

they might one day begin to usurp Government land and then we might have to introduce another Bill.

With these words, I support the Bill.

**SHRI I. K. GUJRAL :** Sir, my friend, Mr. Habib Tanvir, is a leading artiste of the country and we are proud of him. I am grateful for his pointing out what he has said, and I do realise that a city does remain a village unless housing facilities are provided. Also a stage has come when we must give a better deal to our artistes. To a very limited extent we are trying to accommodate their needs in D.D.A. housing. In the past we were thinking that perhaps more auditoria and such other facilities could come up if we could allot lands to some societies in the town. Lands were given to some societies, but they did not render any relief because, even when the buildings came up, their rents were very high, and the amateur groups could not function as they should have functioned. Similarly in the plastic arts no facilities are available in this town. I can assure him, so far as this Ministry is concerned, that we will try to cooperate in this as much as possible. But the basic thing, in the order of things, is that the initiative in this has naturally to come from the Ministry of Culture. And if the Ministry of Culture needs some support from the Ministry of Works and Housing either by way of allotment of houses or by way of allotment of land, we will very glad to cooperate with them. I have also instructed orally, by an oral order on the D.D.A. that in all their new colonies such facilities should also be provided.

**MR. DEPUTY CHAIRMAN :** The question is :

"That the Bill be passed."

*The motion was adopted.*

**MR. DEPUTY CHAIRMAN :** We now pass on to the next item of business.

## **MOTION FOR CONSIDERATION OF THE FIRST REPORT OF THE COMMITTEE ON RULES**

**SHRI SASANKASEKHAR SANYAL** (West Bengal) : Mr. Deputy Chairman, Sir, I beg to move the following Motion:

"That the First Report of the Committee on Rules presented to the Rajya Sabha on the 10th April, 1972, be taken into consideration."

I can give the background. The Committee did not meet for some time. There was a letter addressed to the Committee by Shri Chandra Shekhar and the Secretariat was good enough to furnish us with that letter. We met in Committee, considered these things and came to the unanimous conclusion that the Rules should be amended as requested.

*The question was put and the motion was adopted.*

**SHRI SASANKASEKHAR SANYAL :**  
I move :

"That this House agrees with the amendments to the Rules of Procedure and Conduct of Business in the Council of States (Rajya Sabha) contained in Appendix I of the First Report of the Committee on Rules presented to the Rajya Sabha on the 10th April, 1972."

*The question was put and the motion was adopted.*

## **THE UNTOUCHABILITY (OFFENCES AMENDMENT AND MISCELLANEOUS PROVISION) BILL, 1972**

**THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE (SHRI K. S. RAMASWAMY) :** Mr. Deputy Chairman, Sir, I beg to move the following motion :

"That this House concurs in the recommendation of Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill

[Shri K. S. Ramaswamy]

to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee:—

1. Dr. K. Mathew Kurian
2. Shri Ram Sahai
3. Shri M. C. Balan
4. Shri O. P. Tyagi
5. Shri N. H. Kumbhare.
6. Shri Shishir Kumar
7. Shri A. K. A. Abdul Samad
8. Shri Jamna Lal Berwa
9. Shri Kota Punnaiah
10. Shri Mahabir Dass
11. Miss Saroj Purushottam Khaparde
12. Shri Chandrasekhar
13. Shri Kalyan Chand
14. Pt. Bhawaniprasad Tiwary
15. Prof. S. Nurul Hasan.

*The question was proposed.*

**SHRI B. P. NAGARAJA MURTHY** (Mysore) : Mr. Deputy Chairman, Sir, while welcoming the amending Bill, I would like to make a few observations. Three years after the first session of both Lok Sabha and Rajya Sabha, in the year 1955, the original Act was enacted and ten years after the original Act, the Government of India acted. It took them ten years to find out the loopholes and lacunae in implementing the original Act. In the year 1965 the Government of India was pleased to appoint a Committee under the Chairmanship of Shri Elaya Perumal and that Committee took three years to submit its report. After three years now, this amending Bill has been brought before both Houses. That shows how the Government of India is moving about removing the evil practice of this untouchability. Even the amending Bill is not comprehensive enough to eradicate this evil because it is more an economic problem than a social problem because

among the educated people and those who are highly enlightened and those who are highly placed in the society we do not see much of untouchability. We find untouchability more among the poorer and the uneducated classes. So, if untouchability is to be removed, firstly, their economic problems must be tackled. So, *asprusyata hatao* should be given preference over *garibi hatao*. Unless *asprusyata hatao* is given priority, no amount of legislation will solve this problem of untouchability. As an advocate, I have come across instances where even officers who are to take cognizance of offences under the Untouchability (Removal) Act, they themselves practise untouchability and even the judicial officials who are expected to give verdict on merits, they themselves also practise untouchability. So, there should be a provision under this Act to punish officers also if they practise untouchability.

I make these observations in the hope that the Select Committee will take all these matters into consideration and make a comprehensive legislation.

**श्री श्याम लाल यादव (उत्तर प्रदेश) :** मान्यवर, इस विधेयक का स्वागत करते हुए मैं इतना निवेदन करना चाहता हूँ कि हरिजनों के साथ जिस प्रकार का दुर्व्यवहार हो रहा है उस संबंध में इस विधेयक की भूमिका को और बढ़ाना होगा और इसमें कुछ इस तरह की व्यवस्था करनी होगी जिससे कि एक प्रभावकारी ढंग से इस तरह के अत्याचारों का मुकाबला किया जा सके।

मान्यवर, मैं दो घटनाओं का जिक्र करना चाहता हूँ। वाराणसी में अभी डाक्टर अम्बेदकर की जयंती मनाई गई और गांव भोगवारे थाना मुगल सराय में जयन्ती मनाई गई और वहां पर हरिजनों के ऊपर तैयारी के साथ और बला वजह यकायक हमला किया गया, डा० अम्बेदकर की मूर्ति, महात्मा गांधी और जवाहर लाल नेहरू की जो फोटो

थी सब को कुचल दिया गया और उनका सारा सामान तोड़ दिया गया। इसके ऊपर वहां की पुलिस ने कोई अफेक्टिव कार्यवाही नहीं की। एक दूसरी घटना है। वहां एक गांव सभा के चुनाव में, गांव अली नगर थाना मुगलसराय में, श्री बेचन राम एडवोकेट जो कि असिस्टेंट गवर्नमेंट एडवोकेट है और हरिजन है। उनके ऊपर गांव वालों ने हमला किया, थाने में उसकी इत्तिला दी गई लेकिन कोई कार्यवाही करने को तैयार नहीं, तो मैं जानना चाहता हू कि खास तौर पर उत्तर प्रदेश में जब यह स्थिति है, उत्तर प्रदेश में जो आज कांग्रेस की पार्टी की हुकूमत बनी है और खास कर के मुख्य मंत्री श्री कमलापति त्रिपाठी के जिले में जिस प्रकार का हरिजनों के ऊपर अत्याचार हो रहा है, उसको रोकने के लिये क्या कार्यवाही की जायगी। उसको रोकने के बजाय वहां की कांग्रेस पार्टी पूरी तरह से अत्याचारियों को सहयोग कर रही है, उनके खिलाफ कार्यवाही करने की न तो वहां की सरकार को हिम्मत है और न वहां की पुलिस को है और न किसी को हिम्मत है, उनको पूरा आश्रय कांग्रेस पार्टी के लोग दे रहे हैं।

मान्यवर, एक और अफसोस की बात है, एक और घटना में बता रहा हूं। उत्तर प्रदेश लोक सेवा आयोग में एक हरिजन की नियुक्ति हुई और उसके रहने के लिये एक मकान दिया गया। फिर वहां मुख्य मंत्री सारी परम्पराओं को तोड़ते हैं और वहां अपनी जाति; बिरादरी के, जातीयता के आधार पर एक सज्जन को चयरमन नियुक्त किया गया, वह चयरमन जा कर के हरिजन के बंगले में जबरदस्ती घुसते हैं और पुलिस को साथ ले जा कर उसका सारा सामान फिकवा देते हैं, उस हरिजन मेम्बर को, उस गरीब आदमी को, वहां से हटाया जाता है। उसे कोई स्थान नहीं मिला

है, आज तक वह बैठा हुआ है जो कि गेस्ट हाउस का कमरा है, बरामदा है उसके अन्दर। तो इस तरह की घटना उस प्रदेश में हुई है। तो मान्यवर हम कैसे कल्पना करे कि इस कानून का प्रभावकारी उपयोग किया जा सकता है। इसलिये पोलिटिकल स्तर पर, राजनिति के स्तर पर, कार्यवाही करनी चाहिए जिससे कि हरिजनों के साथ कोई अत्याचार न हो।

**SHRI K. S. RAMASWAMY :** I agree that economic and educational advancement of the community is necessary for the eradication of the evil. But, Sir, when the existing Bill was found inadequate, the matter was referred to the Elayaperumal Committee which went into the economic and educational backwardness of the Harijan community. It went into the existing provisions of the law and the existing conditions of the community and then they have given their recommendations. We have adopted and incorporated almost all those recommendations, I think. Sir, the hon. Member made some allegations against the Chief Minister of the State. I deny these allegations. No Minister will connive in such an activity...

**SHRI SHYAM LAL YADAV :** The hon'ble Minister is unnecessarily denying. Please enquire into the affairs and then state the position clearly.

**SHRI K. S. RAMASWAMY :** However, that is not relevant to the Bill. Whatever suggestions are given with regard to this Bill will be considered.

**MR. DEPUTY CHAIRMAN :** The question is:

"That this House concurs in the recommendation of Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951, and resolves that the following members of the Rajya

[Mr. Deputy Chairman]

Sabha be nominated to serve on the said Joint Committee :

1. Dr. K. Mathew Kurian
2. Shri Ram Sahai
3. Shri M. C. Balan
4. Shri O. P. Tyagi
5. Shri N. H. Kumabhare
6. Shri Shishir Kumar
7. Shri A. K. A. Abdul Samad
8. Shri Jamna Lal Berwa
9. Shri Kota Punnaiah
10. Shri Mahabir Dass
11. Miss Saroj Purushottam Kharde
12. Shri C. P. Majhi
13. Shri Kalyan Chand
14. Pt. Bhawaniprasad Tiwary
15. Prof. S. Nurul Hasan."

*The motion was adopted*

### THE GENERAL INSURANCE BUSINESS (NATIONALISATION) BILL, 1972

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : Sir, on behalf of Shri Y. B. Chavan, I move:

"That this House concurs in the recommendation of Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to provide for the acquisition and transfer of shares of Indian Insurance Companies and undertakings of other existing insurers in order to serve better the needs of the economy by securing the development of general insurance business in the best interests of the community and to ensure that the operation of the economic system does not result in the concentration of wealth to the common detriment, for the regulation and control of such business and for matters connected therewith or incidental thereto, and resolves that the

following Members of the Rajya Sabha be nominated to serve on the said Joint Committee:

1. Shri Balachandra Menon
2. Shri Chandramouli Jagalamudi
3. Shri Babubhai M. Chinai
4. Shri D. P. Pawar
5. Shri J. P. Yadav
6. Shri B. K. Kaul
7. Shri Kanchi Kalyanasundaram
8. Shri N. G. Goray
9. Shri V. B. Raju
10. Shri N. R. Choudhury
11. Shri H. M. Trivedi
12. Shri A. G. Kulkarni
13. Shri Ganesh Lal Mali
14. Shri T. A. Pai
15. Shri K. L. N. Prasad."

Hon. Members will recall that the management of the undertakings of general insurance companies vested in Government, pending nationalisation of such business, under an ordinance which was issued on 13th May, 1971 and which was replaced retrospectively from the same day by an Act. This was the first step in the process of nationalisation of general insurance business which was decided to be implemented in two stages. The second and final step is now being taken and for this purpose the General Insurance Business (Nationalisation) Bill, 1972 was introduced in the Lok Sabha on the 29th May, 1972.

During the course of the debate on the previous Bill, namely the General Insurance (Emergency Provisions) Bill, 1971, the Finance Minister had assured both in the Lok Sabha as well as in this House that when the Bill for acquiring the ownership of the business is introduced he would move for referring the Bill to a Joint Committee of the Houses. In fulfilment of that assurance, a motion was moved in the Lok Sabha on the 30th May, 1972 for referring the Bill to a Joint Committee of the Houses consisting of 30 Members from the Lok Sabha and 15 Members from the Rajya