

STATEMENT RE GOVERNMENT'S REACTION TO SOME OF THE RECOMMENDATIONS OF THE AD HOC JOINT COMMITTEE ON SALARY, ALLOWANCES AND OTHER AMENITIES TO MEMBERS OF PARLIAMENT

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI K. RAGHURAMAIAH) As the House is aware, on the 15th December, 1967, Shri Panna Lal Barupal introduced a Bill in Lok Sabha to amend the Salaries and Allowances of Members of Parliament Act, 1954 . . .

श्री राजनारायण (उत्तर प्रदेश) मैं जानना चाहता हूँ कि किस समदीय प्रथा के मुताबिक एक बिल आयेगा। उसका अनाउन्समेन्ट सरकार पहले मे कैसे कर रही है। (Interruptions) जरा सुनिये।

जब बिल आयेगा तब उस बिल पर हम लोग अपनी राय व्यक्त करेंगे मगर इसका कारण क्या है कि आज यह सरकार अनाउन्स करने जा रही है कि इन इन परिवर्तनों के साथ ऐसा विधेयक आयेगा क्योंकि मैडम, आप जानती हैं कि कोई विधेयक जब आने को होगा उस समय भी उसमें परिवर्तन हो सकता है या सरकार का इरादा बदल सकता है। (Interruption) हम चाहते हैं क्योंकि सेन्ट्रल हाल में हमको बताया गया

श्री शेरखां (मैसूर) मिनिस्टर सहव को कहने दीजिए। उसके बाद पॉइन्ट ऑफ ऑर्डर रोज कीजिए। जैसे मेम्बर आप हैं वैसे हम भी मेम्बर हैं।

THE DEPUTY CHAIRMAN. Mr. Rajnarain, please sit down. Let him continue.

SHRI K. RAGHURAMAIAH This Bill came up for consideration in

Lok Sabha on the 26th April, 1968. After discussion, the question of providing further amenities and facilities to Members of Parliament was referred to a Joint Committee of the two Houses to be nominated by the Speaker of Lok Sabha and the Chairman of Rajya Sabha, for examination and report. This Joint Committee presented its Report to the House on 7th August, 1968.

The Business Advisory Committee of Lok Sabha in its meeting held on 20th August, 1968, expressed the view that before the Report was discussed by that House, it might be first considered by the General Purposes Committee of that House.

The General Purposes Committee of that House met on 15th November, 1968 and decided to postpone the consideration of the Report till the next session of the Lok Sabha (Budget Session 1969). Subsequently the General Purposes Committee of that House met on 12th March, 1969, and recorded the following minutes

"The Committee felt that the said Joint Committee had already submitted their Report to Parliament and it should now be left to Government to formulate their proposals in respect of the matters dealt with in that Report and bring them before the House."

SHRI RAJNARAIN. That House.

SHRI BHUPESH GUPTA (West Bengal): Everything relates to that House, including the Minister who is reading.

SHRI K. RAGHURAMAIAH In view of the above decision of the General Purposes Committee of that House, the Government have since considered the Report of the Joint Committee, and have decided as under.

Telephone facilities.—It has been decided that a Member will be allowed one free telephone at his permanent residence or at a place in the constituency as may be selected by him . . .

श्री राजनारायण : मैडम, यहां पर हम अपना पौइन्ट आफ ऑर्डर रज कर रहे हैं। हल्ला क्यों मचाते हैं। उनको बोलना है वह भी बोलें। हमारा पौइन्ट आफ ऑर्डर सुनिये।

हमारा प्वाइन्ट आफ़ आर्डर यह है कि गवर्नमेंट ने जो आज डिजीजन लिया है जिसके बारे में पार्लियामेन्ट्री अफेयर्स के मिनिस्टर यहां एलान कर रहे हैं, क्या यह डिजीजन लागू हो जायेगा या इसके लिये कोई विधेयक लाया जायेगा और यदि इसके लिये विधेयक आने वाला है, तो मैं आपसे यह निवेदन करना चाहता हूं कि हर्गिज हर्गिज मंत्री को इस समय प्रोपेगेन्डा परपज के लिये इसको अनाउन्स नहीं होने देना चाहिए। जब विधेयक आयेगा तब हम लोग अपना निवेदन करेंगे।

THE DEPUTY CHAIRMAN: Please sit down. Let him finish.

SHRI K. RAGHURAMAIAH: The place selected must be within the area of operation of an existing telephone exchange. This will be in addition to the residential telephone at present provided in Delhi or New Delhi under the Housing and Telephone Facilities (Members of Parliament) Rules, 1956. A maximum of 5,400 local calls per year will also be allowed free of charge.

It has also been decided that the free limit may be increased from 3,600 to 5,400 local calls per year for the residential telephone provided in Delhi or New Delhi under the said Rules.

The Joint Committee on Members' Salaries and Allowances will be requested to amend the Housing and Telephone Facilities (Members of Parliament) Rules accordingly.

Medical facilities.—It has been decided that following the procedure in

the existing rules which provide for certification by the Director-General of Health Services and so on, a Member can get treatment in any hospital run by the State or Central Government or aided by such Government. Bills for such treatment will be reimbursed according to the existing rules which require certificates from the Director General of State Health Services or other prescribed authorities. Reimbursement will also be subject to the existing rules as to what items are admissible and what items are not.

Air travel facilities.—It has been decided that in addition to the present facilities for air travel provided under the Act, a Member may undertake journeys to any part of the country by air provided he pays the difference between I Class Railway fare and the air fare for the destination.

Implementation of this requires amendment of the Salaries and Allowances of Members of Parliament Act, 1954. A Bill to this effect has been prepared and will be introduced in Parliament.

Foreign exchange for travel abroad. --The recommendation to increase the present foreign exchange limit of Rs. 6,000 to Rs. 9,000 has been accepted.

Income-tax.—The proposal to open an Income-tax Cell in Parliament House has already been accepted and implemented.

Airlifting of dead bodies of sitting Members of Parliament.

(Interruption)

SHRI BHUPESH GUPTA: So this is what we get? Kindly tell us what will happen to us when we are corpses.

SHRI PITAMBER DAS (Uttar Pradesh): Madam, I have a submission to make. So far as airlifting of dead bodies is concerned, it is a facility to the Members' families, not to the Members. The Members are gone.

SHRI K. RAGHURAMAIAH: If I may say so in all humility, you will not make it in your life-time, but it is a facility to you.

THE DEPUTY CHAIRMAN: Have you finished?

SHRI K. RAGHURAMAIAH: I have not yet finished.

Airlifting of dead bodies of sitting Members of Parliament.—The existing orders already provide for transportation of the dead body of a sitting Member of Parliament at Government expense by normal commercial flights. Where a chartered flight is availed of for transporting the dead body of a Member instead of a commercial flight, the relations of the deceased Member have to pay the difference. In addition to these arrangements, it has now been decided to make provision for transport of dead bodies by rail or road and where necessary by sea, at normal commercial rates at Government expense. In the event of a special charter Government would pay the charges at normal commercial rates, and the relations of the deceased Member will be expected to pay the difference.

Daily Allowance.—Keeping in view a number of other miscellaneous recommendations made by the Joint Committee, specially those suggested unanimously, and at the same time keeping in view the practical, administrative and other difficulties in adopting them, Government have decided upon an *ad hoc* increase in the daily allowance of Members from the present figure of Rs. 31 to Rs. 51. This enhancement shall be given effect to from 16th May, 1969.

This also requires amendment of the Salaries and Allowances of Members of Parliament Act, 1954. The necessary provision to this effect has been made in the Bill which I have said will be introduced in Parliament.

SHRI M. P. BHARGAVA (Uttar Pradesh): One clarification, Madam.

THE DEPUTY CHAIRMAN: What is it?

SHRI M. P. BHARGAVA: Madam, the thing most needed has been ignored. I would like to know from the hon. Minister what has been done about the secretarial assistance to Members of Parliament.

SHRI BIREN ROY (West Bengal): As far as I understand—I must say here that I was a Member of the Joint Committee—almost all the recommendations were unanimously accepted by the Joint Committee except two. One of these was also later on accepted unanimously as that did not involve any expenditure on the part of the Government. The Committee also recommended that the Government should take necessary steps for the implementation of the suggestion that the Members of Parliament should be exempted from the production of 'P' Forms. There was no question of any money involved in this recommendation. But the recommendation where the question of finance is involved, that is to say, the recommendation to increase the foreign exchange allowance from Rs. 6,000 to Rs. 9,000 because of devaluation has been accepted. The unanimous recommendation of the Joint Committee where no financial question is involved has not been accepted because of the stubbornness of some individual.

SHRI BHUPESH GUPTA: My observations will be on the following lines. We were given to understand that only the unanimous recommendations of the Committee would be accepted. But we find that whereas one or two unanimous recommendations have been accepted; some other things are being proposed, which were opposed by some Members of the Committee—for example, the increase in the Daily Allowance. I think the Government have been influenced by the idea of cash and carry; get Rs. 51 and run away with it. I don't know how this has been accepted by the Government because this was the most controversial thing. I do not know why this should

be accepted, whereas, as Shri Biren Roy pointed out, they could not accept the recommendation of the abolition of 'P' Forms for the Members of Parliament, where there is no financial implication at all. This is simply due to the cussedness of the Finance Minister. We are subjected to all kinds of insulting behaviour. If the Members of Parliament want to go abroad, they have to dance attendance before the Finance Minister in order to get the 'P' Form, even when it does not involve any foreign exchange expenditure. But the Government have agreed to raise the foreign exchange allowance from Rs. 6,000 to Rs. 9,000 due to devaluation. As has been rightly pointed out by Shri Biren Roy, one recommendation which does not cost any money is rejected and the other which involves money is accepted. I would like to know why the Government are insisting on the production of 'P' Forms for the Members of Parliament. In other countries, the Members of Parliament have got even diplomatic Passports, and so many other additional facilities.

SHRI BIREN ROY: That was also one of the recommendations of the Committee that passports of Parliament Members should be either diplomatic or overstamped as 'M.P.'.

SHRI BHUPESH GUPTA: As pointed out by Shri Biren Roy, this is due to the cussedness of one Minister, that is the Finance Minister of the country. The whole bunch of them in the Cabinet have not got the courage to set aside his opinion and accept the unanimous recommendation made by a Committee of Members from the two Houses of Parliament. Therefore, I say that this is not a right way of handling the parliamentary amenities. I want to have a clarification from the Minister of Parliamentary Affairs so far as this issue is concerned.

SHRI MULKA GOVINDA REDDY (Mysore): The Joint Committee had unanimously recommended that instead of four interim journeys by Air there should be eight interim jour-

neys by Air. I would like to know the position with regard to this.

श्री राजनारायण : मैडम, यहां पर माननीय मंत्री जी ने जो सरकारी निर्णय की घोषणा की है वह हमारे देश के लिए अशुभ है। इसमें कुछ ऐसी बातें हैं . . .

उप सभापति : जो कुछ पूछना चाहते हो वह पूछो और बात मत करो
(Interruptions)

श्री राजनारायण : माननीया, मैं दो तीन मिनट में खत्म कर दूंगा। अनावश्यक हल्ला यहां पर न किया जाय। हमारी बात सुन ली जाय क्योंकि इस चीज से देश में भयंकर उत्पात होने वाला है और इस चीज को माननीय सदस्य दृष्टिगत नहीं कर पा रहे हैं। सदन के सदस्यों का दैनिक भत्ता बढ़ाया जा रहा है, यह सरकार का फैसला है। 31 रु० की जगह 51 रु० प्रति दिन दैनिक भत्ता बढ़ाया जा रहा है। इसका नतीजा क्या होगा।

श्री के० एस० चावडा (गुजरात) : मैं राजनारायण जी से जानना चाहता हूं कि वह बढ़ाया हुआ भत्ता लेंगे या नहीं ?

श्री राजनारायण : पार्लियामेंट इस देश की गरीबी का एहसास नहीं कर रही है कि इस देश में गरीबी है या नहीं क्योंकि उनको पता ही नहीं है कि इस देश में क्या हो रहा है। (Interruptions) इसलिए मैं कहना चाहता हूं कि यहां पर बईमानी और बेशर्मी का इजहार नहीं किया जाय। हल्ला हम भी कर सकते हैं।

श्री के० एस० चावडा : माननीया, मेरा एक प्वाइन्ट आफ आर्डर है।

उप सभापति : क्या है।

श्री के० एस० चावडा : मैं श्री राजनारायण से यह जानना चाहता हूँ कि जो भत्ता बढ़ेगा वह उसको लेंगे या नहीं।

THE DEPUTY CHAIRMAN: In view of the decision of the General Purposes Committee the Government considered the Report of the Joint Committee and decided that these should be accepted. We are not going into the question of what things should be accepted and what should not be accepted. If you want to have any clarification on any of the issues read out by the Minister, you may do so, but not any general discussion.

श्री राजनारायण : मैं वही पूछ रहा हूँ। सून लिया जाय। इसमें जनरल डिस्कशन की कोई बात नहीं है। जो अभद्रता संसद में की जा रही है, उसके बारे में मुझे पूरा हक है कि अपने जजबात का इजहार करूँ। इस प्रकार से बेशर्मी करके और हल्ला करके हमें दबाया नहीं जा सकता है।

मैं यह कहना चाहता हूँ कि आज संसद के इतिहास में एक गलत परम्परा डाली जा रही है। विधेयक कब आयेगा कब नहीं आयेगा, विधेयक आयेगा या नहीं आयेगा, मगर आज मंत्री जी पहले से ही एलान कर रहे हैं कि सरकार ने डिसिजन ले लिया और इसके बारे में विधेयक आयेगा। यह संसदीय बेहदगी है।

दूसरी बात मैं यह कहना चाहता हूँ कि दैनिक भत्ता 31 रु० की जगह 51 रु० बढ़ाया जा रहा है। संसद के सदस्यों को देश की गरीबी का इससे एहसास नहीं होगा और उन्हें पता नहीं चलेगा कि इस देश की जनता गरीब है या नहीं। इसलिए मैं कहना चाहता हूँ कि सरकार हरिगज हरिगज यह भत्ता

बढ़ाने की बात न करें। जो यूनेनिमस डिसिजन है, उसको सरकार को यहाँ पर रखना चाहिये। मैं सरकार से जानना चाहता हूँ कि जो सर्वसम्मत फैसला हुआ था उसको रखने में क्या दिक्कत है। उससे सरकार आगे क्यों बढ़ गई है। लोकसभा के अध्यक्ष ने यह आश्वासन दिया था कि जो यूनेनिमस फैसला होगा उसको ही कार्यान्वित किया जायेगा और सरकार उसके आगे नहीं जायेगी। लेकिन आज यह सरकार आगे जा रही है (Interruptions) माननीया, आज कांग्रेस पार्टी के अन्दर श्री मोरारजी देसाई और इन्दिरा गांधी के बीच में क्लेश द्वन्द है (Interruptions) श्री मोरारजी देसाई से यह कहा गया है कि अगर तुम भत्ता नहीं बढ़ाओगे तो तुम्हारे विरुद्ध हल्ला होगा। मुझे श्री मोरारजी भाई और श्रीमती इन्दिरा गांधी से कोई मतलब नहीं है। जानबूझकर और साजिश के साथ ये कांग्रेस के लोग चूँकि जिनकी तादाद ज्यादा है उनको खिलाने के लिए यह भत्ता बढ़ाने की साजिश है।

DR. (MRS.) MANGLADEVI TALWAR (Rajasthan): Under the existing rules, a Member can get the re-imbursement of the medical expenditure incurred by him either in Delhi or outside only after the Director-General of Health Services issues a certificate. The decision here is to follow the procedure in the existing rules, which means the same type of tedious procedure. I would like the Minister to clarify this point.

SHRI G. A. APPAN (Tamil Nadu): I would like to know from the hon. Minister the per capita income of India for the current year.

THE DEPUTY CHAIRMAN: That is not the point here.

SHRI G. A. APPAN: That is the point here. When the per capita in-

come of Indian citizens is so low, when there is the grave situation of unemployment and under-employment, when the people are starving in the streets, when they are not able to get even one rupee a day, it is really unfortunate that the Government should come forward with the proposal to increase the Daily Allowance of the Members of Parliament and also to give them certain other amenities. I have been really thinking about this, Madam. There is one more thing with regard to these privileges. At least there is some justification to meet the incidental expenses, to meet the legitimate expenses . . . *(Interruptions)* No Member of the House has any right to live upon the poor man's labour. The Government should immediately withdraw the decision.

THE DEPUTY CHAIRMAN: You have listened to all that. Do you want to say anything beyond your statement?

SHRI K. RAGHURAMAIAH: Yes, Madam. I would like to say first of all that it is a matter of regret . . .

(Interruptions)

SHRI BHUPESH GUPTA: Are we having a lobby of Mr. Desai?

(Interruptions)

THE DEPUTY CHAIRMAN: Please sit down.

SHRI K. RAGHURAMAIAH: Madam, I would just say that it is a matter of deep regret that the Finance Minister's name should have been brought into this. The decision that has been made is a decision of the entire Government. If you want to give discredit to any particular Member, then you must give the benefit of the entire credit also to him. You cannot separate one item and then start saying . . . *(Interruptions)*

श्री राजनारायण : फाइनेंस मिनिस्टर का नाम किसने लिया। किसी ने उनका नाम नहीं लिया। हमने उनका

नाम इसलिये लिया है कि वे इसके लिये ऐग्री किये (राज्य हुए) हैं . . .

SHRI K. RAGHURAMAIAH: No, Madam. I must make my . . .

(Interruptions) —

THE DEPUTY CHAIRMAN: Mr. Rajnarain, you must learn to listen.

SHRI K. RAGHURAMAIAH: I must make my emphatic protest against this kind of calumny that is being made against a Member of the Government who is not at all responsible. The decision is a decision of the Government.

First of all, as regards the point raised by Shri Bhargava, that is, whether the Government has considered about the secretarial assistance and other allied matters mentioned in the unanimous recommendations of the Committee, I would like to assure the House that all the recommendations—both unanimous recommendations as well as recommendations by the majority of the Members—have been considered and the Government has come to an overall conclusion that it would be better in the best interests of Members that the provisions which have been announced, should be made. As regards the point about the “P” form, well, whatever is not accepted, is obviously not accepted, and “P” form is one of those things which I have not announced as having been accepted. As regards the point raised by Mr. Rajnarain that we have no right to make a statement of this nature here, I would like to make one thing clear. The point is very simple. I have only indicated the intention of the Government. It is for the Parliament tomorrow when the Bill comes here whether or not to approve it. What all I have said here in regard to those provisions which will have to come by way of an amendment to the enactment, is subject to the approval of the House. That is why I say, let there be no misunderstanding. Let me make it clear that D.A. at the enhanced rate will be payable with effect from today

[Shri K. Raghuramaiah]

only in the event of the Parliament passing the enactment, and not otherwise, and there is no authority at all. Today you cannot draw it. You can draw it when the enactment is passed with retrospective effect.

THE DEPUTY CHAIRMAN: Now we will go to the next item.—Introduction of Bills.

RE STATEMENT FROM THE DEPUTY LAW MINISTER—*contd.*

श्री राजनारायण (उत्तर प्रदेश) :
मैडम, डिप्टी मिनिस्टर साहब आ चुके हैं . . .

THE DEPUTY CHAIRMAN: No, not today.

SHRI BHUPESH GUPTA (West Bengal): Madam, Mr. Yunus Saleem is here. We would like to know when he is making his statement.

श्री राजनारायण : मैडम, आपकी व्यवस्था डिप्टी मिनिस्टर के बारे में क्या है? वे आये हुये हैं।

THE DEPUTY CHAIRMAN: Please do not interrupt. Let us take the next item. The Constitution (Amendment) Bill, 1969 in the name of Mr. Villalan.

श्री राजनारायण : आप को इंटरप्ट करना नहीं चाहता । मगर आप से निवेदन है कि हम को बता दिया जाय . . .

THE DEPUTY CHAIRMAN: No, no. I am not going into that now.

SHRI RAINARAIN: Is he going to make the statement tomorrow?

THE DEPUTY CHAIRMAN: I am considering that.

BILLS INTRODUCED

THE YOUNG PERSONS (HARMFUL PUBLICATIONS) AMENDMENT BILL, 1969

(To amend Section 2)

SHRI G. R. PATIL (Maharashtra): Madam, I beg to move for leave to introduce a Bill to amend the Young Persons (Harmful Publications) Act, 1956.

The question was put and the motion was adopted.

SHRI G. R. PATIL: Madam, I introduce the Bill.

THE CONSTITUTION (AMENDMENT) BILL, 1969

(Omission of Article 220)

SHRI THILLAI VILLALAN (Tamil Nadu): Madam, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

The question was put and the motion was adopted.

SHRI THILLAI VILLALAN: Madam, I introduce the Bill.

THE CONSTITUTION (AMENDMENT) BILL, 1969

(To amend Articles 155 and 156)

SHRI THILLAI VILLALAN: Madam, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

The question was put and the motion was adopted.

SHRI THILLAI VILLALAN: Madam, I introduce the Bill.

THE CONSTITUTION (AMENDMENT) BILL, 1969

(To amend Article 156)

SHRI CHITTA BASU (West Bengal): Madam, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

The question was put and the motion was adopted.