

**MOTION FOR ELECTION TO THE
COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES**

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KRIPAL SINHA): Sir, I beg to move:

"That this House resolves that the Rajya Sabha do join the Committee of both the Houses on the Welfare of Scheduled Castes and Scheduled Tribes for the term ending on the 30th April, 1979, and do proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, ten members from among the members of the House to serve on the said Committee."

The question was proposed.

MR. CHAIRMAN: Just now a Member has given a notice for amendment. Therefore, it cannot be taken into consideration now.

श्री एन० पी० चौधरी (मध्य प्रदेश) : सभापति महोदय, आज सबेरे हमें लिस्ट आफ विज़नेस मिली और हमने अमेण्डमेन्ट दे दिया आपको। यह स्वीकार किया जाना चाहिये; क्योंकि पिछले वर्ष भी हमने अमेण्डमेन्ट दिया था और मंत्री महोदय ने आश्वासन दिया था।

MR. CHAIRMAN: I will tell you. You ought to have given it at 10.00 or 10.30 before we came to the House. How am I to know? You have given it just now.

SHRI N. P. CHAUDHARI: Have I given it just now, Sir?

SHRI JAGJIT SINGH ANAND (Punjab): He gave it at 11.50, Sir.

There is one more submission. According to a letter he has circulated to the group, there was an assurance given last time when this motion was moved last year. He moved an amendment at that time. The Govern-

ment gave an assurance that in future a separate Committee of this House shall be constituted. This involves an assurance to the House. Kindly look to the record. If it is a fact that an assurance was given last time, the Government, instead of bringing this motion, should have acted according to the assurance.

Then, Sir, the Hon. Member went to the Secretary-General before the closing of the Question Hour, not just now.

श्री एन० पी० चौधरी : माननीय सभापति महोदय, इस मामले में जो संशोधन है उस बारे में, मैं कहना चाहता हूँ कि इसका नियम है कि हाउस की कमेटी सेपरेट बननी चाहिये, राज्य सभा की अलग बननी चाहिये और लोक सभा की अलग कमेटी बननी चाहिये; क्योंकि दोनों हाउसेज की कुछ कमेटियां ऐसी हैं जोकि अलग-अलग बनती हैं। जैसे एक हाउस कमेटी, दूसरी सर्वाडिनेट लेजिस्लेशन कमेटी है और तीसरे वैलफेयर आफ शेड्यूल्ड कास्टस एण्ड शेड्यूल्ड ट्राइब्स कमेटी। यह भी एक सेपरेट कमेटी बननी चाहिये। परन्तु किन्ही कारणों से दस साल से यह दोनों सम्मिलित कमेटी बनती आ रही है। मैंने पिछली बार जब इनके बनाने का सवाल आया था, इस सदन में एक संशोधन पेश किया था कि सेपरेट कमेटी बननी चाहिये। परन्तु हमें यहां पर पार्लियामेन्ट्री अफेयर्स के जो मिनिस्टर महोदय हैं, उन्होंने आश्वासन दिया था कि इस बार पास होने दीजिए, अगले साल इस पर ध्यान देंगे और अलग कमेटी बनायेंगे।

इस बात को देखते हुए मैंने एक पत्र अपोजीशन के लीडर महोदय को दिया और कांग्रेस पार्टी के लीडर महोदय को भी लैटर दिया और आज मैंने यह मोशन आने से पहले संशोधन पेश कर दिया। तो मैं निवेदन करना चाहता हूँ कि यह हरिजनों से सम्बन्धित एक बहुत ही गम्भीर मुसला है। इसको इस तरह से नहीं टाला जाना चाहिये।

[श्री एन० पी० चौधरी]

सेपरेट कमेटी बननी चाहिये और हमारा यह सशोधन जो हमने दिया है, यह नियमानुसार है और इसे स्वीकार किया जाना चाहिये ।

MR. CHAIRMAN: Now, whatever you wanted to say you have said.

SHRI N. P. CHAUDHARI: Yes, I have said.

MR. CHAIRMAN: That is noted. Now, . . .

SHRI N. P. CHAUDHARI: What happened ultimately to my amendment, Sir?

MR. CHAIRMAN: You can vote or you may not vote. That is all. What more can I say? Just now you have given it. (*Interruptions*). There are no rules for admitting an amendment if you give an amendment just now. Therefore, really speaking you have no right. Still I wanted you to speak something on the amendment so that the Minister may understand your feelings. That is noted. Then I will put it to vote.

(*Interruptions*)

SHRI JAGJIT SINGH ANAND: Sir, you should look up the records of the House to see if an assurance was given last year. ✓

(*Interruptions*)

SHRI N. G. RANGA (Andhra Pradesh): Sir, Sardar Anand has already said that an assurance was given last year. . . .

(*Interruptions*)

DR. V. P. DUTT (Nominated): Sir, you have said earlier that parliamentary functioning should be made more effective. One problem with regard to making parliamentary functioning more effective is that you get notices about such motions only in the morning, say, at about 8 O'clock or 8.30. And then you are supposed to study it and you are supposed to submit your amendments or whatever it is within an hour or so. I would suggest that if the treasury benches want that parlia-

mentary functioning should be more effective, at least a day's notice must be given for all such motions so that they can be carefully considered.

SHRI INDRADEEP SINHA (Bihar): Mr. Chairman, Sir, I want to make one submission. In view of the fact that the notice of the motion came only today and the notice of the amendment also was given only today and in view of the fact that an assurance by the Leader of the House supposed to have been given last year is involved, I would suggest that the decision on this motion may be postponed till tomorrow. Let us give time to the Government to consider the matter and come prepared with their reply tomorrow.

MR. CHAIRMAN: For your information I may say that this motion was circulated long back. If you want to verify, you can verify from the office.

SHRI N. P. CHAUDHARI: No, Sir, . . .

MR. CHAIRMAN: I must tell you the correct position. You said one hour, half-an-hour and all that. That was not correct.

SHRI N. P. CHAUDHARI: This is given in the List of Business for today.

MR. CHAIRMAN: What you wanted to say, you have said. The House has heard you and I have heard you. We have noted it.

SHRI N. P. CHAUDHARI: What action is going to be taken on this amendment?

MR. CHAIRMAN: Because you have not given it earlier, it cannot be considered.

SHRI N. P. CHAUDHARI: Then we should have one day's notice. . . .

(*Interruptions*)

MR. CHAIRMAN: It has been given just now. Just see the time, if you want to see the time.

SHRI JAGJIT SINGH ANAND: Sir, my submission is different. My submission is that he sent a letter to all Opposition leaders and to the Leader of the House yesterday and that letter contains a sentence about an assurance last year. Now, we do not know. We want a categorical answer whether an assurance was given last year, whether he moved an amendment last year, and if so, what was done about that amendment and whether it was withdrawn on an assurance or not.

DR. RAFIQ ZAKARIA (Maharashtra): Sir, this is an extraordinary situation. It is not an ordinary amendment that has been moved. What has been submitted here is that an assurance was given on behalf of the Government that a separate committee would be constituted. If that is so, then even if the amendment is technically out of order, you, Sir, as the custodian and guardian of the rights and the interests and the privileges of this House, should see to it that in the larger interest the amendment is admitted and a vote of the House is taken on it.

THE LEADER OF THE HOUSE (SHRI L. K. ADVANI): Sir, so far as the admissibility of the amendment is concerned, that is for you to decide. So far as the other issues raised are concerned, I have this to say that at no time was any assurance given by the Government on this score primarily because when Mr. Chaudhari met me last year and when he met me yesterday also, on both the occasions I told him that personally I did not think it desirable to have a Joint Committee of both the Houses on Scheduled Castes and Scheduled Tribes split up into two, one of the Lok Sabha and one of the Rajya Sabha. I am not convinced even about the case. So there is no question of an assurance. Even yesterday when he met me, I told him that it is after a long time that the Lok

Sabha had come to associate us with several financial committees of its own, and if we try to raise the issue of Rajya Sabha and Lok Sabha, it might have repercussions in other fields also. Therefore, it is not desirable and the Joint Committees that are functioning till now should be allowed to function as Joint Committees. This was my view last year and this is my view even now. Therefore, the question of giving assurance does not arise. So far as admissibility is concerned, it is for you to decide. Sir.

MR. CHAIRMAN: I have already decided that.

श्री एन० पी० चौधरी : सभापति जी, मैं निवेदन करना चाहता हूँ कि ऐसा लगता है शायद नेता महोदय को पूरी जानकारी नहीं है कि पिछले वर्ष जब इस समिति के गठन का सवाल आया था तो मैंने इस सबध में एक अमेंडमेंट पेश किया था और समय के अन्दर पेश किया था। जब मंत्री महोदय यहाँ बोलने के लिये खड़े हुए थे तो उन्होंने आश्वासन दिया था कि डम वर्ष समिति का गठन हो जाने दीजिए। यह चीज पिछले वर्ष के अपने रिकार्ड में होगी और रिकार्ड से यह चीज देखी जा सकती है अगर किन्ही कारणों से रिकार्ड में नहीं आई होगी तो मैं यह कहना चाहता हूँ कि आज जो हरिजनों पर अत्याचार हो रहे हैं, अन्याय हो रहा है, उनकी जो समस्याएं उलझती ही चली जा रही हैं, वे परेशानी में हैं उनको देखते हुए अगर एक अलग समिति का गठन कर लेंगे तो मैं समझता हूँ कि हम उनकी सेवा अच्छी तरह से कर सकेंगे। उनकी मदद अच्छी तरह से कर सकेंगे। मैं यह कहूँगा कि नियम के अनुसार हमें अधिकार है कि हम एक नई समिति का अलग से गठन कर सकते हैं, जिस तरह से दूसरी समितियों का गठन होता है। जैसे एक सर्वोर्डिनेट लेजिस्लेशन कमेटी बनी हुई है

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और दूसरी हाउसिंग कमेटी बनी हुई है उसी तरह से शेड्यूल्ड कास्ट्स और शेड्यूल्ड ट्राइब्स के लिये भी एक अलग से कमेटी बना सकते हैं। यह कोई आवश्यक नहीं कि हम लोकसभा के सदस्यों से मिल कर एक सम्मिलित कमेटी बनाएं।

मैं आपसे कहना चाहता हूँ जिस तरह से हरिजनों की समस्या उन्नती चली जा रही है, उन समस्याओं को हम इस समिति के द्वारा अधिक ध्यानपूर्वक देख सकते हैं। आपको जो एक संदेह है कि इस हाउस में और उस हाउस में कॉन्ट्रिब्यूशन हो सकता है, कुछ भ्रम हो सकता है तो इसके लिये एक रास्ता है कि दोनों सभा और हम लोग बैठ कर विषय को बांट लें। कुछ विषय हम ले सकते हैं और कुछ विषय लोक सभा के सदस्यगण ले सकते हैं। अगर इस तरह से, दो तरफ से हम काम करेंगे तो मेरा ऐसा अनुमान है कि हम हरिजनों और आदिवासियों की समस्याओं को हल करने में अधिक सफल हो सकेंगे, अधिक उनकी मदद कर सकेंगे।

पिछले वर्ष जो आश्वासन दिया गया था उसको ध्यान में रखते हुए मैंने यह संशोधन पेश किया है। मैं आपसे निवेदन करता हूँ, आपके माध्यम से सम्पूर्ण सदन से निवेदन करता हूँ कि हरिजन और आदिवासियों की उन्नति हुई समस्याओं को उन पर बढ़ते हुए अत्याचारों को देखते हुए इस संशोधन को स्वीकार कर लिया जाए और इस भदन में एक सेपरेट कमेटी का गठन करने की अनुमति दी जाए।

SHRI K. K. MADHAVAN (Kerala): On a point of order, Sir. May I know whether the Member who seeks the amendment has made out his case that there is a conflict of interest between this House and the Lok Sabha? Only when he has made out a case like that, there is justification for amendment.

MR. CHAIRMAN: There is no question of any conflict between the two Houses.

SHRI K. K. MADHAVAN: I am aware of it. But I want to know whether the Member has made out a case that there is a conflict of interest between this House and the other House.

SHRI LAL K. ADVANI: There is no denying that so far as our authority is concerned, we do have the authority to set up a committee of our own. As is the case in respect of legislation bills, suppose this House decides to have a Select Committee, this House is empowered to do so. But proper legislation and proper looking into the problems of the Scheduled Castes and the Scheduled Tribes require co-ordinated working of both the Houses. Already a Joint Committee exists and I do not see any justification for having a separate committee of this House.

SHRI N. P. CHAUDHARI: My point is that there is a constitutional provision for a separate committee of this House. Why are we being deprived of this authority? That is what I want to know.

SHRI JAGJIT SINGH ANAND: It will be a sort of strengthening the other committee. The subjects can be divided. I was told by one of the Members who is functioning on that committee that there are so many subjects and only two or three Members are available for each subject. The hon. Prime Minister is here. The hon. Leader of the House is also here. Let them look into it. The committee's membership should be enlarged and the subjects should be divided.

DR. RAFIQ ZAKARIA: My point of order is this. Some Members have said here that an assurance was given in this regard on behalf of the Government. The Leader of the House

on behalf of the Government, has denied that any such assurance has been given. The whole question arose as a result of this conflict. May I request you to look at the records and tell us whether the assurance was given or not? If the assurance had not been given, the question does not arise. If the assurance had been given, then that assurance will have to be implemented and you will have to look at the records to tell us the position.

THE PRIME MINISTER (SHRI MORARJI R. DESAI): May I suggest to the hon. Member that he should look up the records and then bring up the matter here? Why does he want to give that trouble to the Chair? In this matter, after careful consideration I feel that the joint committee will only be the proper thing and not two separate committees. The two Houses together are called SANSAD. It includes both. There are no two separate names in Hindi for SANSAD.

DR. RAFIQ ZAKARIA: An assurance, they say, was given on behalf of the Government . . .

MR. CHAIRMAN: We have discussed it sufficiently. The Leader of the House has said just now that there was no assurance given on behalf of the Government and you must take it as correct, unless the contrary is proved. I will now put the motion to vote.

The question is;

That this House resolves that the Rajya Sabha do join the Committee of both the Houses on the Welfare of Scheduled Castes and Scheduled Tribes for the term ending on the 30th April, 1979, and do proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote ten members from

among the members of the House to serve on the said Committee."

The motion was adopted.

MOTION FOR ELECTION TO EMPLOYEES' STATE INSURANCE CORPORATION

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAMKRIPAL SINHA): Sir, I beg to move the following Motion:

That in pursuance of clause (i) of section 4 and section 14 of the Employees' State Insurance Act, 1948 (34 of 1948), read with rule 2A of the Employees State Insurance (Central) Rules, 1950, this House do proceed to elect in such manner as the Chairman may direct one member from among the members of the House to be a member of the Employees' State Insurance Corporation in the vacancy caused by the retirement of Shri N. C. Buragohain from the membership of the Rajya Sabha on the 9th April, 1978."

The question was put and the motion was adopted.

REFERENCE TO DISTRESS SALE OF ONIONS

SHRI GOVINDRAO RAMCHANDRA MHAISEKAR (Maharashtra): Sir, with your kind permission I make a mention of an important matter in this House. The matter pertains to the distress sale of onions in the Lasatgaon market in the Nasik district and Pune market of Maharashtra and in the markets of Gujarat. This distress sale of onions is because of a total ban on the export of onions imposed last year. This total ban was imposed in the interests of domestic consumers because the prices of onions were soaring very high. The total ban resulted in the fall of price of onions so much that th