

बतायेंगे कि ये एनामलीज जब स्वीकार कर ली गई हैं—हुमायून कबिर साहब ने पहले ही स्वीकार किया है—तो ऐसी स्थिति में इसका शीघ्र निर्णय होने में ऐसी कौन सी बाधा आ रही है कि वह निर्णय नहीं हो रहा है? पहले के उत्तर में बताया गया था कि सितम्बर में ही इनकी बैठक होने वाली है और इसमें इस बारे में भी विचार किया जायगा?

SHRI M. C. CHAGLA: The Vice-Chancellor of the Delhi University, Mr. Deshmukh, drew our attention to some of these anomalies. We consulted the Vice-Chancellors of the Central Universities and now it is arranged that a meeting of the Vice-Chancellors will be held in February when these matters will be gone into and a decision arrived at.

श्री विमलकुमार मन्नालालजी चौरङ्गिया : क्या श्रीमान् को यह ज्ञात है कि देहली में युनिवर्सिटी के रजिस्ट्रार साहब ने यहाँ पर जितने कालेजेज हैं उनको एक पत्र लिखा था और उस पत्र के द्वारा सारी एनामलीज के बारे में और उसका क्या हल किया जाय इसके बारे में बताया था? उसका कोई उत्तर आया यह क्या श्रीमान् को ज्ञात है और उस पर कोई य लेने की क्या सम्भावना है?

श्री एम० सी० छागला : उसी चीज का डिस्मिशन इस कांफ्रेंस में लिया जायगा। वह खत हमें मिला, हमने उस पर ख्याल किया, एनामलीज को कंसीडर किया और सब वाइस-चांसलरों को कंसल्ट किया और उसी का फैसला ले के लिये वाइस-चांसलर्स 1 नवम्बर में बुलाई गई है।

श्री विमलकुमार मन्नालालजी चौरङ्गिया : क्या श्रीमान् को यह ज्ञात है कि यह पत्र अगस्त में लिखा गया था और अगस्त में पहले जब प्रश्न पूछा गया था उस समय यह बताया गया था कि सितम्बर में इसकी बैठक होने वाली है। तो ऐसी स्थिति में सितम्बर की बैठक

में इस बारे में भी कुछ निर्णय हुआ था अथवा नहीं और नहीं हुआ था तो क्या कारण है?

SHRI M. C. CHAGLA: I am sorry that we have to adopt a fairly elaborate procedure. Our attention was drawn to the anomalies. Mr. Deshmukh made certain suggestions. We consulted the Vice-Chancellors of the Central Universities. They made certain recommendations and ultimately it was decided that this meeting should be held in February when the whole matter should be thrashed out. I assure my hon. friend that we will do our best to expedite the matter.

श्री राम सहाय : क्या मैं यह जान सकूंगा कि जो पे का रिवीजन हो रहा है उसमें रीडर्स की तनख्वाहों में यहाँ बहुत कुछ कमी है बनिस्वत दूसरी युनिवर्सिटीज के, तो क्या उसके बारे में भी विचार किया जायगा?

SHRI M. C. CHAGLA: The scale recommended by the Commission for the Delhi colleges is:

Principal—Rs. 1,000-50-1,500.

Lecturers—Rs. 400-30-640-E.B.-40-800.

इसमें रीडर्स का तो नहीं है मगर उसका भी ख्याल रखेंगे।

CONTINUANCE OF THE EMERGENCY

*225. SHRI BHUPESH GUPTA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether his attention has been drawn to the 'Political Commentary*' on the emergency in the 'Statesman*', October 25, 1963 and similar critical observations in other newspapers about the continuance of the emergency; and

(b) if so, whether the public opinion, as reflected in these commentaries, editorials and observations is being considered by Government?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R. M. HAJARNAVIS): (a) Yes;

(b) Government have taken note of the views expressed on the question of further continuance of emergency. The Proclamation of Emergency was issued because the security of India was threatened by external aggression. As this threat still persists, the Government consider it necessary that the emergency should continue.

SHRI BHUPESH GUPTA: May I know whether it is not a fact that in the Presidential Proclamation last year October it was said that the emergency had been declared as a result of grave threat arising out of the Chinese aggression? That was done in consonance with article 353 of the Constitution. May I know whether after that many papers have criticised the Government for continuing the emergency in the old way and in this connection whether the attention of the Government has been drawn in particular to the remarks like these, in the Statesman:

"Like authority in any other country, the Government here would be reluctant to part with powers that circumstances placed in its hands. The longer it retains them, the more difficult it will be for the Government to surrender them. In the long run, this may be politically disastrous for a country where traditions of democracy and civil liberty are still a tender sapling. Actually even without the DIR . . ."

THE DEPUTY CHAIRMAN: Put a question.

SHRI BHUPESH GUPTA: I want to draw his attention and ask whether he has particularly considered this point that these blanket powers, the continuance of it, would be absolutely uncalled for and in this connection the statement of the former Attorney-General, Mr. Setalvad and the recom-

mendations of the Jurists' Seminar held in Bangalore, also criticised the continuance of the emergency, supported by a large number of newspapers in the country. Why, I ask, is the Government not consulting the Parties of the Opposition and others, with a view to reviewing the entire situation so that we can return to the normal constitutional provisions and the arbitrary powers are taken away from the hands of the Government?

SHRI R. M. HAJARNAVIS: The Government has the liberty to differ from the views in regard to responsibilities of citizens and Fundamental Rights expressed by notable personalities and *vice versa*. In this case, what happens is, when the Proclamation of Emergency is issued, all that happens is that certain powers which normally belong to the States are vested in the Centre. Now we have consulted the States and we have been advised to continue the Proclamation. Secondly, certain Fundamental Rights are suspended. The extent to which there has been deprivation of Fundamental Rights is of minimal magnitude. There has been no complaint that it has been drastic except by Mr. Bhupesh Gupta. So long as the fact of the external aggression exists and as has been explained by the Prime Minister to the House that the Chinese are not only very much there but they have strengthened their position, so long as that state of affairs exists, it is necessary that the Government of India should be armed with these powers.

SHRI A. D. MANI: In view of the strong criticism of the continuance of the emergency in this country, is there any proposal of the Government to have this matter discussed *de novo* with the State Chief Ministers at one of the Conferences in the future?

SHRI R. M. HAJARNAVIS: We are constantly in consultation with the Chief Ministers. This matter is always discussed whenever the Chief Ministers meet in the National Develop-

ment Council and other placet and, as I said, we have consulted the State Chief Ministers recently and they have advised us that we should continue to have those powers.

SHRI DAHYABHAI V. PATEL: Is it not a fact that there has been considerable increase in spying activities in spite of the emergency legislation?

SHRI R. M. HAJARNAVIS: We cannot say about magnitude but we have noticed some cases and we are taking action.

SHRI N. SRI RAMA REDDY: In view of the fact that there is a wing called the pro-Pakistan Communist Party in this country and in view of the fact . . .

HON. MEMBERS: Pro-China.

SHRI N. SRI RAMA REDDY: Yes, I am sorry, I mean pro-China Communist Party in this country. In view of the fact that recently a convention, was held in Calcutta of a large number of these people, does it not point to the fact that the emergency is of great importance to national security and therefore it is on account of this wing of the Communist Party that the emergency is justified?

SHRI BHUPESH GUPTA: I would like to . . . (Interruptions).

SHRI R. M. HAJARNAVIS: This is one reason why it finds favour with a large number of people but the Government takes an overall view of this question and considers that the Proclamation of Emergency should be continued.

THE DEPUTY CHAIRMAN: There is a tendency in this House that questions get longer and longer and answers are short . . .

SHRI BHUPESH GUPTA: Emergency is getting longer. . . .

SHRI B. D. KHOBARAGADE: May I know whether the hon. Minister is aware that a number of persons have been detained under an Act which has been declared illegal and void by the Supreme Court and eminent jurists have expressed the opinion against such illegal detention? In view of these facts, may I know whether the Government have decided and advised the State Governments to review the cases of individual detenus and, if possible, relax the provisions and release other detenus?

SHRI R. M. HAJARNAVIS: The Act has not been declared illegal by any Court. All that has been said by the Supreme Court is that at this stage, so long as the Proclamation of Emergency exists or is in force, no court can go into the question of legality. As regards individual cases, they receive very intimate scrutiny at the hands of the Chief Ministers that is, at the highest level and unless we are satisfied that the deprivation of detenu's individual liberty is absolutely necessary, no order is passed. Thirdly, even after an Act is declared *ultra vires* we have approached in more than one case the Legislature or Parliament to ratify it.

SHRI DAHYABHAI V. PATEL: The lavish entertainment recently provided to the Congress Session at Jaipur, does that reflect the sense of emergency or the large-scale famine prevailing in that area? (Interruptions).

SHRI BHUPESH GUPTA: I would request you to ignore the Dallas question—the Texas question, because asking that question is a fabrication—like the things which they have about Dallas in Texas. May I know whether it is not a fact that complaints have come from the traders, businessmen, industrialists and others that the emergency powers are being abused with a view to oppressing the people covering up the sins of administration and enabling them to do excesses against the masses? If that is so, how is the matter being dealt with? Are

they looking into them and whether the Government is aware of these things and whether the Government will try to lift the emergency even for a short time so that we can go to the Court and prove before the Court that the detentions are illegal?

SHRI R. M. HAJARNAVIS: Every complaint is carefully scrutinised and attended to.

FERTILIZER FACTORY AT KORBA

*226. SHRI DAYALDAS KURRE: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether it is a fact that a fertilizer factory is going to be started at Korba (MP.); and

(b) what are the other big factories which are proposed to be set up by his Ministry at Korba?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI HUMAYUN KABIR): (a) Yes, Sir.

(b) None at the moment.

SHRI DAYALDAS KURRE: How much time will it take for its functioning at Korba?

SHRI HUMAYUN KABIR: Our expectation is that it would go into operation about the beginning of 1967.

श्री विमलकुमार मन्नालालजी चौरङ्गिया : क्या माननीय मंत्री जी यह बताने का कष्ट करेंगे कि अभी तक इस कारखाने को प्रारम्भ करने के लिये क्या क्या काम हो चुका है और कोई जमीन बगैरह एक्वायर गी गई अथवा नहीं ?

SHRI HUMAYUN KABIR: This project is really still in the preliminary stages. Perhaps the hon. Member is aware that originally it was not in the public sector but because of the failure of the party to carry it out, we have taken it over in the public sector. Now the project is under preparation

and we are in the meantime proceeding further. Steps for acquisition of land for the factory have been initiated and site preparation is expected to be taken in hand shortly.

SHRI DAYALDAS KURRE: What would be the proposed output of this factory annually?

SHM HUMAYUN KABIR: It is expected to do about 100,000 tons of nitrogen.

अखिल भारतीय माध्यमिक शिक्षा परिषद द्वारा किये गये निर्णय

*२२७. श्री भगवत नारायण भगवत : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि अखिल भारतीय माध्यमिक शिक्षा परिषद ने शिक्षकों के वेतनक्रम सुधारने, उन्हें रहने के लिये मकान देने, उनके लिये निःशुल्क चिकित्सा और उनके बच्चों के लिये निःशुल्क शिक्षा की व्यवस्था करने के लिये वर्तमान वर्ष में क्या क्या निर्णय किये हैं ?

t [DECISIONS TAKEN BY THE ALL INDIA COUNCIL FOR SECONDARY EDUCATION

*227. SHRI B. N. BHABGAVA: Will the Minister of EDUCATION be pleased to state the decisions taken by the All India Council for Secondary Education during the current year in regard to improving the pay scales of teachers, providing residential accommodation, free medical treatment for them and free education for their children?]

शिक्षा मंत्रालय में उपमंत्री (श्री भक्त बर्शन) : परिषद की यह सामान्य सिफारिश थी कि जो चौथी पंचवर्षीय योजना में शिक्षा के लिए, अन्य बातों के साथ-साथ, अध्यापकों के वेतन और अन्य सुविधाओं के सुधार हेतु व्यवस्था की जानी चाहिए ।

†] English translation.