

श्री एस० डी० मिश्र : इस पर  
गवर्नमेंट का क्या रुख है, यह बताइये।  
(Interruption) मैं पूछ रहा हूँ कि गवर्न-  
मेंट का क्या रुख है ?

MR. CHAIRMAN : Mr. Kalyan Roy.

SHRI S. D. MISRA: Sir, we must know.  
He has just said that time should be allotted.  
He must also know. (Interruptions)

**REFERENCE TO LOCKOUT IN THE  
HINDUSTAN CABLES RUPNARAIN-  
PUR, THE INDIAN NATIONAL JUTE  
MILL AND THE CLOSURE OF THE  
WESTERN KAJORA COAL MINE**

SHRI KALYAN ROY (West Bengal): Sir,  
through you, I want to draw the attention of  
the Government that the Hindustan Cables,  
Rupnarainpur, near Asansol, West Bengal,  
has declared a lockout since the 18th, and the  
workers feel that there is a lot of corruption,  
nepotism, etc. at the top, which has led to the  
lockout and rendered nearly four thousand  
workers unemployed...

(Interruptions)

MR. CHAIRMAN: I have called Mr.  
Kalyan Roy. You cannot interrupt him. He is  
speaking.

SHRI KALYAN ROY: The workers have  
alleged that machinery and equipment are  
being shifted to Hyderabad.

Similarly, the biggest jute mills in the  
country, employing 15,000 workers, the  
Indian National Jute Mill, is on the verge of  
closure. No wages have been paid, no bonus  
has been paid by the management. It belongs  
to Mr. Ramnath Goenka. All the modern  
machinery is rotting, and there is no  
administration there. On the other hand, Mr.  
C. Subramaniam is forcing the West Bengal  
Government not to take over the mill but to  
come to terms with Mr. Ramnath Goenka and  
set up a joint sector, which has been  
condemned by the INTUC, the AITUC and  
the HMS.

Sir, lastly, one more coal mine in the  
Asansol belt, the Western Kajora Coal mine,  
has been closed down, leaving so far 16 coal  
mines being closed down during the last six  
months, rendering 20,000 workers  
unemployed. It is high time, therefore, that  
Government decided its policy towards the  
non-coking coal mines.

SHRI S. D. MISRA (Uttar Pradesh):  
Sir, I want to know the view of the Gov-  
ernment regarding what Shri Banarsi Das  
said.

THE MINISTER OF STATE IN THE  
DEPARTMENT OF PARLIAMENTARY  
AFFAIRS (SHRI OM MEHTA): If that had  
been the decision of the Business Advisory  
Committee, we would have allotted some  
time. Now, on the last day of the Session, they  
come and want some time to be allotted. It is  
not possible for us to allot any time now. And  
Government's view has already been made  
clear to Shri Bhagwat Dayal through a reply  
that has been sent by Home Minister.

SHRI MAHAVIR TYAGI (Uttar Pradesh):  
I want to make a submission about the  
allotment of time for this. I fully appreciate  
the difficulty, that the Committee has not done  
it. There is so much business to be taken up  
and so the Committee has to give preference  
to one item over the other. But since we are  
going to adjourn today and we are prepared to  
sit for a few hours longer, what is the harm in  
discussing this?

MR. CHAIRMAN: No, please.

डा० भाई महावीर (दिल्ली) : श्रीमन्,  
क्या ऐडवाइजरी कमेटी हाउस से ऊपर  
है ? अगर हाउस यह समझे कि किसी  
एक विषय की इंपार्टेंस को देखते हुए  
और इस सेशन के अडजर्न होने के  
पहले हम उस पर कुछ विचार कर सकते  
हैं और हाउस उसके लिए एक-डेढ़ पंदा  
बैठने के लिए तैयार हो, तो श्रीमन्,  
मैं समझता हूँ कि आप इस बात का  
अवश्य विचार कर सकते हैं कि उसके  
लिए उचित प्राविजन कर दें और हम  
उसका विचार कर सकें सदन के उठने

से पहले। ऐडवाइजरी कमेटी की टेक्निकल बाधा उसमें नहीं आनी चाहिए।

श्री भगवत दयाल (हरियाणा): श्रीमन्, असल बात यह है कि हमने दो मैमोरंडम दिये थे। . . .

(Interruptions)

MR. CHAIRMAN: No, I cannot permit.

श्री भगवत दयाल : मेरी अर्ज यह है कि उसमें कंस्टीट्यूशन पाइंट है। उसमें 130 चार्जेंज थे। . . .

MR. CHAIRMAN: This is enough.

श्री भगवत दयाल : श्रीमन्, उनके अन्दर प्राइमा-फेसाई केस बना। इनके अन्दर से उनको क्लीन चिट देना चाहते हैं। जब प्राइमा-फेसाई केस बन गया है तो उस पर विचार करने में आपत्ति नहीं होनी चाहिए।

MR. CHAIRMAN: I am not permitting you.

श्री नागेश्वर प्रसाद शाही (उत्तर प्रदेश) : श्रीमन्, मैं इतना ही कह रहा हूँ कि . . .

SHR[ S. D. MISRA: Sir, in protest we walk out.

(At this stage some horrible Members from the Opposition walked out of the Chamber)

MR. CHAIRMAN: Mr. Shahi, I have not permitted you. We now take up the Mulki Rules Bill, 1972.

### THE MULKI RULES BILL, 1972

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): Sir, I beg to move: —

"That the Bill to provide for certain amendments to the Mulki Rules so as

to limit their operation, for the validation of certain appointments and for the repeal, in a phased manner, of the said rules and for matters connected therewith, as passed by the Lok Sabha, be taken into consideration."

The honourable Members are already aware of the circumstances leading to the introduction of this Bill. The House has had occasion to discuss the Mulki Rules issue earlier on a call attention motion, and on November 27 the Prime Minister made a statement before the House on the decisions to meet the situation arising out of the Supreme Court judgment given in October last. I, therefore, propose to mention briefly only the scheme of the Bill at this stage.

The Bill is a very short one, consisting of 7 clauses and 2 schedules. The provisions of the Bill fall broadly into three parts. The first part, or the preliminary part, consists of the short title and the definitions clause. The second part relates to the past, and it consists of clauses 3 and 4. The third part relates to future, and it consists of clauses 5, 6 and 7 and the schedules. The provisions relating to the second part, namely clauses 3 and 4, seek to amend the Mulki Rules for the duration of the period commencing from the formation of the State of Andhra Pradesh and ending with the commencement of the proposed legislation, and validate the appointments made during this period in contravention of the Mulki Rules. As the House is aware, there has been considerable doubt and uncertainty during the period to which these clauses relate with regard to the application or otherwise of the Mulki Rules. Right from the coming into force of the Public Employment (Requirement as to Residence) Act, 1957 till the Supreme Court struck down section 3 of that Act by its judgment dated 28th March, 1969 in A. V. S. Narasinga Rao's case, it was assumed that section 2 of the Act had operated to repeal the Mulki Rules, and that the only law as to application of requirement as to residence was that provided for by the rules made under the Act. From the decision of the Supreme Court in A. V. S. Narasinga Rao's case till the recent judgment of the Supreme Court also it was assumed that the Mulki Rules were not in force.