

me to gulp or even understand. How it will be implemented, I cannot understand. These are matters which I would appeal to the hon. Members to seriously ponder over.

I greatly appreciate their solicitude for the armed forces. I greatly welcome that, and a great deal can be done if all the political parties co-operate in this respect and persuade the State Governments to take several measures, both legislative as well as executive, so that the families of the soldiers, the airmen and the sailors are looked after properly, that their education is looked after properly and that the executive authority is exercised in such a manner that they are not put to undue hardship. In this—I would appeal—all political parties can do a great deal in creating the most congenial atmosphere, in the State Governments particularly, so that the soldiers could feel that, when they are on the front prepared to lay down their lives prepared to undergo the greatest sacrifice, then their families and their interests will not suffer. In this I am glad that the hon. Members have evinced interest, and with their help and co-operation a great deal of hardship can be mitigated.

About the other questions about their terms of service, I may submit that they are matters which are not relevant to this Bill but, as I have said already, I have kept a careful note of what has been said, and at the appropriate time all these views will be duly considered.

THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) : The question is :

“That the Bill as amended, be passed”.

The motion was adopted.

THE ALL-INDIA SERVICES (LAYING OF REGULATIONS BEFORE PARLIAMENT) BILL, 1968

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : Sir, I beg to move :

“That the Bill to provide for laying before Parliament of the regulations made under the All-India Services Act, 1951, and for certain other matters connected therewith be taken into consideration.”

The House knows, Sir, that under sub-section (1) of Section 3 of the All-India Services Act, 1951, powers have been given to the Central Government to make rules, and regulations in consultation with the State Governments concerned for the regulation of the conditions of service of the persons appointed to the various All-India Services. These rules have been made from time to time and they have been laid before Parliament from time to time. A confusion arose whether the Government was also required to lay the regulations in addition to the rules, before Parliament or not. The interpretation that was given to this provision was that the Government was only required to lay the rules that were made under the Section which I referred to, and not the regulations. Therefore, prior to 1st July, 1967 only the rules that were made under this Act were laid before Parliament, and the regulations that were made were not laid before Parliament. But the Supreme Court of India, in *Narendra Kumar versus the Union of India*, made certain observations which posed the point whether the regulations also should be laid before the Houses of Parliament. Therefore, we referred this matter to the Ministry of Law, and the Ministry of Law said that in order to avoid any question of the validity or otherwise of the regulations that have been made under this Act, they should be all laid before Parliament, on the Table of both the Houses. We considered the question whether we should lay them here together and take them as having been laid regularly, or should amend this Act to validate all the regulations that have not been laid on the Table of both the Houses. According to the interpretation that has now been given in the light of the Supreme Court judgment, the advice of the Law Ministry was that we should bring forward a Bill to amend this Act so that the validity of these regulations is completely beyond question. Therefore, Sir, this Bill has been brought before this hon. House. The Rajya Sabha Committee on Subordinate Legislation also examined the Bill. They were concerned about this matter because this matter related to the power of making subordinate legislation. And they have made certain suggestions and most of these suggestions have been accepted by us. Only one suggestion, which has not yet been accepted, has been kept pending because we wanted to consult the Lok Sabha Secretariat also in this matter. And before their agreement we did not want to incorporate it in this Bill. Therefore I have moved the amendments to incorporate all those amendments that have been suggested by the Rajya Sabha

[Shri Vidya Charan Shukla]

Committee on Subordinate Legislation. This being a Bill which is regularising an earlier lapse—I have also given the reasons why this lapse occurred—I hope this hon. House would approve of this Bill and pass it unanimously.

The question was proposed.

3 P.M.

THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) : If no one wants to speak we can take up the clause by clause consideration also and finish this now.

SHRI SUNDAR SINGH BHANDARI : (Rajasthan) : No, no.

SHRI K. CHANDRASEKHARAN (Kerala) : No, we want to speak.

THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) : All right, we go to the next item then.

MOTION RE SITUATION ARISING OUT OF RECENT COMMUNAL DISTURBANCES IN AHMEDABAD AND OTHER PLACES IN GUJARAT

THE VICE-CHAIRMAN (SHRI RAM NIWAS MIRDHA) : Before we start discussion on this motion I would like to inform hon. Members that the time allotted for discussion on this is 3 hours and hon. Members will keep the time limit in view so that more and more Members could take part.

SHRI BHUPESH GUPTA (West Bengal) : Mr. Vice-Chairman, we were told that today this would continue till we finish.

SHRI OM MEHTA (Jammu and Kashmir) : We have no objection to it.

SHRI BHUPESH GUPTA : That is what we were told.

SHRI A. D. MANI (Madhya Pradesh) : Mr. Vice-Chairman, Sir, may I, with your permission, move the following motion :

“That the situation arising out of the recent communal disturbances in Ahmedabad and other places in Gujarat be taken into consideration.”

In initiating this discussion, I would like to make it clear that it is not my object. . .

FELICITATION TO THE PRIME MINISTER ON HER BIRTHDAY

SHRIMATI YASHODA REDDY (Andhra Pradesh) : Sir, with your permission on behalf of my party may I pay our felicitations and wish Madam Gandhi on her birthday many more happy returns and a very happy life?

MOTION RESITUATION ARISING OUT OF RECENT COMMUNAL DISTURBANCES IN AHMEDABAD AND OTHER PLACES IN GUJARAT— *contd.*

SHRI A. D. MANI (Madhya Pradesh) : Sir, while initiating this debate, I would like to make it clear that I do not want to highlight those gloomy and sordid aspects of the humiliation which the nation suffered in the Ahmedabad riots in the last week of September this year because the whole world is watching how the country is reacting to the situation created after the riots. I would like to say here that the hon. Home Minister made a statement this morning in answer to a question stating :

“According to figures received from the State Government on October 24, 1969, 434 persons were killed in the riots in Ahmedabad city. Till September 27, in arson cases 98 shops, 166 houses and 7 religious places were burnt. In the districts 38 persons were killed. The loss of property in the districts was estimated at about Rs. 6 lakhs. These are provisional figures, furnished by the State Government, as subject to correction as a result of detailed inquiries in progress.”

I would like to inform the Home Minister that nobody fully believes these understated figures. There have been independent witnesses and persons who have gone to the spot to find out the damage and the loss of life. A committee from Delhi has brought out a pamphlet. Though it is technically by a Hindu, it does not have any communal bias. It says here :

“The figure for murders is not less than 2,000 and that for the wounded . . .

SHRI SUNDAR SINGH BHANDARI (Rajasthan) : Who is he ?

SHRI A. D. MANI : It is by Mr. B.N. Pande. It is not a Hindu pamphlet at all; it presents the other point of view also. He says:

“The figure for murders is not less than 2,000 and that for the wounded thrice