

आया, वह पार्ट आफ द प्रोसीडिंग्स बनाया गया तो यह गलत होगा। इसलिये यह हमारा सेन्स्योर होगा आपके सेक्रेटेरिएट में।

MR. CHAIRMAN: I am convinced that the tape-recorder has taken the whole thing and I am of opinion that the statement has been made. So far as the other matter is concerned, it is having my attention. No more on this.

SHRI G. MURAHARI: Sir,...

MR. CHAIRMAN: Leave it to me.

श्री राजनारायण : आप टेप रिकार्डर र्गना कर हम लोगों के सामने देखिये। वी शुड बी कन्विन्ड।

SHRI LOKANATH MISRA (Orissa): Sir, the point is this. I am just explaining it and I will take only two minutes. Either a statement has to be audible or it has to be placed on the Table of the House. If it is placed on the Table of the House it will go into the record. There is no difficulty about it. But when the All India Radio, which is an institution of the Government, announced that it was completely inaudible and when all the newspapers in the country.... (Interruptions.) Please listen to me. It is very important. I am not yielding . . .

SHRI P. C. MITRA (Bihar): All India Radio said "was inaudible from the gallery, it might be audible in the House."

SHRI LOKANATH MISRA: Please sit down, you do not understand. The point is this. Unless something is audible, unless the Members in the House know that something has been spoken or something has been said or, in the alternative, something has been placed on the Table of the House, should it go on record? The record is a sacred thing so far as Rajya Sabha is concerned.

MR. CHAIRMAN: It will be a lesson to the Members that the affairs of this House should be conducted

in a proper manner and everything is audible. If you make a great noise, how can it be audible when a statement is made?

श्री राजनारायण : कल मही स्थिति थी। श्रीमन् मैं आप से रिक्वेस्ट करूंगा कि आप टेप-रिकार्डर को देखें। प्रोसीडिंग्स को करेक्ट न माना जाय।

MR. CHAIRMAN: No more. Short Notice Question.

श्री राजनारायण : आप इस चीज को देखें . . . .

MR. CHAIRMAN: I shall do it. Short Notice Question, Mr. A. D. Mani.

#### SHORT NOTICE QUESTION AND ANSWER

##### DENIAL OF MATERNITY LEAVE

3. SHRI A. D. MANI:†

SHRI D. THENGARI:

SHRI RAJNARAIN:

Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether orders have been issued by his Ministry to deny maternity leave to women employees who bear more than three children; and

(b) if so, on whose recommendation these orders have been issued?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI B. S. MURTHY): (a) The Ministry of Finance have issued orders on the 30th June, 1967 to the effect that as an aid to the furtherance of Family Planning Programme, maternity leave will not, in future, be available to non-industrial Central Government employees having three or more living children. These orders will take effect from 1st April 1968.

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

(b) Restriction on maternity benefits to women workers after the 3rd child was recommended by the Central Family Planning Board.

SHRI BANKA BEHARY DAS: It is a fantastic order.

SOME HON. MEMBERS: The reply was not audible.

MR. CHAIRMAN: You make such a noise that he cannot be held responsible. Mr. Murthy, will you kindly read it again more clearly?

SHRI B. S. MURTHY: Sir, I have been reading it clearly. I shall read the answer again:

"(a) The Ministry of Finance have issued orders on the 30th June, 1967 to the effect that as an aid to the furtherance of Family Planning Programme, maternity leave will not, in future be available to non-industrial Central Government employees having three or more living children." ....

SHRI G. MURAHARI: They should deliver in the office?

SHRI B. S. MURTHY:

"These orders will take effect from 1st April 1968.

(b) Restriction on maternity benefits to women workers after the 3rd child was recommended by the Central Family Planning Board."

SHRI B. K. P. SINHA: Sir, I am suggesting that this order is of such an extraordinary nature that it has shocked the conscience of the whole country, and therefore please permit a discussion on this order.

SHRI A. D. MANI: Sir, I want to put two questions. I want to make a personal reference to you also, Sir. You have been a labour leader of national reputation. May I ask the Minister whether this order is in consonance with internationally accepted labour conventions? Is it a denial of fundamental rights for a person to have four or five children? If maternity leave is given, it is not

an act of courtesy; it is on health grounds that maternity leave is given. There are doctor Members in this House. May I ask the Minister whether all these points were taken into consideration by the Ministry of Finance when they passed this stupid and foolish order?

SHRI B. S. MURTHY: I have no idea as to the stupidity of the order, but I know the wisdom of a policy like this because, as the hon. Members know, there are 55,000 children being borne every day. Therefore, the Central Government have taken up the family planning programme as a national programme. (*Interruption*). I am only giving some information for the elucidation of the hon. Members. Therefore, the Finance Ministry has issued such an order, as was already stated by me.

SHRI A. D. MANI: May I ask ...

SHRI CHANDRA SHEKHAR: The lady Members should get priority.

SHRI A. D. MANI: Sir, this is my second question. May I ask the Deputy Minister whether the Finance Ministry consulted the Law Ministry in regard to this order because it is in conflict with fundamental rights?

SHRI B. S. MURTHY: I may tell the hon. House that the Finance Ministry has consulted not only the Law Ministry but also the Home Ministry.

SHRI D. THENGARI: May I know whether the Government have collected data before passing such an order about the total number of women employees in their employ who have borne three or more children? Have the Government collected the data? Secondly, have they consulted before passing such an order the All India Women's Conference on the one hand and the Central Government Employees' Associations and the Central Labour Associations on the other hand; have they consulted them?

**SHRI B. S. MURTHY:** The idea is that a family should be a small family with not more than three children. Therefore, the order is here that when there are three living children, a non-industrial Central Government employees may not be given the benefits of maternity leave.

**SHRI D. THENGARI:** The hon. Minister has no replied to my question; firstly, whether these organisations have been consulted; secondly, what is the total number of women employees who have borne three or more children.

**SHRI B. S. MURTHY:** As a matter of fact it is only about non-industrial Central Government employees.

**MR. CHAIRMAN:** The question is whether you have consulted those organisations.

**SHRI B. S. MURTHY:** The organisations have been consulted.

**SHRI D. THENGARI:** Which organisations have been consulted?

**MR. CHAIRMAN:** He says they have consulted the organisations concerned.

**श्री राजनारायण :** यद्यपि आपने नियम के मुताबिक मेरा नाम पुकारा है, अगर फिर भी आप उचित समझें तो महिला सदस्यों को मैं अपनी जगह पर बोलने के लिए देने को तैयार हूँ ।

**MR. CHAIRMAN:** Not at all.

**श्री राजनारायण :** हमारी पार्टी में भी महिलाओं को विशेष अधिकार दिये गये हैं । तो मैं माननीय मंत्री जी से एक निवेदन यह करना चाहता हूँ कि विभिन्न संसद सदस्यों के पास और मंत्रालयों को एक परिपत्र भेजा गया है जहाँ तक मेरी जानकारी है और मंत्रालय ने खुद अभी इस मामले पर विचार करने के लिए जानकार लोगों को बुला रखा है । वह पहले उन से इस बारे में किसी कानफ्रेंस में बातचीत करेगा । तब इस बारे में कोई फैसला लिया जायेगा कि किस प्रकार

बढ़ती हुई आबादी पर बंदिश लगायी जा सकती है । अभी ऐसा है । तो इस अंतिम नतीजे पर बिना पहुँचे इस प्रकार का परिपत्र सरकार की ओर से क्यों गया । यह तो एक बात है ।

श्रीमन्, एक श्लोक है, जो हम ने पहले पढ़ दिया था, और आज फिर उसको पढ़ देते हैं क्योंकि मंत्री जी ने इस श्लोक को पढ़ने तथा अध्ययन करने की भूल की है । वे बड़े विद्वान हैं और उन्हें इस श्लोक का अध्ययन करना चाहिये था । श्लोक का अर्थ यह है कि राज्य के नियमों तथा अनुशासनों को सर्वप्रथम राजा अपने पर, उसके बाद मंत्री पर और उस के बाद अपने पुत्र तथा परिवार पर, उस के बाद प्रजा पर लागू करेगा, यह हमारे यहाँ प्राचीन संस्कृति का सिद्धान्त है । तो मैं यह जानना चाहता हूँ कि जो कर्मचारी है, उन के प्रति ऐसा आदेश देने के पूर्व इस मंत्रालय ने अपने पर उस आदेश को जारी करना क्यों नहीं उचित समझा कि जिन मंत्रियों के तीन से ज्यादा बच्चे हो गये हैं, वे मंत्री पद से अलग कर दिये जायेंगे और उन्हें मंत्री पद पर नहीं रहने दिया जायेगा ? यह एक वैलिड सवाल है क्योंकि प्राचीन काल से और अभी भी सरकार को इस बात की जानकारी है कि हमारे यहाँ जो ऋषि मुनि हैं उन्होंने इस तरह की व्यवस्था की है, कि जो भी कायदे कानून सरकार बनाती है वह पहले अपने पर लागू करती है, चाहे वह वित्त मंत्री हो, चाहे शिक्षा मंत्री हो, और चाहे स्वास्थ्य मंत्री हों । तो मैं यह जानना चाहूँगा कि इस नियम का कठोरता के साथ पालन क्यों नहीं किया गया कि जिसके तीन बच्चे से ज्यादा बच्चे होंगे उन्हें पहले निकाल दिया जायेगा ? क्या सरकार ने अपने इस सुझाव को अपने मंत्रालय के सदस्यों पर लागू किया या नहीं ? अगर नहीं किया तो क्यों नहीं किया और दूसरों के लिए यह लागू करना क्या जरूरी है ?

श्रीमन्, एक तीसरा प्रश्न निकलता है, आज कल स्वास्थ्य मंत्रालय ने जितने भी लूप सिस्टम चलाये हैं, गर्भ निरोधक सिस्टम चलाये हैं, उस में से दो एक को मैं भी जानता हूँ और अगर सरकार कहेगी तो हम बतलायेंगे लेकिन वह चीज हमारे ब्रह्मचर्य से संबंधित है क्योंकि गर्भ कब और कैसे होता है और इसके बारे में हमारे प्राचीन ऋषि मुनियों ने जो सम्मति दी है, उसका पहले सरकार अध्ययन करे। तो मैं यह जानना चाहता हूँ कि सरकार ने जो इस समय व्यवस्था की है वह कैसी है और जो कर्मचारी हैं उनका अपराध क्या है? संविधान में और श्रम कानून के मुताबिक कर्मचारियों को जो हक हासिल हैं, उसको सरकार क्यों छीनने जा रही है और जो सवाल अभी तक आ चुके उनका मैं उत्तर मंत्री जी से चाहता हूँ।

SHRI B. S. MURTHY: Sir, it is a marathon question. Firstly, he asked why we did not first consult the Members of Parliament and then issue this order.

श्री राजनारायण: यह मेरा क्वेश्चन नहीं था। हम ने यह कहा था कि मंत्रालय ने पहले सलाह माँगी है और वह सलाह अभी पक्की नहीं है और उस के पहले अपना आर्डर जारी कर दिया।

SHRI B. S. MURTHY: No, Sir. The Ministry is in consultation with a number of organisations, with a number of institutions and also with a number of Members of Parliament informally and it is trying to have and we have planned it—a seminar or a symposium where Members of Parliament also will be requested to give us their opinions.

As regards the second question, about the *sloka* which he has quoted, I do not think that I have come across that *sloka*. But I think the *sloka* which should be now repeated by

every Member of Parliament is that which Lord Krishna has given to Arjuna:

सर्वधर्मान् परित्यज्य मामेकं शरणं ब्रज।

Therefore, the nation today should consider family-planning as the one programme to which every individual should devote his energy.

Sir, Shri Rajnarain also said that the Ministers must be removed if they have got more than three children. I would like to make him understand that it is only about maternity benefit and Ministers have no such... (Interruptions).

SHRIMATI YASHODA REDDY: I am not concerned with labour conventions or labour laws regulating this thing. But this is sort of a more human question. Only the Government of India could bring forward such a ridiculous or fantastic if not fantabulous suggestion that maternity leave and benefits should be stopped when the mother concerned is bringing forth her fourth child. I do not entirely agree with the hon. Minister that family-planning programme has to come into this country, that there should be family planning and that the family should be controlled. But all that I would like to ask the Minister is this. He says that maternity leave is stopped to a woman who has already borne three children who are living; so, the maternity leave will be stopped for the fourth child. How does it help the family planning programme? After all, nobody takes maternity leave before the child is in the process of being born or unless the mother is already having the baby in her. Nobody applies for maternity leave earlier. And by stopping the maternity leave, do they expect that the lady concerned... (Interruptions). Do not talk all sorts of things. Do they expect the lady to work all through the time, even at the time of child birth? It is only understandable to the Government of India. By refusing maternity leave, are they going to stop the child from being born from the womb of the mother

and make family planning a success? I do not understand how, by stopping the maternity leave for the fourth child, you are going to make the programme a success. It is rather ridiculous. Only they can understand it. I want an answer.

SHRI B. S. MURTHY: At present, the birth rate is 41 per thousand. The idea is that it must be reduced to 25 per thousand. The hon. Member has put a pertinent question: How can the fourth child be stopped even if there are no maternity leave and benefits? We are only making the parents forewarned that for your fourth child, we are not giving you any maternity leave.

SHRIMATI YASHODA REDDY: Why do you refuse leave?

SHRI M. GOVINDA REDDY: As if she has conceived before . . . (*Interruptions*).

SHRI CHANDRA SHEKHAR: May I request the Government to withdraw this fantastic and stupid order and not turn the science of demography into demagoguery and consequential disgrace to the country? The Government should take care in passing such orders and the Minister should not justify such an order. It is not a matter to be laughed at. It is something surprising that the Government of India claiming to be an able Government can pass such a fantastic and stupid order and the Minister has the audacity to support this order and defend it in this House. May I have the assurance of the hon. Minister that this order will be withdrawn forthwith without any delay and without any discussion and without causing disgrace to the country?

SHRI B. S. MURTHY: Sir, I do not know whether it is a stupid order.

SHRI CHANDRA SHEKHAR: It is; it is the sense of the whole House. Mr. Chairman, Sir, the Minister should learn to know and gauge public opinion in the country and also in the House. They should not be guided by the science that they have learnt

in some foreign country and should not try to apply certain statistics in this country.

SHRI B. S. MURTHY: I have been trying to learn, not stupidity, but wisdom. What I would to say is this . . .

SHRI CHANDRA SHEKHAR: At the moment you are supporting stupidity, nothing else.

SHRI B. S. MURTHY: I may tell him that . . .

MR. CHAIRMAN: That is a matter of opinion.

SHRI B. S. MURTHY: . . . as citizens of this country, if we do not take necessary action to stop this demographic explosion . . . (*Interruptions*) Don't shout.

SHRI CHANDRA SHEKHAR: The Minister should know that I am not shouting and he should know how to keep the etiquette and dignity of the House. I have made this Minister time and again to know how to behave with Members . . . (*Interruptions*). I am pressing my point. I am not shouting. The Deputy Minister should know how to behave. I am not at the mercy of the Ministers here.

SHRI B. S. MURTHY: I am not also at your mercy.

SHRI CHANDRA SHEKHAR: Of course, you are at the mercy of the Members.

SHRI B. S. MURTHY: Sir, I protest . . . (*Interruptions*). Sir, I was trying to . . . (*Interruptions*).

MR. CHAIRMAN: There seems to be very strong views on this matter as I could see that a number of hon. Members are standing and expressing their views. I wonder if this subject could be brought up again after some of those who feel very strongly have had a discussion with the Minister and then try and see how best . . .

HON. MEMBERS: No, no.

SHRI M. M. DHARIA: Sir, a discussion should take place in this

House, not at the Chamber of the Minister. Then only many Members will get an opportunity. A two-hour discussion should be granted in this House.

SHRI M. P. BHARGAVA: I have to make a submission in this connection. The discussion should take place in this House when the Minister who has gone to Russia for getting further knowledge in this subject comes back. We should have a full-fledged discussion in this House for two hours.

AN HON. MEMBER: On Monday . . . (Interruptions).

SHRI I. K. GUJRAL: I would like to submit, Sir, that we are fully conscious, and we realise the sentiments for a discussion on the subject. And we will have no objection, if you permit the discussion.

MR. CHAIRMAN: All right, we will have an hour's discussion.

SHRI SUNDAR SINGH BHANDARI: We want two hours.

MR. CHAIRMAN: All right. Two hours.

#### WRITTEN ANSWERS TO QUESTIONS

##### PAK CONCENTRATION ON RAJASTHAN BORDER

\*323. SHRI BABUBHAI M. CHINAI: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that Pakistan has concentrated troops on Rajasthan borders; and

(b) if so, the action being taken by Government to meet the situation?

THE MINISTER OF DEFENCE (SARDAR SWARAN SINGH): (a) No unusual concentration of Pakistani troops in this area has come to our notice recently.

(b) Government keep a close watch on Pakistan military dispositions and take note of any changes therein having a bearing on our security.

##### क्षेत्रीय पारपत्र तथा आप्रवासन कार्यालय मद्रास

\*330. श्री विमलकुमार मन्नालाल जी औरडिया : क्या वैदेशिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्षेत्रीय पारपत्र तथा आप्रवासन कार्यालय, मद्रास में किए गए गबन के मामलों की जनवरी, 1966 में स्पेशल पुलिस इन्स्टीट्यूट द्वारा जो जांच शुरू की गई थी, उसका क्या परिणाम रहा ; और

(ख) कितने व्यक्ति दोषी पाए गए और उन के विरुद्ध क्या क्या कार्यवाही की गई ?

†[REGIONAL PASSPORT AND IMMIGRATION OFFICE, MADRAS

\*330. SHRI V. M. CHORDIA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the result of the enquiry which the Special Police Establishment had started in January, 1966 in the cases of embezzlement committed in the Regional Passport and Immigration Office, Madras; and

(b) the number of persons who were found guilty and the action that was taken against them?]

वैदेशिक कार्य मंत्री (श्री एम. सी. चागला) : (क) और (ख) पूछताछ करने पर, स्पेशल पुलिस स्टेब्लिशमेंट (Special Police Establishment) को पता चला कि क्षेत्रीय पासपोर्ट कार्यालय, मद्रास (Regional Passport Office, Madras) का अपर डिविजन क्लर्क-एव-कैशियर (Upper Division Clerk-Cum-Cashier) सरकारी धन का गबन करने के लिए जिम्मेदार था। उस पर अभियोग लगाया गया और मुकदमा, मद्रास के विशेष जज की अदालत में भेज दिया गया। वह दोषी पाया गया और

†[.] English translation.