goa has not been given the representation. I would request the Government through you, Sir, in amending the Constitution it is high time that the Goa Union Territory is

415 RS—3.

given representation on the Council of States.

Then, Sir, regarding Budget, Goa has got two demands. One is about establishment of a University. I thought when the Government was taking up this matter, they would have at least made some provision in the Budget for establishment of a Central University at Goa. Establishment of a Central University at Goa is essential for the purpose of development of not only cultural traditions, but Konkani language. Konkani language is not only popular in Goa, but it is popular throughout the coastal line, but it does not find place in the Eighth Schedule. Therefore, there is a demand that establishment of a Central University at Goa is very essential for development of Goa and their culture.

Similarly, there is a demand for establishment of a High Court for which the Bill is still pending. A very anomalous situation is there. The Judicial Commissioner or the Additional Commissioner sits in the Divisional Bench, and the judgment of the District Judges becomes final if, they differ. Now it is high time that a High Court Bench at Goa is established.

There are few other problems of Goa. About housing the provision in the Budget is only Rs. 50,000. This is a very small amount. A large number of employees and other persons in Goa have no housing facilities. I would request that substantial more provision should be made in the Budget for housing purposes

There is the problem for fishermen and also for other small peasants and farmers. The lands belonging to the small farmers are taken over for mineral purposes but there are no rules for payment of compensation. In the absence of any rules, many farmers are losing pieces of their lands. Sometimes it is said that the Central Government is responsible

[Shri S. W. Dhabe]

and sometimes it is said that the Union Territory is responsible for framing mineral rules. Since the Central Government has now been given the power, I would request the Central Government to frame rules in regard to payment of compensation to small peasants when their land is taken over for mineral purposes.

Lastly, Sir, the problem of fishermen of Goa is well-known. Those who have got trawlers and machine boats, they are monopolising the fishing business and the small and unorganised fishermen are not getting benefit because the area of five kilometre which was reserved for them, has not even been given to them exclusively.

Then, Sir, I must say that for our country's Prime Minister is in the habit of making statements which are not expected of a Prime Minister. He had addressed a public meeting on the 11th May and he is reported to have said that Diu and Daman should be merged with Gujarat State. This is not the first occasion where he has made such a statement. This report has come in the Navhind Times dated 12th May. He has made a similar statement about Pondicherry. He has also made a statement that the Sikkim merger was bad. Now what is the question? When plebiscite was held and Goa, Daman and Diu have opted for an independent unit and not to be merged with Maharashtra or Gujarat and the people decided their fate. Therefore, it is expected of a Prime Minister that whenever he visits a particular area, he should not give any opinion of a controversial manner and create controversies. I also hope this question of equal status of Goa, Daman and Diu would be solved democratically and sympathetically so that the peoples' rights are enlarged.

So, Sir, the question of nomination business under the Central Act must go. Let the Government create an elected body immediately and let the

power be handed over to them. I find nothing new in the budget I was expecting at least the demand for the establishment of Goa University—a dream of many persons—to be fulfilled during this year. With these words, Sir, I conclude. Thank you very much.

SHRI BHUPESH GUPTA (West Bengal): Sir, the first thing I should say in this connection is that Goa should be granted full statehood. That demand has been pending and the Government has shown no interest in considering it. Some other Union Territories have been recognised as full States and granted a Legislative Assembly. Of course, for Goa, it is there also but it should be on the same footing as the Assemblies of other regular States, with Government being responsible to it.

Sir, the concept of a Union Territory is much outmoded now. Whatever was the justification for having this arrangement at the commencement of the Constitution, there is no justification now to perpetuate this thing indefinitely. For example, Pondicherry should be given full statehood. That demand has been made. And in the case of Goa too, I voice the same demand. I expected that my friends who spoke from there would voice this demand. I do support the demand of the people of Goa that they be granted full statehood.

Now, with regard to the present problem, well, Sir, Goa is far away from here. Little do we know what is happening in Goa, except that we are aware that there is a very rich family there. That family, as you all know, has been listed in many income-tax returns and shown as one of the richest families in the country—the Chowgule family, or whatever you call it. This family seems to be controlling Goa's politics at the top. And this family is the pay-master of many politicians there. Much of the problems that arise in the constitutional/administrative sphere are the results of the manipulations and influence of

this particular family—the Chowgule family. I do not know how much money actually they are spending for bribing the politicians and officials. But I am told, quite a substantial amount is budgeted every year by the Chowgule family in order to keep Goa politics and administration under its control, as far as possible. Well, it is for the Janata Party to tell us to what extent they are now beneficiaries of the luxuries and bounties from that rich family. The Congress had benefited in the past. Every ruling party had already benefited. And what they are gaining, I cannot say. But I am sure that when the going is good, they have not forgotten the Chowgule family to tap it for resources, for party funds, and otherwise also.

As far as President's rule is concerned, to begin with, when the comprehensive Constitution (Amendment) Bill came, we objected to the very concept of President's rule. We thought there was no need for President's rule in the event of Government failing, or any Government having no majority. There should be elections immediately, with the existing government functioning as a caretaker government, as happens in England, or as will happen for that matter at the Centre if such a situation came. There is no provision for President's rule at the Centre. Therefore, Sir, we think that we should give up this arrangement of President's rule. This is, by definition, autocratic does not conform to the democratic standards and permits all kinds of manipulations and malpractices depending on who happens to be in power at a given point of time. Therefore, Sir, this is the submission I make right of the beginning. In fact I reiterate the demand... (*Time bell rings*)

Sir, I have just started. In two minutes I can finish this thing. Even three minutes have not passed and you started ringing the bell. Then you can say, "Stop the debate." I can understand that.

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): We have got ten minutes.

SHRI BHUPESH GUPTA: Ten minutes is for them. Why should we accept that?

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): Go ahead. Let us see how far it goes.

SHRI BHUPESH GUPTA: Sir, be a little sensible if not reasonable.

Now, this should be done. What happened there is, the Maharashtra Gomantak Party won the last election with a very slender majority, and the majority faced a very powerful combined opposition, as powerful as it could be in that situation, in that set-up. Then, Sir, even with the support of an MLA from Daman who was made the Speaker, the Maharashtra Gomantak Party did not have a very comfortable majority. In fact, it was always suffering from an uncomfortable majority. At the time of the formation of the Government, it appears Mr. Laad threatened to withdraw support unless he would be included in the Ministry. That is how the trouble started. Then, one Mr. Narvenkar, MLA, also held out similar threats but he was accommodated by offering him Chairmanship of the State Transport Authority. I call this bribery. That's all. Any man with a little sense would call such things as bribery. So, the Maharashtra Gomantak Party somehow or other managed to continue. Then what happened? The corruption of the two MLAs reached beyond limits—the two MLAs being Mr. Narvenkar and Mr. Desai—and when the situation had come to such a pass, the Chief Minister had to intervene to stop—at least to restrict—and curb this corruption to some extent by the two MLAs. That was resented by the MLAs and then, Sir, what happened is that the Opposition—where my friend's party's elements are there—immediately started encouraging the two MLAs. Well, then followed the horsetrading

[Shri Bhupesh Gupta]

and, according to our information, the family of Chowgule or whatever you call it, was annoyed with the Maharashtra Gomantak Party Government because it appears that though the Government was obliging the Chowgule family, it was not prepared to toe the line of that family, all along the line. That was the trouble. Last year when there was a strike in some Chowgule concern, the Maharashtra Gomantak Party Government did not put the police at the disposal of the Chowgule family to suppress the striking workers to the extent they wanted the striking workers to be suppressed. That angered the Chowgule family and so the family now went full steam ahead for toppling that Government. When the Pawar Ministry was formed in Maharashtra, Janata and Congress came together. In Goa also, to topple the earlier Ministry, the Maharashtra Gomantak Party Ministry, Janata and Congress came together and there Chowgule's money and influence helped. He was also very much in the picture. They offered Mr. Laad the Chief Ministership if a Government would be formed with the defectors and that is how the Government was pulled down. Now, Sir, it is a story of shameless defections, money power, corruption and horse trading. There is no question of democracy involved in it. My friend was talking about democracy. Now he is not interested even in hearing it. There was no question of democracy whatsoever involved in the whole business. It was a dirty political trading in which money played an important part, one trying to cutweigh and oust the other in the game of political manoeuvres and corruption. Sir, naturally, looming large behind the scene was, of course, the Chowgule family. That is how it came about. Now, Sir, no one needs shed tears for the fall of one or the discomfiture of the other. Of course, there was a demand for forming a Government and all that, but nothing would have stabilised the situa-

tion. The only thing now to be done, since it has come about already, the President's Rule, is to hold early elections. I did not hear the speech he made. When do they propose to hold elections? Have they announced anything?

SHRI SATISH AGARWAL: I am asking for the Vote on Account for Goa till the end of October, 1979.

SHRI BHUPESH GUPTA: Sir, they seem to have a fancy for October, 1979 because with regard to Pondicherry they said that the elections will be in the end of October; now they say that the Goa elections will also be in the end of October. I cannot see why it should not be possible to hold it earlier. Even the elections in Pondicherry should be held earlier. It is not good to keep the States or even the Union Territories, as they are called, under the President's Rule for a long period. Now, before I sit down, I would like to say something because manipulation is going on so much. Only recently we have seen how the Prime Minister of the country functions. Sir, you have seen in today's papers a drama is going on, a little bit of drama. I will finish with it. I have made the demand for early elections and full Statehood. We were reading in the newspapers that Mrs. Gandhi would be contesting election from Thanjavur and everything had been settled after a lot of vacillation.

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): Are we on Goa or on Thanjavur?

SHRI BHUPESH GUPTA: Not very far, but politics is inter-linked. (Interruptions) You know things better than I do. You know not only the geography of it . . .

श्री नागेश्वर प्रसाद शाही (उत्तरप्रदेश):
वाईस चेयरमैन साहब, कांग्रेस (आई)
बेंच पर कोई नहीं है। क्या भूपेश जी ने
उनको तंजावर का शोक मनाने के लिए
भेज दिया है ?

SHRI BHUPESH GUPTA: Sir, you know not only the geography of it but you know also the politics of it. In fact, you were in the midst of geo-politics in a small way. I read it in the papers. It is like this. She wanted to file nomination, there was the question of her going and not going. I was a little against what was going on. Then ultimately the announcement had been made. Very good. A ticket had been booked, I was told, for her travel to Madras to file the nomination. Then suddenly something happened at the Centre. Here came Mr. M.G.R., the celluloid hero and now the Chief Minister of Tamil Nadu.

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): I could not listen properly whether you mentioned that an astrologer who met Mrs. Gandhi at Patna made her decision to change.

SHRI BHUPESH GUPTA: So he came here. Then he met the Prime Minister. (*Interruptions*) Sir, Chikmagalur was gone. She announced that she would fight from Chikmagalur originally. But that was gone. Then figured into the picture Mr. MGR and the Anna DMK Party, and then ultimately it was announced and suddenly we hear 'No. not going', and in fact the ticket has been cancelled at the airport. Shrimati Vijaya Lakshmi, Member of the other House went to the airport to see Mrs. Gandhi off only to be told that the deal was off then, and the ticket was cancelled there. Shrimati Vijaya Lakshmi was asked, I am told, to return the ticket. The ticket has been cancelled. This is the drama going on.

Then I lately enquired how it happened because we were in the midst of a melodrama. I am told Mr. Morarji Desai . . . (*Interruptions*) You listen. Do not spoil the story. Mr. Morarji Desai had met Mr. MGR. Mr. Morarji Desai is supposed to

have told him he can play a double-role in a film but not in politics and that he should either support Shrimati Indira Gandhi or be with the Janata Party. Mr. MGR is not only the Chief Minister but is a moneyed man and he has his income-tax problems, everybody knows. And income-tax problem is a much-worrying problem. Recently, I am told, he has paid lakhs of rupees towards his incometax arrears. Somebody told him that he would have to explain wherefrom he suddenly got the money to pay for it. Naturally, through Mr. Advani's apparatus, the Government made it known that an enquiry would be made about the source of money which he has paid towards income-tax and how he got the money to pay for it. Well, Sir, I am told, Mr. MGR went to Mr. Kamalapati Tripathi's house.

Nobody is there on the Congress (I) benches. They are utterly demoralised. (*Interruptions*).

SHRI L. R. NAIK (Karnataka): I am here.

SHRI BHUPESH GUPTA: He went to Mr. Kamalapati Tripathi's House to tell him that he cannot guarantee Mrs. Indira Gandhi's victory and that it was not possible to guarantee it. But everybody knew that the deal had been clinched when Mr. Morarji Desai met Mr. MGR. Mrs. Indira Gandhi lost. Not that she lost that election. The nomination fell through as a result of the meeting between Mr. MGR and Mr. Morarji Desai. (*Time bell rings*) Now, Sir, since you have rung the bell, this is . . .

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): There must be an end to the drama also.

SHRI BHUPESH GUPTA: I would like to say that Mr. Advani can render an entertaining service to the nation if he arranges telecasting when such VIPs meet such other

[Shri Bhupesh Gupta]

VIPs in the South Block and the North Block. Such meetings must be very interesting, much more interesting than the films in which Mr. MGR appears or Mr. Morarji Desai may think of appearing in the films. But they are producing a drama. What do you think of it. This is a drama going on. This should be filmed. I think this will be of international value. We can earn some foreign exchange also apart from entertaining ourselves. The whole thing has gone. Where will Mr. MGR go? Where will Mrs. Indira Gandhi go? She has not gone to Madras, it is quite clear. Still she may change her mind, I do not know. But Mr. MGR is in a tight corner because of his financial problems. Who ever is in power, whether it is Shrimati Indira Gandhi or Mr. Morarji Desai, the traffic is one way. Now they will control it as you see. Now they are in power, we hear the name of one son before we hear of another son.

SHRI MANUBHAI PATEL (Gujarat): Do all these things come under Goa?

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): Mr. Bhupesh Gupta, I will call Mr. Adisesiah.

SHRI BHUPESH GUPTA: Goa is not there. But this kind of politics should end. Now, if you have President's rule and if you don't conduct your entire politics in a proper manner, if you don't run your administration properly, then there is a mix-up of partisan considerations and the Constitution, the requirements of party and of the Constitution, all get mixed up. Normally there should not be any meeting, on the question of a particular bye-election or nomination, between the Prime Minister and the leader of another party like that. But here it has happened. It has happened in the past. It is happening now. This is how we run our affairs. Sir, we are scandalising ourselves. Of course, Mrs. Indira Gandhi's charisma has gone down very much. But

then the image of parliamentary institutions is also going down. It is not a question of how a Chief Minister or a Prime Minister or an ex-Prime Minister behaves. We have certain basic interests to preserve and protect. We have a certain image of certain institutions to be upheld and retained untarnished. And there we are failing. That is why I gave you a story. You must be knowing it. It is quite an interesting story.

THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI): Dr. Adisesiah, please. At least you should co-operate with me. Ten minutes.

DR. MALCOLM S. ADISESHIAH (Nominated): Sir, I rise to support the Minister's motion to take into consideration the Goa, Daman and Diu Appropriation Bill. I have five questions which I want to put to the Minister for clarification.

The first one he need not answer because I have already put it to him when he moved the previous Appropriation Bill, and that is—we have the same format for the Consolidated Fund of the Union Territory—about the unifying distinction between the "voted" column and the "charged" column. And the plea that I made to him previously that this whole procedure of the Consolidated Fund has to be reviewed, I repeat again.

My second question is: did the Lok Sabha, in passing the Second Vote on Account, also pass the estimates of revenue and disbursement that you submitted for the year? That is, did the Lok Sabha also pass for the year the budget estimates that you submitted along with this demand for the Second Vote on Account—the estimates as set forth in the Annual Financial Statement?

Now, looking at the total demand, Mr. Vice-Chairman there are two figures. The Minister mentioned the total demand for the year as Rs. 73.4

crores. However, on the last page of the Second Vote on Account document, the total demand is given as Rs. 88.14 crores. I would just ask the Minister to explain why these two different figures have been mentioned, because he and all the other documents speak of the total demand as being Rs. 73.4 crores, whereas this document speaks of Rs. 88.14 crores.

My third question is with regard to the statement made in the Second Vote on Account document, "Expenditure of the Union Territory." There in the note on page 3, at the end of the third paragraph, it says:

"The Vote on Account is not intended to be used for expenditure on 'new service'."

Now this may be a bureaucratic term which I do not understand. Does this mean that there will be no new activities? The Lok Sabha has endorsed, and we will also be endorsing, Plan expenditure for the first seven months. Now, the Plan expenditure involves new activities, new services. I just want to ask what this sentence means, that the Vote on Account is not intended to be used for expenditure on "new service".

The third question which I want to ask which he may not be able to answer now, is with regard to Plan expenditure on Education. I notice that a sum of Rs. 2 crores is proposed to be spent under Plan expenditure for Education, out of a total of Rs. 10 crores.

I would say this is about five times the amount of relationship between Plan and non-Plan expenditure to be found in any Budget, State or Central, on education. I do not know why this large plan expenditure is included here. Finally, I conclude by pointing out that the increased revenue for the coming year is about Rs. 3 crores, 50 per cent of which comes from three sources: power—Rs. 50 lakhs, forests—Rs. 43 lakhs, alcohol, liquor licences—Rs. 40 lakhs. In other words 50 per cent of the increased revenue comes from these

three sources which should be taken into account in relation to the existing and future fiscal and state policies.

SHRI ARVIND GANESH KULKARNI (Maharashtra): Thank you very much, and I crave the indulgence of Mr. Bagaitkar, because I have to leave at 3 O'clock and I do not need much time. On the Budget I do not wish to say much because this is a routine matter. I only want to highlight one or two things. Apart from what Mr. Bhupesh Gupta and my colleague, Mr. Dhabe, suggested, it seems to me there is an entire political game going on in Goa. The problem with this Janata Government is they are thinking of having a deal with Mrs. Kakodkar, as Mr. Gupta also rightly pointed out (*Interruptions*) I do not mind whether they are rich or poor. The problem is Goa has opted out for freedom. Diu and Daman cannot be merged into Gujarat because a referendum has taken place there which has demanded a separate state for Goa along with Diu and Daman.

The second point is I warn this Government if in this nefarious scheme they are going to bring in the question of Belgaum. If they are thinking in terms of bringing about a sea State or what they call a *saagri* State, that will not do. I only warn this Government that any act or any scheme of bringing Goa, Karwar and Belgaum along with other sea coast areas into one State, will not work. Then I know there are some border problems between Karnataka and Maharashtra. That will take its own course. The Government has called a meeting of the two Chief Ministers. I have got nothing to say on that except that I wish them well.

My last point is this. Mr. Bhupesh Gupta also made some observations about Thanjavur election and Mrs. Indira Gandhi's withdrawal. Whatever it may be, you know, MGR is also a notorious income-tax dodger. I am very sorry to say this and it may be embarrassing to you, because

[Shri Arvind Ganesh Kulkarni]

your party and AIADMK are carrying on some kind of a tussle. He is a notorious tax dodger, and I think the news has spread that he is being pressurised. I do not think he is like that. But nowadays many leaders of the political parties are in the hands of astrologers. That is my difficulty. The news has come out that in Patna Mrs. Indira Gandhi was closeted with an astrologer. (Interruptions) what I say is if astrologers are going to play in politics, then, I think, the dooms' day has come for India, whether Mrs. Indira Gandhi chooses to fight the election or not. Already her party is disintegrating, and Sanjay is doing the best job of destroying Congress and his own mother.

SHRI NAGESHWAR PRASAD SHAHI: Dooms' day for Mrs. Indira Gandhi and not for India.

श्री सदाशिव बागाईतकर (महाराष्ट्र) :
उपसभाध्यक्ष महोदय, मैं आपका बहुत आभारी हूँ कि आपने मुझे गोवा, दमन और दीव के बजट के बारे में अपने राय देने का मौका दिया। मैं दो तीन बातें सदन के सामने रखना चाहता हूँ। पहली बात तो यह है कि जिस ढंग से गोवा में राष्ट्रपति शासन लागू किया गया है उससे मैं कतई सहमत नहीं हो सकता हूँ। मुझे इसका कारण नजर नहीं आता है कि जब लोग गोवा में अपना बहुमत सिद्ध करने के लिए तैयार थे उनको मौका क्यों नहीं दिया गया है? इस बारे में सरकार की तरफ से कोई स्पष्टीकरण सामने नहीं आया है। इस संबंध में जो कारण बताये गये हैं, मैं समझता हूँ कि वे ठीक नहीं हैं और जो लोग अलग से अपनी मेजोरिटी सिद्ध करने के लिये तैयार थे और ऐसेम्बली के सामने अपना बहुमत सिद्ध करने के लिए तैयार थे उनको मौका दिया जाना चाहिए था। लेकिन आपने ऐसा करना उचित नहीं समझा और वहाँ पर राष्ट्रपति शासन लागू कर दिया। राष्ट्रपति शासन लागू करने के बाद कम से कम एक चीज सरकार को करनी चाहिए थी और वह यह थी कि आखिरकार आप जानते

हैं कि गोवा बहुत दूर का इलाका है और गोवा में जो समस्याएँ हैं उनको नौकरशाही के भरोसे छोड़ना ठीक नहीं है। इस संबंध में यह मांग की गई है कि पार्लियामेंट के सदस्यों का एक मंडल या सलाहकार कमेटी बनाई जाय जो प्रशासन को समय-समय पर सलाह दे। मैं समझता हूँ कि यह मांग उचित है क्योंकि अगर ऐसा नहीं किया गया तो वहाँ के जो मसले हैं और जिनको तुरन्त सुलझाया जाना चाहिए उनके बारे में कोई फैसला लेने में कठिनाई पैदा हो जाएगा।

श्रीमन्, गोवा के अन्दर दो तीन मामले ऐसे हैं जिन्होंने वहाँ पर पिछले कुछ महीनों से हलचल पैदा कर रखी है। इन मामलों में से एक मामला वहाँ के मछुवों के बारे में है। वहाँ पर ये लोग काफी गरीब हैं और परम्परागत ढंग से अपना मछली पकड़ने का काम करते हैं। उनके सामने पिछले कुछ महीनों से एक दिक्कत आ रही है और वह दिक्कत इसलिए आ रही है कि वहाँ पर जो बड़ी ट्रोलर्स हैं उन्होंने मछली पकड़ने का काम शुरू कर दिया है। गोवा की राजनीति में और गोवा के व्यापार में डेम्पो सालगांवकर और चौगले का नाम बहुत जुड़ा हुआ है। ये वहाँ पर बड़ी शार्क हैं जो सभी क्षेत्रों में काम करते हैं। इन बिग शार्क के कारण गोवा में जो छोटे-छोटे मछुवे हैं और जो परम्परागत ढंग से मछली पकड़ने का काम करते हैं उनको बहुत तकलीफ उठानी पड़ रही है और ये बिग शार्क उनको नष्ट करने पर तुले हुए हैं। इसी मामले को लेकर मछुवों का एक बहुत बड़ा आन्दोलन गोवा में चला। उन्होंने सरकार से मांग की थी कि 15 मील तक का एरिया उनके लिए रिजर्व कर दिया जाय और जो ट्रोलर्स वहाँ पर मछली पकड़ने का काम करते हैं उनको 15 मील के बाहर काम करने की इजाजत दी जाय। लेकिन सरकार ने फैसला किया कि इन मछुवों को सिर्फ 5 किलोमीटर तक के एरिया में ही काम करने की इजाजत दी जाय। इसका नतीजा यह हुआ कि इन मछुवों को केवल 5 किलो मीटर तक के एरिया में ही

मछली पकड़ने दिया जा रहा है। इस समय वहां पर मछड़ों मछुवे मछली पकड़ने का काम करते हैं और इतनी बड़ी संख्या में ये लोग इस सीमित क्षेत्र में किस प्रकार से अपना काम चला सकते हैं। इसकी तरफ सरकार को ध्यान देना चाहिए और इस संबंध में कोई कदम उठाना चाहिए।

दूसरा वहां पर जो सवाल उठ खड़ा हुआ है वह लैण्ड रिफार्म का है। वहां पर जो लैण्ड रिफार्म का कानून बना हुआ है उसके संबंध में मामला सुप्रीम कोर्ट में चल रहा है। इस वक्त वहां पर राष्ट्रपति शासन लागू है। इसलिए कम से कम इस वक्त तो केन्द्रीय सरकार लैण्ड रिफार्म के काम को नौवीं शैड्यूल में ला सकती है ताकि जो कोर्टबाजी चल रही है वह समाप्त हो सके और जो छोटे काश्तकार हैं उनको राहत मिल सके। गोवा में राष्ट्रपति शासन कितने दिन रहेगा, यह निश्चित रूप से नहीं कहा जा सकता है। आपने कहा है कि अक्टूबर में चुनाव होंगे, लेकिन इस संबंध में मुश्किलें भी आ सकती हैं। आपने वहां का बजट यहां पर पेश किया है। मैं चाहूंगा कि वहां के प्रशासन को सिर्फ नौकरशही के भरोसे न छोड़ा जाय। मेरा सरकार से निवेदन है कि जब आपने वहां पर राष्ट्रपति शासन लागू करने का फैसला ले लिया है तो आप प्रशासन को सलाह देने के लिए पालिया-मेन्ट के सदस्यों की और अन्य लोगों की एक सलाहकार कमेटी शीघ्र कठित करें जो सरकार को विभिन्न मामलों पर अपनी सलाह दे सके।

इसके अलावा मैं यह बात भी कहना चाहता हूं कि कुछ दिन पहले प्रधान मंत्री जी ने यह राय जाहिर की थी कि दमन और दीव को गुजरात के साथ मिलाया जा सकता है। यह प्रधान मंत्री जी की व्यक्तिगत राय हो सकती है। पांडिचेरी के बारे में भी उन्होंने इस प्रकार की राय व्यक्त की थी, लेकिन वह

बात भी नौ-बाल हो गई। मैं चाहता हूं कि इस संबंध में सरकार को एक निश्चित नीति निर्धारित करके बात करनी चाहिए और अच्छा यही रहेगा कि ऐसी थोड़ी-सी बातें कह कर स्थिति को अस्थिर न बनाया जाय। दीव और दमन के बारे में कहा गया कि उसको गुजरात के साथ मिलाया जा सकता है।

3. P.M.

तो यह भी हो सकता है कि फिर गोवा को महाराष्ट्र के साथ या किसी और राज्य के साथ मिलाने की बात क्यों न हो, इसके बारे में किसी मुकम्मल फैसले की बात सरकार करे तो वह समझ में आ सकता है। बिना फैसला लिये इस तरह की ओपीनियन और प्रधान मंत्री जैसे व्यक्ति दें तो इससे जो नाजायज लाभ उठाने वाले लोग हैं वे इसका लाभ उठावेंगे और इससे अमन को भी खतरा पैदा हो सकता है। इसलिये मैं यह चाहूंगा कि गोवा, दमन और दीव के बारे में जो सरकार का सोच है और अगर यह सोच यह है कि इसका फैसला अब हो गया है और उसमें कोई बदलाव, कोई परिवर्तन होने की गुंजाइश नहीं है तो इस चीज को कायम रखा जाय। सरकार को इस बारे में जो नीति बनानी है तो इसमें खाली गोवा, दमन और दीव का सवाल नहीं आयेगा, जो दूसरे इलाके पांडिचेरी, माहे और करेकाल है, उनके बारे में भी फैसला लेना होगा। इन सब के लिये साथ साथ फैसला लेकर नीति बनाकर निर्णय लें। इससे कोई अमन के लिये खतरा नहीं हो सकता। आप बड़ी समझबूझ के साथ इसको कर सकते हैं। इसलिये मेरे दो सूझाव हैं, मैं चाहूंगा कि सरकार उन पर विचार करे। पहला यह कि गोवा में सलाहकार समिति जरूर नियुक्त कराइये और दूसरा जो गोवा के मछुवों का सवाल है, जो काश्तकारों का सवाल है उसको राष्ट्रपति शासन के दरम्यान ही आपको इलाज दटना चाहिए। मेकाथर के जमाने में जो वहां शुरू हुआ था उसका कुछ तो लाभ वहां हुआ। इसलिये गोवा में राष्ट्रपति शासन में कम से कम इतना तो हो जाय कि वहां के काश्तकारों के सवाल का

[श्री सदाशिव बागाईतकर]

हल करने के लिये कुछ पड़ल हो, आप उससे कुछ मदद करिये यही मेरा आपसे नम्र निवेदन है और इतना कहकर मैं अपनी बात को समाप्त करता हूँ ।

SHRI MANUBHAI PATEL: Sir, the Central Government has come out with a Budget for Goa, Daman and Diu, so that all the good activities and benefits reach these parts.

Now, Sir, two problems are linked up with this Budget. It is not only the allotment of funds that help them but it is also the administration. And for administration a unit must be a contiguous and compact one. But Goa is at one place, Diu at the end of Saurashtra and Daman in one corner in Gujarat. So it is all scattered. So the administration becomes difficult and all the benefits, with whatever good intentions the Government may act, will not reach the people, and as a result the conditions of the people do not improve with such great speed. So the only solution, as my good friend, Mr. Bagaitkar, has suggested is to merge these small pockets into a contiguous area. I would urge upon the Government to consider this. Daman and Diu should be merged into Gujarat, so that the benefits reach the people. Not only that. Since these separate pockets are there, their administration is such that they have become the points of smuggling; all sorts of smuggling through these points takes place.

SHRI S. W. DHABE: What about Goa?

SHRI MANUBHAI PATEL: You will kindly say something about that. Goa is a contiguous part of Maharashtra. I am of the definite opinion that Daman Diu should be merged into Gujarat, so that all the good schemes and benefits reach the people.

[MR. DEPUTY CHAIRMAN in the Chair].

Another thing, Sir: The people who reside in Diu and Daman are mostly poor people or backward people. They come from the same stock. They speak the same language of the area where they are situated. So, with these words—I am definitely of the opinion—I request and urge upon the Government to take an early decision to merge Diu and Daman into Gujarat so that they can merge along with other people on the way to progress.

Thank you Sir.

श्री नागेश्वर प्रसाद शाही : श्रीमन्, मैंने आपके प्रेडीसेसर से परमीशन ली थी, उसके अनुसार मैं एक मिनट का समय लूंगा । मैं एक ही बात कहना चाहता हूँ । श्रीमन्, कुछ मित्रों ने कहा कि इनको अभी भी अलग रखा जाय । मैं बहुत नम्रता से कहना चाहता हूँ कि हमारे यहां एक-एक डिवीजन ऐसे हैं जिनकी आबादी डेढ़ करोड़ है । डेढ़ करोड़ का एक जिला उत्तर प्रदेश का और एक लाख से भी कम का एक सूबा, यह चलने वाला नहीं है । इतना खर्चीला इन्तजाम है जो कत्तई चलने नहीं देना चाहिए । इसलिए जितनी जल्दी हो सके उतनी जल्दी देश के हित में है कि पांडिचेरी, गोआ, दमन, दीव और माहे यह छोटे-छोटे पाकेट्स जो हैं वे पाम के सूबो में मर्ज कर दिए जाएं ।

दूसरी बात यह है कि दो तीन दिनों से अखबारों में आ रहा है और लोगों के जरिये पता चल रहा है कि काश्मीर यूनिवर्सिटी में जबरदस्ती कुछ लोग जो पाकिस्तान से इम्पायर्ड हैं वहां के विश्वविद्यालय की लाइब्रेरी का भुट्टो लाइब्रेरी नाम रख रहे हैं और वहां भुट्टो की बड़ी भारी तस्वीर लगा रहे हैं । यह भी जानकारी आई है . .

श्री उपसभापति : आप बिल पर ही बोलते तो ज्यादा ठीक था ।

श्री नागेश्वर प्रसाद शाही : अलीगढ़ के बारे में अखबारों में आया है कि कुछ

होस्टल में जिन्ना साहब की फोटो लगाई गई है। यह टैंडेंसी बड़ी घातक है। क्योंकि एक आदमी जिसने देश का डिविजन कराया, दूसरा आदमी जिसने देश पर तीन-तीन बार हमला कराया ऐसे लोगों के देश के अन्दर स्टेट्यू लगाए जाएंगे, फोटो लगाए जाएंगे तो अग्नि चल कर इसका क्या नतीजा होगा? यह बड़ा खतरनाक होगा। इसलिए मैं यहाँ जो सरकार के दो-तीन मंत्रिगण बैठे हुए हैं उनके द्वारा सरकार का ध्यान आकर्षित करता हूँ। ऐसे एलीमेंट्स जो पाकिस्तान में इन्स्पिरेशन पा कर के यहाँ के इस तरह की भावनाएँ फैलाते हैं उनका सक्ती से दमन होना चाहिये। धन्यवाद।

SHRI SATISH AGARWAL: Mr. Deputy Chairman, Sir, I am very thankful to the hon. Members who have participated in this debate for consideration of my Motion. The majority of the points that have been raised here do not directly relate to the proposals under consideration. The majority part of the speeches made over here have the political content and I am sure you will realise my difficulty in not being able to reply to those points. I am really very much astonished and surprised to hear the observations of my esteemed friend, Mr. Dhabe, when he charged the Government of hypocrisy for bringing forward the whole year's Budget for consideration before the House in view of the commitment of the Government to hold elections by October end. As you are aware, if an Vote on Account is to be passed by the House, then naturally an estimate of the total receipts and expenditure for the whole year or the year's Budget has to be presented. But in this case, the Budget proposals for the whole year have not been passed. Only a Vote on Account has been taken. But to have a Vote on Account, we have to present the total picture of the whole year. So, it is not a question of hypocrisy. I do not

know how a man like Mr. Dhabe who is so intelligent and brilliant could make a remark on that score. A controversy has also been raised and a statement made that the President's rule should not have been imposed in Goa and an alternative Government should have been installed in Goa. Sir, the House is well aware that the total strength of the Assembly is 30 and one Member has no voting right. So, effectively 15 Members were with the ruling party and 14 members were with the opposition. Then there were 17 and 12. There were 9 Congress members and 3 Janata members. There were 17 members with the ruling party. Three defected to the other side. So, they became 15 and 14. The Government was defeated. It was a question of 15 and 14. The people who wanted to form the Government in Goa consisted of 3 persons who had defected to the opposition side. Sir, the House will appreciate that it would not have been advisable to form the Government with these 3 defectors because the Government of India would have been charged with encouraging defection. If the Government had allowed the Government to be formed, then the same people would have charged the Government and said that they were encouraging defection. Therefore, it would not have been advisable that the Government be formed by these 3 people who are defectors. Also such a Government would not have been stable. So, a right decision to impose the President's rule and to dissolve the Assembly was taken. Sir, so far as the other suggestions made by the hon. Members on the floor of the House are concerned, with regard to amendment of certain provisions of the Constitution, I would only say that whatever suggestions are there, I would forward them to the Home Ministry for their consideration, whether it be a case of the formation of an advisory committee or the question of amendment of article 239A or any other provision in this behalf.

Sir, so far as the points raised by my hon. friend, Dr. Adishesiah, are

[Shri Satish Agarwal]

concerned—he has raised five points—with regard to the question of voted and charged columns, we would look into it and so, no detailed reply is required at the moment. And neither he expects it. So far as his second point whether the entire Demands for the whole year have been passed by the Lok Sabha is concerned, I may inform him through you, Sir, that the total Demands for the whole year have not been passed by Lok Sabha. The Lok Sabha has passed two Demands only for 5 months, and the Appropriation (Vote on Account) Bill that is now under consideration before this House is inclusive of those two months which have already been passed by the Goa Assembly. So, this is for 7 months. But the Demands as such have been passed only for 5 months. So far as the question of the difference of Rs. 73 crores and Rs. 88 crores is concerned, I would like to inform the hon. Member that so far as the figure of Rs. 73.41 crores for 1979 is concerned, it is a net figure, after adjusting certain recoveries. But the figure of Rs. 88.15 crores, quoted by the hon. Member, is for the gross amount of the Demands for Grants. This is given like that. So far as that figure is concerned, that is the gross figure and this is the net figure. This is the accepted practice here in the Budget also. Whenever we show the figures, sometimes the gross figures and sometimes the net figures are given. There is no discrepancy that way.

Now, Sir, the hon. Member, Dr. Adisesiah, raised one more point with regard to the new services under this Vote on Account. So far as my understanding goes, in a Vote on Account, provision for new schemes or new activities is not included. Provision is made only for the schemes or activities which have already been approved of by the Parliament or the Legislature and which are continuing because the Legislature and the Parliament should have an occasion to

discuss them in detail, then approve of them, and then the expenditure can be incurred out of the Consolidated Fund of India. And that is why this has been mentioned in the Vote on Account.

DR. MALCOLM S. ADISESHIAH: There will be no Plan expenditure. Is that the meaning of what you say?

SHRI SATISH AGARWAL: So far as the Plan expenditure is concerned, this is already on the on-going projects, approved projects. They are continuing ones. So, expenditure will be there. Expenditure will be incurred. But no new services, no new items, no new activities will be taken up during this period unless the Assembly had an opportunity of discussing all that.

Now, Sir, with regard to the housing and the fishermen's problems...

SHRI S. W. DHABE: Only Rs. 50,000 are provided for housing.

SHRI SATISH AGARWAL: How much has been provided?

SHRI S. W. DHABE: Only Rs. 50,000.

SHRI SATISH AGARWAL: I don't think so. I would just let you know. So far as the problem of the fishermen is concerned, I have been told that a 5 KM zone has been clearly demarcated, and a patrolling machinery has been standing and two more patrol boats are going to be procured. So, all possible measures are being taken to protect the rights of the small fishermen.

Sir, so far as the question of the Konkani language is concerned, all out efforts will be made to develop this language.

Sir, with regard to housing, I may say for the information of the hon. Members that the provision for housing and urban development during the last year was only Rs. 75 lakhs.

And this year, it has been stepped up to Rs. 135 lakhs. Similarly, under the slum clearance scheme, 192 tenements have been constructed, and more land is being acquired. Apart from this, 100 tenements under the LIG scheme are being constructed. And also a subsidised industrial housing scheme has already been taken up at Corlim and Margao. So, Sir, I do not know from where the hon. Member got that particular figure. So far as my information goes, that is the position.

SHRI S. W. DHABE: The figure has been taken from page 14 of the Explanatory Memorandum on the Budget of the Government of the Union Territory of Goa, Daman and Diu for 1979-80. Under Social and Community Services, housing has been provided with Rs. 50 thousand.

SHRI SATISH AGARWAL: Sir, I have given you the figure for the last year. The provision for housing during last year was Rs. 75 lakhs. It cannot be Rs. 50 thousand this year. You could rest assured on that. There might be some misunderstanding. In this particular case some points...

SHRIMATI MARGARET ALVA (Karnataka): There might be a printing error.

SHRI SATISH AGARWAL: I do not think there is any printing error. There was one error, which was got corrected in the Lok Sabha itself. So far as I think, there is no printing error. Even then we will check it up.

So far as the contention of my learned friend, Mr. Bagaitkar, is concerned, regarding the manner in which the President's rule has been imposed, I have already made my submissions before this House and I am sure there was no other alternative but under the circumstances, to impose the President's rule and save this territory from an instable Government.

Now, so far as the question of land reforms is concerned, I will forward the suggestions made by the hon. Members to the Home Ministry. So far as the question of the formation of an advisory committee is concerned, that too will be forwarded.

So far as the question raised by Mr. Dhabe with regard to surveillance and the press conference held by the Chief Secretary for some political activities is concerned, this question was raised in the Lok Sabha also and for the information of the hon. Member I may tell him that I have already written a letter to the Minister of State for Home Affairs, Mr. Dhanik Lal Mandal, drawing his attention to this allocation levelled on the floor of the Lok Sabha also, wherein a reference was made to some press conference being held by the Chief Secretary and for certain activities being undertaken which, according to the Member were objectionable. I have drawn the attention of the hon. Minister of State for Home Affairs and it is up to him to take appropriate measures in this behalf.

So far as the question of merger is concerned, Mr. Bagaitkar has demanded the merger of Goa with Maharashtra. Members from Gujarat have demanded the merger of a part of Goa territory with Gujarat. It seems to them that Goa, Daman and Diu is something like an article to be distributed here and there and the Government of India has to take some considered view about it. It cannot be divided like that. It is not in the divisible pool that way. It is not a corporation tax or surcharge on income-tax, which should be divided that way. So, Sir, I would most respectfully submit that they have expressed their opinions that way. (Interruptions)

SHRI SADASIV BAGAITKAR: Sir, he has completely misunderstood my point. The Prime Minister made a statement some time back that Goa, Daman and Diu should go to Gujarat.

[Shri Sadasiv Bagaithar]

I said, unless the Government comes out with a well thought out policy, making such observations creates confusion and it is not advisable. We have seen what happened in Pondicherry though it was called no ball. No ball, is all right but it costs life. My submission is that unless the Government comes out with a well-thought out policy it is no use making such pronouncements. (Interruptions).

SHRI MANUBHAI PATEL: Sir, I also did not say that Goa should merge with Gujarat. I only referred to Daman and Diu which are geographically a part of Gujarat itself. Their separation makes the administration of the area difficult and also makes the progress of the people difficult.

SHRI L. R. NAIK: Sir, the hon. Minister says that Goa, Daman and Diu cannot be put in the divisible pool. Some hon. Members have demanded that Goa should have a separate statehood. Could he kindly throw some light on it?

SHRI SATISH AGARWAL: I will definitely convey the sentiments of the House to the hon. Home Minister on this subject.

Sir, with these words and once again thanking the hon. Members who have participated in the debate and who have given some constructive suggestions, I say that they will be looked into and borne in mind, I commend this Bill for consideration.

MR. DEPUTY CHAIRMAN. Now I will put the motion.

The question is:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the services of a part of the financial year 1979-80, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN. We shall now take up clause by clause consideration of the Bill.

Clauses 2 and 3 and the Schedule were added to the Bill.

Clause 1, the Enacting Formula of the Title were added to the Bill.

SHRI SATISH AGARWAL: Sir, move:

"That the Bill be returned."

The question was proposed.

SHRIMATI MARGARET ALVA
Mr. Deputy Chairman, Sir, I am sorry my name was called earlier but I was asked to speak later at the third reading stage. I thought of a few points which have not been raised and I wanted to raise them. And I would like to mention them now. One is the question—that has been raised just now—of the merger of Goa. I would like to say that the statements that have been made on different occasions, have created a lot of confusion on different fronts. I was surprised when somebody spoke from Maharashtra and somebody spoke from Gujarat demanding its merger. But I coming from the neighbouring State of Karnataka would demand—and one who speaks Konkani too, that Goa be given independent Statehood and that it should be allowed to continue as an independent entity, because as we know, at the time of the opinion poll in Goa which was taken soon after Goa was liberated, the people very clearly expressed themselves in favour of maintaining their separate identity and against their merger with any other State. And I think today to speak in terms of even taking away part of the Union Territory and getting it attached to other States, would be a betrayal of the faith of the people of Goa and their independent culture. And as far as Konkani is concerned, it has now been

recognised as an independent language and I feel that the Government should give every encouragement to the development of the language for its being taught in their schools and even otherwise every other encouragement possible should be given.

There was one thing more which came up, and that is the question of the dismissal of the Government itself. Of course, the Minister has tried to justify it. But I have raised this question in Parliament even before the Union Government imposed President's Rule in Goa. The Prime Minister made a statement that he did not want defectors to form a Government. I would like to know, what happened in Maharashtra when he allowed a Chief Minister to form a Government? Did he allow a Government to be formed without defectors and without floor-crossing and without permutations and combinations? How is it that he allowed defectors to form a Government in Maharashtra at one time and yet applied a different rule in the case of Goa? Is it because it did not suit them? This is so also in the north-eastern States. At different times they have adopted different yardsticks to suit their own convenience. I would, therefore, say that the dissolution of the Assembly and the imposition of President's Rule in Goa were a betrayal of the democratic principles. If you had the feeling that the Government was going to be unstable, you could have called the Assembly, had a vote of confidence and if they were to be voted out because of this type of floor crossing, they would have been voted out within a week. But you never did it. On the other hand, the Chief Minister—of course, I should not criticise a woman; she was the only woman Chief Minister (Interruptions). Let me speak please. She was the only woman Chief Minister and we are proud of that. But the way she behaved after they lost in the House (Interruptions) the majority, does not credit to her

at all. I believe that she should have accepted the verdict of the House and immediately tendered her resignation. Instead of that, she air-dashes to Delhi and she comes here canvassing support for another verdict to be given after she had lost the vote, and the Central Government gives her so much consideration that her view prevails even over the report of the Governor which said that the other side was in a position to form a Government in Goa. This was the report of the Governor. In spite of it, her opinion seems to prevail and I am glad that the Prime Minister is at least beginning to respond, perhaps, to the opinions of some women somewhere. But this was the result. Instead of allowing some people to form a Government, who had the support of the Janata Party Members also, they imposed President's Rule.

Now, about the administration in Goa, there are two or three points which are significant. One is that the Shah Commission had referred certain cases to the Government of Goa on Emergency excesses. Now, I would like to know: What follow-up action has been taken because some of these excesses, which have been considered excesses by the Shah Commission, have been sent to Goa, and these have been sent to the Chief Secretary who had been made the officer in charge of the investigation? Let me remind the Union Government that all these orders had been passed under the seal and signature of the Chief Secretary during the period of Emergency and all the detentions have been carried on under his signature and, today, you send a report to the same person, who continues to be the Chief Secretary, to investigate these charges and to take follow-up action, when he was in charge of the administration carrying out orders and seeing that orders, wherever they came from, were passed on. How do you expect any investigation to be carried on in Goa, when the Chief Secretary

[Shriati Margaret Alva.]

who passed the orders is today made the authority in charge of the investigation in the Union Territory of Goa? There have been memoranda submitted to the Central Government. This has been pointed out. A delegation came and met the Prime Minister personally and gave a memorandum of charges of corruption and other things against the Chief Minister. But somehow, there seems to be a liaison between her and the Central Government with the result these memoranda have been filed, no investigation, no enquiry no commissions, nothing and she has been allowed to have her way even after she lost her majority in the House. These are the double standards you apply. When you think it suits you, you have one standard. Whereas, for others, for little things, you have big commissions, publicity and so on. Mr. Advani's radio goes on the air. So many things are said to malign them and to defame some political people. But in this case, everything is fair, perhaps, because, she is a woman.

SHRI K. K. MADHAVAN (Kerala): Mrs. Alva, for your information, I would like to tell you that there is a proverb in Malayalam which says 'Two heads may agree, but not two women'

SHRIMATI MARGARET ALVA: Then, there is the question of a Bench for Goa. There had been a big controversy about it. It had been said that one of the neighbouring States should provide the High Court Bench for Goa because it has no High Court. But somehow the other opinion has prevailed. Maharashtra has been given this distinction with the result that a Bench of the High Court of Maharashtra today serves as the High Court for Goa. I do not see why this should have been done in view of the fact that there has been criticism from time to time that Maharashtra has its eyes on Goa. Even in regard to the University, the links are again with Maha-

rashtra. I feel this should gradually be broken and efforts should be made to give Goa an independent status and statehood so that this sort of mistrust which is building up could be avoided.

There is one word I would like to say about Goan culture because I know very much of Goa and I have seen that there is a certain fear there that the traditional culture and way of life is gradually being eroded. I was in Goa and I went round these monuments which have been taken over as national monuments. A number of our churches which are 400 to 500 years old have been taken over as national monuments. The entire administration of these monuments has been passed on to the Archaeological Survey of India. Big boards have been put up and collections and other things are going on. But except for the main church, where the remains of St. Francis Xavier are preserved, which is really visited by many people. I regret to say that the other churches are not being maintained and no proper attention is being paid to preserve even the old paintings on the walls and the other beautiful work which has really been done at a period, which had something to contribute to Indian culture. It is true, it may be considered that they are today not so much part of Indian culture. But whatever money is being spent on preserving these monuments, I feel, is not being properly used and I think some efforts should be made to see that proper experts are posted for preserving these monuments which are part and parcel of the culture of Goa. Then there is one more point about which I want to make a mention. Sir, there was a very big agitation in Goa sometime ago and the reason for this agitation was that on one of the Church campus a temple was being built by the workers and a little snake head which is worshipped in that part of the country, has been placed within the Church compound

under one of the big trees. When an objection was raised, the answer given was that the workers of the Archeological Survey Department on who work on the premises needed a Archeological Survey Department want to say that it is still there, it has not been removed in spite of agitation, in spite of protests. I am not against the workers having a place of worship, but I think religious feelings should not be offended by raising a temple in the Church compound. If you have taken over the Church as a national monument, I think the feelings of the people who come there for worship should not be hurt and such small things should not be allowed to happen in order to create unnecessary misunderstanding between different communities.

There has been this question of the fishermen's agitation in Goa. When I raised this question during the Calling Attention Motion sometime back in the House, Mr. Barnala said that it was very difficult to have a Central legislation because these matters came within the purview of different States. They will have to collect opinion, get a feed back and then decide. Since Goa has been the territory which has been most affected and the small fishermen, hundreds of them are sitting idle because the main fishing business has been taken over by the trawlers and the big industrial houses who are fishing in Goan waters, I will request the Minister to see that some type of law is brought in and the interests and rights of the small fishermen are preserved.

Sir, I do not want to take more time of the House, but I have just one more request to make, that is, please do not tamper at this time with the integrity of Goa and the small islands around it. We understand, probably prohibition is also going to be imposed and at this time, this by itself is one of the big issues which is worrying the people of Goa, but more than that the people fear that the smaller areas surrounding

Goa might be merged with adjoining States by some kind of a law. This is something which is agitating them. Therefore, I would request you that nothing which will in any way affect the integrity of Goa should be done before elections are held.

SHRI HAREKRUSHNA MALLICK (Orissa): Sir, on a point of clarification. I share some of the sentiments expressed by the hon. lady Member. Goa is a Union Territory and as such it is under the Ministry of Home Affairs. I would like to remind the House that the same Chief Secretary who was responsible for excesses directly or indirectly during the period of the ex-Prime Minister, in spite of the Shah Commission's findings, is still continuing to be the Chief Secretary of Goa. Similar is the position in Orissa. The same Chief Secretary, who went hostile as a witness in Kissa Kursi Ka, is still continuing. Therefore, this point should be considered. The persons who have over acted while in office, should not be allowed to remain there. The Government should take serious note of these people and see that innocent people are not harassed.

SHRI SATISH AGARWAL: Mr. Deputy Chairman, Sir, as you are all very well aware, it is a statutory obligation on the man in the Finance Ministry to come to this House for seeking a Vote on Account in case the Assembly is dissolved or it is placed under the President's Rule. Had that not been the position, perhaps a man from the Finance Ministry would not have been here to pilot this Bill.

The points that have been raised by the hon. lady Member and joined later by Dr. Mullick, are simply an expression of the sentiments over certain questions that they feel very important in this background. But so far as I am concerned, they have got no bearing with the present Bill under consideration. A fear has been expressed by the hon. lady Member that the man who is looking into

[Shri Satish Agarwal.]

the excesses as pointed out by the Shah Commission, was himself responsible for the commission of those excesses. I am not, at the moment, aware of this factual position. The hon'ble lady Member has raised points with regard to the Report of the Shah Commission and the follow-up action on the same, establishment of a High Court Bench for Goa, erosion of the culture, national monuments or the problems of fishermen or the development of Konkoni language. I can assure the hon. lady Member that whatever points do not concern my Ministry but concern the Ministry of Home Affairs, these will, in short and brief, be conveyed to the Home Minister for such appropriate action as he deems fit.

SHRIMATI MARGARET ALVA: The funds for the national monuments are to be released by you.

SHRI SATISH AGARWAL: If some action is to be taken at my end, it will be considered and taken.

MR. DEPUTY CHAIRMAN: The questions is:

"That the Bill be returned."

The motion was adopted.

THE INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) BILL, 1979

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): Mr. Deputy Chairman, Sir, I beg to move:

"That the Bill to regulate the employment of inter-State migrant workmen and to provide for their conditions of service and for matters connected therewith, as passed by the Lok Sabha, be taken into consideration."

Sir, as the House is aware, Dadan labour is recruited from various parts of the State of Orissa, Bihar and other States through contractors or agents called Sardars or Khatadars for work outside these States in large construction projects. Though at the time of recruitment, the Sardars promise that the wages calculated on piece-rate basis would be settled every month, the promise is not usually kept. Once the worker comes into the clutches of the contractor, he is taken to a far-off place on payment of railway fare only. No working hours are fixed for these workers and they have to work on all the days in a week under extremely bad and severe working conditions. The provisions of the various Labour Laws are hardly honoured and they are subjected to terrible malpractices. The fact that these workers are employed in far-off places which escape the eye and attention of the public, the press and even the workers' organisations makes it all the more necessary for us to ensure adequate legislative protection

Following the recommendations of the 28th Session of the Labour Ministers' Conference which was held at New Delhi on the 26th October, 1976, the Ministry of Labour set up a small compact Committee to study the entire question and to suggest measures for eliminating the abuses prevalent in the system. The compact Committee recommended the enactment of a separate Central legislation to regulate the employment of the inter-State migrant workers.

The proposed Bill, which will apply to every establishment in which 5 or more inter-State migrant workers are employed seeks to provide for registration, obtaining of licence, issue of a pass-book containing details of employment, payment of timely wages, displacement and journey allowances, suitable residential accommodation, medical facilities, protective clothing and suitable conditions of work to these inter-State migrant workers. I have no doubt, Sir, that the House will