

RAJYA SABHA

Wednesday, the 12th March, 1969/the 21st
Phalguna, 1890 (Saka)

The House met at eleven of the clock,
MR. CHAIRMAN in the Chair.

ORAL ANSWERS TO QUESTIONS

STATE LOTTERIES

*407. DR. BHAI MAHAVIR : †
SHRI NIRANJAN VARMA:

Will the Minister of HOME AFFAIRS
be pleased to state:

(a) the number of States in which Government lotteries have been started and with what results;

(b) whether the Central Government have approved of this practice or agreed to it; if not, what action is being proposed to be taken in this regard;

(c) whether permission has been sought by and granted to Delhi Administration for starting a Government lottery;

(d) whether permission has been granted to any other Union Territory for starting a Government lottery; if so, the name thereof; and

(e) whether some of the State Governments (for instance Andhra Pradesh) have banned the sale of lottery tickets of other States within their jurisdiction; and if so what are the reasons therefor?

THE MINISTER OF STATE IN
THE MINISTRY OF HOME AFFAIRS
(SHRI VIDYA CHARAN SHUKLA): (a) The Governments of Haryana, Kerala Madras, Punjab, Rajasthan, Uttar Pradesh and West Bengal have started State lotteries. The Governments of Assam and Maharashtra have also decided to float a State lottery. The State Governments have reported that the lotteries have proved successful in augmenting resources.

(b) The Government of India have permitted the State Governments to conduct State Lotteries if they so desire subject to the condition that tickets of such a lottery will not be sold in another State without the express consent of the Government of that State.

†The question was actually asked on the floor of the House by Dr. Bhai Mahavir.

(c) The request of Delhi Administration for permission to organise lottery is under consideration.

(d) No other Union Territory has approached the Central Government for permission to start lottery.

(e) The Governments of Bihar, Gujarat and Madhya Pradesh, have refused permission to other State Governments for sale of tickets of their lotteries in these States as a matter of policy.

DR. BHAI MAHAVIR: May I know, Sir, for how long the request of the Delhi Administration has been under the consideration of the Central Government? More specifically, if it is a fact that the request was originally made on the 1st of July, 1968 and the Central Government has taken already nine months to examine it, how long does the Central Government think it would need to examine the request before coming to a decision? Secondly Sir, may I know if the Central Government is aware that the lottery tickets of Madras, Haryana, U. P. Punjab, . . .

SHRI A. D. MANI: Kerala also.

DR. BHAI MAHAVIR: . . . and I suppose of some other States also including Kerala, are being sold without restriction in Delhi? I am not aware if the sanction or the approval of the Delhi Administration has been obtained by them in this respect. Lakhs of rupees are collected by way of revenue at Delhi by these lotteries. Now, the delay in the Central Government's decision fits in with the delay in the Central Government's action on all the recommendations and the proposals coming from the Delhi Administration in respect of various enactments like the Motor Vehicles Bill, Cow Protection Bill, Mayor-in-Council Bill, and so on. Has the Central Government taken a decision not to give prompt attention, or not to take any prompt decision in respect of any request coming from the Delhi Administration?

SHRI VIDYA CHARAN SHUKLA : It is not a fact that we deliberately delay any proposals received from the Delhi Administration for any legislative or non-legislative items. As a matter of fact, Sir, we know how the legislative programme of the Parliament is crowded and because of this crowding of legislative programme of the Parliament, certain Delhi enactments have been delayed like the Mayor-in-Council Bill. The honourable Member knows that these were introduced in the last Lok Sabha also, but they lapsed because

of the Lok Sabha could not dispose of these enactments. It is not that the Central Government is delaying them, but the Parliament has not been able to find sufficient time to deal with these matters. The delay is not on the part of the Central Government. The Parliament has not been able to find time to deal with these enactments which we introduced in the Parliament earlier before the last general elections. As far as this matter is concerned, it is a matter of policy that we decided that we shall not stop any State Governments from issuing lotteries in order to augment their resources. But the Central Government itself has not decided to start any lotteries of its own, and since the Union Territories more or less reflect the opinion or the policies of the Central Government itself, we have taken some time to consider the request of the Union Territory of Delhi. And we have not yet taken a decision on this because if a decision of this kind is taken, it will in a way reflect the policy decision of the Central Government itself. That is why a little time is being taken and it is wrong to say that any deliberate effort is being made to delay this decision here.

DR. BHAI MAHAVIR: Sir, my one point has not been clarified. I wanted to know if the Central Government does not consider the Delhi Administration to be on par with other States except in respect of reserved subjects. Now, this is a reserved subject so far as the States are concerned, a subject which is in the jurisdiction of the States. Now, does the Central Government not consider this to be a subject which does not concern any of the specific responsibilities of the Central Government, take, for example, law and order? If that is so, why cannot the Central Government permit the Delhi Administration to take a decision quickly itself?

SHRI VIDYA CHARAN SHUKLA: Sir, according to the Delhi Administration Act, the status of the Union Territories is entirely different from that of the States. But still for the working purposes we have always regarded the Delhi Administration or the Union Territory of Delhi as State Administration—although it cannot be strictly so in law—except for the reserved subjects as the honourable Member himself has stated. But here as I have said, as far as lotteries are concerned, it is a matter of policy that the Government has to decide for itself. And that is why a little time has been taken, and I can assure the honourable Member that there is no deliberate effort to delay, to harm any interests of the Delhi Administration. We regard the interests

of the Delhi Administration as our own. There is no difference between us and the Delhi Administration. Why should we try to harm the Delhi Administration's interests?

DR. BHAI MAHAVIR: When are you likely to decide it?

(No reply)

SHRIMATI SATYAVATI DANG: Sir, the honourable Minister has just said that no other Union Territory has applied for permission for the lottery. But Himachal Pradesh has. It is surprising that it has not come here. Is it a fact that lotteries were permitted in the area of Himachal Pradesh of the erstwhile Punjab State? A discrimination has been created by not allowing them in the rest of Himachal Pradesh. If so, does the Government propose to allow lotteries in the whole of Himachal Pradesh to further the interests of social activity?

SHRI VIDYA CHARAN SHUKLA: As far as I am aware at present, I do not think the Himachal Pradesh Government has asked for our permission. But I will check up the position.

SHRI K. S. CHAVDA: Sir, Government lotteries ruin the weaker sections, especially the poorer sections, of our people. The States are violating Article 46 of the Constitution which is mandatory for the States because lotteries are a kind of exploitation. May I know, Sir, what machinery the Government has got.

SHRI ARJUN ARORA: No, no.

SHRI K. S. CHAVDA: Yes, Article 46 says:

"The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation".

So, lottery is also one form of exploitation. That is why, I would like to know from the Government, Sir, as to what machinery the Home Ministry has got to ask the States to implement the Constitutional article which is mandatory?

SHRI VIDYA CHARAN SHUKLA: Sir, we do not regard lotteries with necessary safeguards as a form of exploitation. If there is no safeguard and if lotteries are run by unscrupulous organisers, then it is possible that there will be some exploitation, there may be dishonesty. But here

the State Governments themselves are organising the lotteries, and we have given instructions that unless the other State Governments agree, there should be no sale of lottery tickets in the territories of those States. We have come across certain instances where lottery tickets of one State have been sold in another State without the express permission of that particular State Government, and we considered this matter and now we are going to amend Section 294A of the Indian Penal Code to make it an offence to sell the lottery tickets of one State in another State without the express permission of that particular State Government because we do not want the sale of lottery tickets to be held in another State unless the State Government as a matter of policy decides to permit such a sale.

SHRI G. H. VALIMOHMED MOMIN
Sir, since the Central Government has not taken a decision, is not the Central Government also a party when it gives permission to the States when they apply for permission for running these lotteries? It is something like Jack not doing a thing but permitting Mr Paul to do something. Has the Central Government not considered the moral aspect of the question that even this issue of a lottery, which is a question of luck, has an element of gambling in it? And though it may augment the resources of the States—the State Governments must have convinced the Union Government of the extent of the resources they hope to raise through this means, that is perhaps why the Centre does not issue the lottery itself which it might otherwise have thought of—is not the Centre a party to the guilt in the same when it gives permission to the State authorities?

SHRI VIDYA CHARAN SHUKLA
Sir, if we consider running a lottery a guilt, we would not have given permission. Obviously, when we give permission to the State Governments to run lotteries, it is obvious that we do not consider it a guilt. But, whatever the States might do, it is not necessary that the Centre should also follow the same thing—there is difference between State administration and Central administration—and as I said earlier, we are taking due care, even by amending the law, to see that the sale of lottery tickets of a State is not held in another State without the express consent of that other State. In Gujarat, if the State Government of Gujarat does not permit a lottery by itself, then they may not also like the sale of lottery tickets of other State Governments there in Gujarat. But they have no legal

means at present to prevent it. Therefore, after this amendment goes through, they will have this legal means of preventing a lottery if they do not want any lottery to be organised or any lottery tickets to be sold in the State of Gujarat.

MR. CHAIRMAN Next question

PAVATE COMMITTEE RECOMMENDATION

*408. **SHRI A. D. MANI** †
SHRI M. K. MOHTA
SARDAR RAM SINGH
SHRI SITARAM JAIPURIA.
SHRI SUNDAR SINGH
BHANDARI:

Will the Minister of EDUCATION AND YOUTH SERVICES be pleased to state:

(a) whether the Pavate Committee has recommended to the University Grants Commission to increase the staff in the various Universities of India,

(b) what are the main features of the Pavate Committee recommendations, and

(c) whether it is a fact that the University Grants Commission is shortly going to implement the recommendations?

THE MINISTER OF EDUCATION AND YOUTH SERVICES (PROF. V. K. R. V. RAO) (a) and (b) The recommendations of the Pavate Committee were examined by the University Grants Commission and referred to the Committee as reconstituted under the Chairmanship of Dr. D. S. Reddi, for further consideration and formulation of financial implications of its final recommendations. A summary of the recommendations made by the Committee under the Chairmanship of Dr. Pavate and later of Dr. Reddi is laid on the Table of the Sabha. [See Appendix LXVII, ANNEXURE No. 61]

(c) The report of the Committee was circulated by the U. G. C. to the Universities for comments. Replies have been received from 21 Universities so far. The U. G. C. is awaiting the replies of other Universities.

SHRI A. D. MANI Sir, it is a bulky statement which the Minister has placed on the Table of the House. May I ask

†The question was actually asked on the floor of the House by Shri A. D. Mani.