

**I. THE PAYMENT OF GRATUITY (CENTRAL) RULES, 1972**

**II. NOTIFICATIONS UNDER THE EMPLOYEES PROVIDENT FUNDS AND FAMILY PENSION FUND ACT, 1952**

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND REHABILITATION (SHRI G. VENKATE SWAMY): Sir, I beg to lay on the Table:—

I. A copy of the Ministry of Labour and Rehabilitation (Department of Labour and Employment) Notification G.S.R. No. 1488 dated the 16th September, 1972 (in Hindi) publishing the Payment of Gratuity (Central) Rules, 1972, under sub-section (2) of section 15 of the Payment of Gratuity Act, 1972. [Placed in Library. See No. LT-5218/73].

II. A copy each (in English and Hindi) of the following Notifications of the Ministry of Labour and Rehabilitation (Department of Labour and Employment) under sub-section (2) of section 7 of the Employees Provident Funds and Family Pension Fund Act, 1952:—

(i) Notification G.S.R. No. 1348, dated the 12th October, 1972, publishing the Employees' Funds (Ninth Amendment) Scheme, 1972. [Placed in Library. See No. LT-4330/73].

(ii) Notification G.S.R. No. 1490, dated the 15th November, 1972, publishing the Employees' Provident Funds (Eleventh Amendment) Scheme, 1972.

(hi) Notification G.S.R. No. 63, dated the 9th January, 1973, publishing the Employees' Provident Funds (First Amendment) Scheme, 1973.

[Placed in Library. See No. LT-4217/73 for (ii) and (iii).]

**I. The Apprenticeship (Amendment) Rules, 1972 .**

**II. Report of the Deputy Director of MINES SAFETY, VIZIANAGARAM ON THE FATAL ACCIDENT WHICH OCCURRED AT DEPOSIT No. 5 OF THE BAILADILA IRON ORE PROJECT ON THE 5TH JUNE, 1972.**

SHRI G. VENKATE SWAMY: Sir, I also beg to lay on the Table:—

I. A copy (in English and Hindi) of the Ministry of Labour and Rehabilitation (Department of Labour and Employment) Notification G.S.R. No. 1994, dated the 23rd October, 1972, publishing the Apprenticeship (Amendment) Rules, 1972, under sub-section (3) of section 37 of the Apprenticeship Act, 1961. [Placed in Library. See No. LT-4331/73].

II. A copy (in English and Hindi) of the Report of the Deputy Director of Mines Safety, Vizianagaram, on the fatal accident which occurred at Deposit No. 5 of the Bailadila Iron Ore Project on the 5th June, 1972. [Placed in Library. See No. LT-4219/73].

**CALLING ATTENTION TO A MAT-TEE OF URGENT PUBLIC IMPORTANCE**

**Reported Decision to Speed up Repatriation of Stateless Persons of Indian Origin from Sri Lanka**

डा० भाई महावीर : श्रीमन्, मैं आपकी अनुमति से भारतीय मूल के लगभग 35,000 राज्यविहीन लोगों को श्रीलंका से शीघ्रतापूर्वक स्वदेश भेजे जाने के निर्णय के समाचार की ओर विदेश मंत्रों का ध्यान दिलाना चाहता हूँ।

THE MINISTER OF EXTERNAL AFFAIRS (SARDAR SWARAN SINGH): Sir, the House is aware that the Indo-Ceylon Agreement of 1964 (also known as the Shastri-

Bandarnaik Agreement) envisaged that over a period of 15 years starting from 1964, 525,000 stateless persons of Indian origin in Sri Lanka would be repatriated to India while at the same time and in agreed proportion 300,000 such stateless persons would be granted Sri Lanka citizenship. The Agreement further stipulated that the repatriation would be conducted in an evenly phased manner; this would mean that some 35,000 persons should be repatriated annually for settlement in India.

During the first four years after the signing of the Agreement, very little repatriation took place since various administrative measures could not be finalised. Till the 17th February 1973, 84801 persons have been repatriated to India, while Sri Lanka had granted citizenship to 48,249 up to the end of December, 1972.

An officials' meeting for reviewing the implementation of the Agreement took place between the 14th and the 17th of February this year in Colombo. On our side the Foreign Secretary led the Indian Delegation. The officials of both governments reviewed various aspects of the working of the Agreement and agreed to take all measures possible to ensure its smooth and full implementation. The repatriation at the agreed rate of 35,000 persons per year could not be achieved for the last eight years. Government of India has agreed in principle to increase the rate of repatriation in the coming years. Details are being worked out.

**डा० भाई महावीर :** श्रीमन्, जो बयान मंत्री जो ने दिया है उससे जितनी जानकारी हम चाहते थे वह नहीं मिली। इसलिए मैं जानना चाहूंगा कि कौन से कारण थे जिनको वजह से दो दिनों के लिए जो मॉर्टिग या जो बातचीत तय की गई थी उसको बढ़ा कर चार दिन तक जारी रखना पड़ा और उसके बाद सिर्फ इतना वक्तव्य समाचार-पत्रों को दिया गया कि बातचीत

हुई है और इसके आगे फिर से बातचीत जारी रहेगी ? क्या यह सच नहीं है कि एक दो सवाल ऐसे हैं कि जिन पर श्रीलंका और भारत की सरकार को अन्दर ऐसा मतभेद है, जिसमें कोई मेल नहीं बैठता और यह बात थी जिसने पहले दो दिनों में बातचीत को सफा नहीं होने दिया ? जैसे कि समाचार आये हैं, श्रीलंका की सरकार ने इस बात पर आप्रह किया कि जो इंडियन रजिस्टर है, उसको फिर से खोला जाए, अर्थात् भारत में आकर बसने के लिए जो इच्छुक हैं, उनके आवेदन-पत्र फिर से लेने शुरू किए जायें और इसके लिए भारत सरकार तैयार नहीं हुई। क्या यह समाचार गलत है कि श्रीलंका ने यह आप्रह किया कि जब प्रधान मंत्री श्रीमती इंदिरा गांधी लंका के दौरे पर जाय तो उस वक्त इस बात की घोषणा करें या इस बात का निर्णय वह स्वीकार करें कि भारत आने के लिए लालायित लोगों की सूची फिर से खोल दी जाए और इस तरह से एक सवाल जो शास्त्री जी और श्रीमती भंडारनायक महोदय की बातचीत से तय हो गया था, उसको फिर खोल करके रख दिया जाए ? मैं जानना चाहता हूँ कि क्या सरकार मानती है कि यह मांग स्वीकार की जाएगी तो यह सवाल लगातार चलता रहेगा और जब तक पहले लोग भारत आ नहीं जाते तब तक और पैदा हो जायेंगे और वहां पैदा हुए लोगों में कई ऐसे निकल आयेंगे जो भारत आना चाहते हैं। यह लिस्ट बढ़ती रहेगी और हमारे विदेश मंत्री और विदेश सचिव वहां जाते रहेंगे। मैं जानना चाहता हूँ कि इस इंडियन रजिस्टर को खोलने का कारण क्या है ?

दूसरी चीज यह है कि जो रिपैट्रिएशन होकर भारत आयेंगे, जिनको भारत आना है, उनके बारे में लंका सरकार का जो आप्रह है कि उसे जल्दी किया जाए, तो

[डा० भाई महावीर]

क्या हम लोगों से किसी कारण से उसमें देर हुई है ? जहाँ तक समाचार आये हैं यह विदित हुआ है कि लंका के अन्दर ही कोई परिस्थितियाँ अशान्त रहीं, इस वास्ते यहाँ पर लोगों के आने में विलम्ब हुआ । मैं जानना चाहूँगा कि यह ऐक्सपिडिडिट करने के उनके आग्रह के पीछे क्या कारण है और इस कारण को आपने कहाँ तक उचित माना ?

तीसरी चीज मैं यह जानना चाहता हूँ कि जो लोग आ रहे हैं, उनको अपनी संपत्ति कितनी मात्रा में लाने की इजाजत लंका सरकार की तरफ से दी जाती है । क्या वह इस तरह से आ सकते हैं कि यहाँ पर आकर अपने आपको किसी कामकाज में लगा सकें और किसी के आश्रित, निर्वासित बन कर सरकार की दया के ऊपर उनको निर्भर न रहना पड़े ? या कि वे वहाँ की अपनी संपत्ति, अपने असेट्स को लाने की सरकार उन्हें इजाजत देगी ?

चौथी चीज मैं यह जानना चाहता हूँ कि क्या बातचीत में, इस मीटिंग में जो भारत और श्रीलंका सरकार के बीच हुई . . .

श्री उपसभापति : [आप जारी रखिए ।

डा० भाई महावीर : जी, वह बात कर रहे हैं जरा । दोनों कानों में गड़बड़ न हो जाए ।

सरदार स्वर्ण सिंह : एक कान काफी है ।

डा० भाई महावीर : वैसे तो दोनों कान पगड़ी में दबे रहते हैं आपके ।

सरदार स्वर्ण सिंह : मगर फिर भी आपसे तेज हैं ।

डा० भाई महावीर : कान आपके तेज होंगे, लेकिन उन कानों के दरमियान हमारी तसल्ली करा दीजिए तो बात तेजी की मानी जा सकती है ।

सरदार स्वर्ण सिंह : आपके कानों के दरमियान कुछ हो तभी आपको समझ आये ।

डा० भाई महावीर : देबिर्, मंत्री जी . . .

सरदार स्वर्ण सिंह : आपने शुरू किया है ।

डा० भाई महावीर : यह आपको किसने कहा ?

SARDAR SWARAN SINGH: You should be careful when you make such a statement. When you make them, you should be prepared to take them.

DR. BHAI MAHAVIR: Well, if you cannot even understand what I say, I am ashamed that we should have a Foreign Minister of this calibre.

SARDAR SWARAN SINGH: I *am* ashamed that you should sit in the Opposition and disgrace your leader.

(Interruptions)

DR. BHAI MAHAVIR: You should have a sense of balance and a sense of understanding; you should be able to know what remark is being made.

SARDAR SWARAN SINGH: If that is your culture, I do not mind, go ahead.

DR. BHAI MAHAVIR: I repeat what I say. I say that your ears are sharp according to your claim but you should satisfy us with the thing that you have in the midst of those ears. Now, what is wrong about it? If you think you do not have anything in between them, it is for you to decide.

SARDAR SWARAN SINGH: What is wrong in that answer? What is wrong in what I have said?

DR. BHAI MAHAVIR: I think, if you are the judge, if this is a compliment, I would accept it as a compliment.

MR. DEPUTY CHAIRMAN: Yes, now you ask the clarification.

DR. BHAI MAHAVIR: What is the meaning that he is talking like that?

MR. DEPUTY CHAIRMAN: So much of time is being wasted.

DR. BHAI MAHAVIR: Time is wasted?

SARDAR SWARAN SINGH: I take strong exception to this type of flippant method of dealing with such matters. If he had the guts to say, or if he had the temerity and insolence to say that what is in between my ears should be able to understand what he says, and if I tell him that if something between your ears is good enough to understand, then only you will follow, then what is wrong in it? It is a small tit for that.

DR. BHAI MAHAVIR: I am prepared to refer the whole record to you and if I am proved wrong, I will resign and let the Minister also agree to resign if he is proved wrong. Let him have the courage. He talks of courage, a man who has all along been sticking to the seat of power and who has been rolling from one Ministry to another...

*(Interruptions)*

MR. DEPUTY CHAIRMAN: It is no use getting into a temper.

DR. BHAI MAHAVIR: We are not going to take lessons from you.

SARDAR SWARAN SINGH: This is not a favour to me. Your party has always opposed me, I have won the elections notwithstanding that.

DR. BHAI MAHAVIR: I know how you won the election. But I repeat what I said and I will repeat again.

MR. DEPUTY CHAIRMAN: You need not repeat.

*(Interruptions)*

DR. BHAI MAHAVIR: I say, when the Ministers had been talking amongst themselves, am I not supposed to wait and .

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MR. DEPUTY CHAIRMAN: You ask clarification.

DR. BHAI MAHAVIR: Well, Sir, I am asking the clarification. But the clarification is whether a Minister should behave—in a way which shows disrespect to a Member who is putting a question and if I show the courtesy of waiting and pausing so that he can have my words, he begins to have a fling at me. I only said that you have your ears, your ears are attentive to me. But please use the brain that is between those ears to satisfy us. What is wrong about it?

*(Interruptions)*

MR. DEPUTY CHAIRMAN: You said something and in the same sense he said something. So that is over, you ask clarification.

DR. BHAI MAHAVIR: He did not say that. He did not understand what I said and he only has a way to kick at me, to kick at others, not understanding what the meaning of the statement is.

SARDAR SWARAN SINGH: I want to make it clear that this type of thing we will not accept. If they want to have this type of rather personal and mean attacks, they should be prepared to listen to the replies and I want to say that we will not relent on this if you make this type of a statement, and we will continue to meet it with greater ferocity. Let it be understood clearly.

DR. BHAI MAHAVIR: Ferocity all right. But you should have the sense where to use that ferocity.

MR. DEPUTY CHAIRMAN: You ask the clarification.

SARDAR SWARAN SINGH: He should have the sense to understand what I say.

*(Interruptions)*

DR. BHAI MAHAVIR: I have to seek your protection. If the Minister can talk like that, if he can choose

[Dr. Bhai Mahavir]  
the word 'mean' towards any Member, I think he is the meanest person in this House yet. What is the meaning of talking like this and calling names?

MR. DEPUTY CHAIRMAN: There is no use getting into tempers.

DR. BHAI MAHAVIR: What is the use? There is no question of losing tempers. But how does he start? I only said that you should attend to me. Then he says.

कान आप की तरफ है आप हमारी  
तसल्ली कराइये तो हमारा फायदा हो।  
तो इन में क्या गलत है।

SHRI SITARAM KESRI (Bihar): Sir, on a point of order.

उन्होंने जो शब्द 'मीनेस्ट' इस्तेमाल किया  
है उसको एक्सपंज कर दिया जाय।

Otherwise, he will have to be...

(Interruptions)

MR. DEPUTY CHAIRMAN: All right. We will see to that. You ask the clarification.

DR. BHAI MAHAVIR: If you will see to that, you will have to see also whether he is entitled to use that word. If you expunge anything, you will have to expunge both.

MR. DEPUTY CHAIRMAN: I will go through the record and see.

DR. BHAI MAHAVIR: Lastly, what is the position with regard to the dispute with the Government of Ceylon regarding the ownership of Kachhativu Island particularly because every year in March there is the festival of St. Anthony's Feast when people from India as well as Ceylon go to that island and every year there is a fear on both sides in Sri Lanka as well as in India that there is illicit immigration. Last year there were reports that the

Ceylonese Navy and Air Force had kept a watch to check illicit immigration into Ceylon and there were also reports that a number of people who had immigrated in an illicit manner from Sri Lanka to India had been arrested in India. So I would like to know how far our claim that it is a purely Indian territory—because right till 1948 it was under the jurisdiction of the Rajah of Ramnad—has been settled in a satisfactory manner and, if not, whether in this context that issue was raised? If it was not raised, why was it not raised?

MR. DEPUTY CHAIRMAN: It does not strictly arise out of this question.

DR. BHAI MAHAVIR: Because it is a matter concerning both the countries.

SARDAR SWARAN SINGH: As the talks about the matters discussed and the attitude taken by either side were confidential, I cannot give any further details as to what points were raised and how they were dealt with. On the question as to why the rate of repatriation should be speeded up or accelerated I have given the reason in the statement that I have made. About the transfer of assets, the amount to be repatriated at the time when a person goes over to India is contained in the Indo-Ceylon Agreement, a copy of which was laid on the Table of the House. The hon'ble Member can study that. Kachhativu is a question which does not arise out of the present question.

DR. BHAI MAHAVIR: The first question I asked was whether the Ceylon Government has been insisting on reopening the Indian Register and what is the implication. Does it mean that the problem will be prolonged endlessly?

SARDAR SWARAN SINGH: These are procedural matters. The basic agreement that we have is that we have to take into India 5,25,000 per-

sons together with the natural increase. As to how this objective is to be achieved is a procedural matter.

DR. BHAI MAHAVIR: Reports are that the question of 1-1)2 lakhs in excess.

SARDAR SWARAN SINGH: Reports in the Press speculative.

SHRI K. P. SUBRAMANIA MENON (Kerala): Mr. Deputy Chairman, the problem of Indian citizens in Ceylon is a long-standing problem and I for one will not like that this problem should in any way come in the way of having good relations and friendly relations with the Government of Ceylon. It is in the interest of both the countries that this problem is settled amicably and that the repatriates whom the Ceylon Government wants to send back to India are brought home in an orderly fashion and help is given for that. However, my complaint is that the Government of India has not been looking at the human aspect of this problem because these are people who have lived there for 30-40-50 years and who have spent most of their lives there, who have got assets there, who have got houses there. Therefore, when under certain difficult conditions the Ceylon Government wants them to be repatriated. I do not see why we should object to that. But the point is that the Government of India should come and wants them to be repatriated. I rehabilitate in the country especially because. Sir, most of these people come from the part of the country from where I come and I know the problems of their resettling down in India and how most of them who have come have become destitutes. May I know what are the steps that the Government of India is taking to see that those people who have loved all their lives in another country when they come back are able to carry on their livelihood as good citizens without being humiliated,

without becoming destitutes in their own country?

Secondly, it is true that the Ceylonese Government has got a lot of payments problem and they will not be able to allow the Indian repatriates to take to India all their assets in foreign currency. Therefore, what is the arrangement which the Government of India has arrived at with Ceylon in order to allow the repatriates to bring back home all their assets in proper currencies? Has any special payment arrangement been worked out with the Ceylonese Government so that the Indian repatriates can get compensation here in India equal to the assets which they have left there, with some arrangement for settling the account between the Government of India and the Government of Lanka, so that it is not left to the individual repatriates to bring whatever they have from Ceylon?

SARDAR SWARAN SINGH: Sir, I share the concern expressed by the hon. Member. The Government of India is in touch with the State Governments who are directly handling the problem of rehabilitation, and whatever help is possible is being given by the State Governments and by the Central Government. But I do appreciate that the problem is there and the human aspect is involved and, therefore, everything should be done to enable them to re-start their lives. This is precisely the objective that we have in front of us.

About repatriation of assets, in the Agreement itself a certain maximum and minimum was laid down as the amount to be repatriated, and there has not been any difficulty in repatriating or sending across that amount of money. At the present moment, there is no special payments arrangement between India and Ceylon because so far no difficulty has arisen, and the Government of Ceylon has not raised this as a point of any special difficulty for them.

SHRI K. P. SUBRAMANIA MENON: Sir, no difficulty has arisen because the Government of Ceylon has not been allowing them to repatriate all their assets. This is the fact. They should be allowed to have all their assets back home.. If the Government of Ceylon cannot give it in foreign exchange, the Government of India should come to some special payments arrangement with Ceylon so that the repatriates can bring back whatever they have got.

SARDAR SWARAN SINGH: It is a suggestion for action. But the arrangement originally was that whatever is not repatriated will remain in the accounts of those people in Sri Lanka.

SHRI M. KAMALANATHAN (Tamil Nadu): Sir, it is unfortunate that the only agreement reached between India and Sri Lanka at the recent meeting was to meet again in New Delhi and continue the dialogue. The life and soul of the Shastri-Sirimavo Pact was the acceptance of the sacred principle that the so-called Stateless persons should be given the liberty to choose the citizenship of either India or Sri Lanka. But what is happening now? The Sri Lanka Government seems to be violating the letter and spirit of the Pact. The so-called Stateless persons are treated not as human beings but worse than animals. Who are the so-called Stateless people? These are the people who shed their sweat and blood once, to make Sri Lanka what it is to-day. Now they are denied employment opportunities. Economic compulsions are used by Sri Lanka Government to force them to opt for Indian citizenship. This is against the life and spirit of the Pact. Moreover, Sri Lanka Government has indulged in cultural genocide of the Tamils living there, discriminating them against the Sinhalese. They are made to live as second class citizens. I would like to know whether our Government will discuss

these matters, the matter of using economic compulsions to force these people to opt for Indian citizenship' and the matter of cultural genocide of Tamils, with the Government of Sri Lanka.

SARDAR SWARAN SINGH: I am sorry I cannot agree with these extreme statements that have been made by the honourable Member. If I may say, the statements that have been made are not at all fair to the Government of Sri Lanka who have been fully cooperating in implementing the Agreement. The Agreement was signed between Prime Minister Bandaranaike and Shri Lai Bahadur Shastri who was the Prime Minister of India at that time. It is part of the Agreement that we have to take over 5 lakh persons, as I have already mentioned. The rest are procedures as to how we arrive at that number. Then, about the persons of Tamil origin who are covered by this Agreement, it is a matter which concerns the two countries. If there are persons who are Sri Lanka citizens but are of Tamilian origin, these are Sri Lanka citizens and that is a matter entirely between the citizens of Tamil origin and citizens of any other origin like any other country. If I may say, this type of statements give handle to the chauvanists on the other side to pressurise the people in Sri Lanka itself. And I would appeal to honourable Members not to indulge in this type of extreme formulations. The essence of the Agreement is that this problem was defying a solution between India and Sri Lanka for a long time. And it was courageous and far-sighted on the part of the two Prime Ministers in 1964 to come to an agreement. Everything should be done to implement this Agreement. We on our side will do everything possible to implement the Agreement. There is sanctity for international agreements and we should not, by any stretch of imagination, give the slightest indication that we are intending not to honour this Agreement.

SHRI S. S. MARISWAMY (Tamil Nadu): Sir, I am surprised as to why the honourable Minister takes such a serious objection to the expressions of my friend about Tamil culture and Tamil people and the genocide that is going on. For the information of the House and the honourable Minister, a large number of people, who have adopted Tamil as their language, are in Ceylon. And there is a systematic attempt being made to see that they are forced to go out of the country and also every sort of discouragement is shown to Tamil culture, performance and study, etc. We say this not because we claim any relationship with those people that we are levelling this charge. Suppose the people of Gujarat are persecuted there and if somebody says Gujaratis are persecuted there, does it mean that they have got any relationship with them? Let the Minister not apply this narrow periscope to look into this thing.

SARDAR SWARAN SINGH: I am quite clear and I would like to clarify further. Those persons who are Sri Lanka citizens, whatever their origin is, whether originally they hailed from Tamil Nadu or any other part of the world and whatever the manner is in which their own relationship develops with the other linguistic or cultural groups in that country, it is a matter entirely for the Government, the Parliament and the people of Sri Lanka. Any other attitude would amount, if I may say, to interference in the internal affairs of other countries. So far as these Stateless persons are concerned, we are making a determined effort now to settle this problem in accordance with the Agreement which was entered into in 1964.

#### SIXTY-FIFTH REPORT OF THE PUBLIC ACCOUNTS COMMITTEE

श्री श्याम लाल यादव : (उत्तर प्रदेश) :  
सिचाई और विद्युत मंत्रालय के सम्बन्ध

में लोक लेखा समिति के सैंतीसवें प्रतिवेदन  
(1971-72) में विहित सिफारिशों  
पर सरकार द्वारा की गई कार्यवाही के  
बारे में लोक लेखा समिति (1971-72)  
के पैसटर्न प्रतिवेदन की एक प्रति मैं सभा पटल  
पर रखता हूँ

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#### THIRD REPORT OF THE RAILWAY CONVENTION COMMITTEE

श्री महावीर प्रसाद शुक्ल (उत्तर,  
प्रदेश) : वाणिज्यक तथा सम्बद्ध विषय  
(भाग 1) पर रेलवे अधिवेशन समिति  
1971 के तीसरे प्रतिवेदन की एक प्रति  
मैं सभा पटल पर रखता हूँ।

Placed in Library. See No. LT-4334 (73).

#### ANNOUNCEMENT RE GOVERN- MENT BUSINESS

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS AND IN THE MINISTRY OF WORKS AND HOUSING (SHRI OM MEHTA): Sir, I beg to announce that the Government Business in this House during the week commencing 26th February, 1973, will consist of:—

(1) Further discussion on the President's Address.

(2) Consideration and passing of the Requisitioning and Acquisition-of Immovable Property (Amendment) Bill, 1973.

(3) Consideration of a motion seeking revocation of the Proclamation issued by the President in respect of the State of Andhra Pradesh.

(4) Discussion on the Resolution seeking approval of the Proclamation issued by the President in respect of the State of Andhra Pradesh.